

**MINUTES**

**MONTANA HOUSE OF REPRESENTATIVES  
54th LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON APPROPRIATIONS**

**Call to Order:** By **CHAIRMAN TOM ZOOK**, on March 14, 1995, at  
3:00 p.m.

**ROLL CALL**

**Members Present:**

Rep. Tom Zook, Chairman (R)  
Rep. Edward J. "Ed" Grady, Vice Chairman (Majority) (R)  
Rep. Joe Quilici, Vice Chairman (Minority) (D)  
Rep. Beverly Barnhart (D)  
Rep. Ernest Bergsagel (R)  
Rep. John Cobb (R)  
Rep. Roger Debruycker (R)  
Rep. Gary Feland (R)  
Rep. Marjorie I. Fisher (R)  
Rep. Don Holland (R)  
Rep. Royal C. Johnson (R)  
Rep. John Johnson (D)  
Rep. Mike Kadas (D)  
Rep. Betty Lou Kasten (R)  
Rep. Matt McCann (D)  
Rep. William T. "Red" Menahan (D)  
Rep. Steve Vick (R)  
Rep. William R. Wiseman (R)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Clayton Schenck, Legislative Fiscal Analyst  
Marjorie Peterson, Committee Secretary

**Please Note:** These are summary minutes. Testimony and  
discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing: SB 266, HB 307, HB 509  
Executive Action: DO PASS AS AMENDED: HB 17, HB 21,  
HB 307, HB 416, HB 460, HB 509;  
HB 18 DO PASS, HB 330 TABLED, HB 440  
TABLED, HB 503 TABLED, SB 266 TABLED

HEARING ON SB 266Opening Statement by Sponsor:

**SEN. BRUCE CRIPPEN, SD 10, Billings,** opened the hearing on SB 266 which revises existing salaries for Supreme Court and District Court justices. He said there are three issues included in this bill: (1) provides a two-year timeframe to be used to raise the pay; (2) provides mechanism whereby Montana judges' salaries can be placed within the average salaries received in surrounding states; (3) deals with a separate, equal branch of government in a fair, reasonable and equitable manner. The Department of Administration would conduct a salary survey of judges in North and South Dakotas, Wyoming and Idaho. **SEN. CRIPPEN** said this job is not for the faint-of-heart and the demands on our judicial system have greatly increased.

Proponents' Testimony:

**Jean Turnage, Chief Justice of the Supreme Court, Helena,** said that **SEN. CRIPPEN** has introduced important legislation as it is the initial step to maintain a quality level in our judicial system. Montana deserves a first-rate judicial system. Inadequate pay undermines the judicial system by deterring competent and experienced attorneys from seeking a judicial career. These salaries are the lowest in the country in this field, even significantly lower than our neighbor, Canada. The average Montana lawyer, from whom justices are sought, make substantially more than judges. Montana's judges are prohibited from the Constitution from having outside earned income, no additional salaries and cannot practice law. Unlike other public employees and elected officials, judges cannot draw retirement until after 65 years of age. **Chief Justice Turnage** also said the laws passed by this and every legislature are upheld in court every day as they are enforced by Montana's judges. He hoped the committee would look upon this bill favorably. He submitted a proposed formula to use for judges' salaries. **EXHIBIT 1.**

**Tom McKittrick, Judge in Great Falls,** said they take the oath of office which provides that they will uphold the Constitution of the U.S. and Montana. He would like to see fairness and understanding for judges' service to the courts. He said Montana's judges have tremendous responsibility and are paid the lowest in the country. Their responsibilities are unimaginable to many: they break up families, put people in jail for life, and sometimes even sentence the death penalty. They are asking for salaries that would be commensurate and proportionate to their responsibilities.

**Jim Nelson, Justice, Montana Supreme Court, Helena,** agrees with **Chief Justice Turnage** and **Judge McKittrick.** He reiterated that county attorneys may be making as much as district judges.

Judges are elected officials and should at least be making a comparable salary with those in neighboring states. He said it was a fair bill and professional salaries should be comparable.

**Chris Tweeten, Attorney General's Office, Helena,** said there were two points to be made: (1) the market-based salary system did not apply to the judiciary system and he thinks that was inappropriate; and, (2) it is a good mechanism to adjust judicial salaries to maintain competitiveness in our region. This bill only proposes that Montana's judges be paid a salary that is competitive to the rest of the region.

**Bob Gilbert, Montana Magistrates Association,** said members of his association are justices of the peace and city judges across the state. He said if people want equality, they should pay for it. Montana should have the very best people to sit on the bench in our courts. They should bring a level of responsibility, quality and fairness to the job and to have the lowest salaries in the nation is an insult to them and to the system. There are professionals -- attorneys who do not attempt to become judges -- because they can make more money as attorneys.

**Robert Phillips, President, State Bar of Montana,** said he wanted to emphasize the basic reasons for this bill in that it is becoming more and more difficult to move competent attorneys out of the practice of law to become justices. Montana's attorneys' salaries are higher than those of some of the judges. This is not the average job and their pay should be set so members of the bar are encouraged to apply.

**Marshal Michelson, Montana Defense Trial Lawyers,** said this bill is about fairness. These people make tremendous decisions on people's lives. Their salaries are at the bottom of the rest of the states in the country and they should be fairly compensated.

**Jim Mickler, Judicial Nomination Commission,** said he has sat on the commission that selects community leaders for over three years. The quality of the candidates is declining. People who we all want to see become judges are staying in their law practices because the pay is not commensurate with the duties.

**Jerome Anderson, Attorney, Helena,** said that his father sat on the Montana Supreme Court in 1940. Nowadays, most attorneys do not want to make the financial sacrifice to become judges. He said it is a fair bill and should be supported.

{Tape: 1; Side: A; Approx. Counter: 27.7.}

#### Opponents' Testimony:

**Sharon Bakerson, citizen,** said these people get paid enough. She said there are criminals who have never been put in jail and the trouble is with not enough enforcement, not with their salaries.

She said Montana should look at neighboring states to use their laws to prosecute since criminals aren't being prosecuted in this state. Go after them instead of just raising salaries.

**Questions From Committee Members and Responses:**

None.

**Closing by Sponsor:**

**SEN. CRIPPEN** said the only opponent to this bill makes the best argument for the bill. Montana citizens deserve to have the best people making decisions on their lives. If the opponent had come to court for her property, family, friends, or even her life, she would want the very best person to make those important decisions. It is society's premise that we pay for responsibility. We should provide Montana's professionals with an incentive to be judges and to want to be on the bench. We all deserve the best.

*{Tape: 1; Side: A; Approx. Counter 38.0.}*

**HEARING ON HB 307**

**Opening Statement by Sponsor:**

**REP. DAN HARRINGTON, HD 38, Butte,** opened the hearing on HB 307 which creates an express title-only procedure for used car dealers and allows them to transfer ownership. He said this bill would add three FTEs in the Motor Vehicle Division at Deer Lodge but the benefits outweigh the costs. There would be a \$5 fee added to pay for the FTEs and any excess money would divert to the general fund. The bill also appropriates \$75,000 to the Department of Justice for FY 96 and \$60,000 for FY 97. The fiscal note established that the estimated expenditures did not match the appropriations. **EXHIBIT 2.**

**Proponents' Testimony:**

**Dave Brown, Independent Auto Dealers Association, Butte,** said that he supports the bill. He noted on page 1, line 30, the original charge of \$15 for an express title was reduced to \$5 which they have determined would give ample amount of money to pay for this bill.

**Mark Steffes, auto dealer, Billings,** is in support of this bill. He said it would provide car dealers with a negotiable title to allow them to be more competitive. It would also allow dealers to work more efficiently with the Motor Vehicle Division. This

would bring government and private business into a good, working relationship. **EXHIBIT 3.**

**Scott Mitchell, Auto Brokers, Butte,** offered additional letters of support from new and used car dealers across the state. **EXHIBITS 4 and 5.**

**Steve Turkiewicz, Executive Vice President, Montana Auto Dealers Association,** said dealers sell about 45,000 cars and trucks each year to Montana's businesses. They would like to conduct their business in an efficient manner and this bill would enable them to do just that.

**Dean Roberts, Administrator, Motor Vehicle Division, Department of Justice, Helena,** said that present Montana law says a person cannot get a title without registering the vehicle. A dealer who wants to obtain a title has to register the vehicle. This bill would allow the dealer to get a title in his name and then transfer to the public when the sale takes place. At present, the dealers use a reassignment form to transfer to each other. There are 44 other states who have the express title-only law.

**Opponents' Testimony:**

None.

**Questions From Committee Members and Responses:**

**REP. MATT McCANN, HD 92, Harlem,** asked why dealers want titles processed so fast. **Mr. Roberts** said they have a product to sell and under the law they need the title before they can sell it.

**REP. ROYAL JOHNSON, HD 10, Billings,** referred to Section 3, where it changes "sticker" to "permit." He asked if it would affect the stickers that come with the car that include information about that car. **Mr. Turkiewicz** said it would not. **REP. JOHNSON** then asked about the additional FTEs. **Mr. Roberts** said that four years ago, his division had 75 employees and now there are 54 and there would be no problem finding room for three FTEs.

**REP. BEVERLY BARNHART, HD 29, Bozeman,** asked if she could tell by the title who the previous owners were. **Mr. Roberts** said no, but normally, a buyer doesn't see that paperwork. The dealer sends the papers to the county.

**REP. ROYAL JOHNSON** asked how the system would work, if dealers could use the cars for their personal uses. **Mr. Roberts** said there are 1,500 car dealers in Montana and this would help keep the dealers honest. He said the legitimate dealers work with them closely to ensure dealers are not using vehicles for their personal use.

{Tape: 1; Side: B; Approx. Counter: 0.1.}

Closing by Sponsor:

REP. HARRINGTON said it is a good bill and would enhance and streamline the paper process when buying a vehicle. He referred to page 3, line 23, which changed "sticker" to "permit." He said that was changed so as not to confuse it with the sticker that comes with the car.

HEARING ON HB 509

Opening Statement by Sponsor:

REP. SHIELL ANDERSON, HD 25, Livingston, opened the hearing on HB 509 which would merge and consolidate health care facilities. This bill would enable hospitals who want to combine without having to go through possible anti-trust litigation. It would also implement cooperative agreements, mergers and consolidations with health care providers. He stated he intends to have amendments to charge a fee for services. The fiscal note states \$104,000 for FY 96 and \$97,000 for FY 97 would be appropriated.

Proponents' Testimony:

Max Davis, Attorney, Columbus and Deaconess Hospitals, Great Falls, said that change is coming to health care regardless of what is happening here at the legislature. The federal government has indicated that medicare and medicaid are going to be impacted by legislation in Washington, DC. Managed care is going to affect health care providers and facilities, as well. Health care providers and facilities are victims of their own success. For example, he said, things are being done at home that were previously done in hospitals, and many inpatient procedures are now being done as outpatient procedures. This bill would allow change to occur in Montana by Montanans rather than our decisions being made exclusively in Washington, DC. This bill is cost-effective and with REP. ANDERSON'S amendments would be cost-neutral.

Jerry Loendorf, Montana Medical Association, said the anti-trust law prohibits agreements and combinations among states and prevents monopolies. The purpose of the law is to promote competition. This bill is to regulate the area of health care so anti-trust laws would not be used in this area. Anti-trust lawsuits are extremely expensive and can last for as many as 15 years. He said it was a very important bill.

**Tanya Ask, Blue Cross and Blue Shield, Helena,** said they would like to change the intent of the bill by adding some amendments. One change added "...likely to result in improved access to health care or higher quality health care..." to Section 3. She submitted her proposed amendments. **EXHIBIT 6.**

**William Downey, Past President, Columbus Hospital, Great Falls,** said without HB 509, the federal trade commission or Department of Justice would review activity that is going on in Great Falls. It is very costly. This is a Montana bill to protect Montanans.

**Beth Baker, Department of Justice, Helena,** said she is not taking a position on the bill, but wanted to explain the fiscal note. The Attorney General is an ex-officio member of the Health Care Authority for purposes of approving or denying certificates of public advantage, supervising cooperative agreements and revoking certificates. The Health Care Authority relies on his staff to analyze mergers and consolidations. In order for collaborative activity among health care providers to be immune from federal anti-trust laws, there must be a clearly articulated state policy to replace competition with regulation and the state must actively supervise the regulated conduct. Therefore, the Department of Justice would need three FTEs, along with operating expenses, to perform all the duties necessary.

#### Opponents' Testimony:

None.

#### Questions From Committee Members and Responses:

**REP. WILLIAM WISEMAN, HD 41, Great Falls,** asked what Blue Cross would do if the hospital rates increased tremendously. **Ms. Ask** said there are some protections whereby the rates would be reviewed by the Montana Hospital Rate Review Board for 10 years. In addition, the Attorney General's office would be supervising merger and consolidation activities. **REP. WISEMAN** asked if her office would pay for transportation costs for people to go to hospitals in other cities. She said there would have to be a number of factors considered, including circumstances and the patient's health.

**REP. JOE QUILICI, HD 36, Butte,** asked **Ms. Ask** to explain Exhibit 6. She said the purpose of the amendment was to review the cooperative agreements. Some of the issues would be if the community would benefit, if costs would be reduced, if services would be reduced and if quality of services would drop.

**REP. MIKE KADAS, HD 66, Missoula,** said that the health care authority would be eliminated. **Mr. Loendorf** said yes, those functions would be transferred to the Department of Justice. **Ms. Baker** said the Budget office did not communicate with the

Attorney General's office and there are some discrepancies in the fiscal note. **REP. KADAS** said the smaller facilities would probably merge with the larger ones. **Ms. Baker** responded that the concentration of market would be an issue, as well as if the results were better quality and lower costs to recipients. **REP. WISEMAN** stated his concern about only one hospital in town with no oversight. **REP. QUILICI** said the fiscal note was very conservative and wondered if three FTEs were enough. **Ms. Baker** said there would not be many agreements, probably only one to three each year. **REP. QUILICI** said the legislation had merit, but the determining factor would be the type of regulation that comes from the Attorney General's office.

**REP. ROYAL JOHNSON** asked **Mr. Davis** if federal requirements were met if Montana would still be subject to anti-trust regulations. He said none of them know what regulatory mechanisms Washington, DC would use. There has to be follow-up and ongoing oversight somewhere. **Mr. Loendorf** said the health care authority functions could be transferred to Department of Justice. **REP. JOHNSON** asked about the FTEs at Justice.

*{Tape: 2; Side: A; Approx. Counter: 0.1.}*

**Ms. Baker** said they would have to assess the merger's activities and if the FTEs in the bill would be enough or if there would be enough work to hire all three.

**REP. KADAS** asked if the Great Falls hospitals were mostly involved in having this bill introduced. **Mr. Davis** said yes. **REP. KADAS** wanted to know if Blue Cross could sue hospitals based on anti-trust and the hospitals would be at risk. He also wondered if the state would also be at risk if they agreed to this merger. **Mr. Davis** agreed.

Closing by Sponsor:

**REP. ANDERSON** said the industry is undergoing tremendous change. He said the additional FTEs would easily be covered by the fee section. He also thought the hospitals would be able to merge without this bill, so it would be in the best interest of the people of Montana to pass this legislation.

*{Tape: 2; Side: A; Approx. Counter: 14.1.}*

EXECUTIVE ACTION ON HB 307

Motion: **REP. DEBRUYCKER** MOVED HB 307 AMENDMENT DO PASS.

Discussion: The amendment removes the word "must" from page 2, line 19, which a clerical error. The fiscal note showed the

appropriations should be \$61,165 and \$83,312 on page 4, Section 5 and the amendment included those changes as well.

**Vote:** Motion that HB 307 Amendment Do Pass carried unanimously.

**Motion/Vote:** REP. DEBRUYCKER MOVED HB 307 DO PASS AS AMENDED.  
Motion carried 16 - 2, with REPS. KASTEN and VICK voting no.

#### EXECUTIVE ACTION ON HB 509

**Motion:** REP. ROYAL JOHNSON MOVED HB 509 HB050901.A13 AMENDMENTS DO PASS.

**Discussion:** REP. WISEMAN said his amendment sets up the account so that money can be assessed against any parties that proposed to merge, kept in a separate account and would not cost the state any money from the general fund. He said he should have offered the amendment when the bill was heard. It mainly deals with Section 7 which are the fees that would accompany the filing of an application for a certificate of public advantage. REP. KADAS asked if this amendment includes all the issues REP. ANDERSON referred to in his amendment. The Anderson amendment is not needed since this one will be used. There were three amendments.

Skip Culver, Fiscal Analyst, said his amendment only rewrote the Blue Cross amendment in the proper format. If they move to adopt the amendments, they should adopt HB050901.A13 and HB050901.ASF as they go together.

REP. ROYAL JOHNSON suggested that since there are conflicting amendments, they could give the LFA office time to coordinate them. REP. WISEMAN withdrew his motion.

{Tape: 2; Side: A; Approx. Counter: 32.1.}

#### EXECUTIVE ACTION ON HB 21

**Motion:** REP. BERGSAGEL MOVED HB 21 AMENDMENT HB002101.A12 DO PASS.

**Discussion:** REP. BERGSAGEL said the amendment allocates \$140,000 each year to fund the apprenticeship instruction programs. REP. QUILICI said money could be used from permit fees to pay for the program. Dave Lewis, Budget Office, said this funding is a \$1.3 million excess fund balance from the Building Codes Division. The connection between building codes permit fees and apprenticeship training in the building trade is a proper use of the money. The Department of Commerce handed out a schedule of the building codes special revenue account. EXHIBIT 7.

**REP. KASTEN** asked if the appropriation was for one biennium and if there was an intention to pursue it after that. **REP. BERGSAGEL** answered that he just moved the amendment. **REP. GRADY** asked if there were additional fees. **REP. BERGSAGEL** said they were just "raiding the pot" for \$280,000. If the money isn't used, it would just sit in the account. **REP. ROYAL JOHNSON** asked if it were an appropriate use of the money. **REP. QUILICI** said the money was paid by various contractors who are in favor of using it for this purpose. They do not object in any way. They have apprenticeship training for contractors and this would benefit the industry.

**Vote:** Motion that HB 21 Amendment HB002101.A12 Do Pass carried 14 - 4, with REPS. ROYAL JOHNSON, WISEMAN, KASTEN AND KADAS voting no.

**Motion:** REP. JOHN JOHNSON MOVED HB 21 DO PASS AS AMENDED.

**Discussion:** REP. GRADY said it was a good program and the proper use of contractor's money.

**Vote:** Motion carried 12 - 6, with REPS. KASTEN, FELAND, KADAS, VICK, HOLLAND and ROYAL JOHNSON voting no.

*{Tape: 2; Side: A; Approx. Counter: 44.7.}*

#### EXECUTIVE ACTION ON HB 365

**Motion:** REP. COBB MOVED HB 365 AMENDMENT DO PASS.

**Discussion:** REP. COBB said page 2, lines 26-28 should be stricken. The Board of Regents did not want to implement this program as they don't think they have enough money to fund it. REP. COBB thought they could write the reports with the information they already have and the staff they already have.

**Vote:** Motion that HB 365 Amendment Do Pass carried unanimously.

**Motion:** REP. COBB MOVED HB 365 DO PASS AS AMENDED.

**Discussion:** REP. FISHER asked if they would move the bill without a fiscal note. REP. COBB did not agree with the fiscal note so he didn't sign it. He feels there is no fiscal impact since the university system already has statistics to use in the reports. **MaryLou Wessel, MSU**, said there is a certain fiscal impact, but it would be less than previously intended, with the deletion of those three lines. She would like some time to see what the fiscal impact would be to the university system. **REP. KADAS** offered that if the bill passes, REP. COBB could ask for a new fiscal note. REP. COBB said he could, but he still didn't know what the fiscal note would be. **CHAIRMAN ZOOK** said to set it

aside until another day. REP. COBB withdrew his motion. No action was taken at this time.

{Tape: 2; Side: A; Approx. Counter: 50.2.}

EXECUTIVE ACTION ON HB 509

Motion: REP. WISEMAN MOVED HB 509 AMENDMENTS DO PASS.

Discussion: REP. WISEMAN said to strike the first line of Item 4 in his amendment, which was HB050901.ASF and the two amendments would be coordinated.

Vote: Motion that HB 509 Amendments Do Pass carried unanimously.

Motion: REP. WISEMAN MOVED HB 509 DO PASS AS AMENDED.

Motion: REP. KADAS MOVED HEALTH CARE PROVIDERS BE DELETED FROM THE BILL.

Discussion: REP. KADAS said it should only apply to consolidation of health care facilities. He doesn't see any reason to bring health care providers into this bill. REP. WISEMAN disagreed as he thinks health care providers may want to be merged with health care facilities. REP. KADAS said there were no anti-trust problems with providers, only facilities. REP. ROYAL JOHNSON said this situation has already happened in the state of Montana. The Deaconess Hospital in Billings has the largest staff in the state.

Vote: Motion to Delete Health Care Providers from the bill carried 17 - 1, with REP. WISEMAN voting no.

Vote: Motion that HB 509 Do Pass As Amended carried 10 - 8, with REPS. COBB, BERGSAGEL, GRADY, FELAND, KASTEN, FISHER, DEBRUYCKER and VICK voting no.

{Tape: 2; Side: A; Approx. Counter: 56.3.}

EXECUTIVE ACTION ON HB 330

Motion: REP. COBB MOVED HB 330 DO PASS.

Discussion: REP. COBB said this bill would prevent state agencies from using money left in their budgets at the end of the fiscal year by accruing it to the next fiscal year. They are not using generally accepted accounting principles by buying items and not receiving them until the next fiscal year.

**Motion/Vote:** REP. COBB MOVED HB 330 BE TABLED. Motion carried 14 - 4, with REPS. COBB, DEBRUYCKER, BARNHART and KASTEN voting no.

{Tape: 2; Side: B; Approx. Counter: 0.9.}

**EXECUTIVE ACTION ON HB 17**

**Discussion:** REP. WISEMAN discussed the state pay plan bill and an executive pay plan graph showing the average market ratio compared to years of service. He said the entry level was increased a few years ago to encourage skilled people to work for the state. Another handout showed how many people were in each grade, with grade 14 having the most at 1,017. There is also a table of salary increases for elected officials and justices. The largest increase for state employees will be for those having four to ten years of service. The people the farthest away from the target will get an increase of 5%. The average increase will be 1.4% and the maximum will be 6%. Funding sources are vacancy savings from state agencies and a reduction in workers' compensation rates paid by employees. We are able to have a reduction in rates because state employees have, for the most part, stayed healthy and the costs were less than anticipated. EXHIBITS 8, 9, 10 and 11.

**Motion/Vote:** REP. WISEMAN MOVED HB 17 AMENDMENT HB001701.A07 DO PASS. This technical amendment only fixes clerical errors. Motion carried unanimously.

**Motion/Vote:** REP. WISEMAN MOVED HB 17 AMENDMENT HB001702.A07 DO PASS. This amendment provides pay adjustments for members of the state tax appeal board, giving them the same increase rate as state employees. Motion carried unanimously.

**Motion/Vote:** REP. WISEMAN MOVED HB 17 AMENDMENT, MARCH 14, 1995, DO PASS. This amendment modifies the teacher pay matrix to comply with negotiated agreements with state employees. There are 38 teachers in the Departments of Corrections and Family Services that this amendment applies to. Motion carried unanimously.

**Motion/Vote:** REP. GRADY MOVED HB 17 AMENDMENT HB001701.A15 DO PASS. This amendment deals with equalizing legislative employee salaries with the state pay matrix. Motion carried unanimously.

**Motion:** REP. WISEMAN MOVED HB 17 AMENDMENT HB001702.AGP DO PASS.

**Discussion:** This amendment brings the pay plan bill for the elected officials from Rep. Hibbard and the judges' bill from Sen. Crippen all into one package. Also, on page 4, there is a proposal that legislative per diem be raised after November 1996

to equal an average of what the legislators in our neighboring states receive. Presently, in Montana, legislators get about \$7 an hour, or \$52 per day.

**Vote:** Motion that HB 17 Amendment HB001702.AGP Do Pass carried 11 - 7 on a roll call vote, with REPS. BARNHART, BERGSAGEL, DEBRUYCKER, FELAND, KASTEN, McCANN and VICK voting no.

**Motion:** REP. WISEMAN MOVED HB 17 DO PASS AS AMENDED.

**Discussion:** REP. GRADY said he was in favor of the bill. This is the first time since he's been in the legislature that the pay plan has been worked out and everyone involved is content with the outcome. The pay plan is fair and certainly won't cost the state a lot of money. Labor leaders have worked hard with the administration to come up with an agreement. REP. KASTEN wanted to know what the plan would cost a few years down the road. REP. MENAHAN agreed with REP. GRADY. The Governor is to be commended for the efforts he made on working with state employees to come up with this plan. This is a good effort and REP. MENAHAN appreciates the administration's efforts. REP. WISEMAN reiterated that the Governor of Montana is the lowest paid Governor of any of the 50 states and our elected officials are also the lowest paid elected officials. He said the judges are near the lowest in all 50 states. We might get less qualified people to take these jobs.

**Vote:** Motion that HB 17 Do Pass As Amended carried 12 - 6 on a roll call vote, with REPS. BERGSAGEL, DEBRUYCKER, FELAND, KASTEN, McCANN and VICK voting no.

#### EXECUTIVE ACTION ON HB 18

**Motion:** REP. KADAS MOVED HB 18 DO PASS.

**Discussion:** REP. KADAS said this hopefully would preclude the need for a special session. REP. DEBRUYCKER said he was a little leery of it and hoped the department would not consider this a bottomless pit and use money unwisely.

**Vote:** Motion that HB 18 Do Pass carried 14 - 4, with REPS. KASTEN, FISHER, BERGSAGEL and FELAND voting no.

#### EXECUTIVE ACTION ON HB 416

**Motion:** REP. KADAS MOVED HB 416 AMENDMENT HB041601.AEM DO PASS.

**Discussion:** REP. KADAS said the amendment strikes Section 8 in its entirety. Section 8 deals with ballots for bond elections and they decided not to include that in this bill.

**Vote:** Motion that HB 416 Amendment HB041601.AEM Do Pass carried 15 - 3, with REPS. BERGSAGEL, DEBRUYCKER and FELAND voting no.

**Motion/Vote:** REP. KADAS MOVED HB 416 AMENDMENT TO ADD "TO THE DEPARTMENT" ON PAGE 9, LINE 29, AFTER "APPROPRIATED." Motion carried 17 - 1, with REP. DEBRUYCKER voting no.

**Discussion:** REP. KADAS said the legislature would probably have to deposit \$1 or \$2 million every year for the next 20 years until the account is built up. It is a reasonable way to meet constitutional requirements to equalize capital construction. REP. KADAS felt that they could open up a case for lawsuits. It is a fairly small level of equalization. Curt Nichols, Budget office, said if the bill doesn't pass, there would be a real concern. Under current law, the facility equalization is expanded to cover all bonds by districts and this would apply. The cost of the full equalization effect would be about \$12 million a year. REP. ROYAL JOHNSON asked why it only goes back to 1991. Mr. Nichols said 1991 is when school districts' ability to issue bonds was suspended by court cases. REP. KASTEN said there were school districts that were not eligible for this aid, if their district mill was above the statewide average. So, most of the small schools in eastern Montana would not qualify. Mr. Nichols said the districts that are above 120% of the average would not qualify. REP. KADAS said he opposed the Grimes amendment because Rep. Grimes wanted to include in the ANB count, students who live in one district but go to school in another district. REP. KADAS said that wasn't appropriate and they should only include the students who are actually going school in the same district. They should not have to subsidize school districts for students going to schools in another district. CHAIRMAN ZOOK said that the district did pay tuition to the other district and it might offset it.

**Motion/Vote:** REP. HOLLAND MOVED HB 416 AMENDMENT HB041601.A07 DO PASS. Motion failed 6 - 12 on a roll call vote, with REPS. COBB, FISHER, HOLLAND, KASTEN, WISEMAN and ZOOK voting yes.

**Motion:** REP. KADAS MOVED HB 416 AMENDMENT HB041602.AEM DO PASS.

**Discussion:** REP. KADAS said this was a technical cleanup amendment. He asked Madelin Quinlan to explain if OPI receives any money to administer the program. She said they do not get any additional money to administer the program. She didn't think the amendment was necessary, so REP. KADAS withdrew his motion on the amendment.

**Motion/Vote:** REP. KADAS MOVED HB 416 DO PASS AS AMENDED. Motion carried 15 - 3, with REPS. DEBRUYCKER, KASTEN and BERGSAGEL voting no.

{Tape: 2; Side: B; Approx. Counter: 46.7.}

EXECUTIVE ACTION ON HB 440

Motion: REP. BERGSAGEL MOVED HB 440 DO PASS.

Discussion: REP. GRADY said he hesitates to support this bill. He also was aware that it could also cause problems in the Department of Health. He hopes that the legislation alone would serve as a wake-up call to the department, since most of the problems are traced back to them. He said there seemed to be some real problems administering these programs, but he doesn't think this is the right way to fix them.

Motion: REP. GRADY MOVED A SUBSTITUTE MOTION THAT HB 440 BE TABLED.

Discussion: REP. QUILICI concurs with the substitute motion. He has studied the bill carefully. He said REP. GRADY is right and that this is not the way to resolve the problems. They are involved with many difficult environmental issues in his area, especially with EPA and the Superfund. A bureaucratic nightmare. Before anyone in Montana can make a decision, they check with the regional offices in Denver who checks with the offices in Washington, DC. By the time a decision is made, the problem is sometimes worse. REP. KASTEN said she thinks the bill is on the right track and she agrees with the sponsor. There are rules and regulations on the books that are unenforceable or not enforced and there is turmoil with people who have to work with these laws. If we don't do something soon, we'll be in real trouble. The federal government has laws and we should make them work. REP. FELAND said he deals with environmental issues a lot. He said that the Department of State Lands is harder to deal with than the federal government. He is in favor of the bill 100%. CHAIRMAN ZOOK said the Mayor of Conrad told him he favors the bill because of all the troubles he's dealt with. In the last year, he has worked on agreements with the Department of Health. He would like to see the department given an opportunity to work things out. REP. GRADY and REP. DEBRUYCKER told the committee they had been at Asarco when EPA officials came in and took files from file cabinets without asking permission to even enter the building or take the files. Then, EPA went into the Mayor's office in East Helena and took records without asking permission. He has never heard of the Department of Health acting in such a way. This would give the federal government more control.

Vote: Motion that HB 440 Be Tabled carried 12 - 6 on a roll call vote, with REPS. BERGSAGEL, COBB, DEBRUYCKER, FELAND, HOLLAND and KASTEN voting no.

{Tape: 2; Side: B; Approx. Counter: 55.9.}

EXECUTIVE ACTION ON HB 460

**Motion:** REP. QUILICI MOVED HB 460 DO PASS.

**Discussion:** REP. QUILICI said this bill funds the telecommunications task force. He has sat on the Montana advisory council for the last few years and was amazed at how fast telecommunications is changing, even on a daily basis. The council was set up by Senator Conrad Burns and Governor Racicot to look at telecommunications in the state. This bill would give legislative guidelines for industry to use, such as MCI and Sprint. The council has already asked Sen. Burns for federal funds and is only asking for \$50,000 from the general fund. REP. QUILICI said this could pay for itself in the long run, by working to help education and industry. They need to get a handle on the way telecommunications is moving so quickly. U.S. West has committed \$30,000 to the task force to be used before any general fund money is used.

**Motion:** REP. BARNHART MOVED HB 460 AMENDMENTS #1, #2 AND #3 DO PASS.

**Discussion:** REP. BARNHART said #2 changes how the people are selected for the task force. REP. QUILICI said telecommunications are so involved and technical that they wanted the Governor to pick the best possible people. REP. BARNHART said amendment #2 adds one member from each of the Senate and House, and one from each political party. Amendment #3 changes the selection of the presiding officer from being chosen by the Governor and would be elected by members of the task force. Amendment #1 reduces general fund from \$50,000 to \$20,000. REP. QUILICI said he opposes the amendments because they intend to get the best possible people for the task force. The council has worked for two years and they have many recommendations, but no consensus. He also said that they worked very hard at how much money they might need and the \$50,000 was very well thought out. One reason was that they might have to hire experts in the field to give expertise to the committee on very important issues.

*{Tape: 3; Side: A; Approx. Counter: 0.9.}*

**Vote:** Motion that HB 460 Amendment #2 Do Pass carried 15 - 3, with REPS. WISEMAN, KASTEN and ZOOK voting no.

**Motion/Vote:** REP. BARNHART MOVED HB 460 AMENDMENT #3 DO PASS. Motion carried 17 - 1, with CHAIRMAN ZOOK voting no.

**Motion:** REP. BARNHART MOVED HB 460 AMENDMENT #1 DO PASS.

**Motion:** REP. KASTEN MOVED HB 460 SUBSTITUTE MOTION ON #1 TO REDUCE GENERAL FUND TO ZERO.

**Discussion:** REP. KASTEN thinks the task force has worked well, but she doesn't agree with putting it in statutes and she doesn't think they should fund it from the general fund. There are a lot of people from industry and the money should come from private sources. REP. QUILICI opposes the substitute motion. He feels that if they are part of the process in bringing telecommunications in Montana to the 21st Century, they must have a chance to be decision-makers. It involves every concern in state government -- education, medicine, training, networking -- and \$50,000 should be made available to help the state move forward. REP. QUILICI said the advisory committee worked for two years getting input from industry and the public. With the legislature, educators and public involved, they would hold hearings all across the state to see what direction the people wanted them to take. The council has not been funded yet and members of the council had to pay their own costs. REP. GRADY opposes the motion to reduce funding to zero. He says the potential for schools, etc. for the state of Montana would be money well spent.

**Vote:** Motion that HB 460 Amendment #1 Substitute Motion Do Pass failed 7 - 11, with REPS. WISEMAN, HOLLAND, VICK, KASTEN, McCANN, DEBRUYCKER and BERGSAGEL voting yes.

**Vote:** Motion that HB 460 Amendment #1 Do Pass carried 12 - 6, with REPS. JOHN JOHNSON, KADAS, QUILICI, GRADY, ROYAL JOHNSON and DEBRUYCKER voting no.

**Motion/Vote:** REP. FISHER MOVED HB 460 AMENDMENT, PAGE 3, LINE 11, STRIKE 13 AND INSERT 11 DO PASS. Motion carried 17 - 1, with REP. ROYAL JOHNSON voting no.

**Motion/Vote:** REP. QUILICI MOVED HB 460 DO PASS AS AMENDED. Motion carried 15 - 3, with REPS. KASTEN, DEBRUYCKER and VICK voting no.

*{Tape: 3 Comments: Tape 3 started to quiver; it was taken out and replaced with Tape 4. There is no side B on Tape 3.}*

*{Tape: 4; Side: A; Approx. Counter: 0.2.}*

**EXECUTIVE ACTION ON SB 266 and HB 503**

**Motion:** REP. MENAHAN MOVED SB 266 AND HB 503 BE TABLED.

**Discussion:** REP. MENAHAN said that both bills were included in amendments in HB 17, the state pay plan. CHAIRMAN ZOOK agreed they were no longer necessary.

**Vote:** Motion that SB 266 and HB 503 Be Tabled carried unanimously.

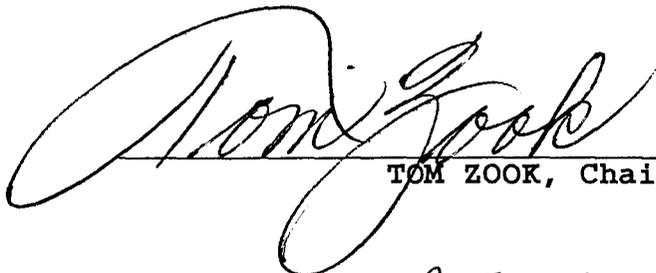
EXECUTIVE ACTION ON HB 3

Motion/Vote: REP. GRADY MOVED TO RECONSIDER HB 3. Motion carried 17 - 1, with REP. KASTEN voting no.

Discussion: CHAIRMAN ZOOK said that Section 7 should be amended out of the bill and put in HB 5 instead. The motion on the bill and amendment was set aside since some members of the committee were not present.

ADJOURNMENT

Adjournment: 6:00 p.m.

  
\_\_\_\_\_  
TOM ZOOK, Chairman

  
\_\_\_\_\_  
MARJORIE PETERSON, Secretary

TZ/mp

# HOUSE OF REPRESENTATIVES

## Appropriations

ROLL CALL

DATE 3-14-95

NAME	PRESENT	ABSENT	EXCUSED
Rep. Tom Zook, Chairman	✓		
Rep. Ed Grady, Vice Chairman, Majority	✓		
Rep. Joe Quilici, Vice Chairman, Minority	✓		
Rep. Beverly Barnhart	✓		
Rep. Ernest Bergsagel	✓		
Rep. John Cobb	✓		
Rep. Roger DeBruycker	✓		
Rep. Gary Feland	✓		
Rep. Marj Fisher	✓		
Rep. Don Holland	✓		
Rep. John Johnson	✓		
Rep. Royal Johnson	✓		
Rep. Mike Kadas	✓		
Rep. Betty Lou Kasten	✓		
Rep. Matt McCann	✓		
Rep. Red Menahan	✓		
Rep. Steve Vick	✓		
Rep. Bill Wiseman	✓		



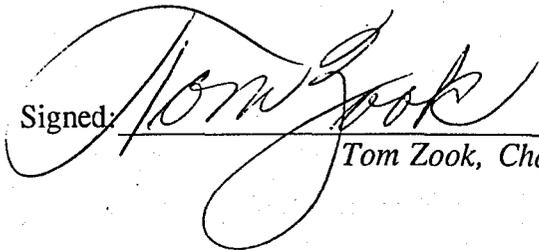
## HOUSE STANDING COMMITTEE REPORT

March 16, 1995

Page 1 of 10

Mr. Speaker: We, the committee on Appropriations report that House Bill 17 (first reading copy -- white) do pass as amended.

Signed:

  
Tom Zook, Chair

And, that such amendments read:

1. Title, line 7.

Following: line 6

Insert: "PROVIDING PAY ADJUSTMENTS FOR JUDGES AND ELECTED STATE OFFICIALS; PROVIDING EXPENSE PAYMENT ADJUSTMENTS FOR LEGISLATORS; PROVIDING THAT THE SALARY FOR THE POSITION IN THE DEPARTMENT OF JUSTICE OF TRAINING COORDINATOR FOR COUNTY ATTORNEYS IS THE SAME AS THAT ESTABLISHED FOR A FULL-TIME COUNTY ATTORNEY IN A COUNTY WITH A POPULATION IN EXCESS OF 30,000;"

2. Title, line 10.

Following: "ADJUSTMENTS;"

Insert: "PROVIDING PAY ADJUSTMENTS FOR MEMBERS OF THE STATE TAX APPEAL BOARD;"

Following: "SECTIONS"

Insert: "2-16-405,"

Following: "2-18-101,"

Insert: "2-18-103,"

3. Title, line 11.

Strike: "AND"

Following: "2-18-703,"

Insert: "3-2-104, 3-5-211, 5-2-301, 15-2-102, 19-5-101, AND 44-4-101,"

4. Title, line 12.

Committee Vote:  
Yes 12, No 6.

610931SC.Hdh

Strike: "SECTION"  
Insert: "SECTIONS 2-16-404 AND"  
Following: "DATES"  
Insert: "AND A RETROACTIVE APPLICABILITY DATE"

5. Page 1, line 15.  
Insert: "Section 1. Section 2-16-405, MCA, is amended to read:  
"2-16-405. Salaries of certain elected state officials. (1)  
The Subject to subsection (2), the salaries paid to certain  
elected officials of the state of Montana ~~for fiscal year 1992~~  
~~and following years~~ are:

<del>Fiscal Year</del>	<del>Following</del>
<del>1992 June 30,</del>	<del>1992</del>
(a) Governor:	\$54,254
(i)	\$55,502;
(ii)	\$57,084 beginning July 1, 1995;
(iii)	\$59,310 beginning January 1, 1996.
(b) Lieutenant governor:	\$39,218
(i)	\$40,466;
(ii)	\$41,619 beginning July 1, 1995;
(iii)	\$43,242 beginning January 1, 1996.
(c) Attorney general:	\$49,593
(i)	\$50,841;
(ii)	\$52,290 beginning July 1, 1995;
(iii)	\$54,329 beginning January 1, 1996.
(d) State auditor:	\$36,278
(i)	\$37,526;
(ii)	\$38,595 beginning July 1, 1995;
(iii)	\$40,101 beginning January 1, 1996.
(e) Superintendent of public instruction:	\$42,929
(i)	\$44,177;
(ii)	\$45,436 beginning July 1, 1995;
(iii)	\$47,208 beginning January 1, 1996.
(f) Public service commission chairman presiding officer:	
\$40,502	
(i)	\$41,750;
(ii)	\$42,940 beginning July 1, 1995;
(iii)	\$44,615 beginning January 1, 1996.
(g) Public service commissioners, other than chairman presiding officer:	\$39,218
(i)	\$40,466;
(ii)	\$41,619 beginning July 1, 1995;
(iii)	43,242 beginning January 1, 1996.
(h) Secretary of state:	\$36,278
(i)	\$37,526;
(ii)	\$38,595 beginning July 1, 1995;
(iii)	\$40,101 beginning January 1, 1996.

(i) Clerk of the supreme court: \$35,289

(i) \$36,537;

(ii) \$37,578 beginning July 1, 1995;

(iii) \$39,044 beginning January 1, 1996.

(2) Prior to June 30, 1996, and prior to June 30 of each even-numbered year thereafter, the department of administration shall conduct a salary survey of executive branch officials similar to the Montana officials listed in subsection (1) for the states of North Dakota, South Dakota, Wyoming, and Idaho. The department shall include the salary for the Montana official in determining the average salary for the similar position. If the average salary is greater than the salary for the similar position in Montana, then beginning July 1, 1997, the average is the new salary for that position. In each year following the year in which a survey is conducted, the average salary is the new salary for the position."

Renumber: subsequent sections

6. Page 3, line 11.

Insert: "Section 3. Section 2-18-103, MCA, is amended to read:

"2-18-103. Officers and employees excepted. Parts 1 and 2 do not apply to the following positions in state government:

- (1) elected officials;
- (2) county assessors and their chief deputy;
- (3) officers and employees of the legislative branch;
- (4) judges and employees of the judicial branch;
- (5) members of boards and commissions appointed by the governor, the legislature, or other elected state officials;
- (6) officers or members of the militia;
- (7) agency heads appointed by the governor;
- (8) academic and professional administrative personnel with individual contracts under the authority of the board of regents of higher education;
- (9) academic and professional administrative personnel and live-in houseparents who have entered into individual contracts with the state school for the deaf and blind under the authority of the state board of public education;
- (10) teachers under the authority of the department of corrections and human services or family services;
- (11) investment officer, assistant investment officer, executive director, and three professional staff positions of the board of investments;
- (12) four professional staff positions under the board of oil and gas conservation;
- (13) assistant director for security of the Montana state lottery;
- (14) executive director and senior investment officer of the Montana board of science and technology development;

(15) executive director and employees of the state compensation insurance fund;

(16) state racing stewards employed by the executive secretary of the Montana board of horseracing;

(17) executive director of the Montana wheat and barley committee; and

(18) commissioner of banking and financial institutions; and

(19) training coordinator for county attorneys."

Renumber: subsequent sections

7. Page 5, line 12.

Strike: "Years"

Insert: "Grade"

Strike: "Grade"

Insert: "Years"

8. Page 5, line 27.

Strike: "0.882"

Insert: "0.860"

Strike: "0.904"

Insert: "0.882"

Strike: "0.903"

Insert: "0.904"

9. Page 6, line 3.

Strike: "0.999"

Insert: "1.000"

10. Page 7, line 11.

Following: "~~1993~~"

Insert: "on July 1, 1995,"

11. Page 7, line 12.

Strike: "determined" through "experience"

Insert: "the same as it was on June 30, 1995"

12. Page 7, line 18.

Following: line 17

Insert: "(iii) On the first day of the first pay period that includes October 1 of each fiscal year, a teacher employed under the authority of the department of family services prior to October 1, 1994, shall advance one step on the appropriate pay schedule adopted in 2-18-313. A teacher hired after October 1, 1994, shall advance on the teacher's actual anniversary date.

(iv) On the first day of the first full pay period during the month that includes the teacher's anniversary date, a teacher employed under the authority of the department of corrections and

human services shall advance one step on the appropriate pay schedule adopted in 2-18-313.

(v) On the first day of the first pay period that includes October 1 of each fiscal year, a teacher employed by the Montana school for the deaf and blind shall advance one step on the teacher pay matrix used by the school."

13. Page 12, line 27.

Strike: "from July 1,"

Insert: "that includes October 1,"

14. Page 13, lines 16 through 28.

Strike: lines 16 through 28 in their entirety

Insert: "

1	23,150	23,763	24,393	25,040	25,703	26,384
2	23,752	24,381	25,027	25,691	26,371	27,070
3	24,369	25,015	25,678	26,359	27,057	27,774
4	25,003	25,666	26,346	27,044	27,761	28,496
5	25,653	26,333	27,031	27,747	28,482	29,237
6	26,320	27,018	27,734	28,469	29,223	29,997
7	27,004	27,720	28,455	29,209	29,983	30,777
8	27,707	28,441	29,194	29,968	30,762	31,577
9	28,427	29,180	29,954	30,747	31,562	32,398
10	29,166	29,939	30,732	31,547	32,383	33,241
11	29,924	30,717	31,531	32,367	33,225	34,105
12	30,702	31,516	32,351	33,208	34,088	34,992"

15. Page 15, lines 7 through 19.

Strike: lines 7 through 19 in their entirety

Insert: "

1	23,642	24,351	25,082	25,834	26,609	27,407
2	24,351	25,082	25,834	26,609	27,407	28,230
3	25,082	25,834	26,609	27,407	28,230	29,077
4	25,834	26,609	27,407	28,230	29,077	29,949
5	26,609	27,407	28,230	29,077	29,949	30,847
6	27,407	28,230	29,077	29,949	30,847	31,773
7	28,230	29,077	29,949	30,847	31,773	32,726
8	29,077	29,949	30,847	31,773	32,726	33,708
9	29,949	30,847	31,773	32,726	33,708	34,719
10	30,847	31,773	32,726	33,708	34,719	35,761
11	31,773	32,726	33,708	34,719	35,761	36,833
12	32,726	33,708	34,719	35,761	36,833	37,938"

16. Page 21, line 30.

Insert: "Section 13. Section 3-2-104, MCA, is amended to read:

"3-2-104. Salaries -- expenses. (1) The salaries of justices of the supreme court are provided for in ~~2-16-404~~

[section 16].

(2) Actual and necessary travel expenses of the justices of the supreme court shall be the travel expenses, as defined and provided in 2-18-501 through 2-18-503, incurred in the performance of their official duties."

Section 14. Section 3-5-211, MCA, is amended to read:

"3-5-211. Salaries and expenses of district judges. (1) The Subject to subsection (2), the annual salary of each district judge is as follows:

(a) ~~\$57,178 beginning July 1, 1991;~~  
(b) ~~\$59,178 beginning January 1, 1992;~~  
(c) ~~\$61,178 beginning July 1, 1992;~~  
(d) ~~\$63,178 beginning January 1, 1993, and each fiscal year thereafter;~~

(b) \$64,979 beginning July 1, 1995;

(c) \$67,513 beginning January 1, 1996.

(2) Prior to June 30, 1996, and prior to June 30 of each even-numbered year thereafter, the department of administration shall conduct a salary survey of judges of courts of general jurisdiction similar to the Montana district courts for the states of North Dakota, South Dakota, Wyoming, and Idaho. The department shall include the salary for a Montana district court judge in determining the average salary. If the average salary is greater than the salary for a district court judge in Montana, then beginning July 1, 1997, the average is the new salary for that position. In each year following the year in which a survey is conducted, the average salary is the new salary for the position. A district court judge's salary may not be reduced.

~~(2)(3)~~ Actual and necessary expenses for each district judge shall be the travel expenses, as defined and provided in 2-18-501 through 2-18-503, incurred in the performance of his official duties."

Section 15. Section 5-2-301, MCA, is amended to read:

"5-2-301. Compensation and expenses for members while in session. (1) Except as provided in subsection ~~(7)~~(8), legislators are entitled to a salary commensurate to that of the daily rate of an entry grade 8 classified state employee in effect when the regular session of the legislature in which they serve is convened under 5-2-103 for those days during which the legislature is in session. The president of the senate and the speaker of the house shall receive an additional \$5 a day in salary for those days during which the legislature is in session.

(2) Legislators may serve for no salary.

(3) Legislators Subject to subsection (4), legislators are entitled to \$50 a day, 7 days a week, during a legislative session, as reimbursement for expenses incurred in attending a

session. Expense payments shall stop when the legislature recesses for more than 3 days and shall resume when the legislature reconvenes.

(4) After November 15, 1996, and prior to December 15, 1996, and prior to December 15 of each even-numbered year thereafter, the department of administration shall conduct a survey of the allowance for daily expenses of legislators for the states of North Dakota, South Dakota, Wyoming, and Idaho. The department shall include the average daily expense allowance for Montana legislators in determining the average daily rate for legislators. If the average daily rate is greater than the daily rate for legislators in Montana, the average is the new daily rate for legislators for those days during which the legislature is in session. The expense allowance is effective when the next regular session of the legislature in which the legislators serve is convened under 5-2-103.

~~(4)~~(5) Legislators are entitled to a mileage allowance as provided in 2-18-503 for each mile of travel to the place of the holding of the session and to return to their place of residence at the conclusion of the session.

~~(5)~~(6) In addition to the mileage allowance provided for in subsection ~~(4)~~(5), legislators, upon submittal of an appropriate claim for such mileage reimbursement to the office of the legislative council, are entitled to:

(a) three additional round trips to their place of residence during each regular session; and

(b) such additional round trips as are authorized by the legislature during special session.

~~(6)~~(7) Legislators are not entitled to any additional mileage allowance under subsection ~~(4)~~(5) for a special session if it is convened within 7 days of a regular session.

~~(7)~~(8) In lieu of the salary provided for in subsection (1) and the expense allowance provided for in subsection ~~(3)~~(4), a legislator may receive remuneration for services performed during a legislative session. A legislator choosing to receive remuneration for services performed shall file a request to receive payment under this subsection with the accounting office of the legislative council. A legislator exercising the option to receive remuneration for services performed may not receive more remuneration than legislators paid pursuant to subsections (1) and ~~(3)~~(4). Remuneration for services performed must be reduced \$50 a day when the legislature recesses for more than 3 days."

**NEW SECTION. Section 16. Salaries of supreme court justices.** (1) Subject to subsection (3), the salary of the chief justice of the supreme court is as follows:

(a) \$67,595 beginning July 1, 1995;

(b) \$70,231 beginning January 1, 1996.

(2) Subject to subsection (3), the salary of a justice of the supreme court is as follows:

(a) \$66,289 beginning July 1, 1995;

(b) \$68,874 beginning January 1, 1996.

(3) Prior to June 30, 1996, and prior to June 30 of each even-numbered year thereafter, the department of administration shall conduct a salary survey of justices and chief justices of the highest appellate courts similar to the Montana supreme court for the states of North Dakota, South Dakota, Wyoming, and Idaho. The department shall include the salary for a Montana supreme court justice or the chief justice in determining the average salary for a justice and the average salary for the chief justice. If the average salaries are greater than the salaries for a supreme court justice or the chief justice in Montana, then beginning July 1, 1997, the average salaries are the new salaries for a supreme court justice or the chief justice. In each year following the year in which a survey is conducted, the average salary is the new salary for the position. A justice's salary or the chief justice's salary may not be reduced.

**Section 17.** Section 15-2-102, MCA, is amended to read:

"15-2-102. **Qualification and compensation.** (1) To be appointed a member of the state tax appeal board, a person must possess knowledge of the subject of taxation and skill in matters pertaining thereto. No person so appointed may hold any other state or any office under the government of the United States or under the government of any other state. He The person shall devote ~~his~~ the entire time to the duties of the office and shall not hold any other position of trust or profit or engage in any occupation or business interfering or inconsistent with ~~his~~ the person's duties. The state tax appeal board is transferred to the department of administration for administrative purposes only as is specified in 2-15-121. However, the board may hire its own personnel, and 2-15-121(2)(d) does not apply.

(2) ~~The member designated chairman as provided for in 15-2-103 shall receive a salary equivalent to that of an entry grade 17 salary, plus 5%. The remaining state~~ State tax appeal board members shall be paid a salary equivalent to that of an entry a grade 17 salary as provided in 2-18-312. State tax appeal board members must receive pay and pay adjustments consistent with those required by the legislature for classified state employees in 2-18-303 and 2-18-304. The member designated as presiding officer as provided for in 15-2-103 must have an additional 5% added to the salary. All members of the board shall receive travel expenses as provided for in 2-18-501 through 2-18-503, as amended, when away from the capital on official business."

**Section 18.** Section 19-5-101, MCA, is amended to read:

"19-5-101. **Definitions.** Unless a different meaning is plainly implied by the context, the following definitions apply in this chapter:

(1) "Compensation" means remuneration as defined in ~~2-16-404~~ [section 16], 3-5-211, and 3-7-222 paid to a member.

(2) "Current salary" means the current compensation for the office retired from.

(3) "Involuntary retirement" means a retirement not for cause and before retirement age.

(4) "Retired judge" means any judge or justice in receipt of a retirement benefit under this chapter."

**Section 19.** Section 44-4-101, MCA, is amended to read:

"44-4-101. **Position established -- salary.** There is created within the department of justice the position of training coordinator for county attorneys. The position of training coordinator for county attorneys is an exempt position as provided in 2-18-103. The salary for this position is the same as that provided in 7-4-2503 for a county attorney in a county with a population in excess of 30,000."

Renumber: subsequent sections

17. Page 22, line 2.

Strike: "1 through 10"

Insert: "4 through 12"

18. Page 22, line 6.

Strike: "21,937" "19,740" "57,203" "50,750"

Insert: "51,284" "45,662" "104,006" "92,602"

19. Page 22, line 8.

Strike: "12,238" "31,432"

Insert: "21,466" "55,772"

20. Page 22, line 10.

Strike: "17,643" "9,625" "62,278" "13,688"

Insert: "30,879" "16,846" "99,067" "21,774"

21. Page 22, line 12.

Strike: "4,148" "10,660"

Insert: "8,064" "20,591"

22. Page 22, line 14.

Strike: "4,947" "12,299"

Insert: "12,416" "28,959"

23. Page 22, line 27.

Strike: "Section"  
Insert: "Sections 2-16-404 and"  
Strike: "is"  
Insert: "are"

24. Page 22, line 28.

Insert: "NEW SECTION. Section 22. Codification instruction.

[Section 16] is intended to be codified as an integral part of Title 2, chapter 16, part 4, and the provisions of Title 2, chapter 16, part 4, apply to [section 16].

NEW SECTION. Section 23. Retroactive applicability.

[Section 17] applies retroactively, within the meaning of 1-2-109, to a member of the state tax appeal board who was a member on December 31, 1994."

Renumber: subsequent sections

25. Page 22, line 29.

Strike: "10"

Insert: "19, 22, and 23"

26. Page 23, line 1.

Strike: "11 and 12"

Insert: "20 and 21"

-END-



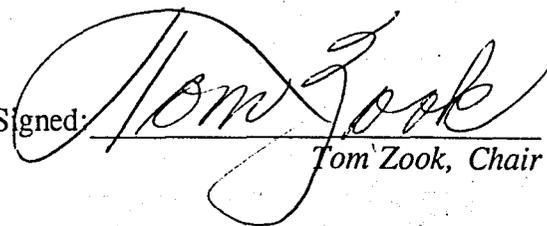
## HOUSE STANDING COMMITTEE REPORT

March 16, 1995

Page 1 of 2

Mr. Speaker: We, the committee on Appropriations report that House Bill 21 (first reading copy -- white) do pass as amended.

Signed:

  
Tom Zook, Chair

And, that such amendments read:

1. Title, line 4.

Strike: "FEDERAL"

Insert: "STATE"

2. Title, line 6.

Following: "PROGRAMS"

Insert: "; AMENDING SECTION 50-60-508, MCA; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE"

3. Page 1, line 10.

Strike: "federal"

Insert: "state"

4. Page 1, line 11.

Strike: "established in 39-51-1301"

Insert: "provided for in 50-60-508"

5. Page 1, line 15.

Insert: "Section 2. Section 50-60-508, MCA, is amended to read:

"50-60-508. Permit fees. (1) The department of commerce shall establish permit fees in accordance with the Montana Administrative Procedure Act and, except as provided in subsection (3), the fees shall be deposited to the state special revenue fund of the department for use in the administration and enforcement of this part and the Montana state plumbing code.

Committee Vote:

Yes 12, No 6.

610922SC.Hdh

(2) For the purpose of 50-60-505 through 50-60-513, a sanitary plumbing outlet on or to which a plumbing fixture or appliance may be set or attached shall be construed to be a fixture. Fees for reconnection and retest of plumbing systems in relocated buildings shall be based on the number of plumbing fixtures, gas systems, water heaters, and the like involved.

(3) For fiscal years 1996 and 1997, \$140,000 each year must be allocated to fund apprenticeship instruction programs pursuant to 39-6-103."

**NEW SECTION.** Section 3. Effective date. [This act] is effective July 1, 1995.

**NEW SECTION.** Section 4. Termination date. [Section 2] terminates July 1, 1997."

This amendment provides funding for the \$140,000 state special revenue appropriation each fiscal year from the building codes state special revenue account administered by the Department of Commerce.

-END-



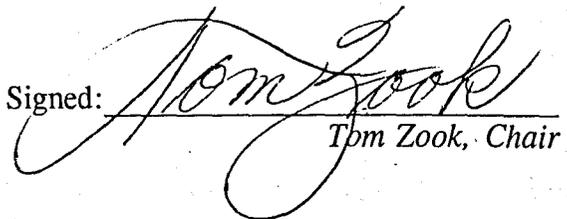
## HOUSE STANDING COMMITTEE REPORT

March 16, 1995

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that House Bill 307 (first reading copy -- white) do pass as amended.

Signed:

  
Tom Zook, Chair

And, that such amendments read:

1. Page 2, line 19.  
Strike: "must"

-END-

Committee Vote:  
Yes 15, No 3.

611350SC.Hdh



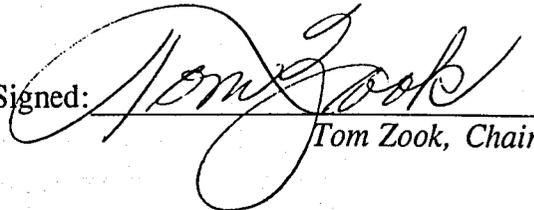
## HOUSE STANDING COMMITTEE REPORT

March 16, 1995

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that House Bill 416 (first reading copy -- white) do pass as amended.

Signed:

  
Tom Zook, Chair

And, that such amendments read:

1. Title, line 12.  
Strike: "20-9-426,"
2. Page 8, lines 1 through 18.  
Strike: section 8 in its entirety  
Renumber: subsequent sections
3. Page 9, line 29.  
Following: "appropriated"  
Insert: "to the office of public instruction"

-END-

Committee Vote:  
Yes 15, No 3.

611353SC.Hdh



## HOUSE STANDING COMMITTEE REPORT

March 16, 1995

Page 1 of 5

Mr. Speaker: We, the committee on Appropriations report that House Bill 509 (first reading copy -- white) do pass as amended.

Signed:

A handwritten signature in black ink, appearing to read "Tom Zook".

Tom Zook, Chair

And, that such amendments read:

1. Title, lines 5 and 6.  
Following: "FACILITIES;" on line 5  
Strike: the remainder of line 5 through "PROVIDERS;" on line 6
2. Title, line 8.  
Following: "FACILITIES"  
Strike: "AND PROVIDERS"  
Following: ";"  
Insert: "ESTABLISHING FEES FOR APPLICATIONS FOR CERTIFICATES OF PUBLIC ADVANTAGE AND FOR REPORTS; PROVIDING A STATUTORY APPROPRIATION;"
3. Title, line 9.  
Following: "SECTIONS"  
Insert: "17-7-502,"
4. Page 1, lines 17 and 18.  
Following: "facilities" on line 17  
Strike: "and" on line 17 through "providers" on line 18
5. Page 1, line 20.  
Strike: "and health care providers"
6. Page 1, line 22.  
Strike: "and providers"

Committee Vote:  
Yes 10, No 8.

610927SC.Hdh

7. Page 1, line 23.

Strike: "and providers"

8. Page 1, line 28.

Strike: "(1)"

9. Page 2, lines 1 through 3.

Strike: subsection (2) in its entirety

10. Page 2, lines 14 and 15.

Following: "costs or"

Strike: "in" through "agreement"

Insert: "is likely to result in improved access to health care or higher quality health care without any undue increase in health care costs"

11. Page 2, line 17.

Following: "agreement."

Insert: "The parties to a void agreement may submit a new application for a certificate based upon a cooperative agreement, merger, or consolidation different from the original application."

12. Page 2, line 19.

Following: "application"

Insert: "or within one 90-day extension, which may be granted by the authority upon a showing of good cause by the applicants. If the authority does not issue a certificate within that time, the application is considered to have been denied"

13. Page 2.

Following line 21.

Insert: "(4) Any amendment to a cooperative, merger, or consolidation agreement and any material change in the operations or conduct of any party to a cooperative, merger, or consolidation agreement is considered to be a new agreement and may not take effect or occur until the authority has issued a new certificate of public advantage approving the amendment or change."

14. Page 2, line 29.

Strike: "Upon request by the authority, the"

Insert: "The"

15. Page 3, line 2.

Following: "certificate"

Strike: "or"

Insert: ", "

Following: "conditions"

Insert: ", or to enjoin any material violation of or deviation from the terms of the cooperative, merger, or consolidation agreement submitted to and approved by the authority"

16. Page 3, line 6.

Insert: "

NEW SECTION. **Section 6. Reports.** If the authority issues a certificate of public advantage, the facilities to whom the certificate has been issued shall submit a report to the authority evaluating whether the cooperative, merger, or consolidation agreement submitted to and approved by the authority has been complied with during the preceding year and, if applicable, evaluating whether any terms and conditions imposed by the authority when it issued the certificate have been met or otherwise satisfied during the preceding year. The report must be submitted annually or more frequently if required by the authority. The authority shall in turn issue findings as to whether the terms and conditions are being met or otherwise satisfied. The authority shall keep copies of all reports and findings based on the reports.

NEW SECTION. **Section 7. Fees -- statutory appropriation.**

(1) The authority shall establish by rule fees to accompany the filing of an application for a certificate of public advantage and for a report required by [section 6]. The fees must be reasonably related to the costs of the authority in considering applications, evaluating reports, and performing other duties necessary to administer this part. The costs may include the retention of accounting, technical, and legal assistance that the authority considers necessary to process applications and reports. The authority shall maintain records sufficient to support the fees charged under this section.

(2) The fees must be deposited in an account in the special revenue fund. The account is statutorily appropriated, as provided in 17-7-502, to the authority.

**Section 8.** Section 17-7-502, MCA, is amended to read:

"17-7-502. **Statutory appropriations -- definition -- requisites for validity.** (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be

listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-9-202; 2-17-105; 2-18-812; 3-5-901; 5-13-403; 10-3-203; 10-3-312; 10-3-314; 10-4-301; 15-1-111; 15-23-706; 15-25-123; 15-31-702; 15-36-112; 15-37-117; 15-38-202; 15-65-121; 15-70-101; 16-1-404; 16-1-410; 16-1-411; 17-3-106; 17-3-212; 17-5-404; 17-5-424; 17-5-704; 17-5-804; 17-6-101; 17-6-201; 17-6-409; 17-7-304; 18-11-112; 19-2-502; 19-6-709; 19-9-1007; 19-15-101; 19-17-301; 19-18-512; 19-18-513; 19-18-606; 19-19-205; 19-19-305; 19-19-506; 20-4-109; 20-8-111; 20-9-361; 20-26-1403; 20-26-1503; 23-2-823; 23-5-136; 23-5-306; 23-5-409; 23-5-610; 23-5-612; 23-5-631; 23-7-301; 23-7-402; 27-12-206; 32-1-537; 37-43-204; 37-51-501; 39-71-503; 39-71-907; 39-71-2321; 39-71-2504; 44-12-206; 44-13-102; [section 7]; 50-5-232; 50-40-206; 53-6-150; 53-24-206; 60-2-220; 61-2-107; 67-3-205; 75-1-1101; 75-5-507; 75-5-1108; 75-11-313; 76-12-123; 77-1-808; 80-2-103; 80-2-222; 80-4-416; 80-11-310; 81-5-111; 82-11-136; 82-11-161; 85-1-220; 85-20-402; 90-3-301; 90-4-215; 90-6-331; 90-7-220; 90-9-306; and 90-14-107.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 7, Ch. 567, L. 1991, the inclusion of 19-6-709 terminates upon death of last recipient eligible for supplemental benefit; and pursuant to sec. 15, Ch. 534, L. 1993, the inclusion of 90-14-107 terminates July 1, 1995.) ""

Renumber: subsequent sections

17. Page 3, line 7.

Strike: "[Section 5] is"

Insert: "[Sections 5 through 7] are"

18. Page 3, line 9.

Strike: "[section 5]"

Insert: "[sections 5 through 7]"

19. Page 3, line 10.

March 16, 1995

Page 5 of 5

Insert: "

NEW SECTION. Section 10. Coordination instruction. If House Bill No. 511 is passed and approved and if it amends 50-4-601, 50-4-603, 50-4-604, 50-4-609, 50-4-610, and 50-4-611 to transfer the responsibility for the certificates of public advantage to the department of justice, then any references to the Montana health care authority in this bill and in any new sections codified into Title 50, chapter 4, part 6, must be changed to a reference to the department of justice."

Renumber: subsequent section

-END-



## HOUSE STANDING COMMITTEE REPORT

March 16, 1995

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that **House Bill 18** (first reading copy -- white) do pass.

Signed:

A handwritten signature in cursive script that reads "Tom Zook".

*Tom Zook, Chair*

Committee Vote:  
Yes 14, No 4.

611346SC.Hdh

**HOUSE OF REPRESENTATIVES  
54TH LEGISLATIVE SESSION - 1995**

**ROLL CALL VOTE**

**APPROPRIATIONS COMMITTEE**

DATE 3-14-95 BILL NO. HB 440

MOTION Rep. Grady moved HB 440 Be Tabled.  
motion carried 12-6.

NAME	AYE	NO
Rep. Ed Grady, VICE CHAIRMAN, MAJORITY	✓	
Rep. Beverly Barnhart	✓	
Rep. Ernest Bergsagel		✓
Rep. John Cobb		✓
Rep. Roger DeBruycker		✓
Rep. Gary Feland		✓
Rep. Marjorie Fisher	✓	
Rep. Don Holland		✓
Rep. John Johnson	✓	
Rep. Royal Johnson	✓	
Rep. Mike Kadas	✓	
Rep. Betty Lou Kasten		✓
Rep. Matt McCann	✓	
Rep. Red Menahan	✓	
Rep. Joe Quilici, VICE CHAIRMAN, MINORITY	✓	
Rep. Steve Vick	✓	
Rep. Bill Wiseman	✓	
Rep. Tom Zook, CHAIRMAN	✓	

**HOUSE OF REPRESENTATIVES  
54TH LEGISLATIVE SESSION - 1995**

**ROLL CALL VOTE**

**APPROPRIATIONS COMMITTEE**

DATE 3-14-95 BILL NO. HB 416

MOTION Rep. Holland moved HB 041601.A07  
Amendment Do Pass. motion failed 6-12.

NAME	AYE	NO
Rep. Ed Grady, VICE CHAIRMAN, MAJORITY		✓
Rep. Beverly Barnhart		✓
Rep. Ernest Bergsagel		✓
Rep. John Cobb	✓	
Rep. Roger DeBruycker		✓
Rep. Gary Feland		✓
Rep. Marjorie Fisher	✓	
Rep. Don Holland	✓	
Rep. John Johnson		✓
Rep. Royal Johnson		✓
Rep. Mike Kadas		✓
Rep. Betty Lou Kasten	✓	
Rep. Matt McCann		✓
Rep. Red Menahan		✓
Rep. Joe Quilici, VICE CHAIRMAN, MINORITY		✓
Rep. Steve Vick		✓
Rep. Bill Wiseman	✓	
Rep. Tom Zook, CHAIRMAN	✓	

**HOUSE OF REPRESENTATIVES  
54TH LEGISLATIVE SESSION - 1995**

**ROLL CALL VOTE**

**APPROPRIATIONS COMMITTEE**

DATE 3-14-95 BILL NO. HB 17

MOTION Rep. Wiseman moved HB 17 Do Pass  
As Amended. motion carried 12-6.

NAME	AYE	NO
Rep. Ed Grady, VICE CHAIRMAN, MAJORITY	✓	
Rep. Beverly Barnhart	✓	
Rep. Ernest Bergsagel		✓
Rep. John Cobb	✓	
Rep. Roger DeBruycker		✓
Rep. Gary Feland		✓
Rep. Marjorie Fisher	✓	
Rep. Don Holland	✓	
Rep. John Johnson	✓	
Rep. Royal Johnson	✓	
Rep. Mike Kadas	✓	
Rep. Betty Lou Kasten		✓
Rep. Matt McCann		✓
Rep. Red Menahan	✓	
Rep. Joe Quilici, VICE CHAIRMAN, MINORITY	✓	
Rep. Steve Vick		✓
Rep. Bill Wiseman	✓	
Rep. Tom Zook, CHAIRMAN	✓	

**HOUSE OF REPRESENTATIVES  
54TH LEGISLATIVE SESSION - 1995**

**ROLL CALL VOTE**

**APPROPRIATIONS COMMITTEE**

DATE 3-14-95 BILL NO. HB 17

MOTION Rep. Wiseman moved HB 001702, AGP  
Amendment Do Pass. motion carried 11-7.

NAME	AYE	NO
Rep. Ed Grady, VICE CHAIRMAN, MAJORITY	✓	
Rep. Beverly Barnhart		✓
Rep. Ernest Bergsagel		✓
Rep. John Cobb	✓	
Rep. Roger DeBruycker		✓
Rep. Gary Feland		✓
Rep. Marjorie Fisher	✓	
Rep. Don Holland	✓	
Rep. John Johnson	✓	
Rep. Royal Johnson	✓	
Rep. Mike Kadas	✓	
Rep. Betty Lou Kasten		✓
Rep. Matt McCann		✓
Rep. Red Menahan	✓	
Rep. Joe Quilici, VICE CHAIRMAN, MINORITY	✓	
Rep. Steve Vick		✓
Rep. Bill Wiseman	✓	
Rep. Tom Zook, CHAIRMAN	✓	

EXHIBIT 1  
DATE 3-14-95  
SB 266

### Judges Salary Fact Sheet

The 52nd Legislature passed SB 228, increasing judges salaries by increments and also increasing court fees to pay for the increase in salaries. The fee increase is deposited into the state General Fund and is not earmarked for judges salaries. (A copy of SB 228 is attached for reference)

The salary increase cost the general fund \$160,773 in fiscal 92 and \$366,055 in fiscal 93 (salary and benefits) and each year there after. The 53rd Legislature did not give a judicial pay increase. The fee increase raised the following revenues to cover the cost of increased salaries:

Year	Revenue	Cost	Excess
Fiscal 92	\$227,064	- \$160,773 salary increase	= \$66,291
Fiscal 93	\$424,098	- \$366,055 salary increase	= \$58,043
Fiscal 94	\$496,415	- \$366,055 salary increase	= \$130,360
Fiscal 95*	\$500,000	- \$366,055 salary increase	= \$133,945
		Total excess in fee revenue	<u>\$388,639</u>

\* estimated based on collections year to date  
(Revenues and expenses are from SBAS 661 reports)

# HOUSE OF REPRESENTATIVES

## Appropriations

ROLL CALL

DATE 3-14-95

NAME	PRESENT	ABSENT	EXCUSED
Rep. Tom Zook, Chairman	✓		
Rep. Ed Grady, Vice Chairman, Majority	✓		
Rep. Joe Quilici, Vice Chairman, Minority	✓		
Rep. Beverly Barnhart	✓		
Rep. Ernest Bergsagel	✓		
Rep. John Cobb	✓		
Rep. Roger DeBruycker	✓		
Rep. Gary Feland	✓		
Rep. Marj Fisher	✓		
Rep. Don Holland	✓		
Rep. John Johnson	✓		
Rep. Royal Johnson	✓		
Rep. Mike Kadas	✓		
Rep. Betty Lou Kasten	✓		
Rep. Matt McCann	✓		
Rep. Red Menahan	✓		
Rep. Steve Vick	✓		
Rep. Bill Wiseman	✓		

EXHIBIT 2  
DATE 3-14-95  
HB 307

TESTIMONY OF REPRESENTATIVE DAN HARRINGTON BEFORE  
THE HOUSE APPROPRIATIONS COMMITTEE ON HOUSE  
BILL 307

March 14, 1995

Mr. Chairman and Members of the Committee:

For the record my name is Dan Harrington, House District 38. I am here today in strong support of House Bill 307.

House Bill 307 creates a dealer express "title only" procedure for dealers of used motor vehicles and allows a motor vehicle dealer, broker or wholesaler to transfer a used motor vehicle to another motor vehicle dealer, broker or wholesaler by use of a dealer reassignment section on a certificate of ownership.

This will require three new FTE in the Motor Vehicle Division at Deer Lodge to handle this process. In what is a fairly unusual situation, the industry finds the benefits of this legislation to be so strong that they are willing to pay a new fee to finance these new employees. The bill contains a new \$5.00 fee to pay for the three FTE and it is expected that excess funds will be raised to divert to the general fund. The Department of Justice Motor Vehicle Division is here today to explain the Fiscal Note and answer your questions.

House Bill 307 passed the House Business Committee last month on an 18-0 vote and <sup>I</sup>asked that the bill come straight to this committee to save time on the House Floor.

There are witnesses to testify and further explain the need for House Bill 307. I have asked them to be complete but brief in their testimony.

# MIADA

EXHIBIT 3  
DATE 3-14-95  
HB 307

Montana Independent Auto Dealers Association

1001 1st. Ave N.  
Billings, Montana 59101  
(406) 245-7451 Mark Steffes

*March 14*  
~~January 27~~, 1995

TESTIMONY IN SUPPORT OF HOUSE BILL-307  
HOUSE ~~BUSINESS AND LABOR~~ COMMITTEE

*Appropriations*

Mr. Chairman, my name is Mark Steffes. I own Auto Acres Trucks and Trailers in Billings, Montana. I appear here today as President of the Montana Independent Automobile Dealers Association. We are in strong support of House Bill 307 and appreciate Representative Dan Harrington sponsoring this bill on our behalf.

HB-307 will create an "Express Title Only" for a motor vehicle dealer, broker, or wholesaler to transfer ownership of a used motor vehicle to another motor vehicle dealer, broker or wholesaler by use of a dealer reassignment section on a certificate of ownership. This bill will also allow the Justice Department's Motor Vehicle Division to hire two additional employees to handle this effort. We, the dealers, are willing to pay the cost involved through a new fee because of the significant benefit to our industry.

Let me briefly explain the benefits this bill provides to our industry and to the consumer of used and new vehicles.

This bill will provide both new and used car dealers with a "Marketable or Negotiable" title. A negotiable title will allow Montana dealers more competitive outlets to sell their products. Because most dealers specialize in certain types or certain price ranges of vehicles, or simply may need to restructure his or her inventory, it is common practice for a vehicle to be sold to several different dealers before being sold to the consumer. Often these transfers create many off title dealer reassignments; however, most other states are moving toward issuing a standardized title, and do not allow off title reassignments. Although the new Montana title does have three dealer reassignments on the reverse side, the title has only been in use for a very short time. Furthermore, the majority of Montana titles in circulation only have one (1) reassignment and many older titles do not have any at all. To the credit of the Montana Motor Vehicle Division, Montana freely accepts foreign titles. However, selling a Montana vehicle with off title reassignments out of state in many aspects is like going to the grocery store with Russian Rubles. You are probably going to go home without anything to eat. Viewing this from a wholesaler's perspective, a marketable title is crucial. His livelihood depends on being able to sell vehicles out of state. Often the dealer depends on the wholesaler to sale certain types

of vehicles that do not sell well in Montana. By providing additional outlets to sell vehicles, dealers can pass the savings on to the consumer through higher trade in values and lower trade in differences.

Beyond marketability, HB 307 will allow dealers to obtain a title in a reasonable time between three (3) and five (5) business days. Under the current system dealers have to wait anywhere from six (6) to eight (8) weeks to receive a title. This can be devastating to consumers, smaller dealers, and wholesalers. Title delays also bring up legal issues. Typically the dealer has to sell a vehicle before receiving the title, and sometimes cause the dealer to take trade ins before receiving the title. This is a very gray area in the law. HB 307 could reduce these problems.

HB 307 will also allow dealers and the motor vehicle division to work more efficiently together by having a direct dealer phone line. Better dealer access to the Motor Vehicle Division will also reduce titling errors. This alone should greatly reduce the department's and the dealer's costs. By being able to correct problems as they occur and before the titles are submitted we can eliminate titles being sent back to the dealer two and three times for corrections. Government and Business working together to provide faster, more effective results for everyone. Thank you for your time and consideration.

March 14, 1995

EXHIBIT 4  
DATE 3-14-95  
HB 307

City and town list of dealers submitting letters to the House Appropriations Committee in support of House Bill 307.

Miles City and eastern Montana:

Larry's Auto Sales and More	- Miles City
Boggs Chevrolet-Oldsmobile	- Forsyth
Boggs Used Autos	- Miles City
Dan's Used Cars	- Broadus
Glendive Sales	- Glendive
Chief Auto Sales	- Hardin
Frank's Body Shop	- Miles City
Action Auto	- Sidney
Rathert Fox	- Wolf Point
T.A.W., Inc.	- Miles City
Mac's Frontier Land	- Miles City
T & A Auto Sales	- Sidney

Northcentral and central Montana:

Chinook Wind	- Chinook
Central City Auto	- Lewistown
Terry Chevrolet	- Glasgow
Hertz Auto Sales	- Harlowton
Car & Truck Exchange	- Plentywood
Ft. Benton Motor Company	- Ft. Benton
Luxury Auto Sales	- Havre
Bill's Sunrise Auto	- Lewistown
C & H Auto	- Denton
Central City Auto	- Lewistown
K & B Company	- Havre

Great Falls:

TnT, Inc.  
Pete's Auto Sales  
Taylor's Used Cars  
Auto Corner  
Gabe's Auto  
Holiday Motors  
Barney Used Cars  
King Motors  
A & A Auto and Rental  
Way More Auto  
McMenamy Sunshine Auto.  
Eli's Auto Sales  
Radian Motors  
Electric City Auction  
Executive Motors  
Pete's Auto Sales  
Auto Corner

Page two - list of dealers and place of business

Missoula:

Jim's Cars  
A-Auto Sales  
McVays Used Cars  
Bretz RV and Marine  
Nickel Cars  
Grizzly Auto Center

Northwestern Montana:

Double "W" Truck	- Hamilton
Bob's Auto	- Kalispell
Golden Wheels	- Kalispell
Pioneer Chevrolet	- Polson
Montana Auto Finance	- Kalispell
Credit Cars	- Kalispell
Nickel Cars	- Kalispell
Takalas Enterprises	- Columbia Falls
Jim Downen Nissan	- Kalispell

Butte - Helena - Bozeman:

Mining City Motors	- Butte
R & N Auto	- Bozeman
Low Cost Auto	- Butte
Kev's Auto Sales	- Helena
T & C Wholesale	- Helena
Mick O'Brien's Used Cars	- Butte
Marks-A-Lot	- Helena

Billings:

Montana Truck and Car	Pierce Truck and Equipment
CJ's Auto	Tour America RV
Auto Acres	Tour America Used Cars
Billings Auto Auction	Avis Rent-A-Car
Northland Automotive	Active Auto
Bob Smith Lincoln-Mercury	K & K Auto Brokers
N. Land Automotive	Where Your At Auto
Auto Brokers of Montana	Frontier Chevrolet
J.R.'s Used Cars	Homestead Hyundai-Subaru
Red Barn Sales	TAW Brokers
AAA Auto Rental	Park Company Auto Sales
Top Notch Trailers	Billings Truck Center
The Chassis Works	The Big Sky Auto Auction
D & D Automotive	Harris Auto Sales
Car World	T & T Auto
ABC Auto Sales	Interstate Motors
Montana Mustangs	Fisk Camper Sales (Shepherd)
LeRoys Auto Sales	

# AUTO ACRES

EXHIBIT 5  
DATE 3-14-95  
HE 307

Specializing in Quality Trucks  
And A Complete Trailer Line

P.O. Box 960  
Billings, MT 59103  
(406) 245-7451

Mark Steffes

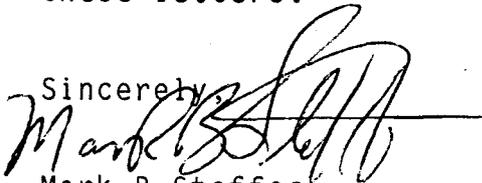
March 13, 1995

Honorable Tom Zook  
Chairman of Appropriations  
House of Representative  
Helena, Montana

The enclosed packet of letters, I have prepared, are from new and used Auto Dealers across the State of Montana.

Some of these letters are addressed to Bruce Simon, Chairman of Business and Labor. In the interest of conservation ,postage , fax costs etc.,I have included these letters.

Sincerely,



Mark B Steffes  
President  
Independent Auto Dealers Assoc of Montana

# AUTO ACRES

Specializing in Quality Trucks  
And A Complete Trailer Line

P.O. Box 960  
Billings, MT 59103  
(406) 245-7451

Mark Steffes

Honorable Tom Zook  
Chairman of Appropriations  
House of Representatives  
Helena, Montana

Auto Acres supports House Bill #307, a bill for  
Auto Dealers only to obtain an express title.

Mark Steffes

A handwritten signature in black ink, appearing to read "Mark Steffes", written over a horizontal line.

The Honorable Tom Zook  
The State Senate  
Helena, Montana

Dear Mr. Zook:

I am in favor of House Bill 307, which would provide provision to create an express title for automobile dealers only.

House Bill 307 would also provide a dealers department and personnel to process dealer business, at the Department of Motor Vehicles, in Deer Lodge.

COMMENTS

Sincerely yours,

Dealership Barney's used cars  
Address 3456 10<sup>th</sup> ave S. G.F. 20D58  
Date 2/8/95

*Barney Passer*

The Honorable Tom Zook  
The State Senate  
Helena, Montana

Dear Mr. Zook:

I am in favor of House Bill 307, which would provide provision to create an express title for automobile dealers only.

House Bill 307 would also provide a dealers department and personnel to process dealer business, at the Department of Motor Vehicles, in Deer Lodge.

COMMENTS

Sincerely yours,



KING MOTORS, INC. 2UD77  
3524 - 10th Ave. S. Great Falls, MT 59405

Dealership \_\_\_\_\_

Address \_\_\_\_\_

Date

2-8-95

The Honorable Tom Zook  
The State Senate  
Helena, Montana

Dear Mr. Zook:

I am in favor of House Bill 307, which would provide provision to create an express title for automobile dealers only.

House Bill 307 would also provide a dealers department and personnel to process dealer business, at the Department of Motor Vehicles, in Deer Lodge.

COMMENTS

Sincerely yours,

*Chris M. Brown*  
Dealership A & A Sales & Rentals 20080

Address 4827 10<sup>th</sup> Ave. So. FT. FALLS, MT.

Date 2-8-95

The Honorable Tom Zook  
The State Senate  
Helena, Montana

Dear Mr. Zook:

I am in favor of House Bill 307, which would provide provision to create an express title for automobile dealers only.

House Bill 307 would also provide a dealers department and personnel to process dealer business, at the Department of Motor Vehicles, in Deer Lodge.

COMMENTS

Sincerely yours,

*W. R. Stegman*

Dealership Waymore Auto 24057

Address 4801 10th Ave So. Great Falls,

Date

2-8-95

The Honorable Tom Zook  
The State Senate  
Helena, Montana

Dear Mr. Zook:

I am in favor of House Bill 307, which would provide provision to create an express title for automobile dealers only.

House Bill 307 would also provide a dealers department and personnel to process dealer business, at the Department of Motor Vehicles, in Deer Lodge.

COMMENTS

Sincerely yours,

Dealership

Address

Date

*11 P. J. Fagmiller*

*1144 N. 1st Street L.R. 1*

*441 N. 1st Ave. S. Helena, MT*

*2-8-95*

The Honorable Tom Zook  
The State Senate  
Helena, Montana

Dear Mr. Zook:

I am in favor of House Bill 307, which would provide provision to create an express title for automobile dealers only.

House Bill 307 would also provide a dealers department and personnel to process dealer business, at the Department of Motor Vehicles, in Deer Lodge.

COMMENTS

Sincerely yours,

Joe M. McManamy  
Dealership McManamy's Sunning Aut. Inc  
Address Great Falls  
Date 2-5-75

The Honorable Tom Zook  
The State Senate  
Helena, Montana

Dear Mr. Zook:

I am in favor of House Bill 307, which would provide provision to create an express title for automobile dealers only.

House Bill 307 would also provide a dealers department and personnel to process dealer business, at the Department of Motor Vehicles, in Deer Lodge.

COMMENTS

Sincerely yours,

*Tom Zook office mgr*  
Dealership *Auto Sales Inc 20021*

Address *501-9th St S G.F*

Date *Feb 3 1955*

**GABES AUTO**  
3615 10<sup>th</sup> Ave. South  
Great Falls, MT 59405

January 24, 1995

GABES AUTO  
3615 10<sup>th</sup> Ave S  
Gt. Falls MT 59406

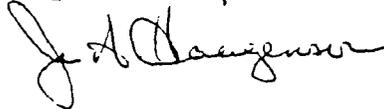
Dealer # 240-12

Representative Bruce Simon  
House Business & Labor

Dear Sir,

I support HB 307, an act to create  
an express title.

Sincerely



Jim A. Haagenen  
Co-Owner

JAN 24, 1995

A & A SALES AND RENTALS, INC.  
4827 10th AVE. S.  
GREAT FALLS, MT. 59405

DEALER NO. 2UD80

REPRESENTATIVE BRUCE SIMON  
HOUSE BUSINESS & LABOR

DEAR SIR:

I SUPPORT HB 307, AN ACT TO CREATE AN EXPRESS TITLE.

SINCERELY,

*Dave Falkenhagen*  
DAVE FALKENHAGEN  
PRES.



4801 10th Avenue South • Great Falls, MT 59405  
(406) 727-2334

*Buy • Sell • Consign*

January 24, 1995

Way More Auto  
4801 10th Ave So.  
Great Falls, Mt. 59405

Dealer No. 2 UD 57

Representative Bruce Simon  
House Business & Labor

Dear Sir:

I SUPPORT HB 307, AN ACT TO CREATE AN EXPRESS TITLE.

Respectfully,

A handwritten signature in cursive script that reads "W.P. Stegmeier".

W.P. Stegmeier  
Owner Way More Auto

JAN 24, 1995

A & A SALES AND RENTALS, INC.  
4827 10th AVE. S.  
GREAT FALLS, MT. 59405

DEALER NO. 2UD80

REPRESENTATIVE BRUCE SIMON  
HOUSE BUSINESS & LABOR

DEAR SIR:

I SUPPORT HB 307, AN ACT TO CREATE AN EXPRESS TITLE.

SINCERELY,

*Dave Falkenhagen*  
DAVE FALKENHAGEN  
PRES.

January 24, 1995

TAYLOR'S USED CARS  
3843 10TH AVE SOUTH  
GREAT FALLS, MT 59405

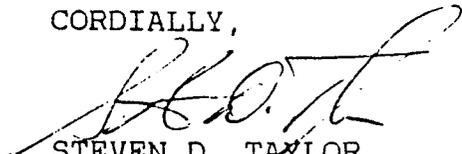
DEALER #2UD66

REPRESENTATIVE BRUCE SIMON  
HOUSE BUSINESS & LABOR

DEAR SIR:

I SUPPORT HB 307, AN ACT TO CREATE AN EXPRESS TITLE.

CORDIALLY,



STEVEN D. TAYLOR  
2ND VICE PRESIDENT



McMenamy's  
SUNSHINE AUTO, Inc.



4701 10th Ave. So.  
P.O. Box 6548  
Great Falls, Montana 59406  
Phone (406) 761-7364  
Fax (406) 761-2766

January 24, 1995

McMenamy's Sunshine Auto, Inc.  
4701 10th Avenue South  
Great Falls, MT 59406

Dealer #2UD41, #2RV17, & MT786DLR

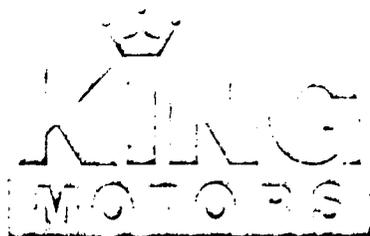
Representative Bruce Simon  
House Business & Labor

Dear Sir,

I support HB 307, an act to create an express title.

Cordially,

Joe McMenamy  
President



JANUARY 24TH 1995  
KING MOTORS, INC.  
3524 10TH AVE S  
GREAT FALLS MT. 59405

DEALER #2UD77

REPRESENTATIVE BRUCE SIMON  
HOUSE BUSINESS & LABOR

DEAR SIR,

I SUPPORT HB 307, AN ACT TO CREATE AN EXPRESS TITLE.

SINCERELY,

A handwritten signature in dark ink, appearing to be 'JF', with a long horizontal line extending to the right.

JOHN FOSTER  
PRESIDENT

01-24-95

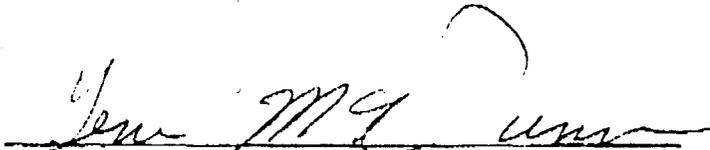
Barney's Used Cars  
3456 10th Ave. So.  
Great Falls, MT. 59405  
(406)452-7002  
(406)452-7971 FAX

REP. Bruce Simon - House Business and Labor  
Helena, Mt.

RE: HOUSE BILL 307

Bruce:

We would like to express our full support for House Bill 307,  
as the need for a special Dealers Only Desk in Deer Lodge has  
been obvious for years.

  
\_\_\_\_\_  
GENE MCDUNN - OWNER

  
\_\_\_\_\_  
BARNEY POSEY - OWNER

RADIAN MOTORS  
4245 - 2nd Avenue North  
Great Falls, MT 59405

Jan 24, 1977

TO: MIADA  
MARK STEFFES  
BILLINGS, MT 59105

I Robert P. Vylasek, owner RADIAN MOTORS  
SUPPORT HOUSEBILL # 307 A ACT TO  
CREATE A EXPRESS TITLE

Robert P. Vylasek

FROM : ELI'S AUTO INC

PHONE NO. : 4064524245



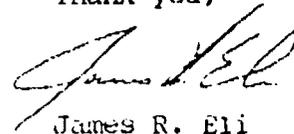
P.O. Box 6447  
5601 9th Avenue South  
Great Falls, MT 59405  
(406) 452-9914

RE: House Bill #307

Attention: REP Bruce Simon - House Business and Labor

I, James R. Eli of Eli's Auto Sales, Inc., support House bill #307. An act to create an express title.

Thank you,



James R. Eli  
President

JRE/tlh

JAN 24, 1995

EXECUTIVE MOTORS  
4901 10 AVE. SO  
GREAT FALLS, MT 59405

DEALER NO. 2UD2

REPRESENTATIVE BRUCE SIMON  
HOUSE BUSINESS & LABOR

DEAR SIR:

I SUPPORT HB 307, AN ACT TO CREATE AN EXPRESS TITLE.

CORDIALLY,

*Ronald E Davis*

RONALD E DAVIS  
OWNER

JANUARY 24, 1995

PETES AUTO SALES, INC.  
3845 10TH AVE SOUTH  
P.O. BOX 6483  
GREAT FALLS, MT 59406

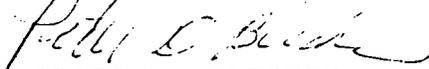
DEALER #2UD17

REPRESENTATIVE BRUCE SIMON  
HOUSE BUSINESS & LABOR

DEAR SIR:

I SUPPORT HB 307, AN ACT TO CREATE AN EXPRESS TITLE.

CORDIALLY,



PETER D. BLESKIN  
OWNER

January 29, 1975

Auto Corner  
3840 10th Ave So  
Box 6504  
Great Falls, MI 49735

Dear Sirs:

Representative Bruce Stinson  
House Business & Labor

Dear Sirs:

I SUPPORT HR 307; AN ACT TO CREATE AN OFFICE OF

Cordially,

*Allen R Bunnick*

Allen R Bunnick  
Owner  
Auto Corner

FEBRUARY 9, 1995

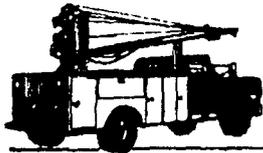
HONORABLE TOM ZOOK  
CHAIRMAN OF APPROPRIATIONS  
HOUSE OF REPRESENTATIVES  
HELENA, MONTANA

WE, AT MONTANA MUSTANGS, SUPPORT HOUSE BILL 100. WE FEEL IT  
IS A MUCH NEEDED SERVICE AND WILL BENEFIT ALL NEW AND USED  
CAR DEALERS.

YOURS TRULY,



MONTANA MUSTANGS  
3 UD 127  
502 50 BILGS BLVD  
BILLINGS, MONTANA 59101



Pierce  
Truck Equipment

(406) 245-6693

P.O. Box 3313

Billings, Montana 59103

February 14, 1995

Dear Mr. Zook

Honorable Tom Zook  
Chairman of Appropriations  
House of Representatives  
Helena, Montana

Pierce Truck Equipment supports House Bill 307, creating an express title for dealers only and establishing a dealer department and phone at the Motor Vehicle Department in Deer Lodge.

Yours truly,

A handwritten signature in cursive script that reads "Charles Pierce".

Charles Pierce  
Owner  
Pierce Truck Equipment



February 14, 1995

Honorable TOM ZOOK  
Chairman of Appropriations  
House of Representatives  
Helena, Montana

Dear Mr. Zook:

I support House Bill 307, we need to create an Express title for dealers only and we need to establish a **DEALER DEPARTMENT WITH TELEPHONE** at the Motor Vehicle Department in Deer Lodge. This will help alleviate the much previous problem time (days).

Sincerely yours,

Lyle Hansen  
President

PARK CO. AUTO SALES  
1612 BROADWATER AVENUE  
BILLINGS, MT 59102

FEBRUARY 15, 1995

THE HONORABLE, TOM ZOOK  
CHAIRMAN OF APPROPRIATIONS  
HOUSE OF REPRESENTATIVES  
HELENA, MT 59106

DEAR SIR:

This letter represents my support and my interest in the passage of HOUSE BILL 307.

The contents of this bill would not only be an asset, but is a necessity to the automobile dealers of this state. The changes I feel are long overdue.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joe Balazs". The signature is written in dark ink and is positioned below the word "Sincerely,".

PARK CO. AUTO SALES  
JOE BALAZS, OWNER

gb

P.O. BOX 30236  
827 2ND AVE. NORTH  
BILLINGS, MT 59107  
(406) 252-6121



P.O. BOX 2472  
2121 VAUGHN ROAD  
GREAT FALLS, MT 59403  
(406) 454-1311

February 16, 1995

Honorable Tom Zook  
Chairman of Appropriations,  
House of Representatives  
Helena MT

We support House Bill 307, creating an express title for dealers only, and establishing a dealer department and phone at the Motor Vehicle Department in Deer Lodge.

Sincerely

Maralyn Gangstad,  
Controller



*Freightliner*

FREIGHTLINER



(406) 259-5999  
1236 Cordova  
Billings, Montana 59101

February 14, 1995

Honorable Tom Zook  
Chairman of Appropriations  
House of Representatives  
Helena, Montana

We are once again responding to getting House Bill 307 passed through the House Appropriations Committee.

Passing House Bill 307 would be a real asset to dealers because some states will not accept titles with several attachments. Also, we find it difficult to get through to the Department of Motor Vehicles because of busy phone lines and them not answering phones a couple mornings a week, due to backlog of work.

Passing House Bill 307 would speed up the title process, allowing us a more efficient operation in our title depts.

Sincerely,

Rosezella Bohl  
Big Sky Auto Auction

RB/tlb

# Harris Auto Sales

2421 First Avenue North

• Billings, Montana 59101

• Bus: 406-256-9757

• Home: 406-628-8117

Feb 15, 1995

Honorable Tom Gook  
Chairman of Appropriations  
House of Representatives  
Billings, Mt.

Sir:

I support, House Bill 307. Creating an express title for Dealer and establishing a dealer department and phone at the Montana Vehicle Department in Deer Lodge.

Yours truly  
Robert L. Harris

The Honorable Tom Zook  
Chairman of Appropriations  
House of Representatives  
Helena, Montana

Dear Chairman Zook:

I am in favor of House Bill 307, which would provide provision to create an express title for automobile dealers only.

House Bill 307 would also provide a dealers department and personnel to process dealer business, at the department of Motor Vehicles, in Deer Lodge.

COMMENTS

Sincerely yours,

Dealership Lord T Auto  
Address 816 AVE C Billings MONT  
Date FEB 8 1995

The Honorable Tom Zook  
Chairman of Appropriations  
House of Representatives  
Helena, Montana

Dear Chairman Zook:

I am in favor of House Bill 307, which would provide provision to create an express title for automobile dealers only.

House Bill 307 would also provide a dealers department and personnel to process dealer business, at the department of Motor Vehicles, in Deer Lodge.

COMMENTS

Sincerely yours,

*Myron Pickering*

Dealership Interstate 710 E

Address Billings, MT

Date 2-8-75

The Honorable Tom Zook  
Chairman of Appropriations  
House of Representatives  
Helena, Montana

Dear Chairman Zook:

I am in favor of House Bill 307, which would provide provision to create an express title for automobile dealers only.

House Bill 307 would also provide a dealers department and personnel to process dealer business, at the department of Motor Vehicles, in Deer Lodge.

COMMENTS

Sincerely yours,

Dealership Trust Computer Sales  
Address Shepherd  
Date 2-8-95

The Honorable Tom Zook  
Chairman of Appropriations  
House of Representatives  
Helena, Montana

Dear Chairman Zook:

I am in favor of House Bill 307, which would provide provision to create an express title for automobile dealers only.

House Bill 307 would also provide a dealers department and personnel to process dealer business, at the department of Motor Vehicles, in Deer Lodge.

COMMENTS

Sincerely yours,

Dealership

Address

Date

Ryan Automotive Park  
2952 Rosebud Billings 59102  
2-8-94

The Honorable Tom Zook  
Chairman of Appropriations  
House of Representatives  
Helena, Montana

Dear Chairman Zook:

I am in favor of House Bill 307, which would provide provision to create an express title for automobile dealers only.

House Bill 307 would also provide a dealers department and personnel to process dealer business, at the department of Motor Vehicles, in Deer Lodge.

COMMENTS

Sincerely yours,

Dealership CAR WORLD   
Address 2109 1st Ave N., Billings, MT-59102  
Date 2/8/95

The Honorable Tom Zook  
Chairman of Appropriations  
House of Representatives  
Helena, Montana

Dear Chairman Zook:

I am in favor of House Bill 307, which would provide provision to create an express title for automobile dealers only.

House Bill 307 would also provide a dealers department and personnel to process dealer business, at the department of Motor Vehicles, in Deer Lodge.

COMMENTS

Sincerely yours,

Dealership Brockwoods Auto Sales  
Address 2122 4th Ave N. Bigs  
Date 2-8-95

February 14, 1995

Honorable Tom Zook  
Chairman of Appropriations  
House of Representatives  
Helena, Montana

We are sending our support in regards to House Bill 307 to pass it through the House Appropriations Committee.

The passing of this bill would speed up the title process and give dealers direct access to the DMV during business hours. At the present time, the backlog of work and the busy phone lines make it extremely difficult to reach DMV if needed.

There are also some states that will not take titles with several attachments and this problem could be taken care of too. Please accept our support of House Bill 307 so that we may streamline our title processing.

With Best Regards,



Jack Palmer  
Jolly Wholesale  
1236 - Cordova  
Billings, MT 57101  
JP/tlb

The Honorable Tom Zook  
Chairman of Appropriations  
House of Representatives  
Helena, Montana

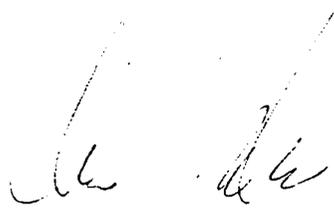
Dear Chairman Zook:

I am in favor of House Bill 307, which would provide provision to create an express title for automobile dealers only.

House Bill 307 would also provide a dealers department and personnel to process dealer business, at the department of Motor Vehicles, in Deer Lodge.

COMMENTS

Sincerely yours,



Dealership Kuehner Automotive

Address 2071 Rosebud

Date 2-8-95

The Honorable Tom Zook  
Chairman of Appropriations  
House of Representatives  
Helena, Montana

Dear Chairman Zook:

I am in favor of House Bill 307, which would provide provision to create an express title for automobile dealers only.

House Bill 307 would also provide a dealers department and personnel to process dealer business, at the department of Motor Vehicles, in Deer Lodge.

COMMENTS

Sincerely yours,



Dealership

MIRIES CENTRAL AUTO

Address

1001 4<sup>th</sup> AVE. N, BILLINGS, MT.

Date

2-8-95

The Honorable Tom Zook  
Chairman of Appropriations  
House of Representatives  
Helena, Montana

Dear Chairman Zook:

I am in favor of House Bill 307, which would provide provision to create an express title for automobile dealers only.

House Bill 307 would also provide a dealers department and personnel to process dealer business, at the department of Motor Vehicles, in Deer Lodge.

COMMENTS

Sincerely yours,

Dealership Auto Man West  
Address 718 Central  
Date 2-8-95

The Honorable Tom Zook  
Chairman of Appropriations  
House of Representatives  
Helena, Montana

Dear Chairman Zook:

I am in favor of House Bill 307, which would provide provision to create an express title for automobile dealers only.

House Bill 307 would also provide a dealers department and personnel to process dealer business, at the department of Motor Vehicles, in Deer Lodge.

COMMENTS

Sincerely yours,

Dealership Mont Motors & Auto 3-VD10  
Address 402 W 15  
Date 2/8/96

The Honorable Tom Zook  
Chairman of Appropriations  
House of Representatives  
Helena, Montana

Dear Chairman Zook:

I am in favor of House Bill 307, which would provide provision to create an express title for automobile dealers only.

House Bill 307 would also provide a dealers department and personnel to process dealer business, at the department of Motor Vehicles, in Deer Lodge.

COMMENTS

Sincerely yours,

Dealership A & H Auto Sales

Address P.O. Box 30147, Billings, MT 59107

Date 2-8-95



**RANDASH**

**AUTO & TRUCK CENTER, INC.**

**We Can Sell Your Car**

601 East Main Street  
Billings, Montana 59105

2-14-95

The Honorable Tom Zook  
Chairman of Appropriations  
House of Representatives  
Helena, Mt.  
59601

Dear Tom:

I am writing to let you know that I support House Bill 307 on creating an Express Title for Dealers only and a Dealer Department and phone number at the Motor Vehicle Department in Deer Lodge. This would satisfy a need that has been building for a long time. To get through to someone in the Department in Deer Lodge, takes up to two or three days, at times.

Thank you for your support.

Best Regards:

Ed Randash

The Honorable Tom Zook  
Chairman of Appropriations  
House of Representatives  
Helena, Montana

Dear Chairman Zook:

I am in favor of House Bill 307, which would provide provision to create an express title for automobile dealers only.

House Bill 307 would also provide a dealers department and personnel to process dealer business, at the department of Motor Vehicles, in Deer Lodge.

COMMENTS

Sincerely yours,

Dealership Big Boys used cars  
Address 4047 MONTANA  
Date 2-8-95

A large, stylized handwritten signature in black ink, consisting of a large loop and a long horizontal stroke.

January 25, 1995

To Representative Bruce Simon,

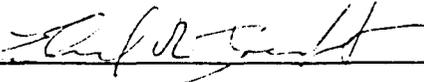
I am in favor of House Bill 307 which would provide provision for an express title format for automobile dealers only. I think it would be beneficial for car dealers and their customers.

By Clyde Thiel  
Dealership T and T Auto

January 25, 1995

To Representative Bruce Simon,

I am in favor of House Bill 307 which would provide provision for an express title format for automobile dealers only. I think it would be beneficial for car dealers and their customers.

By 

Dealership WICKER MOTORS 300174

January 25, 1995

To Representative Bruce Simon,

I am in favor of House Bill 307 which would provide provision for an express title format for automobile dealers only. I think it would be beneficial for car dealers and their customers.

By *Carl Anderson*

Dealership *SOUTH SIDE POWER 300100*

January 25, 1995

To Representative Bruce Simon,

I am in favor of House Bill 307 which would provide provision for an express title format for automobile dealers only. I think it would be beneficial for car dealers and their customers.

By \_\_\_\_\_

Dealership Big boys used cars 3-40-87

January 25, 1995

To Representative Bruce Simon,

I am in favor of House Bill 307 which would provide provision for an express title format for automobile dealers only. I think it would be beneficial for car dealers and their customers.

By

Palkyan

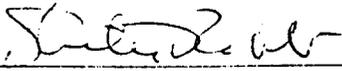
Dealership

Ryan Automotive

January 25, 1995

To Representative Bruce Simon,

I am in favor of House Bill 307 which would provide provision for an express title formula for automobile dealers only. I think it would be beneficial for car dealers and their customers.

By 

Dealership MARLES CENTER AUTO  
1001 4<sup>TH</sup> AVEN.  
BIRMINGHAM, AL

January 25, 1995

To Representative Bruce Simon,

I am in favor of House Bill 307 which would provide provision for an express title format for automobile dealers only. I think it would be beneficial for car dealers and their customers.

By Bill Wells  
Dealership Mortimer Truck & Car 30

January 25, 1995

To Representative Bruce Simon,

I am in favor of House Bill 307 which would provide provision for an express title format for automobile dealers only. I think it would be beneficial for car dealers and their customers.

By James Mankin  
Dealership C.J's auto sales  
Billings mt.

January 25, 1995

To Representative Bruce Simon,

I am in favor of House Bill 307 which would provide provision for an express title format for automobile dealers only. I think it would be beneficial for car dealers and their customers.

By

Mark S. Kelly

Dealership

AUTO ACKS

Box 960

BILLINGS mt 59103

3-4089

January 25, 1995

To Representative Bruce Simon,

I am in favor of House Bill 307 which would provide provision for an express title format for automobile dealers only. I think it would be beneficial for car dealers and their customers.

By Richard Connally

Dealership not muffs & auto

January 25, 1995

To Representative Bruce Simon,

I am in favor of House Bill 307 which would provide provision for an express title form for automobile dealers only. I think it would be beneficial for car dealers and their customers.

By

*Willie D. Daniel*

Dealership

*Bullinger Auto Center*

TO: THE HONORABLE REPRESENTATIVE BRUCE SIMON  
HOUSE COMMITTEE OF BUSINESS AND LABOR

FROM: ERNIE'S AUTO SALES  
1901 1st AVE NORTH  
BILLINGS, MONTANA 59101

RE: HOUSE BILL #307

WE, AT ERNIE'S BELIEVE HOUSE BILL #307 WILL SIGNIFICANTLY  
INCREASE THE QUALITY OF SERVICE TO OUR CUSTOMERS. BY GIVING US EASIER  
AND MORE CONVIENANT ACCESS TO THE STATE OF MONTANA, DEPARTMENT OF  
MOTOR VEHICLES, WE WILL BE ABLE TO EXPEDITE TITLES AND CORRESPONDENCE  
IN A MORE ORDERLY FASHION. WE SUPPORT HOUSE BILL #307.

THANK YOU

  
Sam D Campbell, Owner.

tlw/cc



(406) 259-5999  
FAX # (406) 259-2776  
1236 Cordeva  
Billings, MT 59101

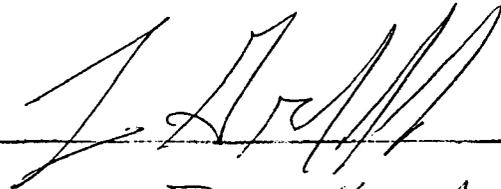
JANUARY 25, 1995

TO REPRESENTATIVE BRUCE SIMON,

I AM IN FAVOR OF HOUSE BILL 307 WHICH WOULD PROVIDE PROVISION FOR AN EXPRESS TITLE FORMAT FOR AUTOMOBILE DEALERS ONLY. I THINK IT WOULD BE BENEFICIAL FOR CAR DEALERS AND THEIR CUSTOMERS.

BY

DEALERSHIP

  
Big Sky Auto Auction

NORTHLAND WHOLESALE  
2110 FIRST AVE N  
BILLINGS, MT 59101

JANUARY 25, 1995

REP. BRUCE SIMON  
HOUSE BUSINESS AND LABOR

RE: HOUSE BILL 307

WE AT NORTHLAND AUTOMOTIVE SUPPORT HOUSE BILL #307  
THE ACT TO CREATE AN EXPRESS TITLE.

THANK YOU!

SINCERELY.

NORTHLAND WHOLESALE

TIM MICHEL, OWNER

A handwritten signature in cursive script that reads "Tim Michel". The signature is written in dark ink and is positioned below the typed name "TIM MICHEL, OWNER".

PARK COUNTY AUTO  
2020 FIRST AVE N  
BILLINGS, MT 59101

JANUARY 25, 1995

REP. BRUCE SIMON  
HOUSE BUSINESS AND LABOR

RE: HOUSE BILL 307

WE AT. MORTHLAND AUTOMOTIVE SUPPORT HOUSE BILL #307  
THE ACT TO CREATE AN EXPRESS TITLE.

THANK YOU!

SINCERELY,

PARK COUNTY AUTO

JOE BALAZS, OWNER

*Joe Balazs*



BOB SMITH LINCOLN-MERCURY - MITSUBISHI

2244 Central Avenue  
Billings, Montana 59102-4695  
Telephone 406-656-0000

January 23, 1995

To Whom it May Concern:

We here at Bob Smith Lincoln-Mercury-Mitsubishi would like to show our support for House Bill 307, concerning express titling for car dealers only. It would help us greatly in our day to day activities concerning titling.

Thank you.

BOB SMITH LINCOLN-MERCURY-MITSUBISHI

Rob Smith  
General Manager

NORTHLAND AUTOMOTIVE  
2110 FIRST AVE N  
BILLINGS, MT 59101

JANUARY 25, 1995

REP. BRUCE SIMON  
HOUSE BUSINESS AND LABOR

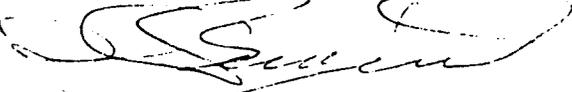
RE: HOUSE BILL 307

WE AT NORTHLAND AUTOMOTIVE SUPPORT HOUSE BILL #307  
THE ACT TO CREATE AN EXPRESS TITLE.

THANK YOU!

SINCERELY,

NORTHLAND AUTOMOTIVE



DON A. BICKFORD, PRES.



**RANDASH**

**AUTO & TRUCK CENTER, INC.**

***We Can Sell Your Car***

601 East Main Street  
Billings, Montana 59105

TO WHOM IT MAY CONCERN

I SUPPORT HOUSE BILL # HB-307. EXPRESS TITLE BILL

BEST REGARDS

A handwritten signature in cursive script that reads "Edward V. Randash".

EDWARD V. RANDASH

DAVE ALLEN  
BOB ALLEN  
STEVE ALLEN  
SHELLY ALLEN



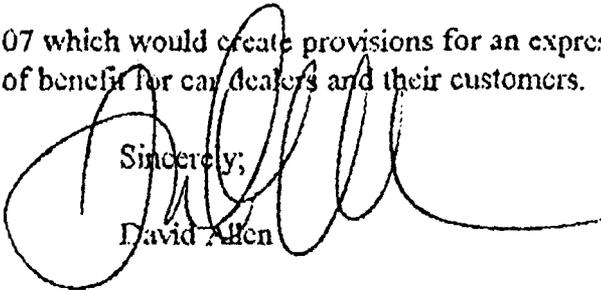
PHONE (406) 245-90  
3200 FIRST AVENUE NORTH  
BILLINGS, MONTANA 59101

January 23, 1995

To Whom it May Concern,

I am in favor of House Bill 307 which would create provisions for an express title format for dealers only. I think it would be of benefit for car dealers and their customers.

Sincerely,

  
David Allen

**J R'S USED CARS**  
**"WHOLESALE ONLY"**  
**SINCE 1981**

**JIM KALBERER**  
**PRESIDENT**

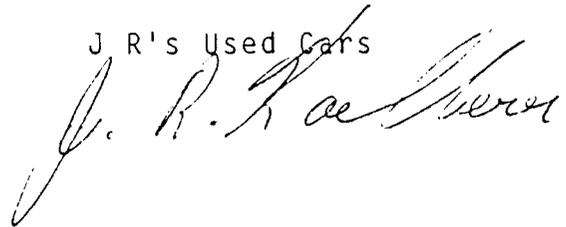
2040 BROADWATER AVE.  
BILLINGS, MONTANA 59102  
(406) 698-1829 CAR PHONE

Bruce Simon  
House Business and Labor  
Helena, Montana

I support the express title ,House Bill 307.

On more than one occasion, I have waited several weeks for a title from the Motor Vehicle department.

J R's Used Cars

A handwritten signature in cursive script, appearing to read "J. R. Kalberer", written over the printed name "J R's Used Cars".

WE SPECIALIZE IN FLEET PURCHASES

**RED BARN TACK & TRAILER SALES**

**1738 1/2 KING AVE W.**

**BILLINGS, MT.59102**

**408-655-0500 FAX 408-655-0595**

*ATTN*

*BRUCE SIMON*

*HOUSE BUSINESS & LABOR COMMITTEE*

*I AM VERY MUCH IN FAVOR  
OF HOUSE BILL 307, TO CREATE  
& EXPRESS TITLES. IT'S BADLY  
NEEDED FROM A BUSINESS  
STAND POINT*

*RESPECTFULLY*

*[Signature]*

DAILY  
WEEKLY  
MONTHLY



PHONE (406) 245-975  
3200 1ST AVENUE NORTH  
BILLINGS, MONTANA 5910

MEMO

From Eve Steffans  
Company President

January 23, 1995

To Whom it May Concern,

I am in favor of House Bill 307 which would create provisions for an express title format for dealers only. I think it would be of benefit for car dealers and their customers in general.

TOP NOTCH TRAILER MFG.  
4215 HWY 312  
BILLINGS, MONTANA 59105  
(406)-373-6044  
FAX # (406)-373-5044

SANNON TRADER  
4215 Highway 312  
Billings, MT 59106  
(406) 373-8044

SANNON TRADER  
4215 Highway 312  
Billings, MT 59106  
(406) 373-8044

FAX TRANSMISSION COVER PAGE

TO: Interdependent Auto Dealers ATTN: MARK STEFFES

NO. OF PAGES \_\_\_\_\_ (INCLUDING COVER)

FROM: Rick SANNON DATE: 1-23-95

MESSAGE: MARK, Please Note My Concern  
Regarding House Bill #3071  
CREATING AN EXPRESS TITLE FOR  
DEALERS I Believe it is Past  
Time we introduce this Bill  
it is something that is truly needed  
By the Automobile Industry  
We need this Bill to PASS

Thanks Much  
Rick Sannon

owner SANNON TRADER

341D31 - 341D50

**THE CHASSIS WORKS, INC**  
**"WE TAKE THE DENTS OUT OF ACCIDENTS"**  
**703 ANCHOR ST. BILLINGS, MT 59106**  
**406/245-3338 FAX: 406/245-8798**  
**FEDERAL ID # 81-0460915**

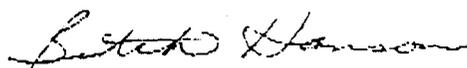
January 24, 1995

Attention: Rep. Bruce Simon  
House Business & Labor

Re: H.B. 307 - "An Act to Create an express title"

Representative Simon:  
As a working Montana Auto Dealer, I support H.B. 307.

The Chassis Works, Inc  
3UD-156



Butch Hanson, pres

skh

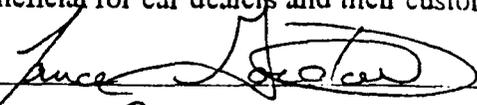
January 25, 1995

To Representative Bruce Simon,

I am in favor of House Bill 307 which would provide provision for an express title format for automobile dealers only. I think it would be beneficial for car dealers and their customers.

By

Dealership

  
Car World Auto Sales  
Billings MT.

January 25, 1995

To Representative Bruce Simon,

I am in favor of House Bill 307 which would provide provision for an express title format for automobile dealers only. I think it would be beneficial for car dealers and their customers.

By Wesley C. First

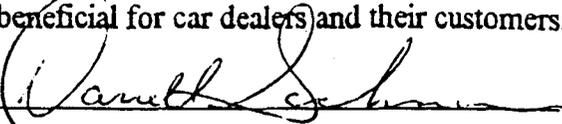
Dealership Chick Langley Sales

January 25, 1995

To Representative Bruce Simon,

I am in favor of House Bill 307 which would provide provision for an express title format for automobile dealers only. I think it would be beneficial for car dealers and their customers.

By



Dealership ABC Auto Sales

January 25, 1995

To Representative Bruce Simon,

I am in favor of House Bill 307 which would provide provision for an express title format for automobile dealers only. I think it would be beneficial for car dealers and their customers.

By (1277) [Signature]

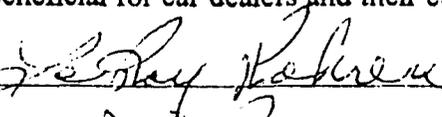
Dealership Montana Trucking 307

January 25, 1995

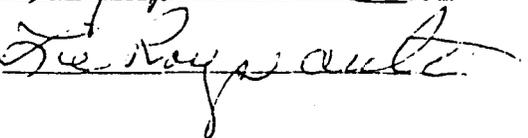
To Representative Bruce Simon,

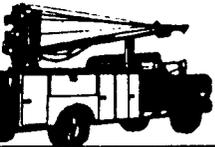
I am in favor of House Bill 307 which would provide provision for an express title format for automobile dealers only. I think it would be beneficial for car dealers and their customers.

By



Dealership





Pierce  
Truck Equipment

(406) 245-6693

P.O. Box 3313

Billings, Montana 59103

1635 N. Frontage Rd. (Lockwood)

Rep. Bruce Simon  
House & Labor Chairman  
House Bill #307

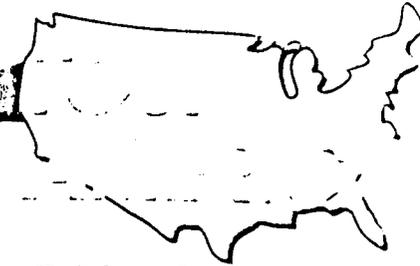
Ref: An Act to Create an Express Title Only

Our Business supports the above initiation.

A large, stylized handwritten signature in cursive script, reading "Charles D. Fierce".

Charles D. Fierce  
Pierce Truck Equipment

Where Travel Traditions Begin



RV CENTER  
INCORPORATED

January 24, 1995

Bruce Simon, Chairman  
House Business and Labor Committee  
Helena, Montana

Dear Mr. Simon:

We feel that House Bill 307 (an act creating express title) would be very helpful to Montana car and recreational vehicle dealers. When dealing with dealer reassignments, powers of attorney and death certificates, it would be advantageous to have a means to clean up a title in a timely manner.

It is also a bill that would be funded by the dealer and not the taxpayer. We feel this is a good idea.

Sincerely,

TOUR AMERICA RV CENTER, INC. 3RV-6

Keith L. Broyles  
Vice President

KLB/blh

January 24, 1995

Mr. Bruce Simon, Chairman  
House Business and Labor Committee  
Helena, Montana

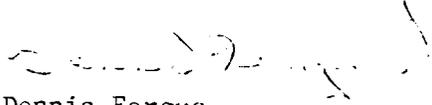
Dear Sir:

Any business that deals with vehicle titles should heartily support House Bill 307, an act creating express title. It would be to our benefit to have a means to clean up a title in a timely manner, what with dealer reassignments, death certificates, lein releases, etc.

We support this bill.

Sincerely,

TOUR AMERICA RV CENTER, INC.



Dennis Fergus  
President

DF/blh



January 26, 1995

Honorable Bruce Simon  
House of Representatives  
Helena, MT 59601

RE: House Bill 307

Dear Mr. Simon,

We at Avis Rent A Car Fleet Sales support House Bill 307, drafted as Dealer Only Express Title Bill. This bill has been needed, and will help our title departments perform in a professional and speedy manner.

Respectfully,

John Wigen  
President

JW/js

Quality Used Cars and Trucks  
718 Central  
Gallup, MT 59101

**Active  
Auto**

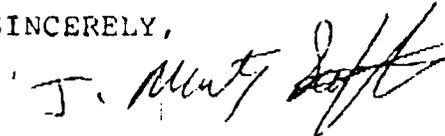
Ph. (406) 259-7674  
or 248-6699

TO THE ATTENTION OF BRUCE SIMON:

I, MARTY STEFFES, SUPPORT HOUSE BILL #307  
AN ACT TO CREATE AN EXPRESS TITLE.

I THINK IT IS TIME FOR US TO GET OUR PAPERWORK  
IN ORDER TO GET TITLE'S MADE QUICKLY. I FEEL  
WE ARE BEHIND TIMES AND THIS ACT WOULD BE A GREAT  
BENEFIT TO EVERYBODY CONCERNED, NOT ONLY IN THE  
CAR BUSINESS BUT ALSO THE BANK'S, CREDIT UNIONS,  
ETC..

SINCERELY,



J. MARTY STEFFES

January 25, 1995

To Representative Bruce Simon,

I am in favor of House Bill 307 which would provide provision for an express title format for automobile dealers only. I think it would be beneficial for car dealers and their customers.

By Chuck Kessler

Dealership K + K AUTO BROKERS 3VD3S

January 25, 1995

To Representative Bruce Simon,

I am in favor of House Bill 307 which would provide provision for an express title format for automobile dealers only. I think it would be beneficial for car dealers and their customers.

By Jan Ladd

Dealership At Home Your At Aida 34023

January 25, 1995

To Representative Bruce Simon,

I am in favor of House Bill 307 which would provide provision for an express title format for automobile dealers only. I think it would be beneficial for car dealers and their customers.

By Ray D. W. Kessler  
Dealership K & K Auto Brokers  
Billings, MT.

January 25, 1995

To Representative Bruce Simon,

I am in favor of House Bill 307 which would provide provision for an express title format for automobile dealers only. I think it would be beneficial for car dealers and their customers.

By B. R. Neal

Dealership Backwoods Auto sales

**DENNY MENHOLT  
FRONTIER**

**CHEVROLET Geo**



PHONE (406) 259-5575  
800-473-2282  
FAX (406) 259-4531

1617 1ST AVENUE NORTH  
POST OFFICE BOX 1156  
BILLINGS, MONTANA 59103

January 25, 1995

Representative Bruce Simon  
House Business & Labor Committee  
Montana State Legislature  
Helena, Montana

The Honorable Bruce Simon:

I support H.B. 307 An Act To Create An Express "Title Only" Procedure. Frontier Chevrolet is the largest dealership in Montana and we feel this bill will greatly improve processing of title work and facilitate communication between dealers and the Department of Motor Vehicles.

Frontier Chevrolet has a continuing goal to provide the best possible service to our customers. We feel this bill will create an atmosphere of cooperation between the Department and the motor vehicle dealers in this state which will ultimately mean prompter service for our customers.

We urge you to help pass H.B. 307.

Sincerely,

Denny Menholt  
Dealer/Owner

CSS

**YOUR VOLUME DISCOUNT DEALER**

TnT Inc.  
1995  
P.O. Box 138  
Great Falls, MT 59403-0138  
(406) 727-3456

February 16,

Honorable Tom Zook  
Chairman of Appropriations Committee  
House of Representatives  
Helena, MT 59601

Dear Chairman Zook,

I support House Bill 4307, creating an express title for dealers only and establishing a dealer department and phone at the Motor Vehicle Department. Please cast your vote for this better service to the Auto/Truck dealers.

I would also like this department to be staffed by competent personell, who would know the laws and how to help. I believe that Paula has always served me well. I have had some unsatisfactory dealings in the past.

Sincerely,

*William G. Edwards*

William G. Edwards

The Honorable Tom Zook  
The State Senate  
Helena, Montana

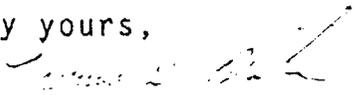
Dear Mr. Zook:

I am in favor of House Bill 307, which would provide provision to create an express title for automobile dealers only.

House Bill 307 would also provide a dealers department and personnel to process dealer business, at the Department of Motor Vehicles, in Deer Lodge.

COMMENTS

Sincerely yours,

  
Dealership Boyer Auto Sales, Inc.

Address 3725 Montana South E

Date 2-3-95

The Honorable Tom Zook  
The State Senate  
Helena, Montana

Dear Mr. Zook:

I am in favor of House Bill 307, which would provide provision to create an express title for automobile dealers only.

House Bill 307 would also provide a dealers department and personnel to process dealer business, at the Department of Motor Vehicles, in Deer Lodge.

COMMENTS

Sincerely yours, Mike Taylor 2/5/95  
Dealership Taylor's Used Cars  
Address 3543 10th Ave South  
Date 2-5-95

The Honorable Tom Zook  
The State Senate  
Helena, Montana

Dear Mr. Zook:

I am in favor of House Bill 307, which would provide provision to create an express title for automobile dealers only.

House Bill 307 would also provide a dealers department and personnel to process dealer business, at the Department of Motor Vehicles, in Deer Lodge.

COMMENTS

Sincerely yours,

*Alvin K. Hamilton*

Dealership Auto Center 211054

Address 2110 13 Ave S. Deer Lodge, MT

Date 2-8-54

The Honorable Tom Zook  
The State Senate  
Helena, Montana

Dear Mr. Zook:

I am in favor of House Bill 307, which would provide provision to create an express title for automobile dealers only.

House Bill 307 would also provide a dealers department and personnel to process dealer business, at the Department of Motor Vehicles, in Deer Lodge.

COMMENTS

Sincerely yours,

Dealership J. A. Hageman Co. Owner  
Address GABES AUTO 24D-12  
3615 10TH AVE So  
GREAT FALLS MT 59405  
Date 2-8-95

The Honorable Tom Zook  
The State Senate  
Helena, Montana

Dear Mr. Zook:

I am in favor of House Bill 307, which would provide provision to create an express title for automobile dealers only.

House Bill 307 would also provide a dealers department and personnel to process dealer business, at the Department of Motor Vehicles, in Deer Lodge.

COMMENTS

Sincerely yours,

*Bob Zinduck*

Dealership Helena Motors - 2010 '9

Address 3051 10<sup>th</sup> Ave So

Date 2/8/95

March 14, 1995  
HB 509  
Suggested Amendments  
Blue Cross and Blue Shield of Montana

(a) Section 3, HB509. I would amend paragraph (2) of the existing statute (50-4-603MCA), so the second sentence of the paragraph would read as follows:

The authority may not issue a certificate unless the authority finds that the agreement is likely to result in lower health care costs, or is likely to result in improved access to health care or higher quality healthcare without any undue increase in healthcare costs.

The underlined portion of the foregoing is my proposal for new language.

(b) Section 3, HB509. I would amend paragraph (3) of the existing statute by adding the following to the end of the first sentence:

, or within one 90-day extension which may be granted by the authority upon a showing of good cause therefore by the applicants. If the authority does not issue a certificate within such time, the application shall be deemed to have been denied.

(c) Section 3, HB509. I would amend the existing statute by adding a new paragraph (4), to read as follows:

Any amendment to a cooperative, merger or consolidation agreement, and any material change in the operations or conduct of any party to a cooperative, merger or consolidation agreement, shall be considered to be a new agreement and shall not take effect or occur until the authority has issued a new certificate of public advantage approving such amendment or change.

(d) Section 5, HB509. I would change the proposed new Section 5 in two respects. First I would delete the phrase "upon request by the authority." I would then change the balance of the section to read as follows:

The attorney general may bring an action in the name of the state against a person or persons to whom a certificate has been issued in order to enforce any terms or conditions imposed by the authority upon the issuance of the certificate, to enjoin the violation of the terms or conditions, or to enjoin any material violation of or deviation from the terms of the cooperative, merger or consolidation agreement submitted to and approved by the authority.

Again, the underlining indicates my proposal for new language.

(e) Section 6, HB509. I would change the proposed amendment which adds a new Section 6 so that the first sentence would read as follows:

If the authority issues a certificate of public advantage, the facilities or providers to whom the certificate has been issued shall submit a report to the authority evaluating whether the cooperative, merger or consolidation agreement submitted to and approved by the authority has been complied with during the preceding year, and, if applicable, evaluating whether any terms and conditions imposed by the authority when it issued the certificate have been met or otherwise satisfied during the preceding year.

As above, the underlining indicates the changes I would make to the amendment.

EXHIBIT 71  
 DATE 3-14-95  
 HB 21

REPORT NO. 01

07/28/94 PAGE 3208  
 AGENCY: 6501 DEPARTMENT OF COMMERCE  
 SCHEDULE OF ADJUSTMENTS  
 FISCAL YEAR 94

FUND : 02448 BUILDING CODES STATE SPEC REV

	DEBIT	CREDIT	NET
<b>ASSETS</b>			
1104 CASH IN TREASURY	\$1,179,783.06	\$ .00	\$1,179,783.06
1107 CASH ON HAND AT FYE	\$10,214.50	\$ .00	\$10,214.50
1204 ACCTS REC-EXPEND ABATEMENTS	\$151.26	\$ .00	\$151.26
1205 ACCTS REC-DISHONORED CHECKS	\$565.00	\$ .00	\$565.00
1345 DUE FROM-FYE CASH CUTOFF ADJ	\$55,552.00	\$ .00	\$55,552.00
1905 PREPAID EXPENSES	\$250.47	\$ .00	\$250.47
<b>TOTAL</b>	<b>\$1,246,516.29</b>	<b>\$ .00</b>	<b>\$1,246,516.29</b>
<b>LIABILITIES</b>			
2106 DUE TO OTHER ACCTG ENTITIES	\$ .00	\$440.00	\$440.00
2145 ACCNTS PAY-FYE CASH CUTOFF ADJ	\$ .00	\$10,708.75	\$10,708.75
2301 ACCRUED EXPENDITURES	\$ .00	\$798.81	\$798.81
2345 DUE TO-FYE CASH CUTOFF ADJ	\$ .00	\$88,140.49	\$88,140.49
<b>TOTAL</b>	<b>\$ .00</b>	<b>\$100,088.05</b>	<b>\$100,088.05</b>
<b>BEGINNING FUND BALANCE</b>			
4000 FUND BALANCE	\$ .00	\$789,058.97	\$789,058.97 ✓ <sup>6</sup>
<b>REVENUES</b>			
5101 SERVICE FEES	\$ .00	\$1,798,597.04	\$1,798,597.04 ✓ <sup>3</sup>
5105 SERVICE FEES	\$249.00	\$ .00	\$249.00- ✓ <sup>3</sup>
<b>TOTAL</b>	<b>\$249.00</b>	<b>\$1,798,597.04</b>	<b>\$1,798,348.04</b>

AGENCY: 6501 DEPARTMENT OF COMMERCE  
SCHEDULE OF ADJUSTMENTS  
FISCAL YEAR 94

FUND : 02448 BUILDING CODES STATE SPEC REV

EXPENDITURES	DEBIT	CREDIT	NET
5201 BUILDING CODES BUREAU 65	\$1,437,207.34	\$101.84	\$1,437,105.50 ✓
TOTAL	\$1,437,207.34	\$101.84	\$1,437,105.50
OTHER FINANCING SOURCES/USES			
5109 PRIOR YEAR REVENUE/ADD. ADJST.	\$370.00	\$ .00	\$370.00
5208 PRIOR YEAR EXP./DEDUCT. ADJST.	\$3,744.31	\$241.04	\$3,503.27
TOTAL	\$4,114.31	\$241.04	\$3,873.27

TOTAL = \$2,688,086.94 = \$2,688,086.94 \$ .00

ENDING FB \$1,146,428.24 ✓

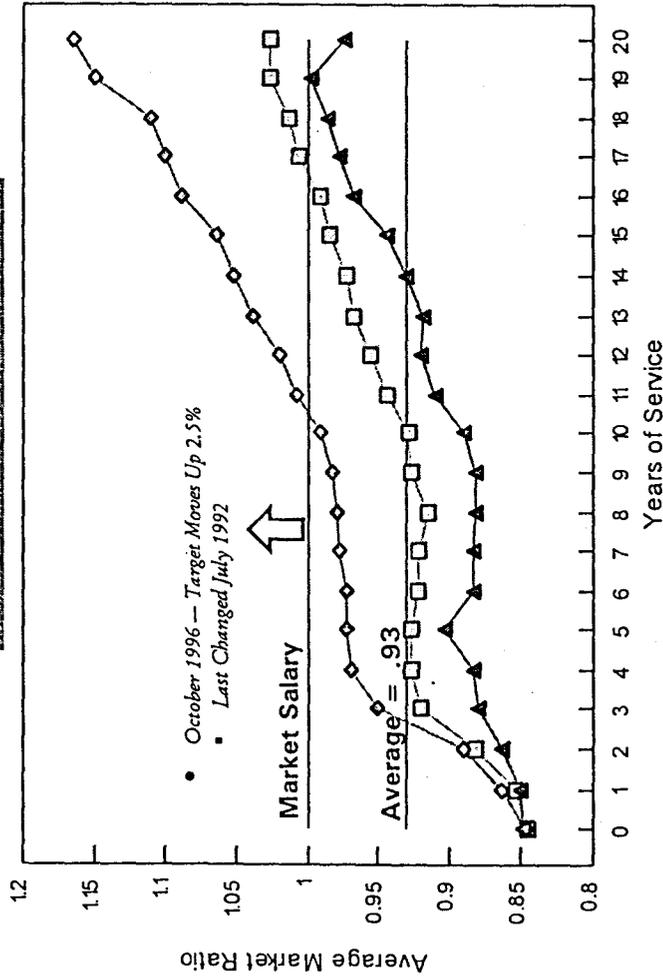
715

# House Bill 17 - Executive Pay Plan

## Progression Increases

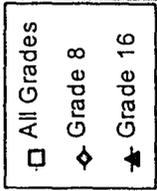
- Employees Below Target Market Ratio
  - Largest Increases Between 4 and 10 years Seniority
  - October 95 - Move Toward Target
  - Average Increase - 2.2%
  - Maximum Increase - 5%
  - October 96 - Move Toward Target Again
  - Average Increase - 1.4%
  - Maximum Increase - 6%

**AVERAGE MARKET RATIO  
COMPARED TO YEARS OF SERVICE**



## Longevity Change

- July 1, 1995 - 0.9% Increase for Each 5-Year Block of Service
- October 1, 1995 - 1.5% Increase for Each 5-Year Block of Service (Average will be 0.65% Increase)



## Funding Source

- FTE Reductions
  - Vacancy Savings
  - Reduction in State Contribution to Health Care Cost
    - \$230/mo. until July 1, 1995
    - \$220/mo. until July 1, 1996
    - \$225/mo. until July 1, 1997
- (Based on Employees' Good Medical History)

EXHIBIT 8  
DATE 3-14-95  
HB 17

**HB17 AMENDMENTS ELECTED OFFICIAL SALARY INCREASES**

(Excludes insurance contribution not tied to salary level)

(Excludes additional judicial retirement contributions made by administrative appropriations)

	PRESENT LAW SALARY FY96	HB17 SALARY FY96	INCREASE FY96	TOTAL HB17 INCREASE FY96	PRESENT LAW SALARY FY97	HB17 SALARY FY97	INCREASE FY97	TOTAL HB17 INCREASE FY97
GOVERNOR	55,502	57,084	1,818	1,818	55,502	59,310	4,377	4,377
LIEUTENANT GOVERNOR	40,466	41,619	1,325	1,325	40,466	43,242	3,191	3,191
ATTORNEY GENERAL	50,841	52,290	1,667	1,667	50,841	54,329	4,013	4,013
STATE AUDITOR	37,526	38,595	1,231	1,231	37,526	40,101	2,963	2,963
SUPT OF PUBLIC INSTRUCTION	44,177	45,436	1,459	1,459	44,177	47,208	3,511	3,511
SECRETARY OF STATE	37,526	38,595	1,229	1,229	37,526	40,101	2,961	2,961
PUBLIC SERV COMM PRESIDING OFFICER	41,750	42,940	1,370	1,370	41,750	44,615	3,298	3,298
PUBLIC SERV COMMISSIONERS	40,466	41,619	1,327	1,327	40,466	43,242	3,196	3,196
CLERK OF SUPREME COURT	36,537	37,578	1,199	1,199	36,537	39,044	2,887	2,887
DISTRICT COURT JUDGES	2,337,586	2,451,102	129,924	129,924	2,337,586	2,497,981	183,579	183,579
CHIEF WATER COURT JUDGE	63,178	66,246	3,537	3,537	63,178	67,513	4,998	4,998
WORKERS COMP COURT JUDGE	63,178	66,246	3,552	3,552	63,178	67,513	5,019	5,019
CHIEF JUSTICE OF SUPREME COURT	65,722	68,913	3,670	3,670	65,722	70,231	5,192	5,192
SUPREME COURT JUSTICES	386,712	405,489	21,490	21,490	386,712	413,244	30,366	30,366
TRAINING COORD COUNTY ATTORNEYS (per SB0192 fiscal note)			<u>15,060</u>	<u>15,060</u>			<u>16,930</u>	<u>16,930</u>
			<u>189,860</u>	<u>189,860</u>			<u>276,480</u>	<u>276,480</u>
<b>Funding:</b>								
Judiciary - General Fund (page 22, line 16)			156,283	156,283			222,024	222,024
Judiciary - Other Funds (page 22, line 16)			3,537	3,537			4,998	4,998
OBPP (for distribution to all other agencies):								
General Fund (page 22, line 20)			22,561	22,561			34,984	34,984
Other Funds (page 22, line 20)			7,479	7,479			14,474	14,474
			<u>189,860</u>	<u>189,860</u>			<u>276,480</u>	<u>276,480</u>

EXHIBIT 9  
 DATE 3-14-95  
 HB 17

EXHIBIT 10  
DATE 3-14-95  
HB 17

**Cost Breakdown -- Pay Increases Under HB 17**

	<u>Cost by Category</u>	<u>% of Total Biennial Cost By Category</u>
<b>FY 96</b>		
<u>FY 96 Salary</u>		
a. FY 96 Market Rate Adjustment	\$0	0%
b. Market Progression	\$6,756,520	20%
FY 96 Longevity	\$2,379,037	7%
<b>FY 97</b>		
<u>FY 97 Salary</u>		
a. FY 97 Market Rate Adjustment	\$8,896,082	26%
b. Market Progression	\$6,227,221	19%
c. Continuing FY 96 Market Progression	\$6,756,520	20%
FY 97 Longevity	\$2,643,374	8%
<b>TOTAL</b>	<b>\$33,658,754</b>	<b>100%</b>

EXHIBIT 11  
DATE 3-14-95  
HB 17

STATE OF MONTANA  
CLASSIFIED EMPLOYEES  
(Not including University System)  
(April, 1994)

GRADE	FTE
5	93
6	128
7	462
8	955
9	625
10	814
11	617
12	683
13	987
14	1017
15	615
16	503
17	294
18	155
19	90
20	26
21	21
22	13
23	2
24	<u>1</u>
	8101

HOUSE OF REPRESENTATIVES

VISITOR'S REGISTER

Appropriations COMMITTEE BILL NO. HB 307  
 DATE 3-14-95 SPONSOR(S) HB 509  
SB266

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NAME AND ADDRESS	REPRESENTING	BILL	OPPOSE	SUPPORT
Scott Mitchell <sup>3301 Hamner</sup> Bucke	MGM AUTO BUYERS	307		✓
DAVE Brown	Mt. Independent Automobile Dealers Association	307		✓
MARIC Steffes	IND. AUTOMOBILE ASSN AUTO ACTES	307		✓
George Bousliman	STATE BAR OF MONT	266		✓
Marshall Michelmore	MT Defense Trial Lawyers	266		✓
J.A. Turcotte	Cheaf feeders	266		✓
Ray McKittrick	8th Judicial District	266		✓
Jim Nelson	Justice	266		✓
Jim Mochler	Judicial Man Contol	266		✓
James Anderson	mt. Bus. Ass.	266		✓
Sharon Powers Bakerson	M A C e M	266	✓	
Brandon Nutter	"	266	✓	
Tanya Ask	Blue Cross of Blue Shield of MT	509		✓ with amendment

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

HOUSE OF REPRESENTATIVES

VISITOR'S REGISTER

Appropriations COMMITTEE BILL NO. \_\_\_\_\_  
 DATE 3-14-95 SPONSOR(S) \_\_\_\_\_

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NAME AND ADDRESS	REPRESENTING	BILL	OPPOSE	SUPPORT
Dean Roberts	DOJ MVD	307		
Steve Turkiewicz	Mt. Auto Dealers Assn	307		✓
<del>Sharon Estrella</del>	S.D. 7 Buildings	SB 266	✓	
Bob Gilbert	MONTANA MAGISTRATES ASSN	SB 266		✓
William J. Downes	Columbus Hospital Great Falls, MT	509		X
Maxon R. Lewis	COLUMBUS HOSPITAL / MT GREAT FALLS	509		X
Steve Browning	MT Hosp Assn	509		X

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