

The meeting was called to order by Chairman Brand at 8:00 a.m., with Bardanouve and Menahan excused, and all other members present.

Dick Hargesheimer submitted his summary - see attachment #1.

HB 63-Joan Mayer, Legislative Council Attorney, and Drafter of the bill, explained. Basically, this is the same as the other policemen's retirement bill coming up, but I wrote them both so they would be compatible. I separated the material for local police funds from the current state wide fund. There are no changes.

DICK HARGESHEIMER-Rep. Bardanouve was holding this for the other bill, so they would be compatible if both bills passed. This is strictly a record bill.

MAYER-If the other bill passes, the current state wide system will no longer exist. Right now, first class cities have an account, plus they are part of a state wide fund. If the other bill passes, you can put state funds in one account, and local funds in another. I introduced the term "state wide fund". In section 3 the internal reference has been changed. Under current law, you can't create a local board of trustees; so, the local law had to be updated. The difference between the state police reserve fund and the city police reserve fund will depend on the context.

LARRY NACHTSHEIM, Administrator, PERS-All of the first and second class cities come under this plan. Since 1975 there has been a change in the classifications under the plan. We want one local chapter and one state wide fund. To the best of my knowledge, we have separated them. If local chapters pass certain ordinances, there could be a problem; but we tried to keep them segregated.

HB 695-Rep. Harper, sponsor--This bill tries to address the fragmentation and duplication and storage of research data. Many agencies have the responsibility to show such things - once the data is gathered, there is no central place in the state where it can be stored. Therefore, it is sometimes lost. So this is an attempt to address this by providing a central place for such storage. These gentlemen are neither proponents nor opponents.

TOM DUNDASS, Assistant Administrator Research and Information Division, DCA--We process census data for state agencies, and we have served as the depository. We have no policy responsibility. (He enumerated as to some of the information they had distributed; population documents, economic breakdowns, county profiles, Montana Data Book, etc.) This sort of information is what this bill addresses.

JIM NYBO, Formerly the Research Economist and Energy Research Coordinator of MEAC--I directed an assessment of energy data. My main concern is that millions of dollars are being spent in producing data - information that relates to our resources. This bill is similar to a recommendation that was made by the MEAC staff and also requested by Governor Judge in his opening statement. We never recommended a specific agency. There may be some objections from executive agencies - DNR or Fish & Game -- they are afraid another agency is going to get into the business of collecting data. Agencies with specific responsibilities (i.e. DNR or F & G) must have the freedom to perform their own analyses.

DOYLE SAXBY, Deputy Director, Department of Administration--I have a couple of questions. The central processor is in the Department of Administration. There's a conflict between lines 9 and 13. We are the service center but not the fact gatherers. As far

as lines 19 and 20 - I think these can be worked out with the author and DCA -- to make sure we are not building redundant files. I'm not so sure that this should be in DCA. We just want to make sure of the control.

HARPER-I don't claim to be bringing a clean solution; but this could be the starting point, and I will work with any of the people present to get amendments.

KROPP-What is the cost? DUNDASS-We are already doing everything except item number 5. There should be no additional cost except that. The question of duplication -- there have been 5 or 6 agencies doing population surveys, and we hope to solve this soon.

NYBO-All of the agencies are storing the information in one form or another. There is no way of centralizing things. The savings comes by having studies already done, and assembling them in a central place and making them available. SAXBY-We now do not gather information at all. Some information is on hand. There can be savings in the area of reduction of redundancy. We can access this by a standard format.

BRAND-Don't the universities have information received from many sources? DUNDASS-Yes, but we know very little about those files. BRAND-So, if you wanted to know about bleu cheese, couldn't you go to the university? DUNDASS-Yes, in a round about way.

All we are doing is creating a directory about how to find out about things. This is not data collection - it is simply compilation. BRAND-We have the State Archives in Helena; what is the duplication between those and this? DUNDASS-They collect mostly old material. If you want statistical information, they would refer you to us.

BRAND-So, a person will have to go to various agencies anyway? DUNDASS-We are simply taking the information and putting it in an accessibly form. SMITH-Why do you need this bill? HARPER-The problem, I believe, is one of cooperation. There is no reason for any of these agencies to cooperate. There has to be a directive. MULAR-Is this similar to the television device in the lobby? SAXBY-Yes. MULAR-So this would be a more efficient way to obtain data? SAXBY-I'm not sure this bill will resolve the whole thing; but there does exist a lack of cooperation, and this bill hopes to address that.

HB 741-Rep. Russell Baeth, sponsor--This deals with the Game Wardens' Retirement.

WES WOODGERD, Former Director, Fish & Game Department--See attachment #2 for his testimony. He spoke in support.

LARRY NACHTSHEIM, Administrator--PERS--We are inserting a system of requirements that IRS put into their retirement acts. All people in similar circumstances will be treated similarly. In the transfer, we have no administrative duties. (see attachment #3 for further details on the proposed amendments)

MEL WOJCIK, Secretary/Treasurer for the Wardens' Association--I extend the full support of my association for this as written. I would have to disagree with the proposed amendment to include all new wardens. This retirement system has a built-in retirement age of 60, which PERS doesn't have. We need to have a mandatory retirement age, because field wardens, after 60, are pretty well played out. We would also have promotional problems. We have 7 regions of rank - if we extend these to 65, it would block the promotional ladder.

TOM SCHNEIDER, AFSCME--As written, there is a problem with transferring the funds. We wouldn't object to the amendments; but we object to allowing any new wardens to go in. Anyone who already has PERS would be simply allowed to continue in that program. The bill does two things - allows someone with PERS credit to stay in and not lose previous credit; and allows game wardens with credit the option to be promoted or take other

jobs without cutting off retirement credit. It seems very clean and necessary; and except for the transfer of funds, there are no amendments needed. The beneficiary language was nicely cleaned up.

BRAND-What will this do to the pension fund now. Isn't it in pretty bad shape?  
NACHTSHEIM-It won't really do anything. There is a bill being heard in the Senate to give extra money to the fund. The problem of giving into PERS - if you take on contributions, you take on liabilities. SCHNEIDER-This bill only transfers credit, not monies. RYAN-Don't we have several other areas that could be put into a bill like this - highway patrolmen, policemen, etc.? SCHNEIDER-No, they have their own separate system. WOJCIK-The way the law states now - if a person were appointed a state game warden, he must be engaged in enforcement duties. What we do with the amendments is state that they are no longer doing enforcement duties, but they can continue in the system. Also, anyone doing enforcement duties has to come under the wardens' system. SCHNEIDER-The transfer doesn't involve people or funds. If I have two years' credit, and am an accountant; then I become a game warden, I will have the option of remaining in PERS or coming under the wardens' system. NACHTSHEIM-One problem would be someone remaining in PERS - which would enable him to work past 60.

#### EXECUTIVE SESSION

BRAND-We wanted to get a campaign resolution about simpler forms, and do you want a committee bill? We would have Dick draw the form up and put it in the resolution. Mular so moved, and the motion carried unanimously.

HB 63-DICK-When I checked into that, there were no World War I veterans affected, and this was a 1931 statute - so there was a mistake about the term "world war".

#### HEARING RE-OPENED

HB 710-BRAND-Menahan (the sponsor) can't be here due to an Appropriations meeting, but we have a proponent and a neutral here, so we will allow them to testify. One of them, Rod Gudgel, is with the Montana State Pharmaceutical Asso. and the Montana Nursing Home Asso.; and they are the ones most affected by the bill. The way the Appeals Board is now constituted, it contains the director - so, this bill addresses the question of impartial hearing.

HELEN PETERSON, Chairman, State Tax Appeals Board--I am here to answer any questions. This bill provides for a 5 member board rather than 3 members - with all of them except the Chairman being part-time. It is my feeling that you couldn't depend on this being a 20 hour work week. It would vary in the heavy tax season. There are some practical problems that I didn't address because I will trust this committee to do so.

MULAR-Do you schedule the working hours? PETERSON-No, the board schedules the trips. MULAR-Have you any knowledge of the total hours involved in 1976? PETERSON-There are no records for 1976 -- I can tell you that we worked alot of extra hours, and that Mr. Randall worked alot of hours at home. The vast majority of our hearings are the result of appeals from local boards. Until this year, those local boards met for 6 weeks beginning in early July. So we were delayed until September - there is presently a bill in the Senate to have the county boards start their hearings in April and end the last week in June, so we would get going earlier. We go out once a year and meet

with all of the appeals boards; then, we have to check as to whether the appeals are legal, etc.

ROD GUDGEL--Normally, there are 506 appeals from SRS.

BRAND--Why make it a 5 member board that isn't on salary, and have more duties to perform? GUDGEL--It came from the SRS Director. The present make-up is not fair to appealors. LIEN--Doesn't a large part of your time have to be spent informing yourselves on changes in the law? PETERSON--Yes, and when new members come on they must spend a good deal of time on the laws; plus, if we take on SRS, it would mean researching another body of law.

MEETING ADJOURNED - 10:10 a.m.

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Joe Brand, Chairman

*Anita C. Sierke*  
Anita C. Sierke, Secretary