

MINUTES OF THE MEETING
SENATE STATE ADMINISTRATION COMMITTEE
FEBRUARY 4, 1977

The meeting was called to order by Senator Towe, Chairman, at 3:30 p.m. in Room 410 of the Capitol Building. Committee members present were Senators Towe, Brown, Rasmussen, Roskie, Story, Jergeson, Blaylock, and Devine.

The following bills were discussed: SB 122
Governor's Appointments
SB 120
HOUSE BILL 122

Senator Dunkle was present to answer questions by the committee as there was no time at the regular hearing for questions.

John Bell presented further testimony in favor of the bill. He said there are only seven letter presses in the state with everything else being offse Mechanical rotation of the names on the ballot is extremely difficult and using jury selection capsules under the supervision of the Clerk and Record and County Commissioners they can be drawn by lot which simplifies the process immensely. This procedure is already being used in several countie

There being no further proponents or opponents, the hearing was opened to questions.

Senator Blaylock asked if there are statistics to prove the first name on the ballot gets the most votes.

Mr. Bell said yes there are.

Senator Towe said there is no question in his mind that being first on the ballot makes a very significant difference.

Jo Ann Woodgerd, Secretary of State's Office, stated she supported the bill.

There being no further discussion, the hearing was closed.

APPOINTMENTS

Senator Towe reported that at the meeting with the Legislative Administration Committee it was decided to allow the completion of the transcripts of the hearings on Dr. Wambach and George Lackman. However, no more transcripts of any hearings will be allowed without prior approval by the Legislative Administration Committee. The Legislative Administration Committee also refused to adjust the status of the committee secretary.

Senator Devine moved to confirm Jack Crosser as Director of the Department of Administration. THE MOTION CARRIED UNANIMOUSLY.

Senator Devine moved to confirm Larry Zanto as Director of Institutions. THE MOTION CARRIED WITH SENATORS ROSKIE AND TOWE VOTING NO.

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Minutes
February 4
3:30 p.m.

Senator Roskie moved to confirm Leo Berry as Commissioner of State Lands.
THE MOTION CARRIED UNANIMOUSLY.

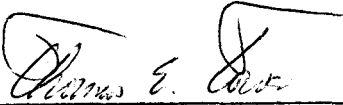
Senator Blaylock moved to confirm William Hunt as Worker's Compensation
Judge. THE MOTION CARRIED WITH SENATORS STORY AND ROSKIE VOTING NO.

SENATE BILL 120

Senator Story moved to amend the bill by striking everything following the
enacting clause and inserting new material re Section 82-4207, R.C.M. 194
(see attached committee report). THE MOTION CARRIED UNANIMOUSLY.

Senator Story moved the bill Do Pass As Amended. THE MOTION CARRIED WITH
SENATORS BLAYLOCK AND ROSKIE VOTING NO.

There being no further business, the meeting adjourned to reconvene
February 5, 1977, at 8:00 a.m.



Chairman

State Administrative COMMITTEE

Date 2/4/77

3:30 P.M.

[illegible]

STANDING COMMITTEE REPORT

.....February.....1977

MR. PRESIDENT

We, your committee on STATE ADMINISTRATION

having had under consideration~~XXXX~~
Bill No.

communication of the Governor dated January 12, 1977, wherein the
name of:

JACK C. CROSSER, Helena, Montana, to serve at the pleasure
of the Governor

was submitted as appointment as:

Director of the Department of Administration.

Respectfully report as follows: That.....~~XXXX~~
Bill No.

said appointment be concurred in and confirmed by the Senate, and
that the attached resolution be adopted by the Senate.

~~DO PASS~~ BE CONCURRED IN AND CONFIRMED

PA.

STANDING COMMITTEE REPORT

19

MR. PRESIDENT

We, your committee on STATE ADMINISTRATION

having had under consideration XENXAB

communication of the Governor dated January 6, 1977, wherein the
name of:

LAWRENCE M. ZANTO, Helena, Montana, to serve at the
pleasure of the Governor, beginning January 24, 1977

was submitted as appointment as:

Director of Institutions.

Respectfully report as follows: That..... Bill No.....

said appointment be concurred in and confirmed by the Senate, and
that the attached resolution be adopted by the Senate.

~~DO PASS~~ BE CONCURRED IN AND CONFIRMED

B.A.

STANDING COMMITTEE REPORT

February 7 1977

MR. PRESIDENT

We, your committee on STATE ADMINISTRATION

having had under consideration XXXXXX

communication of the Governor dated January 6, 1977, wherein the name of:

LEO BERRY, JR., Helena, Montana, to serve at the pleasure of the Governor

was submitted as appointment as:

Commissioner of State Lands.

Respectfully report as follows: That XXXXXX

said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate

DOUBASH BE CONCURRED IN AND CONFIRMED

O.A.

SENATOR THOMAS E. TOWE Chairman.

STANDING COMMITTEE REPORT

19

MR. PRESIDENT

We, your committee on STATE ADMINISTRATION

having had under consideration XXXXX

communication of the Governor dated January 6, 1977, wherein the
name of:

**WILLIAM E. HUNT, Helena, Montana, to serve a term ending
July 1, 1981**

was submitted as appointment as:

Workers' Compensation Judge.

Respectfully report as follows: That XXXXXX

said appointment be concurred in and confirmed by the Senate, and
that the attached resolution be adopted by the Senate.

~~DO PASS~~ BE CONCURRED IN AND CONFIRMED

P.C.

SENATE COMMITTEE STATE ADMINISTRATION

Date 2/4/77 Senate Bill No. 120 Time 4:55

NAME	YES	NO
Senator Tom Towe, Chairman	X	
Senator Pete Story, Vice Chairman	X	
Senator Bob Brown	X	
Senator Tom Rasmussen	X	
Senator George Roskie		X
Senator John Devine	X	
Senator Greg Jergeson	X	
Senator Chet Blaylock		X

Jill Lohman
Secretary

Thom E. Greco
Chairman

Motion: by Sen. Story that SB120
DO Pass as Amended

(include enough information on motion--put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

February 7

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MR. President

We, your committee on State Administration

having had under consideration Senate Bill No. 120

Respectfully report as follows: That Senate Bill No. 120,
introduced bill, be amended as follows:

1. Amend title, line 7.

Following: "SECTION"

Strike: "82-4205"

Insert: "82-4207"

2. Amend the bill, pages 1 through 3.

Strike: all of the bill following the enacting clause

Insert: "Section 1. Section 82-4207, R.C.M. 1947, is amended to read as follows:

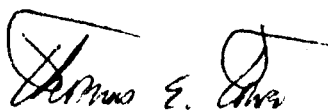
"82-4207. Petition for adoption of rules. An interested person or, when the legislature is not in session, a member of the legislature on behalf of an interested person may petition an agency requesting the promulgation, amendment or repeal of a rule. If an agency receives 10 or more petitions from members of the legislature while it is not in session objecting to the adoption or amendment of a rule the agency shall notify the secretary of state. The secretary of state shall poll all members of the legislature by mail within 30 days. The poll shall be conducted in the manner provided under 43-322 but using first class ~~POSTAGE~~

mail, as to whether the amendment or adoption of the rule should remain in effect or if the effective date on the rule should be amended to be the last day of the next regular session of the legislature. The majori

Chairman.

of ballots from each house of the legislature returned to the secretary of state within 14 days after the poll is mailed will determine the result. If the poll is on an emergency rule and the result of the poll is against the emergency rule it shall be void. Each agency shall prescribe by rule the form for petitions. Whenever an interested person not represented by a legislator petitions an agency, the agency shall prescribe by rule the procedure for their submission, consideration and disposition. Within sixty (60) days after submission of a petition by an interested person not represented by a legislator, the agency either shall deny the petition in writing (stating its reasons for the denial) or shall initiate rule-making proceedings in accordance with section 62-4204."

AND AS SO AMENDED, DO PASS



Chairman

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