

MINUTES OF THE MEETING
SENATE STATE ADMINISTRATION COMMITTEE
FEBRUARY 21, 1977

The meeting was called to order by Senator Towe, Chairman, at 11:00 a.m. in Room 410 of the Capitol Building. Committee members present were Senators Towe, Story, Brown, Rasmussen, Roskie, Jergeson, Blaylock and Devine.

The following bills were discussed:

- HB 289
- SB 299
- HJR 8
- SB 444
- SJR 38
- SB 286
- SB 299
- SB 238
- SB 368
- SRJ 35
- SB 228

HOUSE BILL 289

Representative Joe Quilici, District 84, sponsor of the bill, stated the purpose of the bill is to change the composition but not the number of members of the Teacher's Retirement Board. The bill would replace a public member with a retired teacher.

PROPOSERS

Margaret Blair, representing the Retired Teacher's Association, spoke in favor of the bill.

A. G. Erickson, Chairman of the Retired Teachers Legislative Committee, spoke in favor of the bill.

OPPOSERS

J. M. Kearns, Jr., member of the Board of the Teacher's Retirement System, spoke in opposition to the bill.

There being no further proposers or opposers to the bill, the hearing was closed.

SENATE BILL 299

Senator Lowe, District 33, sponsor of the bill was unable to attend and Senator Towe explained to the committee that the bill does the same thing as HB 289 and he would defer to it. He further stated the bill changes from 5 to 7 members and includes a retired teacher.

PROPOSERS

Mr. A. G. Erickson, Chairman of the Retired Teacher's Legislative Committee,

spoke in favor of the bill but stated he preferred a 5 member board.

OPPONENTS

Mr. J. M. Kearns stated he opposed the bill.

After discussion by committee members, the hearing was closed on the bill.

HOUSE JOINT RESOLUTION 8

Representative Bardanouve, District 6, stated the purpose of the bill is to provide more office space for the legislature by taking over the space vacated by the Treasurer's office on the second floor of the Capitol Building.

PROPOSERS

Jack Crosser, Director of the Department of Administration, reviewed the long range development plan for office space in the Capitol. He stated this does not really fit into that plan but it could be worked out.

Phil Hauck, State Architect, stated he would like to sit down with the legislative leadership and work out the problems inherent in using the space.

There being no further proponents and no opponents, the hearing was closed.

Senator Roskie moved to amend the bill on page 2, line 1 by striking "35th" and inserting "60th". THE MOTION CARRIED UNANIMOUSLY.

Senator Roskie moved HJR 8 Be Concurred In As Amended. THE MOTION CARRIED UNANIMOUSLY.

SENATE BILL 444

Senator Dunkle, District 15, sponsor of the bill, stated the purpose of the bill is to establish a full merit system for the state of Montana. He stated this is the next step in reorganization of government for the state.

PROPOSERS

Tom Schneider, Executive Director of the Montana Public Employees Association, stated his support of the bill as long as it retains the collective bargaining concept.

There were no further proponents and no opponents to the bill and the hearing was closed.

SENATE JOINT RESOLUTION 38

Senator Rasmussen, District 16, sponsor of the resolution, stated this resolution is the State Administration Committee resolution which replaces

Senate Bill 372.

PROPOSERS

Tom Schneider, Executive Director of the Montana Public Employees Association, withdrew his support of SB 372 and stated support of the resolution.

There were no further proposers and no opponents to the bill and the hearing was closed.

Senator Jergeson moved to amend the title and page 2, line 2 by striking "requests" and inserting "directs". THE MOTION CARRIED UNANIMOUSLY.

Senator Brown moved Senate Joint Resolution 38 Be Adopted. THE MOTION CARRIED UNANIMOUSLY.

SENATE BILL 286

Senator Story moved to amend the bill as drawn up by John Hollow, committee counsel, which removes reference to state treasurer from the statutes where necessary (see all amendments on attached committee report). THE MOTION CARRIED UNANIMOUSLY.

Senator Story moved Senate Bill 286 Do Pass As Amended. THE MOTION CARRIED UNANIMOUSLY.

HOUSE BILL 289

Senator Roskie moved the Superintendent of Public Instruction be an ex-officio member of the Board. THE MOTION FAILED WITH SENATOR ROSKIE VOTING AYE AND THE REST OF THE MEMBERS OF THE COMMITTEE VOTING NO.

Senator Blaylock moved to strike Superintendent of Public Instruction from line 16. THE MOTION FAILED WITH SENATORS TOWE, BLAYLOCK, AND RASMUSSEN VOTING AYE AND THE REST OF THE SENATORS VOTING NO.

Senator Brown moved House Bill 289 Do Pass. THE MOTION CARRIED WITH SENATOR DEVINE VOTING NO AND ALL THE REST OF THE COMMITTEE VOTING YES.

SENATE BILL 238

Senator Roskie moved to amend the bill on page 2, line 17 and the corresponding amendment in the title (see attached committee report). THE MOTION CARRIED UNANIMOUSLY.

Senator Roskie moved Senate Bill 238 Do Pass As Amended. THE MOTION CARRIED WITH SENATORS TOWE AND JERGESON VOTING NO AND BROWN ABSTAINING.

SENATE BILL 368

Senaotr Story moved Senate Bill 368 Do Not Pass. THE MOTION CARRIED WITH SENATORS BLAYLOCK AND TOWE VOTING NO AND SENATOR JERGESON ABSTAINING.

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SENATE BILL 228

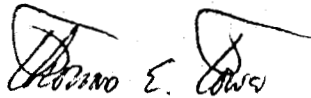
Senator Rasmussen moved Senate Bill 228 Do Pass. THE MOTION CARRIED WITH
SENATORS STORY AND ROSKIE VOTING NO.

SENATE JOINT RESOLUTION 35

After discussion, Senator Jergeson moved to amend the resolution as per
the amendments on the attached committee report. THE MOTION CARRIED WITH
SENATOR ROSKIE VOTING NO.

Senator Story moved Senate Joint Resolution 35 Be Adopted As Amended.
THE MOTION CARRIED WITH SENATOR ROSKIE VOTING NO.

There being no further business, the meeting adjourned to reconvene
February 23, 1977.



Thomas E. Towe, Chairman

SENATE STATE NOMINATIONS COMMITTEE

BILL

VISITORS' REGISTER

DATE _____

NAME	REPRESENTING	BILL #	(check one)	
			SUPPORT	OPPOSE
A. H. Erickson	Mont. Ret. Teachers	289	✓	
R. C. Henry	Mont. Ret. Teachers	289	✓	
W. William Pearson, Jr.	Teacher Ret. System	289/299		✓
Margaret Blew	Teacher Ret. System	289	✓	
Joe Durlin	Dist. P. & X	289	✓	
Jack Cross	Dypl. Admin.	H/288		

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY

State Administration COMMITTEE

Date 2/21/77

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STANDING COMMITTEE REPORT

February 21

1977

MR. President

We, your committee on State Administration

having had under consideration House Joint Resolution

Bill No. 8

Respectfully report as follows: That House Joint Resolution

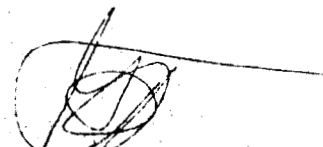
Bill No. 3

third reading bill, be amended as follows:

1. Amend page 2, line 1.
Following: "than the"
Strike: "35th"
Insert: "60th"

XEROX

AND AS SO AMENDED, BE CONCURRED IN



Chairman.

STANDING COMMITTEE REPORT

February 21 19 77

MR. President

We, your committee on State Administration

having had under consideration Senate Joint Resolution Bill No. 38

Respectfully report as follows: That Senate Joint Resolution Bill No. 38, introduced bill, be amended as follows:

1. Amend title, line 5.
Following: "MONTANA"
Strike: "REQUESTING"
Insert: "DIRECTING"

2. Amend page 2, line 2.
Following: "Legislature"
Strike: "requests"
Insert: "directs"

~~DO PASS~~ AND AS SO AMENDED, BE ADOPTED

Chairman.

STANDING COMMITTEE REPORT

February 21

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PRESIDENT

MR.

STATE ADMINISTRATION

We, your committee on

SENATE

Bill No. 286

having had under consideration

SENATE

286

Respectfully report as follows: That

Bill No.

introduced bill, be amended as follows:

1. Amend title, line 8.

Following: "AND"

Strike: "82-601"

Insert: "82-1501"

2. Amend page 2 section 2, lines 3 through 22.

Following: line 2

Strike: Section 2 and section 3 in their entirety

Insert: "Section 2. Section 82-1501, R.C.M. 1947, is amended to read as follows:

"82-1501. State board of hail insurance -- creation and powers -- insurance, how effected. (1) There is a state board of hail insurance of five members consisting of the state treasurer, the director of agriculture, who is secretary of the board, and three four other members to be appointed by the governor from names submitted by farmer organizations having a general membership throughout the state. The governor shall designate one of the appointive members to act as chairman of the board. Whenever the term of any member expires, either by death, resignation,

BO:RAG:xx

Chairman.


removal for cause, or expiration of his term of office, the governor shall appoint his successor, and shall also appoint one of the board for chairman in case of a vacancy in that office.

(2) Each appointive member of the board shall be appointed for three years, except where such appointment is made to fill a vacancy on the board, in which event such appointee shall fill out the unexpired term of the member whose place he fills. All members of the board shall be subject to removal for cause by the governor; the board shall hold meetings when necessary and essential for the proper conduct of its business, at the state capitol in the office of the secretary, and is hereby authorized, directed and empowered to make rules as it may from time to time find practical, necessary and beneficial for the administration of this act. It shall prescribe blank forms for all purposes necessary, proper and incidental to the effective operation and enforcement of this act; it shall prescribe a special form outlining the purposes, scope and benefits of this act in furnishing protection against loss by hail, at the actual cost of the risk to all taxpayers who may elect to become subject to the provisions of this act, the form to be submitted by the agent of the department of revenue in each county at the time in which the regular assessments of property are made by the agents, to each farmer in each county in the state engaged in growing of crops subject to injury or destruction by hail, on which forms each such farmer taxpayer shall signify whether he desires to become subject to the provisions of this act or not.

(3) Every farmer taxpayer who signifies his desire to become subject to the provisions of this act, shall file in the office of the county assessor the properly filled out form not later than August 15th, and shall be chargeable with the tax on lands growing crops subject to injury or destruction by hail, hereinafter provided for, and shall share in the protection and benefits under the hail insurance provisions of this act. Such application for hail insurance shall be in full force and effect at noon the day following the acceptance of the same by the county assessor. Provided, however, that this act shall not be so construed as to empower anyone except the actual owner of the land to make such land subject to the hail tax provided in this act."

Section 3. State treasurer deleted. Wherever the state treasurer appears in 19-112, 23-3513, 23-4121, 25-501, 59-304, 59-607, 82-601, and 82-4001, state treasurer is deleted."

AND AS SO AMENDED, DO PASS


Chairman Thomas E. Towe

STANDING COMMITTEE REPORT

February 21

19 77

MR. President

We, your committee on State Administration

having had under consideration Senate Bill No. 299

Respectfully report as follows: That Senate Bill No. 299

~~DO PASS~~ DO NOT PASS



STANDING COMMITTEE REPORT

February 21

19 77

MR. President

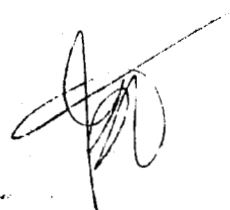
We, your committee on State Administration

having had under consideration House Bill No. 289

Respectfully report as follows: That House Bill No. 289

~~DO PASS~~

BE CONCURRED IN



Chairman.

STANDING COMMITTEE REPORT

February 21

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MR. President

We, your committee on State Administration

having had under consideration Senate Bill No. 238

Respectfully report as follows: That Senate Bill No. 238,
introduced bill, be amended as follows:

1. Amend title, line 8.
Following: "ITSELF"
Insert: "AND THE CONGRESSIONAL DISTRICTS"
2. Amend page 2, section 1, line 17.
Following: "itself"
Insert: "and the congressional districts"

~~DO PASS~~ AND AS SO AMENDED, DO PASS

STANDING COMMITTEE REPORT

.....February 21..... 19 77.....

MR.President.....

We, your committee onState Administration.....

having had under considerationSenate..... Bill No. 368.....

Respectfully report as follows: That.....Senate..... Bill No. 368.....

~~DO PASS~~ DO NOT PASS

STANDING COMMITTEE REPORT

February 21

1977

MR. President

We, your committee on State Administration

having had under consideration Senate Bill No. 228

Respectfully report as follows: That Senate Bill No. 228

DO PASS

STANDING COMMITTEE REPORT

February 22

1977

MR. President

We, your committee on State Administration

having had under consideration Senate Joint Resolution

Bill No. 35

Respectfully report as follows: That Senate Joint Resolution Bill No. 35,
introduced bill, be amended as follows:

1. Amend title, line 8.
Following: "BOUNDARIES"
Insert: " AND PROVIDING INCREASED LAW ENFORCEMENT ON INDIAN RESERVATIONS"
2. Amend page 2, line 5.
Following: "subdivisions"
Strike: "."
Insert: "; and "
3. Amend page 2, line 5.
Following: line 5
Insert: "WHEREAS, federal jurisdiction over criminal offenses committed within the boundaries of the Indian reservations located within the state of Montana is ineffective and limited because of the lack of adequate staff and attention from the United States Attorney's Office and the great distance between the reservation areas and the nearest Federal District Judge; and
WHEREAS, there is a need for more appropriate action to insure the peace among all people residing on and within the reservation boundaries of Montana's Indian reservations,"

4. Amend page 2, line 16.

Following: line 16

Insert: "BE IT FURTHER RESOLVED, that the Congress of the United States is urged and requested to provide for employment of federal prosecutors under the supervision of the Attorney General of the United States and to appoint sufficient United States Magistrates and take any other action necessary to insure more adequate law enforcement within the boundaries of Indian reservations in the state of Montana.

BE IT FURTHER RESOLVED, that the proper representatives of Indians and non-Indians on or adjacent to each reservation shall meet together and work out the mutual problems of jurisdiction on each reservation. Then efforts should be made to implement solutions for the handling of jurisdiction on each reservation upon the full consent of Indians and non-Indians alike."

AND AS SO AMENDED, BE ADOPTED


CHAIRMAN

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