

STATE ADMINISTRATION
MARCH 17, 1981
RM 436

The meeting of the House State Administration Committee was called to order at 8:00 a.m. with Chairman Jerry Feda presiding. All members were present except Representatives Azzara, O'Connell and Kropp who were excused. Representatives Dussault and Kanduch were not present for the hearings but came in late.

Chairman Feda opened the meeting to a hearing on SB 424.

SENATE BILL 424-SPONSOR, Senator Hims1, introduced this bill requested by the Legislative Audit committee which provides for Senate Confirmation of members appointed to 25 regulatory and licensing boards. He said that it appears that the intent of the Montana Constitution is to provide for Senate confirmation. He quoted a section of the constitution. He said that having some other agency review the appointments would help to dignify the appointments.

PROPOSERS

There were no other proposers present to testify on SB 424.

OPPOSERS

There were none present.

QUESTIONS BY THE COMMITTEE

Feda: Do you think this confirmation is necessary and also how many confirmations will this involve?

Hims1: Yes I do think it is important because I think the appointees would feel more comfortable knowing that their appointments were reviewed. There are about 10 boards with an average of 4 members each. The terms are staggered so the appointments would not all be made at the same time.

Senator Hims1 closed the hearing on Senate Bill 424.

SENATE BILL 455-SPONSOR, Senator Johnson, introduced this bill to the committee at the request of the Office of the Secretary of State. The bill requires the secretary of state to notify a nonprofit corporation when its corporate existence is about to expire. It also provides for reinstatement by the secretary of state of expired corporations. She said that the secretary of state feels that

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not including nonprofit corporations was just an oversight and that they should have the same rights as profit making organizations.

PROPOSERS

There were no other proposers present.

OPPOSERS

There were none present.

QUESTIONS BY THE COMMITTEE

Briggs: Would this include all REA corporations?

Johnson: Yes, if they are nonprofit.

Representative Johnson closed the hearing on SB 455. She said that the fiscal note reports a cost impact of about \$700. This would be for sending out registered or certified letters for notification.

SENATE BILL 405-SPONSOR, Senator Regan, introduced this bill to the committee. Currently the Planning Division of the Department of Community Affairs is authorized to prescribe minimum standards for subdivision regulations adopted by local governments under the Montana Subdivision and Platting Act. This bill removes the Department's authority to set these standards and instead outlines minimum requirements for regulations adopted by local governing bodies. The bill also repeals the Department's authority to review regulations proposed by local governments and to promulgate regulations for those local bodies that do not adopt subdivision regulations.

PROPOSERS

HAL PRICE, Department of Community Affairs, stated that they support this bill and stated that Rich Little and himself would be available to answer questions for the committee.

OPPOSERS

There were none.

QUESTIONS BY THE COMMITTEE SB 405

McBride: What is the purpose of this bill?

Price: There are several reasons. He said that all cities and counties in the state now have sub-division regulations that need the administrative rules that have been promulgated by the D.C.A. but since so much time has elapsed, the enforcement of these rules has become rather unstabalized. It would be helpful to have state-wide help. He also said that the D.C.A. is to become part of the Department of Commerce. They will have new goals and objectives.

Spilker: How many FTE's will you eliminate?

Price: I anticipate that all of the people who are in the department now will be on staff in the Department of Commerce. We intend to maintain a technical assistance area.

Senator Regan closed the hearing on SB 405.

SENATE BILL 463-SPONSOR, Senator Steve Brown, introduced this bill at the request of the Legislative Audit committee. Currently the compensation and travel expenses for licensing and regulatory boards vary considerably. This bill provides for uniform compensation and travel expenses for 32 boards. Each board member will be entitled to receive \$40 per day compensation plus travel expenses for meals, lodging, and transportation as provided for other state employees. Senator Brown said that this bill deals with ear marked revenue there is no general fund money involved. He said that every session they get complaints from people on these boards who say some other board gets more than they do etc. He said that even if the committee does not think they should receive \$40 per day, he would recommend that they keep the bill so that all the boards can be uniform. This bill will also give a board member who conducts business in his town of residence a meal allowance.

PROPOSERS

There were no other proponents present.

OPPOSERS

There were none.

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QUESTIONS BY THE COMMITTEE SB 463

Phillips: The fiscal note implies that it will cost about \$10,000 to go to \$40. Is that correct?

Brown: Approximately.

McBride: The fiscal note does not specify that this money is ear marked revenue.

Brown: About \$700 a year is general fund money, the rest is earmarked.

McBride: Wouldn't making the compensation uniform help the accounting system also?

Brown: Yes.

Senator Brown closed the hearing on SB 463.

EXECUTIVE SESSION

SENATE BILL 463

BE CONCURRED IN

Representative Sales moved that SB 463 be amended from \$40 a day to \$25 per day.

Lois Menzies explained that the title needed an amendment to clean it up.

Representative Sales moved both amendments. A vote was taken and carried unanimously.

Representative Sales moved that SB 463 BE CONCURRED IN AS AMENDED. A vote carried unanimously.

Representative McBride was assigned to carry SB 463 in the House.

SENATE BILL 405

BE CONCURRED IN

Representatives Spilker and Sales both commented about the fact that there would be no elimination of FTE's.

Representative Briggs moved that SB 405 BE CONCURRED IN. A vote carried unanimously.

Representative Spilker was assinged to carry SB 405.

EXECUTIVE SESSION (cont.)

SENATE BILL 424

BE CONCURRED IN

Representative Mueller made a motion that SB 424 BE CONCURRED IN. A vote carried unanimously. Representative Mueller was assigned to carry SB 424 in the House.

SENATE BILL 455

BE CONCURRED IN

Representative Sales moved that SB 455 BE CONCURRED IN. A vote carried unanimously.

Representative Sales was assigned to carry SB 455 in the House.

SENATE BILL 321

BE CONCURRED IN
AS AMENDED

The committee went over the amendments that Lois Menzies had worked up. These amendments included the amendment made by Representative Phillips on March 13, 1981. A copy of the amendments is attached and is EXHIBIT 1 of the minutes.

Representative Kanduch moved the amendments. A vote was taken and carried unanimously.

Representative Sales moved that SB 321 BE CONCURRED IN AS AMENDED. A vote carried unanimously.

Representative Dussault was assigned to carry 321 in the House.

SENATE BILL 442

NO ACTION TAKEN

Chairman Feda said that he would allow Mr. Elmer Boyce, fight promoter from Missoula, to speak to the committee concerning SB 442 because he was unable to be present at the hearing on 3/16/81.

ELMER BOYCE, stated that the committee would be taking a backward step by eliminating the boxing commission. He stated that this is a self-supporting board. He said that in order to put on shows in Montana they have to be affiliated with the WBC. He gave examples of some of the fights that he would like to hold in the state but he said

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that there will be no big fights in Montana without the commission. He said that there is more strength with a state organization. He said that if the control is at the local level they will get a lot of rough amateur fights.

Senator Steve Brown, sponsor of SB 442, stated that having the control at the local level addresses many of Mr. Boyce's concerns. He said that there would not be any "fly by night" operations. Any organization would have to meet all of the qualifications before they would get a permit to hold a fight. He said that presently the state board does not even have the authority to insure that the judges and officials are qualified. He said that the WBA and WBC will recognize local boxing organizations as long as they are affiliated. He pointed out that any local government would gladly pay the \$100 affiliation fee in order to promote a big fight in their town. He said that when the promoter decides where a championship fight will be held it is the economics that is considered. Not having the board in Montana would not be the reason a fight was not held here. Senator Brown said that the committee should look at page 17 of the Audit Committee report. This, he said, will show why there is no need for this board.

Chairman Feda said that the committee would hold off on executive action on SB 442 until the following meeting, which will be held at 8:00 on March 18, 1981.

A motion was made and seconded to adjourn at 9:30 a.m.

Respectfully submitted,



G. C. "JERRY" FEDA, Chairman

Cathy Martin-Secretary

STATE ADMINISTRATION

3/17/81

HOUSE AMENDMENTS TO SB 321

1. Page 1, lines 12 and 13.
Following: "may" on line 12
Strike: ", " through ", " on line 13
2. Page 1, line 24.
Following: "off"
Insert: "with pay"
3. Page 1, line 25.
Following: "holiday"
Insert: "or as scheduled by the employee
and his supervisor"
4. Page 2, line 1.
Following: "off"
Insert: "provided the employee is in a pay status on
his last regularly scheduled working day immediately
before the holiday or on his first regularly scheduled
working day immediately after the holiday"
5. Page 2, lines 2 and 3.
Following: "receive" on line 2
Strike: "paid" through "of" on line 3
Insert: "pay for"
6. Page 2, lines 3 and 4.
Following: "holiday" on line 3
Strike: "based" through "holiday" on line 4
Insert: "on a prorated basis according to rules
adopted by the department of administration or
appropriate administrative officer under 2-18-604."

AMENDMENTS TO SENATE BILL 463

1. Title, line 17.
Following: "BOARD,"
Insert: "STATE"
Following: "BANKING"
Insert: "BOARD"
2. Page 2, line 15.
Following: "\$30"
Strike: "\$40"
Insert: "\$25"