

MINUTES OF THE MEETING  
STATE ADMINISTRATION COMMITTEE  
MONTANA STATE SENATE

February 10, 1981

The twenty-fourth meeting of the Senate State Administration Committee was called to order by Senator Pete Story, Chairman, on the above date, in Room 442 of the State Capitol Building at 10:00 a. m.

ROLL CALL: All members of the committee were present.

CONSIDERATION OF SENATE BILL NO. 401:

AN ACT TO COMPENSATE LEGISLATORS FOR  
INCIDENTAL EXPENSES INCURRED DURING  
THE INTERIM:

ACTION ON SENATE BILL 401: This bill was requested by the Senate Committee on State Administration, and Senator Towe introduced it by saying it will provide for the legislators to receive incidental expense money, not to exceed \$50 a month, incurred during the interim. He moved it to include "mileage" on page 2, line 3, following "postage". This passed unanimously by the committee. Senator Towe then moved the bill DO PASS, AS AMENDED; carried unanimously.

ACTION ON SENATE BILL 181: John Hollow, Legislative Council, suggested amendments which were considered individually, moved and voted upon, passed unanimously. Senator Kolstad moved this bill DO PASS, AS AMENDED; passed unanimously. A fiscal note was received today.

ACTION ON SENATE BILL 184: Senator Hammond moved this DO PASS; passed unanimously.

CONSIDERATION OF HOUSE BILL 139: There was some discussion between Senator Towe and John Hollow, Legislative Council, about the possible problems with another bill already passed. Senator Towe moved H. B. 139 DO PASS; passed by majority with Senator Johnson voting no.

ACTION ON SENATE BILL 298: Senator Ryan moved it do pass; discussion was done regarding John Hollow's enclosed amendment. A substitute motion was made to amend by Senator Kolstad. Discussion followed; motion passed majority with Senators Hafferman and Ryan voting no. Senator Towe moved that an addition be made to line 13; discussion followed between Senators Towe, Story, and Ryan regarding the intent of the bill being to stop legislation by people not elected as legislators. The vote on Towe's amendment did not pass. See enclosed roll call vote.

FURTHER ACTION ON SENATE BILL 298: Senator Hammond moved the bill DO PASS, AS AMENDED; motion carried by majority with Senators Ryan and Towe voting no.

ACTION ON SENATE BILL 266: Senator Towe moved this bill DO NOT PASS; motion carried with Senator Hafferman voting no. See Roll Call Vote.

ACTION ON SENATE BILL 223: Senator Towe moved it DO NOT PASS; discussion followed; voting resulted in do not pass with Senators Johnson, Kolstad and Story voting no. A minority report will be filed by Senator Story.

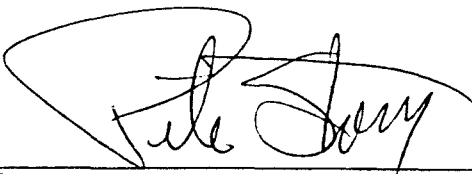
ACTION ON SENATE BILL 202: Senator Ryan moved it DO NOT PASS. This passed by majority with Senators Kolstad and Towe voting no. See roll call vote record.

ACTION ON SENATE BILL 259: Senator Hammond moved do pass, motion was withdrawn. This bill will be acted upon at another time.

ACTION ON SENATE JOINT RESOLUTION 5: Senator Hafferman moved it DO PASS: unanimous vote.

Chairman Story announced that the Governor's appointments will be heard on February 23.

ADJOURNMENT: 11:00

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SENATOR PETE STORY, CHAIRMAN

## STATE ADMINISTRATION COMMITTEE

47th LEGISLATIVE SESSION - - 1981

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[illegible]

Each day attach to minutes.

(b) A facility which buys or sells integral secondhand parts or component materials of a motor vehicle, in whole or in part, ~~is a motor vehicle wrecking facility whether or not the buying or selling price is based upon weight or any other type of classification for principle purposes of smelting or extraction of metals, whether at the facility or elsewhere,~~ is not a motor vehicle wrecking facility if the land that is occupied by the vehicles or parts is less than 5% of the land that is used by the facility <sup>that</sup> and is contiguous to the vehicle or parts.

(c) ~~The term does not include a~~ A garage where wrecked or disabled motor vehicles are temporarily stored for a reasonable period of time for inspection, repairs, or subsequent removal to a junkyard is not a motor vehicle wrecking facility. The term does not include a facility that purchases worn-out or obsolete automobile components for purposes of smelting or extraction of valuable metals.

2.10

## VISITORS' REGISTER

[illegible]

(Please leave prepared statement with Secretary)

# STANDING COMMITTEE REPORT

FEB.

19.....

**PRESIDENT**

MR. ....

**STATE ADMINISTRATION**

We, your committee on .....

**SENATE**

**401**

having had under consideration ..... Bill No. ....

**SENATE**

**401**

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

introduced bill be amended as follows:


1. Page 2, line 3.

Following: "postage,"

Insert: "mileage"

AND AS SO AMENDED,

DO PASS

  
.....  
**PETE STORY**

*P.C.*  
Chairman.

# STANDING COMMITTEE REPORT

FEBRUARY 10 19 81

MR. PRESIDENT

We, your committee on STATE ADMINISTRATION

having had under consideration SENATE Bill No. 181

Respectfully report as follows: That Bill No. 181 introduced bill, be amended as follows:

1. Page 2, lines 7 and 8.  
Following: "probable"  
Strike: "quantitative and qualitative"  
Insert: "economic"
2. Page 2, lines 8 and 9.  
Following: "rule"  
Strike: ", including economic impact,"
3. Page 2, line 9.  
Following: "persons"  
Insert: "and quantifying to the extent practicable, that impact"
4. Page 3, line 5. through 7.  
Following: "effect" on line 5  
Strike: remainder of lines 5 through 7  
Insert: ". Kf"

XXXXXX  
DO PASS

CONTINUED

## SENATE BILL 181

5. Page 3, line 9.

Following: "agency"

Insert: ", a rehearing, or initial hearing, must be held by the  
agency upon completion of the statement"

6. Page 4, line 7.

Following: "that"

Strike: "in its judgment"

Insert: "it determines"

7. Page 4, line 9.

Following: "may"

Insert: "initiate or"

8. Page 4, lines 9 and 10.

Following: "suspended"

Strike: "or renew rulemaking proceedings, once nullified,"

9. Page 4, line 11.

Following: "as"

Strike: "that nullified,"

Insert: "the rule for which proceedings were suspended"

10. Page 4, lines 13 through 17.

Strike: Subsection (5) in its entirety

11. Page 6, line 2.

Following: "2-4-302"

Strike: "or"

Insert: ", "

Following: "2-4-303"

Insert: ", or 2-4-405"

AND, AS SO AMENDED  
DO PASS

# STANDING COMMITTEE REPORT

FEB. 10 1931

MR. **PRESIDENT**

**STATE ADMINISTRATION**

We, your committee on

having had under consideration **SENATE** Bill No. **184**

Respectfully report as follows: That **SENATE** Bill No. **184**

DO PASS

**PETE STORY**

*P.A.*  
Chairman.

# STANDING COMMITTEE REPORT

FEBRUARY .0

81

19

**PRESIDENT**

MR. ....

**STATE ADMINISTRATION**

We, your committee on .....

**HOUSE**

**139**

having had under consideration ..... Bill No. ....

**HOUSE**

**139**

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

**BE CONCURRED IN**

~~XXXXXX~~  
~~DO PASS~~

*P.A.*

# STANDING COMMITTEE REPORT

FEB. 10

1981

MR. PRESIDENT

We, your committee on STATE ADMINISTRATION

having had under consideration SENATE Bill No. 298

Respectfully report as follows: That 298 Bill No. 298

introduced bill, be amended as follows:

1. Page 1, line 10.

Following: "prohibited."

Insert: "(1)"

2. Page 1, line 15.

Following: line 14

Insert: "(2) If a person or the administrative code committee objects to a rule on the basis of subsection (1), the rule may not be adopted unless the agency makes a written determination that:

(a) the bill was rejected for reasons not related to the portion being implemented;

(b) the bill was rejected as being redundant with an existing law authorizing the rule; or

(c) a law passed at the same or more recent session authorizes the adoption of the rule.

(3) The provisions of 2-4-305 (6) apply to this section."

AND, AS SO AMENDED,

DO PASS

# STANDING COMMITTEE REPORT

FEB. 100

19 21

**PRESIDENT**

MR. ....

**STATE ADMINISTRATION**

We, your committee on .....

**SENATE**

Bill No. **266**

having had under consideration .....

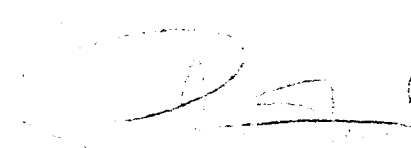
**SENATE**

Bill No. **266**

Respectfully report as follows: That .....

DO NOT PASS

~~XXXXXXXX~~  
DO PASS

  
.....  
**PETE STORY**

Chairman.

# STANDING COMMITTEE REPORT

FEB. 10

19 81

MR. **PRESIDENT**

**STATE ADMINIS** **RATION**

We, your committee on

**SENATE**

Bill No. **223**

having had under consideration

**SENATE**

Bill No. **223**

Respectfully report as follows: That

**DO NOT PASS**

~~DO NOT PASS~~

*H.C.*

**PETE STORY**

Chairman.

# STANDING COMMITTEE REPORT

.....FEB.....13..... 19..81.....

MR. **PRESIDENT**.....

## STATE ADMINISTRATION

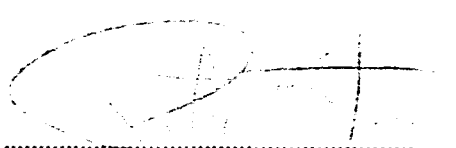
We, your committee on .....


having had under consideration ..... **SENATE** ..... Bill No. **202** .....

Respectfully report as follows: That..... **SENATE** ..... **202** ..... Bill No. ....

DO NOT PASS

~~DO NOT PASS~~

  
.....  
**PETE STORY**

  
.....  
Chairman.

# STANDING COMMITTEE REPORT

FEBRUARY 10

19 31

**PRESIDENT**

MR. ....

**STATE ADMINISTRATION**

We, your committee on .....

**SENATE JOINT RESOLUTION**

having had under consideration ..... Bill No. **5**

**SENATE JOINT RESOLUTION**

Respectfully report as follows: That ..... Bill No. **5**

DO PASS

ROLL CALL VOTE RECORD

SENATE COMMITTEE STATE ADMINISTRATION

Date 2-10-81 Bill No. 298 Time           

NAME	AMENDMENTS	
	YES	NO
Senator Pete Story, Chairman	X	
Senator Allen Kolstad, V. Chairman	X	
Senator William Hafferman		X
Senator H. W. Hammond	X	
Senator Jan Johnson		
Senator Patrick Ryan		X
Senator Thomas Towe	X	

Barbara Simic  
Secretary

Pete Story  
Chairman

Motion: Senator Kolstad moved amendments suggested by John Hollow, Legislative Council DO PASS. This was a substitute motion for Sen. Ryan's motion to pass the bill. Sen. Kolstad's motion passed by majority. Then Sen. Towe moved other amendments pass, but they failed by majority with only his vote, yes. (include enough information on motion--put with yellow copy of committee report.)

The bill passed a DO PASS, AS AMENDED motion by oral majority vote with Senators Ryan and Towe voting no.

## ROLL CALL VOTE RECORD

SENATE COMMITTEE      STATE ADMINISTRATION

Date Feb 10, 1981 SENATE Bill No. 266 Time           

NAME	DO NOT PASS	
	YES	NO
Senator Pete Story, Chairman	X	
Senator Allen Kolstad, V. Chairman	X	
Senator William Hafferman		X
Senator H. W. Hammond	X	
Senator Jan Johnson	X	
Senator Patrick Ryan	X	
Senator Thomas Towe	X	

Barbara Simic  
Secretary

Pete Story  
Chairman

**Motion:** Senator Towe moved this bill DO NOT PASS: motion  
carried by majority.

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

ROLL CALL VOTE RECORD

SENATE COMMITTEE STATE ADMINISTRATION

Date Feb. 10, 1981 SENATE Bill No. 202 Time           

NAME	DO NOT PASS	
	YES	NO
Senator Pete Story, Chairman	X	
Senator Allen Kolstad, V. Chairman		X
Senator William Hafferman	X	
Senator H. W. Hammond	X	
Senator Jan Johnson	X	
Senator Patrick Ryan	X	
Senator Thomas Towe		X

Barbara Simic  
Secretary

Pete Story  
Chairman

**Motion:** Senator Ryan moved this bill DO NOT PASS: motion  
carried by majority.

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