

MINUTES OF THE MEETING
STATE ADMINISTRATION COMMITTEE
MONTANA STATE SENATE

February 17, 1981

The twenty-ninth 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.

ACTION ON SENATE BILL 217: Senator Hammond moved they pass the amendments submitted by Mr. Hollow. This passed, and he then moved the bill DO PASS, AS AMENDED: Majority ruled, with dissenting vote by Senator Hafferman.

ACTION ON SENATE BILL 235: Senator Ryan moved do not pass, this failed. Amendments were submitted by John Hollow; Senator Towe moved they be accepted; Motion carried. Senator Kolstad moved the bill DO PASS, AS AMENDED.

ACTION ON SENATE BILL 259: Senator Towe moved the amendments submitted by legal council be adopted and moved another amendment, all passed. The motion to pass the bill was not accepted, so by reverse vote it was DO NOT PASS.

ACTION ON SENATE BILL 273: Senator Kolstad withdrew his motion to pass; amendments were suggested, moved by Senator Johnson. accepted; Senator Hammond moved the bill DO PASS, AS AMENDED. motion carried with Senator Rayan voting no.

ACTION ON SENATE BILL 294: There was discussion of the suggested amendments, and questions about civil rights asked by Senator Hafferman were answered by Senator Towe. Senator Towe moved the first technical amendments do pass; passed, then moved in insert deputy directors or administrators; passed.

Senator Ryan asked about including bureau chiefs and moved they be in the amendment; passed with a no vote by Senator Towe.

Senator Kolstad moved this bill DO PASS, AS AMENDED: motion carried.

ACTION ON SENATE BILL 385: Senator Hammond moved it DO PASS discussion followed concerning when the time limit of one year should be established and other facts. The motion was substituted DO PASS, AS AMENDED: motion carried.

ACTION ON SENATE BILL 402: A motion was made but withdrawn by Senator Ryan to pass the bill. Senator Towe discussed amendments by the governor and other amendments - see standing committee report. The amendments were passed and Senator Towe moved the bill DO PASS, AS AMENDED.

Minutes of the State Administration Committee


ACTION ON SENATE BILL 405: Amendments were distributed by the legal council, discussion followed regarding them and about engineers and surveyors. Senator Towe moved the amendments; passed. Senator Hammond moved the bill DO PASS AS AMENDED. See roll call vote. Senator Johnson and Kolstad had left written votes before leaving the room. The motion carried.

ACTION ON SENATE BILL 432: Senator Towe moved the amendments; passed; moved the bill DO PASS AS AMENDED: passed.

ACTION ON SENATE BILL 437: Senator Hafferman moved it DO NOT PASS: motion carried.

ACTION ON SENATE JOINT RESOLUTION 15: Senator Ryan moved this do pass; motion carried with written ballot by absent senator Johnson, no. This was not the final vote because it was brought up for reconsideration on 2-19-81 and the result was DO NOT PASS. See roll call votes.

ADJOURNMENT: 11:30.



Senator Pete Story Chairman

ROLL CALL

STATE ADMINISTRATION COMMITTEE

47th LEGISLATIVE SESSION - - 1981

Date 2-17

NAME	PRESENT	ABSENT	EXCUSED
Senator Pete Story, Chairman	✓		
Senator Allen Kolstad, V. C.	✓		
Senator William Hafferman	✓		
Senator H. W. Hammond	✓		
Senator Jan Johnson	✓		
Senator Patrick Ryan	✓		
Senator Thomas Towe	✓		

Each day attach to minutes.

2-18-815. Transfer of authority of board of regents authorized.

(1) The board of regents of higher education may transfer its authority for providing group benefits for employees of the Montana university system to the department.

(2) Upon transfer of the board of regents' authority as provided in (1) of this section, group benefit plans for employees of the Montana university system are subject to the provisions of this part.

History: En. Sec. 9, Ch. 555, L. 1979.

2-18-816. Annual audits of group benefit plans required. The department shall have the state employee group benefit plans established under this part, whether established on a self-funded basis or not, audited annually by either the legislative auditor or an independent certified public accountant.

History: En. Sec. 10, Ch. 555, L. 1979.

Part 9 reserved**Part 10****Grievance Procedures**

2-18-1001. Highway department personnel grievances — hearing. (1) An employee of the department of highways aggrieved by a serious matter of his employment based upon work conditions, supervision, or the result of an administrative action and who has exhausted all other administrative remedies is entitled to a hearing before the board of personnel appeals, under the provisions of a grievance procedure to be prescribed by the board, for resolution of the grievance.

(2) Direct or indirect interference, restraint, coercion, or retaliation by an employee's supervisor or the department of highways against an aggrieved employee because the employee has filed or attempted to file a grievance with the board shall also be basis for a grievance and shall entitle the employee to a hearing before the board for resolution.

History: En. 32-2505.1 by Sec. 1, Ch. 377, L. 1975; Sec. 32-2505.1, R.C.M. 1947; En. 32-2505 by Sec. 2, Ch. 28, L. 1974; Sec. 32-2505, R.C.M. 1947; R.C.M. 1947, 32-2505(part), 32-2505.1.

2-18-1002. Grievance procedure — hearing — order. (1) The board of personnel appeals provided for in 2-15-1705 shall hear grievances of personnel of the department of highways.

(2) If upon the preponderance of the evidence taken at the hearing the board is of the opinion that the employee is aggrieved, it may issue an order to the department of highways requiring such action of the department as will resolve the employee's grievance. In any hearing the board is not bound by statutory or common-law rules of evidence.

History: (1)En. 32-2505 by Sec. 2, Ch. 28, L. 1974; Sec. 32-2505, R.C.M. 1947; (2)En. 32-2505.2 by Sec. 2, Ch. 377, L. 1975; Sec. 32-2505.2, R.C.M. 1947; R.C.M. 1947, 32-2505(part), 32-2505.2.

2-18-1003. Enforcement of board order — petition in district court. The board or the aggrieved employee may petition for the enforcement of the board's order and for appropriate temporary relief and shall file

in the district court the record of the proceedings. Upon the filing of the petition, the district court shall have jurisdiction of the proceeding. Thereafter, the district court shall set the matter for hearing. After the hearing, the district court shall issue its order granting such temporary or permanent relief as it considers just and proper. No objection that has not been raised before the board shall be considered by the court unless the failure or neglect to raise the objection is excused because of extraordinary circumstances. The findings of the board with respect to questions of fact, if supported by substantial evidence on the record considered as a whole, shall be conclusive.

History: En. 32-2505.3 by Sec. 3, Ch. 377, L. 1975; R.C.M. 1947, 32-2505.3.

2-18-1004 through 2-18-1010 reserved.

2-18-1011. Classification or compensation grievance — retaliation — hearing on complaint. (1) An employee or his representative affected by the operation of parts 1 through 3 of this chapter, is entitled to file a complaint with the board of personal appeals provided for in 2-15-1705 and to be heard under the provisions of a grievance procedure to be prescribed by the board.

(2) Direct or indirect interference, restraint, coercion, or retaliation by an employee's supervisor or the agency for which the employee works or by any other agency of state government against an employee because the employee has filed or attempted to file a complaint with the board shall also be basis for a complaint and shall entitle the employee to file a complaint with the board and to be heard under the provisions of the grievance procedure prescribed by the board.

(3) An action attempting to revise the class specifications of or series of class specifications involving an employee exercising a right conferred by 2-18-1011 through 2-18-1013 in a way which would adversely affect the employee prior to final resolution or entry of a final order with respect thereto is presumed to be an interference, restraint, coercion, or retaliation prohibited by subsection (2) of this section unless such review was commenced or scheduled prior to filing of the appeal and was not prompted by the grievance appealed from. The presumption is rebuttable.

History: En. 82A-1014 by Sec. 15, Ch. 440, L. 1973; amd. Sec. 1, Ch. 47, L. 1974; amd. Sec. 1, Ch. 378, L. 1975; amd. Sec. 1, Ch. 545, L. 1977; R.C.M. 1947, 82A-1014(part).

2-18-1012. Grievance procedure. If upon the preponderance of the evidence taken at the hearing the board is of the opinion that the employee is aggrieved, it may issue an order to the appropriate agency or agencies of state government requiring such action as will resolve the employee's grievance. In any hearing the board is not bound by statutory or common-law rules of evidence.

History: En. 82A-1014 by Sec. 15, Ch. 440, L. 1973; amd. Sec. 1, Ch. 47, L. 1974; amd. Sec. 1, Ch. 378, L. 1975; amd. Sec. 1, Ch. 545, L. 1977; R.C.M. 1947, 82A-1014(part).

2-18-1013. Enforcement of board order — petition to district court. The board or the employee may petition for the enforcement of the board's order and for appropriate temporary relief and shall file in the district court the record of the proceedings. Upon the filing of the petition, the

Part 4

Director of Fish, Wildlife, and Parks

87-1-401. Director to carry out policies. The director shall carry out the policies of the commission and shall adopt rules authorized by law to implement those policies.

History: En. 26-106.3 by Sec. 17, Ch. 417, L. 1977; R.C.M. 1947, 26-106.3.

87-1-402. Oath of director. Before entering upon his official duties, the director shall take and subscribe the constitutional oath of office and shall in addition thereto swear or affirm that he holds no other position or office or any position under any political committee or party. Such oath or affirmation shall be filed in the office of the secretary of state.

History: En. Sec. 11, Ch. 193, L. 1921; re-en. Sec. 3660, R.C.M. 1921; re-en. Sec. 3660, R.C.M. 1935; amd. Sec. 14, Ch. 177, L. 1965; R.C.M. 1947, 26-111(part).

87-1-403. Regulation of employees by director. (1) The director may suspend without pay, reduce in rank, or remove any employee at any time for cause, providing that any person who has been continuously employed for 1 year or more immediately preceding any suspension or discharge may demand and receive a hearing before the department on the charges filed. The action of the department resulting from such a hearing constitutes final administrative action for purposes of filing a grievance with the board of personnel appeals as provided in 87-1-205.

(2) The director shall rate all employees on the basis of merit and efficiency in accordance with rules adopted by the department to secure a proper rating of each person employed. The salaries of employees shall be fixed by the department, and travel expenses, as provided for in 2-18-501 through 2-18-503, as amended, shall be allowed employees while upon official business away from designated headquarters.

History: En. Sec. 8, Ch. 193, L. 1921; re-en. Sec. 3657, R.C.M. 1921; amd. Sec. 1, Ch. 150, L. 1955; amd. Sec. 13, Ch. 417, L. 1977; amd. Sec. 4, Ch. 453, L. 1977; R.C.M. 1947, 26-108; amd. Sec. 4, Ch. 44, L. 1979.

87-1-404. Appointment of deputy director and wardens. The director shall have the power to employ and appoint a deputy director and a sufficient number of wardens for the proper enforcement of the fish and game laws of the state and the orders, rules, and regulations of the department and for such other purposes as the director may designate.

History: En. Sec. 7, Ch. 193, L. 1921; re-en. Sec. 3656, R.C.M. 1921; amd. Sec. 4, Ch. 192, L. 1925; amd. Sec. 3, Ch. 59, L. 1927; re-en. Sec. 3656, R.C.M. 1935; amd. Sec. 1, Ch. 158, L. 1941; amd. Sec. 1, Ch. 121, L. 1947; amd. Sec. 1, Ch. 58, L. 1951; amd. Sec. 1, Ch. 78, L. 1955; amd. Sec. 1, Ch. 77, L. 1957; amd. Sec. 5, Ch. 417, L. 1977; R.C.M. 1947, 26-107(part).

87-1-405. Publication of laws. As soon as practicable after the adjournment of each session of the legislature, the director in cooperation with the attorney general shall make a compilation of the laws relating to fish, game, game birds, and animals in force at the date of the compilation and properly index them. Copies of the compilation, sufficient in number for the purposes of this section, shall be printed in pamphlet form, pocket size.

49-2-308. Discrimination by the state. It is an unlawful discriminatory practice for the state or any of its political subdivisions:

(1) to refuse, withhold from, or deny to a person any local, state, or federal funds, services, goods, facilities, advantages, or privileges because of race, creed, religion, sex, marital status, color, age, physical or mental handicap, or national origin, unless based on reasonable grounds;

(2) to publish, circulate, issue, display, post, or mail a written or printed communication, notice, or advertisement which states or implies that any local, state, or federal funds, services, goods, facilities, advantages, or privileges of the office or agency will be refused, withheld from, or denied to a person of a certain race, creed, religion, sex, marital status, color, age, physical or mental handicap, or national origin or that the patronage of a person of a particular race, creed, religion, sex, marital status, color, age, or national origin or possessing a physical or mental handicap is unwelcome or not desired or solicited, unless based on reasonable grounds;

(3) to refuse employment to a person, to bar him from employment, or to discriminate against him in compensation or in a term, condition, or privilege of employment because of his political beliefs. However, this prohibition does not apply to policymaking positions on the immediate staff of an elected

officer of the executive branch provided for in Article VI, section 1, of the Montana constitution, to the appointment by the governor of a director of a principal department provided for in Article VI, section 7, of the Montana constitution, or to the immediate staff of the majority and minority leadership of the Montana legislature.

*deputy director
cor. administrator*

49-3-201. Employment of state and local government personnel. (1) State and local government officials and supervisory personnel shall recruit, appoint, assign, train, evaluate, and promote personnel on the basis of merit and qualifications without regard to race, color, religion, creed, political ideas, sex, age, marital status, physical or mental handicap, or national origin.

(2) All state and local governmental agencies shall:

- (a) promulgate written directives to carry out this policy and to guarantee equal employment opportunities at all levels of state and local government;
- (b) regularly review their personnel practices to assure compliance; and

(c) conduct continuing orientation and training programs with emphasis on human relations and fair employment practices.

(3) The department of administration shall insure that the entire examination process, including appraisal of qualifications, is free from bias.

(4) Appointing authorities shall exercise care to insure utilization of minority group persons.

History: En. 64-317, 1965, c. 1, § 1, MCA; 1965, c. 2, § 1, MCA.

SB 217 Amendments

1. Title, lines 8 and 9

Following: "ON"

STRIKE: "NUMBER OF LICENSEES"

Insert: "EQUITABLE CRITERIA"

2. Page 2, line 17

Following: "ON"

STRIKE: "a pro rata basis according to the number of"

3. Page 2, line 19

Following: line 18

STRIKE: "license under each board"

Insert: "on equitable basis as determined by the department"

4. Page 3, line 6

Following: "the"

Insert: "propriety of the applicant's"

Following: "of"

Insert: "on this fitness to practice"

5. Page 3, line 12 through line 14

Following: "report" Insert: " "

STRIKE: "to the governor as required by

2-7-102. Copies shall be furnished

to each member of the legislature. The report"

Insert: "In addition to the information

furnished by the governor under 2-7-102,

the biennial report of the department"

SB. 235 Amendments

1. Title, line 6

Following: "d"

Strike: "EXPLANATION"

Insert: "PURPOSE"

2. Page 4, lines 15 - 16

Following: "forward the"

Insert: petition to the legislative council within 10 days after receipt of the petition by the attorney general. The legislative council shall forward the

3. Page 4, line 17

Following: "petition"

Strike: "by"

Insert: "from"

Following: within

Strike: "21"

Insert: "11"

SB 259.

Page 1, line 17 and 18

Following: disaster

Insert: ", energy supply alert, or energy emergency"

Following: line 17

Strike " or "

Insert " ; "

Proposed Amendments to SB 273

1. Page 1, line 25, through page 2, line 1

Strike: all of line 25, page 1 and line 1, page 2.

Insert: "~~legislative council~~ ^{committee} certifies the result of a poll of all members of the legislature, ~~which~~ the committee shall conduct the poll within 2 weeks of its action, under the provisions of 2-4-403." ^{sub} and this section

~~2. Page 2, line 1.~~

~~Strike: all of line 1.~~

~~3. Page 2, line 22, through page 2, line 23.~~

~~Following: "shall,"~~

~~Strike: the remainder of the line,~~ by joint resolution, at the next regular session

~~4. Page 2, line 23. 3. Page 2, line 25,~~

~~Strike: "next regular session" Following: " [section 12], "~~

Insert: "vote by mail ballot pursuant to 2-4-403" do "

~~5.4 Page 3, line 1. through line 3~~

~~Following: "action."~~

~~Strike: the remainder of the line through~~

~~6. Page 3, lines 2 and 3.~~

~~Strike: all of line 2 and the word "reversed." on line 3.~~

5. Page 3, line 9

Following "do"

Strike: "dis approved"

Insert: "unapproved"

Following "rule" a subsequent

Insert: "unless the legislature grants authority to adopt the rule."

SB 294.

1. Title, line 7.

Following "HEADS"

Insert: ; ^{AND} providing AN IMMEDIATE EFFECTIVE
DATE"

2. Page 2, lines 23 and 24

Following: "positions"

Strike "including appointment of deputy"

Insert: Deputy

→ Line 25: "who"

3. Page 3, line 7

Following: "department"

Strike "or"

4. Page 3, line 10

Following: "plans"

insert: ; or

(iv) provisions of 2-18-1001 through 2-18-1003
87-1-205, and 87-1-403 "

Page 4, line 4

Following line 3

Insert: "Section 3. Effective ^{date} Section 1
is effective upon passage and approval.

Section 2. Section 49-2-308, MCA is
amended to read.

Section 49-3-201,

Title

Proposed Amendment to SB405
(Introduced Bill)

- (1) Title, line 4
Following: "ELIMINATE"
Strike: "THE"
Insert: "CERTAIN"
- (2) Title, lines 6 ~~and 7~~ ^{through 8}
Following: "ACT"
Strike: remainder of lines 6 ~~and 7~~ ^{through} "SURVEYORS" on line 9
Insert: ~~"~~ "To Establish Minimum Subdivision Regulation Requirements For Local Governments"
- (3) ~~Title, line 8~~ Following: Section 2
~~Strike: "SURVEYORS,"~~ STRIKE "37-67-202, 76-3-403,"
~~Strike: "37-67-202, 76-3-403,"~~
- (4) Page 1, lines 20 and 21
Strike: lines 20 and 21 in their entirety
Renumber: Subsequent subsection
- (5) Page 2, line 17 through line 1 on page 3
Strike: section 2 in its entirety
Renumber: all subsequent sections

Page 1, line 13 through
page 3, line 1.

Following: line 12

Strike: line 13, page 1
through line 1, page 3
in its entirety

Renumber subsequent
sections

Repeal
76-3-508

SB 432.

1. Page 6, line 19

Following line 18

Strike " 15-36-112 "

3. Page 8, line 3 through line 5

Following: " 53-10-101 "

Strike: " remainder of line 3 through " 75-20-501 " on line 5 "

2. Amend page 7, line 12

Insert: new subsection

"(2) The program is attached for administrative purposes only as prescribed in 2-15-121. However, the program may hire its own personnel, and 2-15-121(2)(d) does not apply."

Renumber: subsequent subsections

4. Page 10, lines 14 and 15

Following: " of "

Strike: " business regulation "

Insert: " commerce "

STANDING COMMITTEE REPORT

FEBRUARY 17

81

19

PRESIDENT

MR.

STATE ADMINISTRATION

We, your committee on

SENATE

217

having had under consideration Bill No.

SENATE

217

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

introduced bill, be amended as follows:

1. Title, lines 8 and 9.

Following: "ON"

Strike: "NUMBER OF LICENSEES"

Insert: "EQUITABLE CRITERIA"

2. Page 2, line 17.

Following: "on"

Strike: "a pro rata basis according to the number of"

3. Page 2, line 19.

Following: line 18

Strike: "licensees under each board"

Insert: "an equitable basis as determined by the department"

XXXXX
DO PASS

CONTINUED

SENATOR PETE STOEY

Chairman.

SENATE BILL 217

4. Page 3, line 6.

Following: "the"

Insert: "propriety of the applicants'"

Following: "of"

Insert: "or their fitness to practice"

5. Page 3, line 12 through line 14.

Following: "report"

Strike: "to the governor as required by 2-7-102. Copies shall be furnished to each member of the legislature. The report"

Insert: ". In addition to the information prescribed by the governor under 2-7-102, the biennial report of the department"

AND, AS SO AMENDED,
DO PASS

STANDING COMMITTEE REPORT

FEBRUARY 17

19 81

M R. **PRESIDENT**

STATE ADMINISTRATION

We, your committee on

SENATE

having had under consideration Bill No. **235**

Respectfully report as follows: That **SENATE** Bill No. **235**
introduced bill, be amended as follows:

1. Title, line 6.

Following: "OF"

Strike: "EXPLANATION"

Insert: "PURPOSE"

2. Page 4, line 15.

Following: "forward the"

Insert: "petition to the legislative council within 10 days after receipt
of the petition by the attorney general. The legislative council shall
forward the"

3. Page 4, line 17.

Following: "within"

Strike: "21"

Insert: "11"

Following: "petition"

Strike: "by"

Insert: "from"

AND, AS SO AMENDED,
DO PASS

STANDING COMMITTEE REPORT

FEBRUARY 17

61

19.....

MR. PRESIDENT.....

We, your committee of STATE ADMINISTRATION.....

having had under consideration SENATE..... Bill No. 259.....

Respectfully report as follows: That SENATE..... Bill No. 259.....

DO NOT PASS

~~DO NOT PASS~~


.....
SENATOR PETE STORY

Chairman.

STANDING COMMITTEE REPORT

FEBRUARY 17

81

19

PRESIDENT

MR.

STATE ADMINISTRATION

We, your committee on

SENATE

having had under consideration Bill No. 273

SENATE

Respectfully report as follows: That Bill No. 273

introduced bill, be amended as follows:

1. Page 1, line 25 through page 2, line 1.

Strike: all of line 25, page 1 and line 1, page 2 in its entirety

Insert: "committee certifies the result of a poll of all members of the legislature. The committee shall conduct the poll under the provisions of 2-4-403 and this subsection within 2 weeks of its action."

2. Page 2, line 22 through line 23.

Following: "shall,"

Strike: "by joint resolution, at the next regular session"

3. Page 2, line 25.

Following: "[section 1],"

Insert: "vote by mail ballot pursuant to 2-4-403 to"

4. Page 3, line 1 through line 3.

Following: "action."

Strike: remainder of line 1 through "reversed" on line 3.

XXXXXXXX
DO PASS

CONTINUED

CHAIRMAN PETE STORY

Chairman.

SENATE BILL 273

5. Page 3, line 9.

Following: "the"

Strike: "disapproved"

Insert: "unapproved"

Following: "rule"

Insert: "unless a subsequent legislature grants authority to adopt
the rule"

AND, AS SO AMENDED
DO PASS

STANDING COMMITTEE REPORT

FEBRUARY 17

81

19.....

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

We, your committee on **STATE ADMINISTRATION**.....

having had under consideration **SENATE**..... Bill No. **294**.....

Respectfully report as follows: That **SENATE**..... Bill No. **294**.....

introduced bill, be amended as follows:

1. Title, line 4.

Following: "AMEND"

Strike: "SECTION"

Insert: "SECTIONS"

2. Title, line 5.

Following: "2-15-112"

Insert: "AND 49-2-308"

Following: "DIRECTORS"

Strike: "AND"

Insert: ", "

3. Title, line 6

Following: "ADMINISTRATORS"

Insert: ", AND BUREAU CHIEFS"

~~DO PASS~~

CONTINUED

SENATE BILL 294

page 2

4. Title, line 7.

Following: "HEADS"

Insert: "; "AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

5. Page 2, lines 23 and 24.

Following: "positions;"

Strike: ", including appointment of deputy"

Insert: ". Deputy"

Following: "directors"Strike: "and"

Insert: ", "

6. Page 2, line 25.

Following: "administrators"Strike: "who"

Insert: ", and bureau chiefs"

7. Page 3, line 2

Following: "director"Strike: "or"

Insert: ", "

Following, "administrator"

Insert: ", or bureau chief"

8. Page 3, line 4.

Following: "proceedings"Insert: ", including but not limited to 2-18-1001 through 2-18-1003,
87-1-205, and 87-1-403,"

9. Page 4, line 4

Following: line 3.

Insert: "Section 2. Section 49-2-308, MCA is amended to read:

"49-2-308. Discrimination by the state. It is an unlawful discriminatory practice for the state or any of its political subdivisions:

(1) to refuse, withhold from, or deny to a person any local, state, or federal funds, services, goods, facilities, advantages, or privileges because of race, creed, religion, sex, marital status, color, age, physical or mental handicap, or national origin, unless based on reasonable grounds;

CONTINUED

SENATOR PETE STORY

Chairman.

SENATE BILL 294

page 3

7. continued

(2) to publish, circulate, issue, display, post, or mail a written or printed communication, notice, or advertisement which states or implies that any local, state, or federal funds, services, goods, facilities, advantages, or privileges of the office or agency will be refused, withheld from, or denied to a person of a certain race, creed, religion, sex, marital status, color, age, physical or mental handicap, or national origin or that the patronage of a person of a particular race, creed, religion, sex, marital status, color, age, or national origin or possessing a physical or mental handicap is unwelcome or not desired or solicited, unless based on reasonable grounds;

(3) to refuse employment to a person, to bar him from employment, or to discriminate against him in compensation or in a term, condition, or privilege of employment because of his political beliefs. However, this prohibition does not apply to policy making positions on the immediate staff of an elected officer of the executive branch provided for in Article VI, section 1, or the Montana constitution, to the appointment by the governor of a director, deputy director, division administrator, and bureau chief of a principal department provided for in Article VI, section 7, of the Montana constitution, or to the immediate staff of the majority and minority leadership of the Montana legislature.

Section 3. Effective date. Sections 1 and 2 are effective upon passage and approval."

AND, AS SO AMENDED
DO PASS

STANDING COMMITTEE REPORT

FEBRUARY 17, 81
19.....

MR. PRESIDENT.....

STATE ADMINISTRATION

We, your committee on

SENATE

385

having had under consideration Bill No.

SENATE

Respectfully report as follows: That Bill No. 385

introduced bill, be amended as follows:

1. Page 3, line 10.
Following: "the"
Strike: "occurrence"
Insert: "discovery"

AND AS SO AMENDED
DO PASS


SENATOR PETE STORY

Chairman. *P.A.*

STANDING COMMITTEE REPORT

FEBRUARY 17 19 91

MR. PRESIDENT

STATE ADMINISTRATION

We, your committee on

SENATE

having had under consideration Bill No. 402

SENATE

402

Respectfully report as follows: That Bill No.

Introduced bill, be amended as follows:

1. Page 2, line 4
Following: line 3
Insert: "(1)"

2. Page 2, line 5.
Strike: "(1)"
Insert: "(a)"

3. Page 2, line 12.
Strike: "(2)"
Insert: "(b)"

4. Page 2, line 18.
Strike: "(3)"
Insert: "(c)"

XXXXXX

CONTINUED
CONTINUED
SENATOR PETE STORY

Chairman.

STATE ADMINISTRATION

SENATE BILL 402

5. Page 2, line 25.

Strike: "(4)"

Insert: "(d)"

6. Page 3, line 4.

Strike: "(5)"

Insert: "(e)"

7. Page 3, line 7.

Strike: "(6)"

Insert: "(f)"

AND, AS SO AMENDED
DO PASS

P.A.

STANDING COMMITTEE REPORT

FEBRUARY 17

21

19

PRESIDENT

MR.

STATE ADMINISTRATION

We, your committee on

SENATE

having had under consideration Bill No. 405

SENATE

Respectfully report as follows: That Bill No. 405

introduced bill, be amended as follows:

1. Title, line 4.

Following: "ELIMINATE"

Strike: "THE"

Insert: "CERTAIN"

2. Title: lines 6 through 8.

Following: "ACT"

Strike: remainder of lines 6 through "SURVEYORS" on line 8

Insert: "TO ESTABLISH MINIMUM SUBDIVISION REGULATION REQUIREMENTS FOR
LOCAL GOVERNMENTS"

Following: "SECTIONS"

Strike: "37-67-202, 76-3-403,"

3. Title, line 9.

Following: "REPEALING"

Strike: "SECTION"

Insert: "SECTIONS"

~~XXXXXX~~

Following: "76-3-502"

Insert: "AND 76-3-508"

CONTINUED

SENATOR PETE STORY

Chairman.

SENATE BILL #05

4. Page 1, line 13 through page 3, line 1.

Following: line 12

Strike: line 13, page 1 through line 1, page 3 in its entirety

Renumber: subsequent sections

5. Page 6, line 19.

Following: "Repealer."

Strike: "Section"

Insert: "Sections"

Following: "76-3-502"

Insert: "and 76-3-508"

AND, AS SO AMENDED,
DO PASS

STANDING COMMITTEE REPORT

FEBRUARY 17

81

19.....

PRESIDENT

MR.

STATE ADMINISTRATION

We, your committee on

SENATE

having had under consideration Bill No. **432**.....

SENATE

Respectfully report as follows: That Bill No. **432**.....

introduced bill, be amended as follows:

1. Page 6, line 19.

Following: line 18

Strike: "15-36-112"

2. Page 7, line 12.

Following: line 11

Insert: " 2) The program is attached for administrative purposes only as prescribed in 2-15-121. However, the program may hire its own personnel, and 2-15-121 (2) (d) does not apply."

Renumber: all subsequent subsections

3. Page 8, line 3 through line 5.

Following: "53-10-101"

Strike: remainder of line 3 through "75-20-501" on line 5

~~XXXXXX~~

CONTINUED

SENATOR PETE STORY

Chairman.

SENATE BILL 432

4. Page 10, lines 14 and 15.
Following: "of"
Strike: "business regulation"
Insert: "commerce"

AND, AS SO AMENDED

DO PASS

STANDING COMMITTEE REPORT

FEBRUARY 17

81

19

PRESIDENT

MR.

STATE ADMINISTRATION

We, your committee on

SENATE

having had under consideration Bill No. **437**

SENATE

437

Respectfully report as follows: That Bill No.

DO NOT PASS

~~DO NOT PASS~~

~~SENATOR PETE STUBBINS~~

Chairman.

first vote

final vote was oral, unanimous

ROLL CALL VOTE RECORD

SENATE COMMITTEE STATE ADMINISTRATION

Date February 17, 1981 Bill No. 235 Time

NAME	DO NOT PASS	
	YES	NO
		X
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: Sen. Ryan moved this bill do not pass; motion failed.

Amendments suggested by legislative council were moved,
passed, and bill went out DO PASS, AS AMENDED, moved
by Sen. Kolstad, unanimous vote.

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

ROLL CALL VOTE RECORD

SENATE COMMITTEE STATE ADMINISTRATION

Date Feb. 17, 1981 Bill No. 259 Time

DO PASS, AS AMENDED

NAME	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: Sen. Towe had moved amendments, which passed orally.

The move to pass the bill as amended did not pass.

By reverse vote the bill went out of committee DO NOT PASS.

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

ROLL CALL VOTE RECORD

SENATE COMMITTEE STATE ADMINISTRATION

Date February 17, 1981 Bill No. 385 Time

NAME	DO PASS, AS AMENDED	
	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 Hammond moved that this bill DO PASS, AS AMENDED:
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 17, 1981 Bill No. 405 Time

NAME	DO PASS, AS AMENDED	
	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 Hammond moved that this bill DO PASS, AS AMENDED:

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 FEBRUARY 17, 1981 Bill No. 437 Time

NAME	DO NOT PASS	
	YES	NO
Senator Pete Story, Chairman	X	
Senator Allen Kolstad, V. Chairman		
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 Hafferman moved that this bill NO NOT PASS:

motion carried by majority.

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