

MINUTES OF THE MEETING OF THE HOUSE STATE ADMINISTRATION COMMITTEE
March 23, 1983

CHAIRMAN JOE BRAND, called the meeting to order at 8 a.m., in Room 129, Capitol Building, Helena, Montana.

Roll Call was taken and Representative Francis Bardanouve was the only member absent.

SENATE BILL 286

REPRESENTATIVE CHESTER SOLBERG explained the proposed amendments to this bill by the sub-committee. He mentioned that this bill had been amended in the Senate and that the sub-committee felt that there should be clarification about the appointment of the fifth member on the committee. There are several ways that this fifth person could be selected. He mentioned that this was on a referendum and would have to be put to the people anyway.

CHAIRMAN JOE BRAND asked that the committee go into Executive Session for the remainder of the discussion on these bills.

EXECUTIVE SESSION

REPRESENTATIVE GAY HOLLIDAY, said that the amendments before the committee today have been approved by Senator Smith. Everyone on the sub-committee concurred with the proposed amendments.

REPRESENTATIVE BILL HAND asked how these changes varied from the present law. Representative Solberg explained that the only difference is that the Supreme Court has been taken out.

REPRESENTATIVE CHESTER SOLBERG further explained that if the four members could not arrive at an agreement on the fifth member the final decision would not go to the Supreme Court for a decision. This would allow the legislature to reapportion themselves.

REPRESENTATIVE GLENN MUELLER said that if he is reading this correct, the sub-committee is saying that within thirty days after they are selected, they must pick the fifth member. This is covered in the language on page 3. Representative Solberg replied that this was correct, it might be a little short on time but it would probably do just fine.

REPRESENTATIVE KATHLEEN MCBRIDE said that she had some questions about the language on page 3, line 3, what about this process procedure, could you have the situation where you would never get at the business at hand? Representative Francis Koehnke replied that the sub-committee had thought about that but they felt that this was very unlikely to happen.

REPRESENTATIVE WALTER SALES asked if the membership to this committee was limited to state residents. Ann Brodsky replied that she did not think the bill addressed that issue. The person

can not be an elected official.

REPRESENTATIVE CHESTER SOLBERG said that there are a number of committee leaders who are not politically involved and they make very good committee members. It is true that both parties are not going to agree entirely on all issues.

REPRESENTATIVE BILL HAND questioned why the Supreme Court had not done this before, as far as reapportionment was concerned.

REPRESENTATIVE PAUL PISTORIA said that he felt that we needed some clarification on this bill. He referred to the part of the bill that would deal with the selection of the four members.

ANN BRODSKY explained about the concern which Representative McBride had voiced. She mentioned that maybe there should be some kind of "out" but that it would not allow the party to benefit on this. This could just become a problem rather than help.

CHAIRMAN JOE BRAND asked how many states have this kind of a proposal and which one seems to be working the best? Ann Brodsky replied that she did not know the answer to this. There are twenty some states that have a commission to do reapportionment. The ones that are outside of the realm of the legislature at least.

REPRESENTATIVE CHESTER SOLBERG MOVED that the committee accept the proposed amendments before the committee on this bill. Representative Glenn Mueller seconded the motion. The question being called, the motion carried with Representative Brand and Hand voting nay.

REPRESENTATIVE JOHN PHILLIPS MOVED Senate Bill 286 AS AMENDED BE CONCURRED IN, this was seconded by Representative Francis Koehnke. The question being called, the motion carried with Representatives McBride, Driscoll, Hand, and Brand voting nay.

Senate Bill 286 was reported out of committee this date AS AMENDED BE CONCURRED IN, Representative Chester Solberg will carry the bill on the House floor.

SENATE BILL 436

REPRESENTATIVE JERRY DRISCOLL explained the proposed amendments by the sub-committee. He explained that the garbage haulers portion of the bill was brought back to the full committee because they had questions on it. He then covered the amendments which are mostly housekeeping. It was mentioned that the amendment on page 9, line 24 was agreed to by both the PSC and the utilities.

The changes on page 25, line 6 through 25 is stricken because this is already in the bill. The same thing applies to the language on page 26 lines 1 through 20.

REPRESENTATIVE PAUL PISTORIA asked about this being approved by the PSC. Representative Driscoll replied that this was alright with them.

REPRESENTATIVE JERRY DRISCOLL further explained that on page 27 line 23, they split the effective date. The reason for this was because of the rural water companies and the PSC does not want to regulate them and the court said that they had to, so we put the effective date in to allow them to review their own businesses.

REPRESENTATIVE JERRY DRISCOLL MOVED that the committee accept the amendments reviewed so far, this was seconded by Representative Joe Hammond. The question being called, the motion carried unanimously.

REPRESENTATIVE JERRY DRISCOLL then explained the amendments on the second page. This has to do with local governments. He explained that the Senate took this out on the floor. We thought that we should bring this back to the full committee to discuss.

REPRESENTATIVE GLENN MUELLER asked if there are any ideas as to the rationale regarding why the Senate took this out. Representative Driscoll that in towns where there are additions in the area and the city has control over the contractor and they (the city) decides to change the contractor, maybe this could have an effect in densely populated areas. There are arguments to putting the local governments back into the bill. If someone bid for a contract and they did not have a permit they could not get the bid.

REPRESENTATIVE PAUL PISTORIA asked if the PSC had taken a side on this issue and did the garbage haulers take a side. Representative Driscoll explained that the PSC proposed these amendments and the counties support them and the garbage haulers are in opposition of it.

Representative Pistoria asked Representative Driscoll what the sub-committee reasons were for going with this amendment. Mr. Ellis from the PSC replied that they feel the cities and counties are just as responsible as we are and they can help the people as well as the PSC can.

REPRESENTATIVE GLENN MUELLER replied that he is hearing the PSC saying that they are in favor of the local people running things rather than them doing it all. Mr. Romine said that with respect to these questions this bill would effect the big out of state haulers. They do not have to go before the PSC, they only need to get their approval through the local government. He then explained what could happen to the local man if they get under bid because of the out of state people. He said that there is definately a need for the PSC regulation because without it the little man could get run out of business. This amendment was taken out in the Senate for just that reason.

The PSC granted a permit and it was based on the completion of the contract. He said that anyone can go to the PSC and get a permit if the need is there. This was already fought in the Senate, it will bring in out of state people to bid contracts in the rural areas and it should not be granted.

REPRESENTATIVE PAUL PISTORIA asked Mr. Romine if he favored the way that things are handled now. Mr. Romine replied, yes, we feel that it protects the local haulers.

REPRESENTATIVE GLENN MUELLER replied by saying that he would like to hear both sides. Mr. Opitz said that they were aware of the problems that could occur. They feel that the outside people coming in would not be a problem. In the past six years they have had the opportunity to move into the state more than they would be able to with this proposed legislation. He reminded the committee to take a look at what the Legislative Auditor's had said about this portion of the bill.

REPRESENTATIVE DUANE COMPTON asked Mike Stephen to respond to this. Mr. Stephen said that whether you like it or not the cities and counties are involved now. It is a fact that we are looking at the lowest bid. But it also has to be someone that is a responsible bidder. If someone else has a Class D certificate you can bump them. We have a mechanism to make this work but we cannot follow through on it. It is probably the neighbor next door that under bids you rather than the people from out of state. It is presently unworkable.

REPRESENTATIVE GLENN MUELLER asked if the person in the Libby area who presently has the bid would be protected at all. Mr. Romine said that assuming that the bid process was carried through, yes. They do compete with each other and in most areas there is competition.

REPRESENTATIVE JERRY DRISCOLL asked which of the cities and counties came in and testified for this legislation.

REPRESENTATIVE BILL HAND replied that the PSC does not want the garbage haulers under their jurisdiction. The counties want to extend the process that the law now has. The problem is the Class D certificate and that is what we want.

CHAIRMAN JOE BRAND said that the counties are going with the PSC and the garbage people want the PSC not the counties to do the regulating. Mr. Stephens stated that they would still have to go through the bid process in that the carrier is going to the PSC and they will review it and then that responsible bidder is given a Class D certificate for the length of the contract.

MR. WAYNE BUTTS, PSC, said that under the present law if the private company wants to compete they have to come to the PSC

and prove that there is a need. Under these amendments the need is granted by the local government. We still determine the letting ability. We give them a certificate for the length of the contract. They still have to meet all our rules and regulations for satisfaction and then the local government which services his area. They have the authority to pull the contract if they are not performing properly.

REPRESENTATIVE JERRY DRISCOLL said, if we put these amendments on the bill, it will be a battle and it will probably die any way. The Senate is not going to accept them. I recommend a rejection of the amendment.

REPRESENTATIVE GLENN MUELLER said that he thought that they should look at the merits of what they have had and decide on those issues what would be best for the citizens of Montana. Mr. Stephens replied to the concern about the local carrier and he said that it could be changed now as the present law exists.

REPRESENTATIVE WALTER SALES MOVED to accept the amendments to the garbage haulers poriton of the bill, this was seconded by Representative Glenn Mueller. The question being called, the motion carried with a vote of 12 yes and 6 no's.

CHAIRMAN JOE BRAND asked how many FTE's would be relieved if this bill passed. Mr. Butts replied, none since it is part of the other bureau. The only change would be that the commission will not be going out and holding hearings. Mr. Opitz also said that it will eleviate alot of court suits that they have pending.

Chairman Brand said that we in state government are always saying that we want to give more authority to the local governments, this is our chance.

MS. LOIS MENZIES read the amendments from Representative John Ryan and explained that the language should probably be cleaned up a little. She informed the committee that the sub-committee had rejected this amendment. This would be inserting section 24 as drafted.

REPRESENTATIVE JERRY DRISCOLL explained that they had considered these in the sub-committee and it was decided to reject them.

CHAIRMAN JOE BRAND asked what the committee felt about putting this section 24 into the bill. Representative Ryan said that he would withdraw the amendment since this was already covered in the law.

REPRESENTATIVE WALTER SALES MOVED that Senate Bill 436 AS AMENDED BE CONCURRED IN, this was seconded by Representative Bill Hand. The question being called, the motion carried with Representative

Paul Pistoria voted no.

Senate Bill 436 was voted out of the committee this date AS AMENDED BE CONCURRED IN and it will be carried on the House floor by Representative Jerry Driscoll.

SENATE BILL 378

MS. MENZIES explained the proposed amendment that the sub-committee decided on. This is basically a housekeeping change.

REPRESENTATIVE BILL HAND MOVED to accept the proposed amendment changing the date in the title and on page 5 to July 1, 1983. This was seconded by Representative Joe Hammond. The question being called, the motion carried.

REPRESENTATIVE BRENT BLISS mentioned an amendment that he had presented to the sub-committee. Representative Driscoll talked about the reason that this would not work. He stated that he was not in favor of the proposed amendment by Representative Bliss.

CHAIRMAN JOE BRAND said that if we want to know what other systems are paying more by the employee rather than the employer we should check with the PERS Division.

REPRESENTATIVE BRENT BLISS MOVED to accept this amendment and it was not seconded so it failed for lack of interest.

REPRESENTATIVE GLENN MUELLER asked if the CAP was discussed at the sub-committee meeting. Representative Driscoll replied, yes, and it will not work.

There was some discussion about the retirement and those that will be replaced and those that would not be. This would not help the unemployment at all because they would only retire if they had something else to do.

REPRESENTATIVE PAUL PISTORIA asked Senator Berg about a case that had been brought to his attention regarding a teacher who has been teaching for 28 years, she is 52 years old but 5 years of that time she only taught half days and it does not count towards her retirement. Senator Berg said he couldn't answer that accurately. If you teach half time you contribute the same amount as if you were a full time teacher. The half time is based on half of the retirement system costs.

REPRESENTATIVE BILL HAND MOVED to accept the sub-committee report on the amendments and this was seconded by Representative Clyde Smith.

REPRESENTATIVE PAUL PISTORIA mentioned that he would probably vote for this bill but he did have some questions.

REPRESENTATIVE WALTER SALES stated that he is not in favor of early retirement for teachers. Every letter that he has gotten from a retired teacher is opposing this bill. The ones that are working are the only ones for it. What are we doing to local taxpayers.

REPRESENTATIVE CLYDE SMITH said that when he first heard about this bill his feelings were just like Representative Sales but it will not add to a burdon it will really decrease it.

MR. CHARLES JOHNSON, State Legislative Committee said that they had a meeting about this bill and the group took action in the form of this resolution. He said that they are concerned that when this takes effect in July, 1983 there will probably be alot of teachers retiring and the teachers will not be paying into the retirement system. They are capable teachers and they can go to another state and take a new teaching job and draw their retirement from Montana. It is \$40 million a year in Lewis and Clark County for retirement.

REPRESENTATIVE JERRY DRISCOLL asked Mr. Johnson if they believed in cost of living raises to retired persons. Mr. Johnson said that he is not sure. Representative Driscoll answered that there is no drain on the system, there is no income to the fund. Mr. Johnson stated that he helped with getting retirement for the teachers. It was funded and we did not want to see what has happened to the Social Security program happen to the teachers retirement system. Representative Driscoll explained the reasoning behind the accuarial figures as explained by Mr. Hendrickson.

REPRESENTATIVE CHESTER SOLBERG made a statement about the many letters that all of the committee members have been receiving urging the passage of this bill. If this is any indication on the interest in this bill, we really have something to consider. We must be going to have a lot of teachers retire. If the Teacher's Retirement System is so sound, why are the mill levies going up like they are. Representative Driscoll replied that this is going to save us money and the initial cost is so very little.

REPRESENTATIVE MAC McCORMICK said that he thought that alot of those people that we are getting mail from are young teachers who are worried about their jobs.

REPRESENTATIVE WALTER SALES MOVED substitute MOTION to get figures for equal contribution costs. This would replace the amendments discussed. The geustion being called, the motion carried with Representatives Brand, McCormick, Pistoria, O'Connell, Driscoll, McBride, and Hammond voting no.

REPRESENTATIVE BRENT BLISS MOVED Senate Bill 378 AS AMENDED BE CONCURRED IN, this was seconded by Representative Clyde Smith.

The question being called, the motion carried with Representatives McCormick, and Pistoria voting no.

Senate Bill 378 as passed out of committee this date AS AMENDED BE CONCURRED IN. The bill will be carried on the House floor by Representative Jerry Driscoll.

SENATE BILL 166

REPRESENTATIVE JOE HAMMOND MOVED that the committee accept the amendments before them and this was seconded by Representative Bill Hand. The question being called the motion carried unanimously.

REPRESENTATIVE JOE HAMMOND MOVED Senate Bill 166 AS AMENDED BE CONCURRED IN, this was seconded by Representative Francis Koehnke.

CHAIRMAN JOE BRAND was concerned about Senator Eudaily's example of costs that had been presented to the sub-committee. Representative Driscoll explained that the sub-committee had rejected this.

REPRESENTATIVE BILL HAND explained that this did not look like it would be a problem and the other people that were present at the meeting said the same thing. Representative Driscoll explained the retrenchment for the professors.

REPRESENTATIVE CHESTER SOLBERG mentioned that this could mean a lot of retired teachers working together.

The question being called, the motion carried with Representative Solberg voting no.

SENATE BILL 429

MS. MENZIES explained that the only amendment was a drafting error.

REPRESENTATIVE JERRY DRISCOLL MOVED that the amendment be accepted as drafted and this was seconded by Representative Francis Koehnke. The question being called, the motion carried.

REPRESENTATIVE JERRY DRISCOLL MOVED AS AMENDED BE CONCURRED IN, this was seconded by Representative Helen O'Connell.

CHAIRMAN JOE BRAND explained that this would go to Appropriations any way.

REPRESENTATIVE WALTER SALES mentioned that he would be voting against this bill because of the money being taken out of the general fund. These cities incurred unfunded liabilities when they entered the system and they are being excused under this bill.

REPRESENTATIVE JERRY DRISCOLL said that maybe the Appropriations

Committee might amend this and/or they might just kill it.

WALT ERICKSON replied on this and the possibility of having this fazed out of the general fund rather than all at once.

REPRESENTATIVE WALTER SALES explained why he felt this was an unfunded liability.

REPRESENTATIVE CHESTER SOLBERG said some of the cities have been paying back on this and some have not. You are really helping those that have not.

WALT ERICKSON said that this would make the actuary picture look better. Representative Driscoll said that without the bill we will increase their costs.

The question being called on the Motion AS AMENDED BE CONCURRED IN carried with Representative Sales voting no.

SENATE BILL 320

MS. MENZIES explained the proposed amendment.

REPRESENTATIVE WALTER SALES MOVED the committee accept the proposed amendment and this was seconded by Representative Francis Koehnke. The question being called, the motion carried.

REPRESENTATIVE WALTER SALES MOVED Senate Bill 320 AS AMENDED NOT BE CONCURRED IN, this was seconded by Representative Clyde Smith.

Representative Sales explained that most of the money does come from the necessary funds and we would be raising how much money could be paid. If the firefighters get together they can decide what they want for a pension and they can force the cities to levy to the full mill.

REPRESENTATIVE GAY HOLLIDAY said that she had talked to Art Con, he indicated that the high would be \$76 and the low would be \$24 on what they could get now.

The question being called on the motion AS AMENDED NOT BE CONCURRED IN. The motion failed with Representatives Smith and Sales voting yes.

REPRESENTATIVE GLENN MUELLER MOVED Senate Bill 320 AS AMENDED BE CONCURRED IN, this was seconded by Representative Pistoria. The question being called, the motion carried with Representatives Smith and Sales voting no.

Senate Bill 320 was passed out of committee this date AS AMENDED BE CONCURRED IN and Representative Kathleen McBride will carry the bill on the House floor.

SENATE BILL 390

REPRESENTATIVE WALTER SALES MOVED DO PASS and this was seconded by Representative Joe Brand.

REPRESENTATIVE GLENN MUELLER MOVED a substitute MOTION DO NOT PASS, this was seconded by Representative Helen O'Connell. The question being called, the motion carried with Representatives Bliss, Koehnke, Sales, Smith and Brand voting no.

Senate Bill 390 was passed out of committee this date as DO NOT PASS.

SENATE BILL 40

REPRESENTATIVE WALTER SALES MOVED AS AMENDED BE CONCURRED IN, this was seconded by Representative Glenn Mueller. The question being called, the motion carried unanimously.

Senate Bill 40 was passed out of committee this date AS AMENDED BE CONCURRED IN.

SENATE BILL 327

REPRESENTATIVE JERRY DRISCOLL MOVED BE NOT CONCURRED IN, this was seconded by Representative Clyde Smith. The question being called, the motion carried with Representatives Sales, Mueller, Bliss, Koehnke, Compton, and Phillips voting no.

Senate Bill 327 was passed out of committee this date BE NOT CONCURRED IN.

REPRESENTATIVE GLENN MUELLER MOVED for adjournment and this was seconded by Representative Joe Hammond. The question being called, the motion carried by unanimous voice vote.

The meeting adjourned at 12:25 p.m.

Respectfully submitted,


REPRESENTATIVE JOE BRAND, CHAIRMAN

Cleo Anderson, Secretary to the Committee

STANDING COMMITTEE REPORT

MARCH 23

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MR. **SPEAKER**We, your committee on **STATE ADMINISTRATION**having had under consideration **SENATE** Bill No. **286**

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"AN ACT TO SUBMIT TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE V, SECTION 14, OF THE MONTANA CONSTITUTION TO PROVIDE THAT THE LEGISLATURE RATHER THAN A CITIZEN FIVE-MEMBER APPOINTED COMMISSION REAPPORTION MONTANA'S CONGRESSIONAL AND LEGISLATIVE DISTRICTS."

Respectfully report as follows: That **SENATE** Bill No. **286**

be amended as follows:

1. Title, line 13.

Strike: line 13 in its entirety

Insert: "FIFTH MEMBER OF THE"

2. Title, line 14.

Following: "COMMISSION"

Insert: "TO"

3. Title, line 15.

Following: "DISTRICTS"

Insert: "BE SELECTED BY THE FOUR LEGISLATIVELY-APPOINTED MEMBERS AND ELIMINATING THE SUPREME COURT'S ROLE IN THE APPOINTMENT"

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4. Page 2, lines 6 through 9.

Strike: "Within" on line 6 through "reapportionment" on line 9

Insert: "In the legislative session following ratification of this constitution and thereafter in each session preceding each federal population census, a commission of five citizens, none of whom may be public officials,"

5. Page 2, line 12.

Strike: "designate"

6. Page 2, lines 17 through 19.

Strike: "three" on line 17 through "districts" on line 19

Insert: "appoint one commissioner. Within 30 days after their appointment, the four commissioners shall select the fifth member, who shall serve as chairman of the commission. If the four members fail to select the fifth member within the time prescribed, the commissioners forfeit their positions and, within 20 days thereafter, the majority and minority leaders of each house shall each appoint a new commissioner. A person may be appointed as a commissioner only once. The selection of the fifth member and chairman shall be in the same manner and within the same time period as required under the original appointments. Failure to select the fifth member shall result in the same vacancies, the same procedure for new appointments, and the same selection of the fifth member as required under the original appointments, until such time that the fifth member is selected"

7. Page 2, lines 20 and 21.

Strike: "legislative" on line 20 through "reapportionment" on line 21

Insert: "commission"

8. Page 3, lines 1 through 4.

Strike: "That" on line 1 through "legislature" on line 4

Insert: "and after the census figures are available.

Within 30 days after submission, the legislature shall return the plan to the commission with its recommendations. Within 30 days thereafter, the commission"

9. Page 3, lines 6 and 7.

Strike: "The" on line 6 through "governor" on line 7

Insert: "The commission is then dissolved"

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10. Page 3, lines 13 and 14.

Strike: "Legislature" on line 13 through "APPOINTED" on line 14

Insert: "fifth member of the"

Following: "commission" on line 14

Insert: "to"

11. Page 3, line 15.

Following: "districts"

Insert: "be selected by the four legislatively-appointed members and eliminating the supreme court's role in the appointment"

12. Page 3, lines 16 and 17.

Strike: "Legislature" on line 16 through "APPOINTED" on line 17

Insert: "fifth member of the"

Following: "commission" on line 17

Insert: "to"

13. Page 3, line 18.

Following: "districts"

Insert: "be selected by the four legislatively-appointed members and eliminating the supreme court's role in the appointment"

14. Page 3, line 19.

Following: line 18

Insert: "Section 3. Coordination instruction. If House Bill No. 629 is passed and approved, the date "November 1983" in section 2 of this act is changed to "November 6, 1984"."

AND AS AMENDED BE CONCURRED IN

.....JOE BRAND.....

Chairman.

1 SENATE BILL NO. 286
2 INTRODUCED BY E. SMITH, KOLSTAD, LEE, OCHSNER, STOBIE,
3 DONALDSON, COMPTON, WALLIN, THOFT, SCHULTZ, FAGG, BOYLAN,
4 GRAHAM, B. BROWN, SEVERSON, MCCALLUM, TVEIT, HAGER,
5 H. HAMMOND, RYAN, SOLBERG, VINGER, R. JENSEN, SHAW,
6 UNDERDAL, C. SMITH, DEVLIN, IVERSON, KEYSER, HANSON,
7 SWITZER, WINSLOW, BLISS, PHILLIPS, MARBUT,
8 SWIFT, SEIFERT, ERNST, HEMSTAD, GAGE

9
10 A BILL FOR AN ACT ENTITLED: "AN ACT TO SUBMIT TO THE
11 QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE V,
12 SECTION 14, OF THE MONTANA CONSTITUTION TO PROVIDE THAT THE
13 ~~LEGISLATURE--RATHER--THAN--A--CITIZEN FIVE-MEMBER-APPOINTED~~
14 ~~FIFTH MEMBER OF THE~~ COMMISSION TO REAPPORTION MONTANA'S
15 CONGRESSIONAL AND LEGISLATIVE DISTRICTS ~~BE SELECTED BY THE~~
16 ~~FOUR LEGISLATIVELY-APPOINTED MEMBERS AND ELIMINATING THE~~
17 ~~SUPREME COURT'S ROLE IN THE APPOINTMENT."~~

18
19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

20 Section 1. Article V, section 14, of the Constitution
21 of the State of Montana is amended to read:

22 "Section 14. Districting and apportionment. (1) The
23 state shall be divided into as many districts as there are
24 members of the house, and each district shall elect one
25 representative. Each senate district shall be composed of

1 two adjoining house districts, and shall elect one senator.
 2 Each district shall consist of compact and contiguous
 3 territory. All districts shall be as nearly equal in
 4 population as is practicable.

5 (2) ~~In the legislative session following ratification~~
 6 ~~of this constitution and thereafter in each session~~
 7 ~~preceding each federal population census, a commission of~~
 8 ~~five citizens, none of whom may be public officials, within~~
 9 ~~14 days after the official federal population census data~~
 10 ~~are available, a 12 member legislative committee on~~
 11 ~~reapportionment~~ IN THE LEGISLATIVE SESSION FOLLOWING
 12 RATIFICATION OF THIS CONSTITUTION AND THEREAFTER IN EACH
 13 SESSION PRECEDING EACH FEDERAL POPULATION CENSUS, A
 14 COMMISSION OF FIVE CITIZENS, NONE OF WHOM MAY BE PUBLIC
 15 OFFICIALS, shall be selected to prepare a plan for
 16 redistricting and reapportioning the state into legislative
 17 and congressional districts. The majority and minority
 18 leaders of each house shall each designate one commissioner.
 19 ~~Within 20 days after their designation, the four~~
 20 ~~commissioners shall select the fifth member, who shall serve~~
 21 ~~as chairman of the commission. If the four members fail to~~
 22 ~~select the fifth member within the time prescribed, a~~
 23 ~~majority of the supreme court shall select him~~ three
 24 ~~committee members. Committee members shall be divided~~
 25 ~~equally among the congressional districts~~ APPPOINT ONE

1 COMMISSIONER. WITHIN 30 DAYS AFTER THEIR APPOINTMENT, THE
 2 FOUR COMMISSIONERS SHALL SELECT THE FIFTH MEMBER WHO SHALL
 3 SERVE AS CHAIRMAN OF THE COMMISSION. IF THE FOUR MEMBERS
 4 FAIL TO SELECT THE FIFTH MEMBER WITHIN THE TIME PRESCRIBED,
 5 THE COMMISSIONERS FORFEIT THEIR POSITIONS AND, WITHIN 20
 6 DAYS THEREAFTER, THE MAJORITY AND MINORITY LEADERS OF EACH
 7 HOUSE SHALL EACH APPOINT A NEW COMMISSIONER. A PERSON MAY BE
 8 APPOINTED AS A COMMISSIONER ONLY ONCE. THE SELECTION OF THE
 9 FIFTH MEMBER AND CHAIRMAN SHALL BE IN THE SAME MANNER AND
 10 WITHIN THE SAME TIME PERIOD AS REQUIRED UNDER THE ORIGINAL
 11 APPOINTMENTS. FAILURE TO SELECT THE FIFTH MEMBER SHALL
 12 RESULT IN THE SAME VACANCIES. THE SAME PROCEDURE FOR NEW
 13 APPOINTMENTS, AND THE SAME SELECTION OF THE FIFTH MEMBER AS
 14 REQUIRED UNDER THE ORIGINAL APPOINTMENTS, UNTIL SUCH TIME
 15 THAT THE FIFTH MEMBER IS SELECTED.

16 (3) The commission ~~legislative---committee---on~~
 17 ~~reapportionment~~ COMMISSION shall submit its plan to the
 18 legislature at the first regular session after its
 19 appointment or---after---the---census---figures---are---available.
 20 Within---30---days---after---submission---the---legislature---shall
 21 return---the---plan---to---the---commission---with---its---recommendations
 22 Within---30---days---thereafter---the---commission ~~that legislature~~
 23 ~~shall accept or amend the plan submitted to it by the~~
 24 ~~committee Prior to the next filing deadline for legislative~~
 25 ~~and congressional primary elections, the legislature AND~~

1 ~~AFTER THE CENSUS FIGURES ARE AVAILABLE, WITHIN 30 DAYS AFTER~~
 2 ~~SUBMISSION, THE LEGISLATURE SHALL RETURN THE PLAN TO THE~~
 3 ~~COMMISSION WITH ITS RECOMMENDATIONS, WITHIN 30 DAYS~~
 4 ~~THEREAFTER. THE COMMISSION~~ shall file its final plan with
 5 the secretary of state and it shall become law. The
 6 ~~commission is then dissolved. The plan is not subject to a~~
 7 ~~veto by the governor~~ THE COMMISSION IS THEN DISSOLVED."

8 NEW SECTION. Section 2. Submission to electorate.
 9 This amendment shall be submitted to the electors of the
 10 state of Montana at the general election to be held in
 11 November 1983 by printing on the ballot the full title of
 12 this act and the following:

13 ☐ FOR providing that the ~~legislature--rather--than--a~~
 14 ~~citizen~~ FIVE-MEMBER--APPOINTED FIFTH MEMBER OF THE
 15 commission ~~to~~ reapportion Montana's congressional
 16 and legislative districts BE SELECTED BY THE FOUR
 17 LEGISLATIVELY-APPOINTED MEMBERS AND ELIMINATING THE
 18 SUPREME COURT'S ROLE IN THE APPOINTMENT.

19 ☐ AGAINST providing that the ~~legislature--rather--than--a~~
 20 ~~citizen~~ FIVE-MEMBER-APPOINTED FIFTH MEMBER OF THE
 21 commission ~~to~~ reapportion Montana's congressional
 22 and legislative districts BE SELECTED BY THE FOUR
 23 LEGISLATIVELY-APPOINTED MEMBERS AND ELIMINATING THE
 24 SUPREME COURT'S ROLE IN THE APPOINTMENT.

25 SECTION 3. COORDINATION INSTRUCTION. IF HOUSE BILL

1 629 INTRODUCED IN THE 48TH LEGISLATURE IS PASSED AND
2 APPROVED, THE DATE "NOVEMBER 1983" IN SECTION 2 OF THIS ACT
3 IS CHANGED TO "NOVEMBER 6, 1984".

-End-

STANDING COMMITTEE REPORT

1 of 2

March 23

19 83

MR. SPRAKER

We, your committee on STATE ADMINISTRATION

having had under consideration SENATE Bill No. 436

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color

"AN ACT REESTABLISHING THE PUBLIC SERVICE COMMISSION UNDER EXISTING STATUTORY AUTHORITY AND RULES; REVISING PUBLIC SERVICE COMMISSION AUTHORITY; PROVIDING FOR FEES COMMENSURATE WITH COSTS; MAKING TEMPORARY MUNICIPAL REGULATORY AUTHORITY OVER UTILITIES PERMANENT; EXEMPTING PRIVATELY OWNED AND COUNTY WATER AND SEWER SYSTEMS FROM PUBLIC SERVICE COMMISSION REGULATION; AUTHORIZING TEMPORARY UTILITY RATE DECREASES; CLARIFYING TIME LIMITS ON MUNICIPAL RATE INCREASES; MODIFYING MUNICIPAL RATE HEARING NOTICE REQUIREMENTS; EXTENDING SPECIAL PROVISIONS RELATED TO WASTE DISPOSAL TO LOCAL GOVERNMENTS; ESTABLISHING RATE-MAKING AUTHORITY OVER CLASS-B MOTOR CARRIERS; MAKING RAILROAD SAFETY FUNCTIONS PERMISSIVE RATHER THAN MANDATORY; ~~DELETING THE REQUIREMENT THAT RAILROADS SERVE ALL COUNTY SEATS AND CITIES OVER 1,000;~~ AMENDING SECTION 9, CHAPTER 607, LAWS OF 1981; AMENDING SECTIONS 2-8-103, 69-3-101, 69-3-204, 69-3-304, 69-7-101, 69-7-102, 69-7-111, 69-12-311 THROUGH 69-12-313, 69-12-321, 69-12-324, 69-12-406, 69-12-421, 69-12-423, ~~69-12-501, 69-12-502, 69-14-115, AND 69-14-116, AND 69-14-202, MCA;~~ AND PROVIDING AN EFFECTIVE DATE."

Respectfully report as follows: TJAN SENATE Bill No. 436

1. Title, lines 16 and 17.

Strike: "MAKING" on line 16 through";" on line 17

2. Title, line 23.

Following: "69-12-421,"

Insert: "AND"

Strike: "69-14-115, AND"

3. Title, line 24.

Strike: "69-14-116,"

Following: "PROVIDING"

Strike: "AN"

4. Title, line 25.

Strike: "DATE"

DO Insert: "DATES"

Continued

March 23,

19..... 83

5. Page 9, line 24.

Strike: "ON IDENTICAL"

Insert: "upon consistent"

Following: "STANDARDS"

Insert: "appropriate for the nature of the case pending"

6. Page 19, line 21.

Following: "LOCAL"

Insert: "or local"

7. Page 20, line 3.

Following: "counties"

Insert: "or a local government, including but not limited to cities and counties"

8. Page 20, line 11.

Following: "local"

Insert: "or local"

9. Page 20, line 14.

Following: "local"

Insert: "or local"

10. Page 20, line 20.

Following: "local"

Insert: "or local"

11. Page 20, line 22.

Following: "local"

Insert: "or local"

12. Page 20, line 25.

Following: "local"

Insert: "or local"

13. Page 25, line 6 through line 20 on page 26.

Strike: sections 19 and 20 in their entirety

Renumber: subsequent sections

14. Page 27, line 23.

Strike: "date"

Insert: "dates"

Following: "date."

Insert: "(1)"

Following: "act"

Insert: "except for section 5"

15. Page 27.

Following: line 24

Insert: "(2) Section 5 is effective on passage and approval."

AND AS AMENDED BE CONCURRED IN

...REP...JOE BRAND,.....

Chairman.

SUBCOMMITTEE AMENDMENTS TO SENATE BILL 436:

1. Title, lines 16 and 17.

Strike: "MAKING" on line 16 through ";" on line 17

2. Title, line 23.

Following: "69-12-421,"

Insert: "AND"

Strike: "69-14-115, AND"

3. Title, line 24.

Strike: "69-14-116,"

Following: "PROVIDING"

Strike: "AN"

4. Title, line 25.

Strike: "DATE"

Insert: "DATES"

5. Page 9, line 24.

Strike: "ON IDENTICAL"

Insert: "upon consistent"

Following: "STANDARDS"

Insert: "appropriate for the nature of the case pending"

6. Page 25, lines 6 through 25.

Strike: section 19 in its entirety

Renumber: subsequent sections

7. Page 26, lines 1 through 20.

Strike: section 20 in its entirety

Renumber: subsequent sections

8. Page 27, line 23.

Strike: "date"

Insert: "dates"

Following: "date."

Insert: "(1)"

Following: "act"

Insert: "except for section 5"

9. Page 27.

Following: line 24

Insert: "(2) Section 5 is effective on passage and approval."

PROPOSED AMENDMENTS TO SENATE BILL 436:

Blaylock Amendments: Supported by: Public Service Commission
Mike Stephen, MACO
Opposed by: Bill Romine, Waste Collectors
Sandy Mentyalce, Lewistown

1. Page 19, line 21.

Following: "~~local~~"

Insert: "or local"

2. Page 20, line 8.

Following: "~~counties~~"

Insert: "or a local government including but not limited to
cities and counties"

3. Page 20, line 11.

Following: "~~local~~"

Insert: "or local"

4. Page 20, line 14.

Following: "~~local~~"

Insert: "or local"

5. Page 20, line 20.

Following: "~~local~~"

Insert: "or local"

6. Page 20, line 22.

Following: "~~local~~"

Insert: "or local"

7. Page 20, line 25.

Following: "~~local~~"

Insert: "or local"

STANDING COMMITTEE REPORT

March 23

19 83

MR. SPEAKER

We, your committee on STATE ADMINISTRATION

having had under consideration SENATE Bill No. 378

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color

"AN ACT REDUCING THE NUMBER OF YEARS A MEMBER OF THE TEACHERS' RETIREMENT SYSTEM MUST SERVE BEFORE BEING ELIGIBLE FOR RETIREMENT BENEFITS, REGARDLESS OF HIS AGE; INCREASING THE EMPLOYEE AND EMPLOYER CONTRIBUTION RATES; AMENDING SECTIONS 19-4-602, 19-4-605, ~~19-4-801~~ 19-4-801, AND 19-4-802, MCA."

Respectfully report as follows: That SENATE Bill No. 378

1. Title, line 9.

Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

2. Page 1, line 22.

Strike: "6.6848"

Insert: "7.0448"

3. Page 3, line 6.

Strike: "6.9608"

Insert: "7.3208"

4. Page 5.

Following: line 13

Insert: "NEW SECTION. Section 5. Effective date. This act is effective July 1, 1983."

~~XXXXX~~
~~XXXXX~~

AND AS AMENDED BE CONCURRED IN



P.O. Box 823 • Power Block • Suite 604 • 6th & Last Chance Gulch • Helena, Montana 59624 • Telephone 406/442-5222

March 10, 1983

F. Robert Johnson
Executive Secretary
Teachers Retirement System
1500 Sixth Avenue
Helena, MT 59601

Dear Bob:

In determining the cost of Senate Bill No. 378, no assumption was made for a reduction in active members as a result of this Bill, nor would such an assumption have been appropriate. Retirement legislation may have a short-term effect on membership, but on a long-term basis the number of active members will be governed by the number of teachers required in Montana rather than by the provisions of the Teachers' Retirement System.

The additional contribution rate of .994% of salaries would be adequate to fund the future cost of this provision and to amortize the additional unfunded liability over a 40 year period. There would be no additional liabilities created by this Bill as a result of any future changes in the membership of the Teachers Retirement System.

Sincerely,

Alton P. Hendrickson, ASA

jh

March 18, 1983

March 18 1983
Box 305
Roman, Mt. 59864

State Administrative Committee
State Capitol
Helena, Montana 59601

Dear Sir:

I am writing this letter in support of SB 378 -- the reduced benefit after 25 years of teaching retirement bill.

This is a good piece of legislation and should be released from the committee and passed by this legislative session.

The budget difficulties that many districts are going through could be alleviated to a great degree if older, more costly, teachers could afford to retire. Our School Districts could hire two beginning teachers for each salary that is paid to one older teacher that is at the top of the salary schedule.

I'm sure you can see how this could benefit local School Districts throughout Montana.

Please let me know if you anticipate any problems for SB 378 and indicate how I can help to get this bill passed.

Sincerely,

Neane Tidwell

HOUSE STATE ADMINISTRATION SUBCOMMITTEE REPORT ON SENATE BILL 166 AND SENATE BILL 378, MARCH 15, 1983, BY REPRESENTATIVE BILL HAND, CHAIRMAN, AND REPRESENTATIVES JERRY DRISCOLL AND CLYDE SMITH, AND STAFFED BY LOIS AND CLEO.

Conclusions:

Senate Bill 166 was amended to include an effective date and is recommended for concurrence.

Senate Bill 378 is amended to include an effective date and is recommended for concurrence.

Discussion:

Senate Bill 166 is the bill to permit a retired school employee to work one-third of his time, rather than one-fourth as presently permitted. It is not anticipated that there will be any fiscal impact. The advantages of the bill are that it provides more flexibility and a better means to enlist the expertise of competent, retired teachers. The procedure would continue to save money, since staffs could be expanded on a temporary basis (for instance, for only one quarter) to take care of varying student loads. In some cases, it may not be necessary to put on additional fulltime staff.

Senate Bill 378 lowers the retirement age for school employees from 30 years (which yields 6/12ths of the final average salary) to 25 years with a lesser penalty (5/12ths of the final average salary). Presently, an employee retiring before 30 years is penalized at the rate of one-half of 1% per month short of 30 years. This, of course, discourages retirement at an early age.

The subcommittee took some abbreviated additional testimony, particularly from Bob Johnson, Senator Berg, Senator Lynch, Representative Eudaily and a few others. Testimony revealed that the following costs would be incurred:

Using the O'Connell amendment: (employer costs)

	1984	1985
Counting Costs (state-wide per county)	\$ 884	\$ 925
Schools	624,394	655,614
State SPI	77,008	80,094
University System	25,315	130,531

Senate Bill 378 subcommittee recommendations

State agencies	16,165	16,937
University System	260,696	273,730
Counties	1,847	1,938
School Districts (state-wide)	1,309,382	1,374,854

STANDING COMMITTEE REPORT

March 23

19 83

MR. SPEAKER

We, your committee on STATE ADMINISTRATION

having had under consideration SENATE Bill No. 166

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"AN ACT AMENDING SECTION 19-4-804, MCA, TO INCREASE THE AMOUNT A
RETIRED MEMBER OF THE TEACHERS' RETIREMENT SYSTEM MAY EARN WITHOUT
LOSS OF RETIREMENT BENEFITS; AND PROVIDING AN IMMEDIATE EFFECTIVE
DATE AND AN APPLICABILITY DATE."

Respectfully report as follows: That SENATE Bill No. 166

1. Title, line 7.

Strike: "IMMEDIATE"

2. Title, line 8.

Strike: "AND AN APPLICABILITY DATE"

3. Page 1, line 24.

Following: "for"

Insert: "teaching personnel employed by"

Following: "school"

Insert: "district, state agency, political subdivision."

4. Page 2, lines 4 and 5.

Strike: section 2 in its entirety

Renumber: subsequent section

5. Page 2, line 7.

Strike: "on passage and approval"

Insert: "July 1, 1983"

DO PASS

AND AS AMENDED BE CONCURRED IN

REP. JOE BRAND,

Chairman.

SUBCOMMITTEE AMENDMENTS TO SB 166

1. Title, line 7.

Strike: "IMMEDIATE"

2. Title, line 8.

Strike: "AND AN APPLICABILITY DATE"

3. Page 1, line 24.

Following: "for"

Insert: "teaching personnel employed by"

Following: "school"

Insert: "district, state agency, political subdivision,"

4. Page 2, lines 4 and 5.

Strike: section 2 in its entity

Re-number: subsequent section

5. Page 2, line 7.

Strike: "on passage and approval"

Insert: "July 1, 1983"

SUBCOMMITTEE AMENDMENTS TO SB 378

1. Page 5.

Following: line 13

Insert: "NEW SECTION. Section 5. Effective date. This
act is effective July 1, 1983.

STANDING COMMITTEE REPORT

March 23

19 83

MR. SPEAKER

We, your committee on STATE ADMINISTRATION

having had under consideration SENATE

Bill No. 429

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"AN ACT REDUCING THE EMPLOYER CONTRIBUTION RATE TO THE MUNICIPAL POLICE OFFICERS' RETIREMENT SYSTEM AND THE FIREFIGHTERS' UNIFIED RETIREMENT SYSTEM; INCREASING THE STATE CONTRIBUTION TO EACH RETIREMENT SYSTEM BY AN AMOUNT EQUAL TO THE REDUCTION IN THE EMPLOYER CONTRIBUTION RATE; FUNDING THE CITIES' UNFUNDED LIABILITIES UNDER BOTH PLANS THROUGH INSURANCE PREMIUM TAXES; CLARIFYING THE PROHIBITION AGAINST A FIREFIGHTER PARTICIPATION IN OTHER RETIREMENT PLANS; AMENDING SECTIONS 19-9-503, 19-9-702, 19-9-703, 19-13-302, 19-13-503, 19-13-604, AND 19-13-605, MCA; AND PROVIDING AN EFFECTIVE DATE."

Respectfully report as follows: That SENATE

Bill No. 429

1. Page 6, line 4.
Following: "employer,"
Insert: ", the employer,"

~~XXXXXX~~ AND AS AMENDED BE CONCURRED IN

PROPOSED AMENDMENTS: SB 320 and SB 429

SB 320 (GAGE): Increasing maximum pension for volunteer firefighters

1. Title, lines 7 and 8.
Following: "MCA" on line 7
Strike: ";" through "DATE" on line 8

2. Page 4, lines 7 and 8.
Strike: section 3 in its entirety

SB 429 (MANNING): Reducing city contributions to firefighter and police pensions

1. Page 6, line 4.
Following: "employer,"
Insert: ", the employer,"

SUBCOMMITTEE AMENDMENTS TO SB 166

1. Title, line 7.

Strike: "IMMEDIATE"

2. Title, line 8.

Strike: "AND AN APPLICABILITY DATE"

3. Page 1, line 24.

Following: "for"

Insert: "teaching personnel employed by"

Following: "school"

Insert: "district, state agency, political subdivision,"

4. Page 2, lines 4 and 5.

Strike: section 2 in its entity

Renumber: subsequent section

5. Page 2, line 7.

Strike: "on passage and approval"

Insert: "July 1, 1983"

SUBCOMMITTEE AMENDMENTS TO SB 378

1. Page 5.

Following: line 13

Insert: "NEW SECTION. Section 5. Effective date. This
act is effective July 1, 1983.

STANDING COMMITTEE REPORT

March 23

19 83

MR. **SPEAKER**

We, your committee on **STATE ADMINISTRATION**

having had under consideration **SENATE**

Bill No. **320**

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color

"AN ACT INCREASING THE MAXIMUM AMOUNT OF A SERVICE OR ~~QUANTITY~~
PENSION THAT MAY BE PAID TO A VOLUNTEER FIREFIGHTER BY A FIRE
DEPARTMENT RELIEF ASSOCIATION; AMENDING SECTIONS 19-11-602 AND
19-11-604, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

Respectfully report as follows: That **SENATE** Bill No. **320**

1. Title, line 8.

Strike: "IMMEDIATE"

2. Page 4, line 16.

Strike: "on passage and approval"

Insert: "July 1, 1983"

~~XXXXXX~~ **AND AS AMENDED BE CONCURRED IN**

STANDING COMMITTEE REPORT

March 23 19 83

MR. **SPEAKER**

We, your committee on **STATE ADMINISTRATION**

having had under consideration **SENATE** Bill No. **390**

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color

"AN ACT REMOVING THE MONTANA STATE PRISON FROM CONTROL OF THE DEPARTMENT OF INSTITUTIONS AND ATTACHING IT TO THE DEPARTMENT OF ADMINISTRATION FOR ADMINISTRATIVE PURPOSES ONLY; PROVIDING THAT THE WARDEN OF THE PRISON IS TO BE APPOINTED BY THE GOVERNOR AND TO REPORT DIRECTLY TO THE GOVERNOR; ESTABLISHING THE POWERS AND DUTIES OF THE WARDEN; PROVIDING FOR THE REALLOCATION OF VARIOUS INTERNAL PRISON FUNCTIONS TO THE PRISON FROM THE DEPARTMENT OF INSTITUTIONS; AMENDING SECTIONS 2-18-303, 7-4-2913, 7-6-2427, 18-2-301, 18-4-104, 41-5-206, 44-5-202, 44-5-213, 46-19-303, 46-19-305, 50-3-102, 50-21-103, 53-1-202, 53-1-204, 53-1-206, 53-1-301 THROUGH 53-1-304, 53-30-102, 53-30-105 THROUGH 53-30-107, 53-30-109 THROUGH 53-30-111, 53-30-131 THROUGH 53-30-133, 53-30-141, 53-30-142, 53-30-212, 87-1-226, AND 87-1-512, NCA; AND PROVIDING AN EFFECTIVE DATE."

Respectfully report as follows: That **SENATE** Bill No. **390**

~~XXXXXX~~ **BE NOT CONCURRED IN**

STANDING COMMITTEE REPORT

1 of 2

March 23

19 83

MR. **SPEAKER**

We, your committee on **STATE ADMINISTRATION**

having had under consideration **SENATE** Bill No. **40**

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"AN ACT TO GENERALLY REVISE THE LAW RELATING TO STATEMENTS OF
ECONOMIC IMPACT OF PROPOSED ADMINISTRATIVE RULEMAKING; AMENDING
SECTIONS-2-4-305-AND SECTION 2-4-405, MCA."

SENATE

Respectfully report as follows: That Bill No. **40**

1. Page 3, line 5.

Following: "request"

Insert: "to an agency for a statement or a decision to contract
for the preparation of a statement"

2. Page 3, lines 16 and 17.

Strike: "filed on line 16 through 1" on line 17

3. Page 3, lines 18 through 20.

Strike: "1" on line 18 through "proceedings" on line 20

~~XXXX~~
DO PASS

CONTINUED

March 23,

19 83

4. Page 4, lines 4 through 6.

Strike: "IF" on line 4 through "." on line 6

Insert: "Upon receipt of an impact statement, the committee shall determine the sufficiency of the statement. If the committee determines that the statement is insufficient, the committee may return it to the agency or other person who prepared the statement and request that corrections or amendments be made. If the committee determines that the statement is sufficient, the statement must be filed with the secretary of state for publication in the register by the agency preparing the statement or by the committee if the statement is prepared under contract by the committee and must be mailed to persons who have registered advance notice to the agency's rulemaking proceedings."

AND AS AMENDED BE CONCURRED IN

SUBCOMMITTEE AMENDMENTS ON SENATE BILL 40:

1. Page 3, line 5.

Following: "request"

Insert: "to an agency for a statement or a decision to
contract for the preparation of a statement"

2. Page 3, lines 16 and 17.

Strike: "failed" on line 16 through "l" on line 17

3. Page 3, lines 18 through 20.

Strike: "l" on line 18 through "proceedings" on line 20

4. Page 4, lines 4 through 6.

Strike: "IF" on line 4 through "."

Insert: "Upon receipt of an impact statement, the committee shall determine the sufficiency of the statement. If the committee determines that the statement is insufficient, the committee may return it to the agency or other person who prepared the statement and request that corrections or amendments be made. If the committee determines that the statement is sufficient, the statement must be filed with the secretary of state for publication in the register by the the agency preparing the statement or by the committee if the statement is prepared under contract by the committee and must be mailed to persons who have registered advance notice of the agency's rulemaking proceedings."

STANDING COMMITTEE REPORT

March 23, 19 83

MR. **SPEAKER**

We, your committee on **STATE ADMINISTRATION**

having had under consideration **SENATE** Bill No. **327**

Third reading copy (**blue**)
color

"AN ACT TRANSFERRING THE FUNCTIONS RELATING TO TREATMENT FOR ALCOHOLISM AND DRUG DEPENDENCY UNDER TITLE 53, CHAPTER 24, MCA, FROM THE DEPARTMENT OF INSTITUTIONS TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES; AMENDING SECTIONS 16-1-404, 16-1-408, 16-1-411, AND 53-24-102, MCA."

Respectfully report as follows: That **SENATE** Bill No. **327**

XXXX DO PASS BE NOT CONCURRED IN

SB 378 Do pass yes
any Amendment No
reconsider Blaine Amendment No
I recall

Senate Bill No 378 - yes
John Ryan
166 + yes

Yes - HB 40 as amended

✓ Yes HB 166 as Amended

Yes - SB 370 as amended

✓ Yes - SB 409 as amended

JA H