

MINUTES OF THE MEETING OF THE APPROPRIATIONS COMMITTEE
April 7, 1983

The Appropriations Committee met at 8:00 a.m. on April 7, 1983, in Room 104, with Chairman Francis Bardanouve presiding and all members were present except Representatives Shontz and Menahan, who were absent. Judy Rippingale, Legislative Fiscal Analyst, was also present. The Committee heard and took EXECUTIVE ACTION on SENATE BILLS 106, 167, 190, 217, 232, 247, 270, 312, 429, 443 and 452.

(Tape 10: Track 3:000)

SENATE BILL 106: "A BILL FOR AN ACT ENTITLED: 'AN ACT TO INCREASE THE PENALTIES FOR OVERWEIGHT VEHICLES; TO REVISE THE DISPOSITION OF FINES AND FORFEITURES COLLECTED FOR VIOLATIONS OF THE VEHICLE SIZE, WEIGHT, AND LOAD LAWS; AND TO PROVIDE FOR JURISDICTION OF SUCH LAWS IN JUSTICES' COURTS; AMENDING SECTIONS 3-10-303, 61-10-145, AND 61-10-148, MCA." was heard.

Senator BLAYLOCK introduced his bill. He said the bill was requested by the Highway Department and when it started out was to tripple the fines for overweight trucks, but the Senate Highway Committee amended it down to double the fine. He said the increased fines are needed to protect Montana's investment in highways.

Proponents:

Gary WICKS, Director of the Highway Department, said the bill is important to protect the \$2 billion investment in highways; and fines have been static since 1961.

Ben HAVDAHL, Montana Motor Carriers Association, supported the bill. He said, "I hope the fiscal note was very optomistic because if a 200% increase in fines is going to work, we would hope there wouldn't be any revenue generated from that source."

Opponents: None.

Discussion:

Representative BENGTON asked how many GVW officers would be hired? Gary WICKS said eight, located in Havre, Billings, Butte, Missoula and other places in the state.

Representative QUILICI asked how the fines compare to other states? Gary WICKS said he thought they were in line.

Representative PECK noted the measure allowed for a suspension of fines. Mr. HAVDAHL said this is needed because a Justice of the Peace could fine for overweight as well as for not having a permit to operate a vehicle. Chairman BARDANOUVE asked what the fine is for not having a permit. Mr. WICKS said it is a misdemeanor with a fine of \$10 - \$25.

Senator BLAYLOCK closed on his bill by saying he would prefer to

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have the fines at tripple the current amount.

Representative BENGTON asked if the fines should be amended to raise them? Chairman BARDANOUVE said that would result in a major battle on the floor.

***EXECUTIVE ACTION:

Representative PECK made a motion that Senate Bill 106 be concurred in. A voice vote was taken and the motion carried unanimously. Representative Peck was assigned to carry the bill.

(Tape 10: Track 3:142)

SENATE BILL 167: "A BILL FOR AN ACT ENTITLED: 'AN ACT TO EXTEND AND AMEND THE BOND VALIDATING ACT; AMENDING SECTION 17-5-205, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE." was heard.

Mike YOUNG, Administrator of Insurance & Legal Division, Department of Administration, presented the bill. He said this is a routine enactment done every session to validate bond issues since the close of the last session. Chairman BARDANOUVE asked why the bill was needed each time? Mr. YOUNG said to avoid the possibility that a bond issue might be declared invalid. "I've never seen this have an effect on anything... it keeps bond lawyers busy", he said.

Proponents: None.

Opponents: None.

***EXECUTIVE ACTION:

Representative LORY made a motion that Senate Bill 167 be concurred in. A voice vote was taken and the motion carried unanimously. Representative LORY was assigned to carry the bill.

(Tape 10: Track 3:165)

SENATE BILL 232: "A BILL FOR AN ACT ENTITLED: 'AN ACT TO INCREASE THE MINIMUM FEE FOR ISSUANCE OF A CERTIFIED COPY OF A BIRTH OR DEATH CERTIFICATE BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES OR A SEARCH OF VITAL STATISTICS RECORDS BY THE DEPARTMENT; PROVIDING THAT ALL FEES BE DEPOSITED IN AN EARMARKED REVENUE FUND; AMENDING SECTION 50-15-111, MCA; AND PROVIDING AN EFFECTIVE DATE." was heard.

Senator REGAN opened on her bill. She said the bill would raise fees for birth and death certificates from \$3 to \$5; and the money would go into an Earmarked Revenue account. She said if the Committee doesn't approve the bill, more money will need to be added to the Department of Health and Environmental Sciences' budget.

Proponents: None.

Opponents: None.

Discussion: Representative PECK asked why the language "not less

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than \$3" was used? Senator REGAN said probably to establish a minimum fee.

*****EXECUTIVE ACTION:**

Representative QUILICI made a motion that Senate Bill 232 be concurred in. A voice vote was taken and the motion carried unanimously. Representative WALDRON was assigned to carry the bill.

SENATE BILL 270: "A BILL FOR AN ACT ENTITLED: 'AN ACT CLARIFYING THE AUTHORITY OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES TO SET FEES FOR SERVICES PERFORMED BY ITS LABORATORY; PROVIDING FOR DEPOSIT OF THE FEES IN AN EARMARKED REVENUE FUND; AMENDING SECTION 50-1-202, MCA; AND PROVIDING AN EFFECTIVE DATE." was heard.

Senator REGAN opened on her bill. She said the bill would allow the Department of Health and Environmental Sciences to set fees for their services in the laboratory based on actual cost to the Department. She said without the bill, the appropriation to the Department must be increased.

Proponents: None.

Opponents: None.

Discussion: Representative BENGTON asked what the Department has done prior to this? Senator REGAN said some of their services are charged for and some are not. Representative BENGTON asked how fees were determined? Yvonne SYLVA, Administrator, Management/Operations Division, Department of Health & Environmental Sciences, said the fees are set based on actual cost of performing the service. She said there are time studies done and cost accounting is done. All of the fees that are set go through the regular rule-making process and the public has an opportunity to comment. Representative QUILICI asked what the actual costs would be? Ms. SYLVA said it is based on material used and the personnel involved, but would range from \$3 to \$80 to \$90. Representative STOBIE suggested it would be simpler to have the Legislature set the fees.

*****EXECUTIVE ACTION:**

Representative QUILICI made a motion that Senate Bill 270 be concurred in. A voice vote was taken and the motion carried unanimously, with Representative STOBIE voting "No". Representative WALDRON was assigned to carry the bill.

(Tape 10: Track 3:233)

SENATE BILL 217: "A BILL FOR AN ACT ENTITLED: 'AN ACT TO TRANSFER RESPONSIBILITY FOR PREPARATION OF THE STATEWIDE COST ALLOCATION PLAN TO THE DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION FROM THE BUDGET DIRECTOR; AMENDING SECTION 17-3-110, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE." was heard.

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Senator HAFLEY opened on his bill. He said the bill transfers the responsibility for preparing the statewide cost allocation plan from the budget office to the Department of Administration. He said the cost allocation plan is an analysis done to distribute the costs of centralized services among state agencies and substantiate federal grant billing.

Proponents: Tom CROSSER, Budget Office, said the plan is essential or else the federal government will not allow billing of indirect costs on federal grants. David ASHLEY, Dept. of Admin. supported the bill.

Opponents: None.

Discussion: Representative ERNST asked if the plan includes the University system? Mr. CROSSER said it did.

Representative MANUEL asked if the plan included cost of computer equipment? Mr. CROSSER said it did.

Representative HEMSTAD asked if FTEs would also be transferred? Mr. CROSSER said no, there would be a decrease of 1 FTE in the budget office and no change in the accounting division.

*****EXECUTIVE ACTION:**

Representative LORY made a motion that Senate Bill 217 be concurred in. A voice vote was taken and the motion carried unanimously. Representative Donaldson was assigned to carry the bill.

(Tape 10: Track 3:276)

SENATE BILL 443: "A BILL FOR AN ACT ENTITLED: 'AN ACT TO REQUIRE THAT THE EXECUTIVE BUDGET REFLECT SALARY UPGRADES IN THE CURRENT FUNDING LEVEL; AMENDING SECTIONS 17-7-102 AND 17-7-123, MCA.'" was heard.

Representative MANUEL said this is a bill from the Natural Resources subcommittee and Senator SMITH took it to the Senate and it came out in this form. The bill will solve a problem that exists because at the present time there is no way to know what upgrades exist in the budgets. The bill has been amended and there was no objections to the amendments from the Executive branch.

Proponents: Troy MC GEE, from the Budget Office, said they would support the bill as it is amended and that they can provide the information.

Tom SCHNEIDER, Montana Public Employees Association, said MPEA originally opposed the bill because of other language, but supported it as it is amended.

Opponents: None.

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Discussion: Representative STOBIE asked why the main portion of the bill was struck? Representative MANUEL said Senator Smith thought the language in question was too strong. Troy MC GEE said the language which was stricken would not have allowed the Executive to submit a current-level budget.

Representative HEMSTAD said the purpose of the bill has been circumvented. She said, "We wanted some way to hold the Executive within current-level budgeting".

*****EXECUTIVE ACTION:**

Representative STOBIE made a motion that Senate Bill 443 not be concurred in.

Representative HEMSTAD made a substitute motion that Senate Bill 443 be amended to reinstate the original language of the bill.

Responding to a question from Representative PECK, Diana DOWLING, Director of the Legislative Council, said she drafted the amendment for Senator Smith and he was content with the bill as amended.

Responding to a question from Representative STOBIE, Troy McGee said the information required by the bill was not readily available until recently, but it is available now. Legislative Fiscal Analyst, Judy Rippingale, said the measure would be helpful and the information is available. Representative QUILICI asked if the PPP system is fully operational? Troy McGee said for the purposes of the measure, it is operational.

Representative BENGTON asked (regarding the amendments) if the Legislature would have to approve the upgrades? Representative STOBIE said no, but Departments would have to lay off in order to make any upgrades. Judy Rippingale then explained the stricken language in regard to the upgrades. She said, "What the subcommittee was going to do would not require anybody to be laid off during fiscal 1983, but when that agency came in and presented their budget for fiscal 1984 - say they had enough upgrades to equate 1 FTE - when they come in right now, all positions are built into current level costs. The subcommittee is saying, 'We're getting had every time we turn around... we find they are expanding the budget, but not putting on anymore people or more services', so they said if you expand it because of upgrade - equal to 1 position - when you bring in your current FTE position, then the bottom line on that cannot cost any more than it would have had nobody been upgraded; and that one FTE you would have to cut in order to not be increasing your base will be shown to us as a modified request. Then the Legislature has the choice of approving or disapproving that FTE, because theoretically the agency should have selected that FTE as their lowest priority. If the Legislature felt, 'Fine, all of this upgrade goes through and it works and it costs me \$10,000

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dollars, I have a choice now of allowing that \$10,000 to go in by approving this one FTE modified or I have the choice of not allowing the the base to expand by disapproving the one FTE modified'. It is a way of separating out the cost and not building the base."

Representative LORY said the language in stricken Section 3 of the bill would flatly require layoffs in order to make upgrades. Representative DONALDSON said Section 3 should be excluded.

Responding to Chairman Bardanouve, Judy RIPPINGALE said if the bill is enacted, the Legislature will be assured of the information and it may prove useful.

*****EXECUTIVE ACTION:**

The question being called on Representative HEMSTAD's substitute motion, a roll call vote was taken and the motion failed, with 6 voting "Yes" and 9 voting "No".

Representative MANUEL made a motion that Senate Bill 443 be concurred in. A voice vote was taken and the motion carried, with Representatives Hemstad and Stobie voting "No". Rep. Manuel will carry the bill.

(Tape 10: Track 3:430)

SENATE BILL 247: "A BILL FOR AN ACT ENTITLED: 'AN ACT TO CLARIFY THAT RAILROAD RETIREMENT ACT BENEFIT PAYMENTS RECEIVED DURING CLAIM PERIODS BEGINNING IN 1981 OR 1982 AS A RESULT OF FULFILLMENT OF FEDERAL SOCIAL SECURITY REQUIREMENTS ARE NOT TO BE INCLUDED AS INCOME FOR THE PURPOSE OF COMPUTING ELIGIBILITY FOR THE RESIDENTIAL PROPERTY TAX CREDIT FOR ELDERLY; AMENDING SECTION 15-30-171, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE." was heard.

Senator B. BROWN opened on his bill. He said this bill was introduced early in the session and went to the Senate Taxation committee, to the House Taxation committee to the Appropriations committee. In 1981, at the request of the Governor, Senator Regan introduced this bill based on the so-called 'circuit-breaker concept', which means if you are above a certain age and your income falls below a certain threshold, then you can qualify for a tax credit on your habitable dwelling. In the last session the maximum credit was \$400, but was amended down to \$150. Last session proponents of the bill were able to obtain a concession that Social Security income didn't have to count for income in determining eligibility for the tax credit. The problem was that railroad retirees by law can't pay into Social Security... they pay into railroad retirement. People receiving railroad retirement couldn't use their income as an exclusion for qualifying for the tax credit. This bill corrects that problem and is retroactive." He said the total maximum effect on the state would be \$600,000 one-time only.

Chairman BARDANOUE asked what the effect on the Foundation Program and the University system would be? Ellen FEAVER, Director of the Department of Revenue, said it would affect only the income tax.

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She said 25% of the income tax revenue goes to the Foundation Program. She said the Department has no position on the bill. She said the bill will cost an additional \$15,000 in administrative costs.

Representative WALDRON asked how many retirees lost their homes because of the 1981 oversight? Senator BROWN said he did not know, but the important thing is that the situation was unfair and needs to be corrected for the two-year period.

Representative THOFT asked how Social Security benefits compared with railroad pensions? Senator BROWN said the latter are greater, but the railroad retirees paid more into their system too.

Representative BENGTON asked if there had been any protest by railroad people? Senator BROWN said the issue was a big concern in railroad towns.

Proponents:

James T. MULAR, representing the railway clerks union, Butte, spoke for the bill and asked the Committee to extend the two-year consideration to railroad retirees.

Opponents: None.

***EXECUTIVE ACTION:

Representative PECK made a motion that Senate Bill 247 be concurred in.

Representative WALDRON made a substitute motion to table the bill. He said the problem has been taken care of starting this calendar year; and the measure establishes a bad precedent. He also said railroad retirees get more than Social Security retirees.

Representative PECK argued against the substitute motion saying he did not believe the Legislature in 1981 meant to discriminate against railroad retirees.

***EXECUTIVE ACTION:

The question being called on the substitute motion that Senate Bill 247 be tabled, a roll call vote was taken with 7 members voting "Yes" and 6 members voting "No". The bill was tabled.

SENATE BILL 452: "A BILL FOR AN ACT ENTITLED: 'AN ACT AUTHORIZING THE DEPARTMENT OF ADMINISTRATION TO ADMINISTER A STATEWIDE CITIZENS' SUGGESTIONS PROGRAM TO AWARD CITIZENS FOR COST-SAVING PROPOSALS; AND PROVIDING A TERMINATION DATE.'" was heard.

Senator FULLER opened on his bill. He said the program is a good one and has resulted in a 10 to 1 cost/benefit ratio. He said he

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is not persuaded that \$86,000 is needed for administrative costs, as the Executive claims in the fiscal note, but perhaps volunteers could assist the state.

Proponents:

Jim SAHINEN, a retired state employee, spoke at length on how the program would be beneficial for the state and useful for participation by knowledgeable, retired state employees.

Dennis TAYLOR, Administrator of the Personnel Division, Department of Administration, endorsed the bill but expressed concern that the Department would be flooded with applications and would need help to handle it.

Loren GUNDERSON, Helena, favored the bill, saying the employee benefits program was useful and expansion of the field of people eligible would prove productive.

Opponents: None.

Discussion: Representative BENGTON asked if the existing program could continue without money? Senator FULLER said the legislation is carefully drafted to assure the existing employee program could continue if the bill goes down.

Representative THOFT asked if the \$86,000 would be a continuing base in the Department of Administration. Chairman BARDANOUVE said it would be if the Committee allows it. He said if it continues to save money, he imagined it would be a wise investment, but the program would have to be justified each session.

Representative WINSLOW asked if the measure could be administered with help from the private sector? Senator FULLER said it could, but the Department must be given something with which to run it. Representative WINSLOW then asked if the Department had someone on staff who could do it? Dennis TAYLOR said, "No".

Representative HEMSTAD asked if any of the savings from the employee incentive program had reverted back? Dennis TAYLOR said, "To date, no." Chairman BARDANOUVE pointed out that some savings are indirect, such as reduced energy costs.

Representatives ROUSH and BARDANOUVE spoke for the program.

***EXECUTIVE ACTION:

Representative THOFT made a motion that Senate Bill 452 be tabled.

Representative PECK made a substitute motion that the bill be concurred in. A roll call vote was taken, with 9 members voting "Yes" and 5 members voting "No". Representative ROUSH was assigned to carry the bill.

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(Tape 10: Track 3:712)

SENATE BILL 190: "A BILL FOR AN ACT ENTITLED: 'AN ACT TO GENERALLY REVISE THE REIMBURSEMENT LAWS OF THE DEPARTMENT OF INSTITUTIONS; AMENDING SECTIONS 53-1-401, 53-1-404, 53-1-405, 53-1-409, AND 53-1-413, MCA." was heard.

Senator HIMSL opened on his bill. He said the bill was introduced at the request of the Department of Institutions. He said the measure would allow the Department to include depreciation and associated department costs in per diem, but excluding costs of educational programs and federal grants and costs not directly identified with patient care. The thrust of the bill is that they can change their cost to patients and when the per diem costs are computed, if the budget costs of an institution change substantially within the fiscal year, the per diem may be adjusted to compensate.

Proponents:

Curt CHISHOLM, Deputy Director of the Department of Institutions, said the change in per diem is needed because of Medicaid and Medicare requirements. It would also change the alcohol assessment in regard to how that payment is made within the budget... it would go directly to the programs.

Dick BAUMBERGER, representing the Alcoholism Programs of Montana, spoke for the measure.

Roger TIPPY, representing the beer & wine wholesalers, supported the bill.

Opponents: None.

Discussion: Representative THOFT asked what it would cost the General Fund? Curt CHISHOLM said, "We're saving the General Fund dollars through the appropriation process and what you will lose through the revenue process is made up out of what we save at Galen". Chairman BARDANOUVE said, "It's a wash there, Curt, but if the Budget Office and the Fiscal Analyst have not calculated that, it will reduce the amount of the General Fund estimated revenue". He said they have already taken into consideration the Earmarked Revenue side, but they probably haven't calculated the loss on the General Fund.

***EXECUTIVE ACTION:

Representative STOBIE made a motion that Senate Bill 190 be concurred in. A voice vote was taken and the motion carried unanimously. Representative WALDRON was assigned to carry the bill.

SENATE BILL 312: "A BILL FOR AN ACT ENTITLED: 'AN ACT INCREASING THE PER DIEM COMPENSATION FOR QUASI-JUDICIAL AND LICENSING AND REGULATORY BOARDS FROM \$25 A DAY TO \$50 A DAY; AMENDING SECTIONS 2-15-124, 19-3-302, AND 37-1-133, MCA; AND PROVIDING AN EFFECTIVE DATE." was heard.

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Senator HIMSL opened on his bill. He said this bill was presented at the request of the Legislative Audit Committee. He said it is simply a matter of judgment on the part of the Committee as to whether it believes the pay for members of boards should have their per diem pay increased.

Proponents: None.

Opponents: None.

Discussion: Representative MANUEL asked if the measure has a fiscal note. Representative WALDRON said the General Fund impact is \$31,000, according to the fiscal note. Senator HIMSL said under the latest fiscal note [2/3/83], the biennium cost would be an increase of \$175,900, and as Representative Waldron said, it would cost the General Fund \$31,000.

Representative MANUEL asked if passage of the bill would require amended spending authority for the various boards? Senator HIMSL said the Department has enough money to afford the increases, but he was not sure whether or not spending authority would have to be increased. Representative STOBIE said he was sure spending authority would have to be amended and Representative BARDANOUVE agreed.

*****EXECUTIVE ACTION:**

Representative LORY made a motion that Senate Bill 312 be concurred in. A voice vote was taken and the motion carried, with Representative Stobie voting "No". Representative WALDRON was assigned to carry the bill.

(Tape 10: Track 3:885)

SENATE BILL 429: "A BILL FOR AN ACT ENTITLED: '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 PARTICIPATING 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." was heard.

Senator Dick MANNING opened on his bill. He read a prepared statement. (Exhibit 1). He said he had intended this go into effect in 1983, but after discussion with Legislators and some members of the Appropriations Committee, he is proposing amendments to make it effective in 1985. (Exhibit 2).

Proponents:

Ray BLEHM, representing the Montana State Firemen's Association, said the measure was proposed in response to complaints from the city about the cost of the pension system and it would give long-term relief to cities for the cost of pensions.

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Bobby WILLIAMS, Billings Fire Chief, said cities were in bad shape and this bill would mean \$150,000 to the City of Billings.

Larry NACHTSHEIM, Administrator of the Public Employees Retirement Division, said they do not have a position on the bill, but he said as a result of HB 626 which became law on March 29, the number on the fiscal note for "Unfunded Liability Payments" in the police system is no longer \$131,023, but \$95,367.

Bill VERWOLF, representing the City of Helena, said this bill is one of the top priorities for the city... one of four top priorities.

Mike YOUNG, representing the City of Missoula, said the state has mandated a higher rate to be paid by the cities, but has not provided for funding.

Ms. AIKEN, Commissioner from Great Falls, supported the bill.

George BOUSLIMAN, representing the Urban Coalition, supported the bill.

The CITY MANAGER OF GREAT FALLS supported the bill.

Alec HANSEN, representing the League of Cities and Towns, supported the bill.

Opponents: None.

Discussion:

Representative BENGTON asked how many cities this bill would affect? Ray BLEHM said 13 first-class cities, but would not affect the volunteer fire department.

Senator MANNING closed on his bill.

*****EXECUTIVE ACTION:**

Representative HEMSTAD made a motion that the amendments be approved.

Representative PECK asked why this was being done now and not two years from now? Chairman BARDANOUVE said it was more likely to pass if deferred for two years. Representative MANUEL said it was so cities could plan their budgets.

The question being called, the motion carried by voice vote, with Representatives BARDANOUVE and WALDRON voting "No".

Representative HEMSTAD made a motion that Senate Bill 429 as amended be concurred in. A roll call vote was taken and the motion carried, with 10 members voting "Yes" and 5 members voting "No". Representative QUILICI was assigned to carry the bill.

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(Tape 10: Track 3:1251)

***EXECUTIVE ACTION:

SENATE BILL 270:

Representative STOBIE said he had just discovered a problem with Senate Bill 270 and he made a motion that the Committee reconsider their action. He said the administrative rule-making process would cost more than it would if the Legislature simply sets the fees. He asked the Chairman to appoint a subcommittee to look into this with the Department of Health.

The question being called, the motion carried by a voice vote.

Representative STOBIE made a motion that Senate Bill 270 be referred to a subcommittee. The motion carried by a voice vote.

Chairman BARDANOUVE appointed Representatives WALDRON, STOBIE and WINSLOW to the subcommittee.

Chairman BARDANOUVE adjourned the meeting at 11:15 a.m.



FRANCIS BARDANOUVE
Chairman

cy

Manning

EXHIBIT 1
4/7/84
SB 429
Manning, Dick

SENATE BILL 429

Senate Bill 429 would change the level of local government contributions to a flat rate of 13.02% of salary for POLICE and FIRE systems administered by PERD and increase the state's funding level to 22.98% of salary instead of 18.00% on July 1, 1983.

This relationship change can be supported by:

1. The source of these funds would be the insurance premium tax revenue which was originally implemented in 1911 to help Fire Department Pensions.
2. Because of the shortfall in local government revenue needs to be made up it would make good sense to spend part of the state's money where it can silence some of the local government's criticism by making the pension costs for Police and Fire the same as the combined PERS and social security contribution which is 13.02% of salary. If these employees are costing the same level as other government employees it should make it difficult to claim any undue burden because of Legislative Mandates.
- 3.. This does not change any benefits for POLICE & FIRE pension systems.
4. The State would benefit over the long run because as the systems become better funded the state rate will decline.
5. It will equalize the cost of the system among the 13 first and second class cities for POLICE and FIRE PENSION systems and provide protection for a city such as Anaconda in the unfunded payments provisions.

SB 429

Currently under 19-13-604 the reversion to the general fund is:

\$3,803,540 annually

FIRE SYSTEM

| | |
|----------------------------------|---------------|
| SB 429 would make the state rate | 22.98% |
| 19-13-604 would set the rate at | <u>18.00%</u> |

On July 1, 1983 the rate would be
higher by 4.98%

| | |
|----------------------------------|-------------------|
| FY '82 Salaries | 7,574,412 |
| | x4.98% |
| Increase to state at higher rate | \$ <u>377,205</u> |

POLICE SYSTEM

| | | |
|----------|--------------------|--------------|
| SB 429 | State rate | 15.06% |
| 19-9-702 | Current state rate | <u>14.04</u> |
| | Increased rate of | 1.02% |

| | |
|-----------------|------------------|
| FY '82 Salaries | 7,851,812 |
| | x1.02% |
| | \$ <u>80,088</u> |

Based on FY '82 salaries this would have provided \$457,293 inflated
at 5.5% - FY '83, \$482,444 - & FY '84, \$508,978.

REPORT DATE: 02/04/80
EDITORS OFFICE
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STATE OF MONTANA
RESPONSIBILITY CENTER FINANCIAL REPORT
FOR THE MONTH OF: JANUARY, 1933
CENTER 6 - ST AUDITOR FARE POL PENS FUND
FISCAL PERIOD: 97-01-62 TO 06-30-83 PERCENT ELAP

REPORT PAGE NO. 1 OF 3
EXECUTIVE PAGE NO. 3-0
AS FORM 6-61
FORM 3064-01
BOOK FOR AGENCY 3401

1. OBJECT SUMMARY

| BUDGET | CURRENT | FUTURE | CURRENT YEAR | PRIOR YEAR |
|--------|---------|--------|--------------|------------|
| 100 | 100 | 100 | 100 | 100 |
| 200 | 200 | 200 | 200 | 200 |
| 300 | 300 | 300 | 300 | 300 |
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| 725,000.00 | 725,000.00 |
| 10,877,805.15 | 10,877,805.15 |

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| 1 | * TOTALS FOR INCOME | 725,000.00 | 10,877,805.15 | 10,152,805.15- |
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| EXPENDITURE | OBJECT | BUDGETED | | | |
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| 733.728.00 | 733.728.00 |
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| 353.713.00 | 353.713.00 |

| | CITIES | AGS | PATS |
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| 112 POLICE | 192 | CL | |
| 112 POLICE | 192 | CITIES | SUP |
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| 3,803,340.15 | | |
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| 4 | TOTALS FOR EXPENSES | 7,510,984.00 | 27,074,265.00 | 435,779.00 |
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BEGINNING OF A NEW
- SAFETY FORWARD

TOTAL INCOME TO DATE 10,377,305.15

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| TOTAL EXPENSE TO DATE | 7,074,265.00 |
| INCOME LESS EXPENSES | 7,803,540.15 |

ENDING BALANCE 3,623,540.15

| UNIT 3 - FUNDING SUMMARY | | | |
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| TYPE | ACCOUNTING | CURRENT | CURRENT |
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| | BUDGET | MONTH | YEAR | ENCUMBERED | BALANCE | CUR. |
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Proposed amendments to Senate Bill No. 429 (Blue copy):

1. Page 3, lines 21 and 22.

Strike: "under" on line 21 through "and" on line 22

Following: "a city" on line 22

Strike: ", the city"

2. Page 3, line 23.

Strike: "1983"

Insert: "1985"

3. Page 4, line 12.

Following: "and"

Insert: "before July 1, 1985,"

Strike: "15.06%"

Insert: "14.04%"

4. Page 4, line 13.

Following: "compensation"

Insert: "and 15.06% on and after July 1, 1985"

5. Page 4, line 18.

Strike: "The"

Insert: "Before July 1, 1985, the"

6. Page 4, line 19.

Strike: "13.02%"

Insert: "14.04%"

7. Page 4, line 21.

Following: "month"

Insert: "and 13.02% on and after July 1, 1985,"

8. Page 5, line 10.

Strike: "1984"

Insert: "1986"

9. Page 5, line 15.

Strike: "1984"

Insert: "1986"

10. Page 6, line 4.

Following: "employer,"

Insert: ", employer,"

11. Page 6, line 22.

Strike: "and"

Following: "~~18%~~"

Strike: "22.98%"

Insert: "18%"

12. Page 6, line 23.

Following: "1983"

Insert: ", and to 22.98% effective July 1, 1985"

13. Page 7, line 9.

Strike: "13.02%"

Insert: "18%"

Following: "1983"

Insert: ", and shall decrease to 13.02% effective July 1, 1985"

VISITOR'S REGISTER

HOUSE

APPROPRIATIONS

COMMITTEE

BILL

SENATE BILL 106

Note:

DATE _____

4-7-83

SPONSOR

BLAYLOCK

Increase penalties for overweight vehicles; revise disposition of fines & forfeitures; provide jurisdiction in Justices' courts.

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITOR'S REGISTER

HOUSE

APPROPRIATIONS

COMMITTEE

BILL SENATE BILL 167

Notes

DATE _____

4-7-83

SPONSOR Daniels

Extend & Amend Bond Validating Act.

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITOR'S REGISTER

APPROPRIATIONS

COMMITTEE

SENATE BILL 190

DATE _____

4-7-13

HIMSL

Generally revise reimbursement laws of Department of Institutions.

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITOR'S REGISTER

APPROPRIATIONS

COMMITTEE

SENATE BILL 217

1921

DATE _____

4-7-83

HAFLEY

Transfer responsibility for preparation of statewide cost allocation plan to Dir. of Dept. of Admin. from Budget Director.

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITOR'S REGISTER

HOUSE

COMMITTEE

BILL

DATE 4-7-83 a.m.

SPONSOR

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITOR'S REGISTER

HOUSE

COMMITTEE

BILL

DATE 4-7-83

SPONSOR

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITOR'S REGISTER

APPROPRIATIONS

COMMITTEE

SENATE BILL 312

DATE 4-7-83

HIMSL

Increasing per diem for quasi-judicial
and licensing and regulatory boards
from \$25 to \$50 a day.

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITOR'S REGISTER

HOUSE

COMMITTEE

BILL

DATE _____

SPONSOR

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITOR'S REGISTER

APPROPRIATIONS

COMMITTEE

SENATE BILL 443

DATE _____

E. SMITH

Require Executive Budget to reflect salary upgrades in the current funding.

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITOR'S REGISTER

HOUSE

COMMITTEE

BILL

DATE 4-7-83 AM.

SPONSOR

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

STANDING COMMITTEE REPORT

APRIL 7,

19 83

MR. SPEAKER

We, your committee on APPROPRIATIONS

having had under consideration SENATE Bill No. 106

THIRD reading copy (BLUE)
color

A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE PENALTIES FOR
OVERWEIGHT VEHICLES; TO REVISE THE DISPOSITION OF FINES AND FORFEITURES
COLLECTED FOR VIOLATIONS OF THE VEHICLE SIZE, WEIGHT, AND LOAD LAWS;
AND TO PROVIDE FOR JURISDICTION OF SUCH LAWS IN JUSTICES' COURTS;
AMENDING SECTIONS 3-10-303, 61-10-145, AND 61-10-148, MCA."

Respectfully report as follows: That SENATE Bill No. 106

BE CONCURRED IN

~~XXXXXX~~
50-1A36

STANDING COMMITTEE REPORT

APRIL 7,

~~Helena, Mont.~~

#3

19.....

MR. **SPEAKER**.....

APPROPRIATIONS

We, your committee on

SENATE

167

having had under consideration Bill No.

THIRD

reading copy (**BLUE**)
color

**A BILL FOR AN ACT ENTITLED: "AN ACT TO EXTEND AND AMEND THE BOND
VALIDATING ACT; AMENDING SECTION 17-5-205, MCA; AND PROVIDING AN
IMMEDIATE EFFECTIVE DATE."**

SENATE

167

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

BE CONCURRED IN

~~SENATE~~

STANDING COMMITTEE REPORT

APRIL 7,

83

19.....

SPEAKER

MR.

APPROPRIATIONS

We, your committee on

SENATE

having had under consideration Bill No. 190

THIRD

reading copy (BLUE)
color

A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE THE
REIMBURSEMENT LAWS OF THE DEPARTMENT OF INSTITUTIONS; AMENDING SECTIONS
53-1-401, 53-1-404, 53-1-405, 53-1-409, AND 53-1-413, MCA."

SENATE

190

Respectfully report as follows: That Bill No.

BE CONCURRED IN

~~DO PASS~~

STANDING COMMITTEE REPORT

APRIL 7,

93

19.....

MR. **SPEAKER**

APPROPRIATIONS

We, your committee on

having had under consideration **SENATE** Bill No. **217**

THIRD reading copy (**BLUE**)

color

A BILL FOR AN ACT ENTITLED: "AN ACT TO TRANSFER RESPONSIBILITY FOR PREPARATION OF THE STATEWIDE COST ALLOCATION PLAN TO THE DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION FROM THE BUDGET DIRECTOR; AMENDING SECTION 17-3-110, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

SENATE

217

Respectfully report as follows: That Bill No.

BE CONCURRED IN

EXPLAN

STANDING COMMITTEE REPORT

FEBRUARY 16,

83

19.....

MR. Speaker.....

We, your committee on Appropriations.....

having had under consideration House..... Bill No. 247

First reading copy (White)
Color

A BILL FOR AN ACT ENTITLED: "AN ACT TO APPROPRIATE \$21,554 FROM THE STATE EQUALIZATION AID ACCOUNT TO REIMBURSE PETROLEUM COUNTY SCHOOL DISTRICTS FOR STATE EQUALIZATION AID TO WHICH THE DISTRICTS WERE ENTITLED IN THE 1931-32 SCHOOL FISCAL YEAR; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

Respectfully report as follows: That House..... Bill No. 247

DO PASS

STANDING COMMITTEE REPORT

APRIL 7,

1983

MR. **SPEAKER**

We, your committee on **APPROPRIATIONS**

having had under consideration **SENATE** Bill No. **312**

THIRD reading copy (**BLUE**)
color

**A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE PER DIEM
COMPENSATION FOR QUASI-JUDICIAL AND LICENSING AND REGULATORY BOARDS
FROM \$25 A DAY TO \$50 A DAY; AMENDING SECTIONS 2-15-124, 19-3-302,
AND 37-1-133, MCA; AND PROVIDING AN EFFECTIVE DATE."**

Respectfully report as follows: That **SENATE** Bill No. **312**

BE CONCURRED IN

XXXXXX
DO PASS

STANDING COMMITTEE REPORT

1 of 2

APRIL 7,

19 83

MR. **SPEAKER**

We, your committee on **APPROPRIATIONS**

having had under consideration **SENATE** Bill No. **429**

THIRD reading copy (**BLUE**)
color

A BILL FOR AN ACT ENTITLED: "AN ACT REDUCING THE EMPLOYER CONTRIBUTION RATE TO THE MUNICIPAL POLICE OFFICERS' RETIREMENT SYSTEM AND THE FIRE-FIGHTERS' 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 PARTICIPATING 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**

BE AMENDED AS FOLLOWS:

1. Page 3, lines 21 and 22.
Strike: "under" on line 21 through "and" on line 22
Following: "a city" on line 22
Strike: ", the city"
2. Page 3, line 23.
Strike: "1983"
Insert: "1985"
3. Page 4, line 12.
Strike: ", and"
Insert: ". Before July 1, 1985,"
Strike: "15.06%"
Insert: "14.04%"

~~DO NOT~~

APRIL 7,

83

4. Page 4, line 13.
Following: "compensation"
Insert: "and 15.06% on and after July 1, 1985"
5. Page 4, line 18.
Strike: "The"
Insert: "Before July 1, 1985, the"
6. Page 4, line 19.
Strike: "13.02%"
Insert: "14.04%"
7. Page 4, line 21.
Following: "month"
Insert: ", 13.02% on and after July 1, 1985,"
8. Page 5, line 10.
Strike: "1984"
Insert: "1986"
9. Page 5, line 15.
Strike: "1984"
Insert: "1986"
10. Page 6, line 22.
Strike: "and"
Following: "18%"
Strike: "22.98%"
Insert: "18%"
11. Page 6, line 23.
Following: "1983"
Insert: ", and to 22.98% effective July 1, 1985"
12. Page 7, line 9.
Strike: "and"
Strike: "13.02%"
Insert: "18%"
Following: "1983"
Insert: ", and shall decrease to 13.02% effective July 1, 1985"

AND AS AMENDED
BE CONCURRED IN

STANDING COMMITTEE REPORT

APRIL 7,

19 83

MR. **SPEAKER**

We, your committee on **APPROPRIATIONS**

having had under consideration **SENATE** Bill No. **443**

THIRD reading copy (**BLUE**)
color

A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE THAT THE EXECUTIVE BUDGET REFLECT SALARY UPGRADES IN THE CURRENT FUNDING LEVEL; AMENDING SECTIONS 17-7-102 AND 17-7-123, MCA."

Respectfully report as follows: That **SENATE** Bill No. **443**

BE CONCURRED IN

DO PASS

STANDING COMMITTEE REPORT

APRIL 7,

1983

MR. **SPEAKER**

APPROPRIATIONS

We, your committee on

SENATE

452

having had under consideration Bill No.

THIRD

reading copy (

BLUE

color

**A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE DEPARTMENT OF
ADMINISTRATION TO ADMINISTER A STATEWIDE CITIZENS' SUGGESTIONS PROGRAM
TO AWARD CITIZENS FOR COST-SAVING PROPOSALS; AND PROVIDING A TERMINATION
DATE."**

SENATE

452

Respectfully report as follows: That Bill No.

BE CONCURRED IN

**XXXXXX
DO PASS**