

MINUTES OF THE MEETING
STATE ADMINISTRATION COMMITTEE
MONTAN STATE SENATE

January 13, 1983

The meeting of the State Administration Committee was called to order by Chairman Pete Story on January 6, 1983 at 10:00 a.m. in room 331 of the State Capitol, Helena, Montana.

ROLL CALL: Roll was called and all members but SENATORS TVEIT and STIMATZ, present. Senator Tveit and Senator Stimatz were excused due to another meeting.

HOUSE BILL NO. 2: The meeting was opened to House Bill No. 2, "AN ACT TO CLARIFY THE LAW RELATING TO LEGISLATIVE COUNCIL REVIEW OF BALLOT ISSUES: PROVIDING THAT COUNCIL REVIEW MUST BE ACCOMPLISHED PRIOR TO SUBMISSION OF THE SAMPLE PETITION TO THE SECRETARY OF STATE: AMENDING SECTION 13-27-202, MCA."

SENATOR JOSEPH MAZUREK introduced the bill by saying that during the last session, there were some changes during the initiative process. One thing it did was require an initiative to the Legislative Council for review. The problem that came up during the last election is that if the initiatives are referred to the Legislative Council, after being submitted to the Secretary of State, or referred to the Attorney General's office, it makes three possibilities at once dealing with this process. The whole idea of referring it to the Legislative Council is so that the initiatives would go through the same process the bills do, it also allows the Council to complete its function, which is to review the text of clarity, consistency and anyother factors the Council considers. It requires written recommendations, a written response that is available for inspection, but it does it all before it goes to the Secretary of State. Senator Mazurek introduced BOB PYFER from the council. This is presented only as a recommendation.

BOB PYFER, Director of Legal Council, addressed the committee by saying they have found it has been a worthwhile process, even though this problem is involved, and we feel this bill will aid the process. He stated that they can take or leave it, but if they do, the Secretary of State will have to treat it as a new submission and the clocks have to start running again.

PROPONENTS were called.

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ROBERT McCUE of the Secretary of State's office testified that they are in full agreement of this bill.

No other proponent and no other opponents testified therefore the chairman called for questions from the committee.

SENATOR MARBUT asked if there was any day that they were to respond back to them.

MR. PYFER stated that they are to respond back but there is no time limit.

SENATOR TOWE recited an incident that had happened with I 95 after submitting to the Secretary of State and the Legislative Council and Mr. Harrington made several changes which some of them indicated that he did not understand the initiative and was told so; but some were well taken and they made the change. Later on, during the debate on the initiative, Mr. Harrington's letter was quoted in the press and they were picking up the very thing that they had changed, and the media stated that they had totally ignored the Legislative's suggestion.

MR. PYFER stated that was correct and that they had evidentially not compared the letter with the initiative.

SENATOR MARBUT asked if there was any chance that council will be doing the drafting before they go to the Secretary of State and if they are opened to be a state wide council instead of a legislative council.

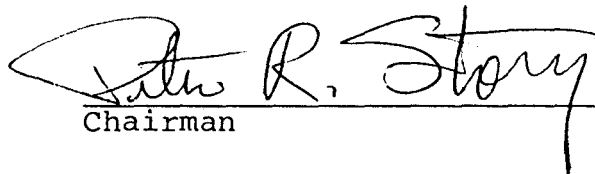
MR. PYFER said that they will try to itemize but that they are quite used to this, although they will try not to get into. He also indicated that they will not draft initiatives for the legislature or anyone else.

The meeting CLOSED on HOUSE BILL 2.

A discussion was held by the committee regarding reapportionment each year versus the four year term and what happens to the candidate or acting constituent when the dividing of the areas have made a conflicting situation. The right to select your district, the criteria or seniority and style of choosing districts were discussed.

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There being no further business, it was moved to adjourn
the meeting at 11:15 a.m.


Chairman

47th - Second Special Session

VISITORS' REGISTER

SENATE AND HOUSE COMMITTEE _____

BILL 2 _____

DATE Jan 13, 1983

SPONSOR _____

| NAME | REPRESENTING | RESIDENCE | SUPPORT | OPPOSE |
|--------------|--------------|-----------|---------|--------|
| Bob P. Jones | Leg. Council | Helena | ✓ | |
| Joe Maymuk | Sen Dist 16 | Helena | ✓ | |
| Robert McQue | Sec of State | Helena | ✓ | |
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IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY

MINUTES OF THE MEETING
STATE ADMINISTRATION COMMITTEE
MONTANA STATE SENATE

January 13, 1983

The meeting of the State Administration Committee was called to order by Chairman Pete Story on January 13, 1983 at 4:00 p.m. in room 331 of the State Capitol.

Roll was called and all members were present.

SENATE BILL NO. 116: The meeting was opened to Senate Bill No. 116, "AN ACT TO CHANGE THE AMOUNT TO WHICH A LEGISLATOR IS ENTITLED FOR EXPENSES INCURRED IN ATTENDING A SESSION FROM \$45 A DAY TO \$35 A DAY: AMENDING SECTION 5-2-301, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

PROPOSERS were called. There were no proposers.

OPPOSERS were called.


SENATOR TOWE opposed the bill by stating that the Federal constitution provides that no state should base a law that compares contractual obligation. He said that they came here with the understanding they would be paid the \$45 a day and asked if that were not a contract.

SENATOR SHAW stated that he believed it was permissible for the body to change this if they chose to.

The meeting was CLOSED on SENATE BILL 116.

MOTION was made by SENATOR MARBUT and seconded that SENATE BILL 116 do pass. MOTION PASSED with SENATOR TOWE and SENATOR MANNING voting "No".

Motion was made to adjourn the meeting at 4:15 p.m.


Chairman

ROLL CALL

STATE ADMINISTRATION

COMMITTEE

47th LEGISLATIVE SESSION -- 1983

Date Jan 13

4:00 p.m.

SENAT
SEAT

| NAME | PRESENT | ABSENT | EXCUSED | |
|--------------------------------|---------|--------|---------|----|
| SENATOR PETE STORY, Chairman | X | | | 45 |
| SENATOR H. W. HAMMOND, Vice Ch | X | | | 34 |
| SENATOR REED MARBUT | X | | | 44 |
| SENATOR LARRY TVEIT | X | | | 33 |
| SENATOR R. MANNING | X | | | 48 |
| SENATOR LAWRENCE STIMATZ | X | | | 7 |
| SENATOR THOMAS TOWE | X | | | 26 |
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Each day attach to minutes.

STANDING COMMITTEE REPORT

January 13

83

19.....

PRESIDENT

MR.

STATE ADMINISTRATION

We, your committee on

SENATE

116

having had under consideration Bill No.

SENATE

116

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

DO PASS

[Handwritten signature]

Chairman.

Y.C.