

MINUTES OF THE MEETING
STATE ADMINISTRATION COMMITTEE
MONTANA STATE SENATE

December 14, 1983

The meeting of the State Administration Committee was called to order by Chairman Peter Story on December 14, 1983 at 8:00 a.m. in Room 331 of the State Capitol Building.

ROLL CALL: Roll was called with all members present. Bob Pyfer, staff attorney, was also present.

RESOLUTION: Senator Story stated that the purpose of the meeting was to consider the appointment of Mr. Thomas McKittrick as district judge in the Eighth Judicial District. He then introduced Mr. McKittrick to the Committee.

Mr. McKittrick handed out a brief resume of himself to the committee members. He was born on January 7, 1944, in Anaconda, Montana, graduated from Anaconda Central High School, Carroll College, Gonzaga University School of Law, and also Catholic University School of Law. He passed the Virginia Bar exam in 1972 and was admitted to the Montana Bar on March 22, 1978. At the present time he is the chief deputy county attorney in Cascade County where he has handled all of the major cases and also hundreds of other cases. He stated that some of his best qualities would be the confidence he has in himself, his honesty, and that he is not afraid of hard work. Mr. McKittrick stated that he would be very proud to serve as a district judge in the Eighth Judicial District.

Representative Paul Pistoria stood in support of Mr. McKittrick. He stated that there had been five good men nominated for the position of district judge, and all were qualified, however, Mr. McKittrick is most qualified. Representative Pistoria has watched Mr. McKittrick on several occasions and he is always prepared and composed.

There were no opponents appearing.

The meeting was opened to a question and answer period from the Committee.

Senator Towe asked Mr. McKittrick if he had a chance to look at the court calendar. He replied that he had and it is indeed very full. However, he felt that by working with the other two judges that the problem could be worked out in about two or three months.

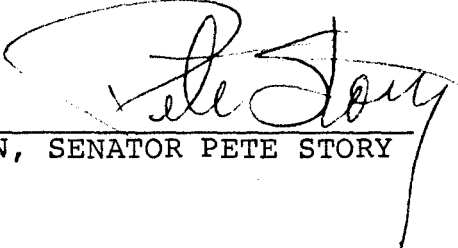
STATE ADMINISTRATION
PAGE TWO
DECEMBER 14, 1983

Senator Story asked Mr. McKittrick, if he felt that the salary for the position was adequate. Mr. McKittrick replied that he could not foresee any problem with the salary.

There were no further questions from the committee members.

Senator Richard Manning made a motion that the Committee accept and confirm the nomination of Thomas McKittrick as district judge in the Eighth Judicial District. The motion was approved unanimously.

ADJOURN: With no further business the meeting was adjourned.



CHAIRMAN, SENATOR PETE STORY

eg

STANDING COMMITTEE REPORT

December 14, 19 83

MR. President:

We, your committee on State Administration

having had under consideration B.M.N.D.

communication of the Governor dated December 13, 1983, wherein the name of::

THOMAS MC KITTRICK, to serve until confirmed by the Senate, and thereafter until the next general election in accordance with the laws of the State of Montana

was submitted as:

District Judge of the Eighth Judicial District of the State of Montana

Respectfully report as follows: That B.M.N.D.

said appointment be concurred in and confirmed in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

~~XXXXXX~~ BE CONCURRED IN AND CONFIRMED

Handwritten initials

Name: Thomas Michael McKittrick

Date of Birth: January 7, 1944

Place of Birth: Anaconda, Montana

Res: 511 4th Ave. North, Great Falls, Montana

Married: Lisa Virginia Taylor McKittrick
Falls Church, Virginia, 1969

Children: Matthew, 13
Marissa, 11

Education: Anaconda Central High School - 1962
Anaconda, Montana

Carroll College, Helena, Montana - 1966
B.A. Political Science
Minor - History
Minor - Philosophy

Gonzaga University School of Law (night school)
1966-1969
Catholic University School of Law (night school)
1971

Intern Law Office, Alexandria, Virginia 1972

Bar: Passed Virginia Bar - 1972

Admitted Montana Bar - March 22, 1978

Employment: Library of Congress, Copyright Office, Wash., D.C.
Copyright Examiner 1969-1972

Assistant Commonwealth Attorney, Arlington, Va.
1972-1975

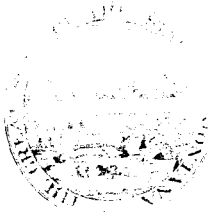
Private Practice 1975-1978
Arlington, Virginia

Deputy County Attorney, Cascade County, 1978-present
Attorney
Chief Deputy County/, 1981 to present

Honors: Montana Boy's State - 1961

Who's Who In American Colleges and Universities
1966

President of Senior Class - Carroll College, 1966



State of Montana
Office of the Governor
Helena, Montana 59620

TED SCHWINDEN
GOVERNOR

December 13, 1983

The Honorable Stan Stephens
President of the Senate
Montana State Senate
Capitol Building
Helena, MT 59620

Dear Mr. President:

On December 5, 1983, I received the recommendation of the Judicial Nominating Commission relative to the replacement of District Judge H. William Coder, who resigned effective November 15, 1983.

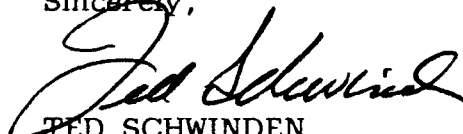
While section 3-1-1012 provides 30 days for me to make the appointment, I have carefully reviewed the Commission's recommendations, interviewed all the candidates, and made my decision.

Pursuant to section 3-1-1013, I respectfully submit for your consideration and confirmation Mr. Thomas McKittrick, the candidate most highly recommended by the Commission.

Because the Senate is sitting in special session, I believe it timely and appropriate to request the confirmation of Tom McKittrick, so that the position will be on the ballot at the earliest practical opportunity -- in this case, November, 1984.

Mr. McKittrick has agreed to meet with the Senate State Administration Committee at its convenience. Thank you for your cooperation.

Sincerely,


TED SCHWINDEN
Governor

cc: Senator Pete Story
Senator Chet Blaylock
SENATE

DEC 13 1983

STATE ADMIN

1 SENATE RESOLUTION

2 INTRODUCED BY THE COMMITTEE ON STATE ADMINISTRATION

3 A SENATE RESOLUTION OF THE SPECIAL SESSION OF THE FORTY-EIGHTH
4 LEGISLATURE OF THE STATE OF MONTANA, CONCURRING IN, CONFIRMING AND
5 CONSENTING TO THE NOMINATION AND APPOINTMENT OF THOMAS MC KITTRICK
6 AS DISTRICT JUDGE IN THE EIGHTH JUDICIAL DISTRICT OF THE STATE OF
7 MONTANA MADE BY THE GOVERNOR BY WRITTEN COMMUNICATION DATED DECEMBER
8 13, 1983, TO THE SAID SENATE UNDER AND BY VIRTUE OF SECTION 3-1-1013,
9 M.C.A., AND THE TERM OF SAID OFFICE FOR SAID APPOINTMENT.

10
11 BE IT RESOLVED BY THE SENATE OF THE STATE OF MONTANA:

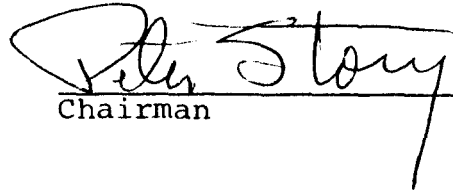
12 WHEREAS, the Governor of the State of Montana has made the
13 nomination below designated, of appointment, which nomination has
14 been submitted to the Senate by the Governor in accordance with the
15 provisions of Section 3-1-1013, M. C. A., to-wit:

16 As District Judge of the Eighth Judicial District: Thomas
17 McKittrick, Great Falls, Montana, appointed to serve in this position
18 until the sixth day of November 1984;

19
20 NOW, THEREFORE, BE IT RESOLVED that the Senate of the special
21 session of the Forty-eighth Legislature of the State of Montana
22 does hereby concur in, confirm and consent to the above nomination
23 and that the Secretary of the said Senate immediately deliver a
24 copy of this Resolution, properly certified by the President and
25 Secretary of the said Senate, to the Secretary of State of the
26 State of Montana, and that a like copy be certified by the
27 Secretary of the said Senate to the Governor of the State of
28 Montana.

29
30 - - - - -

1 We hereby certify that the foregoing is a true and correct
2 copy of the Senate Resolution duly adopted in the Senate of the
3 special session of the Forty-eighth Legislature this 14th day
4 of December 1983.

5
6
7
8
9 
10 Chairman

11
12
13 _____
14 President of the Senate

15
16
17 _____
18 Secretary of the Senate

15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

MINUTES OF THE MEETING
STATE ADMINISTRATION COMMITTEE
MONTANA STATE SENATE

December 16, 1983

The meeting of the State Administration Committee was called to order by Chairman Pete Story on December 16, 1983 at 1:45 p.m. in Room 331 of the State Capitol Building.

ROLL CALL: Roll was called with all members present with the exception of Senator Tom Towe who arrived late because of another Committee Meeting. Diana Dowling was in attendance at the meeting on behalf of the Legislative Council.

CONSIDERATION OF HOUSE JOINT RESOLUTION 1: HJR 1 is a joint resolution of the Senate and the House of Representatives of the State of Montana requesting an interim study of Montana's unemployment insurance trust fund laws to examine alternative means of eliminating the fund's deficit and establishing a system of long-term solvency for the fund. Representative Francis Bardanouve of House District 6, sponsor of HJR 1, gave a brief resume of the bill. Representative Bardanouve stated that this resolution is an attempt to solve the present problem. As of November of 1983, the state had borrowed \$8 million from the federal government to finance the fund, and the Department anticipates a \$36 million deficit of the trust fund. He stated that small businessmen in our state are really hurting because of this. In order to reduce the trust fund deficit within a reasonable time, the state can either increase its unemployment insurance taxes, reduce its unemployment insurance benefits or both. The interim committee should be chosen very carefully and be well balanced. This should not be a partisan issue and is definitely not a "cure all", however, the issue will not disappear and some attempt should be made at resolving the problem.

Representative Joe Quillici of Butte stood in support of the bill. He stated that the committee would need to be bi-partisan and should be up to the leadership to appoint well qualified people to serve on the committee. He stated that this measure is definitely needed to help keep the unemployment down.

STATE ADMINISTRATION
PAGE TWO
DECEMBER 16, 1983

Mr. Gene Hunnington, representing the Governor's office, stood in support of the bill. He stated that the Governor is very concerned with the growing deficit. Many issues have benefited from the study process.

With no further proponents, the Chairman called on the opponents.

Senator Ed Smith of Senate District 1 stood in opposition to the bill. He stated that this would probably be a political issue. Many people have studied this issue and have not been able to solve the problem. This is a very serious problem.

With no further opponents, Representative Bardanouve closed. He stated that this is a good resolution which would help to solve the problem.

The meeting was opened to a question and answer period from the Committee.

Senator Story asked if there is an advisory committee working on this problem at the present time. He was told that there is a committee working at the present time.

A motion was made by Senator Towe that the HJR 1 receive a BE CONCURRED IN recommendation from the Committee. Motion failed. See attachments.

A motion was made by Senator Hammond that the vote be reversed and that HJR 1 received a BE NOT CONCURRED IN recommendation from the committee. Motion carried.

ADJOURN: With no further business the meeting was adjourned.

CHAIRMAN PETE STORY

eg

SENATE COMMITTEE STATE ADMINISTRATION

Date DECEMBER 16, 1983 HJR Bill No. 1 Time 2:20

NAME	YES	NO
SENATOR PETE STORY		✓
SENATOR H.W. HAMMOND		✓
SENATOR RICHARD MANNING	✓	
SENATOR REED MARBUT		✓
SENATOR LAWRENCE STIMATZ	✓	
SENATOR THOMAS TOWE	✓	
SENATOR LARRY TVEIT		✓
SENATOR GARY LEE		✓

Clare Gravelly
Secretary

Chairman

Motion: A motion was made by Senator Towe the HJR 1 receive
a BE CONCURRED IN recommendation from the Committee.

Motion failed.

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

SENATE COMMITTEE STATE ADMINISTRATION

Date DEC. 16, 1983 HJR Bill No. 1 Time 2:25

NAME	YES	NO
SENATOR PETE STORY	✓	
SENATOR H.W. HAMMOND	✓	
SENATOR RICHARD MANNING		✓
SENATOR REED MARBUT	✓	
SENATOR LAWRENCE STIMATZ		✓
SENATOR THOMAS TOWE		✓
SENATOR LARRY TVEIT	✓	
SENATOR GARY LEE	✓	

Clare Crawley
Secretary

Chairman

Motion: A motion was made by Senator Hammond that HJR 1
receive a BE NOT CONCURRED IN recommendation from the
Committee. Motion carried.

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

STANDING COMMITTEE REPORT

December 16, 1983

MR. PRESIDENT:

We, your committee on STATE ADMINISTRATION

having had under consideration HJR Bill No. 1

BARDANOUE (STORY)

Respectfully report as follows: That HJR Bill No. 1

~~XXXXXX~~ BE NOT CONCURRED IN

Y.C.

