MINUTES OF THE MEETING STATE ADMINISTRATION COMMITTEE MONTANA STATE HOUSE OF REPRESENTATIVES

March 6, 1985

The meeting of the State Administration Committee was called to order at 9:00 a.m. by Chairman Sales in Room 317 of the State Capitol on the above date.

ROLL CALL: Seventeen members present with Rep. Janet Moore absent.

CONSIDERATION OF SENATE BILL NO. 14: Sen. Allen Kolstad, Sen. District #7, sponsor, said this bill was introduced at the request of the Legislative Council to take care of a potential problem in the future if out-of-state newspapers or TV stations request copies of the legislative proceedings. They are made available to the state media free of charge but it does not preclude out-of-state media from buying a set at \$400 per copy.

PROPONENTS: There were no proponents.

OPPONENTS: There were no opponents.

DISCUSSION OF SENATE BILL NO. 14: Rep. Fritz asked Sen. Kolstad if it has been a problem to which Sen. Kolstad replied that it has not been a problem to date although there have been several inquiries made in this regard. They are just trying to intercept the problem that might appear down the line.

Without further comment, Sen. Kolstad closed.

CONSIDERATION OF SENATE BILL NO. 100: Sen. M.K. Daniels, Sen. District #24, sponsor, said this was as a result of the Joint Interim Subcommittee No. 3 when they realized people were not being asked for proof of their liability insurance when apprehended for driving infractions. This would be sort of a carrot to the highway patrolmen to enforce the law but there are possible difficulties with respect to allocation of these fines.

PROPONENTS: Larry Natscheim, Administrator of the Public Employees' Retirement Division said that they support the measure and they could use the money.

OPPONENTS: Jim Jensen, representing the Montana Magistrates Association, said they had serious concerns about the funding in the bill. One problem is that we have unfunded liability in this system and rather than go to the general fund and tell them what the fund needs they are trying to find some free money. There is no such thing as free money. They do not know how much money this is going to raise. They have a problem, they know how much money it will take to solve the

problem but they don't know how much money this would raise. He told the Committee that Judge Janet Stevens from Missoula would like to speak to the Committee also as an opponent.

Judge Janet Stevens, Missoula County Justice of the Peace, said that the fines are broken down into several different funds and this would create an entirely new system for their offices. She said if the State wants to break it down after they receive the money from the counties she had no problem with that but didn't want the counties to be burdened with doing the state's work.

DISCUSSION OF SENATE BILL NO. 100: Rep. Phillips brought out the fact that the House just passed a bill increasing the driver's license fees for the retirement fund in which there was an excess in that fund. Mr. Natscheim said that SB 100 was introduced prior to that other bill in the House and there would be an excess of money in that bill for the next two years.

Rep. Harbin stated that the money is deposited in the general fund of the State and he didn't see any problem with that to which Mr. Natscheim replied that he was not familiar with the accounting procedures at the local level.

Rep. Jenkins asked Judge Stevens if the fines are mandated for liability violation. She replied that they are pretty much open ended. If a person can prove that they had insurance at the time of the violation the fine is dropped. If they bring in proof that they have purchased liability insurance the fine could be suspended or perhaps a maximum of \$25 would be charged. The fines are broken down but not as to what kind of violation created the fine. They would be talking about 15,000 tickets per year. Rep. Peterson asked Judge Stevens if they were getting any pressure to beef up the enforcement of this fine. She stated that they had asked for a bill this session to increase the penalty to 10 days in jail for failure to prove liability insurance.

Mr. Jensen said the problem arises more from the way it has been traditionally done rather than statutorily. This would create a financial burden on the counties.

There being no further questions, Rep. Daniels closed, saying that this is sort of a makeshift deal and attempts to address one problem.

CONSIDERATION OF HOUSE BILL NO. 823: Rep. Mike Kadas, District #55, sponsor, said the bill sets up a Montana Conservation Corps and eliminates the Youth Conservation Corps. Last session the legislature established the Youth Conservation Corps and appropriated \$2 for that purpose. This

bill changes the age limit from 15 to 18 to 18 to 26. This would be filling a public need by getting some work experience for these young people. The California program is one of the few programs that is still on-going and they figure that for every \$1 invested they get a return of \$1.65 of work. Rep. Kadas went through the sections of the bill explaining each to the committee.

PROPONENTS: Beverly Gibson, Montana Association of Counties, said they have not had enough time to study the problem but would continue to do so. It was her understanding that the department of social and rehabilitation services was going to propose an amendment to specifically address the general aid participants and they would like to take a longer look at the amendments. However, she said at this time it would appear to be a good bill to put more people to work.

Sen. Ray Lybeck, District #4, supported HB 823 and said that several states have adopted this type of program namely, Vermont, Canada, Arkansas, Minnesota and Mississippi. \$108 million is spent annually in the U.S. for these type programs. Canada spends \$100 million per year with only 1/10 of the population that we have. He said there is high unemployment at the present time and a lot of projects that need doing.

Sen. Dorothy Eck, District #40, supported the bill and the concept. She said these programs have an impact on the lives of these young people, it has taken kids with no work experience and they have learned good work habits and have found some good role models. The funding for these programs is minimal. This program asked for \$50,000 but this would be a loan that has to be repaid. She said that perhaps some of the state projects would fit into this as well as some federal programs or some private sources. This would be more than a way of doing something for our environment — it would be something very important for our young people.

Louise Kunz, Montana Low Income Coalition, said they would support the bill with amendments. They would like to see the people that are being cut from the general assistance program targeted in this bill by expanding it to include them.

Gary Curtis, Department of Labor and Industry, simply wanted to state that they support the bill but they could not administer it the way it is written. He said that these programs have a history of being almost an emotional experience for these young people involved, they are a benefit to the local communities, etc. The Department feels it could administer the bill and it would be a benefit to the state.

OPPONENTS: Mike Males, Youth Conservation Corps, said this

is an excellent program and benefits most those of high school age. This bill was not intended to be for adults and it should be focused on high school age. He said that this is in effect an adult program. If this bill is passed and the age limit is changed they will not be able to get federal funding. He also said the license on the arcade devices is simply taxing teenagers to fund an adult program. He preferred that the bill be killed because they have an excellent program right now and they can get federal funding. The employment period would have to be changed back to 10 weeks also in this bill because no high school age person could commit himself to a year's work.

DISCUSSION OF HOUSE BILL NO. 823: In answer to Rep. Sm. Rep. Kadas said they had no idea how much money would be In answer to Rep. Smith, raised. Rep. Phillips said that in Great Falls the local government taxes these machines \$65 and said this would be taking money away from the local governments. Rep. Harbin said that this license could be in addition to that \$65. Rep. Harbin asked Rep. Kadas if this bill abolishes the Youth Conservation Corps and if so, why. Rep. Kadas said the original problem was getting workers' compensation coverage for these young people. He said he would consider taking the age back down if they could resolve the problem with the federal funds but he also would like to cover the Rep. Harbin stated that if the age was 18-26 year olds. changed back to the original YCC requirements this would be funding the YCC. Mr. Males said the work period would have to be changed also. Mr. Curtis said he did not think it would be a problem to provide workers' compensation insurance for these people.

Rep. Kadas said that the YCC is not getting any funding and he was trying to get something similar with some funding. Rep. Harbin asked if it would be a good idea to fund the YCC. Rep. Kadas said he wasn't aware of the matching grant program problems with the raise in age limit.

In closing, Rep. Kadas asked the Committee to delay action on the bill for a couple of days so he could talk to Mr. Males and see what could be worked out.

CONSIDERATION OF SENATE BILL NO. 8: Sen. Ted Neuman, Sen. District #21, said this bill would provide for representation on the board of investments by the public employees' retirement board and the teachers' retirement board. Since almost half of the money that the board of investment handles belongs to these two retirement boards they feel they should be represented on the board.

PROPONENTS: Robert Johnson, Administrator of the Teachers' Retirement System, supported SB 8. He said they are very well satisfied with the investments but would like to be

represented on the board of investments.

Larry Natscheim, Administrator of the Public Employees'
Retirement Board, voiced the same feelings as the teachers'
retirement board.

Leo Berry, Association of Retired Public Employees, also said he agreed with some representation on the Board of Investments.

Jim Howeth, Board of Investments, supported the bill.

OPPONENTS: There were no opponents.

There were no questions from the Committee.

Sen. Neuman, in closing, asked for the support of the Committee.

CONSIDERATION OF HOUSE BILL NO. 754: Rep. Fritz, sponsor of the bill, explained that the bill had been sent out of Committee on February 19 but was rereferred back for amendments. He presented the proposed amendments (Exhibit #4 attached). The House voted 45-53 against the bill because of the fiscal note and because the bill provided for an automatic cost-of-living increase. With the amendments it would provide for a one time only cost-of-living for those officers who are now below the retirement level of one-half of a newly confirmed officer's salary. The fiscal note shows it would be \$120,000 per year.

PROPONENTS: Bill Steele, retired police officer from the Great Falls Department supported HB 754. He said, as it stands now, this is really two retirement systems - those who retired prior to 1975 and those who retired after 1975. Those who retired before 1975 have been taken care of. The ones who retired after 1975 have stayed at \$400-450 per month with no increases. The ones prior to 1975 have been getting an automatic increase because they get one-half of the beginning officer's salary. Approximately 143 have retired since 1975 and of those 60 are below that one-half salary. This would not be something that would be ongoing. Once these people are brought up to the minimum it would be much less cost per year. This is a one time shot and obviously this will have to be addressed on down the line.

Bill Ware, Chief of Police, Helena, supported the amendments to HB 754 and said their association met after the defeat of HB 754 to try to get these people raised up to the one-half salary. It would only affect about 60 people and would bring them up to a livable wage. This would not be an increase for the other retired officers.

Dick Thurman, retired officer from the Missoula Police Department, said he would appreciate the support of the Committee for this bill.

Frank Cole, retired officer of the Missoula Police Deaprtment, said he was on the legislative committee for retired police officers in the state. He said they asked for help in 1975 when the average wage for certain retired officers was \$200-250. Now they are talking about those officers whose pension is \$500-550. They advised them at that time to come back in the future and they would take care of the problem. He said there are officers and widows that are trying to live on this money and asked for the support of the Committee.

Charles Bicsak, retired officer from Great Falls, appeared as a proponent.

Rep. Helen O'Connell, District #40, also appeared as a proponent of HB 754 and said that this money should be used for these officers.

OPPONENTS: There were no opponents.

DISCUSSION OF HOUSE BILL NO. 754: Rep. Jenkins asked why Section 2 was deleted from the bill and asked if they wouldn't be willing to pay a little more into this to insure the passage of the bill. Mr. Ware said that the remainder of the officers would not benefit from this bill.

Mr. Natscheim said that statutorily the other officers cannot be asked to pay for benefits they will never receive. He also said that the bill goes back to the same source as originally which is the employer contribution. The \$120,000 is approximately the amount they will be paying. It is not a percentage of salary and they are just asking for what they are actually going to be spending.

Rep. Cody said she could not understand how earmarked funds could be reverted to the general fund. Rep. Harbin explained the procedure of the earmarked funds being deposited in a "holding fund". The retirement system simply asks for the money they need and any unused portion goes to the general fund. He agreed, however, with Rep. Cody and wanted the record to show he was a proponent to this bill. Those people who say the general fund is more in need of this money than the retirement system also have a point.

Chairman Sales stated that these 60 members would receive about \$2,000 more per year than what they are receiving, on the average. He asked if they would get it all at once or 5%. Mr. Natscheim said that there are 145 retired since 1975 but only about 60 would benefit from this. The others would not because they are not under the one-half of a newly

confirmed officer's salary. The 5% has been stricken. The increase would only be on July 1, 1985 and would be for one time only. In 6 or 7 years this same situation will occur again.

Rep. Fritz agreed that in the future they will be back again with the same type of problem. However, he said there is money in the pension fund and the fund normally increases about 8-10% each year.

There being no further questions, the Committee then went into executive session.

DISPOSITION OF SENATE BILL NO. 14: Rep. Fritz moved that SB 14 BE CONCURRED IN, seconded by Rep. Cody. The motion CARRIED UNANIMOUSLY. Rep. Nelson will carry the bill.

DISPOSITION OF SENATE BILL NO. 100: Rep. O'Connell moved that SB 100 BE CONCURRED IN, second received.

Rep. Campbell didn't agree with earmarking where the fines should go. Rep. Cody said that the issue of the money has already been addressed with the driver's license fee increase and didn't see this as being needed. The law is there and it is up to the highway patromen to enforce it. She said the push for enforcement should come from Col. Landon and not statutorily.

The motion BE CONCURRED IN FAILED with Reps. O'Connell and Pistoria voting "yes". The vote was reversed for a <u>DO NOT PASS</u>, with Reps. O'Connell and Pistoria voting "no".

DISPOSITION OF HOUSE BILL NO. 823: Rep. Harbin moved that HB 823 BE HELD IN COMMITTEE until Friday to give the sponsor time to work on the bill. Motion CARRIED UNANIMOUSLY.

DISPOSITION OF SENATE BILL NO. 8: Rep. Fritz moved that SB 8 BE CONCURRED IN, seconded by Rep. Compton.

Rep. Nelson asked if the bill could be amended to include these two retirement boards in the five appointed members. The Committee members felt that those five should be left as they are as they are required to be knowledgeable in investments. Mr. Natscheim said he thought it should be left openended to give the Governor more latitude in the appointments. He said that the original Board of Investments did have members from these two retirement boards but it was not required and thought there would be opposition to a stipulation that two of the five would have to be from these two boards.

The motion BE CONCURRED IN CARRIED UNANIMOUSLY. Rep. Harbin will carry the bill.

CONSIDERATION OF HOUSE BILL NO. 754: Rep. Cody moved that HB 754 DO PASS AS AMENDED, seconded by Rep. Campbell.

Rep. Fritz moved ADOPTION OF THE AMENDMENTS, seconded by Rep. Campbell. Motion CARRIED.

The original Do Pass As Amended motion CARRIED with Chairman Sales voting "no".

There being no further business, the Committee adjourned at 10:50 a.m.

WALTER R. SALES, Chairman

JS-3,

(Type in committee members' names and have 50 printed to start).

DAILY ROLL CALL

State Administration COMMITTEE

49th LEGISLATIVE SESSION -- 1985

Date 3/6/85

NAME	PRESENT	ABSENT	EXCUSED
Chairman Walter Sales	2		
V-Chairman Helen O'Connell			
Campbell, Bud			
Compton, Duane			
Cody, Dorothy	/		
Fritz, Harry	/		
Garcia, Rodney	/		
Hayne, Harriet			
Harbin, Raymond	1		
Holliday, Gay			
Jenkins, Loren			
Kennerly, Roland	/		
Moore, Janet			
Nelson, Richard			
Peterson, Mary Lou	/		
Phillips, John	1		
Pistoria, Paul			
Smith, Clyde	1		
		 	

Sb. 14 yes Sb. 100 NO Sb- 8 HB-254 yes HB-823 no

Page 1 of 2

		March 6	1919
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MR. SPEAKER			· -
We, your committee on	STATE ADMINISTAR	Pion	
having had under consideration	HOUSE		Bill No754
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1. Title, line Following: *197	6.		
2. Title, line Strike: *AMENDI			
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STATE PUB. CO. Helena, Mont.			Chairman.

COMMITTEE SECRETAR

March 6

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5. Page 1, line 15. Following: "1975," Insert: "but before July 1, 1985,"

6. Page 1, line 17. Following: "paid" Insert: "on July 1, 1985,"

7. Page 1, lines 21 through 24.

Strike: "An" on line 21 through "." on line 24.

Insert: "At the beginning of each fiscal year, the administrator shall request and the state auditor shall pay to the administrator from the premium tax collected from insurance sold in this state to insure against the risks enumerated in 19-11-512(3) an amount sufficient to fund the allowance adjustment provided for in subsection (1)."

Page 1, line 25 through line 25, page 2.
 Strike: sections 2 and 3 in their entirety
 Ranumber: subsequent sections

AND AS AMENDED DO PASS

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SPEAKER				
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STATE PUB. CO. Helena, Mont.

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COMMITTEE SECRETARY

STATE PUB. CO. Helena, Mont. 49th Legislature

LC 347

STATEMENT OF INTENT

BILL NO. 523

This bill requires a statement of intent because section 16 requires the commissioner of labor and industry to adopt administrative rules relating to the Montana conservation corps.

The legislature contemplates that the rules should address the following items:

- (1) procedures for recruitment and employment of corpsmembers;
- (2) the establishment of residential and nonresidential centers throughout the state;
- (3) the establishment of procedures for review and approval of projects;
- (4) the establishment of a corpsmember code of conduct and grievance procedure;
- (5) an application procedure for agencies applying for projects;

- (6) standards and procedures to evaluate performance of corpsmembers;
 - (7) training procedures and programs for corpsmembers; and
- (8) such other rules as necessary to accomplish the purposes of the Montana conservation corps program.

3/4/85
GEORGE DEUKMEJIAN, Governor

AR-823

CALIFORNIA CONSERVATION CORPS

1530 Capitol Avenue, Socramento, CA 95814 (916) 445-8183



Dear CCC Applicant:

The CCC is a WORK program. You will do dirty, backbreaking work; and no one will thank you for it.

The CCC is not a summer camp. The CCC is not a high school or a college. The CCC is not a job skills training program. The most important skill you will learn is how to work hard.

You will get up at 5:30 a.m. You will be required to do physical training every day. You also will have to do kitchen duties.

You will live in close quarters with all kinds of people (separate facilities for women and men). If you don't like people of different colors, if you don't like the disabled, then you don't want to be in the CCC.

The CCC will assign you to a center. You will not be able to choose the center. You may be stationed over 600 miles from your hometown, so opportunities to go home will be severely limited.

You will work in rain, high winds, intense heat, snow, mud and cold mountain streams.

Above all, you must accept supervision. You must follow instructions.

Please sign below, indicating you understand the CCC's expectations.

Sincerely,

Bud Sheble Director

SIGNATURE	•	DATE

PRINT NAME

24. 4 4B-823 3/6/85

House Bill 823

"AN ACT CREATING THE MONTANA CONSERVATION CORPS; ELIMINATING
THE YOUTH CONSERVATION CORPS; PROVIDING FUNDING FOR THE MONTANA
CONSERVATION CORPS THROUGH A LICENSE FEE ON ARCADE AMUSEMENT
DEVICES."

Several states have adopted state-funded job training and employment programs.

- California: provides AFDC receipients with vocational training and job placement. (1981)
- Vermont: will provide job training and employment programs for underpriveledged through a system of federal and state funding. (1981)
- Arkansas: enacted an Enterprise Zone Act to stimulate business and industry growth in depressed areas of the state by providing tax incentives. (1983)
- Indiana: job training program for dislocated workers including plant closure victims. (1983)
- Minnesota: job skills partnership program was created to bring employees and service delivers together. An emergency employment development program was enacted to distribute funds for job training of disadvantaged. Counties experiencing chronic high unemployment are authorized to establish the emergency employment programs. (1983)

- Mississippi: a board established to provide vocational rehabilitation to qualified persons. (1983)
- Some other states (unspecified) established Enterprise Zones. (1982 83)

There has been a remarkable emergence of state, local and non-profit youth conservation corps since the 1981 termination of most such federal programs.

- \$108 million now spent annually for these operations in the U.S.A.
- \$86 million by 14 states
- \$12.5 million for 13 local and non-profit corps
- \$10 million by federal agencies (federal \$260 million before 1981)
- Canada, with 1/10 of U.S. population, spends \$100 million per year on such programs.

example: National Service Corporation, New York City (\$7 million): Administered by a non-profit corporation funded by New York City. 18 year olds serve as volunteers in conservation and human service projects. Enrollees earn \$80 per week and receive a \$2500 cash or \$5000 scholarship bonus after one year of service. Year around, non-residential.

86, 23 HB-833 3/6/85

WITNESS STATEMENT

NAME MIKE MILES	·		_BILL No	13 823
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WITNESS STATEMENT

NAME AOUISE TUNZ	BILL NO. HB 82
ADDRESS 101 LAWRENCE	DATE 3/6/85
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PROPOSED AMENDMENTS TO HOUSE BILL NO. 754 (Yellow copy):

1. Title, line 6. Following: "1975," Insert: "BUT BEFORE JULY 1, 1985,"

2. Title, line 8.
Strike: "AMENDING" through ";"

3. Page 1, lines 13 and 14.
Strike: "Subject" on line 13 through "a" on line 14
Insert: "A"

4. Page 1, line 15.
Following: "1975,"
Insert: "but before July 1, 1985,"

5. Page 1, line 17.
Following: "paid"
Insert: "on July 1, 1985,"

6. Page 1, lines 21 through 24.
Strike: "An" on line 21 through "." on line 24
Insert: "At the beginning of each fiscal year, the administrator shall request and the state auditor shall pay to the administrator from the premium tax collected from insurance sold in this state to insure against the risks enumerated in 19-11-512(3) an amount sufficient to fund the allowance adjustment provided for in subsection (1)."

7. Page 1, line 25 through line 15, page 2. Strike: sections 2 and 3 in their entirety Renumber: subsequent sections

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IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FOR PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

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BILL NO. SB/		DATE	3-6		
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IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

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	SB 8 NEWMAN		
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IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FOR PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

	COMMITTEE		
BILL NO. WB 754	DATE 3-6-85		
SPONSOR FRITZ			
NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
William J. WARE, Heleval, D.	2018 5th Ave , telens		
RICHARD C. ThURMAN	214 Ridgeway, Licho, MT		
Sank Willow	1910 Defee Messagut Box 12 Power MT	V	
Charles L. Busale	2904-77-Weso. J. Falls		
Larry Machilchein	PERD HELENA		

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.