

MINUTES OF THE MEETING
STATE ADMINISTRATION COMMITTEE
MONTANA STATE SENATE

February 21, 1985

The thirty-second meeting of the State Administration Committee was called to order by its Chairman Jack Haffey in Room 331, Capitol, at 10 a.m. on Thursday, February 21, 1985.

ROLL CALL: All members were present with Senator Hirsch and Senator Tveit arriving late.

CONSIDERATION OF SENATE BILL 427: Senator Richard Manning, Senate District 18, Great Falls, is the sponsor of this bill entitled, "AN ACT PROVIDING A SUPPLEMENTAL ALLOWANCE TO CERTAIN MEMBERS OF THE MONTANA FIREFIGHTERS' UNIFIED RETIREMENT SYSTEM HIRED ON OR AFTER JULY 1, 1981; PROVIDING FUNDING FOR THE ALLOWANCE; AMENDING SECTIONS ..., MCA; AND PROVIDING AN EFFECTIVE DATE." Senator Manning said this bill will accomplish three things; 1. increase the funding source for the pre 1973 retirees adjustment provisions to match current costs; 2. cancel the sunset provision and replace it with an amount equal to an additional annual payment for the declining pre 1973 retirees escalator; and, 3. create a reserving of dollars for payment of a partial adjustment provision for those hired since July 1, 1981. Senator Manning said he would let the proponents explain further.

PROPOSERS: Ray Blehm, Montana State Firemen's Association, supports this bill. He reiterated what Senator Manning said and stated that the State Auditors office pointed out the current shortfall from 11.2% tax to the Fire Fighters Board. Because of the fact that the 1984 payout for the pre 1973 retirees exceeded tax collections by \$154,000 the Association Board felt it would be proper to increase funding for this category and requested this increase to insure current funding of the pre 1973 retirees adjustment account. Mr. Blehm said it appears there are sufficient funds in the trust fund to amortize the cost for pre 1973 retirees adjustment clause as the number of pre 1973 retirees decline, provided that the funds made available would be used to replace any money drawn from the trust fund for this purpose. Mr. Blehm gave the Committee a handout which shows this (attached hereto marked Exhibit "2" and by this reference made a part hereof). Mr. Blehm said that therefore, the association is requesting that the amendments on lines 17 and 19 be changed back to the original language so that there will be no dollar cost increase in current terms. (For Mr. Blehm's testimony see Exhibit "1" attached hereto and by this reference made a part hereof.)

Mike Walker, Montana State Professional Fire Fighters, supports this bill.

OPPONENTS: There were no opponents.

COMMITTEE QUESTIONS: Senator Mohar asked what the amendments were and Mr. Blehm explained them to him. Senator Haffey asked if the PERS would have any problem with this and especially Larry Nachtsheim. Mr. Blehm said there was no fiscal note because it would have no impact, and there is no reason that PERS would be opposed.

Senator Manning closed by going into a little more detail about the system and telling the Committee that they pay federal taxes on these earnings. SENATE BILL 427 is closed.

EXECUTIVE ACTION ON SENATE BILL 427: Senator Manning makes a motion that the first page be amended back to its original form. Question was called and the Committee voted unanimously to pass the amendments. Senator Lynch made a motion that SENATE BILL 427 do pass as amended. Question was called and the Committee voted unanimously that SENATE BILL 427 DO PASS AS AMENDED.

EXECUTIVE ACTION ON SENATE BILL 366: Senator Mohar made a motion that SENATE BILL 366 do not pass. Senator Mohar felt that there was another bill to do what this bill does, but it does it for all the programs. Senator Mohar felt it was better to get them all done at once. Senator Manning said there was a bill in to study this program. Senator Manning said he understood Senator Mohar's concerns, and he then made a substitute motion that SENATE BILL 366 do pass. Senator Lynch said he was going to vote in favor of the substitute motion, but he felt Senator Manning was going to have a tough time with this. Mr. Blehm from the Montana State Firemen's Association explained this plan to the Committee. There was much discussion about how firefighters contract for their insurance benefits, and it becomes part of their contract. Mr. Blehm said there would be some fiscal impact with this bill. Mr. Walker said that Senator Manning last session carried Senate Bill 429 and that this gave the cities a rather large savings of about \$320,000 that did not have to go into their system. They would like back about \$18,000 of it. Senator Haffey called a roll call vote on SENATE BILL 366 on Senator Manning's motion that it do pass. The Committee voted 6-4 in favor of Senator Manning's motion, so SENATE BILL 366 DO PASS.

EXECUTIVE ACTION ON SENATE BILL 308: Valencia Lane, staff Attorney, told the Committee that some of the amendments had been approved and that Jean Johnson, Secretary of State's office and Teri England had reached an agreement regarding deputy registrars that took care of everyone's problems and worked great. Senator Haffey asked Jean Johnson if this was okay with her office. She said that this answers everyone's questions and takes it

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one step further. This is the perfect solution. Senator Mohar moved that the newest amendments be passed. (For a copy of the amendments see Exhibit "3" attached hereto and by this reference made a part hereof.) Question was called and the Committee voted unanimously to pass amendments 2 and 4. Senator Manning made a motion that SENATE BILL 308 do pass as amended. Question was called and the Committee voted unanimously that SENATE BILL 308 DO PASS AS AMENDED.

Senator Haffey told the Committee that on the following day he would be assigning them Boards to be researched. He said there were 61 Boards, so that would be six each and he would take seven. He told the Committee that they should be ready with their reports by March 22, 1985.

The meeting was adjourned at 11:30 a.m.



SENATOR JACK HAFFEY CHAIRMAN

ROLL CALL

STATE ADMINISTRATION

COMMITTEE

49th LEGISLATIVE SESSION -- 1985

Date 2-21-85

NAME	PRESENT	ABSENT	EXCUSED
SENATOR JACK HAFLEY, Chairman	✓		
SENATOR LES HIRSCH, Vice-Chairman	Late	✓	
SENATOR JOHN ANDERSON	✓		
SENATOR MAX CONOVER	✓		
SENATOR WILLIAM FARRELL	✓		
SENATOR ETHEL HARDING	✓		
SENATOR J. D. LYNCH	✓		
SENATOR DICK MANNING	✓		
SENATOR JOHN MOHAR	✓		
SENATOR LARRY TVEIT	Late	✓	

ROLL CALL VOTE

SENATE COMMITTEE STATE ADMINISTRATION

Date 2-21-85 Bill No. 5 366 Time 10:40 a.m.

NAME	YES	NO
SENATOR ANDERSON		✓
SENATOR CONOVER	✓	
SENATOR FARRELL	✓	
SENATOR HARDING	✓	
SENATOR LYNCH	✓	
SENATOR MANNING	✓	
SENATOR MOHAR		✓
SENATOR TVEIT		✓
SENATOR HIRSCH, Vice-Chairman		✓
SENATOR HAFHEY, Chairman	✓	
	6	4

Glenda Pennington
Secretary, Glenda Pennington

Jack Haffey
Chairman, Senator Jack Haffey

Motion: Do Pass Sen Manning's motion that
SB-366 do pass.

Exhibit "1"
SB-427
2-21-85

FIREFIGHTERS' UNIFIED



RETIREMENT SYSTEM

SB.427 INTRODUCED BY DICK MANNING
FIRE FIGHTER UNIFIED RETIREMENT SYSTEM

As introduced, this bill will accomplish three things:

- Section 1. (1) INCREASE THE FUNDING SOURCE FOR THE PRE 1973
Pg 1 the RETIREES ADJUSTMENT PROVISIONS TO MATCH CURRENT
1st Pgph COSTS.
- End of the (2) CANCEL THE SUNSET PROVISION AND REPLACE IT WITH
1st Pgph AN AMOUNT EQUAL TO AN ADDITIONAL ANNUAL PAYMENT FOR
bottom Pg 1 THE DECLINING PRE 1973 RETIREES ESCALATOR.
to mid Pg 3
- Mid Pg 3 (3) CREATE A RESERVING OF \$ FOR PAYMENT OF A
PARTIAL ADJUSTMENT PROVISION FOR THOSE HIRED SINCE
JULY 1, 1981.

The State Auditors office pointed out the current shortfall from 11/2% tax to the Fire Fighters Board. Because of the fact that the 1984 payout for the pre 1973 retirees exceeded tax collections by \$154,000 the Association Board felt it would be proper to increase funding for this category and requested this increase to insure current funding of the pre 1973 retirees adjustment account.

In reviewing the effect of this legislation, and the security of Fire Fighters funds, it is obvious that there are sufficient funds in the trust fund to amortize the cost for pre 1973 retirees adjustment clause as the number of pre 1973 retirees decline, provided that the funds made available would be used to replace any money drawn from the trust fund for this purpose.

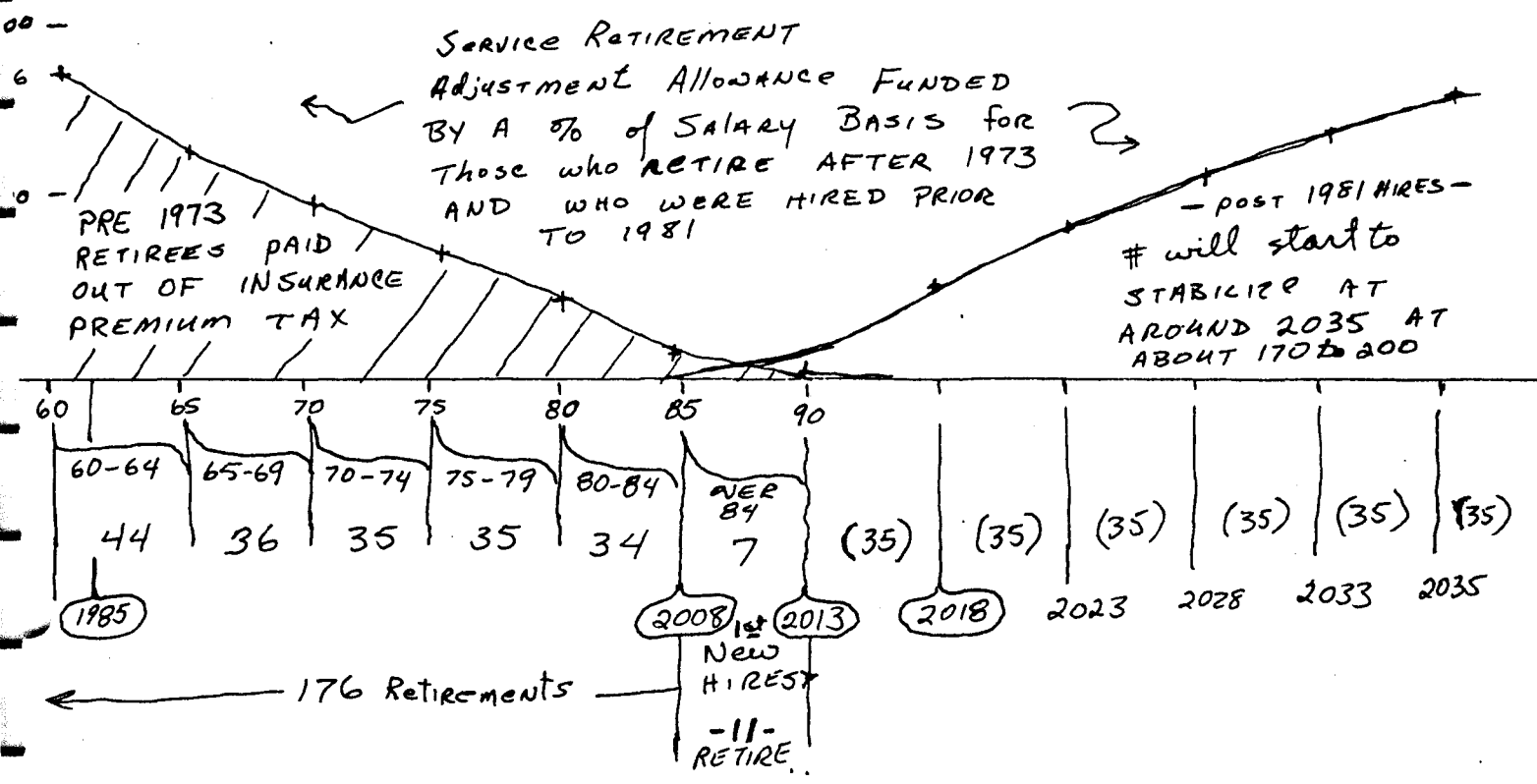
Therefor the Association is requesting that the amendments on lines 17 & 19 be changed back to the original language so that there will be no dollar cost increase in current terms.

Exhibit 2
SB-427
2-21-85

FIREFIGHTERS' UNIFIED



RETIREMENT SYSTEM



1965 - 208 RETIREES 336 FULL PAID
1984 - 342 RETIREES 395 FULL PAID

1965 - RETIREMENT COSTS WERE 21.2% of SALARY
1984 - RETIREMENT COSTS WERE 38.3% of SALARY

SERVICE RETIREES WHO RETIRE PRIOR TO 1973
would be at least AGE 62 today

Ray Blehm

Exhibit "B"
SB-308
2-21-85

SENATE BILL 308

1. Title, line 5.

Following: "SECTIONS"

Insert: "13-2-102,"

2. Page 1, line 9.

Following: line 8

Insert: "Section 1. Section 13-2-102, MCA, is amended to read:

13-2-102. Deputy registrars. (1) A notary public who fulfills the requirements of subsection (4) may be a deputy registrar in the county in which he resides.

(2) (a) The governing body of each county may at its discretion appoint two or more deputy registrars for each precinct in the county before March 15 of each even-numbered year.

(b) The number of deputy registrars, if appointed, shall be equally divided between the political parties meeting the requirements of 13-10-601 unless one or more of the parties fail to submit the list required in subsection (3) or submit an incomplete list. A political party which qualifies under 13-10-501 may request the appointment of deputy registrars and shall submit a list for such appointments within 30 days of such qualification.

(c) An appointed deputy registrar must be a resident elector in the precinct for which appointed but may register electors in all precincts in the county state.

(3) Deputy registrars shall be appointed from lists of individuals recommended by the qualified political parties, submitted by February 1 of even-numbered years. If no lists are submitted by political parties, the governing body may appoint two deputy registrars for each precinct without party recommendations.

(4) Each election administrator shall provide training to all deputy registrars in registration procedures and shall issue a certificate to each deputy registrar on successful completion of the training. A deputy registrar may not register voters without a current certificate. All certificates expire on March 15 of each even-numbered year.

(5) Deputy registrars shall forward all completed cards to the county registrar within 3 days. Registration cards properly executed before a deputy registrar prior to the close of registration shall be accepted for 3 days after the close of registration.

(6) Each election administrator shall certify to the secretary of state the names of each deputy registrar to whom a certificate has been issued. The secretary of state shall then compile a list of deputy registrars with current certificates and make that list available to each election administrator and the public."

Renumber: subsequent sections

3. Page 1, line 19.

Following: "state"

Strike: the remainder of line 19 through "form." on line 21

Insert: ". A form prescribed by the secretary of state explaining voter registration qualifications, deadlines, and purge information shall be distributed with the mail registration form."

4. Page 2, line 3.

Following: "~~form~~" on line 3

Strike: remainder of line 3 through "administrator" on line 4

Insert: "either verify or affirm the mail registration form before a notary public or other officer empowered to administer oaths or complete and sign the form and obtain the signature, address, and voting precinct of at least one registered voter in the county who shall witness the facts stated on the registration form"

5. Page 2, line 8.

Following: "~~15~~"

Strike: "30"

Insert: "15"

6. Page 2, line 9.

Following: "signed"

Insert: "by the witness or officer before whom signed"

7. Page 2, lines 25 through line 1, page 3.

Following: "form" on line 25

Strike: the remainder of line 25 through "election" on line 1, page 3

Insert: "until 5 p.m. on the 10th day following the close of registration"

8. Page 3, line 8.

Following: line 7

Strike: subsection (a) in its entirety

Renumber: subsequent subsections

9. Page 3, line 16.

Following: "precinct"

Strike: the remainder of line 16 through "(1) (a)" on line 19

10. Page 4, line 7.

Following: "(4)"

Strike: remainder of line 7 through "section, a" on line 9

Insert: "A"

11. Page 4, line 12.

Following: "weeks"

Insert: "prior to the date of cancellation"

STANDING COMMITTEE REPORT

.....February 21..... 19.85.....

MR. PRESIDENT

We, your committee on.....**STATE ADMINISTRATION**.....

having had under consideration.....**SENATE BILL**..... No. **366**.....

first reading copy (white)
color

**INSUR. PREM. PART OF FIREFIGHTER'S COMPENSATION FOR CALCULATING
PENSION**

Respectfully report as follows: That.....**SENATE BILL**..... No. **366**.....

DO PASS

~~DO NOT PASS~~

.....
Chairman.

STANDING COMMITTEE REPORT

February 21, 1985

MR. PRESIDENT

We, your committee on **STATE ADMINISTRATION**

having had under consideration **SENATE BILL** No. **427**

first reading copy (white)
color

**SUPP. ALLOWANCE FOR CERTAIN RETIRED FIREFIGHTERS COVERED BY
STATE PLAN**

Respectfully report as follows: That **SENATE BILL** No. **427**

be amended as follows:

1. Title, line 7.

Following: "1981,"

Strike: "PROVIDING FUNDING FOR THE ALLOWANCE;"

2. Page 1, line 17.

Following: "1 1/4"

Strike: "0.48"

Insert: "1 1/4"

3. Page 1, line 18.

Following: "of"

Insert: "the fire portion of"

4. Page 1, line 19.

Following: "1975"

Strike: "1985"

Insert: "1975"

AND AS AMENDED

DO PASS

~~XXXXXXXXXX~~
~~XXXXXXXXXX~~

Chairman.

STANDING COMMITTEE REPORT

February 21, 1985

Page 1 of 3

MR. PRESIDENT

STATE ADMINISTRATION

We, your committee on

SENATE BILL No. 308

having had under consideration

first reading copy (white)
color

REVISING VOTER REGISTRATION LAWS

SENATE BILL No. 308

Respectfully report as follows: That

be amended as follows:

1. Title, line 5.
Following: "SECTIONS"
Insert: "13-2-102,"

2. Page 1, line 9.
Following: line 8
Insert: "Section 1. Section 13-2-102, MCA, is amended to read:

13-2-102. Deputy registrars. (1) A notary public who fulfills the requirements of subsection (4) may be a deputy registrar in the county in which he resides.

(2) (a) The governing body of each county may at its discretion appoint two or more deputy registrars for each precinct in the county before March 15 of each even-numbered year.

(b) The number of deputy registrars, if appointed, shall be equally divided between the political parties meeting the requirements of 13-10-601 unless one or more of the parties fail to submit the list required in subsection (3) or submit an incomplete list. A political party which qualifies under 13-10-501 may request the appointment of deputy registrars and shall submit a list for such appointments within 30 days of such qualification.

(continued)

Chairman.

(c) An appointed deputy registrar must be a resident elector in the precinct for which appointed but may register electors in all precincts in the county state.

(3) Deputy registrars shall be appointed from lists of individuals recommended by the qualified political parties, submitted by February 1 of even-numbered years. If no lists are submitted by political parties, the governing body may appoint two deputy registrars for each precinct without party recommendations.

(4) Each election administrator shall provide training to all deputy registrars in registration procedures and shall issue a certificate to each deputy registrar on successful completion of the training. A deputy registrar may not register voters without a current certificate. All certificates expire on March 15 of each even-numbered year.

(5) Deputy registrars shall forward all completed cards to the county registrar within 3 days. Registration cards properly executed before a deputy registrar prior to the close of registration shall be accepted for 3 days after the close of registration.

(6) Each election administrator shall certify to the secretary of state the names of each deputy registrar to whom a certificate has been issued. The secretary of state shall then compile a list of deputy registrars with current certificates and make that list available to each election administrator and the public.

Renumber: subsequent sections

3. Page 1, lines 19 and 21.

Following: "state"

Strike: the remainder of line 19 through "form" on line 21

Insert: "A form prescribed by the secretary of state explaining voter registration qualifications, deadlines, and purge information shall be distributed with the mail registration form."

4. Page 2, lines 3 and 4.

Following: "form" on line 3

Strike: remainder of line 3 through "administrator." on line 4

Insert: "either verify or affirm the mail registration form before a notary public or other officer empowered to administer oaths or complete and sign the form and obtain the signature, address, and voting precinct of at least one registered voter in the county who shall witness the facts stated on the registration form."

(continued)

5. Page 2, line 8.

Following: "45"

Strike: "30"

Insert: "15"

6. Page 2, line 9.

Following: "signed"

Insert: "by the witness or officer before whom signed"

7. Page 2, lines 25 through line 1, page 3.

Following: "form" on line 25

Strike: the remainder of line 25 through "election" on line 1, page 3

Insert: "until 5 p.m. on the 10th day following the close of registration"

8. Page 3, line 8.

Following: line 7

Strike: subsection (a) in its entirety

Renumber: subsequent subsections

9. Page 3, lines 16 through 19.

Following: "precinct" on line 16

Strike: the remainder of line 16 through "(1)(a)" on line 19

10. Page 4, lines 7 through 9.

Following: "(4)" on line 7

Strike: remainder of line 7 through "section, a" on line 9

Insert: "A"

11. Page 4, line 12.

Following: "weeks"

Insert: "prior to the date of cancellation"

AND AS AMENDED

DO PASS