

MINUTES OF THE MEETING
STATE ADMINISTRATION COMMITTEE
50TH LEGISLATIVE SESSION
HOUSE OF REPRESENTATIVES

January 27, 1987

The meeting of the State Administration Committee was called to order by Chairman Sales on January 27, 1987 at 9:00 a.m. in Room 437 of the State Capitol.

ROLL CALL: All committee members were present.

CONSIDERATION OF HOUSE BILL NO. 172: Rep. Squires, House District #58 and sponsor of the bill, stated that currently the public employees of the Vocational Rehabilitation Services Program are bound in their political activity by 53-7-107 of the Montana Code Annotated. This law unreasonably restricts employees of the program. Repealing Section 53-7-107 would bring the employees of the Vocational Rehabilitation Services Program under the same restrictions that govern all other public employees. She urged the committee's support of this legislation. A handout was distributed to the committee members (Exhibit #1).

PROPOSERS: Maggie Bullock, Administrator of Rehabilitative Services, SRS, stated this particular section of the law is part of the state law for the Rehabilitation Services Division. This section was put into the law in 1947 and is very outdated. She asked the committee to give consideration to this repeal and support it so that the employees of the Vocational Rehabilitation Services Program have the same rights as employees throughout state government.

Jim Smith, representing the Montana Association for Rehabilitation, supports HB 172 for reasons of equity and fairness to all state employees.

OPPOSERS: None

DISCUSSION OF HOUSE BILL NO. 172: Rep. Phillips asked Rep. Squires what was gained if 53-7-107 says the same thing as 13-2-226, and she responded that 53-7-107 is much more restrictive and does not allow the employee to participate actively in any political campaigns or participate in any political activity, including on off-hours. Repealing Section 53-7-107 would allow the employees to pursue political activities on their off-hours, lunchtimes, etc. Rep. Jenkins asked Rep. Squires to comment on the fact that 53-7-107 actually does not interfere with their rights as citizens since it says they "may as citizens express their opinions on all subjects"; essentially what it does is prohibits them from using the power of the office in an election. She replied that 53-7-107 is extremely limiting since they cannot take an active part in the management of a political campaign or participate in any political activity. She feels it is discriminatory for anyone to be placed in that position. Rep. Phillips asked Rep. Squires how 53-7-107 differs from the Hatch Act for federal employees, and she replied that 53-7-107 is much more severe and limiting than 13-35-226.

Rep. Pistoria asked Maggie Bullock if the entire SRS administration supported this repeal, and she replied "yes" but it is more of a house-keeping measure since it is so out of date.

The discussion on HB 172 was closed by Rep. Squires who encouraged a do pass from the committee.

CONSIDERATION OF HOUSE BILL NO. 251: Rep. Cobb, House District #42 and sponsor of the bill, stated this bill was being proposed at the request of the Legislative Audit Committee. The reason for the bill is to make some uniform telephone use regulations. Currently, the law is unclear regarding penalty for the misuse of state telephones.

PROPOSERS: John Northey, Legislative Auditor's Office, spoke in support of HB 251. He stated the bill mandates the Department of Administration to adopt the rules that will require each individual agency to enforce them.

OPPOSERS: None

DISCUSSION OF HOUSE BILL NO. 251: Rep. Cody referred to the fiscal note and asked Rep. Cobb where the special revenue would come from. Mr. Northey replied that the cost of the state phone system is allocated out to the user agencies. Any cost of administering the system is included in that allocation. Rep. Fritz noted the bill did not specify what rules would be made by the department. Rep. Cobb replied that rules would be made by the Department of Administration so that the rules will be uniform among all executive branch agencies.

Discussion on HB 251 was closed by Rep. Cobb who stated HB 251 is a clean-up bill.

CONSIDERATION OF HOUSE BILL NO. 225: Rep. Spaeth, House District #84 and sponsor of the bill, stated the bill is introduced at the request of the Department of Social and Rehabilitation Services. It removes the requirement that the Governor appoint the SRS director to the Board of SRS Appeals. It does not make sense to have the director of the agency serve on the Appeal Board appealing decisions made by that agency.

PROPOSERS: Dave Lewis, Director SRS, supports HB 225. He stated there is an obvious conflict of interest at the present time. He is concerned about reducing the amount of litigation. By removing the director from the chairmanship of the Appeals Board, there will be an increased amount of peace of mind for the claimants that they are being treated fairly. He submitted a proposed amendment clarifying the title to the bill (Exhibit #2).

OPPOSERS: None

DISCUSSION OF HOUSE BILL NO. 225: Rep. Fritz stated to Rep. Spaeth that as the bill is presently drafted, it prohibits the governor from appointing the director but it does not specifically deny him the right to do so. Rep. Spaeth replied that the governor still could appoint the director but it does not require him to do so.

Discussion was closed on HB 225 by Rep. Spaeth who requested the committee to adopt the bill.

CONSIDERATION OF HOUSE BILL NO. 265: Rep. Phillips, House District #33 and sponsor of the bill, stated this bill would adopt the federal write-in absentee ballot qualifications and procedures for state elections. Some technical amendments were proposed to clarify the bill (Exhibit #3).

PROPONENTS: Greg Jackson, representing the Montana Clerk and Recorders Association, expressed support for the bill.

Sue Bartlett, Clerk and Recorder for Lewis and Clark County, expressed support for the bill and urged its adoption.

OPPONENTS: None

DISCUSSION OF HOUSE BILL NO. 265: None

The committee recessed at 9:50 a.m. and reconvened for executive action at 10:00 a.m.

DISCUSSION ON HOUSE BILL NO. 325: Gene Huntington from the Governor's Office, submitted some amendments for the committee's review (Exhibits #5, #6, #7). The amendments primarily addressed the concerns of Gordon Morris, Montana Association of Counties.

DISPOSITION OF HOUSE BILL NO. 172: Rep. Moore moved DO PASS, seconded by Rep. DeMars. The motion carried 17-1, Rep. Jenkins voting no.

DISPOSITION OF HOUSE BILL NO. 225: Rep. Cody moved the amendment submitted by Dave Lewis, SRS Director; the move was seconded by Rep. Pistoria. The motion carried unanimously. Rep. Jenkins moved DO PASS AS AMENDED, seconded by Rep. Roth. Rep. Fritz made a further amendment to the bill on line 20, page 1 to insert "except that no employee of the Department of Social and Rehabilitation Services may be appointed to the Board". The amendment was seconded by Rep. Moore. The amendment carried 16-2 with Reps. Holliday and Campbell voting no. Rep. Fritz made a motion DO PASS AS AMENDED, seconded by Rep. Jenkins. Motion carried 17-1 with Rep. Holliday voting no.

DISPOSITION OF HOUSE BILL NO. 251: Rep. Campbell moved DO PASS, seconded

by Rep. Moore. The motion carried 13-4 with Reps. O'Connell, Pistoria, DeMars and Cody voting no. Rep. Whalen abstained from voting since he was unavailable to hear the testimony.

DISPOSITION OF HOUSE BILL NO. 265: The amendments submitted by Rep. Phillips were moved by Rep. Jenkins, seconded by Rep. Phillips. Motion carried unanimously. Rep. Pistoria moved DO PASS AS AMENDED, seconded by Rep. Campbell. The motion carried unanimously.

DISPOSITION OF THE HOLIDAY BILLS: Rep. Nelson moved DO PASS on the subcommittee's recommendation (Exhibit #4). His motion was seconded by Rep. Fritz. A substitute motion to TABLE the recommendation until more discussion can be had was made by Rep. O'Connell, seconded by Rep. Pistoria. The motion failed 7-11. A substitute motion to DO NOT PASS was made by Rep. Moore, seconded by Rep. Phillips. The motion failed 8-10. The vote was reversed. The subcommittee's recommendation received a DO PASS, 10-8.

Chairman Sales directed the staff to draft a committee bill incorporating the subcommittee's recommendation.

ADJOURNMENT: There being no further business to come before the committee, the meeting adjourned at 11:00 a.m.



Walter R. Sales, Chairman

DAILY ROLL CALL

State Administration COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date 1/27/87

NAME	PRESENT	ABSENT	EXCUSED
Walt Sales	✓		
John Phillips	✓		
Bud Campbell	✓		
Dorothy Cody	✓		
Duane Compton	✓		
Gene DeMars	✓		
Harry Fritz	✓		
Harriet Hayne	✓		
Gay Holliday	✓		
Loren Jenkins	✓		
Janet Moore	✓		
Richard Nelson	✓		
Helen O'Connell	✓		
Mary Lou Peterson	✓		
Paul Pistoria	✓		
Rande Roth	✓		
Tonia Stratford	✓		
Timothy Whalen	✓		

(b) is eligible for services under the terms of an agreement with another state or with the federal government.

(2) Except as otherwise provided by law or as specified in any agreement with the federal government with respect to classes of individuals certified to the department, the following rehabilitation services shall be provided at public cost only to disabled individuals found to require financial assistance with respect thereto:

- (a) physical restoration;
- (b) transportation not provided to determine the eligibility of the individual for vocational rehabilitation services and the nature and extent of the services necessary;
- (c) occupational licenses;
- (d) customary occupational tools and equipment;
- (e) maintenance;
- (f) training, including books and materials.

History: En. Sec. 8, Ch. 74, L. 1947; amd. Sec. 3, Ch. 192, L. 1971; Sec. 41-808, R.C.M. 1947, amd. and redes. 71-1805 by Sec. 14, Ch. 121, L. 1974; R.C.M. 1947, 71-2105; amd. Sec. 1, Ch. 55, L. 1981.

Compiler's Comments

1981 Amendment: Inserted ", including" in (2)(f).

53-7-106. Hearings. An individual applying for or receiving vocational rehabilitation who is aggrieved by any action or inaction of the department of social and rehabilitation services is entitled in accordance with regulations to a fair hearing by the board of social and rehabilitation appeals.

History: En. Sec. 10, Ch. 74, L. 1947; amd. Sec. 4, Ch. 192, L. 1971; Sec. 41-810, R.C.M. 1947; amd. and redes. 71-1806 by Sec. 15, Ch. 121, L. 1974; R.C.M. 1947, 71-2106.

Cross-References

Contested cases, Title 2, ch. 4, part 6.

Contested case defined — applicability of Montana Administrative Procedure Act, 2-4-102.

53-7-107. Limitation of political activity. An officer or employee engaged in the administration of the vocational rehabilitation program shall not use his official authority or influence or permit the use of the vocational rehabilitation program for the purpose of interfering with an election or affecting the result thereof or for any partisan political purpose. Any such officer or employee may not take any active part in the management of political campaigns or participate in any political activity; however, he may vote as he pleases and express his opinions as a citizen on all subjects. Any such officer or employee may not solicit or receive or be obliged to contribute or render any service, assistance, subscription, assessment, or contribution for any political purpose. An officer or employee violating this provision is subject to discharge or suspension.

History: En. Sec. 12, Ch. 74, L. 1947; Sec. 41-812, R.C.M. 1947; amd. and redes. 71-1807 by Sec. 16, Ch. 121, L. 1974; R.C.M. 1947, 71-2107.

Cross-References

Leave of absence, 2-18-620.

53-7-201. Legislative intent. Part is to encourage the employment and advancement of severely handicapped, and to help them become contributing and independent.

(2) The condition of the disadvantaged is such that they reach the point in their lives when continued guidance is needed to help them become self-sufficient. For such persons, work may constitute satisfaction when a suitable alternative is not available. By keeping these persons and their families, a worker is thus spared the anxiety and stress factors have also been shown to be retarded, severely handicapped, and overall well-being.

History: En. Sec. 1, Ch. 322, L. 1971.

53-7-202. Definition of severely handicapped. Social and rehabilitation services.

(2) "Physical or mental handicap" means a condition which materially limits, and which probably result in limiting an individual's ability to carry out his or her activities which may result from vocational factors.

(3) "Self-care" means the ability to live in own home without the need for self rather than requiring the assistance of others.

(4) "Severely handicapped" means a person who has a physical handicap which has existed for a period of over an extended period of time, such as cancer, cerebral palsy, cystic fibrosis, or pulmonary dysfunction, multiple sclerosis, muscular dystrophy, epilepsy, paraplegia, quadriplegia, and any other disability which cannot be cured or corrected by medical or surgical means, or which cannot be prescribed or treated by medical or surgical means.

(b) who, because of lack of training, or other successful work activity services in

13-35-222. Repealed. Sec. 407, Ch. 571, L. 1979.

History: En. 23-47-130 by Sec. 30, Ch. 334, L. 1977; R.C.M. 1947, 23-47-130.

13-35-223. Repealed. Sec. 407, Ch. 571, L. 1979.

History: En. 23-47-131 by Sec. 31, Ch. 334, L. 1977; R.C.M. 1947, 23-47-131.

13-35-224. Repealed. Sec. 407, Ch. 571, L. 1979.

History: En. 23-47-132 by Sec. 32, Ch. 334, L. 1977; R.C.M. 1947, 23-47-132.

13-35-225. Election materials not to be anonymous. (1) Whenever any person makes an expenditure for the purpose of financing communications advocating the success or defeat of a candidate, political party, or ballot issue through any broadcasting station, newspaper, magazine, outdoor advertising facility, direct mailing, poster, handbill, bumper sticker, or other form of general political advertising, such communication shall clearly and conspicuously state the name and address of the printer, if printed commercially, and the name and address of the person who made or financed the expenditure for the communication; including, in the case of a political committee, the name and address of the treasurer.

(2) If any document or other article of advertising is too small for the requirements of subsection (1) to be conveniently included or if necessary information is inadvertently omitted, the person financing the communication shall file a copy of the article with the commissioner, together with the required information.

History: En. 23-47-133 by Sec. 33, Ch. 334, L. 1977; R.C.M. 1947, 23-47-133; amd. Sec. 33, Ch. 571, L. 1979.

Cross-References

Violation as misdemeanor, 13-35-103.

Liability in civil action for violation, 13-37-128.

13-35-226. Unlawful acts of employers and employees. (1) It is unlawful for any employer, in paying his employees the salary or wages to them, to include with their pay the name of any candidate or any political mottoes, devices, or arguments containing threats or promises (express or implied) calculated or intended to influence the political opinions or actions of the employees. It is unlawful for an employer to exhibit in a place where his workers or employees may be working any handbill or placard containing any threat, promise, notice, or information that in case any particular candidate or political party, organization, or candidate is elected, work in his place or establishment will cease, in whole or in part, or will be continued or increased; his place or establishment will be closed; the salaries or wages of his workers or employees will be reduced or increased; or other threats or promises (express or implied) intended or calculated to influence the political opinions or actions of his workers or employees. This section shall apply to corporations, individuals, and public officers and employees.

(2) No person may attempt to coerce, command, or require a public employee to support or oppose any political committee, the nomination or election of any person to public office, or the passage of a ballot issue.

(3) No public employee may solicit support for or opposition to any political committee, the nomination or election of any person to public office, or the passage of a ballot issue while on the job or at his place of employment.

However, nothing in this section is intended to restrict the right of a public employee to express his personal political views.

(4) Any person who violates the provisions of this section shall be fined not to exceed \$1,000, be imprisoned in the county jail for a term not to exceed 6 months, or both, for each separate offense.

History: En. 23-47-134 by Sec. 34, Ch. 334, L. 1977; R.C.M. 1947, 23-47-134; amd. Sec. 222, Ch. 571, L. 1979; amd. Sec. 1, Ch. 655, L. 1983.

Compiler's Comments

Amendment: In (2), near beginning, "employee to" substituted present language for "give money, service, or other thing of value to aid or promote any political committee or to aid or promote the nomination or election of any person to public office"; and in (3) near

beginning after "solicit" substituted "support for or opposition to" for "any money, influence, service, or other thing of value or otherwise aid or promote" and near middle after "public office" inserted "or the passage of a ballot issue".

13-35-227. Prohibited contributions from corporations. (1) A corporation may not make a contribution or an expenditure in connection with a candidate or a political committee which supports or opposes a candidate or a political party.

(2) A person, candidate, or political committee may not accept or receive a corporate contribution described in subsection (1).

(3) This section does not prohibit the establishment or administration of a separate, segregated fund to be used for making political contributions or expenditures if the fund consists only of voluntary contributions solicited from an individual who is a shareholder, employee, or a member of the corporation.

(4) A person who violates this section is subject to the civil penalty provisions of 13-37-128.

History: En. Sec. 25, Init. Act, Nov. 1912; re-en. Sec. 10790, R.C.M. 1921; re-en. Sec. 10790, R.C.M. 1935; Sec. 94-1444, R.C.M. 1947; redes. 23-4744 by Sec. 29, Ch. 513, L. 1973; amd. Sec. 1, Ch. 296, L. 1975; R.C.M. 1947, 23-4744; amd. Sec. 1, Ch. 404, L. 1979.

13-35-228. Prohibition of salary increase contribution. A corporation may not increase the salary of any officer or employee or give an emolument to any officer, employee, or other person with the intention that the increase in salary, the emolument, or any part thereof be contributed to support or oppose a candidate or ballot issue.

History: En. 23-47-135 by Sec. 35, Ch. 334, L. 1977; R.C.M. 1947, 23-47-135.

Cross-References

Civil liability for violation, 13-37-128.

Treatment as misdemeanor, 13-35-103.

13-35-229. Repealed. Sec. 407, Ch. 571, L. 1979.

History: En. 23-47-136 by Sec. 36, Ch. 334, L. 1977; R.C.M. 1947, 23-47-136.

13-35-230. Repealed. Sec. 407, Ch. 571, L. 1979.

History: En. 23-47-137 by Sec. 37, Ch. 334, L. 1977; R.C.M. 1947, 23-47-137.

13-35-231. Unlawful for political party to endorse judicial candidate. A political party may not endorse, contribute to, or make an expenditure to support or oppose a judicial candidate.

History: En. 23-47-138 by Sec. 38, Ch. 334, L. 1977; R.C.M. 1947, 23-47-138; amd. Sec. 223, Ch. 571, L. 1979.

EXHIBIT #2
DATE 1/27/87
HB 225

AMENDMENTS TO HB 225
(Introduced Copy)
(Regarding Board of Social and Rehabilitation Appeals)

1. Title, Line 6

Following: ENTITLED: "AN ACT"
Strike: Remainder of line 6 through "SERVICES TO" on
line 8.
Insert: "REVISING LAWS RELATING TO THE COMPOSITION OF"

Submitted by:
Department of Social &
Rehabilitation Services

Sue Bartlett



DATE 1/27/87

LR 265

City-County Building
316 N. Park Ave.
Helena, Montana 59623
Telephone 406/443-1010

LEWIS AND CLARK COUNTY

Office of Clerk and Recorder

January 27, 1987

TECHNICAL AMENDMENTS REQUESTED IN H.B. 265:

Page 1, line 21: Change the internal reference from 13-2-214 to 13-13-212(2)

Reason: 13-2-214 addresses only the federal post card application form for requesting an absentee ballot; 13-13-212(2) allows an elector in the United States service to apply for an absentee ballot using the federal form or any written request.

Page 2, line 9: Change the internal reference from subsection (2) to subsection (3).

Reason: The bill makes more sense and conforms better to the federal law.

13-2-214. Classification of federal post card application. (1) Unless the elector is already registered, a federal post card application received from an elector in the United States service shall be treated as a simultaneous application for registration and for ballot for each primary and general election in which he is entitled to vote during the year of its receipt.

(2) Upon receipt by the election administrator of a federal post card application, properly filled out and signed, the election administrator shall:

(a) classify the application according to the precinct in which the elector resides or, if the information is insufficient to determine precinct of residence, assign an appropriate precinct;

(b) immediately enter all information in the registration records of the office and either file the post card application with regular registration forms or file a photocopy attached to a regular registration form on which the information has been entered;

(c) send to the applicant by the fastest mail service available a notice that he has been registered and informing him that a ballot is enclosed or that he will be mailed an absentee ballot for the next election in which he is entitled to vote under subsection (1).

(3) The election administrator may use photocopies of the post card application to complete all necessary records.

History: En. Sec. 139, Ch. 368, L. 1969; amd. Sec. 1, Ch. 250, L. 1971; R.C.M. 1947, 23-3721; amd. Sec. 33, Ch. 571, L. 1979; amd. Sec. 3, Ch. 396, L. 1985.

Compiler's Comments

1985 Amendment: Inserted (1); in introductory clause of (2) after "signed", deleted "under oath"; at beginning of (2)(b), deleted "The election administrator shall, upon receipt of any federal post card application"; at beginning of (2)(c) deleted "The election administrator shall"; in (2)(c) near middle, after "informing him that", substituted remainder of subsection for "in order to secure a ballot he must mail at any time within 75 days preceding the election another federal post card application to the election administrator"; and in (3) deleted first two

sentences that read: "A federal post card application received from an elector in the United States service within 75 days preceding an election shall be treated as a simultaneous application for registration and for ballot. Where the elector is already registered, the federal post card application shall be treated as an application for a ballot."

Cross-References

Special consideration allowed service personnel, Art. II, sec. 35, Mont. Const.

13-13-212. Application for absentee ballot. (1) Application for absentee ballots shall be made by a written request signed by the applicant and addressed to the election administrator of the applicant's county of residence.

→ (2) Application for an absentee ballot may be made by any elector in the United States service by the federal post card application or by any written request signed by the applicant and addressed to the election administrator of the applicant's county of residence.

(3) If an elector requests an absentee ballot because of a sudden illness or health emergency, the application for an absentee ballot may be made by written request signed by the elector at the time the ballot is delivered in person by the special absentee election board provided for in 13-13-225. Such elector may request by telephone or other means to have a ballot and application personally delivered to him by the special absentee election board at his place of confinement, hospitalization, or residence within the county. Such a request may be made no later than noon on election day.

History: En. Sec. 122, Ch. 368, L. 1969; amd. Sec. 1, Ch. 287, L. 1975; R.C.M. 1947, 23-3704; amd. Sec. 119, Ch. 571, L. 1979; amd. Sec. 4, Ch. 239, L. 1985.

Compiler's Comments

1985 Amendment: Inserted (3).

RECOMMENDATION OF THE SUBCOMMITTEE ON THE HOLIDAY BILLS

The Subcommittee recommends that the House State Administration Committee sponsor a committee bill incorporating the following provisions:

1. Eliminate the state general election day (occurs every even-numbered year in November) as a legal holiday;
2. Combine Lincoln's Birthday (February 12) and Washington's Birthday (the third Monday in February) into one holiday to be designated as "Lincoln's and Washington's Birthdays" and to be celebrated on the third Monday in February (currently the date for celebrating Washington's Birthday);
3. Create a new holiday to be designated as "Heritage Day"; No date statutorily would be set for celebrating this holiday. The Governor annually would set the date for executive, judicial, and legislative branch employees; the governing body of each political subdivision (city, county, etc.) would set the date for their employees.
4. Statutorily designate Martin Luther King Jr.'s Birthday (the third Monday in January) as an official day of observance during which citizens of Montana are encouraged to reflect on the accomplishments and contributions of the man to American society; and
5. Provide an effect date of January 1, 1988.

The result of this proposal would be to reduce the number of legal holidays by 1/2 of a day (since State Election Day is only observed every even-numbered year). The new list of legal holidays would be as follows:

- New Year's Day, January 1
- Lincoln's and Washington's Birthdays, the third Monday in February
- Memorial Day, the Last Monday in May
- Independence Day, July 4
- Labor Day, the first Monday in September
- Columbus Day, the second Monday in October
- Veterans' Day, November 11
- Thanksgiving Day, the fourth Thursday in November
- Christmas Day, December 25
- Heritage Day, designated by governing body

Amendment to HB 325 (Introduced bill)

1/27/87

at the request of Gene Huntington, in response to Montana Association of Counties

1. Page 43, line 5.
Following: "~~services~~"
Insert: "welfare department or office of human services"
2. Page 43, line 8.
Following: "~~services~~"
Insert: "welfare department or office of human services"
3. Page 45, line 25.
Following: "~~services~~"
Insert: "welfare department or office of human services"
4. Page 46, lines 10 and 11.
Following: "general," on line 10
Insert: the remainder of line 10 through "the" on line 11
5. Page 46, line 12.
Following: "~~attorney~~"
Insert: "welfare department attorney, or office of human services attorney"
6. Page 47, line 3.
Following: "~~services~~"
Insert: "welfare department or office of human services"

The purpose of this amendment is to return the statute to its original form, so that the expenditures for the hiring of additional legal assistance for the county attorney can be paid from the county poor fund instead of general fund.

Amendment to HB 325 (Introduced bill)

at the request of Gene Huntington, in response to Montana Association of Counties

1. Page 61, line 14.
Following: "shall"
Strike: "annually"
Insert: "monthly"
2. Page 62, line 2.
Following: "county's"
Strike: "payment"
Insert: "obligation"
3. Page 62, lines 5 and 6.
Following: "due" on line 5
Strike: the remainder of line 5 through "year" on line 6
Insert: "monthly"

The purpose of this amendment is to provide for monthly payments for counties instead of two payments per year. This will avoid cash flow problems for the counties.

MACO

7
DATE 1/27/87
HB 325

Amendments to HB 325 (Introduced bill)

1/27/87

Proposed by Gene Huntington

1. Page 15

Following: line 13

Insert: "NEW SECTION: Section 16. County contribution for salaries and travel of protective services employees. (1) Upon the transfer of certain functions of the county welfare department to the department of family services as provided in section 12 , the salaries and travel expenses as provided in 2-18-502 and 2-18-503 of protective services employees shall be paid by the department of family services. The county commissioners shall reimburse the department of family services from county poor funds in an amount equal to that county's expenditures for salaries and travel expenses of protective services employees in fiscal year 1987.

(2) On or before the 20th day of the month following the month for which the payments were made for protective services employees' salaries and travel, the department of family services shall present to the county commissioners a claim for the required reimbursements. The county commissioners shall make such reimbursements within 20 after the presentation of the claim."

Renumber: subsequent sections

2. Page 55.

Following: line 7

Insert: "(3) The county shall reimburse the department for one-half of the payments not reimbursed to the department by the federal government until the county expenditures reach a level equal to the county's level of expenditures for foster care in fiscal year 1987. When a county's level of expenditure for any year reaches the level of expenditure for foster care in fiscal year 1987, the county shall reimburse the department for one quarter of the payments above the fiscal year 1987 expenditure level."

Renumber: subsequent sections

The purpose of these amendments are to include current practice for county reimbursement for protective services (#1) and to include in statute the reduced county matching rate for foster care set forth in the budget in Appropriations.

STANDING COMMITTEE REPORT

January 27

19 87

Mr. Speaker: We, the committee on STATE ADMINISTRATION

report HB 225

do pass
 do not pass

be concurred in
 be not concurred in

as amended
 statement of intent attached

Chairman

Prohibiting appointment of SRS employee to Appeals Board

AMEND AS FOLLOWS

1. Title, line 6.

Following: "AN ACT"

Insert: "REVISING PROVISIONS CONCERNING THE COMPOSITION OF THE BOARD OF SOCIAL AND REHABILITATION APPEALS;"

2. Title, lines 8 and 9.

Strike: "of" on line 8 through "APPEALS" on line 9

3. Page 1, Line 20.

Following: ";

Insert: ", except that no employee of the Department of Social and Rehabilitation Services may be appointed to the Board"

FIRST

WHITE

reading copy ()
color

ROLL CALL VOTE

State Administration

COMMITTEE

DATE 1/27/87 BILL NO. 225 NUMBER _____

NAME	AYE	NAY
Walt Sales		
John Phillips		
Bud Campbell		✓
Dorothy Cody		
Duane Compton		
Gene DeMars		
Harry Fritz		
Harriet Hayne		
Gay Holliday		✓
Loren Jenkins		
Janet Moore		
Richard Nelson		
Helen O'Connell		
Mary Lou Peterson		
Paul Pistoria		
Rande Roth		
Tonia Stratford		
Timothy Whalen		

TALLY

Secretary

Chairman

MOTION: _____

STANDING COMMITTEE REPORT

January 27 19 87

Mr. Speaker: We, the committee on STATE ADMINISTRATION

report HB 251

do pass
 do not pass

be concurred in
 be not concurred in

as amended
 statement of intent attached

Chairman

FIRST

WHITE

reading copy (_____)
color

ROLL CALL VOTE

State Administration

COMMITTEE

DATE 1/27/87 BILL NO. 251 NUMBER _____

NAME	AYE	NAY
Walt Sales		
John Phillips		
Bud Campbell		
Dorothy Cody		✓
Duane Compton		
Gene DeMars		✓
Harry Fritz		
Harriet Hayne		
Gay Holliday		
Loren Jenkins		
Janet Moore		
Richard Nelson		
Helen O'Connell		✓
Mary Lou Peterson		
Paul Pistoria		✓
Rande Roth		
Tonia Stratford		
Timothy Whalen		

*NO vote - did not
hear testimony*

TALLY

Secretary

Chairman

MOTION: _____

STANDING COMMITTEE REPORT

January 27

19 87

Mr. Speaker: We, the committee on STATE ADMINISTRATION
report SB 265

do pass
 do not pass

be concurred in
 be not concurred in

as amended
 statement of intent attached

Chairman

Enact the Federal write-in absentee ballot qualifications and procedures.

AMEND AS FOLLOWS

1. Page 1, line 21.

Strike: "13-2-214"

Insert: "13-13-212(2)"

2. Page 2, line 9.

Strike: "(2)"

Insert: "(3)"

FIRST

reading copy (WHITE)
color

Wrenn

ROLL CALL VOTE

State Administration

COMMITTEE

DATE 1/27/87 BILL NO. 265 NUMBER _____

NAME	AYE	NAY
Walt Sales		
John Phillips		
Bud Campbell		
Dorothy Cody		
Duane Compton		
Gene DeMars		
Harry Fritz		
Harriet Hayne		
Gay Holliday		
Loren Jenkins		
Janet Moore		
Richard Nelson		
Helen O'Connell		
Mary Lou Peterson		
Paul Pistoria		
Rande Roth		
Tonia Stratford		
Timothy Whalen		

TALLY

Secretary

Chairman

MOTION: _____

STANDING COMMITTEE REPORT

January 27

19 87

Mr. Speaker: We, the committee on STATE ADMINISTRATION
report HB 172

do pass
 do not pass

be concurred in
 be not concurred in

as amended
 statement of intent attached

Chairman

FIRST

THICE

reading copy (_____)
color

ROLL CALL VOTE

~~Handwritten scribble~~

State Administration

COMMITTEE

DATE

1/27/87

BILL NO.

172

NUMBER

NAME	AYE	NAY
Walt Sales		
John Phillips		
Bud Campbell		
Dorothy Cody		
Duane Compton		
Gene DeMars		
Harry Fritz		
Harriet Hayne		
Gay Holliday		
Loren Jenkins		✓
Janet Moore		
Richard Nelson		
Helen O'Connell		
Mary Lou Peterson		
Paul Pistoria		
Rande Roth		
Tonia Stratford		
Timothy Whalen		

TALLY

17 1

Secretary

Chairman

MOTION:

Holiday bills
Do Pass on Subcommittee
Recommendation

ROLL CALL VOTE

State Administration

COMMITTEE

DATE 1/27/87 BILL NO. _____ NUMBER _____

NAME	AYE	NAY
Walt Sales		✓
John Phillips	✓	
Bud Campbell		✓
Dorothy Cody	✓	
Duane Compton		✓
Gene DeMars	✓	
Harry Fritz		✓
Harriet Hayne	✓	
Gay Holliday		✓
Loren Jenkins		✓
Janet Moore	✓	
Richard Nelson		✓
Helen O'Connell	✓	
Mary Lou Peterson		✓
Paul Pistoria	✓	
Rande Roth		✓
Tonia Stratford		✓
Timothy Whalen	✓	

TALLY 8 10

Secretary Chairman

MOTION: _____

VISITORS' REGISTER

STATE ADMINISTRATION

COMMITTEE

BILL NO. 251

DATE 1/27/87

SPONSOR Care

NAME (please print)	REPRESENTING	SUPPORT	OPPOSE
John W. Anthony	Leg. Amilton	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Don Jael	Leg. Amilton	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tommy Herbert	Def A		
Mike Ferrar	Def A		

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

VISITORS' REGISTER

STATE ADMINISTRATION

COMMITTEE

BILL NO. 172

DATE 1/27/87

SPONSOR Squires

NAME (please print)	REPRESENTING	SUPPORT	OPPOSE
MAGGIE BULLOCK	SRS	X	
Jim Smith	MAR	X	

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