

MINUTES OF THE MEETING
STATE ADMINISTRATION COMMITTEE
MONTANA STATE SENATE

January 29, 1987

The sixteenth meeting of the State Administration Committee was called to order by Chairman Jack Haffey at 10 a.m. in Room 331 of the State Capitol.

ROLL CALL: All committee members were present.

The hearing was opened on House Bill 106.

CONSIDERATION OF HOUSE BILL 106: Representative Mike Kadas, House District 55, Missoula, is the sponsor of this bill entitled, "AN ACT TO AUTHORIZE SCHOOL DISTRICTS TO CONDUCT MAIL BALLOT ELECTIONS; AND AMENDING SECTIONS 13-9-102 AND 13-19-104, MCA." This bill would enable school districts to conduct mail ballot elections. Under current law, school districts were not included among the political subdivisions allowed to conduct elections by mail ballot. He noted those who have used this type of election in the past biennium have had a very high voter response. The bill had been requested by the business managers of the school districts. He added it would be very helpful to smaller school districts especially and be much less expensive.

PROPOSERS: There were none.

OPPOSERS: There were none.

QUESTIONS ON HOUSE BILL 106: Senator Hofman asked how such a process is implemented and was told the school district sends out a letter with the ballot to all eligible voters, the voter then fills out the ballot and mails it back and the results are tabulated. Senator Vaughn noted that in the smaller, rural school districts it is a much less expensive method of conducting an election and with much better returns.

Rep. Kadas then CLOSED on House Bill 106.

EXECUTIVE ACTION ON HOUSE BILL 106: Senator Lynch MOVED that HOUSE BILL 106 BE CONCURRED IN. Senator Abrams seconded the motion. The motion passed unanimously. Senator Vaughn will carry the bill on the Senate floor.

The hearing was opened on House Joint Resolution 2.

CONSIDERATION OF HOUSE JOINT RESOLUTION 2: Representative Paul Rapp-Svrcek, House District 51, Thompson Falls, is the chief sponsor of HJ2 which is entitled, "A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA URGING FULL COOPERATION BETWEEN THE UNITED STATES GOVERNMENT AND THE GOVERNMENTS OF VIETNAM AND LAOS IN RESOLVING THE STATUS OF AMERICANS STILL MISSING AND UNACCOUNTED FOR IN SOUTHEAST ASIA; AND DIRECTING THAT THE PRISONER OF WAR FLAG BE FLOWN AT THE STATE CAPITOL ON SEPTEMBER 19 EACH YEAR." This calls for the governments of Laos and Vietnam to cooperate with the United States government in resolving the status of men and women still missing in action and requesting that the prisoner of war flag be flown on September 19 over the capitol each year. Rep. Rapp-Svrcek added he had been asked to insert an amendment which would include servicewomen in the language proposed.

PROPOSERS: Rich Brown, Administrator of the Montana Veterans Affairs Division, urged support and also spoke for those who are still listed as MIA's from our state. (EXHIBIT 1) He also supported the amendments proposed on behalf of the 4,700 female veterans from our state. Eleanor Wend, Lobbyist for the Peace Legislative Coalition, stated the state has a responsibility to make such a commitment to all people serving in military action overseas.

OPPOSERS: There were none.

QUESTIONS ON HOUSE JOINT RESOLUTION 2: Senator Rasmussen asked what effect this resolution would have and was told the intent was just to indicate the Legislature's support in efforts to resolve the MIA-POW status. Rep. Rapp-Svrcek noted this resolution will be sent to our Montana legislative delegation in Congress.

Rep. Rapp-Svrcek CLOSED on HJ2.

EXECUTIVE ACTION ON HJ2: Senator Abrams MOVED the three amendments recommended by Rep. Rapp-Svrcek inserting language including servicewomen BE APPROVED. Senator Hofman seconded the motion. Senator Abrams then MOVED that HJ2 AS AMENDED BE CONCURRED IN. Senator Anderson seconded the motion. The motion passed unanimously. Senator McCallum will carry the bill on the Senate floor.

EXECUTIVE ACTION ON HOUSE BILL 158: At the January 28, 1987 hearing an amendment inserting the word "military" into the language had been proposed. Linda King, from Public Employees' Retirement System, had submitted a handout stating the affect this would have on the proposal. By inserting the word "military" Eddy McClure pointed out it would enable sheriffs to count their military time towards eligibility in their sheriffs' retirement and thus retire with both pensions and this was not the

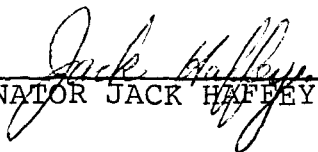
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intention of the bill. (EXHIBIT 2) It would change the entire context of the bill and make it more costly to the state in addition. Senator Harding MOVED that HOUSE BILL 158 BE CONCURRED IN. Senator Hofman seconded the motion. The motion carried unanimously. Senator Lynch will carry the bill on the Senate floor.

FURTHER CONSIDERATION OF SENATE BILL 95: Senator Rasmussen the bill as it presently stands would force election judges to furnish paper ballots which is quite an expense. He had consulted with the Secretary of State's office and they had suggested perhaps allowing paper ballots to be prepared by election judges with a typewriter and a photo copier. Sen. Rasmussen wondered if this type of language could possibly be inserted in this statute. Senator Vaughn expressed concern about typing up such things as lengthy referendums. Senator Rasmussen stated he did not think it had to be a mandate but should be an elective if a district chose to do this. Senator Haffey noted the problem was whether or not this particular bill would allow this to be done. Eddy McClure, Legislative Researcher, will do more research and report back to the committee.

The meeting was adjourned at 10:30 a.m.

cd



SENATOR JACK HAFFEY, Chairman

ROLL CALL

SENATE STATE ADMINISTRATION COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date 1/29/87

NAME	PRESENT	ABSENT	EXCUSED
SENATOR JACK HAFFEY	X		
SENATOR WILLIAM FARRELL	X		
SENATOR LES HIRSCH	X		
SENATOR JOHN ANDERSON	X		
SENATOR J. D. LYNCH	X		
SENATOR ETHEL HARDING	X		
SENATOR ELEANOR VAUGHN	X		
SENATOR SAM HOFMAN	X		
SENATOR HUBERT ABRAMS	X		
SENATOR TOM RASMUSSEN	X		

Each day attach to minutes.

My name is Rich Brown and I am the Administrator of the Montana Veterans Affairs Division and the Past Department Commander of the Disabled American Veterans.

I am here today to urge your support for HJR 2 because the following individuals can not speak on their own behalf:

1. DAVID ALLISON	Helena	MIA - 1966
2. RICHARD APPELHANS	Dodson	MIA - 1967
3. ALLAN ASHALL	Billings	MIA - 1968
4. MICHAEL BOUCHARD	Missoula	MIA - 1968
5. ALAN BOYER	Missoula	MIA - 1968
6. CHARLES BOYER	Billings	MIA - 1968
7. WILLIAM CHRISTENSEN	Great Falls	MIA - 1968
8. CHARLES DUDLEY	Bozeman	MIA - 1966
9. MICHAEL HAVARNEK	Missoula	MIA - 1967
10. ROBERT HOLTON	Butte	MIA - 1969
11. JAMES HUNT	Missoula	MIA - 1968
12. EDWARD LETCHWORTH	Libby	MIA - 1967
13. PATRICK MAGEE	Alder	MIA - 1971
14. RANDOLPH PERRY	Troy	MIA - 1972
15. VALLENTIN VOLLMER	Lewistown	MIA - 1968
16. ROBERT WILLETT	Great Falls	MIA - 1969
17. DONALD WOLFE	Hardin	MIA - 1967

I am sure my fellow 36,000 Montana VietNam Era veterans join with me in this request to resolve the question of MIA - POW's and put an end to this WAR.

Thank You.

SHERIFFS' MILITARY BUY-BACK

2
1-29-87
HB 158

Examples of Differences

Today is July 1, 1987. Joe Smith, a deputy sheriff, has 18 years of service under the Sheriffs' Retirement System and is 55 years of age. His salary for the year ending July 1, 1985 was \$1650/mo; for the year ending July 1, 1986 his salary was \$1700/mo; and for the period ending July 1, 1987 his salary is \$1750/mo. The average of those three years, which have been his highest salary years, is \$1700/month (or \$20,400/year).

Current law: Joe is ineligible to retire since he does not have 20 years of service in this system. He can not buy-back any active military time. If he works 2 more years, without a raise, he and his employer will make \$6,161 in additional contributions into the Sheriffs' Retirement System. On July 1, 1989 he could elect an early retirement allowance of \$6,666/year (based on 2% x 20 years service credit x \$20,400/yr x .8169). By age 65, he will have received \$53,327 in retirement benefits.

Proposed law: Joe is eligible to buy-back up to 3 years of military service for \$6,809. However, he is ineligible to retire since he does not have 20 years of service in this retirement system. If he retires on July 1, 1989, he and his employer will have made \$6,161 in additional contributions to the system and will receive an early retirement allowance of \$7,666/year (based on 2% x 23 years service credit x \$20,400/yr x .8169). By age 65, he will have received \$61,158 in retirement benefits. Over his expected lifetime, the \$6,809 he paid to buy-back 3 years of military time, plus interest earned on that amount, is expected to cover the cost of his additional benefits.

Amendment: Joe is eligible to buy-back up to 3 years of military service for \$6,809. He is also eligible to retire today because this amendment would allow him to count those 3 years of military time toward his minimum eligibility for retirement in this system. Beginning 7/1/87, without paying any additional contributions into the system, he would be eligible to receive an early retirement allowance of \$6,816/year (based on 2% x 21 years service credit x \$20,400/yr x .7955). By age 65 he will have received \$68,158 at a cost to the system of \$6,161 (plus accruing investment earnings) that would have been paid by the employer and employee contributions for two additional years service required without this amendment.

The increased total benefits, paid to all members such as Joe Smith, without additional contributions (with accruing interest) being made into the system to cover those benefits will cause an unfunded liability for the system which must be paid by all employers in this system.

The cost of such an amendment would have to be determined by the retirement system's actuary, based upon the increases in benefits which could be calculated to occur now and in succeeding years and the number of persons who could be expected to receive these increased benefits.

STANDING COMMITTEE REPORT

JANUARY 29

87

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MR. PRESIDENT

SENATE STATE ADMINISTRATION

We, your committee on.....

having had under consideration..... HOUSE BILL..... No. 106.....

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ALLOW SCHOOL DISTRICTS TO CONDUCT MAIL BALLOT ELECTIONS

Kadas

(Lynch)

HOUSE BILL

106

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

BE CONCURRED IN

XXXXXX

DO PASS

XXXXXXXXXX

DO NOT PASS

SENATOR JACK HAFNEY.....

Chairman.

STANDING COMMITTEE REPORT

JANUARY 29

19. 87

MR. PRESIDENT

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

having had under consideration **HOUSE JOINT RESOLUTION** No. **2**

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JOINT POW-MIA RESOLUTION

Rapp-Svrcek (McCallum)

Respectfully report as follows: That **HOUSE JOINT RESOLUTION** No. **2**

be amended as follows:

1. Page 2, line 16.
Following: "servicemen"
Insert: "and servicewomen"
2. Page 2, line 22.
Following: "servicemen"
Insert: "and servicewomen"
3. Page 3, line 3.
Following: "MEN"
Strike: "WHO FOUGHT FOR"
Insert: "and women who served"

AND AS AMENDED
BE CONCURRED IN

~~XXXXXX~~
~~DO NOT PASS~~

~~XXXXXXXXXX~~
~~DO NOT PASS~~

SENATOR JACK HAFNEY

Chairman.

STANDING COMMITTEE REPORT

JANUARY 29

37

..... 19.....

MR. PRESIDENT

SENATE STATE ADMINISTRATION

We, your committee on.....

HOUSE BILL 158

having had under consideration..... No.....

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PERMIT MEMBER OF SHERIFFS' RETIREMENT SYSTEM TO QUALIFY MILITARY SERVICE
Natho (Lynch)

HOUSE BILL 158

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

BE CONCURRED IN

XXXXXX
DO PASS

XXXXXXXXXX
DO NOT PASS

SENATOR JACK HAFFEY

Chairman.