

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 51st LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: By Jan Brown, Chairman, on March 3, 1989, at 9:01 a.m.

ROLL CALL

Members Present: All member present, except:

Members Excused: Reps. Gervais and Whalen

Members Absent: None

Staff Present: Judy Burggraff, Secretary; Lois Menzies, Staff Researcher

Announcements/Discussion: Chairman Brown said that Sen. Harp was in the Taxation Committee and was unable to get away. The Committee agreed to reschedule the bill.

HEARING ON SJR 7

Presentation and Opening Statement by Sponsor: Sen. Gene Thayer, Senate District 19, introduced the bill. This resolution authorizes the permanent display of a Montana Statehood Centennial Bell in an appropriate location in the Capitol. Placement of the bell would be part of a statewide bell-ringing project sanctioned by the Montana Statehood Centennial Commission.

Sen. Thayer said that Norma Ashby, a well-known television personality in Great Falls, went to Philadelphia in 1977 for the 200th anniversary of the United States Constitution. At that time, there was a bell ringing ceremony that took place across the country, which gave Ms. Ashby the idea to put a similar project together for Montana's centennial celebration. All of the schools across Montana will ring a bell on the exact time that Montana became a state, which is November 8, 1989, at 10:40 a.m. The bell will be located on the third floor of the Capitol, if that is what the committee that takes care of the Capitol grounds would approve. It is suggested that it be on one of the balconies overlooking the rotunda, between the old Supreme Court chambers and the Senate chambers. The bell has been donated by the Fred Bliss family. Adam Dahlman from Power is going to construct the stand that it will fit in. Zion Construction Company will move it to the Capitol. There is no expense to the state.

Rep. Thayer said that this is the only project of the Centennial celebration that is going to involve practically everybody in the state. At one exact moment, kids will be ringing bells, schools will be ringing bells, church bells will be ringing and fire engines will turn on their sirens.

In one area of the state, 6,000 school children will congregate at one central place. They will all bring a cake from their respective schools and build them into one giant cake. They will then have cake and ice cream after the bell-ringing ceremonies.

Sen. Thayer said, "I hope that you'll be excited by it, and that it will ring your bell, and you'll concur on it."

Testifying Proponents and Who They Represent: None

Testifying Opponents and Who They Represent: None

Questions From Committee Members: None

Closing by Sponsor: None

DISPOSITION OF SJR 7

Motion: Rep. Spring moved SJR 7 BE CONCURRED IN.

Discussion: None

Amendments, Discussion, and Votes: None

Recommendation and Vote: The motion CARRIED unanimously.
Rep. Jan Brown will carry this bill in the House.

HEARING ON SB 41

Presentation and Opening Statement by Sponsor: Sen. Hubert Abrams, Senate District 7, introduced the bill. This agency bill, requested by the State Auditor, revises provisions concerning the processing of payroll warrants. The bill permits the payment of payroll warrants by electronic funds transfer. In addition, the bill requires that most state warrants be cashed within six months (rather than one year) after the date they were issued. The bill also extends the deadline by which the State Auditor is required to classify a canceled warrant as unclaimed property from three years to three years and six months.

Testifying Proponents and Who They Represent:

Debbie Van Vliet, Executive Administrator, Systems Management Control Division, State Auditor's Office

Proponent Testimony:

DEBBIE VAN VLIET presented written testimony (Exhibit 1).

Testifying Opponents and Who They Represent: None

Questions From Committee Members:

REP. WESTLAKE asked if this is part of the centralized pay system or is this just under the jurisdiction of the State Auditor. Ms. VanVliet said that the amendments address two systems. One amendment on Section 2, changes the statute concerning the payroll system. In 1984 when state employees were allowed to use the direct deposit, the statute was not needed at that time. With the new fiscal year coming up July 1, we are going to attempt to use electronic transfers for vendors.

Closing by Sponsor: Sen. Abrams thanked the Committee for their time, and said he would appreciate it if the Committee would concur on the bill. He said that Rep. Hayne will carry the bill on the House floor.

DISPOSITION OF SB 41

Motion: Rep. Nelson moved SB 41 BE CONCURRED IN.

Discussion: None

Amendments, Discussion, and Votes: None

Recommendation and Vote: The motion CARRIED unanimously.

HEARING ON SB 11

Presentation and Opening Statement by Sponsor: Sen. J. D. Lynch, as chairman of the Legislative Council and representing Senate District 34, Butte and Anaconda, introduced the bill. This bill, requested by the Legislative Council, makes several changes to the format of the session laws. The bill provides that appropriation bills be assigned chapter numbers, that deleted code material be shown as stricken and that a separate index for appropriation bills be prepared.

Testifying Proponents and Who They Represent:

Greg Petesch, Code Commissioner, Legislative Council

Proponent Testimony:

GREG PETESCH, representing the Legislative Council, said the following:

"This bill will solve a couple of problems that began to arise last session. It will also provide some valuable information to the public. It has become fairly common practice for bills to contain both substantive provisions and an appropriation. It is also becoming fairly common practice to have statutory appropriations in substantive law. The way the session laws currently read, appropriation bills are not to be given a chapter number and are designated by the House bill number and are printed in a separate portion of the session laws. The Secretary of State's Office last session on a number of occasions, didn't know whether to assign a chapter number to that law so that it was printed in the text of the substantive law or to leave it as a bill number and have it printed in the back of the session laws as an appropriation bill.

"This bill will have the Secretary of State assign a chapter number to all bills other than resolutions, and they will be numbered sequentially and be printed in order. In order that people can continue to find bills containing only appropriations, if they want, we are proposing that we would prepare and publish with the session laws, a separate index clearly identifying all of those. It would be a research tool for people wanting to find all of the appropriations easily in the index. Currently, a lot of appropriation bills get chapter numbers and are printed in the substantive portions. People who go to the appropriations portion of the session laws, unfortunately, do not find all of the appropriations.

"This bill would have the session laws show the material that is stricken from the current statutes. Currently, all that the session laws show are the bills that are signed by the Governor. That shows the bill as it reads after final passage. In some instances, all a bill does is strike material. If you go to the session law and look up that chapter, you have no idea of what change in the law occurred. The printing technology has advanced far enough now that we feel that we can clearly show the stricken material in these printed publications. You will be able to easily identify not only the additions to the statutory material but the deletions from that material."

Testifying Opponents and Who They Represent: None

Questions From Committee Members: None

Closing by Sponsor: None

DISPOSITION OF SB 11

Motion: Rep. Phillips moved SB 11 BE CONCURRED IN.

Discussion: None

Amendments, Discussion, and Votes: None

Recommendation and Vote: The motion CARRIED unanimously. Rep. Roth will carry this bill on the House floor.

DISPOSITION OF SB 346

Motion: Rep. Roth moved to RECONSIDER ACTION on SB 346.

Discussion: The motion CARRIED unanimously. Rep. Phillips moved SB 346 BE CONCURRED IN. Chairman Brown said the Committee had been concerned about coordination problems. Lois Menzies said there is a problem, and we need to amend the bill to include a coordination instruction.

Amendments, Discussion, and Votes: Rep. Phillips moved the amendment (Exhibit 2).

Lois Menzies explained that SB 125 and SB 346 amend the same section of law. A coordination instruction is needed to ensure that the amendments contained in both bills fit together.

The motion to amend the bill CARRIED unanimously.

Recommendation and Vote: Rep. Phillips moved that SB 346 AS AMENDED BE CONCURRED IN. The motion CARRIED unanimously. Rep. Davis will carry this bill in the House.

ADJOURNMENT

Adjournment At: 9:27 a.m.


REP. JAN BROWN, Chairman

JB/jb

DAILY ROLL CALL

STATE ADMINISTRATION COMMITTEE

51th LEGISLATIVE SESSION -- 1989

Date March 3, 1989

| NAME | PRESENT | ABSENT | EXCUSED |
|--------------------------------|--------------|--------|---------|
| Rep. Jan Brown, Chairman | ✓ | | |
| Rep. Helen O'Connell, Vice Ch. | ✓ | | |
| Rep. Vicki Cocchiarella | ✓ | | |
| Rep. Ervin Davis | ✓ | | |
| Rep. Floyd "Bob" Gervais | ✓ | | ✓ |
| Rep. Janet Moore | ✓ | | |
| Rep. Angela Russell | ✓ | | |
| Rep. Carolyn Squires | ✓ | | |
| Rep. Vernon Westlake | ✓ | | |
| Rep. Timothy Whalen | | | ✓ |
| Rep. Bud Campbell | ✓ | | |
| Rep. Duane Compton | ✓ | | |
| Rep. Roger DeBruycker | ✓ | | |
| Rep. Harriet Hayne | ✓ | | |
| Rep. Richard Nelson | ✓ | | |
| Rep. John Phillips | ✓ | | |
| Rep. Rande Roth | ✓ | | |
| Rep. Wilbur Spring, Jr. | ✓ | | |
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3-3-89
12:38p
J.O.

STANDING COMMITTEE REPORT

March 3, 1989

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that SENATE JOINT RESOLUTION 7 (REFERENCE copy -- blue) be concurred in.

Signed: _____


Jan Brown, Chairman

[REP. JAN BROWN WILL CARRY THIS BILL ON THE HOUSE FLOOR]

RT

3-3-89
12.3
Y.C.

STANDING COMMITTEE REPORT

March 3, 1989

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that SENATE BILL 41 (REFERENCE copy -- blue) be concurred in.

Signed: _____

Jan Brown, Chairman

[REP. HAYNE WILL CARRY THIS BILL ON THE HOUSE FLOOR]

AT

3-3-89
12:38pm
Y.O.

STANDING COMMITTEE REPORT

March 3, 1989

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that Senate Bill 11 (REFERENCE copy -- blue) be concurred in.

Signed: Jan Brown
Jan Brown, Chairman

[REP. ROTH WILL CARRY THIS BILL ON THE HOUSE FLOOR]

2-3-8
12-38
70

STANDING COMMITTEE REPORT

March 3, 1989

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that SENATE BILL 346 (REFERENCE copy -- blue) be concurred in as amended .

Signed: Jan Brown
Jan Brown, Chairman

[REP. DAVIS WILL CARRY THIS BILL ON THE HOUSE FLOOR]

And, that such amendments read:

1. Page 4.

Following: line 20

Insert: "NEW SECTION. Section 5. Coordination instruction. If Senate Bill No. 125 and this bill are passed and approved:

(1) the first sentence in 19-4-402 must read as follows:

"(1) (a) A member who became a member before July 1, 1989, may apply for creditable service in the retirement system for out-of-state employment service that would have been acceptable under the provisions of this chapter if the service had been performed in the state of Montana."

(2) the first sentence in 19-4-403 must read as follows:

"(1) A member with 5 years or more of creditable service in the retirement system who became a member before July 1, 1989, may apply for creditable service for employment while on leave."

AT

TESTIMONY ON SENATE BILL 41
STATE AUDITOR'S OFFICE
MARCH 3, 1989

Senate Bill 41 is a housekeeping bill that will clarify the statutes concerning the state payroll system and the state warrant writing system.

Section 1. The State Auditor's Office has defined "electronic funds transfer" as it relates to the payroll and warrant writing system.

Section 2. Lines 8 and 9. This amendment will update the statute. The statute was not changed when electronic funds transfer was made available to state employees on the state payroll system in 1984.

Section 3. Lines 22, 23, 24 and 25. This amendment will give the State Auditor's Office the authority to process electronic funds transfer for vendor and other types of payments using the state warrant system.

Section 4. Line 15. The State Auditor's Office is amending the outstanding date on payments by changing the time period from 1 year to 6 months. Currently warrants are outstanding for 13 months, after this period of time the status of the warrant changes to staledate which means the warrant was never cashed by the payee. The State Auditor's Office makes an attempt to locate the payee by contacting the issuing agency and requesting an address or other information that will allow the State Auditor's Office to find the individual or business. We are having a problem with the time frame of 1 year because agencies usually send their claim information, which is used to generate warrants, to records management at the end of the fiscal year. By changing the time a warrant may be outstanding to 6 months the agencies will still have the information available for contacting the payee. The payee may then complete an affidavit and receive a replacement warrant.

Finally, the amendment on page 4 corresponds with the amendment to change the time frame from 1 year to 6 months on outstanding warrants. By adding the 6 months to the 3 years the change will allow the funds to remain in the state Auditor's Office 4 years which is what the statute currently allows.

Amendments to Senate Bill No. 346
Third Reading Copy

For the House Committee on State Administration

Prepared by Lois Menzies
March 3, 1989

1. Page 4.

Following: line 20

Insert: "NEW SECTION. Section 5. Coordination instruction. If Senate Bill No. 125 and this bill are passed and approved:

(1) the first sentence in 19-4-402 must read as follows:

"(1)(a) A member who became a member before July 1, 1989, may apply for creditable service in the retirement system for out-of-state employment service that would have been acceptable under the provisions of this chapter if the service had been performed in the state of Montana."

(2) the first sentence in 19-4-403 must read as follows:

"(1) A member with 5 years or more of creditable service in the retirement system who became a member before July 1, 1989, may apply for creditable service for employment while on leave.""

