

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 51st LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: By Chairman Jan Brown, on April 6, 1989, at 10:04 a.m.

ROLL CALL

Members Present: All present, except:

Members Excused: Reps. O'Connell, Cocchiarella, Gervais, Moore, Russell and Whalen

Members Absent: None

Staff Present: Judy Burggraff, Secretary; Connie Erickson, Staff Researcher

Announcements/Discussion: Chairman Brown read a letter from Connie S. Jacques thanking the Committee for their action on SB 114 on behalf of the Montana Dental Hygienist's Association and herself (Exhibit 1).

DISPOSITION OF SB 241

Hearing Date: March 8, 1989

Motion: REP. NELSON moved to TAKE SB 241 OFF THE TABLE. The motion CARRIED with Reps. Debruycker and Westlake voting no.

Amendments, Discussion, and Votes: REP. PHILLIPS moved SB 241 BE CONCURRED IN. REP. PHILLIPS moved the amendments, which he presented (Exhibit 2). He said that the Committee heard testimony that the Judges' Retirement System was not in good shape financially. He said the amendments would grant the two percent increase, but the two percent provision of the bill would be deferred until July 1, 1991, when the retirement fund is "healthy."

REP. DEBRUYCKER questioned why the Committee was acting on the bill this session if the benefit enhancement was to be delayed for two years. Jim Oppedahl said that the statutes must be amended in order to get the money for the fund. The bill provides that fees for filing a motion for substitution of a judge and a petition for the dissolution of marriage must be deposited in the retirement fund. The money will begin flowing into the fund on July 1, 1989. The two percent increase will be delayed for two years.

The motion on the amendments CARRIED 13 - 3, with Reps. Westlake, Campbell and DeBruycker voting no. Proxy votes were furnished by Reps. Cocchiarella, O'Connell and Gervias.

Recommendation and Vote:

REP. PHILLIPS moved SB 241 BE CONCURRED IN AS AMENDED.

REP. DEBRUYCKER said that "we are right back in the same place where we were. We are raising people who are in the upper 10 percent income." He said, "isn't it true that most of the judges, out of the 42 that we have, own interests in banks, farms and ranches and other things? They are not depending on this bill for retirement. This isn't helping the needy; it's helping the greedy."

CHAIRMAN BROWN asked Rep. Phillips if he thinks somebody may next session try to strike the 1991 effective date and postpone the benefit enhancement for a couple of years, or does he anticipate the bill will stay as it is.

REP. PHILLIPS said he would hope that if the retirement system continues to be underfunded, that the Legislature would remove the benefit enhancement.

REP. CAMPBELL asked if it would be possible for a notice to be left with the Legislative Council to explain to whoever is appointed to the State Administration Committee next session what we have done here.

Connie Erickson was asked to see if this was possible.

The motion CARRIED 14 - 4, with Reps. DeBruycker, Compton, Westlake and Campbell voting no. Proxies votes were furnished by Reps. Whalen, Moore, O'Connell, Gervais and Cocchiarella. Rep. Spaeth will carry the bill on the House floor.

ADJOURNMENT

Adjournment At: 10:26 a.m.


REP. JAN BROWN, Chairman

JB/jb

7714.min

DAILY ROLL CALL

STATE ADMINISTRATION COMMITTEE

51th LEGISLATIVE SESSION -- 1989

Date April 6, 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.	✓		

STANDING COMMITTEE REPORT

April 6, 1989

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that SENATE BILL 241 (third reading copy -- blue) be concurred in as amended .

Signed: _____

Jan Brown
Jan Brown, Chairman

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

And, that such amendments read:

1. Title, line 10.
Strike: "AN"

2. Title, line 11.
Strike: "DATE"
Insert: "DATES"

3. Page 6, line 6.
Strike: "date"
Insert: "dates"
Following: "."
Insert: "(1) Except as provided in subsection (2),"
Strike: "This"
Insert: "this"

4. Page 6.
Following: line 7
Insert: "(2) [Section 2] is effective July 1, 1991."

Connie S. Jacques, R.D.H., B.A.

1602 Gold Rush
Helena, Montana 59601

(406) 442-7964

EXHIBIT 1

DATE 4-06-89

SB 114

April 2, 1989

Representative Jan Brown
Capitol Station
Helena, Montana 59620

Dear Jan,

On behalf of the Montana Dental Hygienist's Association, and myself, I wish to thank you for your support of our efforts against SB-114. We were very appreciative of the way your committee handled this bill. It is reassuring to me that the Montana people have people like you and those on your committee, who act with conviction and integrity. You are a shining example of what it means to the public at large to have someone representing the best interest of all concerned. Please thank your committee for me, because together, you have helped to shape the future of Montana Dental Hygienists.

Thank you, again!!!!

Sincerely,

A handwritten signature in dark ink, appearing to read "Connie S. Jacques", written in a cursive style.

Connie S. Jacques, R.D.H.
President-Elect, M.D.H.A.

Amendments to Senate Bill No. 241
Third Reading Copy

Requested by Representative Phillips
For the House Committee on State Administration

Prepared by Lois Menzies
April 5, 1989

1. Title, line 10.
Strike: "AN"

2. Title, line 11.
Strike: "DATE"
Insert: "DATES"

3. Page 6, line 6.
Strike: "date"
Insert: "dates"
Following: "."
Insert: "(1) Except as provided in subsection (2),"
Strike: "This"
Insert: "this"

4. Page 6.
Following: line 7
Insert: "(2) [Section 2] is effective July 1, 1991."