

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 52nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: By CHAIR JAN BROWN, on January 30, 1991, at 9:00 a.m.

ROLL CALL

Members Present:

Jan Brown, Chair (D)
Vicki Cocchiarella, Vice-Chair (D)
Beverly Barnhart (D)
Gary Beck (D)
Ernest Bergsagel (R)
Fred "Fritz" Daily (D)
Ervin Davis (D)
Jane DeBruycker (D)
Roger DeBruycker (R)
Gary Feland (R)
Gary Forrester (D)
Patrick Galvin (D)
Harriet Hayne (R)
Betty Lou Kasten (R)
John Phillips (R)
Richard Simpkins (R)
Jim Southworth (D)
Wilbur Spring (R)
Carolyn Squires (D)

Staff Present: Dave Boyher, Legislative Council
Judy Burggraff, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Announcements/Discussion:

HEARING ON HB 170

Presentation and Opening Statement by Sponsor:

REP. LARRY GRINDE, House District 30, Lewistown, introduced HB 170 to increase reimbursement for overnight lodging expenses from \$24 to \$30 for elected officials, appointed members of boards, commissioners, councils, department directors and other state employers. The last change in the amount reimbursed was in 1981 when there was a raise from \$21 to \$24. It was found in a survey conducted by the National Association of State Comptrollers that Montana and South Dakota are the only states with overnight

lodging rates below \$30. Colorado allows \$60 for overnight lodging and many states give actual lodging. There are two reasons for this bill. 1) Employers are having problems, particularly in the western part of Montana, finding innkeepers that will honor the state rate. 2) Innkeepers feel they can no longer afford to extend the \$24 rate. Item No. 6 on the fiscal note states there will be no appropriation made. The cost will be absorbed by the departments through whatever method they feel is necessary. "It will not cost the state any more General Fund money. The departments . . . can prioritize."

Proponents' Testimony:

Chuck Virag, Administrator, Accounting and Management Support Division, Department of Administration, presented written testimony. EXHIBIT 1

REP. JERRY DRISCOLL, said, "I think it is time for the rate to go up. . . . I don't know of any motel in Billings where you can get a room for \$24 Employees have to take the money out of their pockets." The Appropriations Committee will not be putting any money into the bill for travel. There will be less travel.

Tom Schneider, Montana Public Employees Association (MPEA), said lodging and meals was a "hot issue in 1989 that would not go away." They have to be resolved. "Employees are paying out of pocket for lodging. They call a motel and ask if they have state rates. They are told they do. When they check in, they find out that their state rates are \$31 a night. They pay \$7 out of pocket for which they are not reimbursed." The lodging industry cannot continue to honor a rate established in 1981. It isn't fair to expect that. The last line of the fiscal note says they anticipate the innkeepers will receive an increase of \$430,000 if the bill passes. "I don't think that is necessarily true, I think they may be already getting that money, but it is the amount state employees are currently paying out of their pockets."

Terry Minow, Montana Federation of Teachers, Montana Federation of State Employees, said, "This bill is a long overdue improvement and important to our traveling members."

Henry W. Gehl, General Manager, Park Inn, Lewistown, presented written testimony. EXHIBIT 2

Betsy Taylor, Property Manager, Bozeman Days Inn Motel, presented written testimony. EXHIBIT 3

Duane Larson, Montana Fire Chiefs' Association, and representing city employees throughout the state, said cities, counties and organizations base their travel expenses on the \$24 rate. His son, an innkeeper in Kalispell, will not grant even his father the state rate for the conventions and seminars he is trying to

set up as he cannot afford to do so. The bill would be a "great benefit" to county and city employees.

REP. BEVERLY BARNHART said she works for an organization that follows the state plan. The Board of Directors allow those traveling to apply for only state rates. Any additional monies must be paid for by the applicant.

Beverly Gibson, Montana Association of Counties, said county employees and officials from tax supported organizations follow the state per diem reimbursement for traveling employees. "We feel the innkeepers have been very patient . . . over the years. It is getting harder to find places where we can send employees when they are having joint meeting with the state."

Kay Foster, Billings Area Chamber of Commerce, said, "We feel it is time for the innkeepers to be reimbursed properly."

Opponents' Testimony: None

Questions From Committee Members:

REP. BETTY LOU KASTEN said, "Do you think we are being rather naive to think that this will come out of the agency's budget? We may see a little taken out this year because their budgets are all ready for appropriations, but don't you see expansion in the next year." **REP. GRINDE** said if the agencies don't have the money, they can't spend it. They will have to absorb it within the budgets they receive. When it goes into statute, they would have to reimburse within their budgets.

REP. GARY FORRESTER asked how the passage of the bill would affect county budgets. **Ms. Gibson** said counties will have to adjust their budgets in every department to allow for travel. "They will probably take a good look at employee's travel and get a little tighter on which meetings they may go to. They will have to take a hard look at the bottom line." **REP. FORRESTER** said that from comments in the paper and from comments from state officials, it is interesting to see that "we are already running as tight a ship as we can. . . . If you increase (travel expenses) by \$6 you will decrease travel by 20 percent. You mean we have been doing that much extra travel?" **Ms. Gibson** said when the sheriff's cars require more expensive gas, they still have to make the expenditure; we have to adjust our budget to accommodate reality.

REP. JOHN PHILLIPS asked if the bill will be going to the Appropriations Committee if passed. **REP. GRINDE** said he would glad to take it to Appropriations since he sits on that committee.

Closing by Sponsor:

REP. GRINDE closed HB 170.

EXECUTIVE ACTION ON SB 78

Motion: REP. ERVIN DAVIS MOVED SB 78 BE CONCURRED IN. Motion carried 12 to 7. EXHIBIT 4

HEARING ON HB 257Presentation and Opening Statement by Sponsor:

REP. BOB GILBERT, House District 22, Sidney, introduced HB 257 for a death benefit for a safety officer killed in the line of duty. The bill originated from the death of Orville Sharbono, Chief of Police, Fairview, who was slain about a year ago. The only time he drew a weapon was the time he was killed. The bill is intended "not so much for a monetary recognition but for a tribute" to those in the state who put their lives on the line in various ways to serve citizens. The people who volunteer as EMT race out in the middle of the night and do not know when "a car could be on ice and slide into them." Families depend on these people. He distributed an amendment to change the administration of the program from the Department of Administration (DOA) to the Montana Board of Crime Control (MBCC). EXHIBIT 5 The DOA would charge \$9,000 per year to administer the program; MBCC would charge nothing. The Department of Justice has about 18 people who provide criminal investigation for small communities. These people have their life on the line and they have been included in the bill. The following will be covered: Sheriff, undersheriff and sheriff as defined in 19-7-101 MCA; deputies, state game wardens, emergency medical technician basic or emergency medical technician as defined in 19-12-501 MCA; and firefighters as defined in 7-33-4106 and volunteer firefighters enrolled as an active member of a fire company defined in 19-12-501 MCA. The volunteer firefighters receive a small fee that allowed them to be covered by Workers Compensation if injured on the job. "These people put a lot on the line." The full-time firefighters are there because of the "fairness issue." . . . I have been bombarded by people wanting to get their names on the list. I draw the line. I have said this is it; we are not going any further. If people testify to go beyond what I have on the list, . . . it is my intent to kill the bill. It is too many hogs at the trough, I won't put up with it. We're taking care of those people who truly provide the service I intended to cover. I don't intend to expand it at all." Seven officers have been killed since 1974 by felonious means; 88 officers have been killed since 1963 including some accidental deaths. Accidental deaths would only be covered in the event that they were on duty. Federal death benefits for peace officers are \$109 thousand. Money isn't the issue; tribute is.

Proponents' Testimony:

Tim Bergstrom, Montana State Firemen's Association, Montana State Council of Firefighters, said the bill seeks to recognize those

of us who are providing emergency services on a regular basis and the sacrifices some make in the performance of those duties.

Ed Hall, Montana Board of Crime Control, distributed a fact sheet entitled, "Data for Peace Officer Deaths by Felonious Means Only." EXHIBIT 6 The MBCC contacts any agency as a matter of routine that has an officer killed to let them know how to apply for the Federal Death Benefit Program and make sure they are aware of it. He did not have any information regarding officers killed other than peace officers. "The numbers killed are fortunately relatively small, although there have been three in the last few years - Chief Orville Sharbono in Fairview, Janet Rogers in Hardin and Officer Alexander Mavity in Billings. The bill would be a good tribute to the law officers.

Bill Yeager, Helena, Association of Montana Highway Patrolmen, presented written testimony. EXHIBIT 7

Duane Larson, retired Fire Chief, Kalispell, Montana State Fire Chief's, said it is the type of bill "we hope and pray we will never have to use. We all know better. Each day in the state of Montana, thousands of your fellow citizens don a different type of hat to take on the duties and responsibilities of public safety officers in the form of law enforcement, firefighters and emergency medical personnel. They are young, old, paid and unpaid, and they come from all walks of life. They leave the relative safety of their homes . . . and step into an arena fraught with hazards." If an officer loses his life in the course of his duties, "his beneficiaries will know in an inadequate way we have done what we could and that we honor and recognize that public safety officer."

Henry Lohr, Montana State Volunteer Firefighters' Association, said the bill is a "good incentive." Fire fighting is one of the most hazardous occupations.

Tom Schneider, Montana Public Employees Association (MPEA), said two of the last three officers killed in the line of duty were members of the MPEA.

Drew Dawson, Chief, Emergency Medical Services (EMS), Department of Health and Environmental Sciences, said they are responsible for licensing of EMS and certification of EMS personnel. Many of these people are volunteer. This bill would be an added incentive to attract volunteers.

Mark Langdorf, Field Representative, American Federation of State and County Municipal Employees, member, Helena West Valley Volunteer Fire Department (HWVVFD), said we represent some police departments in the state. He encouraged a DO PASS. The HWVVFD average approximately 100 calls per year on a individual-membership basis. A firefighter donates over 250 hours a year.

Opponents' Testimony: None

Questions From Committee Members:

REP. PHILLIPS asked if the statutory appropriation of \$500 thousand was put into the General Fund each year or if that much were going to be set aside. REP. GILBERT said he wasn't quite sure "how it worked," but none of the money except the first \$25 thousand would be put into the account. The rest would be there when an addition would be needed for the budget. Twenty people would be covered by \$500,000 in one year. "That is a tremendous amount of people." The most deaths you would see in a year, "in a worst case scenario" would be three or four. REP. PHILLIPS said he would not want the analyst to subtract \$500 thousand from the budget right away.

REP. JIM SOUTHWORTH asked if the \$109 thousand figure included all of the police officers. REP. GILBERT said it includes only police officers. The amount is given to peace officers under a federal/criminal act. Emergency medical technicians (EMT) and firefighters are not covered. It may include game wardens because they are officially police officers in Montana.

Closing by Sponsor:

REP. GILBERT said the \$9,091 cost on the fiscal note will be eliminated because MBCC will handle the administration at no cost. The EMT receive \$20 a call, which doesn't cover "a lot." They are volunteers. Without those people, many would be in dire straits.

HEARING ON HB 323Presentation and Opening Statement by Sponsor:

REP. JERRY DRISCOLL, House District 323, Billings, introduced HB 323 for changing the eligibility and benefit provisions for PERS disability retirement. PERS requested the bill. New employees only will be affected; it changes their disability portion. PERS present members will be able to make one-time election on "which way they want to go." If this bill doesn't pass, the contribution rate to PERS will have to go to at least 7.5 percent or the unfunded liability would be increased. It has been estimated by the year 2006 that \$41 million additionally would be paid out.

Proponents' Testimony:

Linda King, Assistant Administrator, Public Employees' Retirement Division, presented written testimony. EXHIBIT 8

Opponents' Testimony: None

Questions From Committee Members:

REP. GARY FORESTER asked if employees would fund the necessary increase. REP. DRISCOLL said there would be no increase in the contribution rate by the employee or the employer. Without the bill there would be an increase on the employers. "You cannot put this increase on employees." If the bill dies, we must follow federal law and there would not be enough money to fund the pension system properly. The Board or the Legislature some time in the future would have to increase the contribution rate of the employer.

REP. SIMPKINS asked if the bill was in response to a change in federal law. REP. DRISCOLL said, "That is correct."

Closing by Sponsor:

REP. DRISCOLL said if you are totally disabled, you are eligible for social security benefits at the same rate as if you were age 65. It does not affect the contribution rate of either employer or employee. It does not affect any present employee of the state or political subdivisions, only newly hired employees after passage and approval of the bill. The bill is fair. Everyone will receive the same -- 1/56ths of their final average salary for each year of service whether you are disabled or a regular retiree. If the bill is not passed, the system must find \$41 million within 15 years.

EXECUTIVE ACTION ON HB 323

Motion/Vote: REP. SOUTHWORTH MOVED HB 323 DO PASS. The motion carried unanimously.

ADJOURNMENT

Adjournment: 10:05 a.m.


JAN BROWN, Chair


JUDY BURGGRAEF, Secretary

HOUSE OF REPRESENTATIVES
STATE ADMINISTRATION COMMITTEE

ROLL CALL

DATE 1/30/91

NAME	PRESENT	ABSENT	EXCUSED
REP. JAN BROWN, CHAIR	✓		
REP. VICKI COCCHIARELLA, VICE-CHAIR	✓		
REP. BEVERLY BARNHART	✓		
REP. GARY BECK	✓		
REP. ERNEST BERGSAGEL	✓		
REP. FRED "FRITZ" DAILY	✓		
REP. ERVIN DAVIS	✓		
REP. JANE DEBRUYCKER	✓		
REP. ROGER DEBRUYCKER	✓		
REP. GARY FELAND	✓		
REP. GARY FORRESTER	✓		
REP. PATRICK GALVIN	✓		
REP. HARRIET HAYNE	✓		
REP. BETTY LOU KASTEN	✓		
REP. JOHN PHILLIPS	✓		
REP. RICHARD SIMPKINS	✓		
REP. JIM SOUTHWORTH	✓		
REP. WILBUR SPRING	✓		
REP. CAROLYN SQUIRES	✓		

HOUSE STANDING COMMITTEE REPORT

January 30, 1991

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that Senate Bill 78 (third reading copy -- blue) be concurred in.

Signed: _____
Jan Brown, Chairman

Carried by: Rep.

HOUSE STANDING COMMITTEE REPORT

January 30, 1991

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that House Bill 323 (first reading copy -- white) do pass.

Signed: _____
Jan Brown, Chairman

TESTIMONY
DEPARTMENT OF ADMINISTRATION
HB 170

TITLE: "AN ACT INCREASING FROM \$24 TO \$30 THE AUTHORIZED REIMBURSEMENT OF LODGING EXPENSES FOR ELECTED OFFICIALS, APPOINTED MEMBERS OF BOARDS, COMMISSIONS, OR COUNCILS, DEPARTMENT DIRECTORS, AND ALL OTHER STATE EMPLOYEES TRAVELING ON BUSINESS WITHIN THE STATE; AMENDING SECTION 2-18-501, MCA; AND PROVIDING AN EFFECTIVE DATE."

PURPOSE

This legislation proposes increasing the reimbursement rate for overnight lodging expenses related to travel within the state by state officials, appointed board, commission or council members, and all other state employees from \$24 to \$30 per day.

TESTIMONY

State agency personnel have indicated that employees periodically have problems finding lodging providers that will offer rates within the State's current reimbursement allowance. This is particularly a problem in the Kalispell area during the peak tourism season (copy of related memorandum from the Department of Justice is attached). The Department of Administration has requested this legislation in response to this problem.

The reimbursement rate for lodging expenses related to travel within the state by state officials, appointed board, commission or council members, and all other state employees is presently \$24 per day plus tax. This rate was last changed by the 1981 Legislature, which enacted legislation increasing the rate from \$21 to \$24.

The results of a recent survey conducted by the National Association of State Comptrollers provides an indication that Montana's lodging reimbursement allowance is too low. The survey results showed that Montana and South Dakota are the only states, among the 39 responding, with lodging reimbursement rates below \$30 per day.

This proposed legislation was developed assuming that State agencies could redirect budget authority from other categories to cover the resulting increased costs. Assuming that the level of in-state travel occurring in FY 1990 is representative of future years, changing the lodging reimbursement rate to \$30 per day would increase the State's travel costs by an estimated \$448,000. The increase in total travel expenditures resulting from this proposal is approximately two and a half percent (total FY 1990 travel expenditures were \$17 million). This increase in the lodging reimbursement rate would also generate an additional \$17,229 in accommodations tax revenue.

STATE
OF
MONTANA
DEPARTMENT OF JUSTICE
CENTRAL SERVICES DIVISION

Justice Building, 215 North Sanders, Helena, Montana 59620 (406) 444-3800

Ex. 1
1/30/91
HB 170

To: Chuck Virag, Administrator
Centralized Services Division
Department of Administration

From: Terry Cannon, Assistant Administrator

Date: June 28, 1990

Subj: High Cost City - Kalispell

In June 1990, two attorneys from the Department of Justice's Legal Services Bureau were in Kalispell to try a State case. They, like many Justice employees, were unable to find lodging at the State rate of \$24. They eventually secured rooms at Cavanaugh's for \$30, plus tax, and stayed seven nights.

What makes this incident unique is the fact that the motel rooms became the offices for the attorneys. They interviewed and coached witnesses in these rooms, and whenever a break occurred in the trial, the attorneys went to their rooms for further preparation. I offer this because it shows that the rooms had to be in close proximity of the courthouse. In other words, they did not have the opportunity to look for rooms in adjacent towns; they were forced to accept the summer-inflated rates of Kalispell.

This memo's purpose is twofold:

1. To request that you designate Kalispell as a high cost city for this situation only, and
2. that you place a copy of this letter in an appropriate file as evidence that the \$24 rate for in-state lodging is generally insufficient at this time.

Thank you.

EXHIBIT 2
DATE 1/30/91
HB 170

WITNESS STATEMENT

NAME HENRY W. GEIK BILL NO. HB 170

ADDRESS PO Box 939 Lewistown

WHOM DO YOU REPRESENT? MIKE + RURAL MONTANA

SUPPORT ☒ OPPOSE ☐ AMEND ☐

COMMENTS: I ASK THE COMMITTEE FOR APPROVAL OF
HB 170. IT HAS BEEN 10 YEARS SINCE LAST INCREASE
AND DUE TO INFLATION WE CANNOT PROVIDE A RENT ROOM
WITH AN THE REMAINING EXPENSE FOR THE RENT IS 24⁰⁰

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

EXHIBIT 3
DATE 1/30/91
HB 170

TESTIMONY HB 170, By Betsy Taylor, Days Inn, Bozeman

**House State Administration Committee
January 30, 1991**

Members of the committee, for the record my name is Betsy Taylor of the Bozeman Days Inn Motel. As a property manager who frequently provides lodging for the state employees, I wish to express my support for HB 170.

At the Days Inn we have accomodated state employees under the present rate structure for several years without change. But with increasing expenditures, an adjustment, as provided in HB 170, is needed to allow us to continue providing state employees with affordable, and comfortable lodging.

I urge your support of HB 170. Thank You

DATE 1/30/91
S 8B 78

HOUSE OF REPRESENTATIVES

STATE ADMINISTRATION COMMITTEE

ROLL CALL VOTE

DATE 1/30/91 BILL NO. _____ NUMBER 1

MOTION: By concurred in.

NAME	AYE	NO
REP. VICKI COCCHIARELLA, VICE-CHAIR	✓	
REP. BEVERLY BARNHART	✓	
REP. GARY BECK	✓	
REP. ERNEST BERGSAGEL		✓
REP. FRED "FRITZ" DAILY	✓	
REP. ERVIN DAVIS	✓	
REP. JANE DEBRUYCKER	✓	
REP. ROGER DEBRUYCKER		✓
REP. GARY FELAND		✓
REP. GARY FORRESTER	✓	
REP. PATRICK GALVIN	✓	
REP. HARRIET HAYNE		✓
REP. BETTY LOU KASTEN		✓
REP. JOHN PHILLIPS	✓	
REP. RICHARD SIMPKINS		✓
REP. JIM SOUTHWORTH	✓	
REP. WILBUR SPRING		✓
REP. CAROLYN SQUIRES	✓	
REP. JAN BROWN, CHAIR	✓	
TOTAL	12	7

EXHIBIT 5
DATE 1/30/91
HB 257

AMENDMENT TO HOUSE BILL 257

INTRODUCED BILL

JANUARY 30, 1991

1. Page 1, lines 7 and 8.
Strike: "DEPARTMENT OF ADMINISTRATION"
Insert: "MONTANA BOARD OF CRIME CONTROL"
2. Page 2, line 4.
Strike: "department"
Insert: "Montana Department of Crime Control"
3. Page 2, lines 16 and 17.
Strike: "Department" means the department of administration provided for in 2-15-1001."
Insert: "Montana Board of Crime Control" means the board of crime control provided for in 2-15-2006."
4. Page 2, line 25.
Following: "provides"
Insert: "criminal investigation or"
5. Page 3, line 16.
Following: "19-11-102"
Insert: "(g) an agent of the department of justice as defined in 44-2-111 except those agents assigned to investigate gambling activities in this state as provided in 23-5-113."
6. Page 3, lines 19 and 21.
Strike: "department"
Insert: "Montana Board of Crime Control"
7. Page 5, lines 20 and 23.
Strike: "department"
Insert: "Montana Board of Crime Control"
8. Page 6, lines 8 through 12.
Strike: All of Section 6 (lines 8 through 12).
Renumber subsequent sections.

HB 257

Data for peace officer deaths by felonious means only.

**** MONTANA FACTS**

- ** 7 PEACE OFFICERS KILLED SINCE 1974 BY FELONIOUS MEANS**
- ** 88 PEACE OFFICERS KILLED SINCE 1863 (INCLUDES SOME ACCIDENTAL DEATHS)**
- ** 3 PEACE OFFICERS KILLED SINCE 2/14/89**

**** FEDERAL DEATH BENEFITS**

- ** CURRENT AMOUNT IS APPROXIMATELY \$109,000**
- ** DONE ON APPLICATION TO THE FEDS (202) 724-7620**

EXHIBIT 7

DATE 1/30/91

HB 257

Testimony by: Bill Yaeger of Helena on House Bill 257

Before: The House Committee on State Administration

Date: January 30, 1991

Good morning, Madam Chairman and members of the committee. I am Bill Yaeger of Helena, representing the Association of Montana Highway Patrolmen. I appear today with solid support from the association for House Bill 257. Highway Patrol officers have lost their lives in the line of duty and often assume great risks to keep our highways safer. Knowing that the people of Montana would share in a major way to provide for their families should they lose their lives, would encourage Highway Patrol officers to carry out their duties with even greater enthusiasm.

HB 323 -- PERS Disability Retirement

DATE 1/30/91

HB 323

Presented by Linda King, Asst. Administrator
Public Employees' Retirement Division

PRIOR TO FEDERAL CHANGES

PERS provided disability retirement benefits for members with at least 5 years of service who had become disabled, provided those members were not eligible for regular service retirement benefits. The disability benefit was equal to either (1) 90% of the accrued retirement benefit or (2) 25% of FAS, **whichever was greater.**

Persons over age 60 or who had 30 or more years of service were eligible only for the service retirement benefit.

WITH FEDERAL CHANGES ("Current Law" in the Fiscal Note)

Federal Amendments to the Age Discrimination Act (ADA) enacted last fall now prohibit disability retirement plans from withholding disability benefits to members based on age. Therefore, all PERS member with at least 5 years of service who become disabled are eligible to receive a disability retirement benefit (described above).

Since the rate of disabilities increase with age, a relatively large proportion of persons over age 60 are expected to become disabled from the current job at some point prior to retirement. Disability retirements are expected to increase dramatically for those members over 60 years of age.

The major impact of this federal change is for members over age 60 who have less than 14 years service. These members will be eligible for the minimum disability retirement benefit of 25% of FAS. On the average, these members will receive a 200% increase in their monthly benefit. This increase in benefits is expected to cost the PERS over \$41 Million in additional benefit payments by the year 2006. **Beginning in FY 94, additional employer contribution rates (estimated at an additional 5.6% of salaries or \$2.5 Million each year) will be required to fund these increased benefits.**

HB 323 PROPOSAL:

In compliance with the provisions of the the Federal amendments prohibiting age discrimination in disability retirement plans, the Public Employees' Retirement Board recommends the adoption of HB 323 with the following provisions:

The "old" disability retirement benefit structure would be retained for all current PERS members; members who are eligible for service retirement would **not** be eligible for disability retirement. The disability retirement benefit would be either 90% of the accrued retirement benefit or 25% of FAS, whichever was greater.

A "new" disability retirement benefit structure would be instituted for a new PERS members. Anyone who became disabled after 5 years of service would be eligible for a disability retirement benefit which is 100% of the accrued retirement benefit. There would be no minimum benefit.

All current PERS members would have a one-time, irrevocable election to choose to be covered under the new disability retirement benefits enacted by this bill.

Since the "new" disability benefits do not discriminate because of age and all PERS members may be covered at their individual option, the entire plan will be deemed to qualify as nondiscriminatory under the federal law. This will eliminate the need to pay a minimum benefit of 1/4 FAS to persons over age 60, but will also eliminate this minimum benefit for new employees. This bill will not require increased employer contributions to fund the retirement system.

**HOUSE OF REPRESENTATIVES
VISITOR'S REGISTER**

STATE ADMINISTRATION

COMMITTEE

BILL NO.

HB 170

DATE 1/30/91

SPONSOR(S) REP. GRINDE

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Jetsy Taylor 1321 N 7th Ave Bozeman	DAYS INN	✓	
Stuart Duggan	MT Innkeepers Assoc	✓	
Henry W. Galt Part III 211 E. 2nd St Lewistown	MT Innkeepers Assoc/Rep MT	✓	
Duane Larson	MT FIRE CHIEFS ASSN	✓	
Beverly Gibson	MT Assoc. of Counties	✓	
Alan Kugler	Dept. of Administration		
DAVE Ewenson	U System	✓	
Tom Schneider	MPEA	✓	
Chuck Virag	Dept. of Admin.	✓	
Kay Foster	Billings Chamber	✓	
Beverly Baulert	Rep HD 80	✓	

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

**HOUSE OF REPRESENTATIVES
VISITOR'S REGISTER**

STATE ADMINISTRATION

COMMITTEE

BILL NO. HB 257

DATE 1/30/91 SPONSOR(S) REP. GILBERT

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
DUANE LARSON	MT. FIRE CHIEFS ASSN.	X	
DREW DAWSON	Dept Health	X	
TIM BERGSTROM	MT. STATE FIREMEN'S ASSOC.	X	
Ed Hall	MBCC	X	
Tom Schneider	MIPEA	X	
Tom Hannon	mt Sheriff & Peace Off.	X	
MARK LANGDON	AFSCME	X	
Henry Lohr		X	

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

**HOUSE OF REPRESENTATIVES
VISITOR'S REGISTER**

COMMITTEE

BILL NO. HB 323

SPONSOR(S) REP. DRISCOLL

SPONSOR(S) REP. DRISCOLL

PLEASE PRINT

PLEASE PRINT

[illegible]

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.