

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 52nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: By CHAIR JAN BROWN, on February 22, 1991, at 9:08 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: Sheri Heffelfinger, Legislative Council
Judy Burggraff, Committee Secretary

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

Announcements/Discussion:

CHAIR BROWN announced that the Committee would not have executive action on HBs 553 and 661 to provide the increases to the Public Employees' Retirement System (PERS) and the Teachers' Retirement System (TRS) retirees. Those bills would be heard after transmittal action.

HEARING ON HB 957

Presentation and Opening Statement by Sponsor:

REP. JOHN JOHNSON, House District 23, Glendive, introduced HB 957 at the Department of Institutions' request to recognize the

official names of the Montana veteran's homes. Pg. 1, Sect. 1, (a) through (h), lists the institutions in Montana. HB 957 will change the veteran's home at Columbia Falls from Montana Veteran's Home at Columbia Falls to Montana Veteran's Home. Subsection (c) will change the eastern Montana veteran's home, which was named Veteran's Home in Eastern Montana, to Eastern Montana Veteran's Home. The bill should not cost any money except for the changing of the names when the laws are reprinted.

Proponents' Testimony:

Jim Currie, Administrator, Management Services Division, Department of Institutions, urged the Committee to pass the bill.

Opponents' Testimony: None

Questions From Committee Members:

REP. BETTY LOU KASTEN asked why the change was necessary. She said that she thought the title Montana Veteran's Home at Columbia Falls helps to orientate people. She did think it was "sensible" to change from Veteran's Home in Eastern Montana to Eastern Montana Veteran's Home. Mr. Currie replied, "The bill would just formalize the name of the facility." In the 1989 session, when the Legislature approved the construction of the nursing home in eastern Montana, there was no site selection made. The Legislature just referred to it in a geographical location. The bill also would formalize the names of the institutions for which the Department can bill per diem.

Closing by Sponsor:

REP. JOHNSON requested the Committee to vote favorably on HB 957.

EXECUTIVE ACTION ON HB 957

Motion/Vote: REP. KASTEN MOVED HB 957 DO PASS. Motion carried unanimously.

Motion/Vote: REP. KASTEN MOVED HB 957 BE PLACED ON THE CONSENT CALENDAR. Motion carried unanimously.

EXECUTIVE ACTION ON HB 936

Motion: REP. JIM SOUTHWORTH MOVED HB 936 DO PASS.

Discussion:

Sheri Heffelfinger distributed amendments to the bill and explained them as follows: The amendments would limit the effectiveness of the bill by allowing only the public employees with at least 25 years of eligible service but no more than 30

years of eligible service to transfer 100 percent of their sick leave from their sick leave account to be paid to their PERS account. Ms. Heffelfinger had researched the question regarding the legality of the bill and found there were no legal guidelines. There may be some income tax concerns because the state would be paying out in cash value 100 percent of an employee's sick leave to PERS. EXHIBIT 1

REP. JOHN PHILLIPS said, "I think we get into a matter of fairness here, also." Those that have over 30 years of eligible service cannot buy any sick leave. The PERS employees have "already paid up front." Everyone is not being given the "same shake."

Motion/Vote: REP. SOUTHWORTH moved Rep. Rice's amendment. The motion carried unanimously.

Discussion:

REP. RICHARD SIMPKINS said, "Right now the employee is entitled to receive a 25 percent cash equivalent of whatever sick leave is on hand at the time of retirement." We are creating a new category where the employee will be given a 100 percent cash equivalent if they just transfer their cash equivalency over to their PERS account. HB 936 will give the state two categories. "Sick leave was put in as a benefit to people so (state employees) could stay home when they're sick and not lose money." The Legislature then tried to entice the employee not to use their sick leave by offering the employee a 25 percent cash return. Now the Legislature is offering a better enticement by saying, "We'll give you 100 percent if you turn around and transfer it into (PERS). I really think this is not a proper way to go."

REP. SOUTHWORTH said HB 936 offers an incentive for employees not to use their sick leave up unnecessarily which would result in more productivity.

REP. SIMPKINS said he agrees with Rep. Southworth. "If that is the purpose, then give everybody 100 percent."

REP. PHILLIPS reiterated the original concept of sick leave. "If you give one certain class a little benefit, . . . you can bet next session (PERS employees) will say this is an unfair situation." HB 936 would make sick leave a commodity now, which was not its intent. This bill would open it up for all systems to come in asking for the same benefit. HB 936 "discriminates against a lot of people."

REP. SOUTHWORTH said he had served on negotiating committees most of his life. "They will be here anyway negotiating for benefits. They won't stop."

REP. PATRICK GALVIN said that Rep. Phillips was using the terms "give benefits." He preferred the terms "earned benefits."

REP. PHILLIPS reiterated, "It is an additional benefit." The legislation that offered the 25 percent cash pay out of sick leave was amended from 100 percent to 25 percent. This bill would change the whole concept of what has been done, plus giving in to a certain group of people. REP. GALVIN responded by saying, "That still does not clarify the difference between give and earn." REP. PHILLIPS said you could call it either way. "You could say I earned so much sick leave. But here are the ground rules under sick leave. Annual leave can be cashed in. That is more of a commodity -- money in the bank. Sick leave was never designed for that."

REP. FRITZ DAILY asked if there was a fiscal note on the bill. CHAIR BROWN said the Committee had not received the fiscal note as it wasn't ready. REP. DAILY said he supported the bill but would like to see the fiscal note as it may have a substantial price tag. REP. KASTEN commented that Rep. Rice had testified that the cost of the first year would be approximately \$424 thousand; the second year would be approximately \$383 thousand, but he did not know if those figures were correct.

Vote: HB 936 DO PASS AS AMENDED. The motion carried 10 to 9.
EXHIBIT 2 and EXHIBIT 3

EXECUTIVE ACTION ON HB 727

Motion: REP. DAILY MOVED HB 727 DO PASS.

Discussion:

Ms. Heffelfinger distributed amendments requested by Rep. Daily.
EXHIBIT 4

REP. DAILY explained the amendments as follows: The amendments make the early retirement in PERS the exact same as the early retirement in the TRS. Rather than just having the employer pick up the premium, the amendment would have the employer and employee split the cost.

Motion: REP. DAILY moved his amendments.

Discussion:

REP. SOUTHWORTH asked Linda King, Assistant Administrator, PERD, to respond briefly to the amendments. She said the 20-year early retirement eligibility was being struck. Regular retirement eligibility now, with the amendments, would be either age 60 with 5 years of service or age 65, regardless of the years of service, or 25 -- which stays the same. Early retirement would only be available at age 50, with at least 5 years of service; it would mean no 20-year eligibility for early retirement. The resulting cost, instead of being 1.52 percent of salaries, would be 1.49

percent of salaries to be split equally between the employer and the employee.

CHAIR BROWN questioned **Tom Schneider**, **Montana Public Employees Association (MPEA)**, if the amendments would make the bill worse or better for state employees than what exists now. **Mr. Schneider** said MPEA would not support the bill with an increase in employee contribution. "It just takes money away that they're looking at for salary increases."

REP. SIMPKINS asked if the amendment would cut the fiscal note in half. **Ms. King** said it would not cut the cost exactly in half. The amount of the employer contribution required would be just about cut in half, but "we would have to redo the lump-sum cash out salary savings cost. It wouldn't cut that in half." **REP. SIMPKINS** asked if **HB 727** would still have a multi-million dollar cost. **Ms. King** said, "Yes, that is true."

Vote: **HB 727 REP. DAILY'S AMENDMENTS.** The motion carried 11 to 7. **Rep. Barnhart** was absent for the vote. **EXHIBIT 5**

Motion: **REP. DAILY MOVED HB 727 DO PASS AS AMENDED.**

Discussion:

REP. VICKI COCCHIARELLA said she opposed the motion. The bill was fine before. State employees cannot afford to have more money taken out of their pockets for retirement or insurance or anything else. They would rather have pay than improved retirement benefits.

Vote: **HB 727 DO PASS AS AMENDED.** The motion failed 5 to 14. **EXHIBIT 6**

Motion: **REP. DAILY MOVED TO RECONSIDER ACTION ON HB 727.**

Discussion:

REP. DAILY said that prior to voting on reconsidering the action on **HB 727** he would like to amend the bill to where the employee would not be sharing in the paying of the contribution.

Vote: **TO RECONSIDER ACTION ON HB 727.** The motion carried 10 to 8. **Rep. Davis** was absent for the vote. **EXHIBIT 7**

Motion: **REP. DAILY** moved to amend **HB 727** to keep all of the amendments the same concerning how and when **PERS** and **TRS** members retire. He just wanted the amendments changed so the employer would pay the full .76 percent.

Discussion:

REP. GARY FELAND said the Committee has heard that **TRS**, the **Police Officers' Retirement System**, and all of the funds are

underfunded. One of the reasons for that is because none of the employees want to pay their share into the retirement plans. This bill would put all the cost on the employer. "If they want a decent retirement program, why don't they pay for it? Let us fund these (retirement systems) right." REP. DAILY said, "We have not paid state employees decent salaries. Until we do that, we have got to do some other things to help them. I, for one, supported decent wages for state employees this session." He said he hoped the Legislature would raise some revenue to give state employees a decent wage. REP. FELAND said in his area the best paying jobs are state jobs. They may need a raise. This bill is about retirement.

Vote: HB 727 REP. DAILY'S SECOND AMENDMENT. The motion carried 11 to 8. EXHIBIT 8

Motion/Vote: REP. DAILY MOVED HB 727 DO PASS AS AMENDED. The motion carried 11 to 8. EXHIBIT 9 and EXHIBIT 10

CHAIR BROWN notified the Committee that a revised fiscal note would be requested.

Motion: REP. PHILLIPS MOVED HB 727 BE SENT DIRECTLY TO THE APPROPRIATIONS COMMITTEE.

Discussion:

REP. PHILLIPS said, "We are talking about \$16 million. It is big money." REP. SQUIRES said the sponsor should request that. REP. PHILLIPS withdrew his motion. CHAIR BROWN said, "We'll make sure that it goes there."

REP. DAILY said, "I am going to resist this motion. I want this bill to go to the floor (of the House.) I think if it goes to the Appropriations Committee it (would die)." CHAIR BROWN responded, "The leadership will probably decide. It will get there one way or the other anyhow."

EXECUTIVE ACTION ON HB 737

Motion: REP. SIMPKINS MOVED HB 737 DO PASS.

Discussion:

REP. DAILY said he opposed the bill because it is often too difficult to "get people to run for office."

Motion/Vote: REP. DAILY MADE A SUBSTITUTE MOTION THAT HB 737 BE TABLED. The motion carried 13 to 6 with Reps. Roger DeBruycker, Forrester, Feland, Kasten, Spring and Simpkins voting no.

EXECUTIVE ACTION ON HB 892

Motion: REP. CAROLYN SQUIRES MOVED HB 892 DO NOT PASS.

Discussion:

REP. COCCHIARELLA said the sponsor and others worked for countless hours on amendments for the bill. She said she would like to have those amendments presented.

Motion: REP. COCCHIARELLA MADE A SUBSTITUTE MOTION THAT HB 892 DO PASS.

Discussion:

Ms. Heffelfinger distributed Rep. Brooke's amendments. EXHIBIT 11 REP. BROOKE explained her amendments as follows: Delete Sect. 1 dealing with the false publications and Sect. 2 that deals with 50 or more pieces that are published. The amendments do not deal with Sect. 3, 4 or 5. Sect. 3 and 4 refer to the code of fair conduct that the ballot issue treasurer would be encouraged to voluntarily sign. Sect. 5 covers the concept discussed that limits the percentage of in-state and out-of-state money. Delete Sect. 6 because it refers back to Sect. 1.

Motion/Vote: REP. COCCHIARELLA moved Rep. Brooke's amendments to HB 892. The amendments carried 11 to 8. EXHIBIT 12

Motion: REP. COCCHIARELLA MOVED HB 892 DO PASS AS AMENDED.

Discussion:

REP. SIMPKINS referred to Pg. 4, Ln. 21, where "or position of my political committee" would be added. He then said: "My political committee, for instance, is my own little personal political committee, my county Republican party and my state Republican party are (all) political committees under Dolores Colburg's office." If the county or state Republican party were to say something about his opponent, he would be held responsible. Is that correct? REP. COCCHIARELLA said it would refer only to his committee. It would not refer to the Republican Central Committee. Dolores Colburg, Commissioner of Political Practices, responded by saying that she understood that Sect. 3 is not meant to be amended. Is that correct? REP. BROOKE said, "Yes." Ms. Colburg said, "Beginning on Ln. 12, where the current code of campaign practices would be amended, it would say that in addition to those candidates to whom we automatically mail the voluntary code for signature, we would then have to send to every officer of every political committee in the state a similar code for their voluntary subscription. That would not mean merely the treasurer, it would mean anyone who is listed on the organizational statement forms for political committees would have to be sent the code for their voluntary subscription. Concerning Rep. Simpkins' question on Ln. 21, it

would be Rep. Brooke's intention that what is now applicable to candidates would also be applicable to political committees. "I would suggest that the way the bill is written from Ln. 21 to Ln. 23, causes some confusion because the "I" in the code has changed dramatically. It used to be singular for a candidate. As the bill is now written, that "I" stands for a candidate and any officer of any political committee who signs it. In terms of how you work through the structure of the sentence, the "I" in this case stands for either a candidate signing off or any member of any political committee. The way it is written now, it almost indicates that a candidate will be held responsible for the stances taken by political committees. It could lend itself to that kind of interpretation. It would be helpful for the Committee to make two parts of the insofar. One part would make it very clear that it is dealing with candidates; the second insofar would deal strictly with committees." REP. SIMPKINS referred to Pg. 3, Lns. 12 and 13 "and every officer of a political committee in the United States." Does this extend to the party? Technically we are a candidate for the party according to the primary. Ms. Colburg said if she understood the question, she thinks the "United States" modifies basic principles of decency, honesty and fair play that people are expected to uphold. "I do not read (the lines) as meaning every candidate and every political committee in the 'United States.' Rather these are principles that people throughout the country would value." Are you asking again about whether a political committee in Ln. 13 refers also to political party committees? REP. SIMPKINS said yes. Ms. Colburg, said the answer is yes it refers to every political party at county and state levels; it refers to every political action committee; it refers to every ballot issue committee and (unless the commissioner would have a little latitude) it would mean every incidental committee that springs up surrounding ballot issues. REP. SIMPKINS asked if that would also refer to Pg. 4, Lns. 21 through 24. Ms. Colburg said that would be her understanding with the language unmodified.

Motion/Vote: REP. ERNEST BERGSAGEL MADE A SUBSTITUTE MOTION TO TABLE HB 892. The motion carried 14 to 5. EXHIBIT 13

EXECUTIVE ACTION ON HB 955

Motion: REP. DAILY MOVED HB 955 DO PASS.

Discussion:

Ms. Heffelfinger distributed amendments from the sponsor, Rep. Harper, to replace the amendments proposed during the hearing of the bill. EXHIBIT 14

Motion: REP. DAILY moved Rep. Harper's amendment.

Discussion:

Ms. Heffelfinger explained the amendments as follows: The amendments were proposed by the Secretary of State's Office and Rep. Harper. They clean up some of the language where it referred to the secretary of state. In some instances, the bill will now refer to the commissioner of political practices (CPP). They also clean up the process by which the campaign limitations are accomplished by adding some new language for clarification. Rep. Forrester's amendment has been added to set the limitation for the U.S. House of Representatives at \$500 thousand and removes the \$1 million for the U.S. Senate and for the governor. They provide a "little bit of new language" for the process. The biggest amendment is on Pg. 2, following Ln. 20. This amendment just ties the amounts in the bill to the consumer price index (CPI) and allows the CPP to adopt new amounts by rule that would correspond to the CPI.

REP. SIMPKINS asked what you do about the provisions of law that state if an individual does not have the money, the fees are waived. I do not see a coordination for that particular clause in the law. **Doug Mitchell, Chief Deputy, Secretary of State's Office**, said the intent of the legislation is not to alter the part of the law allowing for indigent filing. Since that is not dealt with in HB 995, it remains a proper mechanism for an indigent to file the form to be exempt from the filing fee. Only the fees and the structure were changed. **REP. SIMPKINS** asked what would happen if the indigent person didn't file a statement. **Mr. Mitchell** responded by saying, "It is our intent that the indigent individual would still sign or not sign the statement and still be liable for those fines which would come from his or her treasury. Obviously if one goes over \$1 million and has filed as an indigent candidate, clearly there is some reason to believe they have the ability to pay the filing fine."

REP. GARY FORRESTER referred to Item 15 on Pg. 2 of the amendments, Pg. 4, Ln. 18 and 19 of the bill, "Failure to pay this fine disqualifies a person to serve in office." He questioned how voluntary the bill would be. **Ms. Colburg** said, as she read the bill, the voluntary portion is limited just to the candidate determining whether to decide to impose upon himself or herself the expenditure limitations prescribed in the bill for categories of office. That is the only voluntary "thing" that the candidate can do in the bill. Once the candidate has voluntarily chosen whether or not to subscribe to those limitations, the other parts of the bill are in place: the alternative filing fees; the fines for those persons who have chosen voluntarily to subscribe to the limits and then go over; and failure to pay those mandatory fines once the person has exceeded the voluntary limitation would deny that person a certificate of election in order to assume office.

REP. SOUTHWORTH requested Mr. Mitchell to respond to Rep. Forrester's question. Mr. Mitchell said the fines discussed would be the fine levied on only candidates who have voluntarily agreed to the spending limit and then voluntarily exceeded those spending limits by their own choice.

REP. SIMPKINS referred to Item 15. "If the candidate overspent his budget, won the election and is not going to pay his fine, he would not be issued a certificate of election." Would that election automatically be awarded to his opponent? If the candidate didn't have any opposition in the election, would a new election be ordered to fill the position or would the county commissioner appoint someone? Mr. Mitchell said it would be exactly the same as it is in current law. Current law allows for the CPP, in conjunction with the secretary of state, to not give a certificate of election if an individual fails to file their campaign finance reports. This would simply make it mandatory that they also file their filing fee. A vacancy would be appointed through the standard mechanism, which is typically a county commission.

REP. ERNEST BERGSAGEL commented that Rep. Forrester had recommended during the hearing that the state-wide representative be limited to \$500 thousand. The amendments exclude the U.S. Senators and the governor from the provision even though they have the same territory to cover. He asked to have the logic of that explained to him. Mr. Mitchell said he was not aware of the particular amendment to reduce one of the categories of those three to \$500 thousand.

REP. FORRESTER said it was his amendment. "It is the same as we do now in the House of Representatives and the U.S. Congress. We select every two years. We allow half. We should be consistent. Next year we will far exceed \$1 million. REP. DAILY said, "For sake of discussion, this bill is going to pass. It is going to the floor. We have a couple of other (bills where) the same thing is going to happen. I am just letting you know that so we might keep the debate down a little bit and we can all get out of here."

Vote: HB 955 REP. HARPER'S AMENDMENT. The motion carried unanimously.

Motion/Vote: REP. DAILY MOVED HB 955 DO PASS AS AMENDED. The motion carried 12 to 7. EXHIBIT 15 and EXHIBIT 16

EXECUTIVE ACTION ON HB 535

Motion/Vote: REP. DAILY MOVED HB 535 BE TAKEN FROM THE TABLE.

Discussion:

REP. DAILY said HB 535 "is coming off the table. It is going to

be amended. So we might as well just get on with it."

Vote: HB 535 BE TAKEN FROM THE TABLE. The motion carried 10 to 8. Rep. Jane DeBruycker was absent for the vote. EXHIBIT 17

Point of Order:

REP. PHILLIPS said, "I am voting no on the bills, amendments (and) motions. I am not going to stay around for the aggravation." CHAIR BROWN requested Rep. Phillips leave his proxies.

Ms. Heffelfinger distributed the amendments to HB 535 that were proposed by the Subcommittee on Campaign and Election Reform. EXHIBIT 18

Motion: REP. DAILY MOVED HB 535 DO PASS.

Discussion:

Ms. Heffelfinger explained the amendments as follows: 1) Pg. 2, Ln. 4, strikes "the attorney general," so the bill would read, "an individual who has notified the commissioner and the appropriate county attorney in writing." 2) Pg. 2, Ln. 8, subsections (i) and (ii) are deleted and a new subsection is inserted so the bill will read, "may bring action referred to as citizen's action in the name of the state if the commissioner or the appropriate county attorney has failed to either commence an action or dismiss the complaint by written notification to the complainant within 50 days after notice." 3) Pg. 2, Ln. 22, strikes "may" and inserts "shall," which makes the penalty mandatory.

At this time, all but one Republican committee member left their proxies and withdrew from the Committee meeting.

Vote: HB 535 SUBCOMMITTEE AMENDMENTS. The motion carried 11 to 8. EXHIBIT 19

Motion/Vote: HB 535 DO PASS AS AMENDED. The motion carried 11 to 8. EXHIBIT 20 and EXHIBIT 21

EXECUTIVE ACTION ON HB 314

Motion/Vote: REP. SQUIRES MOVED HB 314 BE TAKEN FROM THE TABLE.

Discussion:

REP. DAILY said, "I would resist the motion to take HB 314 from the table. I think that 30-day limit is appropriate."

REP. SOUTHWORTH said he was opposed to HB 314.

Motion: REP. SQUIRES withdrew the motion.

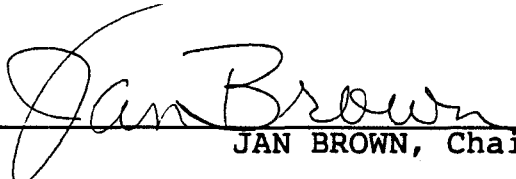
EXECUTIVE ACTION ON HB 644

Motion/Vote: REP. DAILY MOVED HB 644 BE TAKEN FROM THE TABLE.
The motion carried 11 to 8. EXHIBIT 22

Motion/Vote: REP. DAILY MOVED HB 644 DO PASS. The motion
carried 11 to 8. EXHIBIT 23

ADJOURNMENT

Adjournment: 10:29 a.m.



JAN BROWN, Chair



JUDY BURGGRAFF, Secretary

JB/jb

HOUSE OF REPRESENTATIVES

STATE ADMINISTRATION COMMITTEE

ROLL CALL

DATE 2/22/91

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

February 22, 1991

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that House Bill 957 (first reading copy -- white) do pass and be placed on consent calendar .

Signed: Jan Brown
Jan Brown, Chairman

HOUSE STANDING COMMITTEE REPORT

February 22, 1991

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that House Bill 936 (first reading copy -- white) do pass as amended .

Signed: Jan Brown
Jan Brown, Chairman

And, that such amendments read:

1. Title, line 4.

Following: "THAT"

Strike: "A"

Insert: "CERTAIN"

2. Title, line 5.

Strike: "EMPLOYEE"

Insert: "EMPLOYEES"

3. Page 3, lines 3 and 4.

Strike: line 3 in its entirety through "19-3-902" on line 4

Insert: "who has at least 25 years of eligible service in the public employees' retirement system but not more than 30 years of eligible service"

CLERICAL

gray

House Bill No. 936

Date: 2-22-91

Time: 4 pm

MER
(Legislative Council Staff)

☐ S / H Standing Committee

J. Brown
(Chairman) Brown

☐ S / H Committee of the Whole

(Sponsor)

In accordance with the Rules of the Montana Legislature, the following clerical errors may be corrected:

Title, line 6

Strike: "HIS EMPLOYER"

Insert: "THEIR EMPLOYERS"

An objection to these corrections may be registered by the Secretary of the Senate, the Chief Clerk of the House, or the sponsor by filing the objection in writing within 24 hours after receipt of this notice.

HOUSE STANDING COMMITTEE REPORT

February 22, 1991

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that House Bill 727 (first reading copy -- white) do pass as amended.

Signed: Jan Brown
Jan Brown, Chairman

And, that such amendments read:

1. Page 1, line 22.

Strike: "7.937%"

Insert: "7.907%"

2. Page 1, line 23.

Strike: "8.07%"

Insert: "8.04%"

3. Page 1, line 24.

Strike: "8.22%"

Insert: "8.19%"

4. Page 3, lines 6 through 8.

Following: "retirement." on line 6

Strike: remainder of line 6 through line 8 in its entirety

TABLED BILL

STATE ADMINISTRATION
Name of Committee

2/22, 19 91
Date

The following bill HB 892 STATE ADMINISTRATION
was TABLED, by motion, on 2/22, 19 91.

Judy Burgett
For the Committee

J.D. Bauman
For the Chief Clerk

12:20
Time

CS-04
1991

2-22-91
Date

TABLED BILL

STATE ADMINISTRATION
Name of Committee

2/22, 19 91
Date

The following bill HB 737
was TABLED, by motion, on 2/22, 19 91.

Judy Burgett
For the Committee

J.D. Bauman
For the Chief Clerk

12:20
Time

CS-04
1991

2-22-91
Date

HOUSE STANDING COMMITTEE REPORT

February 22, 1991

Page 1 of 3

Mr. Speaker: We, the committee on State Administration report that House Bill 955 (first reading copy -- white) do pass as amended.

Signed: Jan Brown
Jan Brown, Chairman

And, that such amendments read:

1. Page 1, line 3.

Insert: "BY REQUEST OF THE SECRETARY OF STATE"

2. Title, line 5.

Strike: "STATEWIDE"

3. Page 1, line 10.

Strike: "political"

Insert: "campaign"

4. Page 1, line 21.

Strike: "and may not solicit"

5. Page 2, line 1.

Strike: "within 10 days after"

Insert: "with the secretary of state on"

6. Page 2, line 3.

Following: "election."

Insert: "Immediately after receiving an affidavit filed pursuant this section, the secretary of state shall forward a copy of the affidavit to the commissioner."

7. Page 2, line 4.

Strike: "Political"

Insert: "Voluntary campaign"

8. Page 2, line 5.

Following: "."

Insert: "(1)"

9. Page 2, lines 8 and 9.

Strike: "(1)" on line 8

Insert: "(a)"

Following: "senator" on line 8

Strike: ", United States" through "representative," on line 9

Renumber: subsequent subsections

10. Page 2.

Following: line 10

Insert: "(b) for United States representative, \$500,000 for the election cycle;"

Renumber: subsequent subsections

11. Page 2.

Following: line 20

Insert: "(2) Beginning on July 1, 1993, and on July 1 of each odd-numbered year, the commissioner shall increase the dollar amounts contained in subsections (1)(a) through (1)(g) by the amount equal to the aggregate percentage increase in the previous 2 calendar years' consumer price index for all urban consumers from the U.S. department of labor, bureau of statistics, or any other index that the bureau of business and economic research of the university of Montana may in the future recognize as the successor of that index. The new amounts must be rounded up to the nearest \$100, and the commissioner shall adopt new amounts by rule."

12. Page 2, line 23.

Strike: "political"

Insert: "voluntary campaign"

13. Page 4, line 16.

Strike: "campaign"

Insert: "political"

14. Page 4, line 17.

Following: the second "the"

Insert: "results of an"

15. Page 4, lines 18 and 19.

Strike: "Failure" on line 18 through "office" on line 19

Insert: "A certificate of election may not be granted to a candidate who fails to pay a fine assessed under this section"

16. Page 4, line 23.

Strike: "funds spent"

Insert: "payments made"

Following: "by"

Strike: "the"

Insert: "a"

17. Page 5, line 1.

Strike: "funds spent for"

18. Page 5, line 7.

Strike: "secretary of state"

Insert: "commissioner"

19. Page 5, line 10.

Following: "exceeded"

Strike: remainder of line 10

Insert: "his voluntary expenditure limitation, the commissioner"

20. Page 5, line 11.

Following: "notify"

Insert: "the secretary of state. Upon notification from the
commissioner, the secretary of state shall notify"

21. Page 5, line 18.

Strike: "secretary of state"

Insert: "commissioner"

22. Page 6, line 25 and page 7, line 1.

Strike: "and county elected" on page 6, line 25 through
"official" on page 7, line 1

Yndy

SBA
(Legislative Council Staff)



STATE ADMIN.
S / (H) Standing Committee

(Chairman) J. Brown



S / H Committee of the Whole

(Sponsor)

In accordance with the Rules of the Montana Legislature, the following clerical errors may be corrected:

Amendment #6 should read:

Insert: "... pursuant to this section

HOUSE STANDING COMMITTEE REPORT

February 22, 1991

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that House Bill 535 (first reading copy -- white) do pass as amended.

Signed: Jan Brown
Jan Brown, Chairman

And, that such amendments read:

1. Page 2, line 4.

Following: "commissioner"

Strike: ", the attorney general,"

2. Page 2, line 8.

Strike: ":",

3. Page 2, lines 9 through 15.

Strike: subsections (i) and (ii) in their entirety

Insert: "the commissioner or the appropriate county attorney has failed to either commence an action or dismiss the complaint by written notification to the complainant within 50 days after notice."

4. Page 2, line 22.

Strike: "may"

Insert: "shall"

HOUSE STANDING COMMITTEE REPORT

February 22, 1991

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that House Bill 644 (first reading copy -- white) do pass .

Signed: Jan Brown
Jan Brown, Chairman

Amendments to House Bill No. 936
First Reading Copy

Requested by Representative Jim Rice
For the Committee on House State Administration

Prepared by Sheri S. Heffelfinger
February 21, 1991

1. Title, line 4.

Following: "THAT"

Strike: "A"

Insert: "CERTAIN"

2. Title, line 5.

Strike: "EMPLOYEE"

Insert: "EMPLOYEES"

3. Page 3, lines 3 and 4.

Strike: line 3 in its entirety through "19-3-902" on line 4

Insert: "who has at least 25 years of eligible service in the
public employees' retirement system but not more than 30
years of eligible service"

EXHIBIT 2
DATE 2/22/91
HB 936

HOUSE OF REPRESENTATIVES

STATE ADMINISTRATION COMMITTEE

ROLL CALL VOTE

DATE 2/22/91 BILL NO. HB 936 NUMBER 1

MOTION: Be Pass As Amended

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	10	9

EXHIBIT 3
DATE 2-22-91
HB 936

Amendments to House Bill No. 936
First Reading Copy

Requested by Representative Jim Rice
For the Committee on House State Administration

Prepared by Sheri S. Heffelfinger
February 21, 1991

1. Title, line 4.
Following: "THAT"
Strike: "A"
Insert: "CERTAIN"

2. Title, line 5.
Strike: "EMPLOYEE"
Insert: "EMPLOYEES"

3. Page 3, lines 3 and 4.
Strike: line 3 in its entirety through "19-3-902" on line 4
Insert: "who has at least 25 years of eligible service in the
public employees' retirement system but not more than 30
years of eligible service"

Amendments to House Bill No. 727
First Reading Copy

Requested by Representative Daily
For the Committee on House State Administration

Prepared by Sheri S. Heffelfinger
February 21, 1991

1. Title, line 8.
Following: "EMPLOYER"
Insert: "AND EMPLOYEE"
Following: "SECTIONS"
Insert: "19-3-701,"

2. Page 1.
Following: line 12
Insert: "

Section 1. Section 19-3-701, MCA, is amended to read:

"19-3-701. Member's contribution to be deducted. (1) On and before June 30, 1989, the normal contribution of each member is 6% of his compensation. The normal contribution of each member increases to:

- (a) 6.15% of his compensation on July 1, 1989;
- (b) 6.30% of his compensation on July 1, 1990;
- (c) ~~6.417%~~ 7.162% of his compensation on July 1, 1991;
- (d) ~~6.55%~~ 7.295% of his compensation on July 1, 1992; and
- (e) ~~6.70%~~ 7.445% of his compensation on July 1, 1993.

(2) Payment of salaries or wages less the contribution shall be full and complete discharge and acquittance of all claims and demands whatsoever for the service rendered by members during the period covered by the payment, except their claims to the benefits to which they may be entitled under the provisions of this chapter.

(3) Each employer, pursuant to section 414(h)(2) of the federal Internal Revenue Code of 1954, as amended and applicable on July 1, 1985, shall pick up and pay the contributions which would be payable by the member under subsection (1) for service rendered after June 30, 1985.

(4) The member's contributions picked up by the employer must be designated for all purposes of the retirement system as the member's contributions, except for the determination of a tax upon a distribution from the retirement system. These contributions must become part of the member's accumulated contributions but must be accounted for separately from those previously accumulated.

(5) The member's contributions picked up by the employer must be payable from the same source as is used to pay compensation to the member and must be included in the member's wages as defined in 19-1-102 and his compensation as defined in 19-3-104. The employer shall deduct from the member's compensation an amount equal to the amount of the member's

contributions picked up by the employer and remit the total of the contributions to the board.""

Renumber: subsequent sections

3. Page 1, line 22.

Strike: "7.937%"

Insert: "7.162%"

4. Page 1, line 23.

Strike: "8.07%"

Insert: "7.295%"

5. Page 1, line 24.

Strike: "8.22%"

Insert: "7.445%"

6. Page 3, lines 6 through 8.

Following: "retirement." on line 6

Strike: remainder of line 6 through line 8 in its entirety

EXHIBIT 5
DATE 2-22-91
HB 727

HOUSE OF REPRESENTATIVES
STATE ADMINISTRATION COMMITTEE

ROLL CALL VOTE

DATE 2/22/91 BILL NO. HB 727 NUMBER 1

MOTION: Daily amendments Do Pass

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	11	17

EXHIBIT 6
DATE 2-22-91
HB 727

HOUSE OF REPRESENTATIVES
STATE ADMINISTRATION COMMITTEE

ROLL CALL VOTE

DATE 2-22-91 BILL NO. HB 727 NUMBER 2

MOTION: 100 Pass As Amended

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	5	14

EXHIBIT 7
DATE 2-22-91
HB 727

HOUSE OF REPRESENTATIVES
STATE ADMINISTRATION COMMITTEE

ROLL CALL VOTE

DATE 2-22-91 BILL NO. HB 727 NUMBER 3

MOTION: To reconsider action

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	10	8

EXHIBIT 8
DATE 2/22-91
HB 727

HOUSE OF REPRESENTATIVES
STATE ADMINISTRATION COMMITTEE

ROLL CALL VOTE

DATE 2/22/91 BILL NO. HB 727 NUMBER 4

MOTION: Daily amendments second

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	11	8

EXHIBIT 9
DATE 2-22-91
HB 727

HOUSE OF REPRESENTATIVES
STATE ADMINISTRATION COMMITTEE

ROLL CALL VOTE

DATE 2/22/91 BILL NO. HB 727 NUMBER 5

MOTION: Do Pass As Amended

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	11	8

EXHIBIT 10
DATE 2-22-91
HB 727

Amendments to House Bill No. 727
First Reading Copy

Requested by Representative Daily
For the Committee on House State Administration

Prepared by Sheri S. Heffelfinger
February 21, 1991

1. Page 1, line 22.
Strike: "7.937%"
Insert: "7.907%"

2. Page 1, line 23.
Strike: "8.07%"
Insert: "8.04%"

3. Page 1, line 24.
Strike: "8.22%"
Insert: "8.19%"

4. Page 3, lines 6 through 8.
Following: "retirement." on line 6
Strike: remainder of line 6 through line 8 in its entirety

EXHIBIT 11
DATE 2/22/91
HB 892

Amendments to House Bill No. 892
First Reading Copy

Requested by Representative Brooke
For the Committee on House State Administration

Prepared by Sheri S. Heffelfinger
February 21, 1991

1. Title, lines 5 through 8.
Strike: "SPECIFICALLY" on line 5 through "ISSUES;" on line 8
2. Title, line 12.
Strike: "13-35-225,"
3. Page 1, line 16 through page 3, line 6.
Strike: sections 1 and 2 in their entirety
Renumber: subsequent sections
4. Page 7, line 24 through page 8, line 2.
Strike: section 6 in its entirety
Renumber: subsequent section

EXHIBIT 12
DATE 2-22-91
HB 892

HOUSE OF REPRESENTATIVES
STATE ADMINISTRATION COMMITTEE

ROLL CALL VOTE

DATE 2/22/91 BILL NO. HB 892 NUMBER 1

MOTION: Amendments

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	11	8

EXHIBIT 3
DATE 2-22-91
HB 892

HOUSE OF REPRESENTATIVES
STATE ADMINISTRATION COMMITTEE

ROLL CALL VOTE

DATE 2/22/91 BILL NO. HB 892 NUMBER 1

MOTION: To table

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	14	5

Amendments to House Bill No. 955
First Reading Copy

Requested by Representative Harper
For the Committee on House State Administration

Prepared by Sheri S. Heffelfinger
February 21, 1991

1. Page 1, line 3.
Insert: "BY REQUEST OF THE SECRETARY OF STATE"
2. Title, line 5.
Strike: "STATEWIDE"
3. Page 1, line 10.
Strike: "political"
Insert: "campaign"
4. Page 1, line 21.
Strike: "and may not solicit"
5. Page 2, line 1.
Strike: "within 10 days after"
Insert: "with the secretary of state on"
6. Page 2, line 3.
Following: "election."
Insert: "Immediately after receiving an affidavit filed pursuant
this section, the secretary of state shall forward a copy of
the affidavit to the commissioner."
7. Page 2, line 4.
Strike: "Political"
Insert: "Voluntary campaign"
8. Page 2, line 5.
Following: "."
Insert: "(1)"
9. Page 2, lines 8 and 9.
Strike: "(1)" on line 8
Insert: "(a)"
Following: "senator" on line 8
Strike: ", United States" through "representative," on line 9
Renumber: subsequent subsections
10. Page 2.
Following: line 10
Insert: "(b) for United States representative, \$500,000 for the
election cycle;"
Renumber: subsequent subsections

11. Page 2.

Following: line 20

Insert: "(2) Beginning on July 1, 1993, and on July 1 of each odd-numbered year, the commissioner shall increase the dollar amounts contained in subsections (1)(a) through (1)(g) by the amount equal to the aggregate percentage increase in the previous 2 calendar years' consumer price index for all urban consumers from the U.S. department of labor, bureau of statistics, or any other index that the bureau of business and economic research of the university of Montana may in the future recognize as the successor of that index. The new amounts must be rounded up to the nearest \$100, and the commissioner shall adopt new amounts by rule."

12. Page 2, line 23.

Strike: "political"

Insert: "voluntary campaign"

13. Page 4, line 16.

Strike: "campaign"

Insert: "political"

14. Page 4, line 17.

Following: the second "the"

Insert: "results of an"

15. Page 4, lines 18 and 19.

Strike: "Failure" on line 18 through "office" on line 19

Insert: "A certificate of election may not be granted to a candidate who fails to pay a fine assessed under this section"

16. Page 4, line 23.

Strike: "funds spent"

Insert: "payments made"

Following: "by"

Strike: "the"

Insert: "a"

17. Page 5, line 1.

Strike: "funds spent for"

18. Page 5, line 7.

Strike: "secretary of state"

Insert: "commissioner"

19. Page 5, line 10.

Following: "exceeded"

Strike: remainder of line 10

Insert: "his voluntary expenditure limitation, the commissioner"

EXHIBIT 14
DATE 2/22/91
HB 955

20. Page 5, line 11.

Following: "notify"

Insert: "the secretary of state. Upon notification from the
commissioner, the secretary of state shall notify"

21. Page 5, line 18.

Strike: "secretary of state"

Insert: "commissioner"

22. Page 6, line 25 and page 7, line 1.

Strike: "and county elected" on page 6, line 25 through
"official" on page 7, line 1

"

EXHIBIT 15
DATE 2-22-91
HB 955

HOUSE OF REPRESENTATIVES

STATE ADMINISTRATION COMMITTEE

ROLL CALL VOTE

DATE 2/22/91 BILL NO. HB 955 NUMBER 1

MOTION: Do Pass As Amended

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

Amendments to House Bill No. 955
First Reading Copy

Requested by Representative Harper
For the Committee on House State Administration

Prepared by Sheri S. Heffelfinger
February 21, 1991

1. Page 1, line 3.
Insert: "BY REQUEST OF THE SECRETARY OF STATE"
2. Title, line 5.
Strike: "STATEWIDE"
3. Page 1, line 10.
Strike: "political"
Insert: "campaign"
4. Page 1, line 21.
Strike: "and may not solicit"
5. Page 2, line 1.
Strike: "within 10 days after"
Insert: "with the secretary of state on"
6. Page 2, line 3.
Following: "election."
Insert: "Immediately after receiving an affidavit filed pursuant
this section, the secretary of state shall forward a copy of
the affidavit to the commissioner."
7. Page 2, line 4.
Strike: "Political"
Insert: "Voluntary campaign"
8. Page 2, line 5.
Following: "."
Insert: "(1)"
9. Page 2, lines 8 and 9.
Strike: "(1)" on line 8
Insert: "(a)"
Following: "senator" on line 8
Strike: ", United States" through "representative," on line 9
Renumber: subsequent subsections
10. Page 2.
Following: line 10
Insert: "(b) for United States representative, \$500,000 for the
election cycle;"
Renumber: subsequent subsections

11. Page 2.

Following: line 20

Insert: "(2) Beginning on July 1, 1993, and on July 1 of each odd-numbered year, the commissioner shall increase the dollar amounts contained in subsections (1)(a) through (1)(g) by the amount equal to the aggregate percentage increase in the previous 2 calendar years' consumer price index for all urban consumers from the U.S. department of labor, bureau of statistics, or any other index that the bureau of business and economic research of the university of Montana may in the future recognize as the successor of that index. The new amounts must be rounded up to the nearest \$100, and the commissioner shall adopt new amounts by rule."

12. Page 2, line 23.

Strike: "political"

Insert: "voluntary campaign"

13. Page 4, line 16.

Strike: "campaign"

Insert: "political"

14. Page 4, line 17.

Following: the second "the"

Insert: "results of an"

15. Page 4, lines 18 and 19.

Strike: "Failure" on line 18 through "office" on line 19

Insert: "A certificate of election may not be granted to a candidate who fails to pay a fine assessed under this section"

16. Page 4, line 23.

Strike: "funds spent"

Insert: "payments made"

Following: "by"

Strike: "the"

Insert: "a"

17. Page 5, line 1.

Strike: "funds spent for"

18. Page 5, line 7.

Strike: "secretary of state"

Insert: "commissioner"

19. Page 5, line 10.

Following: "exceeded"

Strike: remainder of line 10

Insert: "his voluntary expenditure limitation, the commissioner"

EXHIBIT 6
DATE 2-22-91
HB 955

20. Page 5, line 11.

Following: "notify"

Insert: "the secretary of state. Upon notification from the
commissioner, the secretary of state shall notify"

21. Page 5, line 18.

Strike: "secretary of state"

Insert: "commissioner"

22. Page 6, line 25 and page 7, line 1.

Strike: "and county elected" on page 6, line 25 through
"official" on page 7, line 1

"

EXHIBIT 17
DATE 2-22-91
HB 535

HOUSE OF REPRESENTATIVES
STATE ADMINISTRATION COMMITTEE

ROLL CALL VOTE

DATE 2/22/91 BILL NO. HB 535 NUMBER 1

MOTION: To Remove from the table

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	10	8

Amendments to House Bill No. 535
First Reading Copy

Requested by the Subcommittee on Campaign and Election Reform
For the Committee on State Administration

Prepared by Sheri S. Heffelfinger
February 18, 1991

1. Page 2, line 4.

Following: "commissioner"

Strike: ", the attorney general,"

2. Page 2, line 8.

Strike: ":"

3. Page 2, lines 9 through 15.

Strike: subsections (i) and (ii) in their entirety

Insert: "the commissioner or the appropriate county attorney has
failed to either commence an action or dismiss the complaint
by written notification to the complainant within 50 days
after notice."

4. Page 2, line 22.

Strike: "may"

Insert: "shall"

EXHIBIT 19
DATE 2-22-91
HB 535

HOUSE OF REPRESENTATIVES
STATE ADMINISTRATION COMMITTEE

ROLL CALL VOTE

DATE 2/22/91 BILL NO. HB 535 NUMBER 1

MOTION: Do Pass On the Amendments

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	11	8

Amendments to House Bill No. 535
First Reading Copy

Requested by the Subcommittee on Campaign and Election Reform
For the Committee on State Administration

Prepared by Sheri S. Heffelfinger
February 18, 1991

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Strike: subsections (i) and (ii) in their entirety

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failed to either commence an action or dismiss the complaint
by written notification to the complainant within 50 days
after notice."

4. Page 2, line 22.

Strike: "may"

Insert: "shall"

Exhibit 22

2-22-91

HB 644

HOUSE OF REPRESENTATIVES

STATE ADMINISTRATION COMMITTEE

ROLL CALL VOTE

DATE 2/22/91 BILL NO. HB 644 NUMBER 22MOTION: Be Taken From The Table

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	11	8

**HOUSE OF REPRESENTATIVES
VISITOR REGISTER**

STATE ADMINISTRATION

COMMITTEE

BILL NO.

HB 957

DATE 2/22/91

SPONSOR(S) REP. JOHN JOHNSON

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
JIM CURRY	DEPT OF INSTITUTIONS	✓	

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