

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 52nd LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON STATE ADMINISTRATION**

**Call to Order:** By CHAIR JAN BROWN, on March 6, 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:** 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 thanked Rep. Galvin for bringing the fudge for the Committee.

#### **HEARING ON HB 871**

##### **Presentation and Opening Statement by Sponsor:**

REP. DOROTHY CODY, House District 20, Wolf Point and Poplar, introduced HB 871 to transfer the Citizens' Advocate Program (CAP) from the Governor's office to the Legislative Council. She said in 1985 when she first started serving as a Legislator, she was told to call the Citizen's Advocate Office (CAO) for an answer to a constituent's question. At that time, she wondered

why it was in the Governor's office and not in the Legislative Council but did not pursue the question. She has now read in the newspaper where the CAP would be requesting a budget supplemental allotment. Her research revealed that the CAP is not in statute and never has been. Its function was established by executive order in 1973 by Gov. Thomas Judge, which was probably a political move. That practice has been repeated ever since. HB 871 would put the CAP into statute. CAP does not have a statutory appropriation. It would continue to be addressed in the budget. "This is not a political (bill)." She has visited with Steve Yeakel from the Governor's Office and explained what she was going to do and why. "I have always been treated very fairly and nicely by the folks in the CAO, but I feel that we are citizen's advocates. That is one of the main things we do here. That is my reason for (requesting CAO be transferred to) the Legislative Council.

Proponents' Testimony: None

Opponents' Testimony:

Steve Yeakel, Chief of Staff, Governor's Office, testified that he and Rep. Cody had a "very warm and courteous discussion" on HB 871. He thought it would be good to have concerns about it raised. "We are politely appearing to oppose the bill. We feel the CAO, in its current form, is providing a valuable service in an efficient manner to the public and to government and shouldn't be subject to any major organizational changes. The CAO handles about 1,700 to 2,500 calls per month, or an average of 10 to 15 calls per hour with a staff of 1.5 full time equivalents (FTE). The office handles roughly the following three types of calls: 1) one-time calls from Montanans wanting information about some area of state government; 2) case calls -- in which a person with a problem in state government calls for a specific agency; and 3) legislative calls when Legislators transact business for constituents or for important legislative issues. Many executive branch state agencies also publicize a toll-free CAO number as part of their efforts to communicate with Montanans about new programs. The office also provides a valuable internal check for the Governor's office on the activities of its agencies so swift action can be taken on unexpected problems, and the governor can be informed about the concerns of Montanans. The vast majority of the CAO is tied to the executive branch of government. The service the Office provides is first rate. "For these reasons we ask that the bill not pass."

Questions From Committee Members:

REP. JOHN PHILLIPS said that someone that calls the Governor's office usually does not have a problem. "If I have a problem, I want to talk to someone who can do something. The Legislative Council 'doesn't have any teeth to jump out' and (do something about the problem). The Governor's Office does." REP. CODY said, "When you call the CAO, they connect you with (someone who

could help you.) You do not talk directly with the Governor. I don't perceive that it would change . . . you would still be connected (to the party who could help you)." It just makes sense to take it out of the political arena. The bill says that the number will not be changed. Rep. Cody pointed out that on the attachment under the CAO it says "the Citizen's Advocate toll-free number is published in all state-wide telephone directories. That is not accurate." She has looked, particularly in northeast Montana, and there is nothing in the book. REP. PHILLIPS asked how much it would cost to put in a toll-free number in the Legislative Council Office for Legislators. REP. CODY responded, "I don't think it is necessary. Why duplicate what we have?" If you call the CAO office now they would transfer you to the Legislative Council. The cheaper way would be to tell the CAO staff person to whom you wish to speak and have him call you back. "We have lots and lots of complaints. I call the number, not frequently, but in spurts."

REP. ERNEST BERGSAGEL asked for a list of examples whereby the system would be improved with the bill and how the CAO could be political. REP. CODY said she thought there would be some savings. "The longer you talk on the 800 number, the more it costs. It is not a flat rate." It would be natural for those answering the phone to not interrupt or say, "I'll get right back to you." Regarding the political question: "It is always political when it is in an elected position. . . . The Legislative Council is representative of all of us."

REP. KASTEN asked Myrna Omholt-Mason from the CAO how she felt about the proposal. She said, "I am comfortable where I am at." REP. KASTEN asked how many calls require "merely a transfer;" and if they are transferred, are they then off of the 800 number. Ms. Omholt-Mason said no. There were three areas where she transfers telephone calls: 1) for the elected Legislators; 2) to the Governor's Office on Aging; and 3) Board of Visitors. She does the required research, calls a state agency and returns the call or has the state agency return the call on the calls that cannot be answered on one-time-only basis. REP. KASTEN asked if the bill were to pass, would there be an anticipated cut in staff. REP. CODY said the present staffing requires 1.5 FTE. She thought 1 FTE could handle the job in the Legislative Council. Rep. Cody pointed out that the bill should be amended to remove the language where the floor space is moved to the Legislative Council.

REP. RICHARD SIMPKINS asked if she knew what percent of the total calls were made by Legislators. Ms. Omholt-Mason distributed a listing of the legislative telephone usage for the fiscal year 1990 - 1991. EXHIBIT 1 She made the statement, "I think the office is about as apolitical as you can get. . . . We're here, if they have a problem, to help out." REP. SIMPKINS asked how many telephone lines were in the office. Ms. Omholt-Mason replied, "Two toll free (lines) and one state number line, plus a

private line that is very seldom used." **REP. SIMPKINS** said since about 25 percent of the calls in December were from Legislators, 75 percent of the toll free lines were used by the general public. What is the cost of the lines? **Ms. Omholt-Mason** said there is no way of "tracking" how long an individual uses the lines once they are transferred so she cannot "cost out" how much is spent by Legislators. **REP. SIMPKINS** asked if the phone company charges for toll free numbers by the hour or by the minute. **REP. CODY** said there is a flat rate paid for an 800 number. Anything over that flat rate is charged by the minute -- similar to your own phone after the flat rate. "It can get quite expensive." The long distance charge projected for fiscal year 1992 and 1993 is \$16,622. **REP. SIMPKINS** remarked that since 75 percent of the calls deal with executive branch functions, it looks like the bill would be asking the Legislature to get involved with executive branch functions. **REP. CODY** said, "We are involved in the executive branch departments all the time here as Representatives."

**REP. BEVERLY BARNHART** remarked that she called the CAO often but not as a Legislator. Are volunteers still used in the office? **REP. CODY** said no. There is a regular budget for the CAO and there has been one for a long time. **REP. BARNHART** asked how many calls to CAO were from senior citizens. **Ms. Omholt-Mason** said she would furnish the information to Rep. Barnhart.

**REP. ROGER DEBRUYCKER** said he could not see where the savings would come by transferring the CAO to the Legislative Council. **REP. CODY** said "the practice has changed." She talked with people, who in the past, answered the phone at the CAO. The change in the practice has cost more money. "It is not big bucks we're talking about. . . . We might be able to save some bucks." **REP. ROGER DEBRUYCKER** said, "We're going to allocate roughly \$70 thousand more to Legislative Council. . . . **REP. CODY** said, "We're transferring the money from the Governor's budget to the Legislative Council for the function of the CAO. You're not spending any more." **REP. ROGER DEBRUYCKER** said, "If you're not really wild about this and nobody else is, what is the idea of (the bill)?" **REP. CODY** said, "I'm not saying I'm not wild about it. . . . the point is that it is not in statute. The bill would put it in statute so there would never be any question about having a CAO. . . . It just made sense to put it in the (Legislative) Council."

**REP. SIMPKINS** said, "I understand. . . . that you're trying to get this in law. Would you object if we put it in law and leave it in the Governor's budget." **REP. CODY** said, "I don't object to whatever you wish to do with it." She did not want the title of the bill amended.

**REP. KASTEN** asked what the difference in cost is between a watts number and a 800 number. **Mary Jo Murray, Accountant, Governor's Office,** said, "I believe they're the same. They are based on usage. When a call is returned outside of the watts area, there

is an additional cost. As the state system exists right now, you can call anywhere in the state; anyone in the state may call in using the 800 number.

REP. SIMPKINS asked if the Governor's budgets needs funds in order to cover the Legislator's calls on the 800 line. Ms. Murray said a supplement was needed in 1990 of \$5,700; a supplement is being requested for 1992 of \$12,000. "I don't think it has been decided what is going to be done in the coming biennium." REP. SIMPKINS if the bill is modified, how much additional money for the Governor's office should be put in as an appropriation to take care of the Legislative use of the lines? Ms. Murray said approximately \$6,000 per year.

Closing by Sponsor:

REP. CODY said there was a request for a supplemental as there was not enough money in this from the last biennium. There is definitely an increase in the cost; but then there has been a definite increase in the usage as well. "I want to be fair with that and I want to be fair with the folks at the CAO. They have done a good job. I certainly am not criticizing them by introducing the legislation. . . . I don't mean to insinuate that whoever is answering the phone is political. Hindsight is always better than foresight. It would be just as easy for it to become political. Maybe that is a concern. If just seems to make sense to put it in the (Legislative) Council, but if that is not your wish, that is fine." The primary concern is to put the CAO in statute.

HEARING ON HB 966

Presentation and Opening Statement by Sponsor:

REP. DON STEPPLER, House District 21, Richland and the eastern half of Roosevelt County, introduced HB 966 to create a committee to conduct a study of the past, current and potential future uses of the Montana State Hospital. It will report back to the 53rd Legislature. The bill includes an appropriation for funds to conduct the study and the effective dates and deadlines. The committee will gather information on case loads, staffing, training, rehabilitation, maintenance, occupancy and client and facility needs. They will also study possible uses for the physical plant staff resources currently available at Galen. It will determine the following: 1) the role the Montana State Hospital will play as an institutional anchor for Montana's mental health system; and 2) the role of a community-based mental health program. The findings, conclusions and recommendations will be presented to the 53rd Legislature in 1993. HB 966 provides for a close look at where we have been, where we are now and where we need to go in the future in regards to mental health care for Montanans.

Proponents' Testimony:

Keith Colbo, Galen Task Force (GTF), said he was retained by the GTF to represent them in the closure of Galen as recommended by the administration. His first responsibility was to develop a current-level budget for the campus at Galen. During that process, many things were reviewed and considered to make a proposal for the Legislature. The GTF felt it necessary to have a positive response to the closure proposal. It seemed clear to us that there were indications that the campus at Warm Springs needed to be looked at very seriously and to study what its future uses might be. The questions raised by the administration and the public are appropriate and they need good answers. He has been with state government for 25 years. He was assigned to the position of acting superintendent for six months at the Boulder campus following 11 violent deaths in eleven months. That was the beginning of the changes, in regard to the campus, in the institutional program. "I can see no reason why changes in these campuses, Warm Springs and Galen, will not serve the state as well as some of the changes that occurred with the Boulder campus in the 70's." The other reason for introducing HB 966 and the reason for its structure became clear when he was studying the state's investment in the staff, the facilities and in the capabilities of both Galen and Warm Springs campuses, which are significant and have been for almost 100 years. "The bottom line is the residents of those two institutions. They are what we're all about; they are what should be addressed; appropriate care is what we want." Changes of the magnitude being considered, should be studied by a committee. The Appropriations Subcommittee has taken action on Galen and voted to restore the Galen campus to the Appropriation bill at its current level. The hearings and the testimony justifying that decision were important. The members of the Galen Task Force from Butte, Anaconda and Deer Lodge are in support of the bill and its purpose and they look forward to the findings and recommendations of the committee that will be made to the next legislative assembly. "We have worked hard to structure a committee that would be balanced and knowledgeable with the ability to bring together a solid recommendation." There will be several amendments for the committee selection as follows: 1) one amendment would add a representative of Social and Rehabilitative Services (SRS) in place of a representative of the Department of Family Services, which would be an appropriate change; 2) one amendment would add a representative of the Aging Services Program, which is also appropriate considering the population at Galen particularly, and somewhat at Warm Springs. This would increase the number of the members of the committee from 14 to 15. "We do not object to any of those amendments . . . and we will support them."

REP. RED MENAHAN, House District 67, Anaconda, said he has served on the Institutions subcommittee and knows some of the problems. He was concerned about the following problems: 1) what will become of the staff when the Legislature doesn't fund the

programs? 2) how will the local taxpayers support the programs when the state doesn't fund them? The alcohol treatment program now costs \$65.30 per day. It is one of the cheapest and one of the best programs in the state. These problems should be looked into. "This bill is the way to go. (We should not) just shut down this facility and jump in like we did (with) Twin Bridges. The Committee should check the costs of what has happened since 1975 where fewer people -- in some instances -- (are being treated) and (it's) costing (the state) millions of dollars more. Let's not do that to the taxpayers again. . . . The Department of Family Services is having a very difficult time. We made that department; then we didn't give them the necessary tools to go to work. There are many youngsters falling through the cracks and costing you, the taxpayers, more money every day. Let's do this in a planned way so we can save tax dollars while we're doing it."

Jim Flynn, Anaconda, presented written testimony. EXHIBIT 2

Jack Lynch, Chief Executive of Butte, Silver Bow, said this is the route that should have been taken before we entered into an extended dialogue over the closure of Galen. I think a study to determine whether or not the facility was viable and whether it met the needs of a large number of people in the state should have been the issue long before the issue was closure. The discussion on Galen and Warm Springs is not a regional, economic or partisan issue; it is an issue that should address needs, the delivery of services and the development of viable alternatives.

Audrey Aspholm, Anaconda, Chairman, County Commissioners of Deer Lodge County, said that most of time has been spent on the political aspects of the issue. "What we are really dealing with are people who may not have places to go. The only way we should ever approach this is through a reasonable study that says what we can or cannot do." She is concerned with the economic impact there could be upon the county. It is difficult for any long-range planning to occur when the outcome of Galen is unknown. Ms. Aspholm worked in the nursing home in Anaconda and has looked at the issue from that perspective. There are many areas that have not been clearly defined. She gave the following examples of why she felt the study would be important: 1) there is a patient at Galen now, who had been a patient in a Butte hospital and had surgery. The residents at Galen and the prison need some time for convalescence somewhere. They must be more carefully monitored than if it were someone like "you or I." Area nursing homes are not going to take residents from Galen or Warm Springs. "Not because they might not want to." Sometimes there are no beds available. 2) nursing home regulations are changing; 3) some areas in the state are working very hard on low budgets and are unable to provide the services needed. An increased load will make it even more difficult. "This is a 'reason and timely' approach for mental health services in the state."

Mark Langdorf, Field Representative, American Federation of State, County and Municipal Employees, Montana Council No. 9, said they support HB 966 for the reasons that the Committee has heard. He also asked for the Committee's support of HJR 28, which is "in many ways similar to this bill."

John Shontz, Mental Health Association of Montana, presented written testimony. EXHIBIT 3

Mike McGrath, Lewis and Clark County Attorney, representing the Montana County Attorneys' Association, said they are "vitally interested in the campus at the Montana State Hospital for a number of reasons." They are involved with the alcohol treatment program at Galen, the forensic unit, and the people admitted to the state hospital who are seriously mentally ill "as all those people go through (their) offices." Too often decisions are made regarding those programs without a broad-based approach being taken.

HB 966 would change that.

Terry Minow, Montana Federation of State Employees, including the Federation of Alcohol and Drug Dependency Counselors at Galen, the Warm Springs Independent Union, Warm Springs Professional Union and Warm Springs Licensed Practical Nurses, said they all support HB 966. "We are very pleased that this legislation is acknowledging your responsibility to answer important policy questions about Montana's mental health and chemical dependency service delivery system. Montana State Hospital, including Galen, has nothing to fear from a careful, well thought out and impartial study. Privatization -- and that is what the governor has proposed for Galen -- has been poorly thought out in the past. As a result, privatization has cost the state more money and has reduced services in a number of important cases. We believe a careful study of Galen and the Montana State Hospital will support the cost-efficient, high-quality services that are essential to the overall well being of the state of Montana."

Bob Heiser, United Food and Commercial Workers Union, said "it is real simple to make a decision to just go in and close a place down without doing a proper study. We don't think that is right. This bill takes care of that situation. . . . It will answer (the many) questions that are out there."

Judith Carlson, Montana Chapter of Social Workers, said they congratulate Rep. Stepler and the Galen Task Force for bringing forth "this really fine bill." We have social workers working in the state hospital and in community health centers and as private practitioners in mental health services in the state. The social workers have been involved in the two previous closures at Twin Bridges and at the children's unit at Warm Springs. "We have seen the problems this has engendered by making those closures without the kind of study (HB 966 calls for). She urged the Committee's support of HB 966.



Kathy McGowan, Montana Council of Mental Health Centers (MCMHC), said MCMHC supports HB 966. "We believe an evaluation of this sort is long overdue. We pledge our support and cooperation in making sure that this study produces some good results." She said they have the following three concerns to be taken into consideration when the study is put together: 1) to consider the mental health professionals and consumers of mental health services who should enjoy a unique responsibility and role in the process. They have some insights that need to be drawn upon during the study. 2) to draw upon consultants and people who have gone through the same experience in other states. (One of the mental health directors in the state came to the MCMHC from Ohio. He told Ms. McGowan that Ohio went "through this very same thing just a number of years ago." Their study was excellent. One reason it turned out so well was because they did draw upon the expertise and experience of other states who had gone through a similar process.) 3) there should be an adequate amount of money made available to do comparison studies with other states.

Kelly Moorse, Director, Board of Visitors, said the Board was established in 1975 to insure quality treatment and to review the treatment that is provided in the mental health facilities. "With that charge, we can conduct onsite reviews of mental health facilities. In the November review of the Montana State Hospital, the Board and its consultants stated that the mission of the state hospital must be reexamined in an effort to improve treatment and to obtain the best quality of treatment for persons with a mental illness." She said they are concerned about some of the studies that have been done in the past such as those done on the Montana Developmental Center. "We feel there has been a good foundation of some information, at least regarding the pros and cons and concerns of the mental health needs of the Warm Springs Campus. Those are documented in the State Mental Health Plan and in the McCabe Report, conducted in 1989, which made some recommendations for further development for comprehensive mental health systems in the state. There is currently a program assessment and evaluation going on at the Warm Springs campus. We urge the Committee to begin with those resources." The Board is concerned about the make up of the Committee. The MCMHC highlighted one of our concerns as well. We feel it is vitally important to include consumers and family members in this planning process. For the last ten years we have seen a growing movement where mental health consumers and family members are asking to share in the responsibility of the decisions that are being made with regard to the treatment that they receive. She was pleased to see specific reference to the Mental Health Association but thought the Committee needs to be aware that there are other mental health groups available in the state besides the Association. They are: the Montana Alliance for the Mentally Ill, the Mental Health Consumer Group, Parents Let's Unite for Kids and the Mental Health State Planning and Advisory Council. The bill focuses too narrowly on one mental health organization; in fairness, broad based representation is needed.

Curt Chisholm, Director, Department of Institutions, agreed that the study is necessary. He said, "It is doubtful that the recommendations of the administration will be carried forward by this assembly of the Legislature. I still feel that many of our proposals were well thought out and based on fact." We didn't address the comfort level that is necessary, politically and otherwise for you people, collectively, to feel comfortable to allow a closure as soon as July 1, 1991. We need to support legislation that will get a number of other individuals involved in analyzing and deliberating over the issues attendant to the continued operation of the Galen campus and even the Warm Springs campus, which we did not recommend be closed. My support is contingent upon the adoption of the amendments that Mr. Colbo has already mentioned. He distributed copies of the prepared amendments requested by the Department of Institutions.

**EXHIBIT 4** The amendments would do the following: 1) increase the membership of the Committee from 14 to 15; 2) it would replace the Director of Family Services with the Director of SRS; 3) it would have the governor's coordinator on aging services. There are two other issues that he addressed in the amendments, which the Galen Task Force may not support, but he would like the Committee to consider, they are: 1) the language that suggests that of the eight legislative members to the Committee, no more than one from the Senate and no more than one from the House should be from the affected area. "I am suggesting that strongly, not because I smell a rat, and it is not because I don't trust the integrity of the committee on Committees in the Senate or the Speaker of the House to make appropriate selections for the Committee, but I do feel strongly that we need to send a convincing message to the consuming public, the advocacy organizations and the taxpayers of the state, that this is not a local and colloquial or regional issue. This is a state-wide issue; it is an important state issue." For the first time in recent history, ever since 1975, we have raised the issue as to the vulnerability of the campus. This is something that needs to be debated, explored and analyzed, as does the continued operation of the Warm Springs campus as it currently is constituted. The Galen campus is "terribly under utilized." He thought the Committee would find the same results of under utilization. There is a great deal of interest from the local contingency for the use of the campus. "That is fine if alternative uses can be found. But you are going to have to keep in mind that there is a lot of input required from outside sources other than what is represented in the Committee. This will engender healthy debate over the next 24 months relative to all the issues that are attended to the Warm Springs Campus, which is the state's anchor to the mental health system. We do need an institutional anchor to continue care services that we provide for the mentally ill. Relative to Galen, it really is an integral component to the mental health system, but it is a campus that is currently serving nursing care patients, hospital patients and chemical dependent patients. About 95 percent of the testimony -- in two separate hearings on the Galen issue -- alleged it hadn't been well thought out what would happen to the

chemical dependency component. There was very little testimony on the hospital and nursing care issues. Those are the issues that caused this debate in the first place. "I feel comfortable . . . that these issues are now before this public body and will continue before this public body and are not resting in the weeds some where with everybody assuming that the status quo is copacetic because it isn't okay. This needs to be analyzed by this kind of an organization." He would have put the Committee together "a little differently." He is comfortable with HB 966 with the proposed amendments as long as the Committee recognizes the fact that there are other people that deserve standing to make comments to the Committee relative to their input. There are professional and well-organized advocacy organizations that should be heard relative to their concerns about both campuses. There are other groups of individuals who need standing to comment and raise their issues to the Committee. "I need the assurance of this public policy-making body, that will be done. I will use my office, as a member of the Committee, to insure that this is done. I think that is only fair that this kind of input is required and necessary as we explore the services that will be provided on these two campuses in the future." This bill will appropriate \$37 thousand. He pointed out the following: He suggested the Director of SRS be on the Committee because the director represents the state Medicaid intermediary. "We're going to be dealing with innumerable Medicaid certification licensure and participating issues." The director of SRS told Mr. Chisholm yesterday that she thought it was possible that Medicaid could fund 50 percent of the dollars necessary to sustain the efforts of the Committee. "I need to do some more checking on that, but it looks very sure that this can and could be done. That could save substantial amounts of money relative to the \$37 to \$40 thousand that will be necessary (for the Committee)." Also, pending before the Long-Range Building Committee (LRBC) is a proposal from the Department of Institutions (DI) to study the infrastructure of the Warm Springs campus and the Galen campus. This will be an expensive study. If the DI is successful in their endeavor to convince the LRBC to fund the study, he asked to be on record that when the results of that study are complete, this information provided to this Committee -- which basically will be dealing with program aspects as opposed to the infrastructure issues -- should be considered together. He is "very concerned" about the problems "lurking" behind the cosmetic looks of some of the buildings on the Galen Campus, specifically, as there are serious code compliance issues. Another concern of Mr. Chisholm's is that the two campuses are free standing with their own water systems and lagoons. "I am not comfortable with the fact that we know everything that needs to be known about what it is going to take to bring those facilities up to good industry standards." The infrastructure study would commission an architectural firm to have experts go to the campuses and give the DI a detailed report. "If we decide that Galen has a future and could be used for alternative uses, we need to know if there are problems

within the infrastructure of the campuses. We need to know what they are and what it would cost to bring them up to standards."

Opponents' Testimony: None

Questions From Committee Members:

REP. FRITZ DAILY said he was concerned with the third amendment (See Exhibit 4). How many House Districts do you consider represent the Montana State Hospital Campus? Mr. Chisholm said, "that is just general language, I don't know if Warm Springs is in a different House district than the Galen campus or not, or if the same holds true for the Senate districts." REP. DAILY asked, "Who don't you want on that Committee?" Mr. Chisholm responded, "I'm not talking about personalities or individuals. . . . I want some assurance. We need to assure the tax-paying public throughout the state that this is not going to be a committee that simply represents the interests of that particular area because I think it would damage the integrity of the work of the Committee." REP. DAILY said he would agree with what Mr. Chisholm said, but when he thinks of Reps. Beck and Menahan and Sen. Beck, he thinks that there would be no one in the state more knowledgeable than those three people as far as the Galen and Warm Springs Campuses are concerned. "I would hate to see us have a Committee and not give them the opportunity to at least be on it." Does your amendment exclude those three people from serving on the Committee? Mr. Chisholm said, "I don't know if it does; it says not more than one." REP. DAILY said, you wouldn't want all of them on the Committee. Mr. Chisholm said, "The way I'm thinking is that I don't care who is on the Committee. I just want the assurance of (the Committee) that it is not going to be loaded to the extent that it represents everybody from Butte, Anaconda and Deer Lodge. I think Rep. Beck could be on the Committee, possibly Rep. Menahan. I don't know how those House and Senate districts 'line out.' It just means no more than one. Out of eight members, I would hate to see all eight of them from the Butte, Anaconda and Deer Lodge area."

Closing by Sponsor:

REP. ELLIOTT said the physical plant located in Galen is valued around \$17 million. We should take a long, close look at where we want to go with the future of mental health in Montana before we decide to walk away from such a large investment. Montana is a very large state. Because of its tremendous size, we need the access to mental health care provided by community based programs and the regional facilities we already have in place. Montana needs a comprehensive plan that will address the problems and solutions that involve adult and youth mental health needs, adult and youth detention, training and rehabilitation for low-income persons and education or retraining for displaced workers and homemakers. This plan will determine what role the Montana Hospital at Galen will play. The role of the community based mental health programs and facilities determine access to mental

health care and, in general, the long-range set of goals that will allow us to work together to provide mental health care for all of Montana. If the Committee, after studying all the issues, recommends the closure of the Galen facility, then more than ever, the study should become invaluable. There would then be a need for a plan of transfer, not only of patients, but of funds. Consideration would also have to be given to employees and to the physical plant itself. If the residents of Galen are to be transferred, we should know where they would go, who will care for them and who will fund the facilities. These are some of the many questions that need to be answered. We need a plan and we need a direction for the future.

Chair Brown requested Vice-Chair Cocchiarella to preside while action was taken on the following two bills.

#### EXECUTIVE ACTION ON HB 661

##### Discussion:

REP. COCCHIARELLA said it has been requested that HB 661 be tabled due to money issues. The people who are in favor of the bill asked that the money in the bill go towards pay rather than towards retirement.

Motion: REP. DAILY MOVED HB 661 BE TABLED. The motion carried unanimously.

#### EXECUTIVE ACTION ON HB 553

Motion: REP. ERVIN DAVIS MOVED HB 553 DO PASS.

##### Discussion:

Sheri Heffelfinger distributed amendments that were requested by Rep. Jan Brown. EXHIBIT 5

Motion/Vote: REP. DAVIS moved Rep. Jan Brown's amendments.

##### Discussion:

Ms. Heffelfinger explained the amendments as follows: Funding for the 2 percent annual increase for employees that will retire prior to July 1, 1991, will be paid for by the General Fund. For employees who retire after July 1, 1991, the cost of the 2 percent annual adjustment would be paid by breaking it down between the employer and the employee contribution.

REP. DAVIS said the Subcommittee did recommend the bill as amended.

REP. JIM SOUTHWORTH asked if the bill would go to the Appropriations Committee. REP. COCCHIARELLA said yes.

REP. GARY FELAND asked how the amendments would change the fiscal note. Ms. Heffelfinger said the cost for retirees that will retire by July 1, 1991, will be \$2.9 million per year; the cost for members that will retire in the future will be \$9.5 million. The cost to the General Fund is \$2.9 million because the General Fund is the only fund funding the retirees before 1991; the other cost is divided between the employer and the employee contribution.

REP. JOHN PHILLIPS asked Dave Senn if he had any figures on what the increase will do to the system on an annual basis. Dave Senn, Administrator, Teachers' Retirement System, said the percentage increase to the employer is approximately 1.13 percent. The employer's contribution comes from the school district pension fund. "I can't tell if that has any direct General Fund impact or not. . . . It is my understanding that would have very little, if any, impact on the General Fund. The only General Fund impact of a direct contribution would be roughly .07 percent contribution or \$2.9 million per year. . . . The total cost for HB 553 in the first year would be about \$13 million; that doesn't change. About \$4.75 million will come from school districts as employer contributions. About \$4.5 to 5 million will come from the employee as a reduction in their salary for the increase in the contribution rate. The \$2.9 million comes from the General Fund.

REP. GARY FORRESTER said that retirement levies are separate from General Fund levies. Retirement levies are levied at the local level and include such items as employment insurance. Individual districts will be the contributor -- it won't be out of the General Fund or the school district's General Fund, they will levy additional monies from the tax payers in their taxing jurisdiction. REP. PHILLIPS said, "All monies come out of a tax payer's pocket."

REP. SQUIRES requested Phil Campbell comment on the bill. Phil Campbell, Montana Education Association, said the only impact the bill would have on the General Fund might be under the guaranteed tax base. "It would be a real small amount -- it would be minuscule."

Vote: HB 553 REP. JAN BROWN'S AMENDMENT. The motion carried 10 to 9. EXHIBIT 6

Motion/Vote: REP. DAILY MOVED HB 553 DO PASS AS AMENDED. The motion carried 11 to 8. EXHIBIT 7 and EXHIBIT 8

ADJOURNMENT

Adjournment: 10:42 a.m.

  
JAN BROWN, Chair

  
JUDY BURGGRAFF, Secretary

JB/jb

# HOUSE OF REPRESENTATIVES

## STATE ADMINISTRATION COMMITTEE

ROLL CALL

DATE 3/06/91

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

March 6, 1991

Page 1 of 3

Mr. Speaker: We, the committee on State Administration report that House Bill 553 (first reading copy -- white) do pass as amended .

Signed: Jan Brown  
Jan Brown, Chairman

And, that such amendments read:

1. Title, line 6.

Following: "APPROPRIATION"

Insert: "FROM THE GENERAL FUND TO PAY THE INCREASE IN BENEFITS TO EMPLOYEES WHO RETIRE PRIOR TO JULY 1, 1991; INCREASING THE EMPLOYEE AND EMPLOYER CONTRIBUTIONS"

2. Title, line 7.

Strike: "SECTION"

Insert: "SECTIONS"

Following: "17-7-502,"

Insert: "19-4-602, AND 19-4-605,"

3. Page 2, line 1.

Following: "contribute"

Insert: "from the general fund"

Strike: "2.953"

Insert: "0.6953"

4. Page 2, line 2.

Following: "members'"

Insert: "earned"

Following: "compensation"

Insert: "reported"

5. Page 2, line 4.

Following: "[section 1]"

Insert: "for employees who retired prior to July 1, 1991"

6. Page 3.

Following: line 22

Insert: "

Section 3. Section 19-4-602, MCA, is amended to read:

"19-4-602. Annuity savings fund -- member's contribution. The annuity savings fund is a fund in which the contributions for the members to provide for their annuities shall be accumulated in individual accounts for each member. The normal contribution of each member is ~~7.0443~~ 8.1763 of his earned compensation. Contributions to and payments from the annuity savings fund shall be made in the following manner:

(1) (a) 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 this section for service rendered after June 30, 1985.

(b) 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.

(c) 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 earned compensation as used to define his average final compensation in 19-4-101. 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 retirement board.

(d) The deductions shall be made notwithstanding that the minimum compensation provided by law for a member may be reduced thereby. Every member is considered to consent to the deductions prescribed by this section, and payment of salary or compensation less the deductions is a complete discharge of all claims whatsoever for the services rendered by the member during the period covered by the payment, except as to the benefits provided by the retirement system.

(2) In addition to the normal contributions and subject to the approval of the retirement board, any member may redeposit in the annuity savings fund, by a single payment or by an increased rate of contribution, an amount equal to any accumulated contributions which he has previously withdrawn, plus interest in the amount the contributions would have earned had the contributions not been withdrawn.

(3) The accumulated contributions of a member withdrawn by him or paid to his estate or to his designated beneficiary in

event of his death shall be paid from the annuity savings fund. Upon the retirement of a member, his accumulated contributions shall be transferred from the annuity savings fund to the pension accumulation fund."

Section 4. Section 19-4-605, MCA, is amended to read:

"19-4-605. Pension accumulation fund -- employer's contribution. The pension accumulation fund is the fund in which the reserves for payment of pensions and annuities shall be accumulated and from which pensions, annuities, and benefits in lieu thereof shall be paid to or on account of beneficiaries credited with prior service. Contributions to and payments from the pension accumulation fund shall be made as follows:

(1) Each employer shall pay into the pension accumulation fund an amount equal to ~~7.45%~~ 3.591% of the earned compensation of each member employed during the whole or part of the preceding payroll period.

(2) If the employer is a district or community college district, the trustees shall budget and pay for the employer's contribution under the provisions of 20-9-501.

(3) If the employer is the superintendent of public instruction, a public institution of the state of Montana, a unit of the Montana university system, or the Montana state school for the deaf and blind, the legislature shall appropriate to the employer an adequate amount to allow the payment of the employer's contribution.

(4) If the employer is a county, the county commissioners shall budget and pay for the employer's contribution in the manner provided by law for the adoption of a county budget and for payments under the budget.

(5) All interest and other earnings realized on the moneys of the retirement system shall be credited to the pension accumulation fund, and the amount required to allow regular interest on the annuity savings fund shall be transferred to that fund from the pension accumulation fund.

(6) All pensions, annuities, and benefits in lieu thereof shall be paid from the pension accumulation fund.

(7) The retirement board may, in its discretion, transfer from the pension accumulation fund an amount necessary to cover expenses of administration."

Renumber: subsequent sections

EXHIBIT 1  
DATE 3-6-91  
HB 871

LEGISLATIVE TELEPHONE USAGE - FISCAL YEAR 1990-1991

<u>MONTH</u>	<u>TOTAL CALLS</u>	<u>LEGISLATORS</u>	<u>PERCENTAGE</u>
July 1989	1,703	74	4.4
August 1989	4,868	139	2.9
September 1989	2,629	170	6.5
October 1989	2,073	300	14.5
November 1989	2,040	269	13.2
December 1989	1,643	184	11.2
January 1990	2,157	237	11.0
February 1990	2,002	420	21.0
March 1990	2,139	331	15.5
April 1990	2,000	357	17.9
May 1990	1,828	335	18.3
June 1990	1,745	268	15.4
July 1990	1,734	223	12.9
August 1990	2,013	287	14.3
September 1990	1,906	303	15.9
October 1990	2,145	404	18.8
November 1990	1,949	393	20.1
December 1990	1,782	445	25.0

HB 966  
Jim Flynn  
Galen Task Force

I appear before you today in support of HB 966.

The Galen Task Force requested that HB 966 be introduced for consideration by the Montana Legislature. We did so as one part of our three part response to the Administrations proposal to close the Galen campus of the Montana State Hospital.

Our response was stimulated by the many questions raised once the Administrations Galen closure was announced and available for review.

Those questions were raised by:

- Legislative Audit Review - October 1990
- Legislative Fiscal Analyst - December 1990
- Warm Springs Hospital Staff Report - December 1990
- Concerns Public Interest Groups

Those questions indicated the proposed closure was:

1. Not well thought out
2. Not based on good information
3. Didn't assure adequate treatment for recipients of Galen programs

We opposed the Administrations plan and have done so in this Legislative process to date. But in so doing, we also felt an obligation to provide a vehicle for positive action relative to the future of the programs and facilities of the Montana State Hospital at Galen and Warm Springs.

The result is HB 966.

The intent is to have broad based involvement:

- Legislators - where the ultimate decision rests
- Administration - must administer that decision
- Public Interest Groups - affected by decision

The intent is to look at the states future needs and how Galen and Warm Springs fit into those needs.

The intent is to determine the future use of the physical plants depending on their role in relation to those needs they provide today.

Finally to report to the '93 session with a comprehensive and agreed upon format for consideration. Then this decision making body can act with some assurance.

We feel this is a reasoned approach to allow for important decisions to be made, and this subject matter is of importance. We ask your support for this bill.



**Working for  
Montana's  
Mental  
Health**

**Board Members**

*President*  
Nona Chambers  
*Lewistown*  
*President-Elect*  
Graydon (Brodie) Moll  
*Ronan*

*Vice President*  
Char Messmore  
*Great Falls*

*Treasurer*  
Mardi Millons  
*Helena*

*Past President*  
Carroll Jenkins  
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Edith Gronhøvd  
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James Dorr Johnson  
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Dorothy Leonard  
*Billings*

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Tom Peterson  
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Mary Alice Rehbein  
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Joy Wicks  
*Lewistown*

Eleanor Yurkovich  
*Great Falls*

**Executive Director**  
Joy McGrath

**National M.H.A.**

*Board/Committee*  
Carroll Jenkins  
*Helena*  
Joan-Nell Macfadden  
*Great Falls*

**Chapters in:**

*Billings*  
Daniels County  
*Great Falls*  
*Helena*  
Pondera County  
Shenando County  
Sweet Grass-Stillwater  
Counties

EXHIBIT 3

DATE 3-6-91

HB 966

# Mental Health Association of Montana

*A Division of the National Mental Health Association*

State Headquarters • 555 Fuller Avenue • Helena, Montana 59601

(406) 442-4276 • Toll-Free 1-800-823-MHAM

## TESTIMONY OF THE

## MENTAL HEALTH ASSOCIATION OF MONTANA REGARDING

## HOUSE BILL 966 BEFORE THE

## HOUSE STATE ADMINISTRATION COMMITTEE

MARCH 6, 1991

Madam Chair and Members of the Committee, for the record I am John Shontz. I represent the Mental Health Association of Montana. The Mental Health Association of Montana wishes to thank Rep. Steppler for bringing this bill before you today.

There is no doubt that the mission and purpose of Montana State Hospital, both at Galen and at Warm Springs require seriously examination from time to time. There is also no doubt that this examination is today overdue. Governor Stephens and Mr. Chisholm have properly brought the purpose of this institution before this Legislature for examination and debate.

House Bill 966 provides the Legislature and all Montanans the vehicle to rationally and carefully shape the future purpose and mission of Montana State Hospital; not just Galen, but Warm Springs as well, during the coming year and a half.

Rather than simply shutting down programs at Montana State Hospital, House Bill 966 will embark us all on a process to scrutinize the needs of people across our state now served by Montana State Hospital. Under House Bill 966, you will be able to determine which Montanans that are now suffering an unmet need could possibly be served and ought to be served by Montana State Hospital, and which Montanans can and should be served in more appropriate settings.

This must not be legislation that will simply protect the "status quo"; this bill should be the vehicle to thoughtful examination of the allocation of Montana's public mental health and chemical dependency treatment resources.

Montana State Hospital has a staff with the desire to serve Montanans to the best of their ability. They deserve the best possible tools to work with. It will not be difficult to determine what those tools need to be. We believe that every program at Montana State Hospital should be accredited by the Joint Commission on Accreditation of Healthcare Organizations (JCAHO) as embodied in Senate Bill 382. A JCAHO survey will tell us all what the staff needs to serve the people that ought to be served at Montana State Hospital.

Of course, we must be prepared to execute the policies that come out of the process House Bill 966 would put into motion.

EXHIBIT 3  
DATE 3-6-91  
HB 966

Finally, Montana State Hospital should not be, as it is today for too many; the final stop for the unwanted. Montana State Hospital should not be a place where those who cannot be medically served elsewhere are sent to merely exist without properly funded treatment or rehabilitation.

We believe that Montana State Hospital should serve as the institutional anchor of a community based, mental health system. Montana State Hospital should be a hospital charged with the mission of helping less fortunate Montanans become as well and as whole as they can possibly be.

(Persons in need of forensic evaluation should not sit a Warms Springs for months awaiting an evaluation in order to shift the care burden for them from the county jail and county budget to the state general fund. Montana State Hospital should not be a place where person are indefinitely sentenced by our judicial system; even though they may not be in need of hospital services. Such as the many brain injured persons now at Montana State Hospital.)

We ask you to give House Bill 966 a "do pass." Thank you.



EXHIBIT 4  
DATE 3-6-91  
HB 966

Amendments to House Bill No. 966  
First Reading Copy

Requested by the Department of Institutions  
For the House Committee on State Administration

March 6, 1991

1. Page 2, line 9.  
Following: "following;"  
Strike: "14"  
Insert: "15"
2. Page 2, line 13.  
Following: "party"  
Insert: "and no more than one member of which may be from a senate district representing the montana state hospital campuses"
3. Page 2, line 16.  
Following: "party"  
Insert: "and no more than one member of which may be from a house district representing the montana state hospital campuses"
4. Page 3, line 4.  
Following: "department of;"  
Strike: "family"  
Insert: "social and rehabilitation"
5. Page 3, line 5.  
Following: line 5  
Insert: "(i) the governor's coordinator on aging or a designee."

Amendments to House Bill No. 553  
First Reading Copy

Requested by Representative Jan Brown  
For the Committee on House State Administration

Prepared by Sheri S. Heffelfinger  
March 6, 1991

1. Title, line 6.

Following: "APPROPRIATION"

Insert: "FROM THE GENERAL FUND TO PAY THE BENEFIT TO EMPLOYEES  
WHO RETIRE PRIOR TO JULY 1, 1991; INCREASING THE EMPLOYEE  
AND EMPLOYER CONTRIBUTIONS TO BY THE BENEFIT EMPLOYEES WHO  
RETIRE AFTER JULY 1, 1991"

2. Title, line 7.

Strike: "SECTION"

Insert: "SECTIONS"

Following: "17-7-502,"

Insert: "19-4-602, AND 19-4-605,"

3. Page 2, line 1.

Following: "contribute"

Insert: "from the general fund"

Strike: "2.96%"

Insert: "0.695%"

4. Page 2, line 2.

Following: "members"

Insert: "earned"

Following: "compensation"

Insert: "reported"

5. Page 2, line 4.

Strike: "[section 1]"

Insert: "for employees who retired prior to July 1, 1991"

6. Page 3.

Following: line 22

Insert: "

**Section 3.** Section 19-4-602, MCA, is amended to read:

**"19-4-602. Annuity savings fund -- member's contribution.**

The annuity savings fund is a fund in which the contributions for the members to provide for their annuities shall be accumulated in individual accounts for each member. The normal contribution of each member is ~~7.044%~~ 8.176% of his earned compensation.

Contributions to and payments from the annuity savings fund shall

be made in the following manner:

(1) (a) 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 this section for service rendered after June 30, 1985.

(b) 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.

(c) 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 earned compensation as used to define his average final compensation in 19-4-101. 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 retirement board.

(d) The deductions shall be made notwithstanding that the minimum compensation provided by law for a member may be reduced thereby. Every member is considered to consent to the deductions prescribed by this section, and payment of salary or compensation less the deductions is a complete discharge of all claims whatsoever for the services rendered by the member during the period covered by the payment, except as to the benefits provided by the retirement system.

(2) In addition to the normal contributions and subject to the approval of the retirement board, any member may redeposit in the annuity savings fund, by a single payment or by an increased rate of contribution, an amount equal to any accumulated contributions which he has previously withdrawn, plus interest in the amount the contributions would have earned had the contributions not been withdrawn.

(3) The accumulated contributions of a member withdrawn by him or paid to his estate or to his designated beneficiary in event of his death shall be paid from the annuity savings fund. Upon the retirement of a member, his accumulated contributions shall be transferred from the annuity savings fund to the pension accumulation fund."

**Section 4.** Section 19-4-605, MCA, is amended to read:

**"19-4-605. Pension accumulation fund -- employer's contribution.** The pension accumulation fund is the fund in which the reserves for payment of pensions and annuities shall be accumulated and from which pensions, annuities, and benefits in lieu thereof shall be paid to or on account of beneficiaries credited with prior service. Contributions to and payments from the pension accumulation fund shall be made as follows:

(1) Each employer shall pay into the pension accumulation fund an amount equal to ~~7.459%~~ 8.591% of the earned compensation of each member employed during the whole or part of the preceding

payroll period.

(2) If the employer is a district or community college district, the trustees shall budget and pay for the employer's contribution under the provisions of 20-9-501.

(3) If the employer is the superintendent of public instruction, a public institution of the state of Montana, a unit of the Montana university system, or the Montana state school for the deaf and blind, the legislature shall appropriate to the employer an adequate amount to allow the payment of the employer's contribution.

(4) If the employer is a county, the county commissioners shall budget and pay for the employer's contribution in the manner provided by law for the adoption of a county budget and for payments under the budget.

(5) All interest and other earnings realized on the moneys of the retirement system shall be credited to the pension accumulation fund, and the amount required to allow regular interest on the annuity savings fund shall be transferred to that fund from the pension accumulation fund.

(6) All pensions, annuities, and benefits in lieu thereof shall be paid from the pension accumulation fund.

(7) The retirement board may, in its discretion, transfer from the pension accumulation fund an amount necessary to cover expenses of administration.""

Renumber: subsequent sections

EXHIBIT 6  
DATE 3-6-91  
HB 553

HOUSE OF REPRESENTATIVES  
STATE ADMINISTRATION COMMITTEE

ROLL CALL VOTE

DATE 3-6-91 BILL NO. HB 553 NUMBER 1

MOTION: Rep Jan Brown's 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	10	9

EXHIBIT 7DATE 3-6-91HB 553

## HOUSE OF REPRESENTATIVES

## STATE ADMINISTRATION COMMITTEE

## ROLL CALL VOTE

DATE 3-6-91 BILL NO. HB 553 NUMBER 1MOTION: 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

Amendments to House Bill No. 553  
First Reading Copy

Requested by Representative Jan Brown  
For the Committee on House State Administration

Prepared by Sheri S. Heffelfinger  
March 6, 1991

1. Title, line 6.

Following: "APPROPRIATION"

Insert: "FROM THE GENERAL FUND TO PAY THE INCREASE IN BENEFITS TO  
EMPLOYEES WHO RETIRE PRIOR TO JULY 1, 1991; INCREASING THE  
EMPLOYEE AND EMPLOYER CONTRIBUTIONS"

2. Title, line 7.

Strike: "SECTION"

Insert: "SECTIONS"

Following: "17-7-502,"

Insert: "19-4-602, AND 19-4-605,"

3. Page 2, line 1.

Following: "contribute"

Insert: "from the general fund"

Strike: "2.96%"

Insert: "0.695%"

4. Page 2, line 2.

Following: "members'"

Insert: "earned"

Following: "compensation"

Insert: "reported"

5. Page 2, line 4.

Following: "[section 1]"

Insert: "for employees who retired prior to July 1, 1991"

6. Page 3.

Following: line 22

Insert: "

Section 3. Section 19-4-602, MCA, is amended to read:

"19-4-602. Annuity savings fund -- member's contribution.

The annuity savings fund is a fund in which the contributions for the members to provide for their annuities shall be accumulated in individual accounts for each member. The normal contribution of each member is ~~7.044%~~ 8.176% of his earned compensation. Contributions to and payments from the annuity savings fund shall be made in the following manner:

## HOUSE OF REPRESENTATIVES

## VISITOR'S REGISTER

1 of 2

STATE ADMINISTRATION

COMMITTEE

BILL NO. HB 966

DATE 3/06-91

SPONSOR(S) REP. DON STEPLER

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	BILL	OPPOSE	SUPPORT
Nim Flynn Anaconda MT	Galen Task Force	966		X
Audrey Aspholm Anaconda, MT	Anaconda/Deer Lodge Co	966		X
Keith Colbo	Galen Task Force	966		X
J. Shontz	Mental Health Dr	966		X
Myrna Ombelt Mason	Governor's office	871		
Kathy McLouan	MC MHC	966		✓
Steve Yeakel	Governor's office	871	X	
CURT CHISHOLM	D / I	966		X
George Hagerman	AFSCME	966		X
MIKE McGRATH	MT CNM ATTYS	966		X
Jack Lynch	Boat-Subs Bar	966		✓
Terry Munow	MFS E	966		X
Rep Wm Menahan	Dut #67	966		X

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



HOUSE OF REPRESENTATIVES  
VISITOR REGISTER

2 of 2

State Admin COMMITTEE 966 BILL NO.  
DATE 3/6/91 SPONSOR(S) Steppler  
PLEASE PRINT PLEASE PRINT PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
MARK LANGDOFF	AFSCME	966	
Bob Heiser	UFCW	966	
JUDITH H CARLSON	MT. CHTR, NASW	966	
Kelly Moore	Board of Visitors	966	

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