

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 53rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: By DICK SIMPKINS, CHAIRMAN, on March 12, 1993, at 9:08 a.m.

ROLL CALL

Members Present:

Rep. Dick Simpkins, Chair (R)
Rep. Wilbur Spring, Vice Chair (R)
Rep. Ervin Davis, Vice Chair (D)
Rep. Beverly Barnhart (D)
Rep. Pat Galvin (D)
Rep. Bob Gervais (D)
Rep. Harriet Hayne (R)
Rep. Gary Mason (R)
Rep. Brad Molnar (R)
Rep. Bill Rehbein (R)
Rep. Sheila Rice (D)
Rep. Sam Rose (R)
Rep. Dore Schwinden (D)
Rep. Jay Stovall (R)
Rep. Norm Wallin (R)

Members Excused: Rep. Carolyn Squires

Members Absent: None.

Staff Present: Sheri Heffelfinger, Legislative Council
Dorothy Poulsen, Committee Secretary

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

Committee Business Summary:

Hearing: None.
Executive Action: HB 615; SB 203; SB 130 (tabled); SB 186;
SB 100 (postponed); SB 268 (tabled); SB
384

EXECUTIVE ACTION ON SB 203

Discussion:

REP. SIMPKINS reported he had discussed SB 203 with REP. SCHYE and expressed his concern about the possibility of costly

amendments to the bill. He reminded the committee that SB 203 provides a one-time, five percent cost of living increase to retirees of the public employees' retirement system (PERS) and would increase the system's unfunded liability.

Motion: REP. DAVIS MOVED SB 203 BE CONCURRED IN.

Motion/Vote: REP. MASON moved to amend SB 203 to give a cost of living increase to members who retired on or before July 1, 1991. Motion carried unanimously with REP. SQUIRES voting by proxy. EXHIBITS 1, 2

Motion/Vote: REP. DAVIS MOVED SB 203 BE CONCURRED IN AS AMENDED. Motion carried 14 to 2 with REPS. MOLNAR and REHBEIN voting no and REP. SQUIRES voting by proxy. EXHIBIT 2

EXECUTIVE ACTION ON HB 615

Discussion:

REP. SIMPKINS reported the state did not currently give severance pay to state employees. He suggested, in reconsidering HB 615, the committee limit the severance pay allowance to two weeks and strike line 24, page 1 and lines 1-5, page 2, which requires the elimination of contract employment prior to a state employee reduction in force. REP. MOLNAR recalled the committee had already amended the bill to eliminate the section on contract employment.

REP. BARNHART asked REP. SIMPKINS to explain the reason for limiting severance pay to two weeks. REP. SIMPKINS responded there was committee support for two weeks of severance pay.

REP. MOLNAR reported the estimated cost of the bill is \$125,000 per week and suggested limiting the amount of money which could be applied to severance pay. He maintained no one was sure how many employees might be eligible to receive severance pay; he suggested payment be delayed 90 days in case the severed employee finds employment in another state agency. He suggested these changes might make the bill more acceptable to appropriations. REP. SIMPKINS suggested REP. MOLNAR could amend the bill on the floor and explained he was just trying to get the bill out of committee.

REP. MASON stated he preferred the number of weeks be specified rather than a dollar amount. He said if a set amount of money was specified, then some people might receive severance pay and others not.

REP. WALLIN compared the bill to severance pay policies in private industry and reported private industry usually gives notice of layoff and two weeks severance pay.

REP. GALVIN said he knew people in private industry who received \$80,000 for leaving their positions.

Motion/Vote: REP. BARNHART MOVED TO RECONSIDER ACTION ON HB 615 AND TAKE FROM THE TABLE. Motion carried 14 to 2 with REPS. HAYNE and REHBEIN voting no and REP. SQUIRES voting by proxy. EXHIBIT 2

Motion/Vote: REP. DAVIS moved to amend HB 615 "not to exceed two weeks". Motion carried unanimously with REP. SQUIRES voting by proxy. EXHIBITS 2, 3

Motion/Vote: REP. MOLNAR moved to amend HB 615 to make the training allowance optional rather than mandatory. Motion carried unanimously with REP. SQUIRES voting by proxy. EXHIBITS 2, 3

Motion/Vote: REP. BARNHART MOVED HB 615 DO PASS AS AMENDED. Motion carried 14 to 2 with REPS. REHBEIN and HAYNE voting no and REP. SQUIRES voting by proxy. EXHIBIT 2

EXECUTIVE ACTION ON SB 130

Motion: REP. WALLIN MOVED SB 130 BE CONCURRED IN.

Motion: REP. WALLIN moved to amend SB 130. EXHIBIT 4

Discussion:

REP. WALLIN explained the amendment specifies qualifications for the Commissioner of Political Practices. He reported he had talked to SEN. McCLERNAN, sponsor of SB 130, who agreed with the amendment.

REP. BARNHART asked REP. WALLIN his reason for choosing 25 years of age as a requirement. REP. WALLIN referred the question to Sheri Heffelfinger. Ms. Heffelfinger explained she had looked at requirements for other officials and found the age requirement for legislators was 25 years. She said she chose 25 years to be consistent with other age requirements.

REP. BARNHART expressed her concern about "ageist" language and noted age discrimination had been an issue in earlier legislation considered by the committee. REP. WALLIN explained he had realized no qualifications were specified in law for the Commissioner of Political Practices and thought some qualifications should exist. He said he had modeled qualifications in the amendment on requirements for other public officials. Ms. Heffelfinger responded to REP. BARNHART'S concern by explaining that the issue of age discrimination in retirement bills related to the cost of benefits to older versus younger members of the retirement system. She reported the Montana Constitution allows the legislature to set qualifications for

certain offices and maintained age discrimination would not be an issue in this situation. **REP. BARNHART** clarified that her concern about specifying age was her perception it connoted ageism.

REP. MOLNAR objected to the requirement that the person not hold a publicly elected partisan office in the four years immediately preceding the person's nomination as Commissioner of Political Practices. He suggested candidates for public office should not be considered either.

REP. SPRING responded to **REP. MOLNAR'S** objection and noted the requirement applied only to people who have held office, not to candidates. **REP. SIMPKINS** suggested **REP. MOLNAR'S** objection was that people were penalized for having been elected. **REP. SPRING** declared that the intent of the amendment was to respond to criticism of earlier selections who had held public office.

Vote: SB 130 BE AMENDED. Motion passed unanimously.

Motion: **REP. SPRING** moved to amend SB 130 to increase the minimum number of names on the list of nominees recommended by the legislative leadership from two to three.

Discussion:

REP. BARNHART asked **REP. SPRING** to explain his reason. **REP. SPRING** responded he thought two names was very restrictive and gave the governor little flexibility in choosing a commissioner. He suggested with only two names, the legislative leadership might nominate one Republican and one Democrat whereas with three names, the third name might be a nonpartisan choice.

Vote: SB 130 BE AMENDED. Motion passed 15 to 1 with **REP. REHBEIN** voting no and **REP. SQUIRES** voting yes by proxy. EXHIBIT 2

Motion: **REP. SIMPKINS** moved to delete "governor shall make the appointment from the list" from lines 24-25, page 1.

Discussion:

REP. BARNHART asked **REP. SIMPKINS** to explain his reason. **REP. SIMPKINS** responded that he considered the actions of appointed officials a reflection on the governor, and therefore the governor should decide whom to appoint. He stated the governor could be given a list of recommendations from a screening board, but the governor should base the decision on his/her own wisdom and live with the consequences.

REP. GALVIN asked whether the choice would be made by the newly elected governor or the sitting governor. **REP. SIMPKINS** responded it made no difference. **REP. GALVIN** contended the reason for the controversy this year was because the lame duck

governor made the appointment. **REP. SIMPKINS** agreed and said the amendment does not change that. **REP. GALVIN** disagreed and said the amendment took away the intent of the bill. He contended the amendment deleted the list of nominees.

REP. BARNHART asked **REP. SIMPKINS** whether his objection was that the list may not include someone acceptable to the governor. **REP. SIMPKINS** agreed. **REP. BARNHART** compared the situation to private industry in which the process is reopened and a new list is created, if no one on a list of candidates is found to be acceptable,. She asked **REP. SIMPKINS** whether reopening the process would be more acceptable to him. She asserted the governor should be required to use the list of nominees because otherwise there was no need for the committee to create the list.

REP. SCHWINDEN asked **Ms. Heffelfinger** to describe the process for the judicial nominating committee. **REP. SIMPKINS** responded the committee submits a list and the governor has 30 days in which to choose a name. If the governor fails to choose within 30 days, the list goes to the Supreme Court and the chief justice chooses from the list. **REP. SCHWINDEN** verified the judges were chosen from the list and maintained the governor should be similarly required to choose from the list for the Commissioner of Political Practices.

REP. MOLNAR said he thought the bill had merit in requiring a public meeting and advertising for candidates. He said, however, the governor should have the right to choose an individual not on the list. **REP. SIMPKINS** asked **REP. MOLNAR** whether he was suggesting the proposed amendment be changed to amend "shall" to "may". **REP. MOLNAR** said he could only support the bill if the change were made.

REP. RICE pointed out the governor was required to choose from a list of nominees for judges and the Coordinator of Indian Affairs. She argued against the amendment on the basis it is common practice in state law to give a list of nominees to the governor with the requirement that the appointment come from the list.

REP. DAVIS suggested changing the bill to have the govern-elect choose the commissioner of political practices. He said that would avoid having a lame duck governor choosing the commissioner.

REP. SIMPKINS responded to **REP. RICE'S** comments. He contended the lists of nominees for judges and the Coordinator of Indian Affairs were nonpolitical, nonpartisan lists prepared by the judicial branch and the Indian tribes. **REP. SCHWINDEN** responded by asking **REP. GERVAIS** whether the selection of the Coordinator of Indian Affairs was highly partisan. **REP. GERVAIS** agreed the selection was highly political and described the selection by former Governor Stephens as very partisan. **REP. SIMPKINS** asked whether the Indian Council members were Democrats or Republicans.

REP. GERVAIS responded REP. STOVALL was the only Republican Indian he knew.

REP. MASON asserted the amendments were not helping the bill.

Motion/Vote: REP. SIMPKINS withdrew his initial motion and moved to amend SB 130 by changing "shall" to "may" on line 23, page 1, and amending the title. Motion failed 4 to 12 with REPS. REHBEIN, MASON, SIMPKINS, and MOLNAR voting yes and REP. SQUIRES voting by proxy. EXHIBIT 2

Motion/Vote: REP. SPRING MADE A SUBSTITUTE MOTION THAT SB 130 BE TABLED. Motion carried 9 to 7 on a roll call vote with REPS. DAVIS, BARNHART, GALVIN, GERVAIS, RICE, SCHWINDEN, and SQUIRES voting no and REP. SQUIRES voting by proxy. EXHIBITS 2, 5

EXECUTIVE ACTION ON SB 186

Motion: REP. SCHWINDEN MOVED SB 186 BE CONCURRED IN.

Motion: REP. MOLNAR MADE A SUBSTITUTE MOTION THAT SB 186 BE NOT CONCURRED IN.

Discussion:

REP. SIMPKINS reminded the committee SB 186 asked the districting and reapportionment commission to establish PSC district boundaries.

REP. MOLNAR said he based his motion on testimony that Public Service Commission (PSC) districts had populations which varied only three percent from an equal 20 percent per district. He said that disparity was within reapportionment guidelines, and therefore the bill was unnecessary.

REP. STOVALL agreed with REP. MOLNAR and recalled the PSC chairman had considered the districts satisfactory as they are.

REP. RICE said the bill was in keeping with the one person/one vote doctrine of reapportionment and asserted the bill was reasonable.

REP. ROSE said the diversity of the state made it difficult for representatives of one area to recognize the needs of another area. He supported leaving the districts as they were.

REP. SIMPKINS pointed out the bill requests the district and reapportionment commission to consider changes to the PSC boundaries, and the commission could refuse. He said the commission could also decide to abide by the one person/one vote doctrine and ignore other differences in the state.

REP. MASON said since the commission would already be in the process of reapportioning the state voting districts, they would be in a good position to also look at PSC districts. He contended it would be better to have the commission study the PSC districts than to create another committee for that purpose.

REP. SIMPKINS reminded the committee they had passed a bill to divide the state into four evenly populated districts. He suggested an alternative approach would be to have one PSC member from each of those districts and then a fifth member elected at large. He pointed out SB 186 postpones changing PSC district boundaries until the next census. Ms. Heffelfinger explained SB 186 was necessary to authorize the districting and reapportionment commission to present the legislature a plan. She said the commission had very specific authority under the Constitution and a statute was necessary to authorize them to look at PSC districts. She said the legislature would not be precluded from taking action because PSC districts are statutorily provided.

Vote: SB 186 BE NOT CONCURRED IN. Motion failed 8 to 8 on a roll call vote with REPS. SIMPKINS, SPRING, HAYNE, MOLNAR, REHBEIN, ROSE, STOVALL, and WALLIN voting yes and REPS. SQUIRES, BARNHART, and WALLIN voting by proxy. EXHIBITS 2, 6, 7

Vote: SB 186 BE CONCURRED IN. Motion failed 8 to 8 on a roll call vote with REPS. DAVIS, BARNHART, GALVIN, GERVAIS, MASON, RICE, SCHWINDEN, and SQUIRES voting yes and REPS. SQUIRES, BARNHART, and WALLIN voting by proxy. EXHIBITS 2, 7, 8

EXECUTIVE ACTION ON SB 100

Motion: REP. RICE MOVED SB 100 BE CONCURRED IN.

Discussion:

REP. SPRING stated he thought the bill was unnecessary.

REP. MOLNAR reported he was a certified air, air pressure, and aeration contractor, and he considered the bill too broad in requiring negative air pressure. He contended the provision could be very expensive.

REP. RICE contended SB 100 was a clarification bill from the Department of Administration and addressed two issues: (1) to help the Department of Administration enforce statutes on smoking in public places; and (2) to allow certain buildings be designated smoke-free. She said, as a building manager herself, she understood how clarification in the bill would be very helpful to the department in taking care of smokers and nonsmokers.

REP. SIMPKINS stated Ms. Fulton, Administrator, General Service Division, had asked for an amendment to SB 100 and asked Ms. Heffelfinger to explain the amendment. Ms. Heffelfinger explained the amendment would delete the exceptions to the no smoking areas listed in the bill. EXHIBIT 9

Motion: REP. RICE moved to amend SB 100.

Discussion:

REP. SIMPKINS reported he had been told smokers were advised the designated smoking area was outside. He contended the amendment eliminated indoor smoking areas.

REP. RICE challenged REP. SIMPKINS' contention and referred to the definition of designated smoking area on pages 1-2 which specifies "an enclosed, COMFORTABLE area...".

REP. REHBEIN referred to lines 17-22, page 2, and suggested two or three employees could demand a smoke-free building.

Vote: SB 100 BE AMENDED. Motion failed 7 to 9 on a roll call vote with REPS. SPRING, MASON, REHBEIN, RICE, ROSE, SCHWINDEN, and WALLIN voting yes and REPS. BARNHART, SQUIRES, and WALLIN voting by proxy. EXHIBITS 2, 7, 10

Discussion:

REP. DAVIS asked Ms. Heffelfinger to review the provisions of SB 100. Ms. Heffelfinger responded the bill (1) defines "designated smoking area"; (2) clarifies in which areas smoking is prohibited; and (3) clarifies current statutes by making a designated smoking area optional. REP. DAVIS asked whether agency heads would have the option of making their buildings smoke-free and not have a designated smoking area. Ms. Heffelfinger agreed.

REP. STOVALL asked whether the bill gives the agency head the sole authority to decide whether or not there would be a designated smoking area. REP. RICE responded current law states every building maintained or occupied by the state of Montana must have a designated smoking area. She said that technically even warehouses, unheated and unused by employees, would be required to have a designated smoking area. Ms. Heffelfinger said REP. RICE had pinpointed the confusion in statute. She explained current law says buildings must be smoke-free and also says agency heads shall establish a designated smoking area in buildings suited by architectural design and functional purpose. Thus, depending upon the interpretation of the law, REP. RICE'S statement was true, unless a warehouse was not deemed suitable by architectural design and functional purpose.

REP. ROSE said he understood the need for buildings like museums to be smoke-free.

REP. DAVIS stated he understood the bill allows a smoke-free building to have a designated smoking area.

REP. SIMPKINS suggested further action on the bill be postponed.

REP. RICE withdrew her motion to concur in SB 100.

EXECUTIVE ACTION ON SB 268

Motion: REP. GERVAIS MOVED SB 268 BE CONCURRED IN.

Discussion:

REP. DAVIS said he wanted to make sure voter registration cards included a residential address.

REP. ROSE complained the Secretary of State's office agreed to everything. He described SB 268 as the most ridiculous bill he has seen and objected to having game wardens asking people to register to vote.

Motion: REP. ROSE MADE A SUBSTITUTE MOTION THAT SB 268 BE NOT CONCURRED IN.

Discussion:

REP. DAVIS said the bill does not require vendors who sell hunting and fishing licenses to register voters. He said the bill only requires the vendors to have voter registration cards available. REP. STOVALL stated the bill says "must be made available". REP. DAVIS agreed.

Vote: SB 268 BE NOT CONCURRED IN. Motion carried 9 to 7 on a roll call vote with REPS. DAVIS, BARNHART, GALVIN, GERVAIS, RICE, SCHWINDEN, and SQUIRES voting no and REPS. SQUIRES, BARNHART, WALLIN, MOLNAR, and SIMPKINS voting by proxy. EXHIBITS 2, 7, 11, 12

Motion/Vote: REP. REHBEIN MOVED SB 268 BE TABLED. Motion carried 9 to 7 with REPS. DAVIS, BARNHART, GALVIN, GERVAIS, RICE, SCHWINDEN, and SQUIRES voting no and REPS. SQUIRES, BARNHART, WALLIN, MOLNAR, and SIMPKINS voting by proxy. EXHIBITS 2, 7, 12

EXECUTIVE ACTION ON SB 384

Motion: REP. STOVALL MOVED SB 384 BE CONCURRED IN.

Discussion:

Ms. Heffelfinger reported the Department of Revenue had proposed an amendment to SB 384 which would repeal the requirement that revenue estimates and fiscal reports be provided to the governor

and legislature. She said Bob Person, Legislative Council, asked her to report that the Legislative Council agreed with eliminating the revenue estimates but would not want the fiscal reports to the legislature to be eliminated. She proposed an alternative, compromise amendment from the Legislative Council. EXHIBITS 13, 14

Motion: REP. MASON moved to amend SB 384. EXHIBIT 15

Discussion:

REP. ROSE asked why the Department of Revenue wanted to eliminate the revenue estimates and fiscal reports. Ms. Heffelfinger referred the question to Larry Allen, legal counsel, Department of Revenue. Mr. Allen explained the department had proposed repealing the requirement because the Budget Office actually prepares the reports. He said the department currently supplies the Budget Office with the necessary information and would continue to do so. He said the amendment would codify current practice.

REP. ROSE reported he had difficulty last summer in getting an accurate estimate of the deficit and thought someone should be responsible for the information. Mr. Allen asked REP. ROSE whether he had asked the Budget Office or the Department of Revenue. REP. ROSE answered he had asked the Department of Revenue. Mr. Allen explained that while the department has the data, they depend on the Budget Office to do the actual reports.

REP. SPRING asked Mr. Allen whether there was a better process than current practice to address the problems encountered by REP. ROSE. Mr. Allen said he did not know of a better way.

Ms. Heffelfinger clarified there were two parts of the section, one dealing with revenue estimating and one with the study of fiscal problems and tax structures. REP. DAVIS noted there was a revenue oversight committee which oversees both of these activities.

Vote: SB 384 BE AMENDED. Motion carried unanimously with REPS. SQUIRES, SIMPKINS, and BARNHART voting by proxy. EXHIBITS 2, 7, 12

Motion/Vote: REP. STOVALL MOVED SB 384 BE CONCURRED IN AS AMENDED. Motion carried unanimously with REPS. SQUIRES, SIMPKINS, and BARNHART voting by proxy. EXHIBITS 2, 7, 12

HOUSE STATE ADMINISTRATION COMMITTEE

March 12, 1993

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ADJOURNMENT

Adjournment: 10:38 a.m.


DICK SYMPKINS, Chair


DOROTHY POULSEN, Secretary

DS/DP

HOUSE OF REPRESENTATIVES

STATE ADMINISTRATION

COMMITTEE

ROLL CALL

DATE

3/12/93

NAME	PRESENT	ABSENT	EXCUSED
REP. DICK SIMPKINS, CHAIR	✓		
REP. WILBUR SPRING, VICE CHAIR	✓		
REP. ERVIN DAVIS, VICE CHAIR	✓		
REP. BEVERLY BARNHART	✓		
REP. PAT GALVIN	✓		
REP. BOB GERVAIS	✓		
REP. HARRIET HAYNE	✓		
REP. GARY MASON	✓		
REP. BRAD MOLNAR	✓		
REP. BILL REHBEIN	✓		
REP. SHEILA RICE	✓		
REP. SAM ROSE	✓		
REP. DORE SCHWINDEN	✓		
REP. CAROLYN SQUIRES			✓
REP. JAY STOVALL	✓		
REP. NORM WALLIN	✓		

HOUSE STANDING COMMITTEE REPORT

March 12, 1993

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that House Bill 615 (first reading copy -- white) do pass as amended .

Signed: *Dick Simpkins*
Dick Simpkins, Chair

And, that such amendments read:

1. Title, line 5.

Strike: "10"

Insert: "2"

2. Title, lines 7 and 8.

Strike: "REQUIRING" on line 7 through "FORCE;" on line 8

3. Title, lines 9 and 10.

Strike: ", AN APPLICABILITY DATE,"

4. Page 1, line 15.

Strike: "required"

5. Page 1, line 17.

Following: "and"

Insert: "may provide"

6. Page 1, line 23.

Strike: "10"

Insert: "2"

7. Page 1, line 24 through page 2, line 5.

Strike: line 24 on page 1 through line 5 on page 2 in their entirety

Renumber: subsequent section

-END-

Committee Vote:
Yes 14, No .

561640SC.Hpf

HOUSE STANDING COMMITTEE REPORT

March 12, 1993

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that Senate Bill 203 (third reading copy -- blue) be concurred in as amended .

Signed: *Dick Simpkins*
Dick Simpkins, Chair

And, that such amendments read:

Carried by: Rep. Grady

1. Title, line 6.
Following: "TO"
Insert: "CERTAIN"

2. Page 1, line 13.
Strike: "1993"
Insert: "1991"

-END-

Committee Vote:
Yes , No .

561642SC.Hpf 3/12/93

HOUSE STANDING COMMITTEE REPORT

March 12, 1993

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that Senate Bill 384 (third reading copy -- blue) be concurred in as amended .

Signed: *Dick Simpkins*
Dick Simpkins, Chair

And, that such amendments read:

Carried by: Rep.Simpkins

1. Page 8, line 5.

Strike: "estimate"

Insert: "studies"

2. Page 8, lines 6 through 8.

Strike: "prepare" on line 6 through "continuously" on line 8

-END-

Committee Vote:
Yes 6, No 0.

561643SC.Hpf

Amendments to Senate Bill No. 203
Third Reading Copy

For the Committee on House State Administration

Prepared by Sheri S. Heffelfinger
March 12, 1993

1. Title, line 6.

Following: "TO"

Insert: "CERTAIN"

2. Page 1, line 13.

Strike: "1993"

Insert: "1991"

EXHIBIT 1
DATE 3/12/93
HB SB 203

3/12/93

Give my proxy to Pat
Galvin on all bills

before the Committee today
O'Sullivan

S.B. 100 - Jorner - ~~NO~~ = Monday

S.B. 384 Pipinich YES

HB 203 as amended YES

HB 615 - Ever as amended YES

SB 130 - McLearn as amended tabled

SB 186 - McLearn 8-8

SB 213 Pipinich Monday

SB 263 Lynch lost 9-7

SB 384 Lynch - as amended passed

EXHIBIT 2
DATE 3/12/93
HB SB 203; HB 615; SB 130
SB 186; SB 268

Amendments to House Bill No. 615
First Reading Copy

For the Committee on House State Administration

Prepared by Sheri S. Heffelfinger
March 12, 1993

1. Title, line 5.

Strike: "10"

Insert: "2"

2. Title, lines 7 and 8.

Strike: "REQUIRING" on line 7 through "FORCE;" on line 8

3. Title, lines 9 and 10.

Strike: ", AN APPLICABILITY DATE,"

4. Page 1, line 15.

Strike: "required"

5. Page 1, line 17.

Following: "and"

Insert: "may provide"

6. Page 1, line 23.

Strike: "10"

Insert: "2"

7. Page 1, line 24 through page 2, line 5.

Strike: line 24 on page 1 through line 5 on page 2 in their
entirety

Renumber: subsequent section

EXHIBIT 3
DATE 3/12/93
HB HB 615

Amendments to Senate Bill No. 130
Third Reading Copy

Requested by Rep. Norm Wallin
For the Committee on House State Administration

Prepared by Sheri S. Heffelfinger
March 10, 1993

1. Title, line 9.

Following: "PROCESS;"

Insert: "SPECIFYING MINIMUM QUALIFICATIONS FOR THE COMMISSIONER;"

2. Page 1, line 15.

Following: "PROCESS"

Insert: "-- qualifications"

3. Page 2.

Following: line 16

Insert: "(3) An individual is not eligible to serve as
commissioner unless the person:

(a) is at least 25 years of age at the time of the
person's nomination;

(b) is a citizen of the United States;

(c) has been a resident of the state for at least 2
years immediately preceding the person's nomination; and

(d) has not held a publicly elected partisan office in
the 4 years immediately preceding the person's nomination."

Renumber: subsequent subsection

EXHIBIT 4
DATE 3/12/93
HB SB 130

HOUSE OF REPRESENTATIVES

STATE ADMINISTRATION

COMMITTEE

ROLL CALL VOTE

DATE 3/12/93 BILL NO. SB 130 NUMBER _____

MOTION: Move to table SB 130

NAME	AYE	NO
REP. DICK SIMPKINS, CHAIR	✓	
REP. WILBUR SPRING, VICE CHAIR	✓	
REP. ERVIN DAVIS, VICE CHAIR		✓
REP. BEVERLY BARNHART		✓
REP. PAT GALVIN		✓
REP. BOB GERVAIS		✓
REP. HARRIET HAYNE	✓	
REP. GARY MASON	✓	
REP. BRAD MOLNAR	✓	
REP. BILL REHBEIN	✓	
REP. SHEILA RICE		✓
REP. SAM ROSE	✓	
REP. DORE SCHWINDEN		✓
REP. CAROLYN SQUIRES		✓
REP. JAY STOVALL	✓	
REP. NORM WALLIN	✓	
TOTAL	9	7

EXHIBIT 5
DATE 3/12/93
HB SB 130

HOUSE OF REPRESENTATIVES

STATE ADMINISTRATION

COMMITTEE

ROLL CALL VOTE

DATE 3/12/93 BILL NO. SB 186 NUMBER _____

MOTION: Do not concur w/ SB 186

NAME	AYE	NO
REP. DICK SIMPKINS, CHAIR	✓	
REP. WILBUR SPRING, VICE CHAIR	✓	
REP. ERVIN DAVIS, VICE CHAIR		✓
REP. BEVERLY BARNHART		✓
REP. PAT GALVIN		✓
REP. BOB GERVAIS		✓
REP. HARRIET HAYNE	✓	
REP. GARY MASON		✓
REP. BRAD MOLNAR	✓	
REP. BILL REHBEIN	✓	
REP. SHEILA RICE		✓
REP. SAM ROSE	✓	
REP. DORE SCHWINDEN		✓
REP. CAROLYN SQUIRES		✓
REP. JAY STOVALL	✓	
REP. NORM WALLIN	✓	
TOTAL	8	8

EXHIBIT 6
DATE 3/12/93
HB SB 186

~~MA~~
man 12

I leave my
party with

Pat Quinn

B Bant

SB-186-McLennan 8-9

SB-100-Forrester

SB-268-Lynch

SB-394 Lynch

-Monday

lost 9-7

EXHIBIT 7

DATE 3/12/93

HB SB 186; SB 268

HOUSE OF REPRESENTATIVES

STATE ADMINISTRATION

COMMITTEE

ROLL CALL VOTE

DATE 3/12/93 BILL NO. SB 186 NUMBER _____MOTION: No concure w/ SB 186

NAME	AYE	NO
REP. DICK SIMPKINS, CHAIR		✓
REP. WILBUR SPRING, VICE CHAIR		✓
REP. ERVIN DAVIS, VICE CHAIR	✓	
REP. BEVERLY BARNHART	✓	
REP. PAT GALVIN	✓	
REP. BOB GERVAIS	✓	
REP. HARRIET HAYNE		✓
REP. GARY MASON	✓	
REP. BRAD MOLNAR		✓
REP. BILL REHBEIN		✓
REP. SHEILA RICE	✓	
REP. SAM ROSE		✓
REP. DORE SCHWINDEN	✓	
REP. CAROLYN SQUIRES	✓	
REP. JAY STOVALL		✓
REP. NORM WALLIN		✓
TOTAL	8	8

EXHIBIT 8
DATE 3/12/93
HB SB 186

Amendment to Senate Bill No. 100

Requested by the Department of Administration

1. Page 2, line 13

Delete: "except as provided in subsections (2) and (4)"

EXHIBIT 9
DATE 3/12/93
HB SB 100

COMMITTEE

DATE 3/12/93 BILL NO. SB100 NUMBER _____

MOTION: To amend SB 100 to delete subsections (2)
and (4)

EXHIBIT 10
DATE 3/12/93
HB SB 100

HOUSE OF REPRESENTATIVES

STATE ADMINISTRATION

COMMITTEE

ROLL CALL VOTE

DATE 3/12/93 BILL NO. SB 268 NUMBER _____MOTION: No not concur w/ SB 268

NAME	AYE	NO
REP. DICK SIMPKINS, CHAIR	✓	
REP. WILBUR SPRING, VICE CHAIR	✓	
REP. ERVIN DAVIS, VICE CHAIR		✓
REP. BEVERLY BARNHART		✓
REP. PAT GALVIN		✓
REP. BOB GERVAIS		✓
REP. HARRIET HAYNE	✓	
REP. GARY MASON	✓	
REP. BRAD MOLNAR	✓	
REP. BILL REHBEIN	✓	
REP. SHEILA RICE		✓
REP. SAM ROSE	✓	
REP. DORE SCHWINDEN		✓
REP. CAROLYN SQUIRES		✓
REP. JAY STOVALL	✓	
REP. NORM WALLIN	✓	
TOTAL	9	7

EXHIBIT 11
DATE 3/12/93
HB SB 268

Wilbur Spring has my proxy
to vote for me during executive
action.

Rich Simpkins

EXHIBIT 12
DATE 3/12/93
HB SB 268

Amendments to Senate Bill No. 384
Third Reading Copy

For the Committee on House State Administration

Prepared by Sheri S. Heffelfinger
March 10, 1993

1. Title, line 20.

Following: "SECTIONS"

Insert: "2-7-104,"

2. Page 21, lines 18 through 21.

Strike: ", with" on line 18 through "legislature" on line 21

3. Page 73, line 1.

Following: "Sections"

Insert: "2-7-104,"

Department of Revenue Explanation

Reason for Amendments:

The first amendment conforms the title with the third amendment.

The second amendment eliminates the requirement that the biennial report made by the Department of Revenue include recommendations for improvements in the state tax system. Recommendations for improvements in the state system of taxation are made by the Revenue Oversight Committee. The Department makes its recommendations to the Revenue Oversight Committee.

The third amendment avoids duplication, by eliminating the legal requirement that a revenue estimate report be made by the Department of Revenue. The revenue estimate report is currently, and has been historically, prepared by the Governor's Budget Office.

Staff comment: For the Committee's information, this is the section repealed by amendment 3:

2-7-104. Revenue estimate -- report to governor and legislature. The director of revenue shall prepare revenue estimates of state revenue from all sources and shall continuously study fiscal problems and tax structures of state and local governments and submit the studies to the governor and, as provided in 5-11-210, to the legislature.

1 EXHIBIT 13 sb038401.ash
DATE 3/12/93
HB SB 384

Amendments to Senate Bill No. 384
Third Reading Copy

For the Committee on House State Administration

Prepared by Sheri S. Heffelfinger
March 11, 1993

Legislative Council Suggestion:
Modification of DOR Amendment

1. Page 8, line 5.
Strike: "estimate"
Insert: "studies"

2. Page 8, lines 6 through 8.
Strike: "prepare" on line 6 through "continuously" on line 7

EXHIBIT 14
DATE 3/12/93
PAGE SB384

Amendments to Senate Bill No. 384
Third Reading Copy

For the Committee on House State Administration

Prepared by Sheri S. Heffelfinger
March 11, 1993

1. Page 8, line 5.
Strike: "estimate"
Insert: "studies"

2. Page 8, lines 6 through 8.
Strike: "prepare" on line 6 through "continuously" on line 8

EXHIBIT 15
DATE 3/12/93
HB SB 384