

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 53rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: By DICK SIMPKINS, CHAIRMAN, on March 18, 1993, at
9:15 a.m.

ROLL CALL

Members Present:

Rep. Dick Simpkins, Chairman (R)
Rep. Wilbur Spring, Vice Chairman (R)
Rep. Ervin Davis, Vice Chairman (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. Carolyn Squires (D)
Rep. Jay Stovall (R)
Rep. Norm Wallin (R)

Members Excused: None.

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 430; SB 100; SB 176 (tabled); SB 318;
SB 222

EXECUTIVE ACTION ON HB 430

Motion: REP. RICE MOVED TO RECONSIDER ACTION ON HB 430 AND TAKE
FROM THE TABLE.

Discussion:

REP. RICE reviewed HB 430 which increased the retirement benefits of municipal police officers who worked more than 20 years. The bill had been amended in committee to include firefighters. She explained the bill originally funded the increased retirement benefit through an increase in the insurance premium tax. She reported police officers have voted to fund the increase through their own contributions; and the firefighters have agreed to be removed from the bill. Thus, there would be no fiscal impact to the general fund.

Linda King, Assistant Administrator, Public Employees' Retirement Division, explained the changes would increase member contribution rates, and there would be no fiscal impact to state or local governments.

REP. SIMPKINS asked Ms. King what the contribution rate for police officers would be. Ms. King explained police officers currently pay three different rates depending upon when they were first hired; however, they would all pay an increase of 1.36 percent. REP. SIMPKINS asked what the cost would be to the average police officer. Ms. King responded it would probably be \$200 per year. REP. SIMPKINS stated the majority of police officers had voted to increase their contribution rate to fund the increased retirement benefit. He suggested at some future time an increase in the employer's contribution rate would be appropriate.

REP. BARNHART reported she had heard from police officers in her district, and they supported the bill.

REP. MOLNAR asked Ms. King whether the system's unfunded liability would be affected by HB 430. Ms. King responded that the bill provided a retroactive benefit increase which created an unfunded liability; however, the unfunded liability would be paid for by the increase in contribution rate.

Vote: HB 430 BE RECONSIDERED. Motion carried unanimously.

Motion/Vote: REP. ROSE moved to remove all amendments to HB 430. Motion carried unanimously.

Motion: REP. RICE moved to amend HB 430. EXHIBIT 1

Discussion:

REP. RICE explained the amendment eliminated the state contribution and increased the employee contribution by 1.36 percent.

REP. REHBEIN asked for clarification on the increased retirement benefit. REP. RICE explained the bill provided 2.5 percent per

year of service for every year of service rather than the current reduction to 1.0 percent for service beyond 20 years.

REP. ROSE asked Ms. King for clarification of part 4, section 1, of the amendment. Ms. King responded that part 4 was standard language in all retirement systems and allowed employees' contributions to be tax-deferred.

Vote: HB 430 BE AMENDED. Motion carried unanimously.

Motion/Vote: REP. RICE MOVED HB 430 DO PASS AS AMENDED. Motion carried 15 to 1 with REP. MOLNAR voting no.

EXECUTIVE ACTION ON SB 222

Discussion:

REP. SIMPKINS reviewed testimony to the committee that a proclamation had been passed in 1975 which had designated the fourth Friday in September as American Indian Heritage Day. He suggested because the day was designated by resolution rather than by law, it had not been observed. He proposed an amendment to SB 222 to designate American Indian Heritage Day as a commemorative day to be celebrated on the fourth Friday in September. He explained the amendment would require all schools to have activities and celebrate the day. EXHIBIT 2

Ms. Heffelfinger distributed a list of states which have a commemorative day, week, or month for American Indians. EXHIBIT 3

REP. SIMPKINS suggested the benefit of the amendment would be designating an official day for Native Americans. He said the danger of the amendment would be a possible political battle with the Senate.

REP. DAVIS declared he was more comfortable with the proposed amendment than with replacing Columbus Day. He said he did not particularly like designating a day for a particular individual and noted Lincoln's and Washington's birthday celebrations had been changed to President's Day. He contended, however, changing Columbus Day to Native American Heritage Day could be perceived as an insult.

REP. BARNHART asserted the proposed Native American Heritage Day would not be an official day. REP. SIMPKINS agreed the day would not be an official paid holiday.

REP. BARNHART referred to the list of states and asked why some commemorative dates were listed as unknown. Ms. Heffelfinger explained she was unable to find the information in the limited time she had available to prepare the list. She suggested she could not find specific dates because some states celebrate a

week or month or vary the date by proclamation. REP. BARNHART expressed her concern that Native American Heritage Day would be "lost" in Montana with no one sure of when it was. REP. SIMPKINS agreed with her concern and suggested the day had been lost with the earlier resolution. He contended by designating the day in law, it would be observed.

REP. BARNHART asked why Columbus Day was listed as both a legal holiday and a commemorative day. REP. SIMPKINS suggested the list of legal holidays were official holidays for state employees. REP. REHBEIN noted some commemorative days were celebrated in schools but were not official holidays for state employees. He noted Native American Heritage Day would be designated a commemorative day for schools but not a paid holiday for state employees. REP. SIMPKINS agreed. Ms. Heffelfinger explained the "legal holidays and business days" referred to statewide days which are officially paid holidays for state public employees and which are observed by some private businesses.

REP. SIMPKINS explained that the primary effect of the proposed amendment would be to celebrate Native American Heritage Day as a commemorative day and not as an official paid holiday.

Motion: REP. WALLIN MOVED SB 222 BE CONCURRED IN.

Motion/Vote: REP. SIMPKINS moved to amend SB 222. EXHIBIT 2 Motion carried 10 to 6 with REPS. GERVAIS, STOVALL, SCHWINDEN, BARNHART, SQUIRES and RICE voting no and REP. SQUIRES voting by proxy. EXHIBIT 4

Motion: REP. SPRING MOVED SB 222 BE CONCURRED IN AS AMENDED.

Discussion:

REP. GERVAIS stated, in his opinion, the amendment killed the intent of the bill. He maintained the intent of the bill was to address 500 years of oppression and destruction of culture. He reported the commemorative day set in the 1975 resolution was observed in Blackfeet schools. He said he had supported the Martin Luther King holiday and expressed his disappointment that supporters of the Martin Luther King Day had not actively worked for SB 222. He said he could not support the amended bill.

REP. SIMPKINS asked REP. GERVAIS whether the tribes would feel the amended bill was just an attempt to placate them. He said he had proposed the amendment to ensure that Native American Heritage Day was observed as intended by the earlier resolution. REP. GERVAIS responded he respected the intent of the amendment; he argued, however, it conflicted with the intent of the bill.

Vote: SB 222 BE CONCURRED IN AS AMENDED. Motion carried 11 to 5 on a roll call vote with REPS. BARNHART, GERVAIS, RICE, REHBEIN,

and SCHWINDEN voting no and REP. SQUIRES voting by proxy.
EXHIBITS 4, 5

EXECUTIVE ACTION ON SB 100

Discussion:

Ms. Heffelfinger distributed the gray bill for SB 100. She reported an error in the gray bill and asked committee members to strike "except as provided in subsections (2)(b) and (4)" in lines 22-23, page 2. She reviewed the provisions of the bill: (1) defining "smoke-free building"; (2) exempting the Montana university system from the requirements of a designated smoking area; (3) clarifying which buildings must have designated smoking areas; and (4) changing the definition of a designated smoking area. EXHIBIT 6

REP. SIMPKINS asked whether a smoke-free building would be required to have a designated smoking area. Ms. Heffelfinger explained current law is confusing because it says all buildings maintained by the state are to be smoke-free. She recommended amending the policy statement currently in statute clarifying the state's policy.

REP. BARNHART said she was concerned that the general public would interpret a sign which stated a building was smoke-free to mean smoking was not allowed in the building. REP. SIMPKINS said he had anticipated the problem and eliminated the requirement for signs.

Ms. Heffelfinger explained the reason for defining "smoke-free building" was to clarify the discrepancy between the state's public policy, which declares "that all buildings maintained by the state are to be smoke-free," and other provisions which state "an agency head shall establish at least one 'designated smoking area' in each building...". She suggested that by following her recommendation, the public policy intent would be clarified and no definition of smoke-free building would be needed.

REP. RICE asked whether the amendments removed architectural design as a restriction in considering smoking in buildings. Ms. Heffelfinger responded the amendments would require only buildings which are suited by architectural design and functional purpose to have a designated smoking area.

REP. DAVIS asked about the reference to "certain areas of buildings" in the policy statement and asked whether the language should be changed to "certain buildings." Ms. Heffelfinger recommended changing the section to read: "In recognition of the increased health hazards of passive smoke on the nonsmoker, it is the declared public policy of the state of Montana that certain buildings both owned and occupied by the state may be smoke-free. It is further the policy of the state that designated smoking

areas be established in certain other state buildings pursuant to 50-40-204." REP. DAVIS agreed the change would be more clear.

REP. BARNHART asked what "smoke-free" would mean. REP. SIMPKINS said "smoke-free" would mean "no smoking."

Ms. Heffelfinger pointed out the gray bill specified the law applied only to state-owned and occupied buildings and exempted the Montana university system as well as buildings which housed items of artistic and historical value which might be damaged by smoke. She noted the gray bill also stipulated that "the legislature shall establish designated smoking areas in the Capitol in areas used by the legislature." She directed the committee's attention to lines 7-17, page 4, which describe the signing requirements for buildings.

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

Motion/Vote: REP. DAVIS moved to amend SB 100. Motion carried unanimously with REP. SQUIRES voting by proxy. EXHIBIT 4

Motion: REP. GALVIN moved to amend SB 100. EXHIBIT 7

Discussion:

REP. GALVIN explained his amendments asked the tobacco industry to donate funds for the designated smoking areas. Ms. Heffelfinger stated the amendments established a special revenue account, authorized the Department of Administration to accept donations, and provided a statutory appropriation to the department to use the funds for designated smoking areas. She said the amendments also waived the requirement for a designated smoking area if the account had insufficient money.

REP. REHBEIN asked whether the amendments made it easier for people to smoke. REP. GALVIN responded no. He said the intent of the amendments was to get the tobacco industry to pay for smoking areas.

REP. BARNHART asked whether other people could donate to the fund. REP. GALVIN responded yes, anyone could donate.

REP. STOVALL asked whether the department would solicit funds from the tobacco industry. REP. GALVIN responded no.

REP. REHBEIN contended the legislature had tried to eliminate smoking as much as possible. He suggested the amendments encouraged smoking by providing funds to state agencies for constructing facilities to accommodate smokers. REP. SIMPKINS said his interpretation of the amendments was that designated smoking areas would not be built unless there were sufficient donations; he contended the amendments nullified the intent of SB 213.

REP. BARNHART asked whether the amendments just established an account or, in fact, were tied to the designated smoking areas. Ms. Heffelfinger responded the fourth amendment waived the requirements of subsection (2)(a) if there was insufficient money to pay the cost of establishing a designated smoking area. She explained the agency head would not be required to provide a designated smoking area if there was not money in the account to pay for it.

REP. SIMPKINS reported the amendment conflicted with SB 213 and would destroy the agreement with SEN. PIPINICH. REP. DAVIS asked whether the amendment would conflict with the gray bill. Ms. Heffelfinger explained the amendment was comparable to changing the "shall" to "may" and giving agency heads the discretion to establish designated smoking areas.

REP. BARNHART asked Ms. Heffelfinger whether the fourth amendment could be eliminated and the provision for accepting donations for designated smoking areas be maintained. Ms. Heffelfinger said her concern was specifying how donated funds would be used.

REP. SIMPKINS asked Deborah Fulton, Administrator, General Services Division, Department of Administration, whether she could accept donations. Ms. Fulton said she probably could accept funds, but she would not have any authority to spend them. She said she admired the intent of the bill, but reported the Department of Administration did not control all state buildings. She said she was unsure how funds would be allocated unless they were designated for specific buildings.

REP. DAVIS asked Ms. Fulton whether the gray bill was acceptable to the department. Ms. Fulton stated the amendments accommodated both SEN. PIPINICH'S and the department's concerns. REP. DAVIS asked Ms. Fulton how REP. GALVIN'S amendments affected the department. Ms. Fulton responded if the fourth amendment were included, then areas of contention would continue to exist. She said the amendments without the fourth amendment might provide additional options because available resources were a concern. She suggested the department could try to implement the new legislation without REP. GALVIN'S amendments, and, if necessary, return in two years to ask for authorization to accept donations.

REP. BARNHART stated allowing donations was appealing to her, and she would support an amendment allowing donations.

REP. GALVIN recommended striking the fourth amendment from his group of amendments; he said the other amendments would enhance the appropriation of funds for building smoking areas.

REP. ROSE asked whether donated funds could be used to improve the designated smoking areas. REP. SIMPKINS suggested the amendment could be changed to include improvements. REP. GALVIN agreed to the change.

Motion/Vote: REP. RICE moved to segregate amendment 4 and accept the other amendments. Motion carried 12 to 3 with REPS. DAVIS, MOLNAR, and HAYNE voting no, REP. GERVAIS voting by proxy, and REP. SQUIRES abstaining. EXHIBIT 8

Motion/Vote: REP. GALVIN MOVED SB 100 BE CONCURRED IN AS AMENDED. Motion carried 11 to 4 with REPS. DAVIS, SPRING, HAYNE, and MOLNAR voting no, REP. GERVAIS voting by proxy, and REP. SQUIRES abstaining. EXHIBIT 8, 9

EXECUTIVE ACTION ON SB 318

Discussion:

REP. ROSE expressed his consternation with the proposal to have 16-year-old youths serving as election judges and asked Joe Kerwin, Election Bureau Chief, Secretary of State's Office, to respond. Mr. Kerwin said the proposal was made in order to increase the pool of individuals available to serve as election judges and to involve youth in the electoral process. REP. ROSE contended Missoula county was the only county having difficulty finding election judges and suggested most county clerks did not want the changes proposed in SB 318. Mr. Kerwin reported many counties had difficulty finding election judges and suggested SB 318 provided options.

REP. SIMPKINS recommended the committee review the provisions of SB 318. REP. MASON expressed his concern with the changes in the qualifications of election judges, specifically allowing non-registered voters and persons under 18 years of age to serve as election judges. REP. MOLNAR described how an inexperienced election judge had caused numerous recounts of ballots and contended election outcomes were too serious to leave to inexperienced people. REP. GALVIN asked REP. MOLNAR the age of the election judge who had caused the recounts. REP. MOLNAR responded age was irrelevant; he was opposed to lowering qualifications for election judges.

REP. BARNHART asked REP. MOLNAR what qualifications, other than being a registered voter, were required in present law. REP. SIMPKINS contended by removing the registered voter requirement, anyone could serve as an election judge. REP. BARNHART maintained being a registered elector did not make an individual better qualified. Mr. Kerwin agreed the bill removed the registered voter requirement in order to allow mature youths under 18 years of age to participate as election judges. REP. SIMPKINS asked whether a convicted felon on parole could serve as an election judge. Mr. Kerwin said under current law they could not serve. He maintained the bill would give the secretary of state rulemaking authority to prescribe qualifications for election judges; therefore, depending upon how rules are written, a convicted felon may or may not be able to serve as an election judge. REP. SIMPKINS differentiated between rules and laws and

suggested the bill gives the secretary of state broad leeway in determining qualifications.

REP. WALLIN expressed his apprehension and stated election judges should be qualified voters and old enough to vote. REP. SIMPKINS suggested the bill attempted to use young people to solve the problem of finding enough adults interested in the electoral process to serve as election judges. REP. ROSE reported his experience with young people and stated some were very responsible and others were not.

Motion: REP. ROSE moved to strike section 4 of SB 318.

Discussion:

REP. BARNHART stated she objected to the way committee members were talking about children.

REP. DAVIS asked SEN. WELDON the meaning of "mature persons under 18." SEN. WELDON referred REP. DAVIS to the statement of intent. REP. DAVIS asked SEN. WELDON to describe the provisions of the Youth Voting Act. SEN. WELDON deferred the question to Garth Jacobson, Chief Legal Counsel, Secretary of State's Office, who explained the Youth Voting Act permits certain schools to participate in the electoral process including taking straw votes. He said SB 318 was another means of allowing youth to participate and teach them about government. He said many individuals demonstrate the maturity to participate and reported five or six schools currently participate in the program.

REP. SIMPKINS asked Mr. Jacobson to define mature person. Mr. Jacobson explained the "rule of seven" was used in the legal definition of maturity. Thus, a child under the age of seven was not considered mature; children between seven and fourteen were recognized as maturing but were still treated as children. He said for youths between 14 and 21, the law recognized their increasing maturity, and particularly between the ages of 16 and 18, recognized youths do have the capacity to act as mature adults. He said the "rule of seven" was used by courts in legal cases to decide whether to charge an individual as an adult or child. He said the secretary of state's office would focus on individuals between 16 and 18. He pointed out they would be bound by the Fair Labor Standards Act which precludes youth under 16 from working. Mr. Jacobson suggested any committee member who had participated in Boys or Girls State would realize there are incredibly talented individuals who would qualify. He noted the issue would be under local control of election administrators who might know outstanding high school students who would want to participate.

REP. REHBEIN asked whether young people could participate as observers. REP. SIMPKINS reported there was no prohibition. Ms. Heffelfinger reported there were legal provisions which prohibited youth from the balloting area because of possible

disruption of the process. Mr. Jacobson reported nothing in federal law prohibits youth as observers. He said the primary concern is to prevent disruption of the process.

REP. SIMPKINS asked which counties other than Missoula have difficulty in finding election judges. Mr. Kerwin reported Big Horn, Lewis and Clark, and Missoula have all reported difficulties. REP. DAVIS said he thought the need for election judges had been addressed in an earlier bill which provided for part-time election judges.

REP. BARNHART stated the primary issue was encouraging voting by having youth involved in the election process. She reported Gallatin County also has problems finding election judges and suggested SB 318 was one piece of the solution.

Vote: SECTION 4 BE DELETED FROM SB 318. Motion carried 11 to 5 on a roll call vote with REPS. BARNHART, GALVIN, GERVAIS, RICE, and SQUIRES voting no and REPS. GERVAIS and SQUIRES voting by proxy. EXHIBITS 4, 8, 10

Discussion:

REP. SIMPKINS asked whether committee members had any other objections to SB 318. REP. MOLNAR stated the witness requirement eliminated in Sections 2 and 3 was important in providing a method for election administrators to check on voter applications. REP. DAVIS stated eliminating the witness requirement in Section 2 was not a problem because it involved situations in which individuals were appearing before the county election administrator.

REP. MASON stated voting was a privilege greatly desired by citizens of other countries. He suggested the bill treated this privilege frivolously by eliminating voting requirements. He claimed some requirements should exist to become registered voters.

REP. WALLIN spoke in favor of eliminating the witness requirement. He reported when he went door-to-door registering voters, people would ask him to leave a registration card for someone who was away from the home. He could not accommodate the request because of the requirement the card be signed before a deputy registrar. He contended many people would have registered to vote if he had been able to leave cards.

REP. SIMPKINS stated Sections 2 and 3 differed. Section 2 eliminated the witness requirement when individuals appeared before the registrar or deputy registrar. Section 3 eliminated all witness requirements. REP. DAVIS stated Section 3 referred to registration by mail. REP. MOLNAR said he understood the difference between the two sections, but he still felt having the witness signature provided a means of checking when corrections were needed. REP. REHBEIN stated a witness was unnecessary when

the election administrator was registering the voter. He said, however, a witness would be helpful when others registered voters. REP. RICE reported other states have eliminated the witness requirement and have not experienced voter fraud as a result. She noted that when the federal motor-voter bill is enacted, no state would be allowed to have a witness requirement except for states having same-day or no registration. She said the purpose of Section 2 was to prepare Montana for the motor-voter act.

REP. SIMPKINS asked Mr. Kerwin whether county election administrators agreed with eliminating the requirement. Mr. Kerwin reported a few opposed. REP. SIMPKINS expressed his concern that the state was dictating policy for county election officials without conferring with them. Mr. Kerwin reported the secretary of state's office had sent a copy of the bill to each county in early January and some clerks responded and did not like it. REP. SIMPKINS asked Mr. Kerwin to describe the advisory election council's reaction to the bill. Mr. Kerwin said the council was not consulted.

REP. REHBEIN asked what purpose the witness served. REP. SIMPKINS responded when he turns in registration cards with his signature as deputy registrar, then the election administrator can identify who registered the voters.

REP. BARNHART asked Mr. Kerwin to describe the differences in the witness requirement on the different forms of the voter registration cards. Mr. Kerwin responded all the cards have the witness provision.

REP. SIMPKINS stated individuals who register when they apply for a driver's license would have their signature verified as part of acquiring the driver's license. He asked Mr. Kerwin whether the federal government would prohibit witnesses for other voter registration situations on the basis of motor-voter registration. Mr. Kerwin reported the federal law would not allow states to require a witness signature on voter registration cards. REP. DAVIS asked Mr. Kerwin whether the law prohibited a witness requirement. Mr. Kerwin confirmed it prohibited a witness requirement. He said the intent of the federal bill was to have uniform voter registration cards.

Motion/Vote: REP. MOLNAR moved to delete Sections 2 and 13 from SB 318. Motion failed 7 to 9 on a roll call vote with REPS. SIMPKINS, SPRING, HAYNE, MASON, MOLNAR, ROSE, and STOVALL voting yes and REPS. GERVAIS, ROSE, SQUIRES, and STOVALL voting by proxy. EXHIBITS 4, 8, 11, 12, 13

Motion/Vote: REP. MOLNAR moved to reinstate lines 5-11 and lines 15-16, page 9, of Section 3. Motion carried 9 to 7 on a roll call vote with REPS. BARNHART, GALVIN, GERVAIS, RICE, SCHWINDEN, SQUIRES, and WALLIN voting no and REPS. SPRING, GERVAIS, ROSE,

SQUIRES, and STOVALL voting by proxy. EXHIBITS 4, 8, 12, 13, 14, 15

Motion/Vote: REP. RICE MOVED SB 318 BE CONCURRED IN AS AMENDED. Motion carried 14 to 2 with REPS. MASON and SPRING voting no and REPS. SPRING, GERVAIS, ROSE, SQUIRES, and STOVALL voting by proxy. EXHIBITS 4, 8, 12, 13, 15, 16

EXECUTIVE ACTION ON SB 176

Motion/Vote: REP. WALLIN MOVED SB 176 BE NOT CONCURRED IN. Motion carried 11 to 5 with REPS. BARNHART, GERVAIS, RICE, SCHWINDEN, and SQUIRES voting no and REPS. SPRING, GERVAIS, ROSE, SQUIRES, and STOVALL voting by proxy. EXHIBITS 4, 8, 12, 13, 15, 17

Motion/Vote: REP. REHBEIN MOVED SB 176 BE TABLED. Motion carried 11 to 5 with REPS. BARNHART, GERVAIS, RICE, SCHWINDEN, and SQUIRES voting no and REPS. SPRING, GERVAIS, ROSE, SQUIRES, and STOVALL voting by proxy. EXHIBITS 4, 8, 12, 13, 15

ADJOURNMENT

Adjournment: 11:45 a.m.


DICK SIMPKINS, Chair


DOROTHY POULSEN, Secretary

DS/DP

HOUSE OF REPRESENTATIVES
STATE ADMINISTRATION

COMMITTEE

ROLL CALL

DATE

3/18/93

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 19, 1993

Page 1 of 2

Mr. Speaker: We, the committee on State Administration report that House Bill 430 (first reading copy -- white) do pass as amended.

Signed: Dick Simpkins
Dick Simpkins, Chair

And, that such amendments read:

1. Title, lines 8 and 9.

Strike: "THE" on line 8 through "TAXES" on line 9

Insert: "EMPLOYEE CONTRIBUTIONS"

2. Title, line 10.

Strike: "19-9-702"

Insert: "19-9-601"

3. Page 1, line 14 through page 2, line 7..

Strike: Section 1 in its entirety

Insert:

"Section 1. Section 19-9-601, MCA, is amended to read:

"19-9-601. Member contributions. (1) The normal contribution of each active member is ~~6%~~ 7.36% of ~~his~~ the member's monthly compensation. In the case of a member first employed by an employer as a police officer after June 30, 1975, the contribution is ~~7.2%~~ 8.56% of ~~his~~ the member's monthly compensation. In the case of a member first employed by an employer as a police officer after June 30, 1979, the contribution is ~~8.7%~~ 10.06% of ~~his~~ the member's monthly compensation. Compensation excludes overtime payments, holiday payments, shift differential payments, compensation time payments, and payments in lieu of sick leave and annual leave, for ~~his~~ services as a police officer.

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

(3) 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

Committee Vote:

Yes 15, No 1.

6221398C.Hss

HOUSE STANDING COMMITTEE REPORT

March 19, 1993

Page 1 of 4

Mr. Speaker: We, the committee on State Administration report that Senate Bill 100 (third reading copy -- blue) be concurred in as amended .

Signed: *Dick Simpkins*
Dick Simpkins, Chair

And, that such amendments read:

Carried by: Rep. S. Rice

1. Title, lines 7 and 8.

Strike: "CHANGING" on line 7 through "OF" on line 8

Insert: "EXEMPTING MONTANA UNIVERSITY SYSTEM BUILDINGS AND
CERTAIN OTHER BUILDINGS FROM THE REQUIREMENT TO DESIGNATE
SMOKING AREAS; CLARIFYING WHICH BUILDINGS MUST HAVE"

2. Title, line 10.

Following: "SECTIONS"

Insert: "17-7-502, 50-40-202,"

3. Page 1.

Following: line 13

Insert:

"NEW SECTION. Section 1. Special revenue account -- donations for smoking areas -- statutory appropriation. (1) There is an account in the state special revenue fund for the establishment of designated smoking areas pursuant to 50-40-204.

(2) The department of administration is authorized to accept donations to pay for the establishment of or improvements to designated smoking areas in state buildings and shall deposit any donations into the special revenue account established in subsection (1).

(3) The money in the special revenue account established in subsection (1) is statutorily appropriated, as provided in 17-7-502, to the department of administration to pay for the establishment of or improvements to designated smoking areas pursuant to 50-40-204.

Section 2. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a

Committee Vote:
Yes 4, No 4.

622116SC.Hss

Following: line 4

Insert:

"Section 4. Section 50-40-202, MCA, is amended to read:

"50-40-202. Public policy. In recognition of the increased health hazards of passive smoke on the nonsmoker, it is the declared public policy of the state of Montana that all certain buildings maintained both owned and occupied by the state are to may be smoke-free. It is further the policy of the state that designated smoking areas be established in certain other state buildings pursuant to 50-40-204."

Renumber: subsequent sections

6. Page 2, line 7.

Strike: "maintained or"

Insert: "both owned and"

7. Page 2, line 12.

Following: "stairways"

Strike: ", "

8. Page 2, line 13.

Strike: "except" through "(4)"

9. Page 2, lines 17 and 18.

Following: "(2)" on line 17

Insert: "(a)"

Strike: "An" through "EMPLOYEES," on line 18

Insert: "Subject to subsection (1), in state-owned buildings, an agency head shall"

10. Page 2, lines 19 and 20.

Strike: "each" on line 19

Insert: "the"

Following: "building" on line 19

Strike: ", except" on line 19 through "(1)," on line 20

Insert: "occupied by the agency, provided that the building is"

11. Page 2, line 21.

Strike: "be used as"

Insert: "have"

12. Page 2.

Following: line 22

Insert: "(b) Buildings in the Montana university system, including the vocational-technical centers, and buildings housing items of artistic or historic value that may be damaged by smoke are exempt from the provisions of

subsection (2)(a)."

13. Page 3, line 16.

Strike: "may"

Insert: "shall"

14. Page 3, lines 19 through 22.

Following: "receptacles." on line 19

Strike: subsection (1) in its entirety

Renumber: subsequent subsections

15. Page 4.

Following: line 6

Insert:

"NEW SECTION. Section 7. Codification instruction.

[Section 1] is intended to be codified as an integral part of Title 50, chapter 40, part 2, and the provisions of Title 50, chapter 40, part 2, apply to [section 1]."

HOUSE STANDING COMMITTEE REPORT

March 19, 1993

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that Senate Bill 318 (third reading copy -- blue) be concurred in as amended .

Signed: 
Dick Simpkins, Chair

And, that such amendments read:

Carried by: Rep. Toole

1. Title, line 8.

Strike: "PROVIDING FOR QUALIFICATIONS FOR ELECTION JUDGES;"

2. Title, line 15.

Strike: "13-4-107,"

3. Page 1, line 22 through page 2, line 5.

Strike: "13-4-107" on page 1, line 22 through "because" on page 2, line 5

4. Page 9, line 11.

Following: "~~en~~"

Insert: ", except as provided in 13-2-212, either verify or affirm the mail registration form before a notary public or other officer empowered to administer oaths or complete and sign the form and obtain the signature, address, and voting precinct of at least one registered voter in the county who shall witness the facts stated on the form and shall"

5. Page 9, line 16.

Following: "~~signed~~"

Insert: "by the witness or officer before whom signed"

6. Page 9, line 20 through page 10, line 8.

Strike: Section 4 in its entirety

Renumber: subsequent sections

Committee Vote:

Yes 44, No 2.

622137SC.Hss

HOUSE STANDING COMMITTEE REPORT

March 19, 1993

Page 1 of 2

Mr. Speaker: We, the committee on State Administration report that Senate Bill 222 (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. Title, lines 4 through 6.

Strike: "REPLACING" on line 4 through "WITH" on line 5

Insert: "DESIGNATING"

Strike: "LEGAL" on line 5 through "AND" on line 6

2. Title, line 7.

Strike: "SECTIONS 1-1-216 and"

Insert: "SECTION"

3. Page 1.

Following: line 18

Insert: "WHEREAS, by proclamation or legislative enactment, several other states have designated a day to commemorate American Indian heritage; and"

4. Page 1, lines 19 through 21.

Strike: "modern" on line 19 through "America" on line 21

Insert: "in 1975, a joint resolution of the Senate and the House of Representatives of the State of Montana encouraged the Governor to designate the fourth Friday in September as "Native American Heritage Day" in Montana

5. Page 1, line 24.

Strike: "changing Columbus Day to"

Insert: "designating the fourth Friday in September as"

6. Page 1, line 25.

Following: "Day"

Insert: "to be commemorated in Montana's public schools"

7. Page 2, lines 3 through 23.

Strike: Section 1 in its entirety

Renumber: subsequent section

Committee Vote:

Yes 11, No 5.

622129SC.Hss

3-20-93
10:10

March 19, 1993
Page 2 of 2

8. Page 3.

Following: line 6

Insert: "(e) American Indian Heritage Day (fourth Friday in
September);"

Renumber: subsequent subsections

9. Page 3, line 8.

Strike: "American Indian Heritage"

Insert: "Columbus"

Amendments to House Bill No. 430
First Reading Copy

Requested by Rep. Sheila Rice
For the Committee on House State Administration

Prepared by Sheri S. Heffelfinger
March 18, 1993

1. Title, lines 8 and 9.

Strike: "THE" on line 8 through "TAXES" on line 9

Insert: "EMPLOYEE CONTRIBUTIONS"

2. Title, line 10.

Strike: "19-9-702"

Insert: "19-9-601"

3. Page 1, line 14 through page 2, line 7..

Strike: Section 1 in its entirety

Insert:

"Section 1. Section 19-9-601, MCA, is amended to read:

"19-9-601. Member contributions. (1) The normal contribution of each active member is ~~6%~~ 7.36% of ~~his the~~ member's monthly compensation. In the case of a member first employed by an employer as a police officer after June 30, 1975, the contribution is ~~7.2%~~ 8.56% of ~~his the~~ member's monthly compensation. In the case of a member first employed by an employer as a police officer after June 30, 1979, the contribution is ~~8.7%~~ 10.06% of ~~his the~~ member's monthly compensation. Compensation excludes overtime payments, holiday payments, shift differential payments, compensation time payments, and payments in lieu of sick leave and annual leave, for his services as a police officer.

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

(3) 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.

(4) 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 monthly compensation as defined in 19-9-104. The employer shall deduct from the member's compensation an amount equal to the amount of the member's contributions picked up by the employer and remit the total of the contributions to the board."

EXHIBIT 1

1 DATE 3/18/93

hb043002.ash

45 HB 430

Amendments to Senate Bill No. 222
Third Reading Copy

Requested by Rep. Simpkins
For the Committee on House State Administration

Prepared by Sheri S. Heffelfinger
March 17, 1993

1. Title, lines 4 through 6.
Strike: "REPLACING" on line 4 through "WITH" on line 5
Insert: "DESIGNATING"
Strike: "LEGAL" on line 5 through "AND" on line 6
2. Title, line 7.
Strike: "SECTIONS 1-1-216 and"
Insert: "SECTION"
3. Page 1.
Following: line 18
Insert: "WHEREAS, by proclamation or legislative enactment,
several other states have designated a day to commemorate
American Indian heritage; and"
4. Page 1, lines 19 through 21.
Strike: "modern" on line 19 through "America" on line 21
Insert: "in 1975, a joint resolution of the Senate and the House
of Representatives of the State of Montana encouraged the
Governor to designate the fourth Friday in September as
"Native American Heritage Day" in Montana
5. Page 1, line 24.
Strike: "changing Columbus Day to"
Insert: "designating the fourth Friday in September as"
6. Page 1, line 25.
Following: "Day"
Insert: "to be commemorated in Montana's public schools"
7. Page 2, lines 3 through 23.
Strike: Section 1 in its entirety
Renumber: subsequent section
8. Page 3.
Following: line 6
Insert: "(e) American Indian Heritage Day (fourth Friday in
September);"
Renumber: subsequent subsections
9. Page 3, line 8.
Strike: "American Indian Heritage"
Insert: "Columbus"

EXHIBIT 2
DATE 3/18/93
HB SB 222

American Indian or Native American Commemorative Days

States that have some sort of commemorative day or week or month for American Indians:

California	4th Fri. in September
Maine	(unk)
Michigan	4th Fri. in September
Nevada	4th Fri. in September
New Mexico	1st Tues. in February
North Carolina	(unk)
Ohio	4th Sat. in September
Oklahoma	Each tribe picks their own day
Pennsylvania	(unk)
South Dakota	2nd Mon. in October
Tennessee	(unk)
Utah	(unk)
West Virginia	Sun. before Thanksgiving
Wyoming	3rd Fri. before Thanksgiving

A 1991 presidential proclamation designated the month of November as National American Indian heritage month.

EXHIBIT 3
DATE 3/18/93
HB SB 222

Praty to Bah
Gervases or Ber
Barnhart —

Agnes

3/18/93

EXHIBIT 4
DATE 3/18/93
4B SB 222; SB 318

HOUSE OF REPRESENTATIVES

STATE ADMINISTRATION

COMMITTEE

ROLL CALL VOTE

DATE 3/18/93 BILL NO. SB 222 NUMBER _____

MOTION: Do concur SB 222 as amended

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	11	5

EXHIBIT 5
DATE 3/18/93
HB SB 222

53rd Legislature

This is a "Gray Bill". It is not an official version of the bill and is solely for the purposes of showing the House State Administration Committee what Amendments have been requested.

INTRODUCED BY FORRESTER, HARPER, DOWELL
BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

A BILL FOR AN ACT ENTITLED: "AN ACT DEFINING THE TERM
"DESIGNATED SMOKING AREA" and "smoke-free building"; RESTRICTING
ALL SMOKING AREAS TO DESIGNATED SMOKING AREAS; ~~CHANGING FROM~~
~~MANDATORY TO DISCRETIONARY THE ESTABLISHMENT OF~~ exempting the
Montana university system from the requirement to designate
smoking areas; clarifying what buildings must have DESIGNATED
SMOKING AREAS; REVISING RESPONSIBILITY FOR DESIGNATING SMOKING
AREAS AND PLACING SIGNS; AND AMENDING SECTIONS 17-7-502, 50-40-
203, 50-40-204, AND 50-40-205, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 50-40-203, MCA, is amended to read:

"50-40-203. Definitions. As used in 50-40-202 through 50-
40-205, the following definitions apply:

(1) "Agency head" means a director, commissioner, or
constitutional officer in charge of an executive, legislative, or
judicial branch agency or of an agency of the Montana university

SB 100

EXHIBIT 6
DATE 3/18/93
HB SB 100

1 (g) hazardous areas.

2 (2) ~~(A) An agency head shall may, AFTER CONSULTING WITH~~
3 ~~AFFECTED EMPLOYEES, EXCEPT AS PROVIDED IN SUBSECTION (2)(B), IN~~
4 ~~STATE-OWNED BUILDINGS, AN AGENCY HEAD SHALL~~ establish at least
5 one "designated smoking area" in each ~~THE~~ building, ~~except in~~
6 ~~these areas listed in subsection (1), OCCUPIED BY THE AGENCY,~~
7 ~~PROVIDED THAT THE BUILDING IS~~ suited by architectural design and
8 functional purpose to ~~be used as~~ HAVE a designated smoking area
9 as defined in 50-40-203.

10 ~~(a) An agency head may designate a smoking area in a~~
11 ~~cafeteria. The size of the area must be determined by an estimate~~
12 ~~of the number of smoking and nonsmoking patrons served.~~

13 ~~(b) An agency head may designate a corridor, lobby, or~~
14 ~~restroom as a smoking area when it is not possible to designate~~
15 ~~another smoking area.~~

16 (B) BUILDINGS IN THE MONTANA UNIVERSITY SYSTEM, INCLUDING
17 THE VOCATIONAL-TECHNICAL CENTERS, ARE EXEMPT FROM THE PROVISIONS
18 OF SUBSECTION (2)(A).

19 (3) In establishing designated smoking areas, as provided
20 in subsection (2), an agency head shall consider:

21 (a) the number of smokers and nonsmokers in the agency;

22 (b) the building ventilation system;

23 (c) the availability of space; and

24 (d) the protection of nonsmokers from involuntary exposure
25 to smoke; and

Amendments to Senate Bill No. 100
Third Reading Copy

Requested by Rep. Pat Galvin
For the Committee on House State Administration

Prepared by Sheri S. Heffelfinger
March 18, 1993

1. Title, line 10.

Following: "SIGNS;"

Insert: "PROVIDING THAT DESIGNATED SMOKING AREAS ARE NOT REQUIRED
UNLESS PAID FOR BY DONATIONS;"

Following: "SECTIONS;"

Insert: "17-7-502,"

2. Page 1.

Following: line 13

Insert:

"NEW SECTION. Section 1. Special revenue account --
donations for smoking areas -- statutory appropriation. (1)
There is an account in the state special revenue fund for the
establishment of designated smoking areas pursuant to 50-40-204.

(2) The department of administration is authorized to
accept donations to pay for the establishment of designated
smoking areas in state buildings and shall deposit any such
donations into the special revenue account established in
subsection (1).

(3) The money in the special revenue account established in
subsection (1) is statutorily appropriated to the department of
administration to pay for the establishment of designated smoking
areas pursuant to 50-40-204.

Section 2. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition --
requisites for validity. (1) A statutory appropriation is an
appropriation made by permanent law that authorizes spending by a
state agency without the need for a biennial legislative
appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective,
a statutory appropriation must comply with both of the following
provisions:

(a) The law containing the statutory authority must be
listed in subsection (3).

(b) The law or portion of the law making a statutory
appropriation must specifically state that a statutory
appropriation is made as provided in this section.

(3) The following laws are the only laws containing
statutory appropriations: 2-9-202; 2-17-105; 2-18-812; 10-3-203;
10-3-312; 10-3-314; 10-4-301; 13-37-304; 15-1-111; 15-23-706; 15-
25-123; 15-31-702; 15-36-112; 15-37-117; 15-65-121; 15-70-101;
16-1-404; 16-1-410; 16-1-411; 17-3-212; 17-5-404; 17-5-424; 17-5-

EXHIBIT 7
1 DATE 3/18/93 sb010004.ash
HB SB 100

3/18/93

I give my proxy vote to
Rep Davis for all actions
in State Bar Council.
This date

Rep Elmer

SB 100 - ^{Simplifies} Amend - Yes
" " ^{Salvage} Amend - Yes
" " ^{As Amended} - Yes

SB 318 omit Sec 4. - No

" " omit Sec 2 - No

" Sec 3 - No

As Amended - Yes.

SB 176 Do Not Pass - No

(11-5)

(7-9) Failed

(9-7) Passed

EXHIBIT 8
DATE 3/18/93
HB SB100, SB318

Amendments to Senate Bill No. 100
Third Reading Copy

For the Committee on House State Administration

Prepared by Sheri S. Heffelfinger
March 18, 1993

1. Title, lines 7 and 8.

Strike: "CHANGING" on line 7 through "OF" on line 8

Insert: "EXEMPTING MONTANA UNIVERSITY SYSTEM BUILDINGS AND
CERTAIN OTHER BUILDINGS FROM THE REQUIREMENT TO DESIGNATE
SMOKING AREAS; CLARIFYING WHICH BUILDINGS MUST HAVE"

2. Title, line 10.

Following: "SECTIONS"

Insert: "17-7-502, 50-40-202,"

3. Page 1.

Following: line 13

Insert:

**"NEW SECTION. Section 1. Special revenue account --
donations for smoking areas -- statutory appropriation. (1)**
There is an account in the state special revenue fund for the
establishment of designated smoking areas pursuant to 50-40-204.

(2) The department of administration is authorized to
accept donations to pay for the establishment of or improvements
to designated smoking areas in state buildings and shall deposit
any donations into the special revenue account established in
subsection (1).

(3) The money in the special revenue account established in
subsection (1) is statutorily appropriated, as provided in 17-7-
502, to the department of administration to pay for the
establishment of or improvements to designated smoking areas
pursuant to 50-40-204.

Section 2. Section 17-7-502, MCA, is amended to read:

**"17-7-502. Statutory appropriations -- definition --
requisites for validity. (1)** A statutory appropriation is an
appropriation made by permanent law that authorizes spending by a
state agency without the need for a biennial legislative
appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective,
a statutory appropriation must comply with both of the following
provisions:

(a) The law containing the statutory authority must be
listed in subsection (3).

(b) The law or portion of the law making a statutory
appropriation must specifically state that a statutory
appropriation is made as provided in this section.

(3) The following laws are the only laws containing

statutory appropriations: 2-9-202; 2-17-105; 2-18-812; 10-3-203; 10-3-312; 10-3-314; 10-4-301; 13-37-304; 15-1-111; 15-23-706; 15-25-123; 15-31-702; 15-36-112; 15-37-117; 15-65-121; 15-70-101; 16-1-404; 16-1-410; 16-1-411; 17-3-212; 17-5-404; 17-5-424; 17-5-704; 17-5-804; 17-6-409; 17-7-304; 19-5-404; 19-6-709; 19-8-504; 19-9-702; 19-9-1007; 19-10-205; 19-10-305; 19-10-506; 19-11-512; 19-11-513; 19-11-606; 19-12-301; 19-13-604; 19-15-101; 20-4-109; 20-6-406; 20-8-111; 20-9-361; 20-26-1503; 22-3-811; 23-5-136; 23-5-306; 23-5-409; 23-5-610; 23-5-612; 23-5-631; 23-7-301; 23-7-402; 27-12-206; 37-43-204; 37-51-501; 39-71-2504; 44-12-206; 44-13-102; [section 1]; 53-6-150; 53-24-206; 61-5-121; 67-3-205; 75-1-1101; 75-5-507; 75-5-1108; 75-11-313; 76-12-123; 77-1-808; 80-2-103; 80-11-310; 82-11-136; 82-11-161; 85-1-220; 90-3-301; 90-4-215; 90-6-331; 90-7-220; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 7, Ch. 567, L. 1991, the inclusion of 19-6-709 terminates upon death of last recipient eligible for supplemental benefit; and pursuant to sec. 18, Ch. 748, L. 1991, the inclusion of 22-3-811 terminates June 30, 1993.) ""

Renumber: subsequent sections

4. Page 2, lines 1 through 3.

Strike: "negative" on line 1 through "relation" on line 2

Insert: "adequate ventilation to minimize the circulation of smoke"

Strike: "l" on line 2 through "building," on line 3

5. Page 2.

Following: line 4

Insert:

"Section 4. Section 50-40-202, MCA, is amended to read:

"50-40-202. **Public policy.** In recognition of the increased health hazards of passive smoke on the nonsmoker, it is the declared public policy of the state of Montana that ~~all~~ certain buildings maintained both owned and occupied by the state are to ~~may~~ be smoke-free. It is further the policy of the state that designated smoking areas be established in certain other state buildings pursuant to 50-40-204."

Renumber: subsequent sections

6. Page 2, line 7.

Strike: "maintained or"

Insert: "both owned and"

7. Page 2, line 12.
Following: "stairways"
Strike: ", "

8. Page 2, line 13.
Strike: "except" through "(4)"

9. Page 2, lines 17 and 18.
Following: "(2)" on line 17
Insert: "(a)"
Strike: "An" through "EMPLOYEES," on line 18
Insert: "Subject to subsection (1), in state-owned buildings, an agency head shall"

10. Page 2, lines 19 and 20.
Strike: "each" on line 19
Insert: "the"
Following: "building" on line 19
Strike: ", except" on line 19 through "(1)," on line 20
Insert: "occupied by the agency, provided that the building is"

11. Page 2, line 21.
Strike: "be used as"
Insert: "have"

12. Page 2.
Following: line 22
Insert: "(b) Buildings in the Montana university system, including the vocational-technical centers, and buildings housing items of artistic or historic value that may be damaged by smoke are exempt from the provisions of subsection (2)(a)."

13. Page 3, line 16.
Strike: "may"
Insert: "shall"

14. Page 3, lines 19 through 22.
Following: "receptacles." on line 19
Strike: subsection (1) in its entirety
Renumber: subsequent subsections

15. Page 4.
Following: line 6
Insert:

"NEW SECTION. Section 7. {standard} Codification instruction. [Section 1] is intended to be codified as an integral part of Title 50, chapter 40, part 2, and the provisions of Title 50, chapter 40, part 2, apply to [section 1]."

HOUSE OF REPRESENTATIVES

STATE ADMINISTRATION

COMMITTEE

ROLL CALL VOTE

DATE 3/18/93 BILL NO. SB 318 NUMBER _____

MOTION: To strike Section 4 from SB 318

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	11	5

EXHIBIT 10
DATE 3/18/93
HB SB 318

COMMITTEE

DATE 3/18/93 BILL NO. SB 318 NUMBER _____

MOTION: To remove Section 2 and Section 13 from SB 318.

EXHIBIT 11
DATE 3/18/93
HB SB 318

Bill R.

Have my proxy vote -

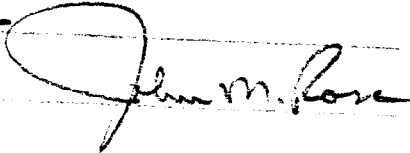
Thank you - 

EXHIBIT 12
DATE 3/18/93
RE SB 318

HOUSE OF REPRESENTATIVES

STATE ADMINISTRATION

COMMITTEE

ROLL CALL VOTE

DATE 3/18/93 BILL NO. SB 318 NUMBER 5-11 and 15-16

MOTION: To reinstate lines 5-H. of SB 318

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 14
DATE 3/18/93
SB 318

HOUSE OF REPRESENTATIVES

STATE ADMINISTRATION

COMMITTEE

ROLL CALL VOTE

DATE 3/18/93 BILL NO. SB 176 NUMBER

MOTION: Do not concur SB 176

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	11	5

EXHIBIT #17
DATE 3/18/93
HB SB 176

Amendments to Senate Bill No. 318
Third Reading Copy

For the Committee on House State Administration

Prepared by Sheri S. Heffelfinger
March 18, 1993

1. Title, line 8.

Strike: "PROVIDING FOR QUALIFICATIONS FOR ELECTION JUDGES;"

2. Title, line 15.

Strike: "13-4-107,"

3. Page 1, line 22 through page 2, line 5.

Strike: "13-4-107" on page 1, line 22 through "because" on page
2, line 5

4. Page 9, line 11.

Following: "en"

Insert: ", except as provided in 13-2-212, either verify or
affirm the mail registration form before a notary public or
other officer empowered to administer oaths or complete and
sign the form and obtain the signature, address, and voting
precinct of at least one registered voter in the county who
shall witness the facts stated on the form and shall"

5. Page 9, line 16.

Following: "signed"

Insert: "by the witness or officer before whom signed"

6. Page 9, line 20 through page 10, line 8.

Strike: Section 4 in its entirety

Renumber: subsequent sections

EXHIBIT 16
DATE 3/18/93
HB SB 318

Rep. Spring's proxy - 3/18/93

Gary Mason has my proxy

~~of~~ vote 110 on 213

vote 910 on 318

EXHIBIT 15
DATE 3/18/93
HB SB 318

Proxy to Brad Molnar

Jay Strall

EXHIBIT 13
DATE 3/18/93
HB SB 318