

HOUSE BILL NO. 357

INTRODUCED BY DONALDSON,
MAZUREK, METCALF, ERNST

IN THE HOUSE

January 19, 1983	Introduced and referred to Committee on Judiciary.
February 8, 1983	Committee recommend bill do pass as amended. Report adopted.
February 9, 1983	Bill printed and placed on members' desks.
February 10, 1983	Second reading, do pass.
February 11, 1983	Considered correctly engrossed.
February 12, 1983	Third reading, passed. Transmitted to Senate.

IN THE SENATE

February 12, 1983	Introduced and referred to Committee on Public Health, Welfare and Safety.
March 3, 1983	Rereferred to Committee on Judiciary.
March 24, 1983	Committee recommend bill be concurred in as amended. Report adopted.
March 26, 1983	Second reading, concurred in.
March 28, 1983	Third reading, concurred in. Ayes, 47; Noes, 0.

IN THE HOUSE

March 28, 1983

Returned to House with amendments.

April 1, 1983

Second reading, pass consideration.

April 4, 1983

Second reading, amendments concurred in.

April 5, 1983

Third reading, amendments concurred in. Ayes, 98; Noes, 0.

Sent to enrolling.

Reported correctly enrolled.

1 *House* BILL NO. *357*
 2 INTRODUCED BY *Donaldson, Maguire, Metcalf*
 3 *Gray*

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE LAWS
 5 RELATING TO IMMUNIZATION AND INDEMNIFICATION OF GOVERNMENTAL
 6 EMPLOYEES; AMENDING SECTION 2-9-305, MCA; AND PROVIDING AN
 7 EFFECTIVE DATE."
 8

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

10 Section 1. Section 2-9-305, MCA, is amended to read:
 11 "2-9-305. Governmental entity to be joined as
 12 defendant -- immunization, defense, and indemnification of
 13 employees. (1) It is the purpose of this section to provide
 14 for the immunization, defense, and indemnification of public
 15 officers and employees civilly sued for their actions, ~~other~~
 16 ~~than intentional tort or felonious acts~~, taken within the
 17 course and scope of their employment.

18 (2) In ~~an~~ any noncriminal action for damages brought
 19 against any employee of a state, county, city, town, or
 20 other governmental entity for a negligent act, error, or
 21 omission, including alleged violations of civil rights
 22 pursuant to 42 U.S.C. 1983, or other actionable conduct of
 23 the employee committed while acting within the course and
 24 scope of ~~his~~ the employee's office or employment, the
 25 governmental entity employer, except as provided in

1 subsection (6) shall:

2 (a) be made a party defendant to the action; and
 3 (b) defend the action on behalf of the employee and
 4 indemnify the employee.

5 (3) ~~Recovery against a governmental entity under the~~
 6 ~~provisions of parts 1 through 3 of this chapter shall~~
 7 ~~constitute a complete bar to any action or recovery of~~
 8 ~~damages by the claimant by reason of the same subject~~
 9 ~~matter against the employee whose negligence or wrongful~~
 10 ~~act, error, or omission or other actionable conduct gave~~
 11 ~~rise to the claim in any such action against a governmental~~
 12 ~~entity the employee whose conduct gave rise to the suit~~
 13 ~~shall be immune from suit by reason of the same subject~~
 14 ~~matter if the governmental entity acknowledges or is bound~~
 15 ~~by a judicial determination that the conduct upon which the~~
 16 ~~claim is brought arises out of the course and scope of such~~
 17 ~~employees' employment, unless the claim is based upon an~~
 18 ~~intentional tort or felonious act of the employee. Upon~~
 19 receiving service of a summons and complaint in a
 20 noncriminal action against him, the employee shall give
 21 written notice to his supervisor requesting that a defense
 22 to the action be provided by the governmental entity
 23 employer. Except as provided in subsection (6), the
 24 employer shall offer a defense to the action on behalf of
 25 the employee. The defense may consist of a defense provided

1 directly by the employer. The employer shall notify the
 2 employee, within 15 days after receipt of notice, whether a
 3 direct defense will be provided. If the employer refuses or
 4 is unable to provide a direct defense, the defendant
 5 employee may retain other counsel. Except as provided in
 6 subsection (6), the employer shall pay all expenses relating
 7 to the retained defense and pay any judgment for damages
 8 entered in the action that may be otherwise payable under
 9 this section.

10 (4) In any noncriminal action for damages in which a
 11 governmental entity employee is a party defendant, the
 12 employee shall be indemnified by the governmental entity
 13 employer for any money judgments or legal expenses,
 14 including attorney fees either incurred by the employee or
 15 awarded to the claimant, or both, to which he the employee
 16 may be subject as a result of the suit unless the conduct
 17 upon which the claim is brought did not arise out of the
 18 course and scope of his employment or is an intentional tort
 19 or felonious act of the employee or falls within the
 20 exclusions provided in subsection (6).

21 (5) Recovery against a governmental entity under the
 22 provisions of parts 1 through 3 of this chapter constitutes
 23 a complete bar to any action or recovery of damages by the
 24 claimant, by reason of the same subject matter, against the
 25 employee whose negligence or wrongful act, error, or

1 omission or other actionable conduct gave rise to the claim.
 2 In any such action against a governmental entity, the
 3 employee whose conduct gave rise to the suit is immune from
 4 civil suit by reasons of the same subject matter if the
 5 governmental entity acknowledges or is bound by a judicial
 6 determination that the conduct upon which the claim is
 7 brought arises out of the course and scope of the employee's
 8 employment, unless the claim constitutes an exclusion
 9 provided in subsection (6).

10 (6) In a noncriminal action for damages in which a
 11 governmental entity employee is a party defendant, the
 12 employee may not be defended or indemnified by the employer
 13 for any money judgments or legal expenses, including
 14 attorney fees, to which the employee may be subject as a
 15 result of the suit if a judicial determination is made that:

16 (a) the conduct upon which the claim is based does not
 17 arise out of the course and scope of the employee's
 18 employment;

19 (b) the conduct of the employee constitutes a criminal
 20 offense as defined in Title 45, chapters 4 through 7; or

21 (c) the employee failed or refused to cooperate
 22 reasonably in the defense of the case.

23 (7) If there is a dispute as to whether the exclusions
 24 of subsection (6) apply and the governmental entity employer
 25 concludes it should clarify its obligation to the employee

1 arising under this section by commencing a declaratory
2 judgment action or other legal action, the employer is
3 obligated to provide a defense or assume the cost of the
4 defense of the employee until a final judgment is rendered
5 in such action holding that the employer had no obligation
6 to defend the employee."

7 NEW SECTION. Section 2. Effective date. This act is
8 effective July 1, 1983.

-End-

STATE OF MONTANA

REQUEST NO. 197-83

FISCAL NOTE

Form BD-15

In compliance with a written request received January 21, , 19 83 , there is hereby submitted a Fiscal Note for House Bill 357 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

House Bill 357 provides for the defense of governmental employees involved in civil suits for damages as a result of actions while within their scope of employment.

ASSUMPTIONS:

- 1) In the past five years, 142 civil rights cases have been filed against the officers of state government and a total of \$328,641 in judgments and settlements have been rendered against the defendants.
- 2) It is estimated that about 30 cases per year will be filed, and judgments plus legal expenses averaging \$5,000 per claim will be incurred.
- 3) These expenses can be absorbed by the self-insurance fund with no immediate increase in billings to agencies.


FISCAL IMPACT:

Expenditures from the self-insurance fund will increase by about \$215,000 per year, with no immediate increase in billings to state agencies.

LONG-RANGE IMPACTS:

Ultimately, billings to state agencies may have to be increased.

FISCAL NOTE 7:FF/1



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-26-83

Approved by Committee
on Judiciary

HOUSE BILL NO. 357

INTRODUCED BY DONALDSON,

HAZUREK, METCALF, ERNST

A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE LAWS RELATING TO IMMUNIZATION AND INDEMNIFICATION OF GOVERNMENTAL EMPLOYEES; AMENDING SECTION 2-9-305, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 2-9-305, MCA, is amended to read:

"2-9-305. Governmental entity to be joined as defendant -- immunization, defense, and indemnification of employees. (1) It is the purpose of this section to provide for the immunization, defense, and indemnification of public officers and employees civilly sued for their actions, other than intentional tort or felonious acts, taken within the course and scope of their employment.

(2) In an any noncriminal action for damages brought against any employee of a state, county, city, town, or other governmental entity for a negligent act, error, or omission, including alleged violations of civil rights pursuant to 42 U.S.C. 1983, or other actionable conduct of the employee committed while acting within the course and scope of his the employee's office or employment, the

governmental entity employer, except as provided in subsection (6) shall:

~~fail to be made a party defendant to the action; and~~
~~that defend the action on behalf of the employee and indemnify the employee.~~

(3) Recovery against a governmental entity under the provisions of parts 1 through 3 of this chapter shall constitute a complete bar to any action or recovery of damages by the claimant by reason of the same subject matter against the employee whose negligence or wrongful act, error, or omission or other actionable conduct gave rise to the claim in any such action against a governmental entity, the employee whose conduct gave rise to the suit shall be immune from suit by reasons of the same subject matter if the governmental entity acknowledges or is bound by a judicial determination that the conduct upon which the claim is brought arises out of the course and scope of such employee's employment, unless the claim is based upon an intentional tort or felonious act of the employee. Upon receiving service of a summons and complaint in a noncriminal action against him, the employee shall give written notice to his supervisor requesting that a defense to the action be provided by the governmental entity employer. Except as provided in subsection (6), the employer shall offer a defense to the action on behalf of

1 the employee. The defense may consist of a defense provided
2 directly by the employer. The employer shall notify the
3 employee within 15 days after receipt of notice whether a
4 direct defense will be provided. If the employer refuses or
5 is unable to provide a direct defense, the defendant
6 employee may retain other counsel. Except as provided in
7 subsection (6), the employer shall pay all expenses relating
8 to the retained defense and pay any judgment for damages
9 entered in the action that may be otherwise payable under
10 this section.

11 (4) In any noncriminal action for damages in which a
12 governmental entity employee is a party defendant, the
13 employee shall be indemnified by the governmental entity
14 employer for any money judgments or legal expenses,
15 including attorney fees either incurred by the employee or
16 awarded to the claimant, or both, to which he the employee
17 may be subject as a result of the suit unless the conduct
18 upon which the claim is brought did not arise out of the
19 course and scope of his employment or is an intentional tort
20 or felonious act of the employee or falls within the
21 exclusions provided in subsection (6).

22 (5) Recovery against a governmental entity under the
23 provisions of parts 1 through 3 of this chapter constitutes
24 a complete bar to any action or recovery of damages by the
25 claimant, by reason of the same subject matter, against the

1 employee whose negligence or wrongful act, error, or
2 omission or other actionable conduct gave rise to the claim.
3 In any such action against a governmental entity, the
4 employee whose conduct gave rise to the suit is immune from
5 civil suit by reasons of the same subject matter if the
6 governmental entity acknowledges or is bound by a judicial
7 determination that the conduct upon which the claim is
8 brought arises out of the course and scope of the employee's
9 employment, unless the claim constitutes an exclusion
10 provided in subsection (6).

11 (6) In a noncriminal action for damages in which a
12 governmental entity employee is a party defendant, the
13 employee may not be defended or indemnified by the employer
14 for any money judgments or legal expenses, including
15 attorney fees, to which the employee may be subject as a
16 result of the suit if a judicial determination is made that:

17 (a) the conduct upon which the claim is based does not
18 arise out of the course and scope of the employee's
19 employment;

20 (b) the conduct of the employee constitutes a criminal
21 offense as defined in Title 45, chapters 4 through 7; or

22 (c) THE EMPLOYEE COMPROMISED OR SETTLED THE CLAIM
23 WITHOUT THE CONSENT OF THE GOVERNMENT ENTITY EMPLOYER; OR

24 (d) the employee failed or refused to cooperate
25 reasonably in the defense of the case.

1 ~~(7) If there is a dispute as to whether the exclusions~~
2 ~~of subsection (6) apply and the governmental entity employer~~
3 ~~concludes it should clarify its obligation to the employee~~
4 ~~arising under this section by commencing a declaratory~~
5 ~~judgment action or other legal action, the employer is~~
6 ~~obligated to provide a defense or assume the cost of the~~
7 ~~defense of the employee until a final judgment is rendered~~
8 ~~in such action holding that the employer had no obligation~~
9 ~~to defend the employee."~~

10 NEW SECTION. Section 2. Effective date. This act is
11 effective July 1, 1983.

-End-

HOUSE BILL NO. 357

INTRODUCED BY DONALDSON,

HAZUREK, METCALF, ERNST

A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE LAWS RELATING TO IMMUNIZATION AND INDEMNIFICATION OF GOVERNMENTAL EMPLOYEES; AMENDING SECTION 2-9-305, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 2-9-305, MCA, is amended to read:

"2-9-305. Governmental entity to be joined as defendant -- immunization, ~~defense~~, and indemnification of employees. (1) It is the purpose of this section to provide for the immunization, ~~defense~~, and indemnification of public officers and employees civilly sued for their actions, ~~either then-intentional-tort-or-felony-acts~~ taken within the course and scope of their employment.

(2) In ~~an~~ any noncriminal action for damages brought against any employee of a state, county, city, town, or other governmental entity for a negligent act, error, or omission, including alleged violations of civil rights pursuant to 42 U.S.C. 1983, or other actionable conduct of the employee committed while acting within the course and scope of ~~his~~ the employee's office or employment, the

governmental entity employer, except as provided in subsection (6) shall:

~~not be made a party defendant to the action; and~~
~~not defend the action on behalf of the employee and~~
~~indemnify the employee.~~

(3) ~~Recovery against a governmental entity under the provisions of parts 1 through 3 of this chapter shall constitute a complete bar to any action or recovery of damages by the claimant by reason of the same subject matter against the employee whose negligence or wrongful act, error, or omission or other actionable conduct gave rise to the claim in any such action against a governmental entity, the employee whose conduct gave rise to the suit shall be immune from suit by reasons of the same subject matter if the governmental entity acknowledges or is bound by a judicial determination that the conduct upon which the claim is brought arises out of the course and scope of such employee's employment, unless the claim is based upon an intentional tort or felony act of the employee. Upon receiving service of a summons and complaint in a noncriminal action against him, the employee shall give written notice to his supervisor requesting that a defense to the action be provided by the governmental entity employer. Except as provided in subsection (6), the employer shall offer a defense to the action on behalf of~~

the employee. The defense may consist of a defense provided directly by the employer. The employer shall notify the employee within 15 days after receipt of notice, whether a direct defense will be provided. If the employer refuses or is unable to provide a direct defense, the defendant employee may retain other counsel. Except as provided in subsection (6), the employer shall pay all expenses relating to the retained defense and pay any judgment for damages entered in the action that may be otherwise payable under this section.

(4) In any noncriminal action for damages in which a governmental entity employee is a party defendant, the employee shall be indemnified by the governmental entity employer for any money judgments or legal expenses, including attorney fees either incurred by the employee or awarded to the claimant, or both, to which he the employee may be subject as a result of the suit unless the conduct upon which the claim is brought did not arise out of the course and scope of his employment or is an intentional tort or felonious act of the employee or falls within the exclusions provided in subsection (6).

(5) Recovery against a governmental entity under the provisions of parts 1 through 3 of this chapter constitutes a complete bar to any action or recovery of damages by the claimant, by reason of the same subject matter, against the

employee whose negligence or wrongful act, error, or omission or other actionable conduct gave rise to the claim. In any such action against a governmental entity, the employee whose conduct gave rise to the suit is immune from civil suit by reasons of the same subject matter if the governmental entity acknowledges or is bound by a judicial determination that the conduct upon which the claim is brought arises out of the course and scope of the employee's employment, unless the claim constitutes an exclusion provided in subsection (6).

(6) In a noncriminal action for damages in which a governmental entity employee is a party defendant, the employee may not be defended or indemnified by the employer for any money judgments or legal expenses, including attorney fees, to which the employee may be subject as a result of the suit if a judicial determination is made that:

(a) the conduct upon which the claim is based does not arise out of the course and scope of the employee's employment;

(b) the conduct of the employee constitutes a criminal offense as defined in Title 45, chapters 4 through 7; or

(c) THE EMPLOYEE COMPROMISED OR SETTLED THE CLAIM WITHOUT THE CONSENT OF THE GOVERNMENT ENTITY EMPLOYER; OR

(d) the employee failed or refused to cooperate reasonably in the defense of the case.

1 ~~(7) If there is a dispute as to whether the exclusions~~
2 ~~of subsection (6) apply and the governmental entity employer~~
3 ~~concludes it should clarify its obligation to the employee~~
4 ~~arising under this section by commencing a declaratory~~
5 ~~judgment action or other legal action, the employer is~~
6 ~~obligated to provide a defense or assume the cost of the~~
7 ~~defense of the employee until a final judgment is rendered~~
8 ~~in such action holding that the employer had no obligation~~
9 ~~to defend the employee."~~

10 NEW SECTION. Section 2. Effective date. This act is
11 effective July 1, 1983.

-End-

March 24, 1983

SENATE STANDING COMMITTEE REPORT
(Judiciary)

That House Bill No. 357 be amended as follows:

1. Page 2, line 24.
Following: "employer."
Insert: " If the employee is an elected state official or other employee having no supervisor, the employee shall give notice of the action to the legal officer or agency of the governmental entity defending the entity in legal actions of that type."
2. Page 3, line 17.
Following: "unless the"
Insert: "employee's"
3. Page 3, lines 18 and 19.
Strike: "upon" on line 18 through "employment" on line 19
4. Page 3, line 20.
Strike: "or"
5. Page 4, line 5.
Strike: "civil suit"
Insert: "liability"
6. Page 4, line 10.
Following: "(6)"
Insert: "(b) through (d)"
7. Page 4, line 17.
Following: "based"
Insert: "constitutes oppression, fraud, or malice, or for any other reason"
8. Page 5, line 1.
Following: "If"
Insert: "no judicial determination has been made applying the exclusions provided in subsection (6), the governmental entity employer may determine whether those exclusions apply. However, if"
9. Page 5, line 9.
Following: "employee."
Insert: "The governmental entity employer has no obligation to provide a defense to the employee in a declaratory judgment action or other legal action brought against the employee by the employer under this subsection."

HOUSE BILL NO. 357

INTRODUCED BY DONALDSON,

HAZUREK, METCALF, ERNST

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(2) In an any noncriminal action for damages brought against any employee of a state, county, city, town, or other governmental entity for a negligent act, error, or omission, including alleged violations of civil rights pursuant to 42 U.S.C. 1983, or other actionable conduct of the employee committed while acting within the course and scope of ~~his~~ the employee's office or employment, the

governmental entity employers, except as provided in subsection (6) shall:

not be made a party defendant to the action and not defend the action on behalf of the employee and indemnify the employee.

(3) Recovery against a governmental entity under the provisions of parts 1 through 3 of this chapter shall constitute a complete bar to any action or recovery of damages by the claimant by reason of the same subject matter against the employee whose negligence or wrongful act, error or omission or other actionable conduct gave rise to the claim in any such action against a governmental entity the employee whose conduct gave rise to the suit shall be immune from suit by reason of the same subject matter if the governmental entity acknowledges or is bound by a judicial determination that the conduct upon which the claim is brought arises out of the course and scope of such employee's employment, unless the claim is based upon an intentional tort or felonious act of the employee. Upon receiving service of a summons and complaint in a noncriminal action against him, the employee shall give written notice to his supervisor requesting that a defense to the action be provided by the governmental entity employer. IF THE EMPLOYEE IS AN ELECTED STATE OFFICIAL OR OTHER EMPLOYEE HAVING NO SUPERVISOR, THE EMPLOYEE SHALL GIVE

1 NOTICE OF THE ACTION TO THE LEGAL OFFICER OR AGENCY OF THE
 2 GOVERNMENTAL ENTITY DEFENDING THE ENTITY IN LEGAL ACTIONS OF
 3 THAT TYPE. Except as provided in subsection (6), the
 4 employer shall offer a defense to the action on behalf of
 5 the employee. The defense may consist of a defense provided
 6 directly by the employer. The employer shall notify the
 7 employee within 15 days after receipt of notice, whether a
 8 direct defense will be provided. If the employer refuses or
 9 is unable to provide a direct defense, the defendant
 10 employee may retain other counsel. Except as provided in
 11 subsection (6), the employer shall pay all expenses relating
 12 to the retained defense and pay any judgment for damages
 13 entered in the action that may be otherwise payable under
 14 this section.

15 (4) In any noncriminal action ~~for damages~~ in which a
 16 governmental entity employee is a party defendant, the
 17 employee shall be indemnified by the governmental entity
 18 employer for any money judgments or legal expenses,
 19 including attorney fees either incurred by the employee or
 20 awarded to the claimant, or both, to which he the employee
 21 may be subject as a result of the suit unless the EMPLOYEE'S
 22 conduct upon which the claim is brought did not arise out of
 23 the course and scope of his employment or is an intentional
 24 tort or felonious act of the employee or falls within the
 25 exclusions provided in subsection (6).

1 (5) Recovery against a governmental entity under the
 2 provisions of parts 1 through 3 of this chapter constitutes
 3 a complete bar to any action or recovery of damages by the
 4 claimant by reason of the same subject matter against the
 5 employee whose negligence or wrongful act, error, or
 6 omission or other actionable conduct gave rise to the claim.
 7 In any such action against a governmental entity, the
 8 employee whose conduct gave rise to the suit is immune from
 9 civil suit LIABILITY by reasons of the same subject matter
 10 if the governmental entity acknowledges or is bound by a
 11 judicial determination that the conduct upon which the claim
 12 is brought arises out of the course and scope of the
 13 employee's employment, unless the claim constitutes an
 14 exclusion provided in (B) THROUGH (D) OF subsection (6).

15 (6) In a noncriminal action ~~for damages~~ in which a
 16 governmental entity employee is a party defendant, the
 17 employee may not be defended or indemnified by the employer
 18 for any money judgments or legal expenses, including
 19 attorney fees, to which the employee may be subject as a
 20 result of the suit if a judicial determination is made that:
 21 (a) the conduct upon which the claim is based
 22 CONSTITUTES OPPRESSION, FRAUD, OR MALICE, OR FOR ANY OTHER
 23 REASON does not arise out of the course and scope of the
 24 employee's employment;

25 (b) the conduct of the employee constitutes a criminal

1 offense as defined in Title 45, chapters 4 through 7; or
 2 (C) THE EMPLOYEE COMPROMISED OR SETTLED THE CLAIM
 3 WITHOUT THE CONSENT OF THE GOVERNMENT ENTITY EMPLOYER; OR
 4 (D) the employee failed or refused to cooperate
 5 reasonably in the defense of the case.
 6 (II) If NO JUDICIAL DETERMINATION HAS BEEN MADE
 7 APPLYING THE EXCLUSIONS PROVIDED IN SUBSECTION (6), THE
 8 GOVERNMENTAL ENTITY EMPLOYER MAY DETERMINE WHETHER THOSE
 9 EXCLUSIONS APPLY. HOWEVER, IF there is a dispute as to
 10 whether the exclusions of subsection (6) apply and the
 11 governmental entity employer concludes it should clarify its
 12 obligation to the employee arising under this section by
 13 commencing a declaratory judgment action or other legal
 14 action, the employer is obligated to provide a defense or
 15 assume the cost of the defense of the employee until a final
 16 judgment is rendered in such action holding that the
 17 employer had no obligation to defend the employee. THE
 18 GOVERNMENTAL ENTITY EMPLOYER HAS NO OBLIGATION TO PROVIDE A
 19 DEFENSE TO THE EMPLOYEE IN A DECLARATORY JUDGMENT ACTION OR
 20 OTHER LEGAL ACTION BROUGHT AGAINST THE EMPLOYEE BY THE
 21 EMPLOYER UNDER THIS SUBSECTION."
 22 NEW SECTION. Section 2. Effective date. This act is
 23 effective July 1, 1983.

-End-