

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
54th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON STATE ADMINISTRATION

Call to Order: By **CHAIRMAN RICHARD SIMPKINS**, on January 30,
1995, at 9:00 A.M.

ROLL CALL

Members Present:

Rep. Richard D. Simpkins, Chairman (R)
Rep. Matt Denny, Vice Chairman (Majority) (R)
Rep. Dore Schwinden, Vice Chairman (Minority) (D)
Rep. Patrick G. Galvin (D)
Rep. Dick Green (R)
Rep. Antoinette R. Hagener (D)
Rep. Harriet Hayne (R)
Rep. Sam Kitzenberg (R)
Rep. Bonnie Martinez (R)
Rep. Gay Ann Masolo (R)
Rep. William Rehbein, Jr. (R)
Rep. George Heavy Runner (D)
Rep. Susan L. Smith (R)
Rep. Carolyn M. Squires (D)
Rep. Jay Stovall (R)
Rep. Lila V. Taylor (R)
Rep. Joe Tropila (D)

Members Excused: Rep. Matt Brainard (R)

Members Absent: none

Staff Present: Sheri Heffelfinger, Legislative Council
Christen Vincent, Committee Secretary

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

Committee Business Summary:

Hearing: None
Executive Action: HB 275 POSTPONED
HB 284 DO PASS AS AMENDED
HB 283 DO PASS AS AMENDED
HB 312 DO PASS AS AMENDED
HB 319 DO PASS AS AMENDED
HB 306 DO PASS
HB 316 DO PASS AS AMENDED
HB 324 DO PASS
HB 325 POSTPONED

EXECUTIVE ACTION ON HB 275

Motion: REP. JOE TROPILA MOVED HB 275 DO PASS.

Discussion:

CHAIRMAN SIMPKINS stated there was a proposed amendment to the bill from the Montana Bankers Association. He stated **Linda King** had objected to the amendment. This meant there was no amendment brought forward and asked if anyone would like to propose an amendment.

REP. JOE TROPILA moved to amend the bill on page 3, line 18. He stated he would like to strike "July 1, 1995" and insert "January 1, 1996".

Motion/Vote: REP. JOE TROPILA MOVED THE AMENDMENT. Motion carried unanimously with REP. MATT BRAINARD voting by proxy.

Motion: REP. JOE TROPILA MOVED HB 275 DO PASS AS AMENDED.

Discussion:

REP. SUSAN SMITH stated she thought these people had the option to do this now, they were already notified if they wanted to deposit their checks electronically they could.

CHAIRMAN SIMPKINS stated she was correct and they did have the option to do that if they wanted it. However, it has been difficult to get these people to deposit their checks because of the facts and information. He said he didn't believe, when the bill was last introduced, the exception clause was in the bill. He stated he believed the bill stated if the person didn't want to have their checks deposited electronically all they needed to do is write a letter saying so and explain the reason why.

REP. GAY ANN MASOLO stated she believed this was a good bill because when people get older they have to go through all of this. This bill would make the process of depositing their checks easier.

REP. MATT DENNY stated he and REP. MATT BRAINARD had a discussion about line 8, page 2, where it states "except for recipients for whom the board determines that electronic funds transfer would be a hardship." He stated they had a problem with that because it was the board making the decision. He explained there was no criteria for that in the bill and people like to see paper checks. He suggested this should be deleted from the bill.

REP. LILA TAYLOR agreed with REP. DENNY and felt there were a lot of older people who want to see the check. If they want a check they should get it. She stated it was fine to encourage electronic funds transfer, but she didn't believe it should be up

to the people on the board to determine whether or not these people should receive their checks or have them deposited electronically. She said it should be easy for these people to receive their checks if they want to.

REP. JAY STOVALL asked if there is a way they can ask not to have electronic funds transfer.

CHAIRMAN SIMPKINS stated they can appeal to the board, but it is the board that makes the decision. People who are objecting to that are saying the person should be the one to decide it is a hardship for them to have their checks deposited electronically. He stated **REP. DENNY** was saying there are some people whose only hardship would be that they want to see the check and the board may not honor that.

REP. DENNY explained he thought they would just be setting themselves up for appeals.

REP. TONI HAGENER stated she didn't see a problem with this bill. If the person wants a paper check, all they have to do is go through the requesting process. She believed it would be rare if the board would refuse the request. She stated it is a procedural thing.

REP. SQUIRES said where she works it is an option to do either of them. If they are just hired that person is not given an option. They are told their check will be deposited electronically. All she needed to do to receive her check was tell the establishment she didn't want to participate and they mail her checks to her. She believes the board would do the same. She stated in the extenuating circumstance where an individual who doesn't have a bank account, the board will not refuse to mail their checks. A phone call will resolve the problems these people may have. She believed there would be more people who would take up the electronic transfer. She stated she didn't support this bill last time, but found out she should have. People's Social Security checks are also electronically transferred. She said she was in support of the bill.

REP. PAT GALVIN related an experience to the committee where his granddaughter worked for a company that deposited checks electronically, so she didn't have to deal with the check.

CHAIRMAN SIMPKINS stated if the committee wanted to change this bill to put it in favor of the recipient's desires they needed to strike line 8, page 2.

Susan Byorth Fox stated the committee could put "for whom the recipient determines an electronic funds transfer would be a hardship."

REP. GALVIN asked to look at page three, line 13, where an exception is put in.

Ms. Byorth Fox stated they would have to use the same language in all references.

CHAIRMAN SIMPKINS stated the main purpose of the bill is the savings of \$40,000. He asked if the bill was changed in this way if it would say the default position of no statement is electronic transfer.

Ms. Byorth Fox stated this is a fairly simple concept. She stated she believed the default would be electronic transfer. She didn't know if there was much of a procedural way for these people to make this determination. She stated the committee might want to have some input by the board as to whether it can be as simple as a phone call or as to how it would work.

CHAIRMAN SIMPKINS stated the wording the committee wanted was to have the individual apply to the board for a waiver of the requirements. He took an informal vote to see which amendment the committee wanted.

REP. MARTINEZ asked why an older person should have to go through all of this hassle. With social security a person either wants it or they don't. She stated the committee would be making this a hardship. She said many older people don't have people to go to bat for them and write the letters. She asked why it can't simply be a choice.

CHAIRMAN SIMPKINS stated he didn't think there was anyone who hadn't seen a situation where a person would want the warrant instead of electronic funds transfer. He said a lot of this was based on trust. In twenty years in the military he never missed a check by having it deposited for him. He stated this was one of the problems with introducing something like this. He explained what the bill is trying to say is these people will be put on the system. His question to the committee was if the person doesn't want to be on the system, how do they notify the board.

REP. MARTINEZ stated the board should be notified by sending a letter. She stated that was how social security does it.

REP. BILL REHBEIN stated it was his feeling about this bill that it was great that some people want to take care of older people, but it is their own responsibility to take care of themselves. They already have the option of going electronic or by the physical check. He said to let it stay as it is and let them make the choice.

REP. GREEN stated testimony had shown the state would save \$40,000 a year. He said it wasn't very long ago that they had the option of taking cash or check. There came a point where there wasn't that option. He didn't see anything wrong with the electronic funds transfer if they have the option of having it.

REP. STOVALL asked if the committee were to pass this bill if that option would be taken away from the people.

CHAIRMAN SIMPKINS stated the option would still be in place. He stated the way the law reads now the board notifies the people they can sign up for electronic funds transfer. If the people don't sign up the check will come to the person in the mail. This bill will reverse that and these people will be put on electronic funds transfer unless they object. He took an informal vote to see if the committee wanted to reverse this process where they would automatically be put on electronic funds transfer unless waived. This carried and executive action was held until the amendment could be prepared.

EXECUTIVE ACTION ON HB 284

Motion: REP. SUSAN SMITH MOVED THAT HB 284 DO PASS.

Motion/Vote: REP. DORE SCHWINDEN MADE A DO PASS MOTION ON THE AMENDMENT. Motion carried unanimously with REP. MATT BRAINARD voting by proxy.

Motion: REP. SUSAN SMITH MOVED HB 284 DO PASS AS AMENDED.

Vote: Motion DO PASS AS AMENDED carried unanimously.

EXECUTIVE ACTION ON HB 283

Motion: REP. DORE SCHWINDEN MOVED TO DISREGARD ALL PREVIOUS MOTIONS. Motion passed unanimously.

Motion: REP. CAROLYN SQUIRES MOVED THAT HB 283 DO PASS.

Motion/Vote: REP. CAROLYN SQUIRES MADE THE MOTION DO PASS ON THE AMENDMENT. Motion carried 15-3 with REP. MATT BRAINARD (by proxy), REP. GAY ANN MASOLO, and REP. SUSAN SMITH voting no.

Motion: REP. CAROLYN SQUIRES MOVED HB 283 DO PASS AS AMENDED.

Vote: Motion DO PASS AS AMENDED carried 17-1 with REP. GAY ANN MASOLO voting no with REP. MATT BRAINARD voting by proxy.

EXECUTIVE ACTION ON HB 312

Motion: REP. SUSAN SMITH MOVED DO PASS ON HB 312.

Discussion:

Sheri Heffelfinger explained the Fish, Wildlife and Parks amendment. Bob Lane testified they would like this amendment

because they don't want to have to mail voter registration forms. They want people to pick up the voter registration forms at the same time they purchase a wildlife conservation license.

REP. SQUIRES stated the individual retailers are not responsible for sending the voter's registration. It is the individual's responsibility to make sure they follow the process and get the cards mailed in.

REP. TAYLOR asked if these retailers need to have to have the voter's registration cards there or if they need to ask the person buying the conservation license if they need a voter's registration card.

Sheri Heffelfinger stated this just makes the voter's registration cards available.

REP. MATT DENNY stated REP. MATT BRAINARD wanted the committee to know he favored this amendment to his bill.

Motion/Vote: REP. SUSAN SMITH MOVED THE AMENDMENT. Motion carried unanimously with REP. MATT BRAINARD voting by proxy.

Motion: REP. SUSAN SMITH MOVED HB 312 DO PASS AS AMENDED.

Vote: Motion carried 14-4 with REP. BONNIE MARTINEZ, REP. BILL REHBEIN, REP. JAY STOVALL, AND REP. LILA TAYLOR voting no. REP. MATT BRAINARD voted yes by proxy.

EXECUTIVE ACTION ON HB 319

Motion: REP. DORE SCHWINDEN MOVED HB 319 DO PASS.

Discussion:

Sheri Heffelfinger explained the amendment to limit the person designated to pick up a ballot to only two ballots.

Motion/Vote: REP. PAT GALVIN MOVED THE AMENDMENT. Motion carried unanimously with REP. MATT BRAINARD voting yes by proxy.

Motion: REP. DORE SCHWINDEN MOVED HB 319 DO PASS AS AMENDED.

Vote: Motion carried unanimously with REP. MATT BRAINARD voting yes by proxy.

EXECUTIVE ACTION ON HB 306

Motion/Vote: REP. SAM KITZENBERG MOVED HB 306 DO PASS. Motion carried 17-1 with REP. BILL REHBEIN voting no and REP. MATT BRAINARD voting yes by proxy.

EXECUTIVE ACTION ON HB 316

Motion: REP. DORE SCHWINDEN MOVED HB 316 DO PASS.

Discussion:

Sheri Heffelfinger explained the amendments are technical amendments that simply clarify some language stating interest must be paid on the service. It also provides a coordination section.

Motion/Vote: REP. DORE SCHWINDEN MOVED THE AMENDMENT. Motion carried unanimously with REP. MATT BRAINARD voting yes by proxy.

Motion/Vote: REP. GAY ANN MASOLO MOVED HB 316 DO PASS AS AMENDED. Motion carried unanimously with REP. MATT BRAINARD voting yes by proxy.

EXECUTIVE ACTION ON HB 324

Motion/Vote: REP. GAY ANN MASOLO MOVED HB 324 DO PASS. Motion carried unanimously with REP. MATT BRAINARD voting yes by proxy.

EXECUTIVE ACTION ON HB 325

Motion: REP. DORE SCHWINDEN MOVED HB 325 DO PASS.

Discussion:

Sheri Heffelfinger explained the amendment allows employees to transfer funds from one public retirement system to another and transfer contributions. Previously these people could credit service but not contributions into the retirement funds. This allows the employee to consolidate contributions. Previously the people wanting to transfer from one retirement system to another would have to have taken a refund from one retirement system which would have been taxed and then buy back the service in the other system. This is simply a roll over from one system to another.

CHAIRMAN SIMPKINS stated this does have complications and limitations. A person must qualify for the system.

Motion/Vote: REP. DORE SCHWINDEN MOVED THE AMENDMENT. Motion carried unanimously with REP. MATT BRAINARD voting by proxy.

Motion: REP. SAM KITZENBERG MOVED HB 325 DO PASS AS AMENDED.

Discussion:

REP. LILA TAYLOR stated she would rather not take action on this bill at that time. She requested executive action be postponed.

ADJOURNMENT

Adjournment: 10:15 a.m.


RICHARD SIMPKINS, Chairman


CHRISTEN VINCENT, Secretary

RS/cdv

HOUSE OF REPRESENTATIVES

State Administration

ROLL CALL

DATE Jan. 30, 1995

NAME	PRESENT	ABSENT	EXCUSED
Rep. Dick Simpkin, Chairman	✓		
Rep. Matt Denny, Vice Chairman, Majority	✓		
Rep. Dore Schwinden, Vice Chair, Minority	✓		
Rep. Matt Brainard			✓
Rep. Pat Galvin	✓		
Rep. Dick Green	✓		
Rep. Toni Hagener	✓		
Rep. Harriet Hayne	✓		
Rep. George Heavy Runner	✓		
Rep. Sam Kitzenberg	✓		
Rep. Bonnie Martinez	✓		
Rep. Gay Ann Masolo	✓		
Rep. Bill Rehbein	✓		
Rep. Susan Smith	✓		
Rep. Jay Stovall	✓		
Rep. Carolyn Squires	✓		
Rep. Lila Taylor	✓		
Rep. Joe Tropila	✓		



HOUSE STANDING COMMITTEE REPORT

January 30, 1995

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that House Bill 306 (first reading copy -- white) do pass.

Signed: *Dick Simpkins*
Dick Simpkins, Chair

1130
mm

Committee Vote:
Yes 17, No 1.

251118SC.Hbk



HOUSE STANDING COMMITTEE REPORT

January 30, 1995

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that **House Bill 324** (first reading copy -- white) **do pass**.

Signed: *Dick Simpkins*
Dick Simpkins, Chair

1/30

ms

Committee Vote:
Yes 18, No 0.

251116SC.Hbk



HOUSE STANDING COMMITTEE REPORT

January 30, 1995

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that **House Bill 283** (first reading copy -- white) do pass as amended.

Signed: *Dick Simpkins*
Dick Simpkins, Chair

And, that such amendments read:

1. Title, line 5.

Following: "BALLOTS;"

Insert: "PROVIDING THAT NAMES BE ARRANGED RANDOMLY AS DETERMINED BY A PUBLIC LOT;"

2. Page 1, line 11.

Strike: "alphabetically"

Following: "ballot"

Strike: "according to surnames"

Following: "offices"

Insert: "and in a random order as determined by the election administrator. The election administrator shall determine this order by a random lot selection conducted by the county's governing body. The lot selection must be open to the public"

-END-

Committee Vote:
Yes 17, No 1.

251207SC.Hbk



HOUSE STANDING COMMITTEE REPORT

January 30, 1995

Page 1 of 2

Mr. Speaker: We, the committee on State Administration report that **House Bill 316** (first reading copy -- white) **do pass as amended.**

Signed: *Dick Simpkins*
Dick Simpkins, Chair

And, that such amendments read:

1. Page 1, line 17.

Following: "service"

Insert: ", who has completed 1 full year of active membership in Montana subsequent to the member's out-of-state service,"

2. Page 2, lines 6 through 8.

Following: "plus interest."

Strike: "The" on line 6 through "service." on line 8

3. Page 2, line 21; page 3, line 18; and page 4, line 25.

Following: "(2)"

Insert: "(a)"

4. Page 4, line 3.

Following: "service"

Insert: ", who has completed 1 full year of active membership subsequent to the member's private school employment,"

5. Page 4, line 21.

Strike: "credit"

Insert: "purchase"

6. Page 7, following line 14.

Insert:

"NEW SECTION. Section 7. Coordination instruction. If House Bill No. 205 is not passed and approved or if it is passed

1130 *mm*

Committee Vote:

Yes 18, No 0.

251202SC.Hbk

and approved but does not contain a new section providing that a member of the teachers' retirement system may roll over, or transfer, the member's contributions from another qualified retirement plan to the teacher's retirement system, then [section 1(1)(b) of this act], amending 19-20-402, must read as follows:

"(b) If the member contributed to a public retirement plan, other than social security, while performing the out-of-state service, the member must receive a refund of the member's contributions for the service before qualifying service under this section.""

Renumber: subsequent section

-END-



HOUSE STANDING COMMITTEE REPORT

January 30, 1995

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that House Bill 319 (first reading copy -- white) do pass as amended.

Signed: *Dick Simpkins*
Dick Simpkins, Chair

And, that such amendments read:

1. Title, line 6.

Following: "ELECTOR;"

Insert: "PROVIDING THAT A DESIGNATED PERSON MAY PICK UP A BALLOT
FOR ONLY TWO OTHER ELECTORS;"

2. Page 2, line 6.

Strike: "and"

3. Page 2, line 8.

Following: "person"

Strike: "."

Insert: "; and

(iv) the designated person has not previously picked up
ballots for two other electors."

-END-

1/30

ms

Committee Vote:

Yes 8, No 0.

251204SC.Hbk



HOUSE STANDING COMMITTEE REPORT

January 30, 1995

Page 1 of 1

Mr. Speaker: We, the committee on **State Administration** report that **House Bill 312** (first reading copy -- white) **do pass as amended.**

Signed: *Dick Simpkins*
Dick Simpkins, Chair

And, that such amendments read:

1. Title, line 5.

Following: "AVAILABLE"

Strike: "AT" through "FOR"

Insert: "WHEN A MONTANA CITIZEN APPEARS IN PERSON TO PURCHASE"

2. Page 1, line 12.

Strike: "prescribed by department"

3. Page 1, lines 14 and 15.

Strike: "with" on line 14 through "department" on line 15

Insert: "to each Montana citizen who appears in person to purchase a wildlife conservation license"

-END-

1/30
mm
Committee Vote:
Yes 14, No 4.

251206SC.Hbk



HOUSE STANDING COMMITTEE REPORT

January 30, 1995

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that House Bill 284 (first reading copy -- white) do pass as amended.

Signed: *Dick Simpkins*
Dick Simpkins, Chair

And, that such amendments read:

1. Title, lines 4 through 6.

Following: "AN ACT"

Strike: "ELIMINATING" on line 4 through "GOVERNMENT" on line 6.

Insert: "RAISING THE NUMBER OF CANDIDATES NECESSARY BEFORE AN ELECTION ADMINISTRATOR IS REQUIRED TO CONDUCT A PRIMARY ELECTION";

2. Page 1, lines 19 and 21.

Strike: "twice"

Insert: "three times"

3. Page 1, line 26.

Strike: "Except as provided in subsection (5), the"

Insert: "The"

4. Page 1, lines 29 and 30.

Strike: subsection (5) in its entirety

5. Page 2, lines 7 and 8.

Strike: "All" on line 7 through "43," on line 8

Insert: "If, pursuant to 13-14-115(3), a primary election is not held, then all candidates who filed for an office"

Mu
1/30

Committee Vote:

Yes 18, No 0.

251208SC.Hbk

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

State Administration

DATE January 30, 1995 BILL NO. HB NUMBER 284

MOTION: Rep. Smith Moved On Pass as amended

NAME	AYE	NO
Rep. Dick Simpkin, Chairman	✓	
Rep. Matt Denny, Vice Chairman, Majority	✓	
Rep. Dore Schwinden, Vice Chairman, Minority	✓	
Rep. Matt Brainard <i>By Proxy</i>	✓	
Rep. Pat Galvin	✓	
Rep. Dick Green	✓	
Rep. Toni Hagener	✓	
Rep. Harriet Hayne	✓	
Rep. George Heavy Runner	✓	
Rep. Sam Kitzenberg	✓	
Rep. Bonnie Martinez	✓	
Rep. Gay Ann Masolo	✓	
Rep. Bill Rehbein	✓	
Rep. Susan Smith	✓	
Rep. Jay Stovall	✓	
Rep. Carolyn Squires	✓	
Rep. Lila Taylor	✓	
Rep. Joe Tropila	✓	

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

State Administration

DATE 1-30-95 BILL NO. HB NUMBER 284

MOTION: Rep. Dore Schwinden moved a do pass
on the amendment.

NAME	AYE	NO
Rep. Dick Simpkin, Chairman	✓	
Rep. Matt Denny, Vice Chairman, Majority	✓	
Rep. Dore Schwinden, Vice Chairman, Minority	✓	
Rep. Matt Brainard <i>By Proxy</i>	✓	
Rep. Pat Galvin	✓	
Rep. Dick Green	✓	
Rep. Toni Hagener	✓	
Rep. Harriet Hayne	✓	
Rep. George Heavy Runner	✓	
Rep. Sam Kitzenberg	✓	
Rep. Bonnie Martinez	✓	
Rep. Gay Ann Masolo	✓	
Rep. Bill Rehbein	✓	
Rep. Susan Smith	✓	
Rep. Jay Stovall	✓	
Rep. Carolyn Squires	✓	
Rep. Lila Taylor	✓	
Rep. Joe Tropila	✓	

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

State Administration

DATE Jan. 30, 1995 BILL NO. HB 275 NUMBER 275

MOTION: Rep. Joe Tropila made the motion DO PASS AS AMENDED

NAME	AYE	NO
Rep. Dick Simpkin, Chairman		
Rep. Matt Denny, Vice Chairman, Majority		
Rep. Dore Schwinden, Vice Chairman, Minority		
Rep. Matt Brainard		
Rep. Pat Galvin		
Rep. Dick Green		
Rep. Toni Hagener		
Rep. Harriet Hayne		
Rep. George Heavy Runner		
Rep. Sam Kitzenberg		
Rep. Bonnie Martinez		
Rep. Gay Ann Masolo		
Rep. Bill Rehbein		
Rep. Susan Smith		
Rep. Jay Stovall		
Rep. Carolyn Squires		
Rep. Lila Taylor		
Rep. Joe Tropila		

HOUSE OF REPRESENTATIVES

amend

ROLL CALL VOTE

State Administration

DATE Jan 30, 1995 BILL NO. HB NUMBER 275

MOTION: Rep. Joe Tropila made the motion DO PASS on the
amendment

NAME	AYE	NO
Rep. Dick Simpkin, Chairman	✓	
Rep. Matt Denny, Vice Chairman, Majority	✓	
Rep. Dore Schwinden, Vice Chairman, Minority	✓	
Rep. Matt Brainard	✓	
Rep. Pat Galvin	✓	
Rep. Dick Green	✓	
Rep. Toni Hagener	✓	
Rep. Harriet Hayne	✓	
Rep. George Heavy Runner	✓	
Rep. Sam Kitzenberg	✓	
Rep. Bonnie Martinez	✓	
Rep. Gay Ann Masolo	✓	
Rep. Bill Rehbein	✓	
Rep. Susan Smith	✓	
Rep. Jay Stovall	✓	
Rep. Carolyn Squires	✓	
Rep. Lila Taylor	✓	
Rep. Joe Tropila	✓	

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

State Administration

DATE 1-30-96 BILL NO. HB NUMBER 325

MOTION: Rep. Schwinden made ^{the} motion do pass on
the amendment

NAME	AYE	NO
Rep. Dick Simpkin, Chairman	✓	
Rep. Matt Denny, Vice Chairman, Majority	✓	
Rep. Dore Schwinden, Vice Chairman, Minority	✓	
Rep. Matt Brainard <i>By Proxy</i>	✓	
Rep. Pat Galvin	✓	
Rep. Dick Green	✓	
Rep. Toni Hagener	✓	
Rep. Harriet Hayne	✓	
Rep. George Heavy Runner	✓	
Rep. Sam Kitzenberg	✓	
Rep. Bonnie Martinez	✓	
Rep. Gay Ann Masolo	✓	
Rep. Bill Rehbein	✓	
Rep. Susan Smith	✓	
Rep. Jay Stovall	✓	
Rep. Carolyn Squires	✓	
Rep. Lila Taylor	✓	
Rep. Joe Tropila	✓	

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

State Administration

DATE 1-30-95 BILL NO. HB NUMBER 325

MOTION: Do pass as amended by Sam Kitzenberg

NAME	AYE	NO
Rep. Dick Simpkin, Chairman		
Rep. Matt Denny, Vice Chairman, Majority		
Rep. Dore Schwinden, Vice Chairman, Minority		
Rep. Matt Brainard		
Rep. Pat Galvin		
Rep. Dick Green		
Rep. Toni Hagener		
Rep. Harriet Hayne		
Rep. George Heavy Runner		
Rep. Sam Kitzenberg		
Rep. Bonnie Martinez		
Rep. Gay Ann Masolo		
Rep. Bill Rehbein		
Rep. Susan Smith		
Rep. Jay Stovall		
Rep. Carolyn Squires		
Rep. Lila Taylor		
Rep. Joe Tropila		

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

State Administration

DATE 1-30-95 BILL NO. HB NUMBER 283

MOTION: Rep. Squires move do pass as amended

NAME	AYE	NO
Rep. Dick Simpkin, Chairman	✓	
Rep. Matt Denny, Vice Chairman, Majority	✓	
Rep. Dore Schwinden, Vice Chairman, Minority	✓	
Rep. Matt Brainard <i>By Proxy</i>	✓	
Rep. Pat Galvin	✓	
Rep. Dick Green	✓	
Rep. Toni Hagener	✓	
Rep. Harriet Hayne	✓	
Rep. George Heavy Runner	✓	
Rep. Sam Kitzenberg	✓	
Rep. Bonnie Martinez	✓	
Rep. Gay Ann Masolo	<i>AM</i>	✓
Rep. Bill Rehbein	✓	
Rep. Susan Smith	✓	
Rep. Jay Stovall	✓	
Rep. Carolyn Squires	✓	
Rep. Lila Taylor	✓	
Rep. Joe Tropila	✓	

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

State Administration

DATE 1-30-96 BILL NO. HB NUMBER 083

MOTION: Rep. Squires made the motion Do pass on
the amendment

NAME	AYE	NO
Rep. Dick Simpkin, Chairman		
Rep. Matt Denny, Vice Chairman, Majority	✓	✗
Rep. Dore Schwinden, Vice Chairman, Minority		
Rep. Matt Brainard <i>By Proxy</i>		✓
Rep. Pat Galvin		
Rep. Dick Green		
Rep. Toni Hagener		
Rep. Harriet Hayne		
Rep. George Heavy Runner		
Rep. Sam Kitzenberg		
Rep. Bonnie Martinez		
Rep. Gay Ann Masolo		✓
Rep. Bill Rehbein		
Rep. Susan Smith		✓
Rep. Jay Stovall		
Rep. Carolyn Squires		
Rep. Lila Taylor		
Rep. Joe Tropila		

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

State Administration

DATE 1-30-95 BILL NO. HB NUMBER 312

MOTION: Rep. Susan Smith made the motion to Pass
as amended

NAME	AYE	NO
Rep. Dick Simpkin, Chairman	✓	
Rep. Matt Denny, Vice Chairman, Majority	✓	
Rep. Dore Schwinden, Vice Chairman, Minority	✓	
Rep. Matt Brainard <i>By Proxy</i>	✓	
Rep. Pat Galvin	✓	
Rep. Dick Green	✓	
Rep. Toni Hagener	✓	
Rep. Harriet Hayne	✓	
Rep. George Heavy Runner	✓	
Rep. Sam Kitzenberg	✓	
Rep. Bonnie Martinez		✓
Rep. Gay Ann Masolo	✓	
Rep. Bill Rehbein		✓
Rep. Susan Smith	✓	
Rep. Jay Stovall		✓
Rep. Carolyn Squires	✓	
Rep. Lila Taylor		✓
Rep. Joe Tropila	✓	

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

State Administration

DATE 1-30-96 BILL NO. HB NUMBER 312

MOTION: Rep. Susan Smith made the motion do pass
on the amendment.

NAME	AYE	NO
Rep. Dick Simpkin, Chairman	✓	
Rep. Matt Denny, Vice Chairman, Majority	✓	
Rep. Dore Schwinden, Vice Chairman, Minority	✓	
Rep. Matt Brainard <i>By Proxy</i>	✓	
Rep. Pat Galvin	✓	
Rep. Dick Green	✓	
Rep. Toni Hagener	✓	
Rep. Harriet Hayne	✓	
Rep. George Heavy Runner	✓	
Rep. Sam Kitzenberg	✓	
Rep. Bonnie Martinez	✓	
Rep. Gay Ann Masolo	✓	
Rep. Bill Rehbein	✓	
Rep. Susan Smith	✓	
Rep. Jay Stovall	✓	
Rep. Carolyn Squires	✓	
Rep. Lila Taylor	✓	
Rep. Joe Tropila	✓	

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

State Administration

DATE 1-30-95 BILL NO. H B NUMBER 319

MOTION: Rep. Dore Schwinden made the motion do pass
as amended.

NAME	AYE	NO
Rep. Dick Simpkin, Chairman	✓	
Rep. Matt Denny, Vice Chairman, Majority	✓	
Rep. Dore Schwinden, Vice Chairman, Minority	✓	
Rep. Matt Brainard <i>By Proxy</i>	✓	
Rep. Pat Galvin	✓	
Rep. Dick Green	✓	
Rep. Toni Hagener	✓	
Rep. Harriet Hayne	✓	
Rep. George Heavy Runner	✓	
Rep. Sam Kitzenberg	✓	
Rep. Bonnie Martinez	✓	
Rep. Gay Ann Masolo	✓	
Rep. Bill Rehbein	✓	
Rep. Susan Smith	✓	
Rep. Jay Stovall	✓	
Rep. Carolyn Squires	✓	
Rep. Lila Taylor	✓	
Rep. Joe Tropila	✓	

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

State Administration

DATE 1-30-95 BILL NO. HB NUMBER 319

MOTION: Rep. Pat Galvin made the motion do pass
on the amendment.

NAME	AYE	NO
Rep. Dick Simpkin, Chairman	✓	
Rep. Matt Denny, Vice Chairman, Majority	✓	
Rep. Dore Schwinden, Vice Chairman, Minority	✓	NO
Rep. Matt Brainard <i>By Proxy</i>	✓	
Rep. Pat Galvin	✓	
Rep. Dick Green	✓	
Rep. Toni Hagener	✓	
Rep. Harriet Hayne	✓	
Rep. George Heavy Runner	✓	
Rep. Sam Kitzenberg	✓	
Rep. Bonnie Martinez	✓	
Rep. Gay Ann Masolo	✓	
Rep. Bill Rehbein	✓	
Rep. Susan Smith	✓	
Rep. Jay Stovall	✓	
Rep. Carolyn Squires	✓	
Rep. Lila Taylor	✓	
Rep. Joe Tropila	✓	

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

State Administration

DATE 1-30-95 BILL NO. HB NUMBER 306

MOTION: Rep. Sam Kitzenberg made the motion DO PASS

NAME	AYE	NO
Rep. Dick Simpkin, Chairman	✓	
Rep. Matt Denny, Vice Chairman, Majority	✓	
Rep. Dore Schwinden, Vice Chairman, Minority	✓	
Rep. Matt Brainard <i>By Proxy</i>	✓	
Rep. Pat Galvin	✓	
Rep. Dick Green	✓	
Rep. Toni Hagener	✓	
Rep. Harriet Hayne	✓	
Rep. George Heavy Runner	✓	
Rep. Sam Kitzenberg	✓	
Rep. Bonnie Martinez	✓	
Rep. Gay Ann Masolo	✓	
Rep. Bill Rehbein		✓
Rep. Susan Smith	✓	
Rep. Jay Stovall	✓	
Rep. Carolyn Squires	✓	
Rep. Lila Taylor	✓	
Rep. Joe Tropila	✓	

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

State Administration

DATE 1-30-95 BILL NO. HB NUMBER 316

MOTION: Rep. Gay Ann Masolo made the motion do
pass as amended

NAME	AYE	NO
Rep. Dick Simpkin, Chairman	✓	
Rep. Matt Denny, Vice Chairman, Majority	✓	
Rep. Dore Schwinden, Vice Chairman, Minority	✓	
Rep. Matt Brainard <i>By Proxy</i>	✓	
Rep. Pat Galvin	✓	
Rep. Dick Green	✓	
Rep. Toni Hagener	✓	
Rep. Harriet Hayne	✓	
Rep. George Heavy Runner	✓	
Rep. Sam Kitzenberg	✓	
Rep. Bonnie Martinez	✓	
Rep. Gay Ann Masolo	✓	
Rep. Bill Rehbein	✓	
Rep. Susan Smith	✓	
Rep. Jay Stovall	✓	
Rep. Carolyn Squires	✓	
Rep. Lila Taylor	✓	
Rep. Joe Tropila	✓	

nb 031601. awh.

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

State Administration

DATE 1-30-95 BILL NO. HB NUMBER 316

MOTION: Rep. Dore Schwinden moved do pass on
the amendment.

NAME	AYE	NO
Rep. Dick Simpkin, Chairman	✓	
Rep. Matt Denny, Vice Chairman, Majority	✓	
Rep. Dore Schwinden, Vice Chairman, Minority	✓	
Rep. Matt Brainard <i>By Proxy</i>	✓	
Rep. Pat Galvin	✓	
Rep. Dick Green	✓	
Rep. Toni Hagener	✓	
Rep. Harriet Hayne	✓	
Rep. George Heavy Runner	✓	
Rep. Sam Kitzenberg	✓	
Rep. Bonnie Martinez	✓	
Rep. Gay Ann Masolo	✓	
Rep. Bill Rehbein	✓	
Rep. Susan Smith	✓	
Rep. Jay Stovall	✓	
Rep. Carolyn Squires	✓	
Rep. Lila Taylor	✓	
Rep. Joe Tropila	✓	

HOUSE OF REPRESENTATIVES

ROLL CALL VOTE

State Administration

DATE 1-30-95 BILL NO. HB NUMBER 324

MOTION: Rep. Gay Ann Masolo moved TO PASS

NAME	AYE	NO
Rep. Dick Simpkin, Chairman	✓	
Rep. Matt Denny, Vice Chairman, Majority	✓	
Rep. Dore Schwinden, Vice Chairman, Minority	✓	
Rep. Matt Brainard <i>By Proxy</i>	✓	
Rep. Pat Galvin	✓	
Rep. Dick Green	✓	
Rep. Toni Hagener	✓	
Rep. Harriet Hayne	✓	
Rep. George Heavy Runner	✓	
Rep. Sam Kitzenberg	✓	
Rep. Bonnie Martinez	✓	
Rep. Gay Ann Masolo	✓	
Rep. Bill Rehbein	✓	
Rep. Susan Smith	✓	
Rep. Jay Stovall	✓	
Rep. Carolyn Squires	✓	
Rep. Lila Taylor	✓	
Rep. Joe Tropila	✓	

Amendments to House Bill No. 284
First Reading Copy

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

Prepared by Sheri S. Heffelfinger
January 25, 1995

1. Title, lines 4 through 6.

Following: "AN ACT"

Strike: "ELIMINATING" on line 4 through "GOVERNMENT" on line 6.

Insert: "RAISING THE NUMBER OF CANDIDATES NECESSARY BEFORE AN
ELECTION ADMINISTRATOR IS REQUIRED TO CONDUCT A PRIMARY
ELECTION"

2. Page 1, lines 19 and 21.

Strike: "twice"

Insert: "three times"

3. Page 1, line 26.

Strike: "Except as provided in subsection (5), the"

Insert: "The"

4. Page 1, lines 29 and 30.

Strike: subsection (5) in its entirety

5. Page 2, lines 7 and 8.

Strike: "All" on line 7 through "43," on line 8

Insert: "If, pursuant to 13-14-115(3), a primary election is not
held, then all candidates who filed for an office"

Amendments to House Bill No. 325
First Reading Copy

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

Prepared by Sheri S. Heffelfinger
January 28, 1995

1. Title, line 19.

Following: "ACCOUNT;"

Insert: "PROVIDING FOR THE DIRECT TRANSFER OF MEMBERS'
CONTRIBUTIONS BETWEEN PUBLIC RETIREMENT SYSTEMS;"

2. Title, line 20.

Following: "19-2-406,"

Insert: "19-2-704,"

Following: "19-3-403,"

Insert: "19-3-509, 19-3-511,"

3. Title, line 21.

Following: line 20

Insert: "19-6-802,"

Following: "19-7-612,"

Insert: "19-7-802,"

Following: "19-8-712,"

Insert: "19-8-902, 19-9-405,"

Strike: "AND"

Insert: "19-13-404,"

Following: "19-13-804,"

Insert: "AND 19-20-409,"

4. Page 9, line 14.

Following: line 13

Insert:

"Section 8. Section 19-2-704, MCA, is amended to read:

"19-2-704. Purchasing service credits allowed. (1) Subject to the rules promulgated by the board, an eligible member may elect to contribute amounts in addition to the mandatory employee contributions required by the retirement system in which the member participates for the purpose of purchasing service credits as provided by the statutes governing the retirement system.

(2) A member eligible to qualify service under the provisions of 19-3-509, 19-3-511, 19-6-802, 19-7-802, 19-8-902, 19-9-405, and 19-13-404 may, at any time prior to retirement, elect to transfer all or a portion of the member's accumulated contributions on deposit in a pension trust fund from which service is being transferred to the pension trust fund of another plan in which service is being credited. The transfer of contributions may include both taxed contributions and tax-deferred contributions and interest. However, if less than all of the accumulated contributions on deposit in a pension trust fund is being transferred, the transfer of taxed and tax-deferred

amounts must be made on a proportionate basis, with the remainder refunded to the member. The transferring agency shall identify at the time of the transfer the taxed and tax-deferred amounts being transferred."

{Internal References to 19-2-704: None.}

Renumber: subsequent sections

5. Page 10, line 18.

Following: line 17

Insert:

"Section 10. Section 19-3-509, "MCA, is amended to read:

"19-3-509. **Qualification of other Montana public service.**

(1) (a) A member may, at any time before retirement, make a written election with the board to qualify as service in this retirement system all or any portion of the member's service credit in the highway patrol officers', sheriffs', game wardens', firefighters' unified, or municipal police officers' retirement system for which the member either has received or is eligible to receive a refund of membership contributions. To qualify this service, the member shall contribute to the pension trust fund the actuarial cost of granting the service in the public employees' retirement system, as determined by the board, based on the most recent actuarial valuation minus the employer contribution provided in subsection (1)(b). This service may not be credited in more than one retirement system under Title 19.

(b) Upon receiving the member's payment under subsection (1)(a), the division shall transfer from the member's former retirement system to the public employees' retirement system an amount equal to the employer contributions made during the member's service but no more than an amount equal to the normal cost contribution rate minus the employee contribution rate in the public employees' retirement system, according to the most recent actuarial valuation, based on the salaries earned by the employee as a member of the former system.

(2) (a) A member may, at any time before retirement, make a written election with the board to qualify any full-time public service employment performed for the state or a political subdivision of the state. The member shall provide salary and employment documentation certified by the member's former public employer. The board may grant service credit upon contribution by the employee of the actuarial cost of granting this service in the public employees' retirement system, as determined by the board, based on the most recent actuarial valuation of the system.

(b) The board is the sole authority under this subsection (2) in determining what constitutes full-time public service.

(c) This service may not be credited in more than one retirement system under Title 19."

{Internal References to 19-3-509: None.}

Section 11. Section 19-3-511, MCA, is amended to read:

"19-3-511. **Transfer of service credits and contributions from teachers' retirement system.** (1) A An active member may at

any time before retirement make a written election with the board to qualify in the public employees' retirement system all of the member's service in the teachers' retirement system for which the member either has received or is eligible to receive a refund. The amount that must be paid or transferred to the retirement system to qualify this service under this section is the sum of subsections (2) and (3).

(2) ~~The~~ In addition to the amounts directly paid or transferred by the member under subsection (3), the teachers' retirement system shall transfer to the public employees' retirement system an amount equal to 72% of the amount determined in accordance with subsection (3) payable by the member.

(3) The employee member shall pay either directly or by transferring contributions on account with the teachers' retirement system an amount equal to the employee's member's accumulated contributions at the time the employee terminated that active membership was terminated with the teachers' retirement system, as defined in 19-20-302, plus accrued interest. Interest must be calculated from the date of termination until payment is received by the public employees' retirement system, based on the interest tables in use by the teachers' retirement system.

(4) The amount of service credit granted in subsection (1) must be on a month-by-month basis. Military service credit transferred from the teachers' retirement system must be included in the 5-year maximum military service credit provided for in 19-3-503.

(5) Subject to the provisions of 19-2-403, the board is the sole authority in determining the amount of service credit qualified under this section and the amount paid to the retirement system under subsections (2) and (3).

(6) If a an active member who also has service credit in the teachers' retirement system dies before the member qualifies this service in the public employees' retirement system and if the service credits from both systems, when combined, entitle the member's designated beneficiary to a survivorship benefit, the payment of the survivorship benefit is the liability of the public employees' retirement system. Before payment of the survivorship benefit, the teachers' retirement board shall transfer to the public employees' retirement system the contributions necessary to qualify this service in the public employees' retirement system as provided in subsections (2) and (3)."

{Internal References to 19-3-511: None.}

Renumber: subsequent sections

6. Page 13, line 5.

Following: line 4

Insert:

"Section 16. Section 19-6-802, MCA, is amended to read:

"19-6-802. **Qualification of other Montana public service.**

(1) (a) A member may, at any time before retirement, make a written election with the board to qualify all or any portion of

the member's service in the public employees', sheriffs', game wardens', firefighters' unified, or municipal police officers' retirement system for which the member either has received or is eligible to receive a refund of the member's membership contributions. To qualify this service, the member shall contribute to the pension trust fund the actuarial cost of granting the service credit in the highway patrol officers' retirement system, as determined by the board, based on the most recent actuarial valuation minus the employer contribution provided in subsection (1)(b). This service may not be credited in more than one retirement system under Title 19.

(b) Upon receiving the member's payment under subsection (1)(a), the division shall transfer from the member's former retirement system to the highway patrol officers' retirement system an amount equal to the employer contributions made during the member's service but no more than an amount equal to the normal contribution rate minus the employee contribution rate in the highway patrol officers' retirement system, according to the most recent actuarial valuation.

(2) (a) A member may, at any time before retirement, make a written election with the board to qualify any full-time public service employment performed for the state or a political subdivision of the state. The member shall provide compensation and employment documentation certified by the member's public employer. The board shall grant service credit subject to rules adopted by the board upon contribution by the employee of the actuarial cost of granting this service in the highway patrol officers' retirement system, as determined by the board, based on the most recent actuarial valuation of the system.

(b) The board is the sole authority under this subsection (2) in determining what constitutes full-time public service.

(c) This employment may not be credited in more than one retirement system under Title 19."

{Internal References to 19-6-802: None.}

Renumber: subsequent sections

7. Page 14, line 15.

Following: line 14

Insert:

"Section 19. Section 19-7-802, MCA, is amended to read:

"19-7-802. **Qualification of other Montana public service.**

(1) (a) A member may, at any time before retirement, make a written election with the board to qualify all or any portion of the member's service in the public employees', highway patrol officers', firefighters' unified, game wardens', or municipal police officers' retirement system for which the member either has received or is eligible to receive a refund of the member's membership contributions. To qualify this service, the member shall contribute to the pension trust fund the actuarial cost of granting the service in the sheriffs' retirement system, as determined by the board, based on the most recent actuarial valuation minus the employer contribution provided in subsection (1)(b). This service may not be credited in more than one

retirement system under Title 19.

(b) Upon receiving the member's payment under subsection (1)(a), the division shall transfer from the member's former retirement system to the sheriffs' retirement system an amount equal to the employer contributions made during the member's service but no more than an amount equal to the normal contribution rate minus the employee contribution rate in the sheriffs' retirement system, according to the most recent actuarial valuation, based on the compensation earned by the employee as a member of the former system.

(2) (a) A member may, at any time before retirement, make a written election with the board to qualify any full-time public service employment performed for the state or a political subdivision of the state. The member shall provide compensation and employment documentation certified by the member's public employer. The board shall grant service credit upon contribution by the employee of the actuarial cost of granting this service in the sheriffs' retirement system, as determined by the board, based on the most recent actuarial valuation of the system.

(b) The board is the sole authority under this subsection (2) in determining what constitutes full-time public service.

(c) This service may not be credited in more than one retirement system under Title 19."

{ssh Internal References to 19-7-802:
x19-7-312}

Renumber: subsequent sections

8. Page 15, line 11.

Following: line 10

Insert:

"Section 21. Section 19-8-902, MCA, is amended to read:

"19-8-902. **Qualification of other Montana public service.**

(1) (a) A member may, at any time before retirement, make a written election with the board to qualify all or any portion of the member's service credit in the public employees', highway patrol officers', firefighters' unified, sheriffs', or municipal police officers' retirement system for which the member either has received or is eligible to receive a refund of the member's accumulated contributions. To qualify this service, the member shall contribute to the pension trust fund the actuarial cost of granting the service in the game wardens' retirement system, as determined by the board, based on the most recent actuarial valuation of the system minus the employer contribution provided in subsection (1)(b). This service may not be credited in more than one retirement system under Title 19.

(b) Upon receiving the member's payment under subsection (1)(a), the division shall transfer from the member's former retirement system to the game wardens' retirement system an amount equal to the employer contributions made during the member's service but no more than an amount equal to the normal contribution rate minus the employee contribution rate in the game wardens' retirement system, according to the most recent actuarial valuation, based on the salaries earned by the employee

as a member of the former system.

(2) (a) A member may, at any time before retirement, make a written election with the board to qualify any full-time public service employment performed for the state or a political subdivision of the state. The member shall provide salary and employment documentation certified by the member's public employer. The board shall grant service credit subject to rules adopted by the board upon contribution by the employee of the actuarial cost of granting this service in the game wardens' retirement system, as determined by the board, based on the most recent actuarial valuation of the system.

(b) The board is the sole authority under this subsection (2) in determining what constitutes full-time public service.

(c) This service may not be credited in more than one retirement system under Title 19."

{Internal References to 19-8-902: None.}

Section 22. Section 19-9-405, MCA, is amended to read:

"19-9-405. Qualification of other Montana public service.

(1) (a) A member may, at any time before retirement, make a written election with the board to qualify all or any portion of the member's service credit in the public employees', highway patrol officers', firefighters' unified, sheriffs', or game wardens' retirement system for which the member either has received or is eligible to receive a refund of the member's accumulated contributions. To qualify this service, the member shall contribute to the pension trust fund the actuarial cost of granting the service in the municipal police officers' retirement system, as determined by the board, based on the most recent actuarial valuation minus the employer contribution provided in subsection (1)(b). This service may not be credited in more than one retirement system under Title 19.

(b) Upon receiving the member's payment under subsection (1)(a), the division shall transfer from the member's former retirement system to the municipal police officers' retirement system an amount equal to the employer contributions made during the member's service but no more than an amount equal to the regular contribution rate minus the employee contribution rate in the municipal police officers' retirement system, according to the most recent actuarial valuation, based on the salaries earned by the employee as a member of the former system.

(2) (a) A member may, at any time before retirement, make a written election with the board to qualify any full-time public service employment performed for the state or a political subdivision of the state. The member shall provide salary and employment documentation certified by the member's public employer. The board shall grant service credit subject to rules adopted by the board upon contribution by the employee of the actuarial cost of granting this service in the municipal police officers' retirement system, as determined by the board, based on the employee's compensation earned during this period of service and the regular contribution rate according to the most recent actuarial valuation of the system.

(b) The board is the sole authority under this subsection (2) in determining what constitutes full-time public service.

(c) This service may not be credited in more than one retirement system under Title 19."

{Internal References to 19-9-405: None.}

Renumber: subsequent sections

9. Page 15, line 24.

Following: line 23

Insert:

"Section 24. Section 19-13-404, MCA, is amended to read:

"19-13-404. Qualification of other Montana public service.

(1) (a) A member may, at any time before retirement, make a written election with the board to qualify all or any portion of the member's service credit in the public employees', highway patrol officers', sheriffs', municipal police officers', or game wardens' retirement system for which the member either has received or is eligible to receive a refund of the member's accumulated contributions. To qualify this service, the member shall contribute to the pension trust fund the actuarial cost of granting the service in the firefighters' unified retirement system, as determined by the board, based on the most recent actuarial valuation minus the employer contribution provided in subsection (1)(b). This service may not be credited in more than one retirement system under Title 19.

(b) Upon receiving the member's payment under subsection (1)(a), the division shall transfer from the member's former retirement system to the firefighters' unified retirement system an amount equal to the employer contributions made during the member's service, but no more than an amount equal to the normal contribution rate minus the employee contribution rate in the firefighters' unified retirement system, according to the most recent actuarial valuation, based on the compensation earned by the employee as a member of the former system.

(2) (a) A member may, at any time before retirement, make a written election with the board to qualify any full-time public service employment performed for the state or a political subdivision of the state. The member shall provide compensation and employment documentation certified by the member's public employer. The board shall grant service credit subject to rules adopted by the board upon contribution by the employee of the actuarial cost of granting this service in the firefighters' unified retirement system, as determined by the board, based on the most recent actuarial valuation of the system.

(b) The board is the sole authority under this subsection (2) in determining what constitutes full-time public service.

(c) This service may not be credited in more than one retirement system under Title 19."

{Internal References to 19-13-404: None.}

Renumber: subsequent sections

10. Page 16, line 7.

Following: line 6

Insert:

"Section 26. Section 19-20-409, MCA, is amended to read:

"19-20-409. Transfer of service credits and contributions from public employees' retirement system. (1) An active member may at any time before his retirement make a written election with the retirement board to qualify in the teachers' retirement system all of his the member's previous creditable service in the public employees' retirement system. The amount that must be paid to the retirement system to qualify this service under this section is the sum of subsections (2) and (3).

(2) The In addition to the amounts directly paid or transferred by the member under subsection (3), the public employees' retirement system shall transfer to the teachers' retirement system an amount equal to 72% of the amount determined in accordance with subsection (3) payable by the member.

(3) The employee member shall pay either directly or by transferring contributions on account with the public employees' retirement system an amount equal to his the member's accumulated contributions at the time he terminated that active membership under 19-2-601 was terminated, plus accrued interest. Interest must be calculated from the date of termination until payment is received by the retirement system, based on the interest tables in use by the public employees' retirement system.

(4) A member who qualifies service from the public employees' retirement system in the teachers' retirement system must complete 5 years of membership service in the teachers' retirement system to qualify or purchase military service, out-of-state teaching service, employment while on leave, and private school employment.

(5) The retirement board shall determine the service credits that may be transferred.

(6) If a an active member who also has creditable service in the public employees' retirement system dies before he qualifies qualifying this service in the teachers' retirement system and if his the member's service credits from both systems, when combined, entitle his the member's beneficiary to a death benefit, the payment of the death benefit is the liability of the teachers' retirement system. Before payment of the death benefit, the public employees' retirement board must transfer to the teachers' retirement system the contributions necessary to qualify this service in the teachers' retirement system as provided in subsections (2) and (3).

(7) If the retirement board determines that an individual's membership was erroneously classified and reported to the public employees' retirement system, the member's accumulated contributions and service must be transferred to the teachers' retirement system and any employee and employer contributions due as calculated in 19-20-602 and 19-20-605 are the liability of the employee and the employing entity where the error occurred, respectively.""

{ssh Internal References to 19-20-409:

x19-20-401

x19-20-412

x19-20-804

x19-20-902}

Renumber: subsequent sections

11. Page 16, line 17.

Strike: "13"

Insert: "14"

12. Page 16, line 19.

Strike: "9, 11, 12, and 14 through 17"

Insert: "12, 14, 15, 18, 20, 23, and 25"

Amendments to House Bill No. 319
First Reading Copy

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

Prepared by Sheri S. Heffelfinger
January 27, 1995

1. Title, line 6.

Following: "ELECTOR;"

Insert: "PROVIDING THAT A DESIGNATED PERSON MAY PICK UP A BALLOT
FOR ONLY TWO OTHER ELECTORS;"

2. Page 2, line 6.

Strike: "and"

3. Page 2, line 8.

Following: "person"

Strike: ". "

Insert: "; and

(iv) the designated person has not previously picked up
ballots for two other electors."

Amendments to House Bill No. 316
First Reading Copy

TECHNICAL AMENDMENTS

For the Committee on House State Administration

Prepared by Sheri S. Heffelfinger
January 25, 1995

1. Page 1, line 17.

Following: "service"

Insert: ", who has completed 1 full year of active membership in Montana subsequent to the member's out-of-state service,"

2. Page 2, lines 6 through 8.

Following: "plus interest."

Strike: "The" on line 6 through "service." on line 8

3. Page 2, line 21; page 3, line 18; and page 4, line 25.

Following: "(2)"

Insert: "(a)"

4. Page 4, line 3.

Following: "service"

Insert: ", who has completed 1 full year of active membership subsequent to the member's private school employment,"

5. Page 4, line 21.

Strike: "credit"

Insert: "purchase"

6. Page 7, following line 14.

Insert:

"NEW SECTION. Section 7. Coordination instruction. If House Bill No. 205 is not passed and approved or if it is passed and approved but does not contain a new section providing that a member of the teachers' retirement system may roll over, or transfer, the member's contributions from another qualified retirement plan to the teacher's retirement system, then [section 1(1)(b) of this act], amending 19-20-402, must read as follows:

"(b) If the member contributed to a public retirement plan, other than social security, while performing the out-of-state service, the member must receive a refund of the member's contributions for the service before qualifying service under this section."

Renumber: subsequent section

Amendments to House Bill No. 319
First Reading Copy

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

Prepared by Sheri S. Heffelfinger
January 27, 1995

1. Title, line 6.

Following: "ELECTOR;"

Insert: "PROVIDING THAT A DESIGNATED PERSON MAY PICK UP A BALLOT
FOR ONLY ONE OTHER ELECTOR;"

2. Page 2, line 6.

Strike: "and"

3. Page 2, line 8.

Following: "person"

Strike: "."

Insert: "; and

(iv) the designated person has not previously picked up a
ballot for another elector."

Amendments to House Bill No. 312
First Reading Copy

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

Prepared by Sheri S. Heffelfinger
January 27, 1995

1. Title, line 5.
Following: "AVAILABLE"
Strike: "AT" through "FOR"
Insert: "WHEN A MONTANA CITIZEN APPEARS IN PERSON TO PURCHASE"
2. Page 1, line 12.
Strike: "prescribed by department"
3. Page 1, lines 14 and 15.
Strike: "with" on line 14 through "department" on line 15
Insert: "to each Montana citizen who appears in person to
purchase a wildlife conservation license"

Amendments to House Bill No. 283
First Reading Copy

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

Prepared by Sheri S. Heffelfinger
January 27, 1995

1. Title, line 5.

Following: "BALLOTS;"

Insert: "PROVIDING THAT NAMES BE ARRANGED RANDOMLY AS DETERMINED
BY A PUBLIC LOT;"

2. Page 1, line 11.

Strike: "alphabetically"

Following: "ballot"

Strike: "according to surnames"

Following: "offices"

Insert: "and in a random order as determined by the election
administrator. The election administrator shall determine
this order by a random lot selection conducted by the
county's governing body. The lot selection must be open to
the public"