



# State Administration and Veterans' Affairs Interim Committee

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## 59th Montana Legislature

### SENATE MEMBERS

KEITH BALES  
CAROLYN SQUIRES  
BILL TASH  
JOSEPH TROPILA

### HOUSE MEMBERS

RALPH HEINERT  
VERDELL JACKSON  
RALPH LENHART  
VERONICA SMALL-EASTMAN

### COMMITTEE STAFF

DAVE BOHYER, Lead Staff  
JOHN MACMASTER, Staff Attorney  
FONG HOM, Secretary

## AGENDA

### STATE ADMINISTRATION AND VETERANS' AFFAIRS INTERIM COMMITTEE Monday, March 6, 2006 Room 102, State Capitol

#### All Times Tentative

- 8:30 Call meeting to order; roll call, opening comments: Sen. Bill Tash, Presiding Officer
- 8:32 Review and approve minutes from Nov. 4 and Nov. 30 meetings
- 8:35 Gordon Higgins, Commissioner of Political Practices: Mr. Higgins will brief the Committee on his office's initiative to automate various components of campaign finance filing requirements through the Internet. The briefing will include a demonstration of the system.
- 9:15 Adj. Gen. Randy Mosley, Director, Department of Military Affairs: Gen. Mosley and DMA staff will brief the Committee on topics of current interest.
- 9:45 Developments regarding open meetings, public participation, and the Public Employees Retirement Board: David Ewer, Director, OBPP

#### **BREAK**

- 10:15 Draft Legislation: David Niss will recap the six draft bills requested by the Committee at its November 4 meeting and initially reviewed at the Nov. 30 meeting:
- LC 9990: Clarify statutes regarding a poll of the legislature concerning administrative rules;
  - LC 9991: Requiring a state agency to state in its notice of proposed rulemaking the date, time, and manner in which it gave notice of its initial rulemaking efforts to the prime sponsor of the implemented legislation;
  - LC 9992: Providing that an agency may not enforce, implement, or otherwise treat as effective, an administrative rule until after the effective date of the rule;
  - LC 9993: Providing for the payment of the expenses of a private entity, group, or individual incurred in challenging the adoption, amendment, or repeal of a rule proposed or adopted in knowing or willful violation of the Montana Administrative Procedure Act;
  - LC 9994: Providing for the payment of the expenses of a private entity, group, or individual in challenging the adoption, amendment, or repeal of a rule proposed or adopted in knowing or willful violation of the Montana Administrative Procedure Act; providing for the payment of expense claims by the Department of Administration from money appropriated to the department for that purpose;
  - LC 9995: Providing for the payment of the expenses of a private entity, group, or individual incurred in challenging the adoption, amendment, or repeal of a rule proposed or adopted in knowing or willful violation of the Montana Administrative Procedure Act

(over)

**AGENDA**  
**STATE ADMINISTRATION AND VETERANS' AFFAIRS INTERIM COMMITTEE**  
**March 6, 2006 Room 102, State Capitol**  
**(continued)**

**All Times**  
**Tentative**

11:15 Public comment on the draft legislation (LC 9990 - 9995)

11:30 Committee discussion and action on the draft legislation (LC 9990 - 9995)

Noon **BREAK FOR LUNCH**

1:15 Reconvene--call to order

1:15 Status report from MPERA: Melanie Symons, MPERA staff attorney, will update the Committee on pertinent MPERA activities, including the progress and prospects of the PERB's executive director recruitment and selection.

2:00 David Niss, LSD staff attorney, will recap the issues contained in his Nov. 22, 2005, letter to Sen. Carolyn Squires regarding a statutory review and legislative options in re PERB process and actions. Mr. Niss will conduct the recap by presenting draft bills that, if adopted, will implement the options described in the letter. Committee questions, discussion, and action follow.

**BREAK**

3:15 Public comment on bill drafts re PERB process and actions

3:45 Committee processes regarding proposals affecting public employee retirement systems. Dave Bohyer will present and the Committee will review a draft memorandum notifying stakeholders of the opportunity to inform the Committee of proposals under consideration by the stakeholders that potentially affect any of the state's public employee retirement systems.

4:00 Additional study of issues pertinent to HJR 42 and public employee retirement systems in general. Dave Bohyer will present a list of topics related to public employee retirement systems. Subsequently, the Committee will discuss the topics and perhaps others to determine if continued study of public employee retirement systems is necessary and advisable.

4:45 Public comment on issues within the purview of the Committee

5:00 Other Committee business

- Member issues
- Confirm next meeting date: Friday, May 12, 2006
- Discuss the advisability of adding a committee meeting to address new duties assigned to SAVA under HB 2 (Sp. Session): April 21 or 28?
- Instructions to staff
- Other

**ADJOURN**