

MINUTES OF THE MEETING
SENATE STATE ADMINISTRATION COMMITTEE
JANUARY 17, 1977

The meeting was called to order by Vice Chairman Pete Story at 11:00 a.m. in Room 410 of the Capitol Building. Senators present were Senators Story, Brown, Rasmussen, Roskie, Jergeson, Blaylock, and Devine. Senator Towe arrived a few moments late.

The following bills were discussed: SB 72
82

SB 72 Senator Margaret Warden, District 18, sponsor of the bill, explained the purpose of the bill is to create an historic records network between the Montana Historical Society and the Montana University system. (see attached testimony #1)

PROPOSERS

Ken Korte, Director of the Montana Historical Society, voiced concern of the Board of Directors of the Society over the archives, not only their own but the lack of coordination between university and college archival programs. He expressed concern that many collections are leaving the state to other programs or being destroyed or deteriorating.

Brian Cockhill, State Archivist, Montana Historical Society, presented testimony in favor of the bill (see attached testimony #2).

Louis Forsell, Counsel for the Montana University System said he endorses the previous testimony given. He stated the Board of Regents enthusiastically endorsed this bill after a full study. He stressed time is of the essence as too many valuable pieces and collections will be lost.

Richard Bowers, President of the University of Montana, stated he was in favor of the bill and felt it was most important to the state.

Dr. Dale Johnson, University of Montana Archivist, presented testimony in support of the bill (see attached testimony #3).

Earle Thompson, Dean of Library Services at the University of Montana, stated the current budget is inadequate for a full archival preservation and use system. He pointed out that Dr. Johnson is the only archival staff member with the exception of some part time student help. When he is gone there is no access to any of the material. The lack of personnel and funds is frustrating and in-fighting between units of the system often results. This coordinated approach would be most helpful in resolving these problems.

There being no opponents to the bill the hearing was closed and questions from the committee followed.

Senator Roskie asked if there would be a fiscal note for the bill. Senator Warden replied that an appropriations measure, HB 161, has been introduced in the House for a total of \$545,00 by Representative JoEllen Estenson. Of that amount, \$384,862 will be new money as \$161, 000 is already included in the Historical Society budget.

SB 82 Senator Dunkle, District 15, and sponsor of the bill, stated the purpose of the bill is to cause the Environmental Quality Council (E.Q.C.) to become a group of legislators or legislatively oriented people. He feels the public is adequately represented by the legislators and their voice is heard at public meetings. He stated he helped author the Environmental Policy Act in 1971 and also helped in the selection of the first E.Q.C. Board. He feels there is a need for more legislative direction and responsibility toward the total needs of Montana. He stated the term for Board members is six years and new appointments must be made by the 51st legislative day.

There being no further proponents of the bill, the Chairman asked for opponents.

OPPONENTS

Senator Warden read a statement in opposition to the bill from G. W. "Por" Deschamps, former Republican State Senator from Missoula and presently serving as a citizen member of the E.Q.C. (see attached testimony #4)

Senator Warden, District 18, stated she felt citizen input has been most useful. She stated the citizen member input to the publication "Montana's Renewable Resources, Today and Tomorrow" was most essential to that publication. As a witness to the public representatives participation, she felt their contributions were most valuable and intelligent.

Darlene Grove, League of Women Voters, presented her testimony against the bill (see attached testimony #5).

Senator Hager, District 30, stated he has served the last two years as Chairman of the E.Q.C. He expressed concern over two problems, the first being deletion of the Governor's representative and second, the deletion of the environmental qualifications of the members. He testified to the good balance between the public and legislative members of the Council and supports the input of the public representatives as being high quality. He endorsed Senator Warden's testimony also.

Charles Daheny, member of the E.Q.C., stated he is a farmer and he and most all farmers and ranchers are most concerned and interested in environmental matters. They feel at ease in approaching the E.Q.C. because lay people are on it and that makes the Council more accessible. He felt the public input is necessary and is of high quality.

Sarah Ignatius, representing the Northern Plains Resource Council, stated she supported the previous testimony. She said the E.Q.C. provides an overseer role and public participation ensures a broader scope in that role.

Harriett Marble, representing herself, presented her testimony in opposition to the bill (see attached testimony #6).

Phil Tawney, Environmental Information Center, stated his concern for the appropriate environmental policies for Montana. He quoted from a letter from George Darrow in which he stated the Council make up is unique and vital to the proper functioning of the Council. He stated that many previous members of the Council from the public sector have made a great impact on the Council's work. He said a review of minutes of the E.Q.C. reflect the quality of citizen input.

The hearing was closed and there were questions from the Committee.

Senator Brown asked why Senator Dunkle felt more legislative direction was needed. Senator Dunkle replied that the Council should serve as an arm of the legislature and citizen input can be had through legislator who represent the people and by public meetings. He stated the Council is an excellent body and it can receive input in many ways but legislative representation should be the controlling factor.

Senator Towe asked why the environmental qualification requirements were deleted from the bill. Senator Dunkle replied there was no real reason why the bill drafters took them out -- they could be left in with no problem.

Senator Towe asked the opponents how they felt about the public input from public meetings. Harriett Marble stated the public involvement is great but it is because expenses are allowed for the public representative on the council. She stated no one can afford to travel all over the state and to Helena to attend all the meetings they are interested in without the help the paid expenses provide.

There being no further discussion the hearing was closed.

Senator Towe mentioned Senator Ed Smith had requested a subpoena for Reporter Richard Geissler to appear before the Committee in the Kleinkopf hearing. Senator Towe asked Senator Smith to put the request in writing.

Senator Towe stated the procedure for appointee hearings will be essentially the same as for hearing a bill:

1. appointee's statement
2. proponents
3. opponents
4. questions by the committee
5. opportunity for appointee to close

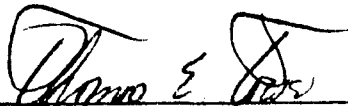
Senator Towe stated he will make a cautionary statement before the hearing commences. It will be suggested to all witnesses that the committee will not look kindly upon any statements of specific instances of misconduct. In such cases the Chairman and Vice Chairman will rule on the specific case. The qualifications and capabilities of the appointees are the points to be stressed.

The Committee will meet Thursday upon adjournment to review ground rules and review comments on appointments received by Committee members.

Senator Towe has also asked the legislative auditor and fiscal analyst for their input of anything appropriate to the appointments.

Senator Jergeson introduced his parents, John and Elizabeth Jergeson, who were visiting the committee meeting.

There being no further business, the meeting adjourned to reconvene Wednesday, January 19, at 11:00 a.m. in Room 410 of the Capital Building.



Thomas E. Towe, Chairman

ROLL CALL

STATE ~~ADMINISTRATION~~ COMMITTEE

45th LEGISLATIVE SESSION - - 1977

Date 4/17/17

[illegible]

SENATE ^{STATE} ADMINISTRATION COMMITTEE

BILL SB 12
SB 82

VISITORS' REGISTER

DATE 4/12/21

[illegible]

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY

41 /

Senator Towe and members of the State Administration Committee:

I am Sen. Margaret S. Warden, Dist. 18, and prime sponsor of S.B. 72.

For the past 25 years, I have been active and interested in the picture of the preservation of Montana's past as well as the improvement of libraries and their funding. As a young woman, I served as librarian at the Great Falls Tribune for several years and one of my primary concerns was for the indexing of Montana history.

Later, I served as an indexer and editor for the Navy department in Washington, D.C. where I had access to much classified matter as well as technical publications.

My husband has long been a collector of historical books and literature. So, you see, I do have a background and interest in the preservation of documents and papers.

For the last year I have been actively working to come up with a program to preserve the archives of the state of Montana. I first appeared before the Board of Regents at a meeting last spring to talk about the need. They were interested in the proposal. With the approval of the Regents and Commissioner Pettit, a committee called "Inter-unit committee on libraries" was formed made up of representatives of each university unit, either the librarian or the representative of the university; Brian Cockhill, State archivist from the Montana Historical Society, Dr. Freeman J. Wright of the Commissioner's staff and myself.

The committee met and it was the unanimous opinion of the group that something should be done.

During July, I went back to Chicago to consult with Pat Quinn, archivist for Northwestern University. He had been active in the

DATE:

ADDRESS:

PHONE:

REPRESENTING WHOM?

APPEARING ON WHICH PROPOSAL:

SUPPORT?

OPPOSE?

COMMENTS:

NAME: Brian Cockhill DATE: 1-17-77

ADDRESS: Mont Hist Soc

PHONE:

REPRESENTING WHOM? MHS

APPEARING ON WHICH PROPOSAL: SB 72

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS:

#2
re. S.B. 72

January 17, 1977

Mr. Chairman and Committee Members:

My name is Brian Cockhill, I am State Archivist for the Montana Historical Society.

As a participant in the planning which resulted in the introduction of this bill, I strongly support its passage. The program embodied in this legislation is the product of concern, and ultimate agreement, on the part of archivists, historians, librarians, and concerned citizens, who have recognized the desperate condition of historic records preservation in this state.

In the past, two things have operated against effective preservation and use of historic records in Montana: the state's size and the scattered nature of its population; and the poor financial support given existing historic records programs. The consequences were that a large proportion of records documenting Montana's rich and varied past were destroyed, were endangered through poor care, or were leaving the state for the custody of better funded repositories in other regions. Most seriously, students, professional historians, and the interested public, did not have the fullest opportunity to carry on meaningful, thorough research, whether for a major book or article, or simply to satisfy an individual's interest in a locality, a person, or an event. A further ramification of this situation was unproductive, self-defeating competition for acquisitions, funding, and publicity, amongst the three or four under-financed historic records programs operating in Montana.

Montana cannot afford to fund all operating programs sufficiently to allow them to function independently; each providing full services, with

ADDRESS: 32 So. East Chancery Bldg. Helena

REPRESENTING WHOM? Montana H. Explan

DO YOU: SUPPORT? C AMEND? OPPOSE?

COMMENTS:

Railroad C. Bower

1/17/77

1325 Gerald Ave

243-2311 (Office)

728-5280 (Hane)

University of Montana

5B 72

SUPPORT?



AMEND?

OPPOSE?

COMMENTS :

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME :

DATE :

ADDRESS:

PHONE:

REPRESENTING WHOM?

APPEARING ON WHICH PROPOSAL:

DO YOU:

SUPPORT?

AMEND?

OPPOSE?

COMMENTS:

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1. *Journal of the American Medical Association*, 1997; 277: 1039-1043.

With the acceptance of manuscript and archival collections, a public institution and thus the government assume the responsibility to both preserve and to make available to the public those materials acquired. In Montana we have emphasized preservation and discouraged use. By the term "discouraged use", I mean that if you live in Havre for example and are writing a family or local history, you have to travel to Helena, Bozeman or Missoula to take advantage of Havre-related materials located at the archival institutions in those three places. Not only do you have to travel to Helena, Bozeman, or Missoula, but it would have to be a weekday and between 8 a.m. and 5 p.m. For most Montanans this prevents their use of the manuscript collections housed in Helena, Bozeman, or Missoula.

The University of Montana has long had a policy of making manuscript collections available to other research libraries in Montana through the interlibrary loan system. This can only be done, however, if the borrowing institution can assure the security of the materials while they are in use. Such security is necessary because of the expanding national market for famous signatures and the increasing incidence across the nation of manuscript theft.

Somehow there has to be afforded to the people residing in the extreme reaches of this state an opportunity to do family and local history research with a minimum of travel. This can be done through the establishment of a records network which will insure the security of the collection and at the same time provide for the interlibrary loan of these collections to the major academic research libraries of the area.

The University in Missoula has probably the finest collection of nationally significant manuscripts in the state. The gift of the Mike Mansfield papers to the University - a collection sought by the Library of Congress and the Presidential Libraries - places the University among the major research centers for mid-Twentieth Century political history. Besides the Mansfield Collection, the University has the James W. Gerard papers, the Joseph M. Dixon papers and the James E. Murray papers. All of these people were significant in national affairs. The James Gerard papers are of international significance as are the papers of Clarence Streit, a collection promised to the University of Montana.

The University also has manuscript collections of state and local research importance. Many aspects of Montana's social, political and economic past are



THE ELROD PAPERS— Dr. Dale Johnson, UM archivist, sits at his desk where he is processing the papers of the late Morton J. Elrod, botany professor at the university. Elrod — for whom a campus dormitory and a school at Kalispell are named — began Yellow Bay Research Station and was instrumental in establishing Glacier National Park and Moiese Bison Range, Johnson said. Dr. Elrod published his researches extensively, including an article in *The Missoulian*, hidden amid the papers on Johnson's desk, called "Raising the Level of the Human Race."

THE ARCHIVISTS

Climbing the forty-six steps to Level 5 is a drafty business. A cold winter wind whistles outside; in the gloom of the stairwell drifts the funereal smell of wet cement. The skeleton of unfinished 2x4 framing bares its teeth at the trespassing visitor.

But above, through a door posted with the small sign "Archives, Dale Johnson" the visitor discovers a cocoon of warmth and bustle nestled within the cold, unfinished perimeter of the University of Montana library.

Here, in temporary quarters, the University archives are lodged: thousands of boxes within a plasterboard box walled off from the larger library structure without. Money to finish the interiors of Level 5, really three stories above ground level, and Level 4 below, has never been appropriated. An application for a federal grant that would have helped start the process was turned down a few weeks ago.

But the temporary quarters are a giant step forward from a few years back. At first the archives — what there were of them — were stored in cubbyholes across the breadth of the campus.

Joining the faculty as an instructor, he is now an assistant professor, and teaches an archives course with Dr. K. Ross Toole and Dr. William Parr of the UM History Department.

Are all these papers of any value, Johnson was asked.

It depends, it seems, on what one means by value. "We didn't have to pay for any of this," he said, surveying stack after stack, box piled upon box of documents, photographs and memorabilia, many of which have never been opened since their arrival. The material is all donated — and "we appreciate getting it and are always searching out more," he said.

And obviously, he said, pointing to a painting by prominent western artist Ace Powell that was donated by Sen. Mansfield, some of the items have a monetary value. But the primary purpose of the collections will be eventual research and understanding of the history of Montana.

Who can tell what will be important to scholars 50 years from now? Already, some of the nearly 50,000 photographs in the collection feared for by UM anthropology undergraduate

NAME: Charles C. Thompson DATE: 1/17/77

ADDRESS: 456 McLEND DR., MISSOURI MO

PHONE: 529-2161

REPRESENTING WHOM? 1187 M Library

APPEARING ON WHICH PROPOSAL: 8 B 72

DO YOU: SUPPORT? ✓ AMEND? _____ OPPOSE? _____

COMMENTS:

NAME: Margaret Stairs DATE: 1/17/77

ADDRESS: 917 Harrison, Helena Mt 59601

PHONE: 443-3487

REPRESENTING WHOM? self

APPEARING ON WHICH PROPOSAL: SB 72

DO YOU: SUPPORT? X AMEND? X OPPOSE?

COMMENTS: Usable archival material is a necessity.
Allowance must be made for future forms of
primary source materials.

11 4

STATEMENT BEFORE THE SENATE STATE ADMINISTRATION, January 17, 1977

Statement by G.W. "Por" Deschamps, former Republican State Senator from Missoula and presently serving as a citizen member of the Environmental Quality Council.

Chairman Towe and members of the Senate State Administration Committee, I wish to go on record as opposing SB82 which asks that the citizen membership on the EQC be abolished. The requirements for citizen input through its citizen members are an essential part of the Montana Environmental Policy Act. Abolishing the citizen members of the EQC council in my estimation would have the effect of destroying one very important part of the council's work.

The Environmental Quality Council is entrusted with the role of being a watchdog over the executive branch's implementation of natural resource policy as well as being on the cutting edge of environmental problem solving in this state. In my estimation the breath and input of the council in these important efforts is aided by the citizen members of the council. Another important point to consider is that all legislative members are politicians responsible to their constituency. The citizen members of the council are not encumbered by constituency pressures on controversial issues and this too broadens the scope of thinking in the council.

In conclusion I hope the Senate State Administration Committee will oppose SB82 as it strikes at the very essence of the EQC. How can we abolish citizen input in an age when everyone is striving for more citizen involvement. Good government will be served by maintaining the citizen members of the EQC.

COMMENTS: _____

COMMENTS: *Attached*

#5

The League of Women Voters of Montana

BB 52 1977

The League of Women Voters of Montana is against doing away with the citizen members on the Environmental Quality Council. We have always been strong advocates of citizen participation, and the value of citizen input. We realize that citizens may offer their opinions to committees, boards, etc. without being a member, but, considering the present day feelings about government with citizens feeling overwhelmed by the governmental process, and not realizing how effective they can be, or the everpresent apathy, it been a bright spot to have citizens appointed to a committee involved in an area which affects all of us - the environmental quality of our state.

Because the EQC is a legislative council, we have had no quarrel with the legislature handling the appointments of the non-legislative members, and we have stated before that the persons serving should have a balanced concern when considering the quality of the environment. The diversity of the membership has assured us of a broad perspective being maintained, and we think the EQC would lose much if the citizen members were dropped.

We have heard that one objection to having "lay" members on the Council is that there is ^{TO LONG A} limit to their length of term - new ideas and viewpoints are always welcome and needed. Therefore, although we oppose any change in make-up of membership of the EQC, if there is a chance of this bill passing, we would like to see it amended as follows - reinstating the four members of the public, but limiting their terms. We think 4-year overlapping terms would work well, and we think each person only be allowed one 4-year term. This would give the person serving time to fully contribute to the workings of the Council, but the Council would still be benefitting from new citizen input every two years.

Again, we strongly advocate continuing the citizen participation as allowed on the EQC.

NAME: ~~Don~~ Tom Hager DATE: 1-17-77

ADDRESS: 1824 Fifth Ave - Helena

PHONE: 442-4039

REPRESENTING WHOM? Self

APPEARING ON WHICH PROPOSAL: SB 82

DO YOU: SUPPORT? AMEND? OPPOSE? X

COMMENTS:

COMMENTS:

NAME: Sarah B. Ignatius DATE: 1/17/77

ADDRESS: 107 W. Lawrence NG

PHONE: 443-3628

REPRESENTING WHOM? *Northern Plains Resource Council*

APPEARING ON WHICH PROPOSAL: SB 82

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE? X

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

11/6
Senate State Administration Committee

S.B. 82

17 January 77

I am Harriet Marble of Chester, Montana. I am here on behalf of myself.

I have been a member of the Montana Environmental Quality Council for 6 years, representing the public. During this time I was reappointed once.

Initially, I was appointed by the Governor but with the change of the Montana Environmental Policy Act, it became the duty of the leader of the Legislature to appoint the 4 public members. Rep. McKittrick appointed me at the end of the 1975 session.

I favor retaining the four public members on the 13 member council. I submit that the proposal presented by S. B. 82 to remove non-legislative members of the Environmental Quality Council runs contrary to the theme of our new State Constitution which encourages maximum citizen participation in our government.

The public members are far from being the majority participants on the Environmental Quality Council and we provide a valuable insight into environmental issues. We are not elected officials representing a certain segment of the population, but are citizens who are free to give broad comments on subjects.

I have the unique experience of being on the Environmental Quality Council since its inception and have never seen harmful results from having public members; in fact the contrary is true. The public members often seem to have more time than their busy counterparts and have contributed their written and verbal opinion on all the subjects. I have spoken to classrooms, clubs and workshops on activities and programs of the Environmental Quality Council.

The Montana Environmental Quality Council should retain its public members.

NAME:

DATE :

ADDRESS:

PHONE:

REPRESENTING WHOM?

APPEARING ON WHICH PROPOSAL:

DO YOU:

SUPPORT?

AMEND?

OPPOSE?

COMMENTS:

NAME: Eileen Shore

DATE: 1/17/76

ADDRESS: 1228 11th Ave

PHONE: 449-3742

REPRESENTING WHOM? Environmental Quality Council

APPEARING ON WHICH PROPOSAL: _____

DO YOU: SUPPORT? _____

AMEND? _____

OPPOSE? _____

COMMENTS: Observing only - no position