

MINUTES OF THE MEETING  
SENATE STATE ADMINISTRATION COMMITTEE  
FEBRUARY 11, 1977

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

The following bills were discussed:

SB	321
SB	308
SB	307
SB	185
SB	270

SENATE BILL 321

Senator Graham, District 29, sponsor of the bill, stated the bill changes the age of school bus drivers from 21 to 18 years of age. He stated qualified drivers are often not available over 21 and the legal age being 18 for other considerations, it should also apply to this matter.

PROPOSERS

Captain D. B. Tooley, Montana Highway Patrol, stated he supported the bill. He said this was overlooked when all of majority laws were changed due to the Constitution and should be included.

There being no further proposers and no opponents, the hearing was opened to questions from members of the committee.

Senator Jergeson asked if the specific age should be changed to read "age of majority" due to possible changes in the law.

Senator Graham and Captain Tooley had no objections to that amendment.

SENATE BILL 308

Senator Story, District 37, sponsor of the bill, asked Ed Carney, Director of Professional and Occupational Licensing, to present the bill to the committee.

Mr. Carney presented a fact sheet to the committee (attached #1) and stated the reason for requesting a change is the primarily fiscal in nature. The Board as stated in the bill would provide for one member of the Hearing Aid Dispensers to be selected from the list submitted by the hearing aid dispensers, one from a list submitted by the Montana Speech and Hearing Association, and one from the public.

There being no further proposers, the Chairman asked if there were any present who wished to speak against the bill.

#### OPPONENTS

Robert Jurovich, Chairman of the Board of Hearing Aid Licensing, presented his remarks in opposition to the bill to the committee (attached #2).

Mason E. Myers, Western District Representative on the Board, presented his remarks in opposition to the bill to the committee (attached #3).

John Sweeney, representing the Hearing Aid Dealers, presented his remarks in opposition to the bill to the committee (attached #4).

S. C. Genest, representing the Hearing Aid Dealers and Senior Citizens, presented his remarks in opposition to the bill to the committee (#5).

Merle DeVoe, representing the State Department of Health and the Montana Speech and Hearing Association, presented his remarks in opposition to the bill to the committee (attached #6).

There being no further discussion, the hearing was closed.

#### SENATE BILL 307

Senator Story, District 37, sponsor of the bill, stated the bill had been introduced at the request of the Department of Occupational Licensing. It intends to reduce the size of the Board of Cosmetologists from five to three.

Ed Carney, Director of the Department of Professional and Occupational Licensing, presented a fact sheet to the committee (attached #7).

#### HOUSE BILL 185

Representative Kerry Keyser, District 81, sponsor of the bill, stated the purpose of the bill is to exempt candidates for school boards of 2nd and 3rd class districts from filing reports with the Commissioner of Campaign Practices. He stated that these candidates do not receive a salary and probably do not spend over \$20 on their campaigns. He presented a sheet of amendments to the committee prepared by John Hanson, Commissioner of Campaign Practices (attached #8).

#### PROPOSERS

Chad Smith, representing the Montana School Boards Association, urged support of the bill. He stated that in these districts there is no pay and no appreciable expenditure involved in running and therefore no information which needs to be revealed.

John Hanson, Commissioner of Campaign Finances and Practices, stated he neither opposed or supports the bill. He would prefer the proposed amendments be added to the bill and hoped the committee would take immediate action on the bill due to the school elections on April 5.

There being no further proponents and no opponents to the bill and no further discussion by the committee, the hearing was closed.

#### SENATE BILL 270

Senator Blaylock, District 35, sponsor of the bill, deferred to Ed Carney, Director of the Department of Professional and Occupational Licensing.

Mr. Carney explained the bill would allow for a temporary license to allow a beauty salon to operate until such time as an inspection can reasonably be scheduled. It also proposes to delete price agreements and approval by the Board of Cosmetologists.

Section 3 also changes the renewal of license to a period of 2 to 3 years rather than one year as it is at present. The late renewal fee is raised to \$10.

There being no proponents or opponents to the bill and no further discussion by the committee, the hearing was closed.

#### EXECUTIVE SESSION

#### SENATE BILL 321

Senator Blaylock moved Senate Bill 321 Do Pass. THE MOTION CARRIED UNANIMOUSLY WITH SENATORS ROSKIE AND RASMUSSEN ABSENT.

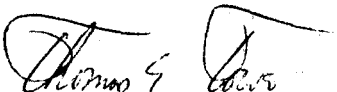
#### SENATE BILL 270

Senator Devine moved to amend page 5, lines 13, 20 and 24 (see amendments 1, 2, and 3 on the attached committee report). THE MOTION CARRIED UNANIMOUSLY WITH SENATORS ROSKIE AND RASMUSSEN ABSENT.

Senator Story moved to amend page 6 line 13 by striking "3" and inserting "10". THE MOTION CARRIED UNANIMOUSLY WITH SENATORS ROSKIE AND RASMUSSEN ABSENT.

Senator Blaylock moved Senate Bill 270 Do Pass As Amended. THE MOTION CARRIED UNANIMOUSLY WITH SENATORS ROSKIE AND RASMUSSEN ABSENT.

There being no further business, the meeting adjourned to reconvene February 11 on adjournment of the Senate.

  
\_\_\_\_\_  
Thomas E. Towe, Chairman

## ROLL CALL

STATE ADMINISTRATIVE COMMITTEE

45th LEGISLATIVE SESSION - - 1977

Date 4/11/22

[illegible]

SENATE STATE ADMINISTRATION COMMITTEE

BILL 308  
185

VISITORS' REGISTER

DATE 2/11/71

NAME	REPRESENTING	BILL #	(check one)	
			SUPPORT	OPPOSE
John C. Lweeney	HEARING AID	308		X
Robert J. Jurek	Hearing Aid	308		X
John J. Jurek	Hearing Aid	308		X
John J. Jurek	Hearing Aid	308		X
John J. Jurek	MHP	321	X	
John J. Jurek	House of Rep	185	X	
Merle H. Doe	ST Dept of Health - <sup>Mount</sup> <del>Spokane</del>	308		X
John N. Hansen	Commission Campaign Practice	185	Amand	
John N. Hansen	Dep of Health			

COMMENTS: \_\_\_\_\_

EXPLANATION OF SENATE BILL NO. 270

THE TITLE EXPLAINS EXACTLY WHAT THE BILL DOES IN GENERAL TERMS.

SECTION BY SECTION EXPLANATION:

Section 1. THE DELETED MATERIAL ON PAGE 1, 2, 3 and 4 REPRESENTS THE PRICE AGREEMENTS WHICH ARE NOW UNENFORCEABLE AND NOT USED BY THE BOARD OF COSMETOLOGISTS. THE REASON THAT THE PRICE AGREEMENTS ARE UNENFORCEABLE IS BECAUSE OF A UNITED STATES SUPREME COURT DECISION IN THE GOLDFARB VS. FAIRFAX COUNTY BAR ASSOCIATION. (A NEWSPAPER CLIPPING IS ENCLOSED AND IT HAS BEEN WITHIN THE LAST TWO YEARS) ONE COSMETOLOGIST REMARKED THAT YOU CANNOT GET THE COSMETOLOGISTS TO AGREE ON ANYTHING IN ANY ONE BLOCK, IN A WHOLE CITY IT WOULD BE IMPOSSIBLE. THEREFORE, IT HAS NO PRACTICAL APPLICATION AND SHOULD BE DELETED.

Section 2. THE DELETED MATERIAL IS RELATED TO ACTUAL AND NECESSARY EXPENSES OF THE INSPECTOR AND THE PROVISION THAT THE INSPECTION IS MADE PRIOR TO THE ISSUANCE OF A LICENSE. WITH ONLY ONE COSMETOLOGY INSPECTOR WORKING THE WHOLE STATE IT IS VERY COSTLY TO THE SALON OWNER TO HAVE TO PAY TRAVEL EXPENSES FROM ONE END OF THE STATE TO THE OTHER (SHE RESIDES IN BILLINGS) AND THEY COULD NOT LEGALLY OPEN FOR BUSINESS WITHOUT THE INSPECTION, WE COULD NOT ECONOMICALLY PROVIDE THE INSPECTOR, SO THE BOARD OF COSMETOLOGISTS HAS REQUESTED THE DELETION. IN LIEU THEREOF THEY HAVE PROPOSED GRANTING A TEMPORARY LICENSE FOR NOT TO EXCEED NINETY DAYS AND THE INSPECTOR WILL MAKE THE INSPECTION IN HER REGULAR SCHEDULE OF WORK. THIS WILL GET THE BUSINESS IN OPERATION WITHOUT DELAY.

SECTION 3. THE CHANGES PROVIDED ON PAGE 6 WILL ALLOW THE BOARD TO PROVIDE BY RULE FOR A TWO OR THREE YEAR RENEWAL FOR MANAGER-OPERATOR (2532 people in FY 76) AND SALON OWNER (886 in FY 76) CATEGORIES. WITH RENEWAL AN AUTOMATIC PROCESS IT DOES MAKE SENSE TO ONLY GO THRU THE ROUTINE EVERY OTHER YEAR INSTEAD OF EVERY YEAR. IT WILL ALSO

THE PRICE AGREEMENTS WHICH ARE NOW IN EFFECT HAVE NOT BEEN USED BY THE BOARD OF COSMETOLOGISTS. THE BOARD FEELS THAT THE PRICE AGREEMENTS ARE UNENFORCEABLE IN ACCORDANCE OF A UNITED STATES SUPREME COURT DECISION IN THE GOLDENREB VS. FAIRFAX COUNTY BAR ASSOCIATION. (A NEWSPAPER CLIPPING IS ENCLOSED AND IT HAS BEEN WITHIN THE LAST TWO YEARS) ONE COSMETOLOGIST REMARKED THAT YOU CANNOT GET THE COSMETOLOGISTS TO AGREE ON ANYTHING IN ANY ONE BLOCK, IN A WHOLE CITY IT WOULD BE IMPOSSIBLE. THEREFORE, IT HAS NO PRACTICAL APPLICATION AND SHOULD BE DELETED.

Section 2.

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NAME: \_\_\_\_\_ DATE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_

REPRESENTING WHOM? \_\_\_\_\_

APPEARING ON WHICH PROPOSAL: SB-208

DO YOU: SUPPORT? ✓ AMEND? \_\_\_\_\_ OPPOSE? \_\_\_\_\_

COMMENTS: \_\_\_\_\_

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# PROJECTED COSTS OF FIVE MEMBER BOARD VS. THREE MEMBER BOARD BOARD OF HEARING AND DISSENT

Location of FY Member	Where	Lodging	Food	Compensation	Total Cost per Meet
Great Falls	27.	---	8.	20.	55.
Billings	69.	32.	20.	20.	141.
Billings	67.50	32.	20.	20.	139.50
Butte	19.50	---	8.	20.	47.50
Butte (Billings)	34.50	---	8.	20.	62.50
Cost of 5 members	217.50	64.	64.	100.	445.50

Great Falls	27.	---	8.	20.	55.
Billings	67.50	32.	20.	20.	139.50
Billings	67.50	---	8.	20.	62.50
Butte	19.50	32.	36.	60.	257.

Cost of four board meetings in FY-----\$1782. for five board members  
 Cost of four board meetings in FY----- 1028. for three board members  
\$ 754. Reduced cost of three member member board per FY

Percent of five member board cost to total appropriation 72% in FY 78 89% in FY 79  
 Percent of three member board cost to total appropriation 42% in FY 78 51% in FY 79

History of board meetings in past FY's

FY 75 ---two meetings

FY 76 ---five meetings

FY 77 ---five meetings

FY 78 ---three meetings

FY 79 ---three meetings to date

1100  
416

#2

SB

NAME Robert Juravich Bill No. 308

ADDRESS Billing, Mont Date HEARING, MT. LICENSING BOARD

WHOM DO YOU REPRESENT? CHAIRMAN of Board

SUPPORT                      OPPOSE ✓ AMEND ✓

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

(2) The board consists of        members appointed by the governor. The members are:

(a) one member from a list submitted by the MONTANA Society of oto - ophthalmology (elite-academy)

(b) Three member from a list submitted by the MONTANA Hearing Aid dealer ~~society~~ society.

BEEN IN BUSINESS FOR (5 YRS)

(3) REMAIN THE SAME

Section 2. Delete

remain the same -  
± 80  
3  
2400  
per meeting



NAME JOHN E. SWEENEY Bill No. SP 102

ADDRESS Box 612 20 N. DAKOTA BUTTE MT 59701 Date 7-6-77

WHOM DO YOU REPRESENT? HEARING AID DEALER

SUPPORT \_\_\_\_\_ OPPOSE X AMEND \_\_\_\_\_

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

THIS BILL STRIPS THE PEOPLE  
BEING CONTROLLED FROM ADEQUATE  
REPRESENTATION. AT THE PRESENT  
WE HAVE REP. FROM THE SOUTHERN  
THIRD OF MONTANA - THE SOUTHERN  
AREA AND THE WESTERN THIRD.  
I FEEL WE NEED THIS FOR  
ADEQUATE COVERAGE TO ASSURE  
PROPER INFORMATION AND ACTION,  
IN THE CASE OF CONGRATULATIONS.

*John E. Sweeney*

HS

NAME J. C. Gurnea

Bill No. 306

ADDRESS 21 Central Ave. Great Falls, MT

Date Feb 4, 1911

WHOM DO YOU REPRESENT? Hearings and Resolutions Committee, Senate

SUPPORT        OPPOSE X AMEND X

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY Edwards

Comments: Present board is adequate - but St. Louis, Mo. testimony doesn't show a number of their work in the Commission has been submitted to the public by the Commission - Section H-B of H<sub>2</sub> should be eliminated as required law which is better - in all respects we now recommend that present Board be a full program and could be increased by more law further increased. The Bill is so good it should be passed as it does not discuss it. If Board reduced in size function will increase due to due to picking by having their done.

NAME: Alex DeVoe

DATE: 2/11/77

ADDRESS: 417 Raymond

PHONE: 442-7343

REPRESENTING WHOM? St Dept of Health + Mont Speech Hearing <sup>Center</sup>

APPEARING ON WHICH PROPOSAL: SB 308

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE? X

COMMENTS:

① Limit to 3 members sacrifices  
quality in hope to save money +  
not that much saved

② Audiologist must be included  
not MD or audi - MD and  
audi is acceptable -

③ Guarantee of MD and consumer not  
enough to judge test results +  
conduct oral exam

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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Location of Board Member	Mileage	Lodging	Food	Compensation	Total cost of Meeting
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Projected on basis of Great Falls as Location of Meeting

Great Falls	---	---	---	50.	50.
Billings	65.70	32.	25.	50.	172.70
Billings	65.70	32.	25.	50.	172.70
Anaconda	51.	32.	25.	50.	158.
Miles City	95.55	32.	25.	50.	202.55
Cost of 5 members	277.95	128.	100.	250.	755.95

Great Falls	---	---	---	50.	50.
Billings	65.70	32.	25.	50.	172.70
Miles City	95.55	32.	25.	50.	202.55
Cost of 3 members	161.25	64.	50.	150.	425.25

Cost of four board meetings in FY -----\$3023.80 For five board members  
 Cost of four board meetings in FY -----\$1701. For three board members  
 This board meets four times a year and gives examinations at the same meeting--two day meeting  
 \$1322.80 Reduced cost of three member board per FY

	4% in FY 78	4% in FY 79
Percent of five member board cost to total appropriation	.018% in FY 78	.018% in FY 79
Percent of three member board cost to total appropriation		

NAME: John N. Hinson DATE: 2/11/79

ADDRESS: Commissioner of Campaign Finances & Practice:  
Capitol Station

PHONE: 449-2942

REPRESENTING WHOM? Comm. Camp. Fin. & Pract

APPEARING ON WHICH PROPOSAL: HB 185

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? X OPPOSE? \_\_\_\_\_

COMMENTS: Amendments attached

Amend House Bill No. 185, third reading copy

1. page 1, section 1, line 16  
Following: (1)  
Strike: Each  
Insert: Except as provided in subsection (5), each
2. page 3, section 1, lines 17 through 21  
Following: (5)  
Strike: lines 17 through 21 in their entirety
3. page 3, section 1, line 22  
Strike: (b)
4. page 3, section 1, lines 22 through 24  
Following: office,  
Strike: including trustee of a first-class school district  
located in a county having a population greater than  
50,000,
5. page 4, section 1, line 5  
Following: (\$500)  
Insert: ; except candidates for the office of trustee of a  
school district, their political committees, and  
political committees organized to support or oppose  
a school district issue shall not be required to  
comply with the provisions of this section when the  
school district is:  
(a) a second or third-class district; or  
(b) a county high school district having a student  
enrollment less than 2,000
6. page 5, section 2, line 11  
Following: (1)  
Strike: Each  
Insert: Except as provided in subsection (7), each
7. page 5, section 2, lines 12 through 14  
Following: office  
Strike: , including trustee of a first-class school district  
located in a county having a population greater than  
50,000,
8. page 7, section 2, line 14  
Following: (6)  
Strike: Each  
Insert: Except as provided in subsection (7), each
9. page 8, section 2, lines 9 through 13  
Following: (7)  
Strike: lines 9 through 13 in their entirety  
Insert: The provisions of this section do not apply to can-  
didates for the office of trustee of a school dis-  
trict, their political committees, and political  
committees organized to support or oppose a school  
district issue when the school district is:  
(a) a second or third-class district; or  
(b) a county high school district having a student

Discussion of House Bill No. 187 as passed by the House

1. Excludes all candidates for trustee except those in a 1st class district located in a county having a population greater than 50,000.

Note: Would require filings from candidates in 1st class districts in Yellowstone, Cascade, and Missoula counties.

2. Excludes candidates for trustee of a county high school district.

Note: county high school districts are not classified.

3. Does not exclude political committees supporting or opposing candidates and/or ballot issues in county high school districts or in 3rd class or 2nd class school districts, or in 1st class school districts located in counties having a population less than 50,000.

Discussion of Proposed Amendments

1. Excludes all candidates for school trustee, their political committees, and political committees supporting or opposing ballot issues; except in 1st class districts (includes nominating districts for 1st class high school districts)

Note: would require filings from candidates and political committees in 1st class districts in the following counties:

	<u>co. population</u>	<u>student enrollment</u>	
		<u>elementary</u>	<u>high</u>
Cascade*	84,600	8,386	8,759
Custer	12,000	1,061	1,288
Dawson	10,300	1,494	co.high
Deer Lodge	15,200	1,657	1,662
Fergus	12,800	1,278	687
Flathead	44,200		
District #5		1,506	2,843
District #6		1,538	817
Gallatin	38,800	2,153	1,066
Hill	17,900	1,847	1,186
Lewis and Clark	36,900	3,431	4,086
Lincoln	15,800	1,517	1,533
Missoula*	66,500	6,448	co.high
Park	12,000	1,183	686
Roosevelt	10,000	697	406
Silver Bow	43,200	5,097	3,907
Valley	13,300	1,101	1,007
Yellowstone*	97,300	8,666	9,092

\* filing required by House Bill No. 185 as passed by House.

Amend House Bill No. 185, third reading copy

1. page 1, section 1, line 16  
Following: (1)  
Strike: Each  
Insert: Except as provided in subsection (5), each
2. page 3, section 1, lines 17 through 21  
Following: (5)  
Strike: lines 17 through 21 in their entirety
3. page 3, section 1, line 22  
Strike: (b)
4. page 3, section 1, lines 22 through 24  
Following: office,  
Strike: including trustee of a first-class school district  
located in a county having a population greater than  
50,000,
5. page 4, section 1, line 5  
Following: (\$500)  
Insert: ; except candidates for the office of trustee of a  
school district, their political committees, and  
political committees organized to support or oppose  
a school district issue shall not be required to  
comply with the provisions of this section when the  
school district is:  
(a) a second or third-class district; or  
(b) a county high school district having a student  
enrollment less than 2,000
6. page 5, section 2, line 11  
Following: (1)  
Strike: Each  
Insert: Except as provided in subsection (7), each
7. page 5, section 2, lines 12 through 14  
Following: office  
Strike: , including trustee of a first-class school district  
located in a county having a population greater than  
50,000,
8. page 7, section 2, line 14  
Following: (6)  
Strike: Each  
Insert: Except as provided in subsection (7), each
9. page 8, section 2, lines 9 through 13  
Following: (7)  
Strike: lines 9 through 13 in their entirety  
Insert: The provisions of this section do not apply to can-  
didates for the office of trustee of a school dis-  
trict, their political committees, and political  
committees organized to support or oppose a school  
district issue when the school district is:  
(a) a second or third-class district; or

NAME: Ed [unclear] DATE: 2.1.1971

ADDRESS: [unclear]

PHONE: 449-3739

REPRESENTING WHOM? Asst. / Pol.

APPEARING ON WHICH PROPOSAL: SB 270

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: \_\_\_\_\_

NAME: Rep. Henry Meyer DATE: 9.11.77

ADDRESS: 1430 Highland Hill

PHONE: \_\_\_\_\_

REPRESENTING WHOM? \_\_\_\_\_

APPEARING ON WHICH PROPOSAL: 185

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: \_\_\_\_\_

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# STANDING COMMITTEE REPORT

February 11

77

MR. President

We, your committee on State Administration

having had under consideration Senate Bill No. 321

Respectfully report as follows: That Senate Bill No. 321

DO PASS

# STANDING COMMITTEE REPORT

February 11

77

MR. President

We, your committee on State Administration

having had under consideration Senate Bill No. 270

Respectfully report as follows: That Senate Bill No. 270  
introduced bill, be amended as follows:

1. Amend page 5, section 2, line 13.  
Following: "fees"  
Insert: " - temporary permit"

2. Amend page 5, section 2, line 20.  
Following: "temporary"  
Strike: "license"  
Insert: "permit"

3. Amend page 5, section 2, line 24.  
Following: line 23  
Strike: "license"  
Insert: "permit"

4. Amend page 6, section 3, line 13.  
Following: "after"  
Strike: "3"  
Insert: "10"

~~DO PASS~~

AND AS SO AMENDED, DO PASS