

MINUTES OF THE MEETING  
STATE ADMINISTRATION COMMITTEE  
MONTANA STATE SENATE

January 12, 1981

The third meeting of the Senate State Administration Committee was called to order by Senator Pete Story, Chairman, on the above date, in Room 442 of the State Capitol Building at 10:00 o'clock a.m.

ROLL CALL: All members of the committee were present with the exception of Senator Hafferman and Senator Johnson.

CONSIDERATION OF SENATE BILL NO. 72:

AN ACT REQUIRING THAT A FISCAL NOTE AND STATEMENT ACCOMPANY CERTAIN INITIATIVE PETITIONS AND BALLOTS; PERMITTING COURT REVIEW OF THE FISCAL STATEMENT; AND PROVIDING FOR INCLUSION OF THE STATEMENT IN THE VOTER INFORMATION PAMPHLET;"

The chairman introduced Senator Jack Galt, Martinsdale, District 23, author of the bill, to present his testimony of Senate Bill No. 72.

Senator Galt stressed that a fiscal note should be required on initiative petitions and ballots. He informed us that the Attorney General would examine these petitions. If the proposed ballot issues have an effect on the revenues, expenditures, or the fiscal liability of the state, he shall order a fiscal note by the Budget Director.

Proponents for the Bill No. 72 who testified and their representing organizations are as follows: Janelle Fallan, Chamber of Commerce; Mike Males, Environmental Information Center; Peter Jackson, WETA; Bob Holding, Montana Wood Products Association; Mons Teigen, Montana Stockgrowers Association; S. Keith Anderson, Montana Taxpayers Association; and Mark Mackin, Citizens Legislative Coalition. These proponents expressed interest in the initiative process, the kind of benefits to the state and urged the committee to pass this bill.

Proponent Mackin expressed a reservation only in that the fiscal note would apply for only those issues that qualify for the ballot.

Senator Galt stated that the House likes this bill because it would cut costs and feels like it deserves consideration and has suggested amendments be included.

Proponent Alan Ostby indicated concern that time and money might be spent on measures that never make it to the ballot.

Opponents were called: There were none. Questions from the committee were heard.

Senator Towe asked Senator Galt if he is in favor of referendums being added. The answer was "Yes."

Senator Ryan asked Senator Galt why the Attorney General should be given more time to complete a fiscal note. Senator Galt answered that there are more economic and complicated issues.

There was no fiscal note attached to the bill.

Senator Story appointed a subcommittee of Senators Hammond and Ryan for Senate Bill #72.

ACTION OF SENATE BILL #26: Senator Towe gave his subcommittee report on this bill and moved that amendments be added. See attached Standing Committee Report. The amendments were unanimously approved by those present.

Senator Towe moved that the Senate Bill #26 DO PASS, AS AMENDED. This was unanimously passed by the committee. See attached Standing Committee Report.

CONSIDERATION OF SENATE BILL #71:

AN ACT TO AMEND SECTION 1-11-301, TO PROVIDE  
FOR THE FREE DISTRIBUTION OF COPIES OF THE  
MONTANA CODE ANNOTATED TO THE STATE LAW LIBRARY  
AND TO MONTANA'S DEPOSITORY LIBRARIES.

Senator Brown explained that his bill would provide to state depositing libraries free copies. Senator Brown indicated that this Bill #71 would result in a fiscal impact of \$5,700.00. However, there was no fiscal note attached.

Proponent Claire Engel from the Law Library said the number of copies to be distributed are 19: 14 to deposition libraries, 11 to Federal headquarters, 4 to law libraries.

After the proponents had finished testifying, opponents were called for by the Chairman. There being none, questions were asked from the committee.

Senator Ryan asked if there is a great request from the public and if they are aware there are copies in their counties.

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Senator Towe commented that people do tend to be intimidated and prefer not to see their lawyer in order to have access to the codes. He would support this bill.

Senator Brown, in his closing statement for his Bill No. 71, feels that the laws of the state should be as readily available as possible. People feel more welcome going to the libraries. These publications should be made available by the people who make the laws of the land.

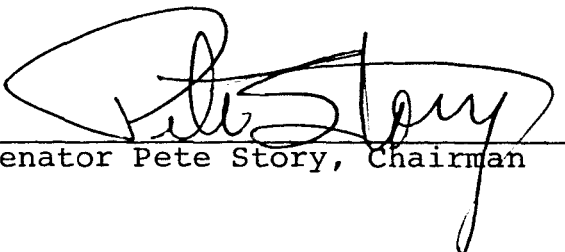
Question from the committee: Senator Ryan asked if we are now distributing these copies of the codes at a cost; therefore, the bill would provide them to be distributed without cost? The answer was "Yes".

Other comments from the committee involved Senator Hammond stating that people are not afraid to go to the courthouse; money would be spent that is not necessary.

Senator Kolstad agreed this to be true, particularly in rural areas.

Chairman Story decided the committee would not vote today but wait until a full committee is present.

ADJOURNMENT: There being no further business to bring before the committee, the meeting was adjourned at 11:00 a. m.



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Senator Pete Story, Chairman

Third meeting

ROLL CALL

STATE ADMINISTRATION COMMITTEE

47th LEGISLATIVE SESSION - - 1981

Date 1-12-81

| NAME                         | PRESENT | ABSENT | EXCUSED |
|------------------------------|---------|--------|---------|
| Senator Pete Story, Chairman | ✓       |        |         |
| Senator Allen Kolstad, V. C. | ✓       |        |         |
| Senator William Hafferman    |         | ✓      |         |
| Senator H. W. Hammond        | ✓       |        |         |
| Senator Jan Johnson          |         | ✓      |         |
| Senator Patrick Ryan         | ✓       |        |         |
| Senator Thomas Towe          | ✓       |        |         |
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Each day attach to minutes.

*third meeting*

ROLL CALL

STATE ADMINISTRATION COMMITTEE

47th LEGISLATIVE SESSION - - 1981

Date 1-12-81

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| NAME                         | PRESENT | ABSENT | EXCUSED |
|------------------------------|---------|--------|---------|
| Senator Pete Story, Chairman | ✓       |        |         |
| Senator Allen Kolstad, V. C. | ✓       |        |         |
| Senator William Hafferman    |         | ✓      |         |
| Senator H. W. Hammond        | ✓       |        |         |
| Senator Jan Johnson          |         | ✓      |         |
| Senator Patrick Ryan         | ✓       |        |         |
| Senator Thomas Towe          | ✓       |        |         |
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Each day attach to minutes.

ROLL CALL VOTE RECORD

SENATE COMMITTEE STATE ADMINISTRATION

Date 1-12-81 Bill No. 26 Time \_\_\_\_\_

Do Pass as amended

| NAME                               | YES | NO |
|------------------------------------|-----|----|
| Senator Pete Story, Chairman       | ✓   |    |
| Senator Allen Kolstad, V. Chairman | ✓   |    |
| Senator William Hafferman          |     |    |
| Senator H. W. Hammond              | ✓   |    |
| Senator Jan Johnson                |     |    |
| Senator Patrick Ryan               | ✓   |    |
| Senator Thomas Towe                | ✓   |    |
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Barbara Simic  
Secretary

Pete Story  
Chairman

Motion: Senator Thomas Towe moved that Senate Bill No. 26

be amended, which motion was unanimously passed, as follows:

1. Page 1, line 11. Following "state" Insert: "within 10

days of its issue" 2. Page 1, line 13. Following: "issue"

Insert: "Failure to comply with this section does not affect  
(include enough information on motion—put with yellow copy of  
committee report.)

the validity of the bond issue." DO PASS AS AMENDED was  
moved by Sen. Towe and motion carried by vote of the members  
present unanimously.

# STANDING COMMITTEE REPORT

January 12 19 81

MR. **PRESIDENT**

We, your committee on **STATE ADMINISTRATION**

having had under consideration **SENATE** Bill No. **26**

Respectfully report as follows: That **SENATE** Bill No. **26**

introduced bill, be amended as follows:

1. Page 1, line 11.

Following: "state"

Insert: "within 10 days of its issue"

2. Page 1, line 13.

Following: "issue."

Insert: "Failure to comply with this section does not affect the validity of the bond issue."

*And has so amended*

DO PASS

COMMITTEE

DATE 12 JAN 1980

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY



NAME: MIKE MALES DATE: 12 JAN 1981

ADDRESS: 613 S. RODNEY - HELONA

PHONE: 443-2520

REPRESENTING WHOM? ENV. INFO CTR / INITIATIVE GROUPS

APPEARING ON WHICH PROPOSAL: SB 72

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: FISCAL NOTE GOOD IDEA TO GIVE  
INFORMATION TO VOTERS — SHOULD ALSO  
BE ON BALLOT FOR LEGISLATIVE PREFERALS

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

NAME: Mark Macken DATE: 1-12

ADDRESS: 1316 Spring St Helena

PHONE: 442-1171

REPRESENTING WHOM? Citizens Legislative Coalition

APPEARING ON WHICH PROPOSAL: SB 72

DO YOU: SUPPORT?                      AMEND? Recommendably to consider Amendment OPPOSE?                     

COMMENTS: Final Note - Good Idea

1. Note should be done After Institution  
has qualified - otherwise waste money

2. Final note to see more opportunity  
for litigation

3. Ensure a fair Analysis is done  
Budget office - political office

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME:

*Jamille Fallaw*

DATE:

*1/12*

ADDRESS:

*Box 1730*

PHONE:

*442-2405*

REPRESENTING WHOM?

*Montana Chamber*

APPEARING ON WHICH PROPOSAL:

*SB 72*

DO YOU:

SUPPORT?

☒

AMEND?

OPPOSE?

COMMENTS:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

MONTANA'S INITIATIVE PROCESS -- DOES IT NEED MORE REGULATIONS?

Since 1908, the Montana Constitution has allowed Montana citizens the right to propose legislation by petition and enact or reject it at the polls. The 1981 legislature is faced with six bills relating to the initiative process, two of which would place unprecedented regulations on that process.

This sheet, prepared by Montanans who have used the initiative process, is intended to provide information to legislators before they vote on these bills.

DO INITIATIVES COST TAXPAYERS A LOT OF MONEY?

Like any other bills, some initiatives would increase taxes, others lower taxes, others have no effect. SB 72 seeks to require ballot issues to carry fiscal notes showing the cost or savings of each proposal. The fiscal note would have to be printed on the petition, in the voter handbook, and on the ballot. SB 72 will help prevent irresponsible speculation about the tax impacts of ballot issues and deserves your "yes" vote. Suggested amendment: SB 72 should be amended to require that legislatively-referred ballot issues under 13-27-315 also have their fiscal note printed on the ballot. (MCA reference: 13-27-312)

12 January 1981

This information prepared by:

Mike A. Males (lobbyist, Environmental Information Center)  
Mark Mackin (lobbyist, Citizens Legislative Coalition)