

MINUTES OF THE MEETING
STATE ADMINISTRATION COMMITTEE
MONTANA STATE SENATE

February 19, 1981

The thirty-first 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 a. m.

ROLL CALL: All members of the committee were present.

CONSIDERATION OF SENATE BILL NO. 429:

"AN ACT TO GENERALLY REVISE AND FACILITATE THE VOTING PROCESS BY PROVIDING FOR A UNIFORM VOTER REGISTRATION FORM AND A UNIFORM REQUEST FOR AN ABSENTEE BALLOT FORM PROVIDING THAT ANY REGISTERED ELECTOR IN THE STATE OF MONTANA MAY REGISTER ELIGIBLE PERSONS TO VOTE: AND LIMITING THE CIRCUMSTANCES WHEN AN ABSENTEE BALLOT MAY BE REJECTED."

Senator Dorothy Eck, sponsor, stated it is a serious matter especially the last week or so of registration because people come from other counties to register. She enclosed amendments. This bill allows a person who is an eligible voter in the state of Montana to witness one who wants to vote. It states the registrar is the witness. It will provide a mailable card. She reviewed the amendments, discussing each.

PROPOSERS: Don Judge, Montana State AFL-CIO, submitted additional amendments on a copy of the bill, explaining them.

Other proponents were Steve Carey, from the Associated Students of Montana; Alan Ostby, Common Cause, stating their reasons.

OPPOSERS: Bill Romine, representing the Clerk and Recorders, stated their reasons of inconvenience and problems with the bill including votes by the deceased and applications acquired by those other than the registered voter.

Alan Robertson, chief legal council to the secretary of state, went through the sections that gave them problems: the election administrator should be inserted instead of clerk and recorder; the best way for uniformity is to let the secretary of state provide the card (page 2, line 22); this bill does not address the problem of policies and it compounds the problem they are trying to address.

Other opponents were Margaret Davis, LWV; Darlene Hughes and Joanne Peres, Choteau, County Clerk and Recorder, and Lorraine Molitar, Montana Association Clerk and Recorder who stated their similar reasons.

In closing Senator Eck commented that the amendments submitted should alleviate the opponents' problems. She submitted a voter registration card. She stated that the availability of standardized mail-in postcards would meet most of the problems for people who are doing voter registration. She offered to work with a subcommittee.

CONSIDERATION OF SENATE BILL 417:

"AN ACT TO PROVIDE FOR STATE PAYMENTS TO LOCAL GOVERNMENTS THAT PROVIDE FIRE PROTECTION AND LAW ENFORCEMENT SERVICES FOR STATE-OWNED PROPERTY."

Senator Dorothy Eck, sponsor, stated that there is a large problem with state-owned buildings with which the government is required to deal. This bill provides for compensation for service, specifically fire and police protection. It does not specify how but leaves it up to the department of administration.

PROPONENTS: Sam Kesko, City of Bozeman, Senator Joe Mazurek, District 16; Joel Wolf, George Christiansen, mayor of Boulder, Rich Brown, mayor of Helena; Lyle Manley from the budget office; Tom Beck, Powell County; all cited their problems dealing with this bill in their respective cities and asked the committee to realize their needs.

OPPONENTS: none

In closing Senator Eck submitted a statement of intent and the house bill 596 that deals with the same problem.

Questions from the committee involved questions and answers to Senator Eck to those who had testified involving the costs and the system of payment.

The hearing was closed.

CONSIDERATION OF SEANTE BILL NO. 467:

"AN ACT TO REESTABLISH THE BOARD OF SPEECH PATHOLOGISTS AND AUDIOLOGISTS FOR SIX YEARS UNDER EXISTING STATUTORY AUTHORITY AND RULES: AMENDING SECTION 2-8-10, M.C.A. AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

Senator Patrick Ryan, sponsor, identified the title in his opening and introduced his proponents.

PROPONENTS: Shirley Devoe, Board of Speech Pathologists and Audiologists; testimony; Judy Johnson, Director of Special Education; enclosed testimony, Merele Devoe, self, enclosed

Minutes of the State Administration Committee

testimony; Judy C. Ray, Montana Speech, Languages and Hearing Association, Montana Deaconess Hospital, Great Falls; Marilyn Pearson, Communication Sciences Disorders Department of University of Montana, enclosure. All testified orally, stating their wishes to have this bill passed.

OPPONENTS: none.

Jim Pellegrini, from the Legislative Auditors Office, offered to answer any questions.

Questions from the committee involved questions and answers regarding reasons why the proponents desired to be separated from other boards, incompatibility, costs, education, etc.

The hearing was closed.

ACTION ON SENATE BILL 467: Senator Ryan moved that it DO PASS; passed by oral unanimous vote.

ACTION ON SENATE BILL 441:

Senator Johnson reported the report of the subcommittee, suggesting that it do not pass because it eliminates businesses. Senator Johnson moved this DO NOT PASS; discussion within the committee; vote resulted in do not pass by majority with Senators Kolstad, Hammond, and Towe voting No. See roll call vote.

RECONSIDERATION AND ACTION ON SENATE JOINT RESOLUTION 15:

Absence at the original time of action precipitated discussion by Senator Johnson. Senator Towe moved they reconsider this SJR; oral vote passed with one no vote by Senator Ryan. Senator Johnson discussed the fact that consolidation will result, regardless of another study for which this bill asks. She stated this would be a waste of time and expense. The committee discussed these points. Senator Hammond moved this bill DO NOT PASS; motion carried with two dissenting votes, Ryan and Towe; absent Kolstad. See roll call vote. The committee discussed doing a minority report but voted against it.

ACTION ON SENATE BILL 417:

Senator Hafferman moved this bill DO NOT PASS: motion carried by majority, with no votes by Senators Johnson and Towe. See roll call vote.

ACTION ON SENATE BILL 419:

John Hollow, Legislative Council adviser to the committee, submitted amendments; each was moved and passed individually and some were submitted and passed by Towe. Senator Towe moved the bill DO PASS, AS AMENDED: motion carried with Ryan voting No.

Minutes of the State Administration Committee

ACTION ON SENATE BILL 429:

Senator Hammond moved this bill DO NOT PASS; motion carried orally by unanimous vote.

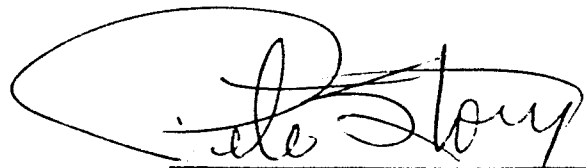
ACTION ON SENATE BILL 435:

The amendment suggested by Senator Story was moved and passed; Senator Towe moved the bill DO PASS, AS AMENDED. See roll call vote showing majority vote, with dissention by Senators Hammond and Johnson, absence by Kolstad.

ACTION ON SENATE BILL 464:

There was discussion by committee. Senator Hammond moved a DO NOT PASS: motion carried with dissention by Kolstad and Towe. See roll call vote.

ADJOURNMENT: 12:40.



PETE STORY, Chairman

Amendments to SB 429

1. Page 2, line 13.

Following: "elector"

Strike: "or the registrar"

Insert: "who shall also be a witness"

2. Page 2, line 13.

Following: "in"

Strike: "the registrar's"

Insert: "his"

3. Page 3, line 9.

Following: "signed"

Insert: "a signed written request, or, by"

4. Page 3, line 10.

Following: "(3)"

Insert: ", signed"

5. Page 3, line 10.

Following: "addressed"

Strike: "by mailing the form"

Insert: "mailed"

6. Page 3, line 15.

Following: "signed"

Insert: "any signed written request, or, by"

7. Page 4, line 22.

Following: "the"

Strike: "county"

Insert: "state"

8. Page 4, line 22.

Following: "witness"

Strike: "verify"

Insert: "witness"

CHANGE BILL NO. 429
 INTRODUCED BY Col. Berg Holly Smith Hagan
Ryan Lee VINCENT of Montana

1 A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE AND
 2 FACILITATE THE VOTING PROCESS BY PROVIDING FOR A UNIFORM
 3 VOTER REGISTRATION FORM AND A UNIFORM REQUEST FOR AN
 4 ABSENTEE BALLOT FORM; PROVIDING THAT ANY REGISTERED ELECTOR
 5 IN THE STATE OF MONTANA MAY REGISTER ELIGIBLE PERSONS TO
 6 VOTE; AND LIMITING THE CIRCUMSTANCES WHEN AN ABSENTEE BALLOT
 7 MAY BE REJECTED; AMENDING SECTIONS 13-2-112, 13-2-203,
 8 13-13-204, 13-13-212, AND 13-13-243, MCA."
 9
 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 11 Section 1. Section 13-2-112, MCA, is amended to read:
 12 "13-2-112. Register of electors to be kept. Each
 13 election administrator shall keep an official register of
 14 electors in the manner he considers most efficient. The
 15 original signed registration form for each elector shall be
 16 filed alphabetically in a separate file for each precinct.
 17 Additional files and records may be established for
 18 convenience. The information recorded in the official
 19 register of electors and the design of the registration
 20 forms shall be prescribed by the secretary of state
 21 according to [section 2]."
 22
 23 NEW SECTION. Section 2. Uniform registration cards.
 24 (1) A uniform registration card shall be designed and
 25 printed by the secretary of state and purchased at cost by
 all counties in the state of Montana for use in registering
 electors. The card shall include:
 (a) a section containing spaces for the following
 information to be filled in by the elector:
 (i) name, address, and telephone number;
 (ii) county of residence;
 (iii) social security number;
 (iv) city and state where last registered;
 (v) signature; *whose applicant receives his mail, if different*
 (vi) address *where applicant receives his mail, if different*
 (b) a section containing space for the registered
 elector or the registrar to fill in the registrar's name,
 address, and county of registration;
 (c) a section containing spaces for the following
 information to be filled in by the county clerk and recorder
 or the registrar or deputy registrar:
 (i) precinct and ward;
 (ii) house district, senate district, fire district,
 and school district;
 (iii) section, township, and range; and
 (d) a section for a signature by a notary public or
 deputy registrar.
 (2) Voter registration cards shall be made available
 to organizations as well as individuals in any number

-2- INTRODUCED BILL
 SB 429

1 requested.

2 (3) Counties that have purchased cards prior to [the

3 effective date of this act] may use these cards in lieu of

4 the uniform registration cards for a period of 2 years from

5 [the effective date of this act].

6 Section 3. Section 13-13-212, MCA, is amended to read:

7 "13-13-212. Application for absentee ballot. (1)

8 Application for absentee ballots shall be made by a written

9 request--signed completion of the form specified in

10 subsection (1) by the applicant and addressed by mailing the

11 form to the election administrator of the applicant's county

12 of residence.

13 (2) Application for an absentee ballot may be made by

14 any elector in the United States service by the federal post

15 card application or by any written request--signed completion

16 of the form specified in subsection (1) by the applicant and

17 addressed by mailing the form to the election administrator

18 of the applicant's county of residence.

19 (a) The secretary of state shall design and print a

20 form for requesting an absentee ballot and shall make this

21 form available to counties at cost. The card shall contain

22 space for the following information:

23 (a) name and address where residing

24 (b) address where registered

25 (c) telephone number

1 (d) applicant's signature"

2 Section 4. Section 13-2-203, MCA, is amended to read:

3 "13-2-203. Registration by mail. (1) A qualified

4 individual may register by mail. (1) A qualified

5 individual already registered in the state of Montana

6 registration may be accomplished by mailing, postage paid, a

7 properly completed registration form completed by the

8 individual and the registered elector or other officer

9 empowered to administer oaths to the election administrator

10 in the county in which he resides.

11 (2) The election administrator shall send registration

12 forms for mail registrations to all qualified individuals

13 requesting them and shall, in addition, arrange for the

14 forms to be widely and conveniently available within the

15 county. The mail registration form shall be designed as

16 prescribed by the secretary of state.

17 (3) The elector shall complete, sign, and either

18 verify or affirm the mail registration form before a notary

19 public or other officer empowered to administer oaths or

20 complete and sign the form and obtain the signature,

21 address, and voting precinct of at least one a registered

22 voter in the county who shall witness verify the facts

23 stated on the registration form.

24 (4) The registration form must be received by the

25 election administrator on or before the day of the close of

1 registration and must be returned to the administrator no
 2 later than 15 days after the date it is signed by the
 3 witness registered elector or officer before whom signed."
 4 Section 5. Section 13-13-204, MCA, is amended to read:
 5 "13-13-204. Elector voting absentee ballot authorized
 6 to vote in person -- effect of absentee elector's death. (1)
 7 If an elector has voted by absentee ballot but on election
 8 day is present in the county and able to go to the polls or
 9 if he returns and his absentee ballot has been rejected by
 10 the judges as provided in 13-13-241, the elector may vote in
 11 person at his polling place. If voting machines or devices
 12 are used, he may vote by machine or device.
 13 (2) If an elector votes by absentee ballot and dies
 14 between the time of balloting and election day, his ballot
 15 does not count ~~counts~~."

16 Section 6. Section 13-13-243, MCA, is amended to read:
 17 "13-13-243. Rejected absentee ballots. (1) The
 18 rejected ballots, the applications, and all envelopes shall
 19 be enclosed in an envelope and sealed, and the judges shall
 20 write on the envelope "rejected ballot(s) of absentee
 21 elector" (writing in the elector's name).

22 (2) The unopened absentee ballot envelope of an
 23 elector who has voted in person on election day as provided
 24 in 13-13-204 shall be marked "voted in person" and initialed
 25 by a majority of the election judges.

1 (3) The unopened absentee ballot envelope of
 2 elector who dies before election day shall be marked "died
 3 before election day" and initialed by a majority of the
 4 election judges if they are notified of the death on
 5 election day. The election administrator shall make and sign
 6 the notation if notice of the death is received before
 7 delivery of the absentee ballot to the polling place
 8 (4) All rejected ballots shall be placed in the
 9 sealed package in which the voted ballots are required to be
 10 placed and may not be opened without a court order."

11 Section 7. Codification instruction. Section 2 of this
 12 act is intended to be codified as an integral part of Title
 13 13, chapter 2, and the provisions of Title 13, chapter 2,
 14 apply to section 2.

-End-

STATE OF MONTANA

REQUEST NO. 357-81

FISCAL NOTE

Form BD-15

In compliance with a written request received 11 February, 19 81, there is hereby submitted a Fiscal Note for S.B. 429 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

Proposed legislation provides for uniform voter registration card and uniform request for an absentee ballot form.

ASSUMPTIONS:

- Number of registrations and absentee ballot requests remains about the same as past years: 100,000 registrations per biennium and 25,000 absentee votes per election.
- Language contained in proposed legislation at Section 2 (pg. 2, line 2) and Section 3 (pg. 3, line 21) allows recovery of all production and distribution costs.
- Uniform registration card provided for in Section 2 mail registration form provided for in Section 4 are identical. Cost recovery provision applies to mail registration form.

SCAL IMPACT:

	<u>FY'82</u>	<u>FY'83</u>
Expenditures under current law	-0-	-0-
Expenditures under proposed legislation	<u>\$2,300</u>	<u>\$ 700</u>
Additional expenditures	\$2,300	\$ 700
Revenue under current law	-0-	-0-
Revenue under proposal	<u>\$1,000</u>	<u>\$2,000</u>
Additional revenues	\$1,000	\$2,000
NET EFFECT proposed legislation over (under) current law	(\$1,300)	\$1,300
Net Effect		\$ - 0 -

LOCAL IMPACT:

Deletion of requirement that elector supply some information on registration (e.g., section, township and range) may result in additional expenses by local election administrators in developing this data.

Those counties holding large inventories of registration cards or absentee ballot request forms may incur expenses from 2-year provision at Section 2 (pg. 3, line 4).

David M. Lewis

BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-16-81

NAME: Don Judge DATE: 2/19/81

ADDRESS: P O Box 1176 Helena

PHONE: 442-1708

REPRESENTING WHOM? MT STATE AFL-CIO

APPEARING ON WHICH PROPOSAL: SB 429

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: Support SB 429, as amended, as an attempt to simplify & make voter registration more accessible to the public

NAME: William L. Rovine DATE: 2-19-81

ADDRESS: P.O. Box 1691 Helena

PHONE: 442-2220

REPRESENTING WHOM? Mont. Clerks & Recordors

APPEARING ON WHICH PROPOSAL: S.B. 429

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

COMMENTS: The association opposes S.B. 429 for ^{three} ~~two~~ reasons.

First of all, the association decided, at its last convention, to adopt the Registration card being used by the Yellowstone county clerk & Recorder. The clerk & Recorder decided that such card was the best being used & that it fitted all requirements. therefore, if uniformity is the aim of this bill, it is not needed. Secondly, the requirement that the clerk fill in the township & section places a real burden upon the clerk. In many rural areas, there are many people with the same family names. It would be very difficult, if not impossible, for the clerk to determine the exact township & section in many instances. Finally, we do not believe dead people's votes should count.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

Montana Association of County Clerks & Recorders

TO: THE HONORABLE MEMBERS OF THE 7TH LEGISLATURE SENATE STATE ADMINISTRATION COMMITTEE, PETE STOREY CHAIRMAN
FROM: LORRAINE P. MOLITOR, MADISON COUNTY RECORDER AND PRESIDENT OF THE MONTANA ASSOCIATION OF COUNTY CLERK AND RECORDERS
RE: SENATE BILL NO. 429

Please enter the following testimony in opposition of the above mentioned bill which I strongly oppose for the reasons set forth below:

- 1. A uniform voter registration card was designed about one year ago through the united efforts of representatives of the Secretary of State's office, members of the County Clerk and Recorder's Association and several members of the staff of the Great Falls Tribune. One of these cards is attached hereto as a part of this testimony. We think that this card contains all the information necessary, and also provides the registrant with an identification card which is returned to him after being processed by the election administrator.
2. 13-2-203 of the existing election law provides that the election administrator send registration by mail cards upon request to all qualified individuals and also make these cards readily available within the county. College students may request that these cards be sent to them where they are attending school, or their families may request that they be sent cards. Now that these cards have been used for several years the public has become knowledgeable about their availability. With all of the publicity given to elections, the continual campaigning being done prior to elections, and the publication of closure of registration, noone should be unaware, or incapable of being able to register to vote.
3. 13-13-204 of S.B. 429 provides that the ballot of an absentee voter who dies between the time of balloting and election day shall count. I cannot see that this provision serves any useful purpose, and could possibly even contribute to the demise of the elector.
4. Voting is a responsibility as well as a privilage. Election Administrators have deputy registrars who are available in banks, city offices, homes and in high schools all across the country where interested parties can register to vote and both federal and registration by mail cards are available, certainly some responsibility rests with the individual to register and to vote.

Unless the above mentioned provisions were to be amended out of S.E. 429, I would strongly recommend a "Do not pass" for this bill.

Respectfully submitted, Lorraine P. Molitor, Madison County Recorder

M A C R

INSTRUCTIONS

1. Remove this sheet at perforation.
2. Complete items 1-18 only, if applicable. **Please Type or Print Clearly in Ink.**
3. Sign the form before a notary public or officer authorized to administer oaths or before any registered elector of your county who shall witness for the facts stated.
4. It is a misdemeanor to falsely represent your name or other information on this card.
5. It is a misdemeanor to sign this registry card knowingly witnessing any false or misleading statements.
6. You will be notified of your Precinct number and Polling place by a postcard which cannot be forwarded. Be sure you have given an address at which mail will be delivered in item 18.
7. Return both cards intact to the County Election Administrator.

PLEASE TYPE OR PRINT CLEARLY IN INK.

Polling Place	Pct. No.	Ward	H. D.	S. D.	School Dist.	Registration Number
State of Montana, County of		Social Security Number (1)				
Name (Last Name First) (2)						
Address (Street, City, Town) (3)						
Sect. (4)		Twp. (5)		Range (6)		
Length of Time Lived in		State (7)		County (8)		City (9)
Date of Birth (10)			Place of Birth (11)			
Place Last Registered		City (12)		County (13)		State (14)

(15) _____
(Please Print Name Only)

do solemnly swear/affirm that I am the elector named above; that the statements affecting my qualification as an elector are true; that I am not presently registered in any other location, OR, I have stated my present place of registration, and hereby request a notice to cancel such registration be sent to the Registrar at that place.

- For Transfer of Address
- For Change of Name
- New Registration

(16) _____
(Name as Previously Registered)

(18) _____
(Mailing address if different from above)

(17) _____
(Signature of elector)

Subscribed and sworn to before me this _____ day of _____, 19__

Witness—Registered Elector of the County _____ OR _____
Notary Public or Deputy Registrar

Address _____ residing at _____

City _____ State _____ Pct No _____ My commission expires _____

Polling Place	Pct. No.	Ward	H. D.	S. D.	School Dist.	Register Number
State of Montana, County of		Social Security Number (1)				
Name (Last Name First) (2)						
Address (Street, City, Town) (3)						
Sect. (4)	Twp. (5)	Range (6)				
Length of Time Lived in	State (7)	County (8)	City (9)			
Date of Birth (10)	Place of Birth (11)					
Place Last Registered	County (13)		State (14)			
City (12)						

VOTING IS A RIGHT
REMEMBER TO VOTE
VOTING IS A RIGHT
REMEMBER TO VOTE
VOTING IS A RIGHT
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VOTING IS A RIGHT
REMEMBER TO VOTE

If you make a change in your name or residence
you must fill out a new card for registration.

RETURN BOTH COPIES

ELECTION ADMINISTRATOR

_____ County
_____, MT

DO NOT FORWARD
RETURN POSTAGE GUARANTEED

PLACE
STAMP
HERE

NAME: Josephine P. Malton DATE: 2-19-81

ADDRESS: Box 366 Virginia City

PHONE: 743-5311

REPRESENTING WHOM? Mt. Ass'n of County Clerk & Recorder

APPEARING ON WHICH PROPOSAL: SB 4/29

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

COMMENTS: _____

NAME: Joanne Pires DATE: 2-19-81

ADDRESS: Fort Benton, Mt. 59442

PHONE: 622-5151, office 622-3682, home

REPRESENTING WHOM? Chouteau County Clerk & Recorder -
Election Administration

APPEARING ON WHICH PROPOSAL: SB 429

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: provisions are already set up for
uniformity of forms thru Sec. of State office -
time element make part of the bill
unworkable in regard to application for
absentee ballots -
"verification" is wrong - p. 4, line 22

NAME: JOSEPH P. MAZURK DATE: 2/12/81

ADDRESS: 516 HAVES HELENA

PHONE: 443-6464

REPRESENTING WHOM? SEN DIST 16

APPEARING ON WHICH PROPOSAL: SB 417

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: The state of Montana should
reimburse city governments for the
direct cost of police + fire
protection provided to state
owned property. Those direct
costs are paid by the property
the prop of Helena, while the
property owner ~~pay~~ does not
participate in payment of the
services provided to it.

STATEMENT OF INTENT

FOR

 BILL NO.

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR STATE PAYMENTS TO LOCAL UNITS OF GOVERNMENT FOR THE PROVISION OF LAW ENFORCEMENT AND/OR FIRE PROTECTION SERVICES TO STATE OWNED PROPERTY."

Section 2 grants the Department of Administration power to adopt rules in accordance with the Montana Administrative Procedures Act relating to criteria by which to measure the cost to local governmental units of providing law enforcement and fire protection services to state owned property. The factors which must be considered to equitably reimburse local entities include size, type and location of facility, type of entity providing service, and value of state property. Because the circumstances which require the provision of such services vary throughout the State, it is impossible to determine a statutory formula which will treat all local governmental units fairly.

It is the intent of the legislature that the Department of Administration adopt rules specifying criteria which accurately reflect the costs incurred by units of local government in providing law enforcement and fire protection services to state owned property.

HOUSE BILL NO. 516
 INTRODUCED BY Senators Vincent Wallon
Atzema Matcoys Mark Spicker

1 bureau, or institution that operates a state-owned building
 2 or facility.
 3 Section 4. Payments to local governments for fire and
 4 police services to state-owned property. Whenever a local
 5 government provides fire and police services to state-owned
 6 property, the state shall provide for payment to the local
 7 government for the cost of such services in the manner
 8 prescribed in [this act].

9 Section 5. Powers and duties of department. The
 10 department shall:
 11 (1) administer, interpret, and enforce the provisions
 12 of [this act];

13 (2) establish uniform rules necessary to carry out the
 14 provisions of [this act].

15 Section 6. Department to provide forms -- Information
 16 from local governments and state agencies. The department
 17 shall prepare such forms as it finds necessary for local
 18 governments and state agencies to complete to provide all
 19 the information necessary to administer [this act]. Local
 20 governments and state agencies shall give the department all
 21 data necessary to carry out the purpose and intent of [this
 22 act].

23 Section 7. Basis for payments. State payments to local
 24 governments for fire and police services to state-owned
 25 property located within the jurisdiction of the local

INTRODUCED BILL
 HB 516

1 government shall be calculated by the local government and
 2 verified by the department on the following basis:
 3 (1) A taxable value or equivalent taxable value must
 4 be determined for the state-owned property receiving fire
 5 and police services.
 6 (2) A mill levy equivalent must be applied against
 7 such a value in the same manner as such a mill levy is
 8 applied to a private property owner within the jurisdiction
 9 of the local government.

10 (3) The mill levy equivalent that is used must include
 11 only the actual expenditures for fire and police activities
 12 of the local government as reported in the last annual
 13 financial report filed with the department of community
 14 affairs as required by law.

15 Section 8. Method of payment. The department shall, in
 16 accordance with the mill levy equivalents determined under
 17 [section 7], make payments semiannually to all local
 18 governments that provide fire and police services to
 19 state-owned buildings or facilities and that comply with the
 20 provisions of [section 6]. The first payment under [this
 21 act] shall be payable on November 1, 1981, and annually on
 22 November 1 thereafter. The second payment under [this act]
 23 shall be payable on May 1, 1982, and annually on May 1
 24 thereafter.

25 Section 9. State agencies to budget for payments. Any

1 state agency that operates a state-owned building or
 2 facility that receives fire and police services from a local
 3 government shall budget for sufficient funds to make any
 4 payments required by [this act].
 5 Section 10. Optional method of providing fire and
 6 police services to state-owned property. (1) A state agency
 7 may provide fire and police protection to any state property
 8 under its jurisdiction if such a plan meets with the
 9 approval of the department.

10 (2) Under this option, the department shall determine
 11 if the proposed services will be adequate and cost
 12 beneficial. For such a determination, the department shall:
 13 (a) consult with officials of the local government to
 14 ascertain what, if any, responsibility and liability for
 15 fire and police services will remain with the local
 16 government. If the local government retains a part of the
 17 responsibility or liability for fire and police services,
 18 the payment for such partial services must be calculated
 19 according to the provisions of [section 7] or according to
 20 an agreement regarding payment for the services entered into
 21 between the local government and the state agency.

22 (b) conduct a study to ascertain what, if any, cost
 23 benefit there would be to the state if the agency provided
 24 its own fire and police protection.

25 Section 11. Applicability. This act applies to taxable

- 1 years beginning after December 31, 1980.
- 2 Section 12. Effective date. This act is effective on
- 3 July 1, 1981.

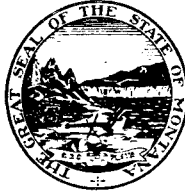
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HB 516

STATE OF MONTANA

DEPARTMENT OF PROFESSIONAL & OCCUPATIONAL LICENSING

BOARD OF SPEECH PATHOLOGISTS AND AUDIOLOGISTS



ED CARNEY, DIRECTOR

LaLONDE BUILDING
HELENA, MT. 59601
(406-449-3737)

February 18, 1981

Senator Pete Story, Chairman
Senate State Administration Committee
Capitol Building
Helena, MT 59620

Dear Senator Story:

The Board of Speech Pathologists and Audiologists would like to go on record as supporting SB467 to re-instate the Board of Speech Pathologists and Audiologists.

The Board of Speech Pathologists and Audiologists was very pleased with the sunset review. Findings were positive and comments by the Legislative Auditors indicated that our law was one of the better laws reviewed. Complaints by consumers and licensees were non-existent. We have currently licensed 336 Speech Pathologists and 64 Audiologists. The Board has attempted to work cooperatively with all agencies. We feel we have a quality credentialing program with optimal consumer protection that is being utilized by many other agencies and departments in and out of the state of Montana.

If we can be of further assistance regarding this proposed legislation, please do not hesitate to contact our Board members. We urge your support for SB467.

Thank you.

Sincerely,

Shirley DeVoe
Shirley DeVoe, Chairman

BOARD OF SPEECH PATHOLOGISTS & AUDIOLOGISTS

SD:jm



OFFICE OF PUBLIC INSTRUCTION

STATE CAPITOL
HELENA, MONTANA 59601
(406) 449-3095

Ed Argenbright
Superintendent

February 13, 1981

To: Members of the Senate Administration Committee

From: *Judith A. Johnson*
Judith A. Johnson, Director of Special Education

Re: Senate Bill #467

A Bill for an act entitled: "An act to reestablish the Board of Speech Pathologists and Audiologists for six years under existing statutory authority and rules; amending section 2-8-103, MCA; and providing an immediate effective date."

The Office of Public Instruction, Special Education Unit, has worked closely with the Board of Licensure of Speech Pathologists and Audiologists since they began licensing speech pathologists and audiologists. Previous to that time, it was this office's responsibility for approval. This is one of the few "interagency" situations that really work. A speech pathologist and audiologist can work any place with only one set of credentials and this seldom happens!

We would like to go on record as whole heartedly supporting this bill.

JAJ/vgv

467
2-19



STATE OF MONTANA
DEPARTMENT OF PROFESSIONAL & OCCUPATIONAL LICENSING
BOARD OF SPEECH PATHOLOGISTS AND AUDIOLOGISTS



ED CARNEY, DIRECTOR

LALONDE BUILDING
HELENA, MT. 59601
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February 18, 1981

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Dear Senator Story:

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If we can be of further assistance regarding this proposed legislation, please do not hesitate to contact our Board members. We urge your support for SB467.

Thank you.

Sincerely,

Shirley DeVoe, Chairman
BOARD OF SPEECH PATHOLOGISTS & AUDIOLOGISTS

SD:jm

SB 467 - Reestablishing the Board of Speech Path and Audiologists

PROFONENT

Because:

- 1) Good Credentialing system
- 2) No Complaints from consumer or licensees
- 3) Protects against poorly trained / ill prepared
* from moving in from other states where standards are higher
- 4) The law is well supported by agencies & individuals alike - OPI uses the law as credentials to work in the schools
- 5) Consumer is protected - especially per #3
- 6) Good Cont Education clause + no grandfathering

Vol. 1, Dec 11/32

H18 B + 1/2

H. 1/2 + 1/2

467

February 18, 1981

Senator Joe Mazurek
Capitol Station
Helena, Mt. 59601

Dear Senator Mazurek,

I am a registered voter in Helena and a Licensed, practicing Speech Pathologist. I am writing in regard to SB 467, Reinstatement of the Current Speech Pathology/Audiology Licensure Law.

I feel that this law has been instrumental in upgrading the quality of the Profession and its services to communities and schools. It has established an excellent credentialling system for our state as well as providing consumer protection.

I hope that you will support SB 467, and would appreciate knowing your position on this important legislation.

Sincerely,

Marilyn M. Pearson

Marilyn M. Pearson
5000 Green Meadow Drive
Helena, Mt.

cc: Chairman: Senator Pete Story
State Administration Committee

467
2-19



University of Montana
Missoula, Montana 59812

February 17, 1981

The Honorable Allen Kolstad
Chairman, Legislative Administration Committee
State Senate
Helena, MT 59601

Dear Sir:

The faculty of the Department of Communication Sciences and Disorders of the University of Montana are in support of passage of S.B. 467. This bill and its board have demonstrated that it is an effective and helpful procedure for assuring the delivery of quality services to the speech and language handicapped of the state.

Sincerely,

Beverly Reynolds
Richard M Beckman
Charles D Parker
James J Connell
Lynda Hill
Walter J...
Barbara Cain
Wanda...
Robert Chouay

NAME	REPRESENTING	BILL #	(check one)	
			SUPPORT	OPPOS
Selma Williams	Pavalli County	429		✓
Darlene E. Hughes	Pavalli County	429		✓
Wanda Price	CP (Clerk & Recorder, Effect Admin) Chouteau County	429		✓
Lorraine P. Molitor	President & Mayor, Assn of Co Clerks & Recorders Madison Co. Recorder	429		✓
Judy C. Ray	mt. speech lang. + hearing order mt. Deafness Hosp. St. Falls	467	✓	
Marilyn Pearson	Communication Sciences U. of Montana - Disorders Dep.	467	✓	
Merk DeVal	Self	467	✓	
Ju. E. Duden	self	467	✓	
Shirley DeVoe	Bd of Sp. Pkcs + Aud.	467	✓	
Steve Carey	HSU W	429	✓	
George A. [unclear]	Town of Boulder	417	✓	
Kenneth W. Smith	Town of Boulder	417	✓	
Don Judge	MT STATE AFK-CIO	429	✓	
Gary E. Davis	self			
Toni McOmber	MEA	429	✓	
Leigh Kirkpatrick	Sen. Tom Lowe	429	✓	
Lyle Manley	Budget Office	417	✓	
William C. Remise	Clerk & Recorder's Assn	429		✓
Margaret Miller	League of Women Voters	429		✓
Mon. [unclear]	Common Cause	429	✓	
Joseph P. Magrath	Senator Dist 16	417	✓	
Pam Kresko	City of Bozeman	SB417	X	

STANDING COMMITTEE REPORT

FEBRUARY

19

19 81

PRESIDENT

MR.

STATE ADMINISTRATION

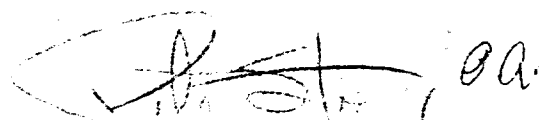
We, your committee on

having had under consideration **SENATE** Bill No. **467**

SENATE

Respectfully report as follows: That Bill No. **467**

DO PASS



SENATOR PETE STORY

Chairman.

STANDING COMMITTEE REPORT

FEBRUARY 19 31
..... 19

MR. **PRESIDENT**

We, your committee on **STATE ADMINISTRATION**

having had under consideration **SENATE** Bill No. **441**

Respectfully report as follows: That **SENATE** Bill No. **441**

DO NOT PASS

~~DO PASS~~

..... **SENATOR PETE STORY** Chairman. *Pete Story*

STANDING COMMITTEE REPORT

FEBRUARY 19 81

19.....

MR. PRESIDENT

We, your committee on STATE ADMINISTRATION

having had under consideration SENATE JOINT RESOLUTION Bill No. 15

Respectfully report as follows: That SENATE JOINT RESOLUTION Bill No. 15

DO NOT PASS

~~DO NOT PASS~~

SENATOR PETE STORY Chairman.

STANDING COMMITTEE REPORT

FEBRUARY

19

81

19

PRESIDENT

MR.

STATE ADMINISTRATION

We, your committee on

SENATE

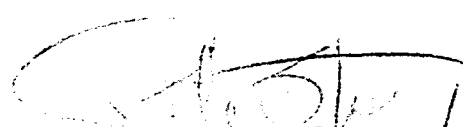
having had under consideration Bill No. **417**.....

SENATE

Respectfully report as follows: That..... Bill No. **417**.....

DO NOT PASS

~~XXXX~~


.....**SENATOR PETE STORY**.....

Chairman.

STANDING COMMITTEE REPORT

FEBRUARY 19 81

19.....

MR. **PRESIDENT**.....

STATE ADMINISTRATION

We, your committee on.....

SENATE

419

having had under consideration..... Bill No.

SENATE

419

Respectfully report as follows: That..... Bill No.

introduced bill, be amended as follows:

1. Page 1, lines 19 and 20.

Following: line 18

Strike: line 19 and line 20 in its entirety

2. Page 2, line 16.

Following: "district."

Insert: "The chief judge shall hold his position at the pleasure of the supreme court."

3. Page 3, lines 5 through 10.

Strike: line 5 through line 10 in their entirety

Insert: "(a) in cooperation with the other district court judges, prepare and submit budgets for operation of the district court to the appropriate public officials;

(b) equalize the workload of all district court judges within the judicial district;

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CONTINUED

CHAIRMAN PETE STORY

Chairman.

SENATE BILL 419
page 2

3. continued

- (c) establish appropriate schedules and administrative rules to insure prompt and efficient servicing of all judicial business in the district;
- (d) employ and assign staff and secretarial personnel where appropriate;
- (e) perform such miscellaneous administrative duties as necessary or advisable in misdiscretion to insure a unitary and functioning district court operation in the judicial district; and
- (f) submit an annual report to the supreme court on or before March 1 of each year covering the status and condition of the district court in the judicial district, its needs, and problem areas."

**AND, AS SO AMENDED
DO PASS**

P.A.

STANDING COMMITTEE REPORT

FEBRUARY 19 19 81

MR. PRESIDENT

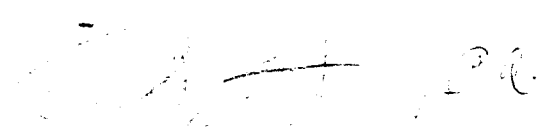
We, your committee on STATE ADMINISTRATION

having had under consideration SENATE Bill No. 429

Respectfully report as follows: That SENATE Bill No. 429

DO NOT PASS

~~XXXXXX~~


.....SENATOR PETE STORY.....
Chairman.

STANDING COMMITTEE REPORT

FEBRUARY 19 19 81

MR. **PRESIDENT**

We, your committee on **STATE ADMINISTRATION**

SENATE

having had under consideration Bill No. **435**

Respectfully report as follows: That **SENATE** Bill No. **435**

introduced bill, be amended as follows:

1. Page 2, line 9 through line 12.

Following: "serve"

Strike: remainder of line 9 through line 12

Insert: "until 1 April 1983, at which time the commission is abolished. The commission shall report to the 48th legislature on its activities."

AS AMENDED,

DO PASS

STANDING COMMITTEE REPORT

FEBRUARY 19 19 81

MR. **PRESIDENT**

We, your committee on **STATE ADMINISTRATION**

SENATE

having had under consideration Bill No. **464**

Respectfully report as follows: That **SENATE** Bill No. **466**

DO NOT PASS

~~XXXXXX~~

ROLL CALL VOTE RECORD

SENATE COMMITTEE STATE ADMINISTRATION

Date FEBRUARY 19, 1981 Bill No. 441 Time _____

DO NOT PASS

NAME	YES	NO
Senator Pete Story, Chairman	X	
Senator Allen Kolstad, V. Chairman		X
Senator William Hafferman	X	
Senator H. W. Hammond		X
Senator Jan Johnson	X	
Senator Patrick Ryan	X	
Senator Thomas Towe		X

Barbara Simic
Secretary

Pete Story
Chairman

Motion: Senator Johnson moved this bill DO NOT PASS: motion
carried by majority.

(include enough information on motion--put with yellow copy of committee report.)

ROLL CALL VOTE RECORD

SENATE COMMITTEE STATE ADMINISTRATION

Date FEBRUARY 19, 1981 Bill No. SJR 15 Time _____

NAME	DO NOT PASS	
	YES	NO
Senator Pete Story, Chairman	X	
Senator Allen Kolstad, V. Chairman		
Senator William Hafferman	X	
Senator H. W. Hammond	X	
Senator Jan Johnson	X	
Senator Patrick Ryan		X
Senator Thomas Towe		X

Barbara Simic
Secretary

Pete Story
Chairman

Motion: Senator Hammond moved this bill DO NOT PASS: motion
carried by majority. Senator Kolstad was absent.

(include enough information on motion—put with yellow copy of committee report.)

ROLL CALL VOTE RECORD

SENATE COMMITTEE STATE ADMINISTRATION

Date FEBRUARY 19, 1981 Bill No. 417 Time _____

NAME	DO NOT PASS	
	YES	NO
Senator Pete Story, Chairman	X	
Senator Allen Kolstad, V. Chairman		
Senator William Hafferman	X	
Senator H. W. Hammond	X	
Senator Jan Johnson		X
Senator Patrick Ryan	X	
Senator Thomas Towe		X

Barbara Simic
Secretary

Pete Story
Chairman

Motion: Senator Hafferman moved this bill DO NOT PASS: motion
carried by majority. Senator Kolstad was absent.

(include enough information on motion--put with yellow copy of committee report.)

ROLL CALL VOTE RECORD

SENATE COMMITTEE STATE ADMINISTRATION

Date FEBRUARY 19, 1981 Bill No. 435 Time

DO NOT PASS AS AMENDED

NAME	YES	NO
Senator Pete Story, Chairman	X	
Senator Allen Kolstad, V. Chairman		
Senator William Hafferman	X	
Senator H. W. Hammond		X
Senator Jan Johnson		X
Senator Patrick Ryan	X	
Senator Thomas Towe	X	

Barbara Simic
Secretary

Pete Story
Chairman

Motion: Senator Towe moved this bill DO NOT PASS AS AMENDED:
motion carried by majority. Senator Kolstad was absent.

(include enough information on motion--put with yellow copy of committee report.)

ROLL CALL VOTE RECORD

SENATE COMMITTEE STATE ADMINISTRATION

Date FEBRUARY 19, 1981 Bill No. 464 Time

NAME	DO NOT PASS	
	YES	NO
Senator Pete Story, Chairman	X	
Senator Allen Kolstad, V. Chairman		X
Senator William Hafferman	X	
Senator H. W. Hammond	X	
Senator Jan Johnson	X	
Senator Patrick Rvan	X	
Senator Thomas Towe		X

Barbara Simic
Secretary

Pete Story
Chairman

Motion: Senator Hammond moved this bill DO NOT PASS: motion
was carried by majority.

(include enough information on motion--put with yellow copy of committee report.)