

MINUTES OF THE MEETING
STATE ADMINISTRATION COMMITTEE
MONTANA STATE
HOUSE OF REPRESENTATIVES

January 8, 1985

The meeting of the State Administration Committee was called to order by Chairman Walter Sales on January 8, 1985 at 9:30 a.m. in Room 317 of the State Capitol Building.

ROLL CALL: All members were present.

Preceding the public hearing an organizational meeting of the committee was held. Guidelines for Committee members were outlined by the Chairman relative to how the Committee would proceed.

CONSIDERATION OF HOUSE BILL NO. 7: Rep. Bob Marks appeared before the Committee as sponsor of HB 7. He explained that this bill would make it possible for the Legislative Council to determine the price and distribution of the Constitutional Convention proceedings. The storage of these proceedings takes considerable space and they are possibly going to deteriorate as time passes. At this time the price is too high for anyone to afford to purchase them.

There were no further proponents to HB 7 and no opponents.

DISCUSSION OF HOUSE BILL NO. 7: Rep. Fritz asked what was being repealed in Section 2 of the bill. Diana Dowling of the Legislative Council said that the price and authorization for distribution was being repealed. Rep. O'Connell asked if any libraries had copies of them, however, copies have been sent to the libraries that have requested them. She suggested that perhaps they could be sent to school libraries at no cost. Rep. Marks said that this could be done under this bill as it would give the Council the authority to distribute them at a reasonable cost or at no cost. It would be the decision of the Council.

Rep. Marks closed his presentation of the bill.

CONSIDERATION OF HOUSE BILL NO. 74: Rep. Tom Jones, District #4 presented his bill to the Committee. This bill would equalize in-state and out-of-state travel for State employees.

PROPOSERS: Lorine Tvedt of the Montana Inn-Keepers Association spoke to the Committee. She said that the different rates between the states is quite substantial. The rate paid by the State has been increased only \$3 but has been increased from \$40 to \$50 by other states which is an increase of \$10 and felt this bill was very necessary for State employees.

Dixie Lee Elliott representing the Billings Motel-Hotel Association and the Montana Inn-Keepers Association said that this is patterned on the Federal guidelines and handed out Exhibit #1 to the members. She felt there must be more flexibility in the current system.

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Brad Clawson, Assistant Manager of the Colonial Inn in Helena said that in February they are going to begin an extensive remodeling and redecorating project and after this has been completed their rates will most likely raise. The rate of \$24 at the present time is 12% lower than the discount rate offered to State employees. He felt that the commercial rate would probably raise approximately 15% after the renovation and the State rate would probably go up 15% also. He felt this bill is definitely needed.

Tom Schneider of the Montana Public Employees Association said he has talked to the people requesting this bill and agreed to support their legislation. Several hotels/motels have said they could not offer the \$24 rate any more. This rate has only risen \$3 since 1979. If an employee has a more expensive room he picks up the difference out of his own pocket. He also pointed out an error on Exhibit #1 under In-State Food for 1983. The figure \$8.50 should be \$8.00 so the total would be changed to \$14.50 rather than \$15.00. He stated that there was no appropriation in the bill but would be willing to work with the Committee as he felt there are some problems with the bill and would like to address them.

Lane Saunders of Holiday Inn West in Billings mentioned that it is difficult for the person at the front desk to have two people requesting rooms - one at the State rate and the other person at the regular rate. This is hard to explain to the public that a State employee is getting a room for \$24 per night. He felt the Committee should give some strong consideration to this bill.

There were no further proponents and no opponents present.

DISCUSSION OF HOUSE BILL NO. 74: Rep. Pistoria felt that a fiscal note should be requested on this bill before it is considered further. Chairman Sales said that we could request a fiscal note but often times they don't make much sense. Rep. Pistoria asked Rep. Jones if he would be satisfied with a raise but not equivalent to the bill. Rep. Jones said that this bill is raising the in-state rate to what these same people would need if they travelled out-of-state. They would not automatically get the \$50 for lodging but only what the motel or hotel would charge. Several of the members had misgivings about the \$50 figure and felt that perhaps the rates charged by the motels and hotels would automatically be raised to \$50.

Rep. Jones felt that this is a competitive business and they would not raise their rates to \$50. If this was done State employees would have to pay the difference.

Rep. Garcia asked the motel representatives what the average motel rate is for the state. Ms. Elliott said that it is \$39 for Billings but did not have the figure for the entire state. An estimate of \$35 was given for the state average.

Rep. Jones closed his presentation of HB 74.

CONSIDERATION OF HOUSE BILL NO. 78: Rep. Mel Williams explained the purpose of the bill as requested by the Association of County Clerks and Recorders. Currently the seal is by impression and they would like it changed to enable them to use a stamp which would photograph on microfilming and copying.

PROPOSERS: Mike Stephens of the Association of Clerks and Recorders said this would give them more flexibility in providing that a stamp could be affixed to documents which would be visible on photocopying as more and more of this copying and microfilming is being done to save space in storing records.

Joe Tropila, Cascade County Clerk and Recorder felt this would work much better than inking an impression seal which smudges and leaves the document in poor shape. He felt that a stamp would reproduce very well.

Sue Bartlett, Lewis and Clark County Clerk and Recorder, handed out Exhibit #2 and #3 showing the smudging that occurs when an impression seal is inked for photocopying. She felt that a stamp would save time, keep documents cleaner and more recordable for reproduction. Her office does not notarize any documents. They come to her office already notarized for recording.

There were no opponents present.

DISCUSSION OF HOUSE BILL NO. 78: Rep. Nelson asked what would prevent fraudulent rubber stamps, however, Mr. Tropila said that right now anyone can have a seal made so there is nothing to prevent that either. Rep. Nelson was not aware of this fact. Rep. Moore asked if a rubber stamp could be erased with the liquid paper that is available but Mr. Tropila said that even an impression seal can be flattened out in time.

In closing his presentation before the Committee Rep. Williams said that Merrill Klindt, Clerk and Recorder of Yellowstone County wanted it on record that he supports this bill.

CONSIDERATION OF HOUSE BILL 94: Rep. Ernst, sponsor of HB 94, said that this is mainly a housekeeping bill at the request of the Department after being recommended by the auditors. A statement of intent was presented to the Committee in the event the division may have to adopt rules.

PROPOSERS: Larry Majerus, Administrator of the Division of Motor Vehicles said they have been doing the job but there has been no legislation giving them the authority to do so so this bill just takes care of that authorization.

There were no further proponents and no opponents present.

DISCUSSION OF HOUSE BILL NO. 94: Rep. Fritz asked what is classified as a light vehicle. Mr. Majerus said that cars and pickups up to

3/4 ton.

Rep. Ernst closed his presentation.

The Committee then went into executive session for action on bills.

DISPOSITION OF HOUSE BILL NO. 7: Rep. Pistoria moved that HB 7 DO PASS. Second was received and HB 7 PASSED UNANIMOUSLY.

DISPOSITION OF HOUSE BILL NO. 78: Rep. Kennerly moved that HB 78 DO PASS, seconded by Rep. Jenkins. Rep. Compton said he was definitely in favor of doing something about the seals for the notaries. Rep. Hayne felt it is simply modernizing the system. Question being called for, Rep. Pistoria's motion PASSED UNANIMOUSLY.

DISPOSITION OF HOUSE BILL NO. 94: Rep. Nelson moved, seconded by Rep. Fritz that HB 94 and the accompanying Statement of Intent DO PASS. Motion PASSED UNANIMOUSLY.

DISPOSITION OF HOUSE BILL NO. 74: Rep. Nelson moved that HB 74 DO PASS.

Rep. Cody said she had a lot of reservations about the \$50 and also felt the proponents should have been able to answer Rep. Garcia's question relative to the average rate for the state motels and hotels. Rep. Fritz felt that motels could be found for less than \$35 and that the \$35 would apply mainly to the convention center type motels and that \$24 is adequate.

Chairman Sales said that a fiscal note could be requested but he did not know if it would be a great deal of help in this instance. He told the Committee that the bill could be killed if they did not like the approach of the bill. If the Committee tried to amend the bill it would be changing the intent of the sponsor of the bill.

Rep. Harbin felt that \$25 is inadequate but it also creates competition between the establishments. He did feel, however, that if it was increased to \$50 they would probably charge \$50.

Rep. Smith felt that too many State employees have to make up the difference. If they are attending a meeting at a certain motel they should be able to stay at that motel at a rate they can afford to pay. Rep. Pistoria wasn't entirely satisfied with the bill but agreed that the rate should be increased.

Tom Schneider felt uncomfortable with the bill in its present form but would be willing to work with the Committee to draft a bill that would be passed.

Rep. Phillips had the understanding that if the Committee killed

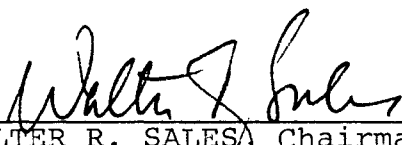
State Administration Committee
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HB 74 then they could not address this subject again. However, Lois Menzies, the Staff Researcher, told the Committee that they could consider any topic they wish. They could kill the bill and come out with a Committee bill on the same subject.

Rep. Pistoria made a substitute motion HB 74 DO NOT PASS. Motion seconded by Rep. Garcia. Motion CARRIED UNANIMOUSLY with Reps. O'Connell, Smith, Campbell and Compton voting "no".

Chairman Sales appointed a subcommittee of Reps. Smith, Chairman, Garcia and Fritz to work with Lois Menzies on a Committee bill and also with Tom Schneider to see if there are any other bills that have been introduced in this area.

There being no further business before the Committee the meeting was adjourned at 10:30 a.m.



WALTER R. SALES, Chairman

ls

(Type in committee members' names and have 50 printed to start).

DAILY ROLL CALL

State Administration COMMITTEE

49th LEGISLATIVE SESSION -- 1985

Date 1/8/85

NAME	PRESENT	ABSENT	EXCUSED
Chairman Walter Sales	✓		
V-Chairman Helen O'Connell	✓		
Campbell, Bud	✓		
Compton, Duane	✓		
Cody, Dorothy	✓		
Fritz, Harry	✓		
Garcia, Rodney	✓		
Hayne, Harriet	✓		
Harbin, Raymond	✓		
HolliDay, Gay	✓		
Jenkins, Loren	✓		
Kennerly, Roland	✓		
Moore, Janet	✓		
Nelson, Richard	✓		
Peterson, Mary Lou	✓		
Phillips, John	✓		
Pistoria, Paul	✓		
Smith, Clyde	✓		

Please attach to minutes.

STANDING COMMITTEE REPORT

.....JANUARY 8..... 19 37.....

MR. SPEAKER.....

We, your committee on.....STATE ADMINISTRATION.....

having had under considerationHOUSE..... Bill No. 72.....

First reading copy (white)
color

AUTHORIZING USE OF STAMP AS OFFICIAL SEAL

Respectfully report as follows: That.....HOUSE..... Bill No. 72.....

DO PASS

STANDING COMMITTEE REPORT

.....January 1..... 19 71.....

MR.SPEAKER.....

We, your committee onSTATE ADMINISTRATION.....

having had under considerationHOUSE..... Bill No.7.....

First reading copy (White)
color

COUNCIL AUTHORITY TO DISTRIBUTE AND SET PRICE FOR CON CON
PROCEEDINGS

Respectfully report as follows: That.....HOUSE..... Bill No.7.....

DO PASS

STANDING COMMITTEE REPORT

January 2

1925

MR. SPEAKER

We, your committee on STATE ADMINISTRATION

having had under consideration HOUSE Bill No. 74

First reading copy (White color)

EQUAL REIMBURSEMENT FOR TRAVEL IN OR OUT OF STATE

Respectfully report as follows: That HOUSE Bill No. 74

DO NOT PASS

DO PASS

STANDING COMMITTEE REPORT

January 4 1935

MR. SPEAKER

We, your committee on STATE ADMINISTRATION

having had under consideration HOUSE Bill No. 24

First reading copy (White)
color

LIGHT VEHICLE REGISTRATION BY MAIL

Respectfully report as follows: That HOUSE Bill No. 24

DO PASS

STATEMENT OF INTENT ATTACHED

A statement of intent is required for this bill because it transfers reregistration authority to the motor vehicle division of the department of justice from the department of revenue. It is the intent of the Legislature that the division continue to administer the reregistration of light vehicles by mail in the same manner that is currently being done. This act merely clarifies the authority for the existing procedure.

11/8/85
HB-74

HISTORY OF MONTANA LODGING AND FOOD ALLOWANCES FOR STATE EMPLOYEES

DATE	IN-STATE		OUT-STATE		GOVERNOR	
	LODGING	FOOD	LODGING	FOOD	IN-STATE	OUT-STATE
1973	\$16.00	?	\$25.00 PD		\$60.00 PD	\$50.00 PD
1975	16.00	B - 2.00 L - 3.00 D - 5.00 10.00	37.00*	B - 3.00 L - 4.00 D - 6.00 13.00	60.00 PD	70.00 PD
1977	18.00	B - 2.00 L - 3.00 D - 5.00 10.00	37.00*	B - 3.00 L - 4.00 D - 6.00 13.00	40.00 PD	70.00 PD
1979	21.00	B - 2.00 L - 3.50 D - 6.50 12.00	40.00*	B - 3.00 L - 5.00 D - 8.50 16.50	40.00 PD	70.00 PD
1981	24.00	B - 3.00 L - 3.50 D - 7.00 13.50	50.00*	B - 4.00 L - 6.50 D - 12.00 22.50	55.00 PD	ACTUAL COST \$30.00 MEALS
1983	24.00	B - 3.00 L - 3.50 D - 8.50 15.00	50.00*	B - 4.00 L - 6.50 D - 12.00 22.50	55.00 PD	ACTUAL COST \$30.00 MEALS

*In certain designated High-Cost Cities, the actual room rate is allowed.

Property and other taxes support the more-than double out-of-state rates enjoyed by state employees while our industry subsidizes these same employees who travel within the state.

Exhibit # 2
1/8/85
HB-78

and seal the day and year first above written

Signed, Sealed and Delivered in the Presence of

Molly M. Toney (SEAL)
(SEAL)

STATE OF MONTANA

County of ~~Beauregard~~ Fernando ss.

On this 12th day of Feb nineteen hundred and eighty-two
before me the undersigned
State of Montana, personally appeared MOLLY M. TONEY, Box 153, Dutton, Montana 59433.
known to me

(Approved to me on oath of)
to be the person whose name is subscribed to the within instrument, and acknowledged
to me that that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal
the day and year in this certificate first above written.

[Signature]
Notary Public for the State of Montana.
My Commission expires 4-16, 1984

Residing at Dutton, Montana

IMPRESSION OF SEAL BLACKENED FOR MICROFILMING

Section 27, Township 15 North, Range 5 West

Dated this

23

day of

Oct

, 19 84

WASHINGTON
STATE OF WASHINGTON,
County of Spokane } as.

JAMES B. COX

James B. Cox

MARY ANNA COX

Mary Anna Cox

On this day personally appeared before me

JAMES B. COX and MARY ANNA COX

to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the use and purposes therein mentioned.

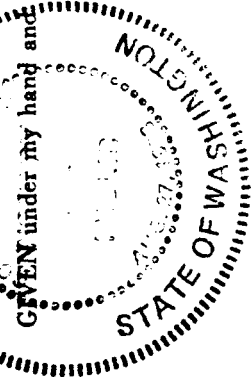
GIVEN under my hand and official seal this 23rd day of

Oct, 1984

STAMP

SEAL MADE WITH A

*Notary Public in and for the State of Washington,
residing at Spokane*



FWTIC — Helena
P. O. Box 251
Helena, MT

WA-24

Richard D. Inberg
BY: Richard D. Inberg

STATE OF WYOMING)
SS
COUNTY OF FREMONT)

This foregoing instrument was signed, sworn to and acknowledged before me by Richard D. Inberg, this 4th day of January 1985.

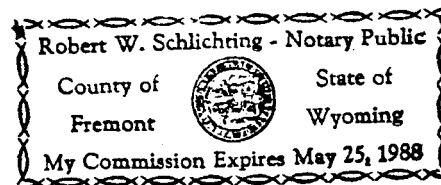
Witness my hand and official seal.

Robert W. Schlichting
Notary Public

My Commission Expires:
May 25, 1988

381966

STATE OF MONTANA)
SS
COUNTY OF LEWIS AND CLARK)



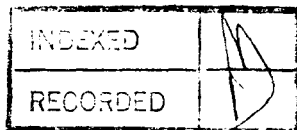
SEAL MADE
WITH A STAMP

I certify that the following instrument was filed for record
Jan 7, 1985, at 9:47 A.M. Recorded in Book M5, on page 3146

Sue Bartlett
County Clerk and Recorder

BY: Tathey Davis
Deputy Clerk and Recorder

258



Sue Bartlett



City-County Building
316 N. Park Ave.
Helena, Montana 59623
Telephone 406/443-1010

LEWIS AND CLARK COUNTY

Office of Clerk and Recorder



Exhibit = 3
1/8/55
HB-78

STATEMENT OF INTENT

H BILL NO. 94 [LC 580]

A statement of intent is required for this bill because it transfers rulemaking authority to the motor vehicle division of the department of justice from the department of revenue. It is the intent of the Legislature that the division continue to administer the reregistration of light vehicles by mail in the same manner that is currently being done. This act merely clarifies the authority for the existing procedure.

VISITOR'S REGISTER

HOUSE STATE ADMINISTRATION COMMITTEE

BILL 7, 74, 78, 94

DATE 1/8/85

SPONSOR _____

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.