

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 51st LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: By Chairman Jan Brown, on January 19, 1989,
at 9:00 a.m.

ROLL CALL

Members Present: All

Members Excused: None

Members Absent: None

Staff Present: Judy Burggraff, Secretary; Lois Menzies,
Research Assistant

Announcements/Discussion: Chairman Brown said that the subcommittee was still waiting for a fiscal note on HB 26, and we will act on HB 78, The Indian Coordinator Bill, on January 20.

It was decided to continue to not meet on Monday, but if the load of bills grew too heavy to meet starting at 8:00 a.m.

HEARING ON HB 144

Presentation and Opening Statement by Sponsor: Rep. Linda Nelson, House District 19, presented written testimony (Exhibit 1).

List of Testifying Proponents and What Group They Represent:

Garth Jacobson, Secretary of State's Office

John Northey, Legislative Auditor's Office

List of Testifying Opponents and What Group They Represent:

None

Testimony:

GARTH JACOBSON, proponent, presented written testimony (Exhibit 2).

JOHN NORTHLY, proponent, said the Public Records Management Act, which was enacted in 1977, was an attempt to establish standard procedures for records retention and destruction. He said he didn't know why a representative for the Secretary of States Office was not placed on the committee in 1977. The Records Committee and the Secretary of States Office have not seen eye-to-eye in the past. There has been some difference in direction as far as centralizing procedures. He thinks HB 144 would be a step in alleviating the problems that have been experienced in the past. He said that he believes having a representative of the Secretary of State on the committee would be advantageous.

Questions From Committee Members:

None

Closing by Sponsor:

Rep. Nelson said HB 144 is a fairly innocuous bill and it would only aid in good government and she would appreciate a do pass.

DISPOSITION OF HB 144

Motion: Rep. Squires moved DO PASS.

Discussion: None

Amendments and Votes: None

Recommendation and Vote: The motion PASSED unanimously.
Rep. Moore moved that HB 144 be placed on the Consent Calendar. The motion PASSED unanimously.

HEARING ON HB 124

Presentation and Opening Statement by Sponsor: Rep. Robert Clark, House District 31, presented a written opening statement (Exhibit 3).

List of Testifying Proponents and What Group They Represent:

Lt. Col. Bob Griffith, Montana Highway Patrol

List of Testifying Opponents and What Group They Represent:

None

Testimony:

LT. COL. GRIFFITH, proponent, said he wanted to assure the committee that the Highway Patrol supports HB124. He said they have nine female patrol officers on the force right now and they want to assure these women that they want them and love them and will look after them as fathers and brothers.

Questions From Committee Members:

REP. PHILLIPS asked Rep. Clark if he knew what the cost would be to change the long list of codes referenced in the bill. He said there was no mention by the Legislative Council when he was given the bill of a fiscal note. REP. NELSON said he had the same concern and had counted 77 different code sections to be changed. He said that in court actions now, terms such as "patrolman" are generic terms referring to the general employees and they are not sexist and he sees no reason to change the sections at a considerable cost.

Closing by Sponsor:

Rep. Clark said he thought that the code changes are long over due and should have been done a number of years ago when female officers were first being hired.

DISPOSITION OF HB 124

Motion: Rep. Cocchiarella moved HB 124 DO PASS.

Discussion: CHAIRMAN BROWN asked Lois Menzies to clarify the question that was raised on the cost of doing this. Ms. Menzies said that she talked to the Code Commissioner about the cost associated with making the change. The Code Commissioner explained that it was a simple matter with the computer operator to search for the term "patrolman" and simply replace it with "patrol officer". There would be minimal cost involved in printing the change. It would be difficult to do a fiscal note on the bill due to the minimal cost. There was more discussion regarding the cost of the bill, the belief that patrolman is a generic term, and that the whole thing being a waste of time and money, however minimal.

Amendments and Votes: None

Recommendation and Vote: A roll call vote was taken. The motion PASSED 11 - 7 with Reps. Campbell, DeBruycker, Nelson, O'Connell, Roth, Spring and Westlake voting no.

HEARING ON HB 74

Presentation and Opening Statement by Sponsor: Rep. John Cobb, House District 42, said his bill is a "clean up bill" introduced at the request of the Department of Social and Rehabilitation Services. It concerns state treasury fund accounts and interaccount loans. Under current law, the Department may maintain positive cash balances with long-term repayment of a loan only in the federal special revenue fund. This bill permits the Department to maintain positive cash balances with long-term repayment in the other special revenue fund as well. Section 3 coordinates this bill with LC 468, which eliminates the other special revenue fund category; if LC 468 is approved, this bill will be amended to permit the Department to maintain a positive cash balance with long-term repayment in the state special revenue fund. The bill has an immediate effective date.

List of Testifying Proponents and What Group They Represent:

None

List of Testifying Opponents and What Group They Represent:

None

Questions From Committee Members:

None

Closing by Sponsor: None

DISPOSITION OF HB 74

Motion: Rep. Russell moved HB 74 DO PASS.

Discussion: None

Amendments and Votes: Lois Menzies explained a small amendment to the committee (Exhibit 8). Rep. Davis moved that the technical amendment to the bill (Exhibit 8) DO PASS. The motion PASSED unanimously.

Recommendation and Vote: Rep. Russell moved HB 74 DO PASS AS AMENDED. The motion PASSED unanimously. Rep. Moore moved that HB 74 be put on the Consent Calendar. The motion PASSED unanimously.

HEARING ON 142

Presentation and Opening Statement by Sponsor: Rep. John Cobb, House District 42. said the bill is requested by the Legislative Audit Committee. It should eliminate some storage problems for the Department of Administration. Currently, the Department of Administration is required to serially number and index all forms, blanks and documents printed by the Department for distribution to state agencies. In addition, the Department must "permanently" retain copies of each form and periodically furnish the public with general information as to the "nature, description and official numbers of such reports." This bill eliminates these requirements.

List of Testifying Proponents and What Group They Represent:

John Northey, Legislative Auditor's Office

List of Testifying Opponents and What Group They Represent:

None

Testimony:

JOHN NORTHEY, proponent, said that HB 142 is the result of an audit that The Legislative Auditor conducted of the Department of Administration. They determined the agency is not in compliance with the provisions of existing law. It has been determined that there is no purpose for the law; maybe in 1923 there was, but no one seems to remember if or when this law had ever been complied with. We recommend that the law be repealed.

Questions From Committee Members:

None

Closing by Sponsor: None

DISPOSITION OF HB 142

Motion: Rep. Campbell moved HB 142 DO PASS.

Discussion: None

Amendments and Votes: None

Recommendation and Vote: HB 142 PASSED the committee with a unanimous vote. Rep. Roth moved to put HB 142 on the Consent Calendar. The motion passed unanimously.

HEARING ON 140

Presentation and Opening Statement by Sponsor: Rep. John Cobb, House District 42, said the bill abolishes the Board of County Printing. This is an agency bill requested by the Department of Commerce. The board is a five-member board appointed by the Governor and allocated to the Department of Commerce for administrative purposes. Under current law, the Board is required to meet annually to adopt and publish a schedule of maximum prices to be charged for county printing and legal advertising. The Board also adopts standards for sizes, weights, and grades of paper stock and for sizes and types of printing, ruling and binding.

The first printing law that was enacted in Montana was in 1895. The county commissioners had to contract with the newspapers in the county for their printing. The Legislature put a protective mechanism in the law that set the highest maximum rate the newspapers and printing presses could charge. The Legislature continued to set those rates until 1967 when they formed the Board of County Printing to do so. It has not been very active because the Legislature doesn't give them any money to meet. If the Board was abolished, then the county commissioners would still have to contact with one newspaper to do all their printing. But the actual rates would be negotiated to the highest bid or whatever the county commissioners wanted to do.

List of Testifying Proponents and What Group They Represent:

Brinton Markle, Chief Counsel, Department of Commerce

Beverly Gibson, Montana Association of Counties

List of Testifying Opponents and What Group They Represent:

Charles W. Walk, Executive Director, Montana Newspaper Association

Ken Dunham, Executive Secretary, Associated Printers and Publishers of Montana

Testimony:

BRINTON MARKEL said he thought the bill was a housekeeping one. He said the Board has not met since 1983 and some of the rules of the Board date back to 1981. They set a cap on costs for county forms and also for legal advertising. The Department of Commerce has handled the problems with printing by necessity since the Board hasn't met. The Board doesn't seem to serve a purpose since no money is given to it.

BEVERLY GIBSON, proponent, presented written testimony to the committee (Exhibit 4). She also handed out photocopies of MACo NEWS, which tells what happened September 8, 1983, the last time the Board met. It reports what the Board agreed upon for setting printing prices (Exhibit 5). She suggested that the bill be amended to repeal Section 1.

CHARLES WALK, opponent, presented written testimony to the committee (Exhibit 7).

KEN DUNHAM, opponent, said he represented the half of the printing industry in Montana that does commercial printing. He said the Printers and Publishers Association feels that the Board should remain intact for at least a couple of years until the whole matter of state printing issues can be studied. He feels that the Governor should appoint good, interested people to serve on the Board. He stated the Franklin Book, which sets printing prices, is not used by many in the industry as that book is an average of prices around the country, and it is not regionalized.

Questions From Committee Members:

REP. WHALEN asked Mr. Walk what the impact of this bill would be on the smaller newspapers in the state and if the prices set by the Printing Board have been set high enough so that even a small newspaper could make it. He answered "yes" it has in the past. He thought the biggest supporters of the bill would be the larger papers. They lose money now every time they print a legal advertisement at \$6 per folio, which comes down to less than \$3 a column inch advertising rate; it costs more than that to put it in the paper. This would not be the case in some of the smaller papers.

REP. GERVAIS asked Ken Dunham if he thought elimination of the board would encourage out-of-state printers to do the necessary work. He replied "no" he did not think so.

REP. WESTLAKE asked Mr. Dunham if the Board could also serve as a grievance board if the printing industry sees a problem in the way the counties are letting the contracts for printing. He said he thinks it can, but that state law is clear that only the Class I counties have the option of ordering their printing from other than a newspaper published in that county. So it does not affect the commercial printer at that point.

REP. SQUIRES asked Beverly Gibson if Mr. Gibson was expressing MACO's official convention or meeting position on HB 140. She said "yes" but that the bill had come up after the convention. They did not adopt a resolution on the bill. MACO's position on county printing has always been that the Board itself is not necessary.

REP. COCCHIARELLA asked Bev Gibson if she also represents the Missoula County Office as they have called and said they do not like the bill. She said she spoke the previous day to the representative of the Missoula County Commission, and they are in full support of the bill.

REP. ROTH asked Rep. Cobb what would the net result of costs be to the counties if this bill were passed. He said the counties would be in a better position to negotiate prices than having prices set for them. He said right now there is a little monopoly, and they should be allowed to do the same thing that the cities and towns are doing.

REP. WHALEN asked Rep. Cobb if the Board is abolished will the counties lose the protection for small newspapers. He said that it would open it up to competitive bidding.

REP. MOORE asked Ms. Gibson what would the state lose if the Board were abolished. She said that the counties would lose the cap that they "shall not pay more than 10 percent under the Franklin Code." The way the bill is written, once you lose the Board itself, the maximum cap would be lost. She said that she believed that Mr. Markle had an amendment to the bill that would protect the counties from escalating prices (Exhibit 6).

Closing by Sponsor: Rep. Cobb said that cities and towns do not have a board. They are free go out and get competitive bids. The question that must be decided is

do we have to have rate setting done on printing for the counties.

DISPOSITION OF HB 101

Motion: Rep. Campbell moved HB 101 DO PASS.

Discussion: None

Amendments and Votes: Lois Menzies explained the amendments (Exhibit 9). She said that she had talked with both Debbie Van Vliet and Sue Bartlett about the amendments and tried to ensure that their concerns were addressed. She said that there may be some fiscal impact involved in the bill as amended because agencies will be required to send out notices that they have never had to send out before.

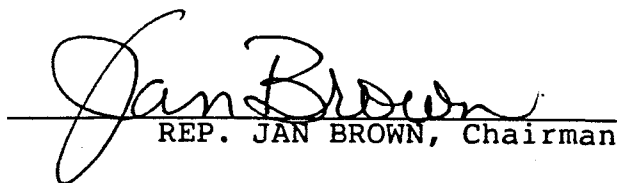
REPS. ROTH AND CAMPBELL were concerned about the postage costs of mailing out three notices. Rep. Cocchiarella noted that three notices would not be sent out to everyone but just to those that the issuing agency couldn't identify.

REP. DAVIS requested a fiscal note on HB 101. The motion PASSED.

Lois Menzies said she would draft a letter on behalf of Chairman Brown to the presiding officer to have a fiscal note drawn.

ADJOURNMENT

Adjournment At: 10:28 a.m.


REP. JAN BROWN, Chairman

JB/jb

1914.min

DAILY ROLL CALL

STATE ADMINISTRATION COMMITTEE

51th LEGISLATIVE SESSION -- 1989

Date 1-19-89

NAME	PRESENT	ABSENT	EXCUSED
Rep. Jan Brown, Chairman	✓		
Rep. Helen O'Connell, Vice Ch.	✓		
Rep. Vicki Cocchiarella	✓		
Rep. Ervin Davis	✓		
Rep. Floyd "Bob" Gervais	✓		
Rep. Janet Moore	✓		
Rep. Angela Russell	✓		
Rep. Carolyn Squires	✓		
Rep. Vernon Westlake	✓		
Rep. Timothy Whalen	✓		
Rep. Bud Campbell	✓		
Rep. Duane Compton	✓		
Rep. Roger DeBruycker	✓		
Rep. Harriet Hayne	✓		
Rep. Richard Nelson	✓		
Rep. John Phillips	✓		
Rep. Rande Roth	✓		
Rep. Wilbur Spring, Jr.	✓		

STANDING COMMITTEE REPORT

January 19, 1989

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that HOUSE BILL 144 (first reading copy -- white) do pass and that it be placed on the CONSENT CALENDAR.

Signed: _____

Jan Brown
Jan Brown, Chairman

STANDING COMMITTEE REPORT

January 19, 1989

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report
that HOUSE BILL 124 (first reading copy -- white) do pass .

Signed: _____

Jan Brown
Jan Brown, Chairman

STANDING COMMITTEE REPORT

January 19, 1989

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that House Bill 74 (first reading copy -- white) do pass as amended and that it be placed on the CONSENT CALENDAR.

Signed: Jan Brown
Jan Brown, Chairman

And, that such amendments read:

1. Page 4, line 14.
Following: line 13
Strike: " "
Insert: "Senate"
Following: "No."
Strike: " [LC 468] "
Insert: "80"

STANDING COMMITTEE REPORT

January 19, 1969

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that HOUSE BILL 142 (first reading copy -- white) do pass and that it be placed on the CONSENT CALENDAR.

Signed: Jan Brown

Jan Brown, Chairman

TESTIMONY OF REPRESENTATIVE NELSON ON HB 144

CHAIRMAN BROWN AND MEMBERS OF THE COMMITTEE, FOR THE RECORD I AM REPRESENTATIVE LINDA NELSON DISTRICT 19 FROM MEDICINE LAKE, MONTANA.

I COME BEFORE YOU TODAY AS CHIEF SPONSOR OF HB 144.

THIS IS A SIMPLE BILL, THAT IMPROVES THE OPERATIONS OF STATE GOVERNMENT, MAKES A LOT OF SENSE AND THEREFORE DESERVES YOUR FAVORABLE CONSIDERATION.

HB144 IS A BILL THAT PLACES THE SECRETARY OF STATE ON THE STATE RECORDS COMMITTEE.

FOR THE PURPOSE OF BACKGROUND THE STATE RECORDS COMMITTEE IS A COMMITTEE COMPRISED OF DESIGNEES FROM THE ATTORNEY GENERAL OFFICE, THE LEGISLATIVE AUDITOR OFFICE, THE HISTORICAL SOCIETY AND THE DEPARTMENT OF ADMINISTRATION. THE RECORDS COMMITTEE FUNCTIONS AS A WATCH DOG OVER THE MONTANA STATE RECORDS. THE PRIMARY FUNCTION OF THE COMMITTEE IS TO REVIEW RECORDS PRIOR TO THEIR DISPOSAL TO ENSURE THAT NOTHING OF VALUE IS LOST AND TO MONITOR RETENTION REQUIREMENTS FOR AGENCIES. EACH ENTITY SERVES A SEPARATE PURPOSE. THE ATTORNEY GENERAL'S OFFICE REVIEWS RECORDS FOR THEIR LEGAL CONTENT AND NECESSITY. THE LEGISLATIVE AUDITOR'S

OFFICE REVIEWS THE RECORDS FOR THEIR AUDIT VALUE AND NECESSITY. THE HISTORICAL SOCIETY REVIEWS RECORDS FOR THEIR HISTORICAL SIGNIFICANCE. THE REPRESENTATIVE FROM ADMINISTRATION PROVIDES INSIGHT INTO THE ADMINISTRATIVE VALUE. THE SECRETARY OF STATE'S OFFICE IF PLACED ON THE COMMITTEE WOULD SERVE ON THE COMMITTEE BECAUSE IT IS CONSTITUTIONALLY AND STATUTORILY RESPONSIBLE FOR FILING AND SAFEGUARDING THE OFFICIAL RECORDS OF THE STATE OF MONTANA.

I OFFER YOU THE FOLLOWING REASONS FOR PLACING THE SECRETARY OF STATE ON THE RECORDS COMMITTEE:

1. AS BEFORE MENTIONED THE CONSTITUTIONAL AND STATUTORY DUTIES OF THE SECRETARY OF SATE REQUIRE HIM TO MAINTAIN THE OFFICIAL RECORDS OF THE STATE OF MONTANA. IN ORDER TO PROVIDE CONSISTENCY IN THE LAWS IT MAKES SENSE TO PLACE THE CHIEF RECORDS KEEPER ON THE RECORDS COMMITTEE.
2. THE SECRETARY OF STATES OFFICE RECEIVES AND FILES TENS OF THOUSANDS OF DOCUMENTS EACH YEAR. THE VOLUME OF DOCUMENTS HANDLED BY THE SECRETARY OF STATES OFFICE DICTATES THE INCLUSION OF THE SECRETARY ON THE COMMITTEE.
3. MOST STATES HAVING AN EFFECTIVE RECORDS PROGRAM, WITH A SIMILAR TYPE OF COMMITTEE, HAVE THEIR SECRETARY OF STATE SERVE ON THE COMMITTEE.

4. MEMBERS OF THE RECORDS COMMITTEE ARE EITHER IN FAVOR OR NOT IN OPPOSITION TO THE INCLUSION OF THE SECRETARY OF STATE ON THE COMMITTEE.

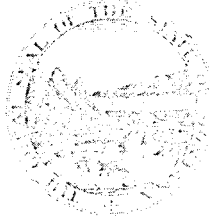
5. LASTLY, THIS LEGISLATION CARRIES NO FISCAL IMPACT.

FOR THESE REASONS I URGE YOU TO GIVE HB 144 A DO PASS RECOMMENDATION. THIS BILL IS GOOD GOVERNMENT LEGISLATION. BY PLACING THE SECRETARY OF STATE ON THE RECORDS COMMITTEE THE STATE WILL RECEIVE THE BENEFIT OF THAT OFFICE'S EXPERTISE IN RECORDS MANAGEMENT. IT WILL ALSO INCREASE THE COMMUNICATION BETWEEN OFFICIALS WHO ARE RESPONSIBLE FOR THE SAFE KEEPING, HANDLING AND DESTRUCTION OF STATE RECORDS.

SECRETARY OF STATE

STATE OF MONTANA

EXHIBIT 2
FILE 1-19-89
HB 144



Mike Cooney
Secretary of State

Montana State Capitol
Helena, Montana 59620

Madam Chairperson and members of the House State Administrative Committee, I am Garth Jacobson, representing the Secretary of State's office. I am here today testifying in favor of HB 144.

This is a simple bill which places the Secretary of State on the state records committee. The reasons for the bill are as follows:

1) Most states which have this type of committee, have the Secretary of State serve on the committee.

2) The Montana Constitution, article VI section 4(3) and section 2-15-401 Montana Codes Annotated require the Secretary of State to perform the duty of maintaining the official records of the state of Montana.

3) The present members of the committee are either supportive of the having the Secretary of State on the records committee or they are not in opposition to this change.

4) The office offers to the records committee the working knowledge of dealing with large numbers documents. For example the office receives for filing over 80,000 UCC liens documents each year. The corporations bureau handles over 45,000 active business files with over 38,000 filings made each year. The elections bureau files thousands of official documents each year not to mention the administration of files that contain the names of over 12,000 notary publics. These numbers demonstrate the expertise the office has in records keeping.

Therefore it makes sense to place the Sec. of State on the records committee. I urge your approval of HB 144

STATE ADMINISTRATION COMMITTEE

JAN BRUSH CHAIRMAN

EXHIBIT 3
DATE 1-19-89
#B 124

Mr. Chairman, members of the Committee. For the record my name is Representative Robert Clark from H.D. 51. I come before you today with what is basically a housecleaning bill H.B. 124. I am carrying this bill at the request of the Department of Justice and all it will do is change the reference from patrolman or patrolmen to patrol officer wherever it appears in the Montana Codes Annotated.

We have had female officers in our organization for 10 years now so it is probably time we updated our laws to reflect that, cause I think they are here to stay and we do accept that fact. I ask your support in passing this bill. Thank you.

EXHIBIT _____

DATE _____

EXHIBIT 4

DATE 1-19-89

HB 140

Please Print

WITNESS STATEMENT

NAME BEVERLY GIBSON BILL NO. HB 140

ADDRESS 1802 11th Ave. Helena

WHOM DO YOU REPRESENT? MACo

SUPPORT ✓ OPPOSE _____ AMEND ✓

COMMENTS: The Board of County Printing
has not met since 1983, at which
time they set maximum prices that, over time,
would meet the cost of inflation, i.e.,
the Franklin Printing Code, less
10% for counties.

The Board is no longer needed and
should be sunsetted.

Sec. 1 can be struck in its
entirety since its main function is
devoted to the Board of Co. Printing only.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Printing Board Sets New Prices

In a spirit of cooperativeness balanced by a need to face fiscal realities the Board of County Printing acceded to two MACo requests to modify the impact of increased prices for county printing.

The Board met in Lewistown Sept. 8 to vote on proposed rules to increase the maximum price schedule for county printing of legal notices and job printing.

The Board posed itself two questions: are price increases justified, and if so, how much? In addition, the Board addressed the question of when the new increases would take effect, to minimize the impact on county budgets.

A formal rules hearing was held earlier in Great Falls, with testimony presented by MACo, individual counties and printers. Board members are Everett Elliott, Pondera county commissioner; Merle Thorstad, Blaine county commissioner; Ron Lytle, editor, Hardin Herald; Larry Bowler, editor, Daniels County Leader; and Dan Rieder, director, American Simmental Association, Bozeman. Rieder is chairman of the Board.

Legal Publications

The Board unanimously voted to increase the price for legal publications to \$6 per folio for the first insertion, \$4 per folio for each subsequent insertion, \$8 per folio for rule and figure work for first insertion, and \$4 per folio for each subsequent insertion. This amounts to approximately a 67% increase over the current prices, which have not been raised since 1976. The inflation rate for this type of work has risen between 61-70% since 1976, according to the Department of Commerce.

In addition, the Board agreed to postpone the effective date of the new price schedule for legal publishing until

until July 1, 1984, as suggested by MACo.

Job Printing

The Board voted unanimously to set the maximum prices for job printing at no higher than the prices in the Franklin Printing Catalog, less 10%, as suggested by MACo. This will be based on prices in effect on or before March 1 each year, beginning March 1, 1984, for a contract to take effect July 1. Effective date of the new schedule thus will be July 1, 1984.

Each year, commissioners will call for bids in March, for one or two-year contracts, to begin in their next fiscal year. Although the Board did not write in language that would restrict prices from raising during the life of the contract, they suggested that each contract be negotiated with individual county printers with this in mind.

The Board found that language in Montana statutes compels the state to provide copies of the new price schedule to each county. However, there is no money in the Board's budget to provide copies of the Franklin Printing Catalog to counties in this biennium, unless the Department of Commerce is willing to ask for a supplemental appropriation. In the meantime, the Board will urge individual printers to make the Catalog available to their counties during budget time, and in the future will expect to provide each county with copies of the Catalog.

Franklin Catalogs are not sold to individuals, but leased on a yearly basis. The Catalog is frequently updated to reflect changing prices of paper, labor, and advances in technology in the printing industry.

Assessors Elect

Don Larson, Jefferson county assessor was elected president of the Montana Assessor's Association at their annual meeting in Helena August 30-Sept. 1.

Other officers are Edith Barker, Pondera, first vice president; Sally Jo Price, Mineral, second vice president; Bob Hoffman, Madison, re-elected secretary-

MACo NEWS
Published Monthly
Montana Association of Counties
1802 11th Avenue
Helena, MT 59601
(406) 442-5209

Michael J. Stephen.....Executive Director
Beverly Gibson.....Public Relations
Director, Editor

EXHIBIT 6
DATE 1-19-89
HB 140

PROPOSED AMENDMENTS TO H.B. 140 (white)

1. Page 1, line 12

Strike: section 1 in its entirety

Renumber: subsequent sections

2. Page 3, line 7

Following: "~~Printing~~."

Insert: "(3) In no case shall any contract call for payment
by the county of any prices in excess of the
maximum fixed by the department of commerce.
The department shall adopt rules fixing
maximum prices and folio costs."

Renumber: subsequent subsection.

TESTIMONY BY CHARLES W. WALK, EXECUTIVE DIRECTOR OF MONTANA
NEWSPAPER ASSOCIATION BEFORE HOUSE STATE ADMINISTRATION
COMMITTEE JAN. 19, 1989, ON HB 140. 1012

Chairman Brown, members of the committee, for the record my name is Charles Walk. I am executive director of the Montana Newspaper Association, which includes in its membership all 11 daily newspapers and 65 of the state's weekly newspapers.

I am here today to testify in opposition to HB 140 as drafted.

We believe HB 140 is unnecessary and ill-advised.

We are particularly concerned about the bill's abolishment of the board of county printing, a board which has served the state well for more than 20 years.

I understand that there is a move afoot to abolish a number of these citizen advisory boards and I cannot speak to the merits of the abolishment of any except the board of county printing. We obviously think such a move would be a mistake.

In researching the history of the board, I came across the minutes of the last meetings, held in August and September of 1983. The minutes provide a clinic in all the points that are good about citizen advisory boards.

The minutes show spirited and lengthy debate between the various points of view on the five-member board, particularly between the individuals representing the printing industry and those representing the county commissioners.

The debate focused around two key areas, the printing standards under which the printing industry would have to operate as far as county printing was concerned and the rates which would serve as maximums for both county printing and the legal advertising, or public notices advertising, covered by code.

There was oral and written testimony presented by both sides of the issues and the result was--as it often is when these boards function properly--compromise.

I admit concern that something will be lost in the give and take process if the county printing board is abolished. I also have had concerns about the rate-setting process, particularly as it concerns public notice advertising and I expressed those concerns to Rep. Cobb, who has been very cooperative and helpful in seeking responses to the concerns.

2012
I know there are those who wonder how we can support the continued existence of a board that has not met for 4½ years.

I don't believe that detracts from the importance of the board then, or now. It speaks more to the problem of funding these advisory boards...or, more precidely, the lack of funding for these boards. The history of the printing board shows there was no money allocated for it to meet since 1983.

Also, the fifth spot on the board, that spot which is to represent the public, has been vacant for the last two years. We have asked the governor to fill that vacancy and reconvene the board.

We see nothing but good generated by the involvement of citizen advisory boards such as the county printing boards. We are at a loss to see why they should be discontinued at this time when there seems more need than ever for public consultation and consideration to be an intregal part of the governmental process.

For this reason we oppose HB 140 as it amends 7-5-2401.

Charles W. Walk

Amendments to House Bill No. 74
First Reading Copy

For the House Committee on State Administration

Prepared by Lois Menzies
January 19, 1989

1. Page 4, line 14.
Following: line 13
Strike: " "
Insert: "Senate"
Following: "No."
Strike: " [LC 468]"
Insert: "80"

INTRODUCED BY Harry Sullivan Hargrett BILL NO. 101

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT ALL PAYMENTS MADE

STATE WARRANTS ISSUED TO A LOCAL GOVERNMENT ENTITY ARE TO BE

MADE PAYABLE TO ~~THE~~ THE FINANCE OFFICER OF THE

APPROPRIATE COUNTY OR CITY; AND PROVIDING FOR MAILING OF A

NOTICE OF ISSUANCE OF THE WARRANT TO THE ENTITY." ~~COUNTY CLERK AND~~ RECORDED

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Payments to local government

entitles -- notice. (1) For the purposes of this section the following definitions apply:

(a) "Finance officer" means the county treasurer, city treasurer, town clerk, or the equivalent provided for in Title 7, chapter 3.

(b) "Local government entity" means a public entity that, whether or not governed by the legislative body of the local government, is required by law to conduct financial affairs through the finance officer of a city, town, or county. The term does not include a school district.

(2) All ~~warrants issued by the~~ payments made ~~state auditor~~ agency to any city, town, county, or local government entity must be payable to the finance officer of the appropriate city, town, or county. If the warrant is to be deposited to the

AND TO THE COUNTY CLERK AND
RECORDED, IF THE PAYMENT IS
MADE TO THE FINANCE OFFICER
OF THE COUNTY

- (1) credit of a local government entity, the state auditor ^{agency} shall, at the time of mailing the ~~warrant to the finance~~ ^{claim is processed}
- (2) ~~officer~~ mail a notice of issuance of the warrant to the
- (3) local government entity. When applicable, the finance
- (4) officer shall deposit the warrant in the appropriate fund or
- (5) account to the credit of the local government entity.
- (6) (3) If the state auditor ^{agency} is unable to determine if the
- (7) payee of a warrant is a government entity, the state auditor ^{agency}
- (8) shall process ~~and mail~~ the ~~warrant~~ ^{claim} as if it was not payable
- (9) to a government entity. The state auditor ^{agency} shall also mail a
- (10) notice of issuance of the warrant to the finance officer of
- (11) the county and city to which the warrant was mailed.
- (12)

-End-

COUNTY CLERK AND
RECORDED

EXHIBIT 9
DATE 1-19-89
HB 101

VISITORS' REGISTER

STATE ADMINISTRATION COMMITTEEBILL NO. 144DATE January 19, 1989SPONSOR REP. NELSON

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
<i>John M. Brantley</i>	<i>Leg. Assistant</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Mark Jacobsen</i>	<i>Sec. of State</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

STATE ADMINISTRATION COMMITTEE

DATE January 19, 1989

[illegible]

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

STATE ADMINISTRATION COMMITTEE

DATE January 19, 1989

SPONSOR REP. COBB

[illegible]

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

STATE ADMINISTRATION COMMITTEE

DATE January 19, 1989

[illegible]

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

ROLL CALL VOTE

STATE ADMINISTRATION

COMMITTEE

DATE 1-1989

BILL NO. HB 124

NUMBER 1

NAME	AYE	NAY
Jan Brown	✓	
Bud Campbell		✓
Vicki Cocchiarella	✓	
Duane Compton	✓	
Ervin Davis	✓	
Roger DeBruycker		✓
Floyd "Bob" Gervais	✓	
Harriet Hayne	✓	
Janet Moore	✓	
Richard Nelson		✓
Helen O'Connell		✓
John Phillips	✓	
Rande Roth		✓
Angela Russell	✓	
Wilbur Spring, Jr.		✓
Carolyn Squires	✓	
Vernon Westlake		✓
Timothy Whalen	✓	

TALLY

11

7

Judy Burgett
Secretary

Jan Brown
Chairman

MOTION: Do pass.