

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
51st LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: By Chairman Jan Brown, on January 26, 1989, at
9:00 a.m.

ROLL CALL

Members Present: All present, except:

Members Excused: Rep. Davis

Members Absent: None

Staff Present: Judy Burggraff, Secretary; Lois Menzies,
Staff Researcher

HEARING ON HB 118

Presentation and Opening Statement by Sponsor: Rep. Dorothy
Cody, House District 20, Wolf Point and Conrad, introduced
the bill. This agency bill, requested by the Department of
Commerce, concerns funeral directing and mortuary science.

The bill:

- revises the definition of funeral direction to include "the making of preneed or at-need contractual arrangements for funerals";
- permits the Board of Morticians to impose an administrative fine of not more than \$1,000 per incident;
- provides that a mortuary license expires on June 30 of each year and permits the Board to set a penalty for late renewal of a license;
- requires a new mortuary facility to meet standards adopted by the Board;
- requires an initial inspection before a new facility may be opened;
- permits the Board to set an initial inspection fee; and
- permits a mortuary license to be suspended or revoked for nonpayment of renewal fees.

Rep. Cody requested the committee to amend the bill to put the fines collected into the General Fund.

List of Testifying Proponents and What Group They Represent:

Jack Severns, Board of Morticians

Michael McCollum, President Elect, Montana Funeral Directors' Association

Patricia England, Staff Attorney, Department of Commerce assigned to the Board of Morticians

List of Testifying Opponents and What Group They Represent:

None

Testimony:

JACK SEVERNS, proponent, said he is the chaplain at a hospital in Great Falls and has dealt with the funeral profession and directors for a long time. He said that he pictured the Board as having one great big club that it can hit someone with, revocation of license, which would mean that they couldn't make a living in the profession in which they are engaged. Mr. Severns said that many times there are lesser violations and morticians need to be reminded that there are teeth in the rules. They would like to impose fines within the legal structures, and said they agreed with putting the fines in the General Fund.

MIKE MCCOLLUM, proponent, said that the Board of Directors of the Montana Funeral Directors' Association had the opportunity to review HB 118 in September. After the Board meeting, they also had the opportunity to travel the state to attend district meetings. The membership feels that the legislation proposed in HB 118 has merit and that the fine is needed. The only thing now that the state Board can do is revoke licenses or slap violators on the hands. Mr. McCollum said that the Association feels that it would be in the best interests of the profession if the monies went into the General Fund.

PATRICIA ENGLAND, proponent, said she would like to address any questions the Committee might have regarding the amendment to add to section 37-19-101 (4) "the making of preneed or at-need contractual arrangements for funerals." She said the Federal Trade Commission (FTC) raised questions because the existing law does not provide that preneed arrangements

HOUSE COMMITTEE ON STATE ADMINISTRATION

January 26, 1989

Page 3 of 12

are part of the total funeral services that are rendered by a licensed funeral director. The administrative rules that govern their professional conduct do speak to the making of preneed arrangements. The FTC saw a conflict here. The FTC's concern is to foster competition as they feel that is the best way of protecting consumers. Ms. England said that competition is not necessarily appropriate here as professional standards must be considered. Ms. England talked the bill over with the Board of Morticians, and their primary concern is preneed and at-need arrangements. They believe that the contractual arrangements should only be done by a licensed professional.

Questions From Committee Members:

REP. CAMPBELL asked Rep. Cody if she didn't think a \$1,000 fine excessive as he was worried about the small-town funeral directors being able to afford that size of a fine, Rep. Cody said the fine is only imposed if there is a violation, and she hoped that most directors would not be violating that many statutes. Rep. Cody said the purpose of the fine is not to hurt the small-town funeral directors, but to provide a penalty for a serious violation of the existing statutes.

REP. MOORE asked for clarification of the term "preneed." Rep. Cody said that was when a prearrangement had been made for a person's own service prior to his or her expiration.

REP. RUSSELL asked Rep. Cody if the new language on page 2, about preneed and at-need contractual arrangements also includes finances. Rep. Cody said that it is financially arranging for your own funeral. REP. RUSSELL said that in her district, they only have one mortuary with a monopoly in the area. She said that there have been a number of complaints that when a family member has died that they must pay cash before the mortician will bury the individual.

REP. RUSSELL asked if the bill would at least extend some time to meet the financial obligations until after burial. Rep. Cody said that a contractual agreement assumes that you can pay on time, and a funeral director or mortician cannot be dictated to by the Board except where it comes to the law. Rep. Cody didn't believe that this bill addresses Rep. Russell's concern.

REP. ROTH asked Ms. England if the bill would preclude anyone other than a licensed mortician entering into a contract for preneed arrangements even if all they were

concerned with was handling contracts for preneed. Ms. England said "yes, it would." REP. ROTH asked if someone just wanted to handle the financial end why should they be required to be licensed to do all that a mortician does. Ms. England said that licensure is necessary because the financial arrangements require some knowledge of how the burial is performed. That person would need to know the various prices of the range of caskets and what the law is on disclosing, the time within which a body must be buried after death and a number of details having to do with the actual burial that enter into the making of a contract.

REP. PHILLIPS asked Ms. England if the bill would affect companies such as Purple Cross. Ms. England referred the question to Rep. Cody, who said that Purple Cross is just like life insurance. It is a policy that pays on death for burial.

REP. GERVAIS said that he thought the \$1,000 fine was excessive. He asked "what is the average cost of a funeral?" Mike McCollum said that the latest figure he had now was from the Federated Funeral Service, which is an accounting firm. Based on 158,000 funerals, the average funeral in the United States costs approximately \$2,500. He said that this figure by itself doesn't mean all that much as it represents the services for a complete funeral and the casket. The figure does not take into account the cemetery equipment, vault or liner, or any of the cash advance items. The average for complete funeral and burial, with the cash advance items, is closer to \$3,500 to \$4,000.

REP. WESTLAKE asked how many and what kind of violations are taking place under the existing statutes. Mr. Clayton answered REP. WESTLAKE saying that he has been on the board for seven years and that the Board is receiving more complaints every year. Mr. Clayton said the Board is receiving about ten complaints a year that would fit into the "fine" category.

REP. ROTH asked Rep. Cody if there is a problem with people coming into the state and selling a preneed agreement and then leaving the state, a "deadbeat" so to speak. Rep. Cody said she can foresee someone going into a rest home, where the people there are thinking about death and are more gullible and susceptible to a high-pressure salesman, and selling them preneed arrangements and then leaving the state with the money and never be seen again.

HOUSE COMMITTEE ON STATE ADMINISTRATION

January 26, 1989

Page 5 of 12

Closing by Sponsor: Rep. Cody thanked the Committee and said that she does not carry a bill if she doesn't believe in it. She said that the Board, although it issues rules, does not have the authority on the preneed or contractual agreements. Rep. Cody said that when a death occurs, it is a very traumatic time for the family and they need a responsible person dealing with the family and urged a do pass on the bill.

DISPOSITION OF HB 118

Motion: REP. DEBRUYCKER moved that HB 118 DO PASS.

Amendments, Discussion and Votes: REP. PHILLIPS moved that the bill be amended to require that money collected from fines be deposited in the state general fund. The motion PASSED unanimously.

REP. O'CONNELL said that the \$1,000 fine was too high. REP. PHILLIPS noted that the bill permits the Board of Morticians to impose a fine of not more than \$1,000 per incident; the bill does not require that the fine be set at \$1,000.

REP. CAMPBELL moved that the fine be limited to no more than \$500. REP. SPRING said that he opposed the amendment. The amendment FAILED on a voice vote.

REP. SQUIRES moved that the statement of intent be adopted. The motion CARRIED 16 - 2 with Reps. Campbell and O'Connell voting no.

Recommendation and Vote: REP. PHILLIPS moved that HB 118 DO PASS AS AMENDED. The motion CARRIED 16 - 2 with Reps. Campbell and O'Connell voting no.

HEARING ON HB 226

Presentation and Opening Statement by Sponsor: Rep. Jessica Stickney, House District 26, introduced the bill. This is an agency bill, requested by the Department of Commerce, to revise provisions concerning reports prepared by the Board of Investments. It repeals a provision that requires the Board to prepare a report on the potential uses of the Coal Tax Trust Fund and shifts responsibility for preparing the report to the Coal Tax Oversight Committee.

List of Testifying Proponents and What Group They Represent:

Dave Lewis, Department of Commerce, Executive Director,
Board of Investments

List of Testifying Opponents and What Group They Represent:

None

Testimony:

DAVE LEWIS, proponent, said that section 1 lists the types of detailed information that has been required previously in the statute. Mr. Lewis said that this requires the publication of a separate report that Rep. Stickney showed the Committee. The Board undergoes an annual legislative audit in which every loan is examined, as required by law. The bill is proposing presenting the financial statements for the fund, a summary report of the loan activity and a comparison of the results of the in-state investment fund performance in relation to the purposes contained in the statute. The bill would eliminate a tremendous amount of information that the Department of Commerce now is required to submit. The information is available if someone is interested, but it would reduce the publication costs by about \$1,500 a year if they didn't have to publish it. Another requirement in the original statute, is that they publish a financial statement for the in-state investment fund in every newspaper in the state at a cost of about \$1,000 a year. In the five years that they have been publishing, they have not had one call or question. All the information is presented in the annual report and is reviewed by the Legislative Auditor.

In past years, the Montana Economic Development Board has spent about \$15,000 a year to prepare and present a report on the potential uses of the Coal Tax Trust Fund. The bill would shift the responsibility for preparing the report for the Coal Tax Oversight Committee.

Questions From Committee Members:

REP. ROTH asked Rep. Stickney if the report was still going to be published, and if all the bill was doing is changing who puts it out. Rep. Stickney said that was correct, but that she didn't know whether or not the report would be done in such detail.

Closing by Sponsor: Rep. Stickney thanked the Committee for its time and asked for a do pass.

HOUSE COMMITTEE ON STATE ADMINISTRATION

January 26, 1989

Page 7 of 12

DISPOSITION OF HB 226

Motion: REP. SQUIRES moved that HB 226 DO PASS.

Discussion: None

Amendments and Votes: None

Recommendation and Vote: The motion CARRIED unanimously.

HEARING ON HB 281

Presentation and Opening Statement by Sponsor: Rep. Jessica Stickney, House District 26, Miles City, presented written testimony (Exhibit 1). This is an agency bill, requested by the Secretary of State, simply requiring a notary public to file his or her address and telephone number with the office of the Secretary of State. Any changes in this information must also be reported to the office. At present, the only information on file with the Secretary of State's office is the names of the notary publics, their oath of office and a copy of their bond. There is no information available which would enable the office to contact the notary public. There are times when the Secretary of State's office must contact a notary public. In order to contact a notary, the office must either contact the insurance company that bonded the notary or look up the address and phone number in a phone book and city directory. This process is sometimes difficult and very time consuming. The name, address and other information would not be available for sale as a mailing list and would only be used for the office's purposes.

List of Testifying Proponents and What Group They Represent:

Garth Jacobson, Secretary of State's Office

List of Testifying Opponents and What Group They Represent:

None

Testimony:

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

Questions From Committee Members:

REP. WESTLAKE asked Mr. Jacobson whether there is a rule in the statutes regarding the sale of lists he referred to in his testimony. Mr. Jacobson said that there is a specific statute, which precludes the sale of mailing lists unless you happen to be exempt from the statute. Mr. Jacobson said that he believes the only lists that can be sold are voter registration lists and possibly a couple of others. A list can be copied manually from the records. In the case of the notaries, there are about 14,000 of them. He didn't think anyone would come in and copy them down.

Closing by Sponsor: None

DISPOSITION OF HB 281

Motion: REP. SPRING moved that HB 281 DO PASS.

Discussion: None

Amendments and Votes: None

Recommendation and Vote: The motion CARRIED unanimously. REP. MOORE moved that HB 281 be placed on the consent calendar. The motion CARRIED unanimously.

HEARING ON HB 159

Presentation and Opening Statement by Sponsor: Rep. Richard Nelson, House District 6, said that this bill was requested by the Teachers' Retirement Board and concerns the transfer of creditable service between the Public Employees' Retirement System (PERS) and the Teachers' Retirement System (TRS). He noted that the combined employer and employee contributions and interest required under current law is insufficient to qualify PERS service in TRS. This bill requires that adequate amounts be transferred. If a member does not want to make the additional contribution, he would receive a reduced benefit.

List of Testifying Proponents and What Group They Represent:

Dave Senn, Administrator, Teachers' Retirement Division

Linda King, Assistant Administrator, Public Employees' Retirement Division

David Bishop, School Administrators of Montana

Phil Campbell, Montana Education Association

HOUSE COMMITTEE ON STATE ADMINISTRATION

January 26, 1989

Page 9 of 12

List of Testifying Opponents and What Group They Represent:

None

Testimony:

DAVE SENN, proponent, said that currently the dollars transferred from PERS to TRS to qualify PERS service credits are inadequate to fund benefits. Benefits are better under TRS; therefore, this bill requires a member to pay an amount equal to 2 percent of his or her final compensation to fund the enhanced benefits. He further stated that if the member chooses not to pay the additional amount to transfer the service credits, his or her benefits will be reduced. He distributed and explained an example regarding transferred credits (Exhibit 3).

LINDA KING, proponent, said that in the past, the benefit levels, under PERS and TRS were essentially the same. When TRS members began to receive higher benefits, funding problems developed. She urged the committee to support the bill to provide full funding for transferred service credits.

DAVE BISHOP, proponent, said that the School Administrators of Montana support HB 159.

PHIL CAMPBELL, proponent, said that the Montana Education Association supports HB 159.

Questions From Committee Members:

REP. WESTLAKE asked Dave Senn why an employee would transfer service credits and what benefit results from the transfer. Mr. Senn replied that membership under PERS or TRS is not optional; the employee's occupation determines the retirement system under which he or she must become a member. He further explained that a member may wish to transfer service credits between systems to maintain continuity in a future retirement benefit.

Closing by Sponsor: Rep. Nelson thanked the Committee for its time and asked for a do pass recommendation.

DISPOSITION OF HB 159

Motion: REP. NELSON moved that HB 159 DO PASS.

Discussion: None

Amendments and Votes: None

HOUSE COMMITTEE ON STATE ADMINISTRATION

January 26, 1989

Page 10 of 12

Recommendation and Vote: The motion CARRIED unanimously. REP. NELSON moved that HB 159 be placed on the consent calendar. The motion CARRIED unanimously.

DISPOSITION OF HJR 5

Hearing Date: January 20, 1989

Motion: CHAIRMAN BROWN explained that on January 24 the Committee's do pass recommendation on HJR 5 failed on an 8 - 9 vote. She said that a bill or resolution cannot be reported out of committee unless it receives a majority vote.

REP. WHALEN moved that the committee RECONSIDER ITS ACTION on HJR 5. The motion CARRIED 15 -3 with Reps. Debruycker, Spring, and Campbell voting no.

REP. WHALEN moved that HJR 5 DO PASS.

Discussion: None

Amendments and Vote: None

Recommendation and Vote: On a roll call vote, the motion CARRIED 10 - 8.

DISPOSITION OF HB 78

Hearing Date: January 11, 1989

Motion: REP. HAYNE moved that HB 78 DO PASS.

Discussion: REP. WHALEN asked Rep. Gervais if there was a position in state government responsible for representing Native Americans. REP. GERVAIS said that the Coordinator of Indian Affairs performs that function. He said that there was no need for the position of coordinator of reservation counties; the counties and Indians are getting along well, and there would be a considerable cost associated with creating a new position.

REP. WHALEN made a substitute motion that HB 78 DO NOT PASS.

REP. O'CONNELL questioned the need for establishing another position in state government.

REP. RUSSELL made a substitute motion that HB 78 be TABLED.

HOUSE COMMITTEE ON STATE ADMINISTRATION

January 26, 1989

Page 11 of 12

Amendments and Votes: None

Recommendation and Vote: The motion to table the bill CARRIED by a vote of 15 - 2 with Reps. Campbell and Spring voting no.

DISPOSITION OF HB 235

Hearing date: January 27, 1989

Motion: Rep. Cocchiarella moved HB 235 DO PASS.

Discussion: REP. COCCHIARELLA said that HB 235 has no costs.

Amendments, Discussion and Votes: Rep. Cocchiarella moved the amendment and moved HB 235 DO PASS AS AMENDED. REP. COCCHIARELLA said that yesterday there was concern from the veterans' organizations. There was a mistake in the wording of the bill and an amendment has been drafted so that the veterans wouldn't suffer (Exhibit 4).

REP. PHILLIPS said that something is being taken away from the veterans with HB 235. Prior to October 1, 1989, a veteran can buy five years of military time and five years of out-of-state-service. After October 1, 1989, a veteran will be able to buy only one or the other. REP. COCCHIARELLA said that was what the amendment corrected. She then read a letter from Rich Brown, Administrator of the Veteran's Affairs Division of the Department of Military Affairs, stating that he agreed to the proposed amendments and that they would satisfy all veterans' complaints (Exhibit 5).

REP. PHILLIPS said that in a conversation with Tom Schneider that morning, he had been told that a veteran will only be able to buy back five years of service after October 1 unless the veteran had purchased out-of-state or military service under the bill.

REP. COCCHIARELLA said military people have to meet certain requirements before they can qualify for their military service. They can only buy five years at a cost of about 6 percent of salary. The bill does not preclude them from buying any of their military time. After October 1, 1989, a veteran could buy four years of military and one more year that they wouldn't have the opportunity to buy otherwise.

Tom Schneider said that there are very few people who have five years of military and five years of out of state, but the bill is adding an additional five years that veterans

HOUSE COMMITTEE ON STATE ADMINISTRATION

January 26, 1989

Page 12 of 12


could buy that they don't have the right to under the present statute.

REP. PHILLIPS asked Rich Brown if the veterans' groups understand the amendment. Mr. Brown said he thought they do. REP. PHILLIPS said he wants to make it clear that this bill is taking something away from the veterans and he doesn't understand why it can't be put back into the bill.

Because the Committee had to adjourn so members could attend a caucus, Chairman Brown said that the motion and the amendment would be held open for action tomorrow.

ADJOURNMENT

Adjournment At: 10:46.



REP. JAN BROWN, Chairman

JB/jb

2214.min

DAILY ROLL CALL

STATE ADMINISTRATION COMMITTEE

51th LEGISLATIVE SESSION -- 1989

Date January 26, 1989

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.	✓		

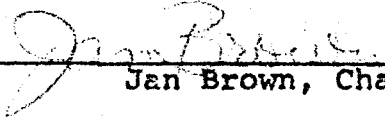
STANDING COMMITTEE REPORT

January 26, 1989

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that House Bill 118 (first reading copy -- white), with statement of intent attached, do pass as amended.

Signed: _____


Jan Brown, Chairman

And, that such amendments read:

1. Page 1.
Following: line 12
Insert:

STATEMENT OF INTENT
House Bill No. 118

A statement of intent is required for this bill because it grants authority to the board of morticians to adopt rules for:

(1) the imposition of fines in disciplinary actions for unprofessional conduct. Fines may be levied for any conduct for which a mortician's or funeral director's license could be revoked or suspended.

(2) the setting of standards for operating mortuary facilities to assure adherence to sanitary and safety provisions;

(3) the collection of fees and charges for mortuaries, which fees or charges must be commensurate with costs incurred for the services; and

(4) the establishment of reasonable application forms for operation of a new mortuary and transfer fees required to allow the transfer of a license to a new facility.

2. Page 4, line 1.

Following: ". "

Insert: "Any fine collected must be deposited in the state general fund."

STANDING COMMITTEE REPORT

January 26, 1989

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that House Bill 226 (first reading copy -- white) do pass.

Signed: _____

Jan Brown
Jan Brown, Chairman

STANDING COMMITTEE REPORT

January 26, 1989

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that House Bill 281 (first reading copy -- white) do pass . The Committee voted unanimously to have House Bill 281 be placed on the consent calendar.

Signed: _____

Jan Brown
Jan Brown, Chairman

STANDING COMMITTEE REPORT

January 26, 1989

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that House Bill 159 (first reading copy -- white) do pass. The Committee voted unanimously to have House Bill 159 be placed on the consent calendar.

Signed: _____

Jan Brown
Jan Brown, Chairman

STANDING COMMITTEE REPORT

January 26, 1989

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that House Joint Resolution 5 (first reading copy -- white) do pass .

Signed: Jan Brown

Jan Brown, Chairman

Testimony on HB 281

Madam Chairperson and members of the House State Administration committee, for the record I am Representative Jessica Stickney, District 26, from Miles City, Montana.

I am here today as sponsor of HB 281. This is a very simple housekeeping bill. This bill requires a notary public to provide his name and address to the Secretary of State's office.

At present the only information on file with the Secretary of State's office is the name of the notary public, their oath of office and a copy of their bond. There is no information available which would enable contacting the notary public.

There are times when the Secretary of State's office must contact a notary public. In order to contact a notary the office must either contact the insurance company that bonded the notary or look up the address and phone number in a phone book or city directory. This process is sometimes difficult and time consuming. HB 281 would remedy this problem

The name, address and phone number information would not be available for sales as mailing lists. It would only be used for the office purposes.

HB 281 as you can see, makes a minor change in the law which results in smoother operations and improvements in the service provided by the Secretary of State's office. Therefore I urge you give it a do pass recommendation.

SECRETARY OF STATE
STATE OF MONTANA

EXHIBIT 2
DATE 1-26-89
HB 281

Mike Cooney
Secretary of State



Montana State Capitol
Helena, Montana 59620

Testimony in Support of HB 281
January 26, 1989

Madam Chairperson and members of the House State Administration Committee, for the record I am Garth Jacobson, representing the Secretary of State's office. I am here today to testify in support of HB 281.

HB 281 is a very simple bill. All HB 281 does is require notary publics file their address and phone numbers with the Secretary of State's office. This is not asking a lot but it will have a good impact on the notary public operations in the office.

There are times when it is necessary for the Secretary of State's office to contact a notary public. When this occurs the only way to contact a notary is through his bonding company or by looking up the address and phone number in the city directory or phone book. This problem happened when Glacier General Insurance ceased doing business. The office had to contact the public notaries who were bonded by that company. You can imagine the difficulty the office experienced trying to contact those notaries.

One other example of when the office may need to contact a notary public is when the laws change that affect notaries. If that were to happen then it would be very difficult to contact them to inform them of the changes without knowing their addresses.

As you can see there is a real need for information provided in HB 281. This information however would not be available for sale as mailing lists. It would be used exclusively for office purposes.

With that I urge your support of HB 281 and request you give it a do pass recommendation.

House Bill 159

TITLE: "An act to establish a formula for determining the amount that must be paid to transfer creditable service between the public employees' and the teachers' retirement systems; amending Sections 19-3-511 and 19-4-409; and providing an immediate effective date."

EXAMPLE

Transfers from PERS to TRS

SSN			
NAME		AFC	\$10,358.00
*YEARS OF SERVICE			6.67
	CURRENT LAW		PROPOSED LAW
Employee contributions	\$2,904.92		\$2,904.92
interest	<u>2,689.76</u>		<u>2,689.76</u>
TOTAL	\$5,594.68		\$5,594.68
Additional Contribution	N.A.		\$1,381.76
Interest			<u>1,163.74</u>
Additional employee cost			\$2,545.50
Total Employee Cost			\$8,140.18
Amount transfered from pension trust fund	\$4,255.65		\$3,454.39
Interest	N.A.		<u>2,909.35</u>
Total pension fund cost	<u>\$4,255.65</u>		<u>\$6,363.74</u>
GRAND TOTAL	\$9,850.33		\$14,503.92

*Service credit in lieu of paying additional contribution 5.74

Amendments to House Bill No. 235
First Reading Copy

Requested by Rep. Vicki Cocchiarella
For the House Committee on State Administration

Prepared by Lois Menzies
January 26, 1989

- ✓ 1. Page 2, line 8.
Strike: "either"
Following: "19-3-503"
Insert: ", "
Strike: "and"

- ✓ 2. Page 2, line 9.
Following: "19-3-512"
Insert: ", "
Strike: "to" through "under"

- ✓ 3. Page 2, lines 14 and 15.
Strike: "After" on line 14 through "." on line 15

DEPARTMENT OF MILITARY AFFAIRS

VETERANS AFFAIRS DIVISION

EXHIBIT 5
DATE 1-26-89
HB 235

STAN STEPHENS, GOVERNOR

P.O. BOX 4789

STATE OF MONTANA

OFFICE OF THE ADJUTANT GENERAL
(406) 444-6910

HELENA, MONTANA 59604-4789

P.O. Box 5715
Helena, Montana 59604

January 25, 1989

TO: Representative Vicki Cocchiarella
FROM: Rich Brown, Administrator
RE: House Bill 235

Thank you for your special concern on behalf of Montana veterans.

Provided your amendments changing the verbage on line 8 and 9 on page 2 and, eliminating the sentence found on line 14 and 15 on page 2 are adopted, it is my considered opinion all veteran complaints will be satisfied.

cc: Representative Gary Spaeth, Sponsor House Bill 235
Chairwoman Jan Brown and Members House
State Administration Committee (17)

VISITORS' REGISTER

STATE ADMINISTRATION COMMITTEE

BILL NO. 118

DATE January 26, 1989

SPONSOR REP. CODY

NAME (please print)	REPRESENTING	SUPPORT	OPPOSE
PATRICIA I. ENGLAND	DOC - Staff A. Hwy Bd. of Morticians	X	
Lyman Clayton III	Bd of Morticians	X	
BOB ROSS	BD. OF MORTICIANS	X	
Michael McCollum	MONTANA FUNERAL Dir. Assn	X	
WM B Brower	Bd of Morticians	X	
Rep Anthony A. Cody	House Dist # 20	X	
GARRY L. ADAMS	MORTICIAN-MALTA	X	
W.E. Kiddle ^{1st}	MFDA	X	
Jack SEVERRS	Board of Morticians	X	

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

ROLL CALL VOTE

STATE ADMINISTRATION

COMMITTEE

DATE 1-26-89 BILL NO. HSR 5 NUMBER 1

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

TALLY

10 8

Judy Burgess
Secretary

Jan Brown
Chairman

MOTION: Do Pass
