

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 51st LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON STATE ADMINISTRATION

Call to Order: By Chairperson Jan Brown, on April 14, 1989, at  
2:30 p.m.

#### ROLL CALL

Members Present: All except:

Members Excused: None

Members Absent: Reps. Squires, Campbell

Staff Present: Lois Menzies, Legislative Council

Announcements/Discussion: None

#### HEARING ON SENATE JOINT RESOLUTION 20

##### Presentation and Opening Statement by Sponsor:

Sen. Esther Bengtson, District 49, stated that this resolution requests the Legislative Audit Committee to study the number of state loan programs and their function. It has become apparent that there is a need for review because of a lack of knowledge of how many state loan programs there are and whether or not they need to be modified, combined or eliminated. The study would examine the performance and effectiveness of the state loan programs. The Legislative Auditor has indicated that his office will have time to do the study.

##### Testifying Proponents and Who They Represent:

Steve Huntington, Executive Director, Montana Science &  
Technology Alliance

Valerie Larson, Montana Farm Bureau

Jerry Hoover, Director, Health Facility Authority

##### Proponent Testimony:

Steve Huntington stated that his organization has two investment programs: one that deals with seed capital and another that deals with very early stage research projects. The Legislature has been supportive of HB 683, which put their seed capital program back in business, but as they went through the process, they encountered a great deal of confusion in both the executive and legislative branches relating to what their program does versus what other

programs do. On that basis they feel an interim study would help clear up that confusion.

Valerie Larson expressed support for SJR 20. EXHIBIT 1.

Jerry Hoover stated that the Health Facility Authority is one of the bonding authorities that will be impacted by this bill. He conveyed the support of the Health Facility's board and also that of Department of Commerce Director, Mike Letson, and expressed their commitment in assisting the Legislative Auditor's office in conducting this study.

Testifying Opponents and Who They Represent:

None

Opponent Testimony:

None

Questions From Committee Members: None

Closing by Sponsor: Sen. Bengtson stated that Dave Lewis also supported the resolution but was unable to attend the hearing. It is a good educational tool not only for the Legislature but also an opportunity for affected programs to explain their purpose. Rep. Simon will carry the bill on the House floor.

DISPOSITION OF SENATE JOINT RESOLUTION 20

Motion: Rep. Spring moved SJR 20 BE CONCURRED IN.

Discussion: None

Amendments, Discussion, and Votes: A technical amendment is necessary to change "interim committee" to "Legislative Audit Committee". Rep. Nelson moved the amendment. The vote to amend CARRIED unanimously.

Recommendation and Vote: Rep. Spring moved that SJR 20 BE CONCURRED IN. The motion CARRIED unanimously.

HEARING ON HOUSE JOINT RESOLUTION 47

Presentation and Opening Statement by Sponsor:

Rep. Bob Gilbert, District 22, stated that the requirements, duties and responsibilities of volunteer firefighters have been increased but the funding and support have not. The purpose of the resolution is to review the codes to see if any of those duties can be eliminated. Many people are not volunteering because of liabilities, and this resolution will determine what changes can be made.

Testifying Proponents and Who They Represent:

Henry Lohr, Montana State Volunteer Firemen's Assn.

Proponent Testimony:

Henry Lohr urged the committee to support HJR 47. EXHIBIT 2.

Testifying Opponents and Who They Represent:

None

Opponent Testimony:

None

Questions From Committee Members: None

Closing by Sponsor: Rep. Gilbert stated that the State Fire Marshall does not have the funds to perform many of the duties now required of his office. Montana codes need to be reviewed to determine what changes should be made and also to study changes in funding for the State Fire Marshall's office.

DISPOSITION OF HOUSE JOINT RESOLUTION 47

Motion: Rep. Nelson moved HJR 47 DO PASS.

Discussion: None

Amendments, Discussion, and Votes: None

Recommendation and Vote: The motion that HJR 47 DO PASS CARRIED unanimously.

HEARING ON HOUSE JOINT RESOLUTION 46

Presentation and Opening Statement by Sponsor:

Rep. Fred Thomas, District 62, stated that this resolution urges support and participation in the 1990 census. Montana needs to maximize our count of the population in order to keep our two Congressional seats. Projections show that Montana will be short 12,000 people to retain both Congressional districts. EXHIBIT 3.

Testifying Proponents and Who They Represent:

None

Proponent Testimony:

None

Testifying Opponents and Who They Represent:

None

Opponent Testimony:

None

Questions From Committee Members: Rep. DeBruycker asked if this resolution was trying to do away with the "adjustment" census that is being discussed in Congress. Rep. Thomas stated that this resolution endorses the census as it is presently, not with percentage factors for uncounted people including transients and homeless.

Rep. Moore asked how transients could be counted as Montanans. Would they have to be in the state for a specific period of time or only for the census count? Rep. Thomas said the intent is not to endorse adding percentage factors but to count only those actually present during the census.

Closing by Sponsor: Rep. Thomas closed.

DISPOSITION OF HOUSE JOINT RESOLUTION 46

Motion: Rep. Cocchiarella moved HJR 46 DO PASS.

Discussion: None

Amendments, Discussion, and Votes: None

Recommendation and Vote: The motion that HJR 46 DO PASS CARRIED unanimously.

ADJOURNMENT

Adjournment At: 2:55 p.m.

  
REP. Jan Brown, Chairperson

JB/td

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DAILY ROLL CALL

STATE ADMINISTRATION COMMITTEE

51th LEGISLATIVE SESSION -- 1989

Date \_\_\_\_\_

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

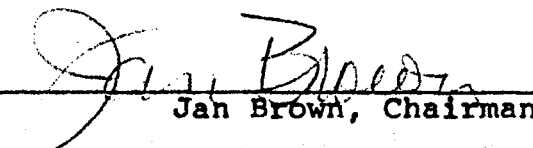
STANDING COMMITTEE REPORT

April 14, 1989

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that Senate Joint Resolution 20 (third reading copy -- blue) be concurred in as amended.

Signed: \_\_\_\_\_

  
Jan Brown, Chairman

[REP. SIMON WILL CARRY THIS BILL ON THE HOUSE FLOOR]

And, that such amendments read:

1. Page 3, lines 16, 19, and 23.

Strike: "interim committee"

Insert: "Legislative Audit Committee"


STANDING COMMITTEE REPORT

April 14, 1989

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that House Joint Resolution 47 (first reading copy -- white) do pass.

Signed: \_\_\_\_\_

  
Jan Brown, Chairman


STANDING COMMITTEE REPORT

April 14, 1989

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that House Joint Resolution 46 (first reading copy -- white) do pass.

Signed: \_\_\_\_\_

  
Jan Brown, Chairman



**MONTANA FARM BUREAU FEDERATION**

502 South 19th • Bozeman, Montana 59715  
Phone: (406) 587-3153

EXHIBIT 1  
DATE 4/14/89  
HB SJR 20

BILL # SJR 20 ; TESTIMONY BY: Valerie Larson

DATE April 14, 1989 ; SUPPORT yes ; OPPOSE

*Madam* Mr. Chairman, members of the Committee, for the record, my name is Valerie Larson, representing over 3600 member families of Farm Bureau from throughout Montana.

Mr. Chairman, Farm Bureau has always strongly supported responsible state government. We favor the assumption of responsibility by the legislature for the exercise of their appropriate functions. I believe that by doing this interim study of the various state loan programs, the legislature will be fulfilling that part of their responsibility.

Mr. Chairman, Farm Bureau supports Senate Joint Resolution 20.

Thank you for your attention.

SIGNED: Valerie Larson

MONTANA STATE VOLUNTEER  
FIREFIGHTER ASSOCIATION  
LYLE NAGEL, LOBBYIST  
HENRY LOHR, LOBBYIST

TESTIMONY SUPPORTING HJR NO. 47

State statutes require that volunteer fire chiefs make inspections of schools and other public buildings. Most of the chiefs are not trained and qualilfied to make these inspections. Many of the chiefs are elected for a 1, 2, or 3 year term of office as other officers are and do not hold any qualifications as inspectors. The training necessary for the job may not be available at the time of election and the time may not be available to take the training when it is available. The chief may not be able to afford the cost of the training.

The federal SARA PROGRAM also can put demands on vol. firefighters that they are not able to meet because of training requirements or the time required. Very few, if any, volunteer departments are able to afford the cost of complying with the regulations.

Continuos training is necessary in the fire service and financial burdens have been placed on the volunteers by the failure of the legislature to adequately fund the State Fire Training School. The use of proprietary budgets by the legislature passes the cost of much of the training directly to the volunteer firefighter. It is not right that a person must pay for the training required to perform a service for the public at no cost to the public.

The only compensation that a volunteer firefighter receives for services rendered is the possibility of a small pension if the proper amount of training is taken and the required number of years of service are served. This pension is based on the economy of the state. Whenever the economy falls, the funds that provide for the pensions also go down, thereby decreasing the amount of pension paid. There is no provision in the pension plans to consider the number of pensions paid, only the amount of money available to pay the pensions.

The time has come to take a long, hard look at the present fire codes and determine if there is a possibility of making changes and bringing them up to date. Many of them have been in existence for many years and conditions have changed. New firefighting standards are being adopted every year and require changes in the codes.

Our association strongly urges that this resolution be concurred in so possibly some of the present day problems can be taken care of.

6A

Great Falls Tribune  
Thursday, April 13, 1989

# Opini

## 'Fudge factor' in 1990 census would hurt Montana's outcome

By now, most Montanans are aware that the Treasure State could lose one of its two seats in the U.S. House of Representatives after the 1990 census.

Because the state's population has dwindled by an estimated 25,000 people since 1985, Montana is perilously close to dropping below 800,000 in numbers. If the official count in 1990 winds up a percentage point or two below that figure, the state will lose a seat, according to reapportionment experts.

Now there are some rumblings in Congress that would almost ensure that Montana would lose half of its representation in the House after the next census.

To understand what's going on, it's necessary to go back to the 1980 census. Studies conducted for several years after that nose-count showed that about 5 percent of homeless people, migrant workers, blacks and Hispanics were not counted. It also became obvious that a sizeable number of aliens were not counted. The Constitution requires that all people — of all races and occupations, citizens and aliens — be counted.

The census outcome determines several things, including the most important of all: representation in Congress. It also determines how federal funds and special programs are apportioned to the states, counties and cities.

Aside from the usual census complaints — almost every unit of government grumbles about alleged undercounting — the biggest squawk at the start of this decade came from states that had high numbers of homeless people, minor-

ities, migrants and aliens.

States such as Texas, California, Florida, Pennsylvania, Arizona, New York and Georgia did the most grumbling, despite the fact that most of those states gained seats under reapportionment.

That probably accounts for the fact that there's a move afoot in Congress to skew the results of the 1990 census. Some delegates want the Census Bureau to make an automatic adjustment for "uncounted" minorities and aliens, adding perhaps 4 or 5 percent to the number of people actually counted in, for instance, California, Texas, Florida and Arizona.

That would give the Sun Belt states more seats in Congress than they would deserve on the basis of enumerated population growth.

And it could tip the scales against Montana — which has few transients, aliens or minorities.

Sen. Max Baucus, D-Mont., says there are two active bills that would require the Census Bureau to "make adjustments for undercounting and overcounting" in 1990.

Baucus says he doubts that either measure will be enacted. He adds he will work to kill them.

That's good.

We don't want Congress putting a 'fudge factor' into the next census. Montana may lose a congressional seat anyway, but the outcome should be determined only on the basis of people counted.

## VISITORS' REGISTER

State Administration COMMITTEEBILL NO. SJR 20DATE 4/14/89

SPONSOR \_\_\_\_\_

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
Valleri Larson	Farm Bureau <sup>Chowan.</sup>	X	

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

# VISITORS' REGISTER

State Administration

COMMITTEE

BILL NO.

HJR 47

DATE \_\_\_\_\_

4/14/89

SPONSOR

[illegible]

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.