

MINUTES

MONTANA SENATE 51st LEGISLATURE - REGULAR SESSION COMMITTEE ON STATE ADMINISTRATION

Call to Order: By Chairman William E. Farrell, on April 5, 1989, at 10:00 a.m., Room 331, Capitol

ROLL CALL

Members Present: Senator Hubert Abrams, Senator John Anderson, Jr., Senator Esther Bengtson, Senator William E. Farrell, Senator Ethel Harding, Senator Sam Hofman, Senator Paul Rapp-Svrcek, Senator Tom Rasmussen, Senator Eleanor Vaughn

Members Excused: None

Members Absent: None

Staff Present: Eddy McClure

HEARING ON HB 26

Presentation and Opening Statement by Sponsor:

Representative Ray Peck indicated this bill was scheduled, some time back, and they asked that it be postponed. He added that the Executive took an interest in it, and that it has been materially amended. He distributed copies of the amendments, a copy of which is attached as Exhibit 1.

Representative Peck stated that the need bill is needed so that the Vo-Tech centers can become a part of the post-secondary education, under the supervision of the Board of Regents, noting they have been getting their payroll and other support services from the school districts, who were their sponsors, previously. He indicated the issue has been putting the university system on the central payroll, and, as a result of the Governor's interest in this, the Finance and Claims Committee has put money into HB100 to pay the anticipated costs which might occur as a result of this.

He reported that the amendments will delete, starting with line 22, page 1, through line 10, page 2, and substitute the following language: "Therefore, the legislature intends that the information services division of the department of

administration, in consultation with the state auditor and under the direction of the office of budget and program planning, conduct a study to be performed and finalized by November 1, 1989. The purpose of the study is to determine the necessary modifications and costs required for the university system to be included under a uniform state central payroll, personnel, and position control system. It is expected that the state auditor and the information services division of the department of administration will work closely with the board of regents and each unit of the Montana university system to ensure that a systematic implementation of each unit on the uniform state central payroll, personnel, and position control system as approved by the office of budget and program planning be completed not later than January 1, 1991." He indicated that is really the meat of the bill, noting they have had difficulty in getting statistical data dealing with personnel in the university system. He added that, as a result of this bill, they would have that on the PPP system, and it would be available to them.

Representative Peck then indicated that items 3 and 4 are just some clean-up language, in terms of wording, and that the last section is the appropriations sections, which indicates that: "There is appropriated from the general fund in HB100, the General Appropriation Act, \$625,000 to the Department of Administration and \$25,000 to the State Auditor to conduct the study and provide for the implementation of each university unit on the uniform state central payroll, personnel, and position control system." He noted that it deals only with the units of the university system, that the money for the Vo-Tech centers has been put into the supplemental bill, and made available to them, because they had to complete their conversion by the 1st of July.

Representative Peck indicated that people who sat in on the planning of this, noting there has been a series of meetings with the Department of Administration, the Legislative Fiscal Analyst, and the Office of Budget and Planning, are here to answer any questions. He added that he thinks the bill is fairly simple, in its objectives, and the money is there, now, which reduces any concern on the part of the university system in funding the program.

List of Testifying Proponents and What Group they Represent:

Jack Noble, Deputy Commissioner, Management and Fiscal Affairs, Montana University System

Testimony:

Mr. Noble stated that the university system is on record in support of this bill.

List of Testifying Opponents and What Group They Represent:

None.

Questions From Committee Members:

Q. Senator Bengtson asked if they are going to a different kind of automated, on-line system in the PPP.

A. Mr. Mike Trevor, Administrator, Information Services Division, responded that the purpose of this is to bring the university units, with their individual pay and personnel systems, into the existing central PPP system.

Q. Senator Bengtson asked if that is anything different from the existing system, which is being used for everything but the university system.

A. Mr. Trevor indicated that he sees it as somewhat similar to a project which took place in the early 80's when the universities were brought into the SBAS system. He indicated there was an interface developed so that they had uniform reporting throughout state government for accounting and, when this project is complete, they will have that sort of uniformity for payroll, position control, and personnel information.

Closing by Sponsor:

Representative Peck indicated that he thinks it is pretty clearly understood by the members of the committee, and he is sure there will be no problem in getting this back to the House. He added that he has spoken with the Speaker, even though the money was not in there, when it left, and there is no difficulty in that. He urged the committee's favorable consideration, and early consideration, if possible.

Chairman Farrell announced the hearing on HB26 as closed.

GOVERNOR'S APPOINTMENTS

Testimony:

John C. Kinna, Board of Public Education

Mr. Kinna stated that he feels he is well-qualified for this position, indicating that he has dedicated what he thought, one month ago, was a life-time to education, noting he is happy that it was not. He further indicated his interests have been in that area for a long time. He stated he believes that he qualifies, according to the law, not only as to intent, but also to the letter.

Mr. Kinna further stated that he is interested in serving the children of Montana on the State Board of Public Education, and would appreciate confirmation by this group.

Questions from the Committee:

- Q. Senator Bengtson indicated that Project Excellence has brought about a lot of controversy, and asked Mr. Kinna how he would fit in to the scheme of things on the board, if he favors that very strongly, and how he feels he would pursue implementing Project Excellence.
- A. Mr. Kinna responded that, as he was pursuing his unsuccessful bid for Superintendent of Public Instruction, he testified with regard to Project Excellence and, at that time, he testified that it was a very laudable endeavor, that there has been a lot of excellent thought and work put into it, he thinks that they, as educators, need to be accountable, and that there were parts of Project Excellence which lend themselves very nicely to accountability. He stated that, however, at that time, he urged caution, as strongly as he possibly could, and suggested that, in his opinion, it was going way too fast, that they should slow it down. He indicated he also felt strongly that there has been some kind of circumvention, by it going so quickly, therefore he urged that it slow down. He stated that, right now, he thinks he fits in the same place, that his feelings are the same, and he believes that the Great Falls system has costed that out very carefully. He indicated that the young lady who did the costing is an extremely competent person, noting it is going to cost them probably a couple of million dollars to fully implement that. He added that there are provisions which he disagrees with, in that it asks for measurement of some outcomes for which

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he doubts there are even instruments available with which they may be measured, and, therefore, he still urges caution, that he believes the legislative intent, when this originally came about, was to hopefully get a handle on a definition of what is an equal and basic quality education. Mr. Kinna stated that he is not sure they have that, yet.

- Q. Senator Bengtson indicated the legislature has just been dealing with the budget for the Board of Education, which actually, in her estimation, is very sparse. She asked Mr. Kinna if he is familiar with the proposed budget for the Board of Education, and what has been done, so far, with that budget.
- A. Mr. Kinna responded only in so far as he has read the proposed budget, agreeing that it is sparse. He stated that he thinks he was looked upon with disfavor by perhaps half of the board, when they suggested that he may have a conflict of interest with regard to the lawsuit against the Governor. He indicated he said he did not think that was true, at all, however, based strictly on that, he would abstain from voting. He noted that, when he found out what money is available to pursue any kind of lawsuit or litigation, he strongly suggested that they bag that notion, that they are embroiled in a lawsuit with the press, and therefore, since they have no money for litigation, and since they were going to have to come to the legislature to ask for additional funds, he suggested that perhaps one lawsuit at a time would be more than a handful. Mr. Kinna added that he is familiar with some of the sparseness of the budget.
- Q. Senator Rapp-Svrcek pointed out that the Board of Public Education is a public board, and that Mr. Kinna presently serves within the administration. He further indicated that he hears Mr. Kinna say that, should it come to a conflict at any time, he would refrain from voting, and asked how effective can he be, if he has to refrain from voting a portion of the time, and further asked what assurance can he give the committee that he will represent western Montana on the Board of Public Education, and not the Governor's office.
- A. Mr. Kinna responded that he supposes his only assurance is to tell the committee that his intent is to be objective, that he feels he has, for many years, represented children in Montana, period, not just in specific areas, but all over Montana. He indicated that he

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believes he is privy to considerable knowledge with regard to the educational philosophy, and the problems in western Montana, that, when he was campaigning, he spent a lot of time there, and spoke to a lot of educators, and to a lot of parents, with regard to education.

Mr. Kinna stated that, as far as a conflict of interest, he believes the rules state that the individual person would have to, in their own mind, decide if there was a conflict of interest, adding that it is his opinion, at this time, that his conflict of interest would be no different than somebody in the legislature, who is involved, to some degree, in a business or pursuit they follow, when they are not in session. He indicated that his only assurance is to tell the committee that he would not, that it is not his intent to do that.

Mr. Kinna indicated that the committee members are very fine people and, if he was not interested in representing students, he would not spent the time to go before a hearing and do this kind of thing. He added that he is not a front-man for the Governor, that he works with the Lt. Governor, and does not think being in that office has availed him of representing the Governor, any more than anybody else might.

- Q. Senator Rasmussen indicated he did not hear Mr. Kinna say that, that, when he was talking about abstaining, he thought he was talking about an instance he was thinking about, but that he kind of changed his mind. Senator Rasmussen indicated he got the feeling, from one of the questions, that there was maybe the thought that Mr. Kinna would be abstaining quite a bit, and indicated he does not see that Mr. Kinna would be abstaining that much. He asked Mr. Kinna, just to clarify, what his thoughts are on that.
- A. Mr. Kinna thanked Senator Rasmussen for pointing that out, and responded that he plans to be a working, voting member of the Board of Public Education, that he will be voting his conscience and what, in his opinion, is in the best interest of education in Montana, regardless from whence come the children, or what area of Montana.
- Q. Chairman Farrell indicated he understands there has been some objection, and asked Mr. Kinna if he moved to Helena in January.

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- A. Mr. Kinna responded January 2nd.
- Q. Chairman Farrell asked Mr. Kinna if he is, now, a resident of the western congressional district.
- A. Mr. Kinna responded yes.
- Q. Chairman Farrell then asked if Bozeman is in the western congressional district.
- A. Mr. Kinna responded yes.
- Q. Chairman Farrell indicated that, then, he guesses the people in the northwest would have to go along with somebody picked from Bozeman, if that was the appointment, and asked Mr. Kinna if that is right.
- A. Mr. Kinna responded yes, and indicated that he sees nothing in the law, either in the letter or intent, that says how many miles across the border a person needs to be to effectively represent one area or the other.
- Q. Chairman Farrell indicated the comment he would, personally, like to make is that there are a lot of places east of Helena which are in the first congressional district, and that maybe Helena is kind of the center of it. Chairman Farrell asked Mr. Kinna if his stated intent for residence is Helena.
- A. Mr. Kinna responded yes.

Chairman Farrell announced the hearing on the appointment of John C. Kinna, Board of Public Education, as closed.

Testimony:

Don Pizzini, Director, Department of Health and Environmental Sciences

Mr. Pizzini reported that he has been in the public health administration business since 1966, that he has had considerable dealings with the Department of Health and Environmental Sciences, over those years, dealing with a number of programs that they are involved with, from the local standpoint. He indicated that he thinks his background suits him for this particular position, that he is a graduate of Montana State College, now Montana State University, that he has a graduate degree in environmental sciences from the University

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of Oklahoma, and an associate science degree in business administration from the College of Great Falls.

Mr. Pizzini reported that, in addition to having worked with the city/county health department since 1966, he has been the health officer of Cascade County, since 1973, and, in 1977, his duties were expanded to also be the administrator of the Cascade County Convalescent Nursing Home, which is a 232-bed skilled facility, the largest in the State of Montana. He indicated that he thinks the public health aspect, and the nursing home aspect, are two very large areas within the Department of Health and Environmental Sciences, and he would hope that he might afford some direction in those areas.

Mr. Pizzini indicated that some personal goals he has, in this position, should the committee confirm that appointment, would be to try to improve the image of the Department of Health, as far as the legislature and the people of Montana are concerned, and that certainly his intent would be to uphold all the laws and rules regarding public health and environmental health that are required. He added that another objective he would personally have would be to try to best utilize the monies that are intended for public health/personal health type services, to the levels of government which can get the best results for the people of the State of Montana.

Questions from the Committee:

Q. Senator Hofman indicated he is on the human services subcommittee of Finance and Claims, and that they have been talking a lot about the inspections and reviews of nursing homes, noting there is a lot of dissatisfaction among the nursing homes, because they feel they are being harassed. He indicated that inspectors come in for days at a time, with groups of four and five, and stay for four or five days, at even a small place like 39 beds. He went on to say that, the next week, another team comes from SRS and, the following week, a bunch of people will come from the federal government, that there are county people running in and out, and the whole thing has gotten out of hand. Senator Hofman asked Mr. Pizzini if he would care to comment on that and, knowing his background, how he would intend to address this problem, if he perceives it to be one.

A. Mr. Pizzini responded that he has certainly been on the receiving end of all those situations, and has some feelings about that. He stated that, having been in the public health business for a lot of years, and inspec-

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tions and enforcements being one of their responsibilities in Cascade County, he appreciates the need for surveys and inspections, noting that he certainly would not feel that nursing homes should not have a level of surveying and inspection. He indicated that he has to agree with Senator Hofman that, to send five or six inspectors in to a home for a full week, is probably a little much. He stated that he would hope that, if he gets to that position, he can take a look at that entire process, streamline them, get the job done, do it in a professional manner, and hopefully not have the paper record indicate that Montana may, in fact, have the worst nursing homes in the 50 states. He added that he thinks, right now, that is the impression the State of Montana has given to the federal government, on paper; that we may, in fact, run the very poorest homes in the country. Mr. Pizzini stated that he certainly does not believe that, that he thinks most people associated with that business do not believe that, and he does not think the Department of Health believes that, at all, either, and yet, the paperwork would indicate that. He added that he would hope to be able to do some good in that area.

- Q. Senator Bengtson indicated she recognizes that Mr. Pizzini has strengths with public health issues, and asked what his experience and strengths would be as he deals with water quality and subdivisions.
- A. Mr. Pizzini responded probably to a lesser extent than what will be required at the Department of Health and Environmental Sciences. He stated they are the people, on the local level, under contract to the Department of Health, which does minor subdivision reviews and recommends actions to the Department of Health, and they also do the leg-work for water quality for the Department of Health, noting that he thinks both areas, the subdivision area and the water quality area, in Cascade County, is in very good shape. He added they have taken a very specific interest in that, over the years.
- Q. Senator Bengtson indicated the legislature has been dealing a lot with water issues, particularly the controversy on the issue of in-stream flow. She asked Mr. Pizzini how he would use his office to protect public health, as it deals with water quality, and the whole issue of in-stream flow.
- A. Mr. Pizzini responded that he has to tell Senator Bengtson, honestly, that he is not very familiar, that

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they probably have not dealt with in-stream flows in their county, with the state, specifically. He indicated he thinks the best he can offer, at this point, is that, if it is a high priority in the environmental area, he would attempt to get with the people who have that information, and find out both the pros and cons, the positives and negatives, learn as quickly as he can, and try to come to a direction that would deal with the problem.

- Q. Senator Bengtson asked, in dealing with the requirements that the federal government has put down, noting the Department of Health is responsible for training and certification, how fast and how diligent is Mr. Pizzini going to work to implement those requirements under OBRA.
- A. Mr. Pizzini responded that, again, having been on the receiving end for a year now, they have been looking for guidelines on what they need to do in nursing homes to get geared up for the OBRA legislation. He stated that many of those items have gone into effect January 1, that many big ones, including nurse aide certification, begin July 1, and he thinks, as of yet, they are not sure who is going to be doing the training, what is going to be required, the whole complete curriculum for that program, who is going to be doing the testing, and when the testing will be ready. He indicated that he is not sure, at this point, why the State of Montana, through the Department of Health, has not moved further along in this area. He added that he certainly thinks one of the first things he would like to do is find out where they are at in that, and kick that into to gear, so that nursing homes can begin to test their employees by July 1, and meet the requirements of the OBRA legislation.
- Q. Senator Bengtson indicated the law hinges on how fast and how expertly they work on that, as they try to meet those requirements for Medicaid certification, and further indicated she would encourage Mr. Pizzini to work on that.
- A. Mr. Pizzini added that he happened to notice in the paper, yesterday, that, through the budget process, four additional surveyors for the Department of Health appear to be rejected. He indicated that one of the things he would like to do is see if there is not some way to trimline the survey process, and utilize some of the individuals to gear up and get going on the testing and the education part, so that nursing homes in the State of

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Montana can meet their obligations, and not come under federal deficiency because that is not in place.

Senator Bengtson stated that is true, that four were cut, and indicated she thinks, probably, because legislators were not sure of their direction, and whether they were going to be used efficiently.

- Q. Senator Hofman indicated that, as he understands it, from the human services subcommittee where they dealt with all of this, there are new regulations coming from the federal government almost every day, that they do not know where they are at, yet, and there is no way the state could.
- A. Mr. Pizzini responded yes, and indicated that the difficult part of all of that is, in the OBRA legislation, it says, regardless of whether the federal government or state government meets their commitments in their time frames, nursing homes will be in violation on those particular dates, if something is not in place. He stated that he feels a real sense of priority and importance that they do what they can, immediately, to get geared up, so that the nursing homes can comply, and that it then becomes a federal problem, not a state or local problem.
- Q. Senator Rapp-Svrcek indicated he would like to follow up on Senator Bengtson's question regarding water quality. He noted that there is a continuous running battle in his, and Senator Vaughn's area, between a large mining firm and several people who feel that they are violating water quality standards in their tailings ponds. He indicated he has a running correspondence from several constituents who are not satisfied with the department's monitoring, and that he has had a great deal of difficulty gaining access to the department's records regarding water quality there. He asked Mr. Pizzini how he feels about public access to those records, and to what extent he is committed to maintaining the water quality legislation that is presently on the books.
- A. Mr. Pizzini responded that he also read, this morning, that four organizations have just sued the Department of Health regarding the Church Universal Triumphant subdivision in Yellowstone Park. He indicated he is concerned about that because he starts work, with the committee's approval, next Monday morning, and he knows there are several big issues, that being just one. He

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stated that, sometimes, those kinds of issues seem to be a no-win situation, that they are going to get sued on one side or the other, and indicated that he would hope, when he gets there and looks through all of the information, that the Department of Health has done everything that the laws and rules have required it to do, and have made a decision and a judgement based on that kind of information. He indicated that he is not familiar with all of those records, but he would hope that is what he would find.

Mr. Pizzini then stated that, as far as records go, they have always felt, in Cascade County, that the majority of what they do are public records, and available to the public. He added that, unless there is some legal reason why those are being protected, he would not have a problem with sharing those.

- Q. Chairman Farrell indicated that Mr. Pizzini deals with a lot of different agencies, or private individuals, in the Department of Health, and asked what his relationship would be like with physicians, hospitals, home health agencies, and basically health care providers. He further asked if Mr. Pizzini has any ideas on that.
- A. Mr. Pizzini indicated that the only way he can respond to that is, in 1973, when he became the health officer in Cascade County, he was the first non-physician health officer that the laws of Montana allowed at that time. He stated that he was geared up that there would be some real feelings and concerns about stepping into a role a physician had played, for years, as administrator. He indicated that he thinks, over the years, they have had excellent relationships with their physicians and two hospitals, home care agencies, and a variety of non-profit agencies in the community. He stated he would hope to, and sees no reason why he might not be able to develop those kinds of relationships at the state level. He noted that he left a very comfortable environment, as far as those relationships go, that it was a difficult decision to make, noting he had 23 years to work on those, and now he has to start over, if the committee sees fit to give him that opportunity.
- Q. Chairman Farrell reported that Governor Stephens just signed the certificate of need bill, which exempted hospitals from the certificate of need, and asked if Mr. Pizzini supports this.

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- A. Mr. Pizzini responded that is an interesting question. He reported that, over the years, in public health, probably going back to about 1968, when they were in to comprehensive health planning, versus the type of health planning they have now, he has always been a rather serious supporter of certificate of need for all health care providers. He indicated that he always felt that the basic philosophy of CON was to hopefully prevent duplication, control costs, and that kind of thing. He noted they have been in a running battle with the hospital association, for many years, on CON, and that maybe this is a compromise as to where CON has come to. He stated that he thinks it still protects the long-term care, the building of beds, and the over-utilization of beds for long-term care facilities, and it has probably given hospitals some additional leeway in capital expenditures. He added that, if the committee wants his personal opinion, he thinks CON should have been good for everybody.

Chairman Farrell announced the hearing on the appointment of Don Pizzini, Director, Department of Health and Environmental Sciences, as closed.

Testimony:

Mr. Larry Larsen, Director, Department of Highways

Mr. Larsen reported that he was born and raised in a town close to Alzada, noting that is pretty close to Montana, that he went to high school, was a Marine Corp veteran, and got a degree in civil engineering at the South Dakota School of Mines and Technology in Rapid City. He further reported that he is a registered engineer, professional engineer, in the states of Montana, and North and South Dakota. He indicated that his first major job was with the California Highway Department, noting that everybody wanted to go to California, in those days, and he lasted nine months. He reported he returned to South Dakota, worked on the missile program, and that he came to Montana in 1962, and went to work as a private consulting engineer, in Billings. He reported that he worked his way up through the ranks, designing interstates, Indian service roads for the BIA, county roads, state primaries, and secondaries. He indicated he worked on some overseas projects in West Africa, and has done studies on some US aid projects.

Mr. Larsen noted that, if he sounds nervous, he really is, that he has never appeared before a committee, before, let

alone a Senate committee, and added that engineers are probably notorious for public speaking.

Mr. Larsen further reported that he worked his way up through the ranks in a consulting engineering firm, which has their headquarters here in Helena, that he became a partner in the firm, was on the board of directors, and a senior vice president. He indicated he resigned that position approximately two and a half years ago, and moved to Kalispell. He further indicated that he went into a private consulting firm, a smaller firm, noting he made so many trips to Africa he got tired, and decided that Kalispell was probably a pretty good place to go. He reported that, when he was called upon by the Governor, to see if he would be interested in the job, his first answer was not no, but probably a little worse than that. He indicated he did not realize how big the Highway Department was, but now he does. He added that he thinks he would be amiss in saying that every engineer loves a challenge, noting he thinks this is probably the biggest challenge of his life.

Mr. Larsen indicated he has worked with the Highway Department for 20 some years, that knows a lot of the engineers there, some of who are still there.

Questions from the Committee:

- Q. Senator Vaughn indicated she hears a lot of concern that, when doing road jobs, they leave a small strip, and go to another one, and asked if it would not be more cost effective if they finished the first job, before going on to another.
- A. Mr. Larsen responded that he can not give a good answer and that, being a private individual, he has also wondered some of those things. He stated that he is assuming probably they do certain portions one time, and the other portions another time, that, basically, it has to do with monetary considerations. He indicated that, other than that, if it is cost-effective, they should do the whole thing.
- Q. Senator Hofman reported that, over the last two years, he has had a lot of truckers, and other people call him to resolve problems between the gross vehicle weight division, and truckers and the people in that area. He asked Mr. Larsen if he has any thoughts about the gross vehicle weight department, and if there is anything he

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might change, any policies that he is going to set, or any thoughts at all.

- A. Mr. Larsen responded that, first all, he knows very little about the gross vehicle weight division, but that he knows it is probably the main money-maker for the Highway Department. He stated that he thinks, down through the last couple of years, from what he can understand, the gross vehicle weight division has been making some drastic changes, and he thinks the trucking industry is probably a lot happier, now, than they were very few years ago. He indicated that his philosophy is not to arm the gross vehicle weight people, that, in fact, his philosophy will be to even go so far as to get rid of the badge, maybe even part of the uniform. He noted that he thinks they are supposed to be a service organization, that the trucking industry pays a lot of taxes in the State of Montana, and a lot of truckers use the highways, going between states. He added that he thinks they have to change their image and, hopefully, the Highway Department has not gotten such a bad image that they can make it better. He noted that his door and phone are always open.
- Q. Senator Bengtson indicated it seems to her that, recently, the legislature gave the Highway Commission some additional authority and role in determining highway policy. She asked Mr. Larsen how he feels about his interaction in relationship with the Highway Commission, and if he, as the director of the Department of Highways, considers himself more of a policy-maker, or more as an administrator, and how he views the Highway Commission in terms of his role.
- A. Mr. Larsen responded that he is not aware they did get any more powers than they have had, noting it has been sort of a quasi-type of commission. He indicated their duty is to sign contracts, and to approve certain policies. He reported that he attended his first Highway Commission meeting last Friday, that, so far, he has come out unscathed between the Highway Commission and the director, and that he thinks they can work very close together. He indicated he thinks they have some basic ideas that they would like to speed up the process, as far as designing and constructing highways, stretch the dollar further, and things of that nature. He stated that he does not see any problem with the Commission, noting he is really not that familiar with all their duties.

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- Q. Senator Harding indicated she would like to follow-up on the GVW. She reported that her son has done some research, and claims that, in middle U.S., and in eastern U.S., GVW weights are not as restrictive as they are in Montana. She asked Mr. Larsen if the highways are different, or if Montana is trying to make revenue off of GVW weight, noting that, if that is what they are doing, it is a wrong impression to give the industry. She further asked Mr. Larsen what his impressions are on that.
- A. Mr. Larsen responded that highways in Illinois, for example, should not be designed any different than highways in Montana, that it is all based on a traffic count, weight load, tire pressure, and so on. He indicated that, if Montana is doing this, he guesses it is up to him, if he is to be confirmed, and that he would certainly look into it. He stated that he does not know if this takes place, that, probably, his weakest link in the Highway Department is GVW, that he has no background, whatsoever, in weights and measures, at all, and would have to rely on the people in the department to at least give him some information, to start with.
- Q. Senator Harding asked if he would check into that.
- A. Mr. Larsen responded that he would.
- Q. Senator Harding added that she has heard, not only from him, but from others that, if the State of Montana needs money for their highways, all they do is go out and start assessing the truckers. She noted that comes from an industry, but indicated she would like Mr. Larsen to check into the difference between here, and the rest of the United States.
- A. Mr. Larsen responded there should be no difference between Montana and the rest of the United States, that they are all under the Federal Highway Administration program, noting he is assuming Montana is. He added that roads are designed, basically, for truck loads, because a passenger car really does not take the design that a truck does, which is the basic engineering. He again stated that he will certainly look in to it.
- Q. Chairman Farrell indicated that the highway reconstruction trust fund has been extended to 1992, and asked if Mr. Larsen has any plans for changing or updating the

highway reconstruction trust fund, noting those are state projects, outside of federal monies.

- A. Mr. Larsen responded that he is barely familiar with the trust fund monies, and indicated he can tell Chairman Farrell that he would have to look at it in a light that, being as conservative as he is, when the money runs out in 1993, they are still going to be paying the bills until 2005. He indicated he has trouble visualizing a little of that, but he does not know all the answers, noting he knows there had to be a very good reason. He added that he knows it has pumped a lot of money into the highway system in Montana, which is good for the State of Montana, and noted that, whether they pay for it now, or later, he would have to do some looking.
- Q. Chairman Farrell reported that, at the federal level, there has been a proposal to raise, as much as \$.50 per gallon, the gas tax for balancing the budget. He added that there have been some rumors, and some proposals, in this legislature, to raise the tax \$.25 per gallon, and asked what Mr. Larsen's response would be to taking user fees to balance budgets, or take it away from the highway system.
- A. Mr. Larsen responded that he would be definitely opposed to it. He indicated that, regarding the federal proposal, he can see that people in New Jersey and New York would just love that, because they do not buy any gas, because they do not drive their cars. He noted that they use mass transit systems, they use the subways, the shuttles, and do everything else there is, so they would love dearly to have somebody that drives 20,000 miles a year pay the entire bill. He stated that is not the way to balance a budget. He indicated that, as far as the State of Montana goes, he would hope that the State of Montana would not do that, either. He noted he does not know all the ramifications of the gas tax, but that he does know that is probably their only source to construct and maintain the ones they have and, if they lose that, to balance the budget, he does not think they could keep their highways up.
- Q. Senator Harding indicated she has heard from a constituent in her area, and heard the same thing from others, also, noting she appreciates what Mr. Larsen said about the GVW, and there are a lot of complaints in her area that the Highway Department is running rough-shod over the public. She indicated there was a particular

instance which was in a condemnation suit, and asked Mr. Larsen how he perceives dealing with the public in such touchy matters, noting that it seems like the Highway Department, in the past several years, has not given due consideration to the public, which is the complaint that she gets.

- A. Mr. Larsen responded that he does not know all that much about the complaints Senator Harding is talking about. He stated he feels that a man, if he is on the end of a condemnation suit, should be entitled to a fair price. He added that he thinks, in some cases, there is some federal guidelines which have to be followed, noting that he has looked at some of the sheets, that they are four and five pages long and, if they do not cross all the t's and dot all the i's, the federal government is likely to say, okay, that is your condemnation, if that is the way you feel about it, use your funds, we won't participate. Mr. Larsen stated that he hopes they can change the attitude of the state Highway Department and that, if that is taking place, that is not his philosophy, noting that he has always been in a service organization where, if he treated people like that, they would never come back for another job, and he thinks the Highway Department has to do the same thing. Mr. Larsen added that he hopes that is not happening.
- Q. Senator Rasmussen stated that he hears a lot of good feedback about finally have an engineer heading the department, and that he knows there are people who are happy about that, both in the department and out of the department.
- A. Mr. Larsen commented that he has never managed 1,900 people before and that, in fact, he came from a town which did not even have 1,900 people. He stated that he thinks he can say that engineers use the theory that, if they can take care of ten, those ten can take care of ten more, and down the line.
- Q. Chairman Farrell indicated that there is a terrible problem around the state with the way the Highway Department sets speed limits around schools. He asked Mr. Larsen if he has any impression on traffic studies and when people in a certain area request a lowered speed limit.
- A. Mr. Larsen responded that is one of the things the Commission has the authority to do, which is to raise and

lower speed limits. He reported they rely on the department to tell them the basics of what happens to the speed on that particular highway, whether it is urban, or whatever. He indicated that, at the present time, if the city or county asks for a traffic study to set a speed limit, the department will go out and make that study. He noted that, for example, if 85% of the people on that particular street drive 35 miles per hour, then the speed limit should be 35 miles per hour. He noted that this is not always kosher, because there are people who speed, but indicated he thinks that, if it has to do with the urban system, those have to be handled by the Commission and, if they want a traffic study, the people, basically, are obligated to go along with whatever that study tells them. He indicated that is the engineering part of it, that, whether they go by a school at 35 or 45 miles per hour, noting it does not make that much sense, to him, also, but the rules of the road are that they have to move the traffic, and if the traffic says they should be going 35 miles per hour in order to move that volume of people, then they should be going 35 miles per hour.

Mr. Larsen then indicated he did not know if that answered Chairman Farrell's question.

- Q. Chairman Farrell indicated it did not, noting that he understands the traffic study.
- A. Mr. Larsen indicated he thinks the Commission has the authority to raise and lower them, that it is probably one of the biggest items on their agenda, and that speed limits is the most controversial.
- Q. Chairman Farrell indicated he understands the 85 percentile, but indicated there are six criteria in the traffic study, and asked Mr. Larsen if those are weighed equally, or if the 85 percentile is the only number used.
- A. Mr. Larsen responded that he would have to say, honestly, that he does not know, but that he will certainly find out.

Chairman Farrell announced the hearing on the appointment of Larry Larsen, Director, Department of Highways, as closed.

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Discussion:

Chairman Farrell recognized Rick Bartos, and indicated that Senator Rapp-Svrcek would like to ask Mr. Bartos a question.

Senator Rapp-Svrcek indicated he would like to ask a question regarding Patrick Sweeney. He reported that, yesterday, the Senate passed amendments to SB428, noting he thinks it will be coming to the Governor's desk for signature, which is to fund the Division of Workers Compensation. He stated that he is a little unclear as to precisely what Mr. Sweeney's role will be in this, noting it is his understanding that bill sets up a board which then chooses an administrator. He asked, if that is the case, is that the position Mr. Sweeney is being contemplated for and, if that is the case, why is he being appointed now, or is the position he is being nominated for a different position.

Mr. Bartos responded that the current law is the law upon which the Governor has to base his appointments. He indicated that, if and when the law does pass, he may have to transmit another name or a clarification of the appointment, so Mr. Sweeney's transmittal, the name that is being transmitted here, is in regard to the present position of Worker Compensation Division Director, and his current responsibilities. Mr. Bartos added that, after the bill is signed, if the bill is signed, depending on the action of the Governor, then he will have to review that situation, but indicated that the name being transmitted now would be under the current law.

Senator Rapp-Svrcek then asked what happens if the Governor signs the bill before the full Senate acts on this nomination, and where does that leave Mr. Sweeney.

Mr. Bartos responded with a job, he hopes. He indicated he does not know, for sure, but will look at that. He noted he was not aware of this particular bill being expedited as fast as it was to the Governor's desk, but they will take a look at that.

HEARING ON HB 730

Presentation and Opening Statement by Sponsor:

Representative Gary Spaeth stated that HB730 transfers the responsibility of sending out the voter information pamphlet to the Secretary of State and, commensurate with that responsibility, would require the Secretary of State to compile and

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maintain a list of registered electors in the State of Montana. He indicated that efficiency is the first word he would use as a reason for doing that because, right now, each of the different counties have to do it themselves. He reported that one of the things that comes up, which causes them some problems, is that they have to gear up, and then gear down, they handle it in several different ways, that some counties have even mailed them out first class mail. Representative Spaeth indicated that, when the bill came up on the House floor, it never had any real opposition, at all, and, in fact, on the House floor, four or five people stood up and pointed out the problems they had in their counties, noting that Cascade had a real mess last year, as far as mailing the voter information pamphlets, according to Representative Simpkins. He stated that he thinks it pointed out, at least the discussion on the House floor, and other information, that there is some inconsistency, confusion and some problems out there, and indicated he thinks, by putting this all into one place, there is a real advantage to doing that.

Representative Spaeth pointed out that another advantage is the cost. He stated it is an advantage, and it is a disadvantage for them, noting they have reviewed this, in the House, extensively, and he thinks they should be aware of the cost problems, and advantages associated with that. He indicated that, overall, because this will be done in one central location, it can be done, that they can do a printing and, with computer tapes, address them all simultaneously, at one time and location, and mail them out under one bulk mailing. He pointed out that there will be a net savings, overall, to the people of the State of Montana, the taxpayers of the state, noting that some counties, particularly the smaller counties, have even mailed these out first class, and that runs into some money. He indicated that it has not been a lot of counties, but that he knows two or three counties have mailed them out, because they were trying to get them out in time, and were having trouble getting personnel to gear them up for the process, noting that some do not have good computerized voting lists which they can crank out. He indicated that he thinks, overall, there is a net savings to the people of the State of Montana.

Representative Spaeth reported that the net disadvantage is that it costs us, here, in Helena, more money, because it is going to have come out of the general fund, noting that the committee can see the costs associated therewith. He stated that he does not think that is a bad cost, that he thinks, overall, it is a cross which he thinks they can live with.

Representative Spaeth noted that another advantage, along that same line, which he sees, is that they can save more money, overall, they will increase efficiency, and indicated the bottom line is, by doing that, it is one of those few instances that they should be doing the job, and they can save, instead of heaping more responsibility, noting it has been done this session, that it is done every session, on to the local clerk and recorders and election administrators. He added that it makes sense, in this instance, to take that responsibility and cost off of the local election administrators, and handle it state-wide.

He pointed out that, obviously, there is a gear-up cost, noting that he thinks that gear-up cost will fade away, and they are looking at what he thinks is, for a two-year period, the largest cost associated. He indicated that, also, there will be some return, noting that he is not exactly sure what, but that people buy lists. He indicated that was one of the things they reached an agreement on, with how they handled this bill, in the House, noting that it did go through State Administration, and the Appropriations Committee process in the House. He further indicated that, while it was going through the process of being heard, one of the questions that was raised, particularly by Representative Marks, is that the list maintained at the Secretary of State's office would be a generic state-wide list, without any relation to precincts, and indicated one of the reasons it was set up like that was because some counties, like Yellowstone County, make money off their list, and the Secretary of State's office did not want to get involved in taking away revenue. He reported that they talked with the clerk and recorders, who were in support of the bill, that they reached a compromise, and the Secretary of State's office would be able to sell lists, with the precinct committee breakdown, noting that primarily came from Representative Marks's request, and he would assume somewhat from the Republican party.

Representative Spaeth indicated that brings another advantage to this, noting it is not an advantage to the state, but he thinks it is an advantage for state-wide campaigns, not to have to go out and seek out these lists from all 56 counties, that they can go to one repository, which is very advantageous. He reported that Representative Rehberg pointed out to him how advantageous this was and, assuming that is something he experienced in the Conrad Burns campaign, as a result, he was very supportive, and felt that was an advantage, from a political standpoint. He indicated it is also a way to help pay for this bill, that he is not sure exactly what the extent of the net costs will be, but the Secretary

of State's office intends to charge \$10,000 for a state-wide list, and probably will break it down to a smaller cost for a congressional type campaign. He noted that is something the clerk and recorders felt was a good figure, because it still protects their own local turf, and, yet, is still a savings for people at the state level, in running campaigns; that it is a good kind of middle ground there, and helps a lot of people. in that respect. He added that they will also recoup some costs, as a result of that.

Representative Spaeth indicated he thinks that is a fairly detailed explanation of the bill, plus the advantages and disadvantages. He noted that, again, they looked at it very close in House Appropriations, because of the costs associated with it, but that they felt, under the circumstances, it was a net savings to the taxpayer, and they supported the bill, rather soundly; 100% of House Appropriations for the bill, in that respect.

List of Testifying Proponents and What Group they Represent:

Debbie L. Pallett, Fergus County Clerk and Recorder
Doug Mitchell, Secretary of State's office

Testimony:

Ms. Pallett stated that, on behalf of the Montana Association of Clerk and Recorders, she would like to speak in favor of this bill. She indicated the bill would provide that a state-wide mailing list be generated, and allow the Secretary of State to direct-mail the voter information pamphlet. She noted the impact towards counties has been eased, through the amendments, in this new section, and indicated she would appreciate the committee's consideration.

Testimony:

Mr. Mitchell stated that they support the bill, noting they have a couple of areas, which he will discuss briefly, and which may give the committee some thought. He indicated they intend to use new scanning technology, and asked the committee members to imagine a Xerox machine which, instead of producing a piece of paper, produces a computerized data base, noting it is not science fiction, any longer, that they are used in a lot of instances. He noted that art collectors can go through magazines, which used to be voluminous, put them into their scanner, and cross-reference any artists they are looking for. He reported they can do the same thing with voter lists, that it will be fairly inexpensive, as the

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committee can see in the fiscal note, and that, with around \$15,000 worth of equipment and programming, they can have voter lists up and running, adding that they feel good about that.

Mr. Mitchell indicated that one of the questions commonly asked of them is why \$10,000. He stated they grabbed that out of thin air, but they did so after discussing, at length, with the Democratic party, particularly, how they compile their lists, noting they are the only group they found which actually was successful in getting a state-wide voter list, that the Republicans got parts of it, and Conrad Burns got portions of it, as well. He reported they spent over \$40,000 in the process, a lot of it out of state, that they had to send tapes to New York, where they were converted into proper language, so they could put them on a computer, here in Helena. He indicated they can, certainly, with a figure of \$10,000, save them a lot of money, retain some money in the state, and still, as Representative Spaeth said, return some money to the state coffers, which would be expended for postage in the voter information pamphlet.

Mr. Mitchell noted the problem which has developed, outside of the bill, is the special election provision. He indicated this bill would go into effect on October 1st, and they would be mandated to provide voter lists, at that time and, with an election on November 7th, they would have a little bit of difficulty doing that. He noted they are proposing that, noting he has a written amendment, a December 1st effective date be provided for the act, to allow them to not have to provide that information at the special election.

List of Testifying Opponents and What Group They Represent:

None.

Questions From Committee Members:

- Q. Senator Rapp-Svrcek asked if lists from county clerk and recorders, broken down by county, or local precinct, will still be available.
- A. Representative Spaeth responded yes. He indicated that is part of the agreement, so Yellowstone County can still make money on their list, and local candidates can go to their clerk and recorder's office, and get those lists, the same as they have always done in the past.

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Q. Senator Hofman asked how will this work. He asked if the counties will send their lists to the state, and have them on hand to sell to their local people.

A. Representative Spaeth responded yes. He pointed out that raises the question of duplication, and indicated that, under the circumstances, they have reached a kind of middle compromise, where they take care of the local people, and it is not much of an additional cost for them to continue to do that, noting that it would not be much of a savings if they told them not to do that. He added that some counties, like Yellowstone County, turn good bucks on their's, but that Carbon County charges only \$10, and is hardly worth the computer paper the lists come off of.

Q. Senator Hofman asked what they charge in Billings.

A. Senator Bengtson responded that she can not remember, but that it is so much per page.

Representative Spaeth agreed that it is so much per page, noting that he knows it can amount up to several hundred dollars.

Senator Bengtson noted it is at least close to \$100.

Representative Spaeth indicated that he knows some counties make money from selling those lists, and they do not want to get into a turf battle over counties that make money, and counties that do not, because he does not think it is an issue which is important in what they are trying to do here.

Q. Senator Hofman asked if there is funding in the budget bill for this, or if this is special.

A. Representative Spaeth responded there is no funding in this bill, noting that he thinks he needs to be up front there. He indicated Appropriations Committee looked at it, and there was no funding in the Secretary of State's office, in HB100, but they felt that, under the circumstances, if this were to pass, they would ask for funding to be put into HB100, not the full amount they are asking for there, but they would ask for budget authority, spending authority, with the understanding that at least some of the costs could be paid for by selling these lists. He indicated they know two people who want to buy these lists, right away, that one is the

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Republican Party, who will be first in line, from his understanding, noting that the Democrats already have a list, but he would imagine they will be second in line, adding that he would imagine the two candidates for the Senate will be in line, next time. He pointed out that, for an example, they have \$40,000 coming in, right there, which can help generate a lot of savings.

- Q. Senator Harding stated that she is pleased to find out that the clerk and recorders worked this out with the Secretary of State. She indicated that Lake County charges the exact cost of the list, and asked if the Secretary of State will be charging just the cost of the list, if they will not be trying to make money on these lists.
- A. Representative Spaeth responded that is his understanding, adding that they intend to charge \$10,000.
- Q. Senator Harding asked if the voter information pamphlet is to be mailed from the Secretary of State's office, based on the clerk and recorders' lists.
- A. Representative Spaeth responded yes. He added that it is spelled out how, in the amendments, which are in Section 3, and which were asked for by the clerk and recorders. He indicated that, in fact, the bill was rewritten somewhat, at their request.
- Q. Senator Rasmussen indicated the Secretary of State still will make money on that, if they charge \$10,000 for a list.
- A. Representative Spaeth indicated that Mr. Mitchell may be able to answer that. He noted they will be making some money, and that is their intention, at least some money.
- Q. Senator Rasmussen indicated he does not have any great problem with that, noting that, the more lists they sell, the more profit they will have.
- A. Mr. Mitchell responded that is true. He reported they have measured it, and have been fairly careful. He noted that, for everything they do in their office, the fee is to be commensurate with the service provided. He stated that the service provided, in this instance, is more than just copying a list onto either computer disc, or onto a piece of paper, that they have to compile those lists, and part of that service is mailing voter information

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pamphlets. He indicated that yes, there is the profit potential, or at least a reimbursement to the state of general fund expense, noting it is not intended to be for profit. He stated that, at the time, if they are selling 100 of these, the auditor will have a big problem if they do not drop the cost. He indicated that, if it comes to be a very simple system, at that point, their costs will reduce fairly significantly, so that they do what they are supposed to do, which is provide a service.

- Q. Senator Rasmussen asked if the cost will fall, then.
- A. Mr. Mitchell responded, as the years go by, noting they have looked at other states which charge as little as \$580 for a state-wide voter registration list, because they have had the system for some time and, at that point, it really is only duplication costs, that they have other ways of expensing their VIP, etc. He added that they understand their commitment to not make a profit but, at the same time, they have the commitment to retain some budget integrity.
- Q. Senator Bengtson asked why don't they do something like a recapture, and amortize that over a longer period of time. She noted that she would wait for five years, rather than charge \$10,000, and then charge \$500 five years down the road.

Senator Harding indicated that, on page 2, it states, "Upon delivery, the Secretary of State shall collect a charge not to exceed the actual cost of compiling and maintaining a list, and of reproducing a list or mailing labels." She stated that, from what she hears, she does not think that first bunch of lists should pay for the equipment which goes into making these first labels, that, like Senator Bengtson said, \$10,000 for a list would include the cost of all the equipment.

- A. Mr. Mitchell responded that he understands the concern, noting they share the concern, that, every day, they talk about how fees are going to be commensurate with costs. He stated that, in this case, in compiling the data, particularly initially, it is going to be a very time-consuming cost, well outside of what is in the fiscal note. He reported they have, to a great extent, in their office, devoted time and resource to this project, in addition to what they have asked budgetarily. He noted they do not disagree but that, at this point, they need to determine a fair fee to reimburse the office for its

costs, and to be able to generate general fund revenue to try to break even.

Representative Spaeth indicated that, looking at it from an appropriations standpoint, and the cost impact to this bill, noting they had to always be cognizant of that, or the bill does not stand a chance, the people who will use the fee, primarily the two parties, felt that this was a real bargain at \$10,000. He added that they do not want to see the bill, he does not think, get defeated, because it costs too much money, pointing out that the Democrats spent \$40,000 to compile their list, and he understands the Burns people spent more than what they would have to here, for a partial list. He indicated that is why it is a balancing, and that everyone who knows they are going to be hit by it thinks it is a nice balance, right now, to undertake.

- Q. Chairman Farrell indicated the \$10,000 fee is not in this bill, and asked, when it gets down to the appropriations proces, they will probably, from what he can gather from this committee, be asked a few questions. He indicated the appropriation has nothing to do with this bill, at this time.
- A. Mr. Mitchell responded that is absolutely accurate. He reported they are told to give an estimate and, within those, there are sets of assumptions. He pointed out that one of the assumptions they used in coming up with \$10,000 was, as he said, they said it's a fair price, it is a lot cheaper than what they have, and will help them recoup some of their expense, noting the parties should not have to recoup all of it. He indicated that, certainly, as they go through the process, there will be much more scrutiny given to that, that it is not in the bill, it is not a statutory fee, that it is one that would be determined.
- Q. Senator Hofman asked Mr. Mitchell if they are going to sell only the state-wide list, out of their office.
- A. Mr. Mitchell responded they will have available, for purchase, any list that anybody would like, that they can break it down to the precinct level.
- Q. Senator Hofman indicated that, in other words, items 8 and 9, under assumptions, no longer hold true.

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A. Mr. Mitchell responded that is correct. He indicated that, as Representative Spaeth said, when they first began this process, they discussed, at length, with the clerks and recorders, how they would best go about this. He stated their assumption, at that time, when they filed that report, was that they would not enter the business of selling county lists, but that Representative Marks, and others, discussed it, felt that it was necessary to do that, and they met with the clerks and recorders, and decided that, in fact, they would.

Q. Senator Bengtson asked if it would be possible to have another fiscal note before going before Senate Finance and Claims.

A. Representative Spaeth responded that they are preparing a detailed amendment which they will be proposing.

Q. Senator Bengtson asked why don't they just buy the list from the Democrats.

A. Representative Spaeth responded that the Republicans would be a little suspicious of that. He added that he does not think it is a good list.

Mr. Mitchell stated that the Democrats have offered it for use, but they felt that, if they were going to go that route, they would ask both parties if they would like to offer their lists to the Secretary of State's office, but noted they share some concerns of Representative Spaeth that, perhaps, it is not the list they really want to go with.

Q. Senator Harding stated that, whether this is a Republican bill, or a bi-partisan bill, the thing that she gets from this bill is, does the State of Montana want to subsidize the Republican Party or the Democrat Party to make these lists.

A. Representative Spaeth responded that was a humorous side, and is advantageous, but indicated that, if Senator Harding will remember his list of advantages, that was the last advantage, which came up when he first looked at the bill, and was asked to carry the bill. He stated the real advantage that came up is that some counties, this last election, had some problems. He noted that Cascade County had some problems, and he thinks they bring some kind of systematic order, that these all have to be mailed out, and why not mail them out in one

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location, as opposed to 56 locations. He went on that some use bulk mailing, some use first class, noting that is very few, but it is a total hodgepodge, and actually this bill will save the taxpayers some money overall, and provide a good service for the local people, without a cost.

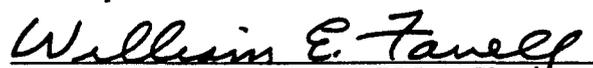
Representative Spaeth noted that the advantage to the parties is a secondary advantage, that this is a good-government bill, first, that it is advantageous to the parties, and they help pay for it, too. He stated he does not have any trouble with the \$10,000, because they can help pay for this bill, in getting going. He added that it is advantageous for them, and is a cheap price for them, also. He indicated he does not want to get that lost, the good-government advantages in this bill.

- Q. Senator Vaughn asked Ms. Pallett if the clerk and recorders feel comfortable with being able to supply the lists to the Secretary of State and, in their operations, do they see any problems with doing that.
- A. Ms. Pallett responded no, and indicated that was somewhat why the amendments were created, in setting up a time frame and due date to the Secretary of State's office.

Chairman Farrell announced the hearing on HB730 as closed.

ADJOURNMENT

Adjournment At: 11:30 a.m.


WILLIAM E. FARRELL, Chairman

WEF/mhu
GOVAPPTS.045

ROLL CALL

STATE ADMINISTRATION COMMITTEE

51ST LEGISLATIVE SESSION

DATE: April 5, 1989

NAME	PRESENT	ABSENT	EXCUSED
HUBERT ABRAMS	✓		
JOHN ANDERSON, JR.	✓		
ESTHER BENGTON	✓		
WILLIAM E. FARRELL	✓		
ETHEL HARDING	✓		
SAM HOFMAN	✓		
PAUL RAPP-SVRCEK	✓		
TOM RASMUSSEN	✓		
ELEANOR VAUGHN	✓		

SENATE STANDING COMMITTEE REPORT

April 6, 1959

MR. PRESIDENT,

We, your committee on State Administration, having had under consideration HB 26 (third reading copy blue), respectfully report that HB 26 be amended and as so amended be concurred in:

Sponsor: Feck (Jacobson)

1. Title, line 6.

Following: "SYSTEM;"

Insert: "TO PROVIDE AN APPROPRIATION;"

2. Page 1, line 22 through page 2, line 10.

Strike: "Therefore" on page 1, line 22 through "included." on page 2, line 10.

Insert: "Therefore, the legislature intends that the information services division of the department of administration, in consultation with the state auditor and under the direction of the office of budget and program planning, conduct a study to be performed and finalized by November 1, 1959. The purpose of the study is to determine the necessary modifications and costs required for the university systems to be included under a uniform state central payroll, personnel, and position control system. It is expected that the state auditor and the information services division of the department of administration work closely with the board of regents and each unit of the Montana university system to ensure that a systematic implementation of each unit on the uniform state central payroll, personnel, and position control system as approved by the office of budget and program planning be completed no later than January 1, 1961."

3. Page 2, line 11.

Following: "and"

Insert: "and of the Montana university system."

4. Page 2, line 18 through 20.

Following "center" on line 18.

Strike the remainder of line 18 through "JOIR" on line 20.

5. Page 2, following line 25.

Insert: "NEW SECTION. Section 3. Appropriation. There is appropriated from the general fund in House Bill No. 100, The General Appropriations Act, \$625,000 to the department of administration and \$25,000 to the state auditor to conduct the study and provide for the implementation of each university unit on the uniform state central payroll, personnel, and position control system."

AND AS AMENDED BE CONCURRED IN

Signed: _____
William E. Parrish, Chairman

Amendments to House Bill No.26
Amendatory Language

Requested by Rep. Peck
For the Committee on State Administration

Prepared by LFA
March 28, 1989

1. Title, line 6.

Following: "SYSTEM"

Insert: "TO PROVIDE AN APPROPRIATION;"

2. Page 1, line 22 through page 2, line 10.

Strike: Page 1, line 22 through page 2, line 10.

Insert: "Therefore, the legislature intends that the information services division of the department of administration, in consultation with the state auditor and under the direction of the office of budget and program planning, conduct a study to be performed and finalized by November 1, 1989. The purpose of the study is to determine the necessary modifications and costs required for the university system to be included under a uniform state central payroll, personnel, and position control system. It is expected that the state auditor and the information services division of the department of administration will work closely with the board of regents and each unit of the Montana university system to ensure that a systematic implementation of each unit on the uniform state central payroll, personnel, and position control system as approved by the office of budget and program planning be completed no later than January 1, 1991."

3. Page 2, line 18.

Following: "and"

Insert: "units of the Montana university system and"

4. Page 2, line 18 through 20.

Following "centers"

Strike: the remainder of line 18 through "JOIN" on line 20.

5. Page 2, following line 25.

Insert: "NEW SECTION. Section 3. Appropriation. There is appropriated from the general fund in House Bill No. 100, The General Appropriations Act, \$625,000 to the department of administration and \$25,000 to the state auditor to conduct the study and provide for the implementation of each university unit on the uniform state central payroll, personnel, and position control system."

WITNESS STATEMENT

EXHIBIT NO. 2
DATE 4/5/89
BILL NO. HB26

To be filled out by a person testifying or a person who would not like to stand up and speak but wants their testimony entered into the record.

NAME: JACK NOBLE DATE: 4/5/89

Address: HELENA

Phone: _____

Representing whom?
MONTANA UNIVERSITY SYSTEM

Appearing on which proposal?
HB 26

Do you: SUPPORT? AMEND? _____ OPPOSE? _____

Comments:

HB 730

On behalf of Montana Assoc. of Clerk & Recorders, I would like to speak in favor of HB 730 as amended. This bill would provide a state wide mailing list of electors which allows the Secretary of State to direct mail the Voter Information Pamphlet (VIP). The impact toward counties has been eased through the amendments in the New sections.

Richard S. Pallott
Secretary of MACR
Fergus Co. Clerk &
Recorder.

WITNESS STATEMENT

EXHIBIT NO. 4
DATE 4/5/89
BILL NO. 4

To be filled out by a person testifying or a person who would not like to stand up and speak but wants their testimony entered into the record.

NAME: Debbie Pallett DATE: 4-5-89

Address: 712 W MAIN

LEWISTOWN, MT

Phone: 538-5242

Representing whom?
MONT Assoc of Clerk's Recorders

Appearing on which proposal?
H.B 730

Do you: SUPPORT? X AMEND? OPPOSE?

Comments:
see Exhibit #3

