

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 53rd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON STATE ADMINISTRATION

Call to Order: By DICK SIMPKINS, CHAIRMAN, on March 4, 1993, at  
8:35 a.m.

#### ROLL CALL

##### Members Present:

Rep. Dick Simpkins, Chairman (R)  
Rep. Wilbur Spring, Vice Chairman (R)  
Rep. Ervin Davis, Vice Chairman (D)  
Rep. Beverly Barnhart (D)  
Rep. Pat Galvin (D)  
Rep. Bob Gervais (D)  
Rep. Harriet Hayne (R)  
Rep. Gary Mason (R)  
Rep. Brad Molnar (R)  
Rep. Bill Rehbein (R)  
Rep. Sheila Rice (D)  
Rep. Sam Rose (R)  
Rep. Dore Schwinden (D)  
Rep. Carolyn Squires (D)  
Rep. Jay Stovall (R)  
Rep. Norm Wallin (R)

Members Excused: None.

Members Absent: None.

Staff Present: Sheri Heffelfinger, Legislative Council  
Dorothy Poulsen, Committee Secretary

Please Note: These are summary minutes. Testimony and  
discussion are paraphrased and condensed.

##### Committee Business Summary:

Hearing: SB 174; SB 190; SJR 8  
Executive Action: SB 84; SB 142; SB 147; SB 190; SJR 12;  
SJR 8

#### EXECUTIVE ACTION ON SB 142

Motion/Vote: REP. SPRING MOVED SB 142 BE CONCURRED IN. Motion  
carried 15 to 1 with REP. REHBEIN voting no and REPS. RICE and  
MOLNAR voting by proxy.

EXECUTIVE ACTION ON SB 84Discussion:

SEN. TOM KEATING proposed an amendment to SB 84 which would allow reciprocity of notarial acts with neighboring states. He explained residents of eastern Montana who work in North Dakota or have businesses along the Montana-North Dakota border need to have a reciprocal agreement with North Dakota in order to work as notaries in North Dakota. He explained the amendment establishes reciprocity of notary commissions with neighboring states which allow reciprocity. EXHIBIT 1

REP. SCHWINDEN asked Garth Jacobson, Chief Legal Counsel, Secretary of State, to describe their position on the amendment. Mr. Jacobson responded they fully endorsed the amendment.

REP. SIMPKINS asked Mr. Jacobson to describe Montana's liability for notaries. Mr. Jacobson explained notaries would be accountable under the state in which they are commissioned. He said he checked the bonding requirements of other states for notaries and found them to be satisfactory. REP. SIMPKINS asked Mr. Jacobson whether many Montana notaries had their commissions revoked. Mr. Jacobson said probably six notaries have had their commissions revoked over the last few years. He explained the notary commission is usually revoked because the insurance company which has issued a bond to the notary has revoked the bond because of questionable actions. REP. SIMPKINS asked Mr. Jacobson whether notaries must report every notarial act. Mr. Jacobson explained notaries were not required by law to report their notarial acts, but as general practice they should maintain records of their notarial acts in order to reduce their liability. He reported most Montana notaries do not keep a record of their acts.

REP. SPRING asked Mr. Jacobson to describe an example of an action which would lead to losing a notary commission. Mr. Jacobson reported a scheme involving automobile titles in which a notary was fraudulently notarizing forged signatures.

Motion: REP. ROSE MOVED SB 84 BE CONCURRED IN.

Motion/Vote: REP. ROSE moved SB 84 be amended. Motion carried unanimously. EXHIBIT 1

Motion/Vote: REP. ROSE MOVED SB 84 BE CONCURRED IN AS AMENDED. Motion carried unanimously.

EXECUTIVE ACTION ON SJR 12

Motion: REP. SQUIRES MOVED SJR 12 BE CONCURRED IN.

Discussion:

REP. SIMPKINS stated the building could be renamed the "Walt Sullivan Building" without action by the legislature. REP. SQUIRES noted the resolution also directed the Secretary of State to send copies of the resolution to newspaper publishers and others and suggested those actions were very appropriate.

REP. SIMPKINS stated the law should provide a ten-year grace period before naming a building after an individual in order to avoid naming buildings as an emotional response to an individual's death. He noted, however, testimony had shown that Walt Sullivan was an outstanding employee.

Vote: SJR 12 BE CONCURRED IN. Motion carried 12 to 4 with REPS. REHBEIN, SPRING, MOLNAR, and SIMPKINS voting no.

HEARING ON SB 174Opening Statement by Sponsor:

SEN. JEFF WELDON, Senate District 27, Arlee, introduced SB 174 which provides for citizen enforcement of election and campaign practices laws. He stated the bill allowed citizens to bring civil action to enforce campaign laws if the county attorney or commissioner of political practices fails to commence an action or dismiss a complaint. He explained that prior to action by a citizen, the following events would have occurred: (1) a complaint of a violation of reporting or contribution expenditure laws would have been filed with the commissioner of political practices; (2) the commissioner would have asked the county attorney to prosecute the violation; and (3) neither the county attorney nor the Commissioner prosecuted the violation or dismissed the complaint within 50 days. He said the citizen would then have legal standing to bring civil action in the name of the state. He said if the citizen prevails in the lawsuit, then the citizen would be reimbursed for legal costs incurred; if the court finds the suit was filed without reasonable cause, then the citizen would be responsible for legal costs. He reported any court fines stemming from the citizen's lawsuit would be paid to the state's general fund.

SEN. WELDON described three reasons for the legislation: (1) recognition of citizen control of the electoral process; (2) strengthening the commissioner of political practices which currently lacks resources; and (3) similar citizen standing in state laws pertaining to lobbying and to unfair trade practices and consumer protection. He reported about ten other states have similar legislation.

Proponents' Testimony:

Amy Kelley, Executive Director, Montana Common Cause, presented written testimony in support of SB 174 in which she stressed the bill would increase the enforcement of campaign laws without costing the state additional money. She noted a citizen would have legal standing only if the Commissioner had determined that a violation had occurred, and provisions in the bill would strongly discourage or prevent the filing of frivolous lawsuits. She urged passage of the bill. EXHIBIT 2

Jonathan Motl, attorney, Helena, described his volunteer participation in an initiative campaign in 1988 to place a deposit on beverage containers. He said opponents to the initiative spent a great deal of money to defeat the initiative. He reported when he tried to find out how much money the opposition was spending through the commissioner of political practices, he discovered a number of reporting violations. He said he filed a complaint with the commissioner whose only response was to mention the complaint in her 1992 Annual Report. He said he would have acted on the complaint as a citizen, if such action had been possible. He urged the committee to support the bill.

Opponents' Testimony: None.

Informational Testimony: None.

Questions From Committee Members and Responses:

REP. ROSE asked SEN. WELDON whether the commissioner of political practices could be required to act on complaints. SEN. WELDON responded with the limited financial resources available to the commissioner and to county attorneys, such a requirement would not be realistic. He suggested SB 174 offered a reasonable alternative.

REP. REHBEIN asked Ms. Kelley how many complaints had been filed in 1992 and how many of them were legitimate. Ms. Kelley responded the commissioner had not yet published the 1992 report. REP. REHBEIN asked Ms. Kelley how many legitimate complaints had been filed in 1988-1990. Ms. Kelley said Commissioner Dolores Colburg had received a large number of complaints, many of which she responded to and resolved. She said she considered the complaints mentioned in the commissioner's reports as legitimate because Commissioner Colburg had taken official written action on them. Ms. Kelley reported to date no county attorney has taken court action on any of the complaints. REP. REHBEIN asked Ms. Kelley whether passage of SB 174 would increase the need for staff or budget in the commissioner's office. Ms. Kelley responded to the contrary, the bill would provide resources to the office by allowing citizens to take action.

REP. STOVALL asked Ms. Kelley whether citizens could act if the commissioner of political practices had dismissed the complaint. Ms. Kelley responded citizens would have no legal standing if the commissioner had dismissed the complaint.

REP. MASON asked SEN. WELDON whether the bill would allow any Montana citizen to involve the state in a lawsuit. SEN. WELDON said citizens would bring a suit in the name of the state only and would need to have a private attorney for court action. He said court costs would be recovered by citizens if they prevailed in the suit; thus, the lawsuit would not require any expenditure by the state. Mr. Motl explained claims are filed on behalf of the citizens of Montana and, if successful, the judge can award attorney fees.

REP. REHBEIN noted the bill referred to "reasonable attorney fees" and asked who set attorney fees. Mr. Motl said judges determine attorney fees. REP. REHBEIN asked who would be liable to pay attorney fees if the judge awarded less than the attorney charged. Mr. Motl stated attorneys undertaking such lawsuits would understand their fees were contingent on the judge's award.

REP. SIMPKINS referred to lines 15-16, page 2, which states "the individual is entitled to be reimbursed by the state for costs and attorney fees incurred," and asked Mr. Motl whether the bill obligated the state to reimburse the individual regardless of the judicial decision. Mr. Motl interpreted the language to mean the individual was entitled to attorney fees as awarded by the judge. REP. SIMPKINS suggested the word "entitled" obligated the state to reimburse the individual if the judge did not assess fines. Mr. Motl agreed. REP. GALVIN questioned REP. SIMPKINS' interpretation; REP. SIMPKINS stated the committee would seek an interpretation from Greg Petesch, Director, Legal Services Division, Legislative Council.

REP. SIMPKINS asked SEN. WELDON whether citizens could sue because the commissioner failed to dismiss a complaint, even though the complaint was resolved. SEN. WELDON responded if the complaint was resolved, then he would expect a paper trail to have been generated showing that the candidate had responded to the complaint. He said, however, if the candidate did not respond to the complaint, then the process could proceed; and citizens would have standing to sue. REP. SIMPKINS referred SEN. WELDON to lines 9-11, page 2, which specifies "written notification" and asserted citizens could sue if written notification were not made. SEN. WELDON suggested candidates could go to the commissioner and request written dismissal of complaints. REP. SIMPKINS asked SEN. WELDON which other situations allow citizens to assume the role of the state. SEN. WELDON reported in both the lobbying law enforcement and unfair trade practices and consumer protection laws, citizens can bring suit in the name of the state. Mr. Motl explained under the unfair trade practices law, the citizen can sue directly after notifying the state through the Department of Commerce. He said

under the lobbying disclosure acts, citizens are allowed to sue in the name of the state although no one has ever done so.

REP. SIMPKINS asked Ms. Kelley why no bills had been introduced in the last three sessions to increase the staff and funding of the commissioner of political practices' office. Ms. Kelley explained she was new to Montana Common Cause but had understood Common Cause had asked for increased funding in previous sessions and were unsuccessful. She said Common Cause had decided this session to try to increase the abilities of the office without seeking increased resources.

REP. SIMPKINS asked Mr. Motl whether any organization had requested the court to issue a writ of mandamus to require the county attorney to act on a particular violation of political practices statutes. Mr. Motl responded Common Cause had filed a writ of mandamus to require the commissioner of political practices to file annual reports for 1986-91. He said, however, the writ of mandamus only applied when "shall" was in statute. He said the writ would not provide a remedy for situations in which the commissioner had discretionary authority whether or not to act.

Mr. Motl referred to REP. SIMPKINS' earlier question about citizen reimbursement for costs and attorney fees incurred and stated existing campaign laws provide a system of fines which are to be collected for violations and deposited in the state treasury. He said a citizen suit on behalf of the state would, in fact, seek action to collect fines; thus, funds would be available for reimbursement.

Closing by Sponsor:

SEN. WELDON expressed his appreciation for the good hearing and noted many of the committee's concerns had been raised in the Senate. He reminded members the bill included safety measures against frivolous complaints. He contended campaign law violators should pay for violations. He suggested citizens who bring a successful suit should be reimbursed for costs because they are essentially doing the state's business. He said he was comfortable with the bill because it did include provisions which prevent its use for harassment or vigilante justice. He pointed out frivolous complaints could be dismissed by the commissioner of political practices or county attorney as well as by the court. He suggested a further safety measure was having the plaintiff pay costs if the court declared the suit frivolous. Finally, he said statutes provide for malicious prosecution suits. SEN. WELDON said the bill recognizes that the power of the legislature rests with citizens and provides citizens legal standing under limited circumstances to enforce campaign laws. He urged the committee to concur with the bill.

HEARING ON SJR 8Opening Statement by Sponsor:

SEN. J. D. LYNCH, Senate District 35, Butte, introduced SJR 8 by request of the Legislative Council. The resolution requests the Department of Administration to adopt rules relating to the appropriate use of acid-free, alkaline-based, or permanent paper in the publication of state documents.

Proponents' Testimony:

Richard Miller, State Librarian, stated SJR 8 addressed the permanency of state documents. He distributed "Recommendation for a Quality Control System for State Government Publications" published by the Montana Legislative Council. He explained the resolution allows state libraries to work with the Department of Administration to determine the appropriate paper for preserving documents and to develop rules for determining which documents become permanent. EXHIBIT 3

Opponents' Testimony: None.

Informational Testimony: None.

Questions From Committee Members and Responses:

REP. REHBEIN asked Mr. Miller whether the Department of Administration could execute the provisions in the resolution without SJR 8. Mr. Miller said the department has the necessary authority, but the intent of the resolution was to have the department work in conjunction with libraries and use library staff expertise to determine which documents should be preserved and the type of paper to use.

REP. SIMPKINS asked Mr. Miller whether acid-free paper was more expensive. Mr. Miller reported that acid-free paper was not more expensive because paper mills were switching to acid-free paper for environmental reasons. He referred the question to Bob Clark, Montana Historical Society, who explained several grades of paper were currently available. Mr. Clark said permanent paper, as defined by national standards, was about 30 percent more expensive than regular paper. He said acid-free paper, however, could be purchased for approximately the same cost as less durable paper. He said the resolution was seeking quality control which was not a factor previously considered by the Department of Administration in their paper purchases. He reported only a few documents would be designated for printing on the more expensive permanent paper.

Closing by Sponsor:

REP. LYNCH stated the resolution preserved what needed to be preserved, recycled what could be recycled, and made good sense.

EXECUTIVE ACTION ON SJR 8

Motion/Vote: REP. DAVIS MOVED SJR 8 BE CONCURRED IN. Motion carried unanimously with REPS. SCHWINDEN and SQUIRES voting by proxy. EXHIBITS 4, 5

HEARING ON SB 190Opening Statement by Sponsor:

SEN. STEVE DOHERTY, Senate District 20, Great Falls, introduced SB 190 which amends the Uniform Unclaimed Property Act to allow a rural electric or telephone cooperative to use unclaimed patronage refunds for educational purposes. He said Montana's electric and telephone cooperatives are member-oriented and member-owned and are responsible for returning unclaimed capital credits. He explained under the current system for unclaimed property, the property is kept in a state account and the interest from the account is given to the Office of Public Instruction (OPI). The cooperatives are proposing to make the effort to refund the credits to the member; if, however, the member is not found after five years, the cooperatives would use the full refund for educational purposes. SEN. DOHERTY suggested the bill demonstrated a private-public partnership which should be encouraged in Montana.

Proponents' Testimony:

Jay Downen, Executive Vice-President, Montana Electrical Cooperatives Association and Montana Telephone Association, distributed a packet of information which described the current and proposed uses of unclaimed patronage refunds. He explained that patronage capital is a unique form of property and unlike other items subject to the Montana Uniform Unclaimed Property Act. Patronage capital represents members' shares of equity in a not-for-profit cooperative and is donated to the cooperative to assure reliable service in rural areas. Mr. Downen explained similar legislation had been proposed in prior sessions. He said SB 190 had been carefully drafted to apply only to cooperative members' capital credit and to benefit education. He stated public schools would benefit from SB 190. He reported in FY 92 OPI received \$8,300 in interest earnings from the state fund; in comparison, school districts would have received \$154,000 under SB 190, the amount of unclaimed patronage capital deposited in the fund. He urged favorable consideration of the bill. EXHIBIT 6



Bill Chapman, General Manager, Glacier Electric Cooperative, Cut Bank, stated SB 190 would amend the Uniform Unclaimed Property Act to make cooperatives the trustees of unclaimed capital credits. He explained as trustees, the cooperatives would refund the credits to members or their heirs whenever they claimed the funds. He stated the bill would enable cooperatives to work with local school districts to fund educational projects such as student scholarships. He noted local school districts would receive more money under SB 190 than OPI would receive from the interest on the state fund. He maintained since the money came from local members of cooperatives, the money should be used for local schools. He urged favorable consideration of the bill.

Daniel Bailey, President, Missoula Electric Cooperative, and Blackfoot Telephone Cooperative, stated that through the cooperatives' electronic equipment program, they had donated \$10,000 worth of electronic equipment to local schools each year for the last five years. He presented lists of equipment awarded to schools and letters of appreciation from local schools.

EXHIBIT 7, 8

REP. REHBEIN stated his support for SB 190.

Opponents' Testimony: None.

Informational Testimony: None.

Questions From Committee Members and Responses:

REP. ROSE asked SEN. DOHERTY whether donations would be equitably distributed. SEN. DOHERTY stated since donations would depend on the size of the cooperative and the number of unclaimed credits, equity across schools would not occur. REP. ROSE asked what criteria would be used for student scholarships. SEN. DOHERTY responded the criteria would be determined by members of the cooperative. He explained while some cooperatives might use the money for scholarships, cooperatives would determine the use of the money in cooperation with local school districts. REP. ROSE asked SEN. DOHERTY whether donations would benefit only children of cooperative members. SEN. DOHERTY responded if the cooperative donates to schools, then all children benefit.

REP. DAVIS asked Mr. Bailey how much the Blackfoot Telephone and Missoula Electric Cooperatives had donated to the state. Mr. Bailey responded \$25,000 per year. REP. DAVIS asked Mr. Chapman how much Glacier Electric Cooperative donated to the state. Mr. Chapman responded the cooperative would be sending \$21,400 in 1993. REP. DAVIS asked Mr. Chapman how much the cooperative had donated in the last five years. Mr. Chapman explained the cooperative had not sent any funds to the state in the last few years because the cooperative had not begun retiring capital credits until 1986.

REP. REHBEIN asked SEN. DOHERTY to explain what currently happened to money sent to the state. SEN. DOHERTY explained the money was placed in a trust fund, and the interest from the trust fund was sent to OPI. He stated OPI had testified in support of the bill in the Senate. REP. REHBEIN asked SEN. DOHERTY to explain what would happen to money currently in the state trust fund. SEN. DOHERTY explained money currently in the trust fund would remain in the fund.

REP. RICE noted OPI would lose \$8,300 in interest this year under the bill and asked SEN. DOHERTY whether the state would lose interest on all future funds from the cooperatives. SEN. DOHERTY confirmed that would be the case.

REP. RICE asked Mr. Downen whether the money would be used for schools or whether it would be used for other educational purposes. Mr. Downen reported cooperatives currently have more requests from school districts than they can fulfill. He suggested cooperatives would be able to respond to more of the requests with the additional money. He also noted that non-member children had been awarded scholarships from cooperatives. REP. RICE asked whether the money would be used only to fund school district requests or used for cooperative educational programs. Mr. Downen responded the money would not be used to fund the cooperative's own programs. He said, however, worthwhile requests may come from entities other than school districts.

REP. STOVALL referred to the fiscal note and asked SEN. DOHERTY how much money was currently in the school trust fund. SEN. DOHERTY referred the question to Jeff Miller, Department of Revenue, who said he did not know the exact balance of the fund but the accumulation was in the millions of dollars because it was a nonexpendable school trust fund. He explained the difference between the \$154,000 collected from the cooperatives and the \$105,000 deposited in the school trust fund, as shown on the fiscal note, represented money returned to property owners. He said the principal amount remains on deposit and can be claimed at any time by owners or heirs. REP. STOVALL asked whether interest from the trust fund would continue going to OPI. Mr. Miller confirmed the interest would continue to go to OPI.

REP. GERVAIS asked SEN. DOHERTY whether the money could be used for community colleges. SEN. DOHERTY stated under SB 190 a local co-op would have the discretion to use the money as they defined educational purpose.

REP. SIMPKINS stated he interpreted SB 190 as a means for members of a cooperative to spend money they have donated to benefit their local areas. SEN. DOHERTY agreed.

REP. RICE asked SEN. DOHERTY the effect of the bill on school equalization. SEN. DOHERTY suggested the amount of money was so small, it would have minimal effect.

REP. MOLNAR referred to the technical note on the fiscal note and asked SEN. DOHERTY whether the bill exempted all abandoned property of rural electric and telephone cooperative members. SEN. DOHERTY said it was not the bill's intent to apply to more than capital credits. Ms. Heffelfinger explained the bill exempted cooperatives from chapter 18, Title 35, which covers unclaimed property. She said, however, the bill limits the exemption with lines 8-10, page 8, which states "if the board of trustees of the cooperative has acted to retain patronage refunds."

REP. MASON verified with SEN. DOHERTY that claimed capital credits were not sent to the state and suggested the bill might not have any impact on the trust fund in the future if all credits are claimed. SEN. DOHERTY agreed.

Closing by Sponsor:

SEN. DOHERTY stated SB 190 was far-sighted legislation which has been adopted by other states. He commended the cooperatives as groups which want to be responsible for the funds and make more effective use of the money.

EXECUTIVE ACTION ON SB 190

Motion/Vote: REP. GERVAIS MOVED SB 190 BE CONCURRED IN. Motion carried unanimously with REPS. SQUIRES and SCHWINDEN voting by proxy. EXHIBITS 4, 5

EXECUTIVE ACTION ON SB 147

Motion: REP. BARNHART MOVED SB 147 BE CONCURRED IN.

Motion: REP. BARNHART moved to amend SB 147. EXHIBIT 9

Discussion:

REP. BARNHART explained that the amendments would expand the voter information pamphlet to include names, addresses, and phone numbers of people running for statewide office. She said the amendments would have no fiscal impact.

REP. STOVALL asked REP. BARNHART what order would be used in listing names. REP. BARNHART explained a sample ballot would not be included; rather names would be listed across from one another.

Vote: SB 147 BE AMENDED. Motion carried 13 to 3 with REPS. REHBEIN, ROSE, and HAYNE voting no and REPS. SQUIRES and SCHWINDEN voting by proxy. EXHIBITS 4, 5

Motion/Vote: REP. SIMPKINS moved to amend SB 147 by striking "when possible" on line 13, page 2, and inserting "if available on electronic media." Motion carried unanimously with REPS. SQUIRES and SCHWINDEN voting by proxy. EXHIBITS 4, 5

Motion: REP. BARNHART MOVED SB 147 BE CONCURRED IN AS AMENDED.

Discussion:

REP. SIMPKINS reported he had received a letter in opposition to the bill. He said the letter expressed concern that the state did not have sufficient resources to develop a statewide computer system. He asked whether county computer programs were compatible with the secretary of state's computer system. REP. MOLNAR recalled testimony that the state and counties had incompatible systems. REP. BARNHART recalled the secretary of state's office recognized the incompatibility and did not view it as a problem.

REP. SPRING reported he had spoken to the clerk and recorder of Gallatin County. She had explained that clerks and recorders had opposed the bill in the Senate; however, because changes in bill had been made, she no longer opposed the legislation.

REP. DAVIS stated although counties had different systems, there were ways to merge information from them. He explained print outs of the information could be scanned into the state computer system.

REP. ROSE asked how the lists of registered voters would be controlled. REP. BARNHART explained the secretary of state would sell the complete statewide lists, and counties would continue to sell individual county lists. REP. MASON recalled testimony that lists could not be used for commercial purposes.

REP. REHBEIN recalled testimony that lists would be sold to political parties. He asked whether other parties could buy the list. REP. SIMPKINS stated the law specifically prohibits the use of the lists for commercial purposes. REP. REHBEIN asked whether an independent political party could buy the list. REP. SIMPKINS referred REP. REHBEIN to lines 18-21, page 6, which states that "the secretary of state shall furnish to any elector for noncommercial use a current list of registered electors or mailing labels for registered electors." He explained in Cascade County the individual signs a statement that the list will not be used for commercial purposes and could be prosecuted for violating the signed statement. REP. RICE noted lists were already available in every county and suggested the bill just made lists more accessible in a centralized location; thus, lists were no more likely to be used commercially under the bill than currently.

REP. MOLNAR suggested an amendment to apportion the postage costs for mailing the voter information pamphlets back to the counties and eliminate the fiscal note to the bill.

REP. SIMPKINS referred to lines 22-25, page 6, and asked how the costs for the lists of registered voters would be determined.

REP. MASON recalled testimony that the statewide list would cost \$10,000, which was cheaper for political parties than compiling their own lists. Doug Mitchell, Secretary of State's Office, explained all fees charged by the secretary of state were commensurate with costs of the service. He said currently the secretary of state provides an estimate of costs for customers when they request lists. He said the costs of compiling and maintaining the list of registered voters would be apportioned to customers based on an assumption of the number of likely customers. REP. SIMPKINS contended that in order to mail out the voter information pamphlets, the secretary of state's office would need to have a list of all registered voters; therefore, he suggested purchasers of the registered-voters list should not be charged for compiling the list. Mr. Mitchell agreed, but said the overriding factor for the secretary of state's office was the need to charge fees commensurate with services provided because the office was revenue-neutral. He said if the committee was willing to have the state pick up the cost of compiling the list, then the secretary of state's office would not object. He noted, however, such a change would increase the general fund cost.

REP. ROSE declared the state had no guarantee the list would not be used for junk mail. REP. SIMPKINS stated commercial use was a separate issue, and there was no guarantee currently.

REP. RICE noted that the major political parties had already agreed to pay for the statewide list of registered voters and contended the bill should not be changed to lower the costs of the list. REP. SIMPKINS responded the secretary of state did not charge a compiling fee for other lists. Mr. Mitchell explained that compiling fees were not charged because filing fees were charged to cover compiling fees for other lists. He noted voters were not charged to register; he stated if voters were each charged \$1 to register, then the bill would not have a fiscal note.

REP. SIMPKINS asked Mr. Mitchell whether all counties had compatible computer systems to use in sending voter registration information to the state. Mr. Mitchell stated there were probably 30 different formats used in counties, but that computer technology had advanced so that all the information could be translated without difficulty.

Motion/Vote: REP. MOLNAR moved to amend SB 147 to apportion postage costs for the voter information pamphlets back to the counties. Motion failed on a voice vote.

HOUSE STATE ADMINISTRATION COMMITTEE

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Vote: SB 147 BE CONCURRED IN AS AMENDED. Motion carried 9 to 7 on a roll call vote with REPS. SIMPKINS, SPRING, HAYNE, MOLNAR, REHBEIN, ROSE, and WALLIN voting no and REPS. SCHWINDEN and SQUIRES voting by proxy. EXHIBITS 4, 5, 10

ADJOURNMENT

Adjournment: 10:40 a.m.

  
DICK SIMPKINS, Chairman

  
DOROTHY POULSEN, Secretary

DS/DP

HOUSE OF REPRESENTATIVES  
STATE ADMINISTRATION

COMMITTEE

ROLL CALL

DATE

3/4/93

NAME	PRESENT	ABSENT	EXCUSED
REP. DICK SIMPKINS, CHAIR	✓		
REP. WILBUR SPRING, VICE CHAIR	✓		
REP. ERVIN DAVIS, VICE CHAIR	✓		
REP. BEVERLY BARNHART	✓		
REP. PAT GALVIN	✓		
REP. BOB GERVAIS	✓		
REP. HARRIET HAYNE	✓		
REP. GARY MASON	✓		
REP. BRAD MOLNAR	✓		
REP. BILL REHBEIN	✓		
REP. SHEILA RICE	✓		
REP. SAM ROSE	✓		
REP. DORE SCHWINDEN	✓		
REP. CAROLYN SQUIRES	✓		
REP. JAY STOVALL	✓		
REP. NORM WALLIN	✓		

HOUSE STANDING COMMITTEE REPORT

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Mr. Speaker: We, the committee on State Administration report that Senate Bill 84 (third reading copy -- blue) be concurred in as amended .

Signed: *Dick Simpkins*  
Dick Simpkins, Chair

And, that such amendments read:

Carried by: Rep. Spring

1. Title, line 5.

Following: "TO"

Insert: "THE JURISDICTION AND"

2. Title, line 8.

Following: "1-5-408,"

Insert: "1-5-415,"

3. Page 2, line 2.

Strike: "10"

Insert: "11"

4. Page 2, line 5.

Strike: "10"

Insert: "11"

5. Page 5, line 8.

Strike: "6"

Insert: "7"

6. Page 5.

Following: line 9

Insert: "(3) Subject to the provisions of [section 5], notarial acts performed within Montana by notarial officers of bordering states have the same effect as if performed by a notarial officer of Montana."

Renumber: subsequent subsection

7. Page 5.

Following: line 12

Insert:

"NEW SECTION. Section 5. Reciprocity of notarial acts. (1)

Committee Vote:

49154180.325



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A Montana notarial officer may perform a notarial act in a bordering state if the state recognizes the officer's authority within the state.

(2) A notarial act performed in Montana by a notarial officer of a bordering state has the same effect under Montana law as if the act were performed by a Montana notarial officer, provided that the bordering state grants Montana's notarial officers similar authority within the bordering state."

Renumber: subsequent sections

8. Page 6, line 2.

Strike: "6"

Insert: "7"

9. Page 9, line 6.

Strike: "9"

Insert: "10"

10. Page 9, line 21.

Strike: "8(1)"

Insert: "9(1)"

11. Page 12, line 12.

Strike: "9"

Insert: "10"

12. Page 12, line 15.

Strike: "9"

Insert: "10"

13. Page 14.

Following: line 7

Insert:

"Section 18. Section 1-5-415, MCA, is amended to read:

"1-5-415. ~~Statewide jurisdiction~~ Jurisdiction. The ~~jurisdiction of notaries public shall be coextensive with the boundaries of the state, irrespective of their place of residence within the state. Every~~ A person receiving a commission as notary public ~~shall have~~ has jurisdiction to perform ~~his~~ the person's official duties and acts in every county of the state of Montana irrespective of the person's place of residence within the state. A notary public may perform notarial acts outside Montana pursuant to [section 5]."

Renumber: subsequent sections

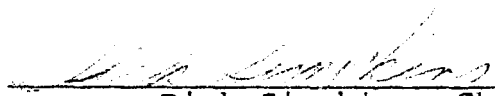
-END-

HOUSE STANDING COMMITTEE REPORT

March 4, 1993

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that Senate Bill 142 (third reading copy -- blue) be concurred in.

Signed:   
Dick Simpkins, Chair

Carried by: Rep. J. Rice

HOUSE STANDING COMMITTEE REPORT

March 4, 1993

Page 1 of 2

Mr. Speaker: We, the committee on State Administration report that Senate Bill 147 (third reading copy -- blue, be concurred in as amended).

Signed: *Dick Simpkins*  
Dick Simpkins, Chair

And, that such amendments read:

Carried by: Rep. Toole

1. Title, line 14.

Strike: "FOR BALLOT ISSUES"

2. Title, line 16.

Following: "STATE;"

Insert: "REVISING THE CONTENT OF THE VOTER INFORMATION PAMPHLET;"

3. Title, line 18.

Following: "13-2-115,"

Insert: "13-27-401,"

4. Page 2, line 13.

Strike: "when possible"

Insert: "if available on electronic media"

5. Page 6.

Following: line 25

Insert:

"Section 4. Section 13-27-401, MCA, is amended to read:

"13-27-401. Voter information pamphlet. (1) The secretary of state shall prepare for printing a voter information pamphlet containing the following information for each ballot issue to be voted on at an election, as applicable:

(a) ballot title, fiscal statement if applicable, and complete text of the issue;

(b) the form in which the issue will appear on the ballot;

(c) arguments advocating approval and rejection of the issue; and

(d) rebuttal arguments.

(2) The pamphlet ~~shall~~ must also contain a notice advising the recipient where additional copies of the pamphlet may be obtained.

(3) Whenever more than one ballot issue is to be voted on

Committee Vote:

March 4, 1993

Page 2 of 2

at a single election, the secretary of state may publish a single pamphlet for all of the ballot issues. The secretary of state may arrange the information in the order which seems most appropriate, but the information for all issues in the pamphlet shall be presented in the same order.

(4) The pamphlet must also contain the name, address, and phone number, filed with the secretary of state as of the 75th day before the election, for each candidate for any office filled by a statewide vote of registered electors."

Renumber: subsequent sections

6. Page 7, line 6.

Strike: "for all ballot issues"

7. Page 7, lines 7 and 8.

Strike: "at" on line 7 through "submitted" on line 8

-END-

HOUSE STANDING COMMITTEE REPORT

March 4, 1993

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that Senate Bill 190 (third reading copy -- blue) be concurred in .

Signed: *Dick Simpkins*  
Dick Simpkins, Chair


Carried by: Rep. Peterson

HOUSE STANDING COMMITTEE REPORT

March 4, 1993

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that Senate Joint Resolution 8 (third reading copy -- blue) be concurred in .

Signed:   
Dick Simpkins, Chair

Carried by: Rep. D. Brown

HOUSE STANDING COMMITTEE REPORT

March 4, 1993

Page 1 of 1

Mr. Speaker: We, the committee on State Administration report that Senate Joint Resolution 12 (third reading copy -- blue) be concurred in .

Signed: *Dick Simpkins*  
Dick Simpkins, Chair

Carried by: Rep. Squires

Amendments to Senate Bill No. 84  
Third Reading Copy

Requested by Sen. Tom Keating  
For the Committee on House State Administration

Prepared by Sheri S. Heffelfinger  
March 3, 1993

1. Title, line 5.

Following: "TO"

Insert: "THE JURISDICTION AND"

2. Title, line 8.

Following: "1-5-408,"

Insert: "1-5-415,"

3. Page 2, line 2.

Strike: "10"

Insert: "11"

4. Page 2, line 5.

Strike: "10"

Insert: "11"

5. Page 5, line 8.

Strike: "6"

Insert: "7"

6. Page 5.

Following: line 9

Insert: "(3) Subject to the provisions of [section 5], notarial acts performed within Montana by notarial officers of bordering states have the same effect as if performed by a notarial officer of Montana."

Renumber: subsequent subsection

7. Page 5.

Following: line 12

Insert:

"NEW SECTION. Section 5. Reciprocity of notarial acts. (1) A Montana notarial officer may perform a notarial act in a bordering state if the state recognizes the officer's authority within the state.

(2) A notarial act performed in Montana by a notarial officer of a bordering state has the same effect under Montana law as if the act were performed by a Montana notarial officer, provided that the bordering state grants Montana's notarial officers similar authority within the bordering state."

Renumber: subsequent sections

EXHIBIT 1

DATE 3/4/93

1 HB SB 84

sb008402.ash



8. Page 6, line 2.

Strike: "6"

Insert: "7"

9. Page 9, line 6.

Strike: "9"

Insert: "10"

10. Page 9, line 21.

Strike: "8(1)"

Insert: "9(1)"

11. Page 12, line 12.

Strike: "9"

Insert: "10"

12. Page 12, line 15.

Strike: "9"

Insert: "10"

13. Page 14.

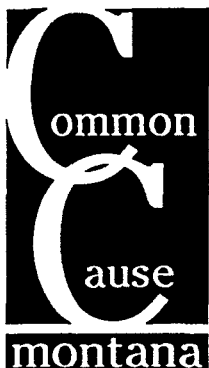
Following: line 7

Insert:

"Section 17. Section 1-5-415, MCA, is amended to read:

"1-5-415. ~~Statewide jurisdiction~~ Jurisdiction. The ~~jurisdiction of notaries public shall be coextensive with the boundaries of the state, irrespective of their place of residence within the state.~~ Every A person receiving a commission as notary public shall have has jurisdiction to perform ~~his~~ the person's official duties and acts in every county of the state of Montana irrespective of the person's place of residence within the state. A notary public may perform notarial acts outside Montana pursuant to [section 5]."

Renumber: subsequent sections



COMMON CAUSE TESTIMONY  
IN SUPPORT OF SB 174  
MARCH 4, 1993

P.O. Box 623  
Helena, MT  
59624  
406/442-9251

Mister Chairman, members of the House State Administration Committee, for the record my name is Amy Kelley, Executive Director of Common Cause/Montana.

On behalf of more than 800 Montanans who are members of Common Cause to help promote more open and accessible government in Montana, I register our support for SB 174.

The idea of allowing citizens to enforce Montana law is not a new concept. The Montana Unfair Trade Practices and Consumer Protection Act allows a consumer to bring an injunctive action against a violator in place of the Department of Commerce. The Lobbying Disclosure Act also contains a "citizen action" provision.

The concept is simple: if the Commissioner of Political Practices receives a formal complaint from a citizen regarding an alleged violation of Montana political practices laws, and determines the case has merit but does not have the time or funds to handle the case, a citizen then has legal standing to bring an injunctive action against the alleged violator.

This Committee has already heard testimony regarding frustration over the inability of the Commissioner's office to aggressively enforce Montana's campaign laws. Given the limited budget of the office and the tremendous amount of data it must collect and inspect, that should be no surprise.

This bill provides a very positive step toward increasing enforcement of Montana campaign laws -- at no extra cost to the state and no additional burden to the Commissioner's office.

It is important to note that, with this bill, the Commissioner of Political Practices retains the right to dismiss a frivolous complaint, to refer the case to a county attorney, and to pursue action him or herself. If enacted, the bill also would grant the Commissioner right to turn the case over to the citizen party.

EXHIBIT 2  
DATE 3/4/93  
HB SB 174

Commissioner Colburg testified in 1991 that she viewed this bill as a way to spur agencies to move on a matter perceived as important by a citizen party. She also noted that the number of complaints filed with her office in 1988 -- 19 -- was more than the total number of complaints filed in the combined terms of her two predecessors. In 1990 the office received 21 complaints.

SB 174 would help address this general upward trend in the number of political practices complaints filed with the Commissioner's office, while strongly discouraging or outright preventing the filing of frivolous lawsuits.

First, the Commissioner and/or county attorneys could determine that the case has no merit, and simply dismiss the suit. In that event, the citizen would have no legal standing to pursue the case.

Second, if the case is deemed to have merit, and a citizen follows through with the suit, the court has the ability to determine that the case was "brought without reasonable cause." In that event, the citizen must pay all costs of trial and attorney fees incurred by the defendant.

As an added benefit, if a citizen action is successful, the entire amount of the penalties recovered (after reimbursement for attorney fees) would be paid to the state general fund.

Montana would not be alone in giving citizens legal standing in pursuing violations of campaign laws. Nine other states -- CA, HI, MA, MO, PA, WI, NC, NB, and UT -- have similar provisions.

SB 174 would help ensure that violations of Montana's campaign laws are addressed in a timely fashion. It paves the way for a new era of increased and effective enforcement of those laws.

Common Cause strongly urges this Committee to vote a "do pass" on SB 174.

# RECOMMENDATION FOR A QUALITY CONTROL SYSTEM FOR STATE GOVERNMENT PUBLICATIONS

November 1992

## A Report to the 53rd Legislature



Published by

**Montana Legislative Council**

Montana Legislative Council  
State Capitol, Room 138  
Helena, Montana 59620  
(406) 444-3064  
FAX: (406) 444-3036

Please note: Complete document may be located  
at the Historical Society

EXHIBIT 3  
DATE 3/4/93  
HB SJR 8

I gave my prayer to  
Bah Yemaw on all  
sides before this Committee  
3/4/93  
Clemens

EXHIBIT 4  
DATE 3/4/93  
NO. SJR 8, SB190, SB147

EXHIBIT

DATE 3/4/93

HB SR 8, SB 190, SB 147

March 4, 1993

Rep. Davis has my proxy on all votes  
in House State Administration Committee  
this day.

SR 8 Green Yes

SB 190 - " Yes

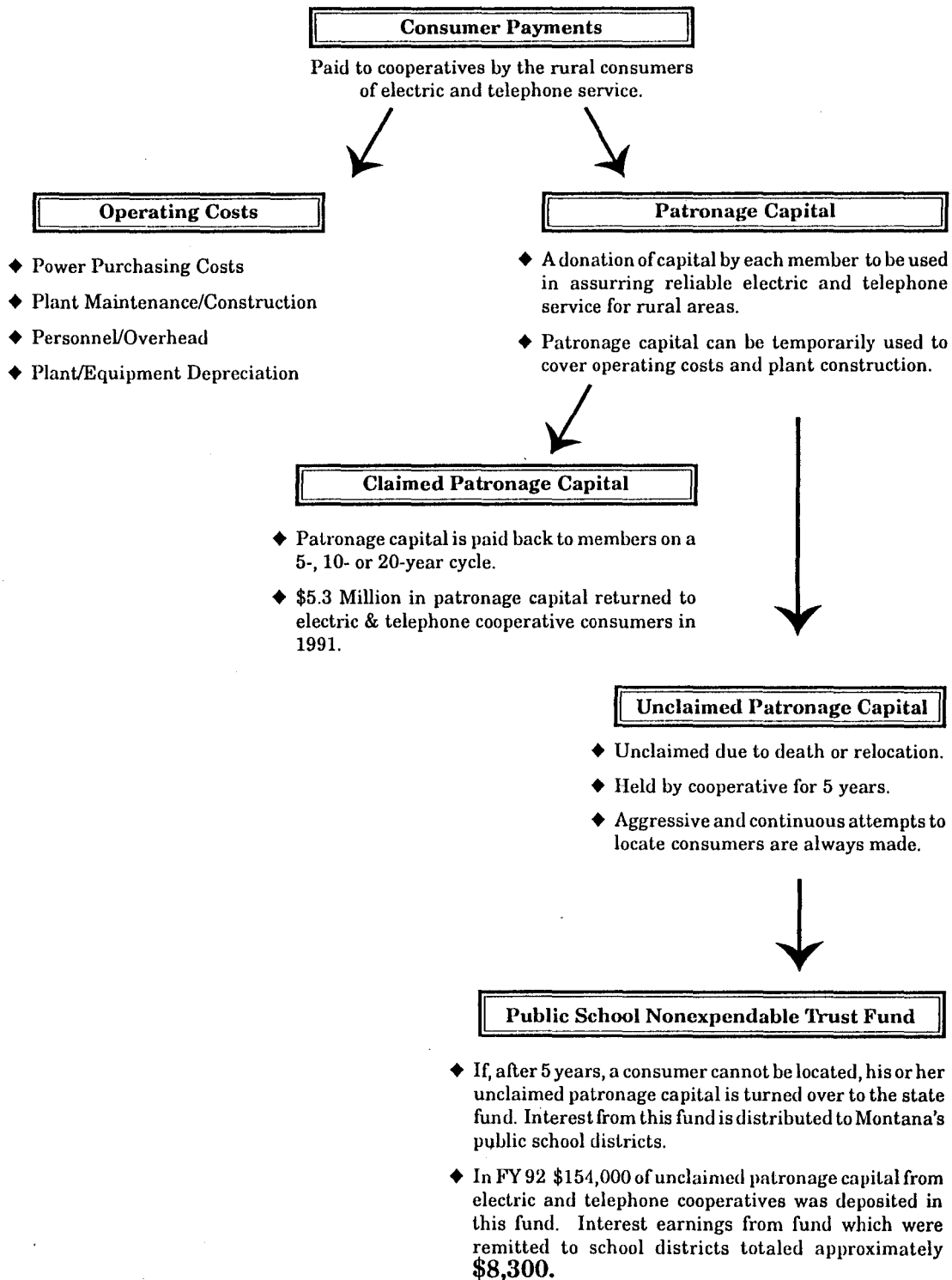
SB 147 Amend Yes

SB 147 " Yes

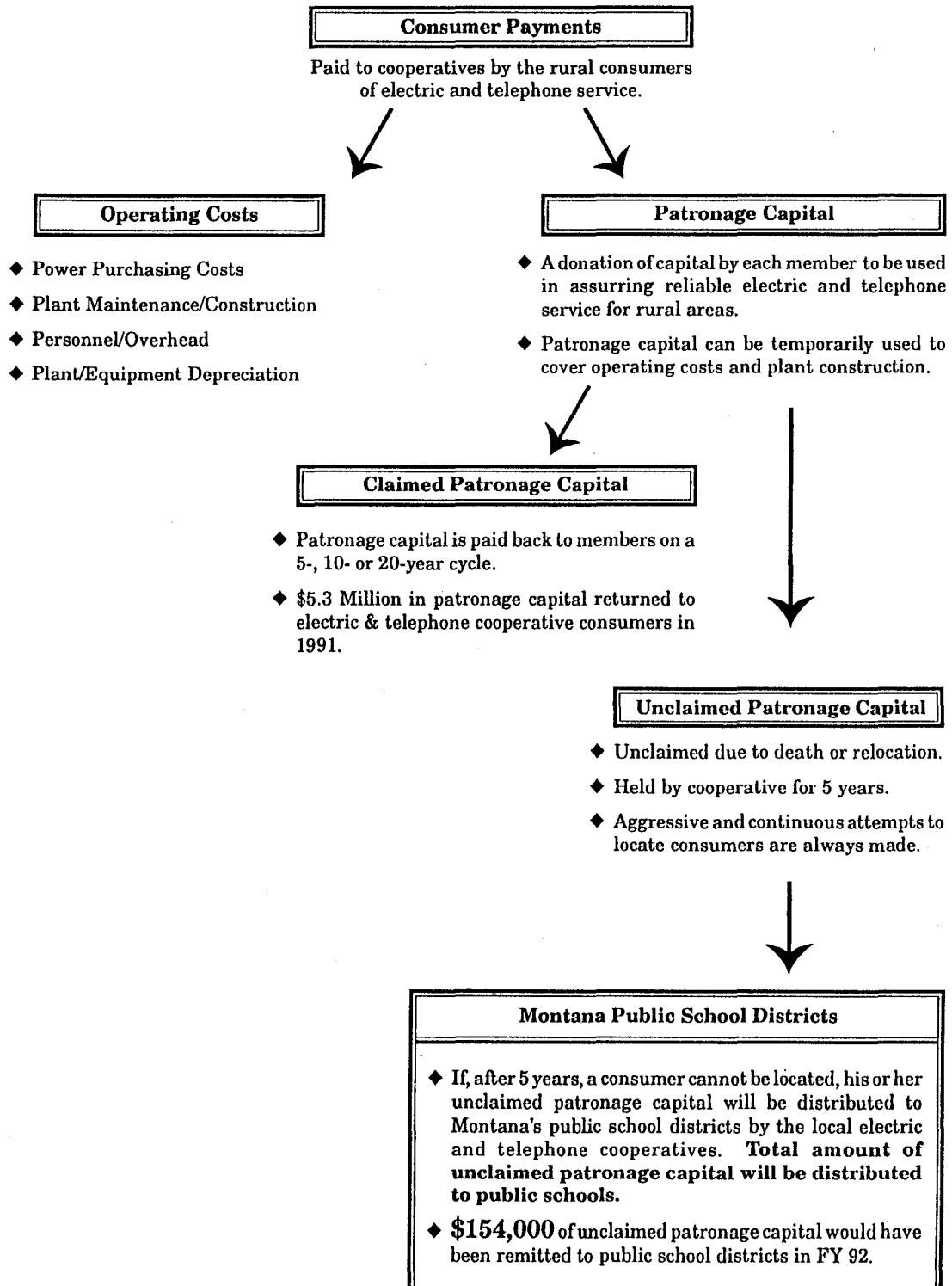
Joe Sullivan

For SR 8, SB 147 - as Green and  
Yes

## CURRENT USES OF UNCLAIMED PATRONAGE REFUNDS FROM MONTANA'S NON-PROFIT ELECTRIC & TELEPHONE COOPERATIVES



**PROPOSED**  
**USES OF UNCLAIMED PATRONAGE REFUNDS**  
**FROM**  
**MONTANA'S NON-PROFIT**  
**ELECTRIC & TELEPHONE COOPERATIVES**





FACT SHEET  
for

SB 190

EXHIBIT 6  
DATE 3/4/93  
SB 190

RETENTION OF UNCLAIMED PATRONAGE REFUNDS  
BY  
ELECTRIC AND TELEPHONE COOPERATIVES

- \* SB 190 amends the Montana Uniform Unclaimed Property Act to allow electric and telephone cooperatives, instead of the State, to act as the trustee for unclaimed patronage refunds. Montana's electric and telephone cooperatives would like to use these funds for educational purposes such as scholarship funds, equipment and materials purchases and the implementation of new technology in their local communities.
- \* The 34 electric and telephone cooperatives serving Montana already aggressively try to locate former cooperative members to return unclaimed patronage refunds. Our cooperatives can do a better job of locating those members entitled to their cooperative refunds, than can a State agency headquartered in Helena. The lowest amount of unclaimed patronage refunds that the State will return is \$10.00. Our cooperatives will return any amount to a member, at any time.
- \* Currently, the State is the trustee for the unclaimed property fund. The State uses 95% of the interest from the fund for educational purposes. The principle is never spent and is held in perpetuity.
  - In FY92 \$154,000 of unclaimed patronage capital from electric and telephone cooperatives was deposited in this fund. Interest earnings from the fund, which were remitted to school districts, totaled approximately \$8,300. (Ave. long-term interest rate, 8.0 percent MDOR)
  - If the cooperatives were the trustees of unclaimed patronage refunds, the total amount of \$154,000 plus any interest would have been available for education in Montana in FY 92.
- \* The impact of SB 190 on the school trust would be negligible. Given the commitment to use these funds for educational purposes, the Office of Public Instruction is not opposing the legislation.
- \* Patronage capital is a unique form of property. It represents each member's share of equity in a not-for-profit cooperative. It is unlike other items subject to the Montana Uniform Unclaimed Property Act and therefore, the communities where our members live should benefit from these unclaimed patronage refunds. Only members' capital credits would be affected by this bill. All other forms of properties, such as deposits, membership fees, overpayments, safety deposit box contents, would remain subject to the Act.

*Billings Gazette 10-20-91*

# Fiber optics allow speedy transmissions

**C**APTAIN KIRK conversed with distant alien leaders on the Enterprise's two-way video screen. Now, more than 20 years later, others are following his lead.

Fiber-optic technology allows people at different places to see and hear each other — a two-way audio and video connection called interactive television.

Fiber optics are hair-thin threads of glass. They carry sound and moving images as streams of digitized information via pulses of light. At the receiving end, sound and picture quality is excellent. There is no lag

time because the information travels at the speed of light.

Just one of these delicate, brittle fibers can carry thousands of phone conversations.

Because of fiber's ability to carry more information with less interference than traditional copper cables, telephone companies have

been installing fiber cable along main routes. They're doing this to upgrade their telephone service, but a side benefit is schools' opportunities to tap into the network for distance learning.

Mid-Rivers Telephone Cooperative, based in Circle in Eastern Montana, installed fiber cable from West Glendive to Fallon to Terry, then through Mildred, Plevna, Baker and Ekalaka in southeastern Montana.

Mid-Rivers General Manager Gerry Anderson said the cooperative knew that Minnesota, North Dakota and Iowa high schools were using fiber optics for distance learning. The cooperative asked Montana schools along the fiber optic route if they wanted to try this, and the schools said

yes. Mid-Rivers helped the schools set up equipment and special classrooms with expensive equipment, proper lighting and acoustics.

As a result, the schools offered distance Spanish and German courses this fall — the first such interactive television classes in Montana.

"They're kind of pioneers in Montana," said Ron Lukenbill, the state's director of distance learning. Other cooperatives talking of setting up similar classes with schools are the Nemont Cooperative in the Medicine Lake-Scobey-Plentywood area and the Blackfoot Cooperative north of Missoula.

A regular telephone cable consists of pairs of twisted copper wires, while a fiber-optic cable has many fibers.

From Plevna to Ekalaka, Mid-Rivers runs eight fibers, wrapped together. John Lutter, engineering manager for Mid-Rivers, said the fibers are in tubing around a piece of steel, for strength. That is covered by rubber coatings and then a metal shield, to keep gophers from chewing through the cable. A compound similar to petroleum jelly keeps water out. Covering it all is another rubber shield.

Buried four feet deep, the cable is a half-inch in diameter and is run into the school buildings. Audio and video output is changed to a digital signal and re-created at the other end of the line through a device called a "codec" (coder-decoder).

Lutter said Mid-Rivers has installed fiber cable to Dawson County High School and Dawson Community College in Glendive, but the schools don't have distance classrooms set up.

"By mid-November we'll also have fiber cable into the Richey and Lambert schools and possibly into the Sidney High School," he said.

A fiber-optic link between Miles Community College and Dawson Community College and Sidney High School also is being worked on to transmit nursing courses.

US West Communications has installed 875 miles of fiber-optic cable in Montana.

US West has fiber on the following routes: Helena to Missoula, Helena to Shelby, Bozeman to Billings, Billings to Hardin, Hardin to Wyola, Lodge Grass to Fort Smith, Great Falls to Belt, and Hardin-Forsyth-Miles City-Terry-



# Language classes use TV to talk to teachers

AKER — The four students watched the man on TV call bingo numbers in German. And then they did something different.

They spoke back to him.

"Michelle got a bingo!" said Steph Rath. Her cousin Michelle Rath read back her winning numbers under the letter N — "einundvierzig, zweiundereissig..." — to the man on the TV.

That man is Clair Garrick, a German teacher at Terry High School.

The students are four blonde girls at Baker High School, 111 miles away.

Even though the teacher and students are miles apart, they are able to communicate through interactive television, which allows them to see and hear each other.

Without this system, Baker students would not be able to take German, nor would Ekalak, Plevna and Terry students be able to take Spanish.

Carole Bettenhausen, a Baker teacher, teaches beginning Spanish to 23 students in four schools — at the same time.

"What is a food that means 'little donkey'?" she asks the students, as part of a vocabulary quiz.

The Ekalak students cheer when they come up with the answer — "burrito" — over the Terry students' 146 miles away. Bettenhausen uses this healthy school competition to keep the students interested.

With speed-of-light transmission over fiber optic cables, the students can say vocabulary words in unison and even sing songs together.

Distance-education system links students in Hobson, Japan, Page 5E

Systems use technology from satellites to fiber-optics lines, Page 6E

The students and teachers are taped by cameras mounted on the classroom walls. The teachers wear microphones around their necks; the students' voices are picked up by table microphones.

The microphones are so sensitive they even pick up the sounds of shuffling papers and of a tractor driving near the Ekalak Spanish class. "When we sneeze, they (the Terry students) say 'bless you,'" said Steph.

These extra sounds plus microphone feedback are distractions to the learning process, but these and other bugs are being worked out, according to school and telephone-cooperative officials.

Students are seated before two 27-inch TV screens, on either side of a podium. On the right screen, they can view themselves. On the left screen, they view the outside world — either the teacher, the teacher's home school students, students at yet another school, the teacher's lecture notes, slides, objects or a videotape.

The system can be programmed to scan a different classroom every five seconds.

Standing at the podium behind the TV screens, the teacher watches the students on two monitors. He or she can determine which images appear on the screens by pressing buttons.

It isn't easy for the teachers.

They read, speak, press buttons, point to verbs, gesture, watch the students in the monitors, and try to give the students "eye contact" by looking into the camera.

It's hard to look down at the monitors and up at the camera at the same time, Bettenhausen said. Plus, she added, she doesn't really like being on TV.

"I won't replace a classroom, but it's either this or nothing," she said, as far as offering these languages to the students.

Bettenhausen plans to visit each of the schools every nine weeks, and hold all-school fiestas, with Spanish cooking, games and movies. She said she faxes texts to her students and they mail back the answers.

The students are attentive and laugh easily with Bettenhausen, who knows each of them by their English and Spanish names. Her voice, which comes in loud and clear, is energetic and friendly, as she explains words and grammar to them, and teases them.

The German students in Baker also like Garrick, whom they have never met.

"He makes learning fun," said Steph Rath, who is taking German in order to talk with her German-speaking grandmother.

The students said it's hard getting used to seeing

themselves on TV. But "it's new. It's neat. It adds something to your schoolwork," said Lisa Nyos, another German student in Baker.

A camera is mounted inside an overhead projector, so the teachers can display their notes or even show objects clearly in larger-than-life size. The Baker students used this camera to show Garrick the marzipan candy they made and the bingo prizes they brought.

"I'm very glad the Baker students are on board and I'm able to teach them," Garrick said.

However, he thinks the students on the receiving end of the fiber optics miss out on some things. For instance, he said, "I baked a cake, but when it came time to eat it, it was tough to send the cake to Baker."

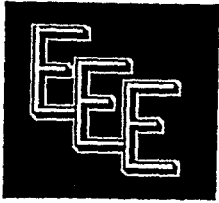
He said that distance creates a lag in the learning rates between the Terry and Baker students.

"I see my students ready to go on, and the Baker students are still bogged down," Garrick said that's because he's not there to help the Baker kids when classes is over. To help make up the difference, he may send audio tapes to the Baker students.

Bettenhausen and Garrick believe the advantages outweigh the drawbacks. With interactive television, students can take classes that small schools can't offer, such as classes required to enter the university system. Perhaps most important, the kids — raised in the age of MTV — like it.

"I think we're learning well because we pay more attention," said Lisa. And why is that? "Cause it's off the TV."

Belling Bzette  
10-20-71



# ELECTRONIC EDUCATIONAL EQUIPMENT PROGRAM

A JOINT VENTURE BY

MISSOULA ELECTRIC COOPERATIVE, INC. AND  
BLACKFOOT TELEPHONE COOPERATIVE, INC.

Alberton Elementary Printer	\$300
Arlee High School VCR	\$400
Avon Elementary TV	\$600
Charlo Elementary CD-Rom	\$400
Charlo High School Printer	\$300
DeSmet School CD-Rom	\$400
Dixon Elementary IBM Computer	\$1,000
Elliston Elementary Overhead Projector	\$360
Florence-Carlton Elementary VCR	\$400
Florence-Carlton High School X-Press Info	\$700
Hellgate Elementary Slide Projector	\$600

19 schools  
1993 Donations

C.T. Beede, Mgr.



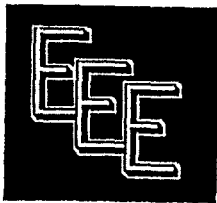
MISSOULA ELECTRIC  
COOPERATIVE, INC.  
1700 WEST BROADWAY  
MISSOULA, MT 59802

Earl Owens, Mgr.



BLACKFOOT TELEPHONE  
COOPERATIVE, INC.  
1112 N. RUSSELL  
MISSOULA, MT 59802

EXHIBIT 7  
DATE 3/4/93  
HB SB 190



## ELECTRONIC EDUCATIONAL EQUIPMENT PROGRAM

A JOINT VENTURE BY

MISSOULA ELECTRIC COOPERATIVE, INC. AND  
BLACKFOOT TELEPHONE COOPERATIVE, INC.

Hellgate Middle		
VCR		\$400
Ovando Elementary		
Software		\$300
Potomac School		
Mac Computer		\$1,700
St. Ignatius		
VCR		\$400
Salmon Prairie		
TV & VCR		\$600
Superior Elementary		
Camcorder		\$600
Superior High School		
Scanner		\$250
Woodman Elementary		
Overhead Projector		\$360

*C.T. Beede, Mgr.*



MISSOULA ELECTRIC  
COOPERATIVE, INC.  
1700 WEST BROADWAY  
MISSOULA, MT 59802



BLACKFOOT TELEPHONE  
COOPERATIVE, INC.  
1112 N. RUSSELL  
MISSOULA, MT 59802

# ELECTRONIC EDUCATIONAL EQUIPMENT PROGRAM TRIPLE E PAST AWARDS

## 1989

Avon School System	Videocamcorder & PC Computer
Clinton Elementary	20" TV & GE VCR
Frenchtown High School	Satellite Dish
Florence-Carlton High School	Satellite Dish
Helmville Elementary	20" TV & GE VCR
Ovando Elementary	20" TV & GE VCR
Potomac Elementary	20" TV & GE VCR
St. Ignatius School System	Videocamcorder
<i>SALMON Prairie</i>	<i>Kay Pro computer</i>
Total Cost	\$10,278.69

## 1990

Alberton Grade & High School	Satellite Dish 1,450 <sup>00</sup>
Charlo Elementary	\$300 For Computer Programs
Charlo High School	\$300 For Computer Programs
Dixon Elementary	Computer w/Printer
Elliston Elementary	Computer w/Printer & \$200 for Computer Programs
Helmville Elementary	\$300 Certificate for Video's & Printer
Ovando Elementary	Computer w/ Printer & Stereo Tape Recorder 410 <sup>00</sup>
Seeley Lake Elementary	Wide Screen Color TV - 479.00
Seeley Lake High School	Printer, \$200 for Computer Programs & VCR - 339 <sup>00</sup>
Sunset Elementary	Computer w/Printer & \$200 For Computer Programs
Woodman Elementary	Computer & \$200 for Computer Programs

## 1991

Bonner Elementary	20" Color TV
Charlo Elementary	20" Color TV
Clinton Elementary	Projector Panel
Dixon Elementary	27" Color TV with Stand
Drummond High School	20" Color TV
Elliston Elementary	20" Color TV
Florence Elementary	\$300.00 Certificate for Computer Programs
Florence Jr High & High School	Videocamcorder

Page Two

Helmville Elementary  
Ovando Elementary  
Seeley-Swan High School  
St Ignatius Public School

Superior High School  
Swan Valley Elementary School

Seeley Lake Elementary  
Sunset Elementary  
Woodman Elementary

Videocamcorder  
Turntable, Gym Phone  
27" Color TV  
Fax Machine

Videocamcorder  
Color VGA Monitor, used Apple &  
Computer System  
ImageWriter II printer  
Computer System w/printer  
Computer Display Panel &  
Overhead Projector

## 1992

Alberton HS  
Arlee  
Clinton  
DeSmet School District

Drummond HS  
Elliston  
Hellgate Elementary  
Helmville School  
Potomac  
Seeley Lake Elementary  
Sunset Elementary  
Superior HS  
Swan Valley

Panasonic Laser Disk Player \$895  
25" Color Stereo TV \$399  
Apple Computer \$948  
VCR \$300, Printer (apple) 350, \$300  
programs \$1,000 total  
Okidata Printer (IBM) \$235  
Phones and music keyboard \$550  
25" Color Stereo TV \$399  
Stereo (Portable) \$350  
Modem, Phone Line \$550  
MAC LC Computer \$1,695  
Apple Classic Computer \$948  
IBM Computer \$1,000  
Laminator \$1,000

FLORENCE-CARLTON SCHOOL DISTRICT 15-6  
5540 OLD HIGHWAY 93  
FLORENCE, MONTANA 59833

DR. ERNEST WILLIAM JEAN  
Superintendent

273-6751

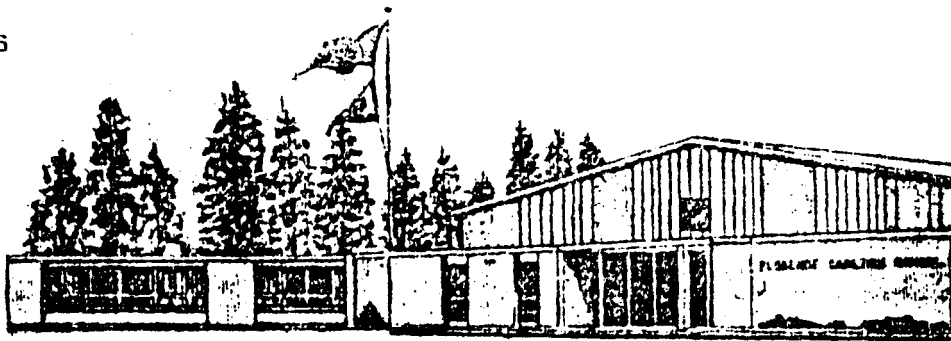
SHERRY DAVIS  
JH/HS PRINCIPAL

273-6301

GERALD E. McVAY  
Elementary Principal

273-6741

(For those on Stevensville Exchange, Please call 777-3902)



July 6, 1989

Missoula Electric Cooperative, Inc.  
1700 W. Broadway  
Missoula, MT 59802-2099

Attn: Kirk Flynn

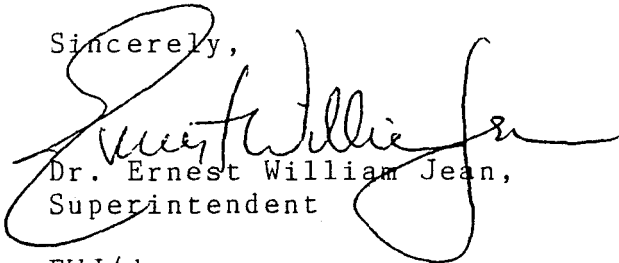
Dear Mr. Flynn:

Please accept my apology for not contacting you sooner regarding the satellite dish that our school was given by your company and the Blackfoot Telephone Cooperative. I had hoped to enclose a picture of the dish after it was installed. The installation is not yet complete but I wanted to express our appreciation to both utility companies.

\* There is no doubt that your gift will help us improve our instructional program and offerings to the students at Florence.

Once again, thank you for making this possible.

Sincerely,

  
Dr. Ernest William Jean,  
Superintendent

EWJ/dr

cc: Blackfoot Telephone Cooperative

EXHIBIT 8  
DATE 3/4/93  
HB SB 190



# Swan Valley Elementary School

MISSOULA COUNTY, DISTRICT 33

STAR ROUTE :- PHONE 406 / 754-2320

CONDON, MONTANA 59826

Mr. Kirk Flynn  
Missoula Electric Cooperative  
1700 W. Broadway  
Missoula, MT 59802


June 27, 1989

To Whom It May Concern:

The school year has come to a close and there is now time to reflect on various events that helped make the year special. Of course, one that comes to my mind is the gift of the new TV and VCR that were given to us by Missoula Electric Coop and the Blackfoot Telephone Coop as a joint project. Thank you for becoming involved in our community in such a positive and meaningful way!

This new equipment has already been put to good use during the last month of the school year and will certainly be used to its maximum during the upcoming school years. Our rural setting makes it difficult to obtain quality films from local sources so your gift will make it possible for us to start to build a library of worthwhile video programs. Thank you so much for choosing our school and making this equipment available to us!

Sincerely,

  
Dan White  
Principal

# ALBERTON PUBLIC SCHOOL

Joint School District No. 2  
Box 118 306 Railroad  
ALBERTON, MONTANA 59820

EXHIBIT 8  
DATE 3/4/93  
SB 190

Gary L. Webber, Ed. D.  
Superintendent

Darlene Gonzales  
Clerk of the Board

Telephone (406) 722-3381  
Missoula Exchanges - 626-5301

April 12. 1990

Missoula Electric Cooperative, Inc.  
1700 W Broadway  
Missoula. MT 59802-2099

Dear Sirs;

On behalf of the Alberton Board of Trustees I would like to thank your organization for your generous gift to our school district.

Your gift will open many doors to our students and will aid our staff. Thank you again for your generosity.

Sincerely yours,

*Patricia A Davies*

Patricia A Davies  
Chairwoman  
Board of Trustees

cc: Blackfoot Telephone

Frenchtown Public Schools, District No. 40  
Frenchtown High School

P.O. Box 117  
Frenchtown, Montana 59834  
626-5222

ROBERT M. BANKS  
626-5762  
SUPERINTENDENT

MARK B. McMURRAY  
PRINCIPAL

WILLIAM R. STROTHMAN  
GUIDANCE COUNSELOR

TIMOTHY M. RACICOT  
ACTIVITIES DIRECTOR

May 2, 1989

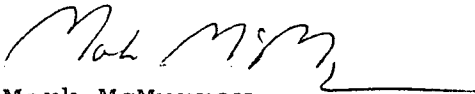
Kirk Flynn  
Missoula Electric Cooperative, Inc.  
1700 W. Broadway  
Missoula, MT 59802-2099

Dear Mr. Flynn:

It was a pleasure visiting with you the other day at Frenchtown. I would like to express our appreciation to you and your Board again for the donation of the satellite dish and related equipment. I am sure that our students will benefit from Missoula Electric Cooperative's generous donation. X

We have had an excellent working relationship with the Cooperative over the years, and we appreciate the service and support that you have provided. If we can be of any help to you in the future, please feel free to let us know.

Sincerely,



Mark McMurray  
Principal

Amendments to Senate Bill No. 147  
Third Reading Copy

Requested by Rep. Beverly Barnhart  
For the Committee on House State Administration

Prepared by Sheri S. Heffelfinger  
March 3, 1993

1. Title, line 14.  
Strike: "FOR BALLOT ISSUES"
2. Title, line 16.  
Following: "STATE;"  
Insert: "REVISING THE CONTENT OF THE VOTER INFORMATION PAMPHLET;"
3. Title, line 18.  
Following: "13-2-115,"  
Insert: "13-27-401,"
4. Page 2, line 13.  
Strike: "when possible"  
Insert: "if available on electronic media"
5. Page 6.  
Following: line 25  
Insert:  
    "Section 4. Section 13-27-401, MCA, is amended to read:  
    "13-27-401. Voter information pamphlet. (1) The secretary  
of state shall prepare for printing a voter information pamphlet  
containing the following information for each ballot issue to be  
voted on at an election, as applicable:  
    (a) ballot title, fiscal statement if applicable, and  
complete text of the issue;  
    (b) the form in which the issue will appear on the ballot;  
    (c) arguments advocating approval and rejection of the  
issue; and  
    (d) rebuttal arguments.  
    (2) The pamphlet ~~shall~~ must also contain a notice advising  
the recipient where additional copies of the pamphlet may be  
obtained.  
    (3) Whenever more than one ballot issue is to be voted on  
at a single election, the secretary of state may publish a single  
pamphlet for all of the ballot issues. The secretary of state may  
arrange the information in the order which seems most  
appropriate, but the information for all issues in the pamphlet  
shall be presented in the same order.  
    (4) The pamphlet must also contain the name, address, and  
phone number, filed with the secretary of state as of the 75th  
day before the election, for each candidate for any office filled  
by a statewide vote of registered electors."

Renumber: subsequent sections

EXHIBIT 9

DATE 3/4/93

1 HB SB147

sb014702.ash

# HOUSE OF REPRESENTATIVES

STATE ADMINISTRATION

COMMITTEE

## ROLL CALL VOTE

DATE 3/4/93 BILL NO. SB 147 NUMBER \_\_\_\_\_

MOTION: No concure in SB 147 as amended.

NAME	AYE	NO
REP. DICK SIMPKINS, CHAIR		✓
REP. WILBUR SPRING, VICE CHAIR		✓
REP. ERVIN DAVIS, VICE CHAIR	✓	
REP. BEVERLY BARNHART	✓	
REP. PAT GALVIN	✓	
REP. BOB GERVAIS	✓	
REP. HARRIET HAYNE		✓
REP. GARY MASON	✓	
REP. BRAD MOLNAR		✓
REP. BILL REHBEIN		✓
REP. SHEILA RICE	✓	
REP. SAM ROSE		✓
REP. DORE SCHWINDEN	✓	
REP. CAROLYN SQUIRES	✓	
REP. JAY STOVALL	✓	
REP. NORM WALLIN		✓
TOTAL	9	7

EXHIBIT 10  
DATE 3/4/93  
SB 147

HOUSE OF REPRESENTATIVES  
VISITOR'S REGISTER

State Administration COMMITTEE BILL NO. SB 190  
DATE 3/14/93 SPONSOR(S) Sen. Doherty  
PLEASE PRINT PLEASE PRINT PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
<u>Larry Wiens</u>	<u>Mt. Elec. Co-ops</u> <u>Mt. Telephone Assoc.</u>	<u>X</u>	
<u>Roll Chapman</u>	<u>Glacier Elec Co-op</u>	<u>X</u>	
<u>Jay Doherty</u>	<u>MECA / MTA</u>	<u>X</u>	
<u>Daniel Bailey</u>	<u>Blackfoot Telephone Corp</u> <u>Marble Forks Coop</u>	<u>X</u>	
<u>Steve Doherty</u>	<u>SD 20</u>	<u>X</u>	

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS  
AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

HOUSE OF REPRESENTATIVES  
VISITOR'S REGISTER

State Administration

COMMITTEE

BILL NO. SB 174

DATE 3/4/93

SPONSOR(S) Sen. Weldon

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
<u>J. Wootli</u> 833 Bucklewood Ipswich, VT	<u>self</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>AMY KELLEY</u> Box 623 Helena	<u>Common Cause</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS  
ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.