

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 54th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON APPROPRIATIONS**

**Call to Order:** By **CHAIRMAN TOM ZOOK**, on February 28, 1995, at  
8:00 a.m.

#### **ROLL CALL**

**Members Present:**

Rep. Tom Zook, Chairman (R)  
Rep. Edward J. "Ed" Grady, Vice Chairman (Majority) (R)  
Rep. Joe Quilici, Vice Chairman (Minority) (D)  
Rep. Beverly Barnhart (D)  
Rep. Ernest Bergsagel (R)  
Rep. John Cobb (R)  
Rep. Roger Debruycker (R)  
Rep. Gary Feland (R)  
Rep. Marjorie I. Fisher (R)  
Rep. Don Holland (R)  
Rep. Royal C. Johnson (R)  
Rep. John Johnson (D)  
Rep. Mike Kadas (D)  
Rep. Betty Lou Kasten (R)  
Rep. Matt McCann (D)  
Rep. William T. "Red" Menahan (D)  
Rep. Steve Vick (R)  
Rep. William R. Wiseman (R)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Clayton Schenck, Legislative Fiscal Analyst  
Marjorie Peterson, Committee Secretary

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

**Committee Business Summary:**

Hearing: SB 156, SB 265  
Executive Action: None.

HEARING ON SB 156Opening Statement by Sponsor:

SEN. MIGNON WATERMAN, SD 26, Helena, opened the hearing on SB 156 which incorporates the vocational technical (vo-tech) schools with the university system. She said this bill essentially treats the university system as a whole, rather than treating vo-tech schools differently. Also, in researching the bill, they discovered that vo-tech students were previously covered by workers compensation, and they would no longer be covered under this bill.

Proponents' Testimony:

None.

Opponents' Testimony:

None.

Questions From Committee Members and Responses:

REP. WILLIAM WISEMAN, HD 41, Great Falls, asked about eligibility for those stationed at Malmstrom Air Force Base, and if they would be allowed to go to vo-tech schools as a resident. SEN. WATERMAN did not think so, unless they meet the regular eligibility requirements, which would include voting requirements, Montana state driver's license, paying Montana state income taxes, etc.

Closing by Sponsor:

SEN. WATERMAN said it was a cleanup bill and she thought it would be agreeable to everyone.

{Tape: 1; Side: A; Approx. Counter: 10.5.}

HEARING ON SB 265Opening Statement by Sponsor:

SEN. TOM BECK, SD 28, Deer Lodge, opened the hearing on SB 265. He discussed the bill which establishes a trust fund to accept donations over \$250 for the Talking Book Trust. This bill, he felt, would encourage donations to the library by ensuring that interest on bequests made would accrue to the trust rather than

to the general fund. The public has expressed concern that their money was going to the general fund and would be used for other purposes than it was donated for. **EXHIBIT 1.**

**Proponents' Testimony:**

**Richard Miller, State Librarian, Helena,** agrees with **SEN. BECK** in that SB 265 would allow them to accept money for the Trust. He said this bill would encourage people to make donations to the Trust. These funds would enhance current services and further provide needed services for Montana's blind and physically handicapped readers. **EXHIBIT 2.**

**Sandra Jarvie, Montana Talking Book Library,** supports the bill. She said the program was funded with 40% general funds and 60% federal funds. The Library of Congress provides most of the recorded books and all of the special equipment required to use the books. She expressed concern that it was hard to predict possible donation amounts because they do not always know when someone is leaving them money in a will until they receive it. The donated funds are used for a cassette book program, a summer reading program for kids, descriptive videos and a forum for outreach activities. **EXHIBITS 3 and 4.**

**Pearl Tomkins,** said she has been a patron of the Talking Book Library for 10 years and also belongs to a reading group. As a blind person, she certainly supports the bill.

**Opponents' Testimony:**

None.

**Questions From Committee Members and Responses:**

**REP. ERNEST BERGSAGEL, HD 95, Malta,** wanted to know why they should exempt the requirement of using the general fund money first. **Mr. Miller** said the request was just for the donations. They have found that people who donate money to the Talking Book Trust do not want it going to the general fund for any other purpose.

**REP. ROYAL JOHNSON, HD 10, Billings,** is concerned about having a large donation given to the library, i.e., page 1, line 22-23, "...\$250 or more must go into Talking Book Trust." So any donation over that amount, would go into the Trust. **REP. JOHNSON** did not like the word "must" in the bill and suggested changing it to "may." He said there would be other places in the library that could probably use some of the money and does not like to see all the donations having a specific purpose. **Mr. Miller** said the experience so far has been that the library has not received any donations except to the Talking Book Trust.

Closing by Sponsor:

SEN. BECK said his intent of the bill was to take the donations and make sure they aren't turning the interest-bearing account back to the general fund. He agreed that they should change the wording in the bill from "must" to "may" and asked **Mr. Miller** to have their legal counsel check that reference.

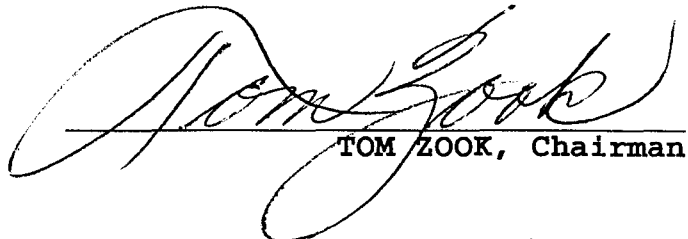
HOUSE APPROPRIATIONS COMMITTEE

February 28, 1995

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ADJOURNMENT

Adjournment: 9:00 a.m.

  
TOM ZOOK, Chairman

  
MARJORIE PETERSON, Secretary

TZ/mp

# HOUSE OF REPRESENTATIVES

## Appropriations

ROLL CALL

DATE 2-28-95

| NAME                                      | PRESENT | ABSENT | EXCUSED |
|-------------------------------------------|---------|--------|---------|
| Rep. Tom Zook, Chairman                   | ✓       |        |         |
| Rep. Ed Grady, Vice Chairman, Majority    | ✓       |        |         |
| Rep. Joe Quilici, Vice Chairman, Minority | ✓       |        |         |
| Rep. Beverly Barnhart                     | ✓       |        |         |
| Rep. Ernest Bergsagel                     | ✓       |        |         |
| Rep. John Cobb                            | ✓       |        |         |
| Rep. Roger DeBruycker                     | ✓       |        |         |
| Rep. Gary Feland                          | ✓       |        |         |
| Rep. Marj Fisher                          | ✓       |        |         |
| Rep. Don Holland                          | ✓       |        |         |
| Rep. John Johnson                         | ✓       |        |         |
| Rep. Royal Johnson                        | ✓       |        |         |
| Rep. Mike Kadas                           | ✓       |        |         |
| Rep. Betty Lou Kasten                     | ✓       |        |         |
| Rep. Matt McCann                          | ✓       |        |         |
| Rep. Red Menahan                          | ✓       |        |         |
| Rep. Steve Vick                           | ✓       |        |         |
| Rep. Bill Wiseman                         | ✓       |        |         |

Mister Chairman, Members of the Committee, for the record, my name is Sen. Tom Beck . . . . .

This morning I am here to present SB 265, at the request of the State Library, to establish a talking book expendable trust fund which will be used by Montana's Talking Book Library to enhance library services to the state's blind and physically handicapped readers.

This bill does what we did last session with the Historical Society to establish a trust fund to accept donations and bequests made by citizens because they want to give something back in appreciation for the services they have received. What this bill does is to establish an expendable trust to receive individual donations over \$250 to allow this money to be held in trust and allow the interest on these larger donations to accrue to the fund.

Specifically, on page 2, it amends 17-2-108 MCA to allow an exemption to the State Library, from having to expend non-general fund first -- in relation to these donated funds. Secondly, it amends 22-1-103 MCA to establish this expendable trust under the auspices of the state library commission.

This bill will encourage donations to the Talking Book library by ensuring that interest on bequests made will accrue to the fund rather than to the state's General Fund. The Talking Book Library has heard from many donors over the years that they want to give something back to that library; it is not their intention to benefit the state's General Fund.

Richard Miller is here from the State Library to speak to you briefly about the services of the Talking Book Library and about this bill. I understand there is also another proponent here to discuss the bill. I would like an opportunity to close following their testimony. Thank you.



EXHIBIT 2  
DATE 2-28-95  
SB 265

Madam Chair, Members of the Committee. For the record, my name is Richard Miller. I am State Librarian.

I am here today as a proponent for SB 265 sponsored by Sen. Beck. We believe Sen. Beck agreed to carry this bill because he believes in this Talking Book Library program. Those of you who were able to attend the Montana Library Association Legislative Day program in the State Library/Justice Building at the beginning of January saw some of the services of our Talking Book Library. Sandra Jarvie, director of the library, is here to offer you additional information on those services.

SB 265 allows us to receive individual bequests and donations over \$250 and to allow the interest on these monies to accrue to an expendable trust fund. Not only do we feel that this bill will address the intent of the donors when they make such donations, but we believe it will encourage people to make such bequests to the Talking Book Library. Without assurances that their bequests and the interest earned on them will go to benefit the Talking Book Library services, we believe people will be discouraged from making such bequests.

The monies we receive in appreciation of our services allow us to enhance the services we can offer to all eligible Montanans. Quite honestly the monies we receive from the General Fund, and the federal monies we use, are not sufficient to provide the kinds of services needed by Montana's blind and physically handicapped readers. We hope you will support SB 265. We think it is a wise investment in Montana's Talking Book Library services.  
[Here read Sandra's testimony & Dr. Johnstone's letter.]

Mr. Chairman, Members of the committee, for the record my name is Sandra Jarvie I am the director of the Montana Talking Book Library. The Talking Book Library provides free public library service to all Montana citizens who cannot read standard print because of a visual or physical disability. This program is administered by the Montana State Library and is funded with 40% State funds and 60% Federal funds. The Library of Congress National Library Service for the Blind and Physically Handicapped also provides most of the recorded books and all of the special equipment required to use the books.

At the present time there are approximately 2600 people in the state receiving this free service. While the majority of the patrons are older people who have lost their sight later in life, our patrons are all ages and occupations.

Because our service is very popular and adds enjoyment to many people's lives, we often receive donations. The library does not have an organized program to solicit donations but we do acknowledge memorials and donations in our quarterly newsletter. Most donations are small; however, in recent years they have become more frequent and more generous. The library is not always aware that it has been included in someone's will until the money is received. For that reason it is difficult if not impossible to accurately project the amount of future donations.

Donated funds are used for the following:

#### Montana Cassette Book Program

The library records books by Montana authors and about Montana which are not recorded by the Library of Congress. These books normally would be unavailable to people who are visually disabled. The books in the Montana collection are very popular with the patrons.

Donated funds were used to purchase and repair recording equipment for this program, and a year ago an extensive remodeling project of the recording studios was completed. This project created a state-of the art recording environment for the recording of "Montana" books. The entire project was paid for from donated funds.

#### Summer Reading Program

The Library has a summer reading program for the 150 juvenile readers we serve to encourage these youngsters to "read for fun". This program is similar to those held at public libraries except our patrons are located all over the state of Montana. We encourage the kids to keep track of the books they read and talk to us about them. Prizes are awarded to the child who reads the most books.

## Descriptive Videos

A descriptive video is a regular video cassette with a narrator who describes the action during pauses in the dialogue. These movies are very popular; the patrons appreciate being able to watch videos with their sighted family members without having to continually ask what is going on.

## Outreach Activities

The Talking Book Library conducts public forums throughout the state. The purpose of these forums is to meet our patrons in person and visit with them about their library service. The forums also help to "get the word out" about the service to interested members of the public. Visits to nursing home and schools are also made at the same time. The travel money in the regular budget is not sufficient to cover the cost of these extra trips so donations again make this possible.

## Equipment

The Talking Book Library has a computer network which maintains the inventory of all books and patrons. In order to maintain a constant level of service, the computer network must be kept in working order. The library's equipment budget is not adequate and donated funds are sometimes used when equipment needs to be repaired or replaced.

Donated funds are used by the library for enhanced services. Books about Montana, Summer reading programs and descriptive videos all go beyond basic library service but they help to enrich the lives of people and prevent their becoming isolated from society in general and the world of reading in particular.

EXHIBIT 3  
DATE 2-28-95  
A SB 265

The University of  
**Montana**

February 3, 1995  
FAX: 406-444-5612

Department of English  
The University of Montana  
Missoula, Montana 59812-1013  
(406) 243-5231  
(406) 243-4076 FAX

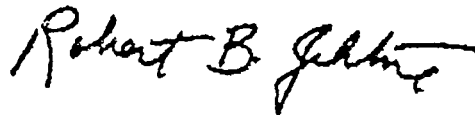
To: Sandra Jarvie  
Montana Library of Talking Books

I strongly support legislation insuring that interest accruing from private donations to The Montana Library of Talking Books remain to further enhance the important services it performs. The present policy, requiring earned interest to be turned over to the General Fund, is an unfair act of confiscation and unwarranted intrusion by big government.

As a Professor of English, whose life has been devoted to the study of literature, but who is no longer able to read because of visual impairment, to me Talking Books are a godsend. I am now able to continue my career of teaching and research. Without Talking Books, my life would be immeasurable impoverished.

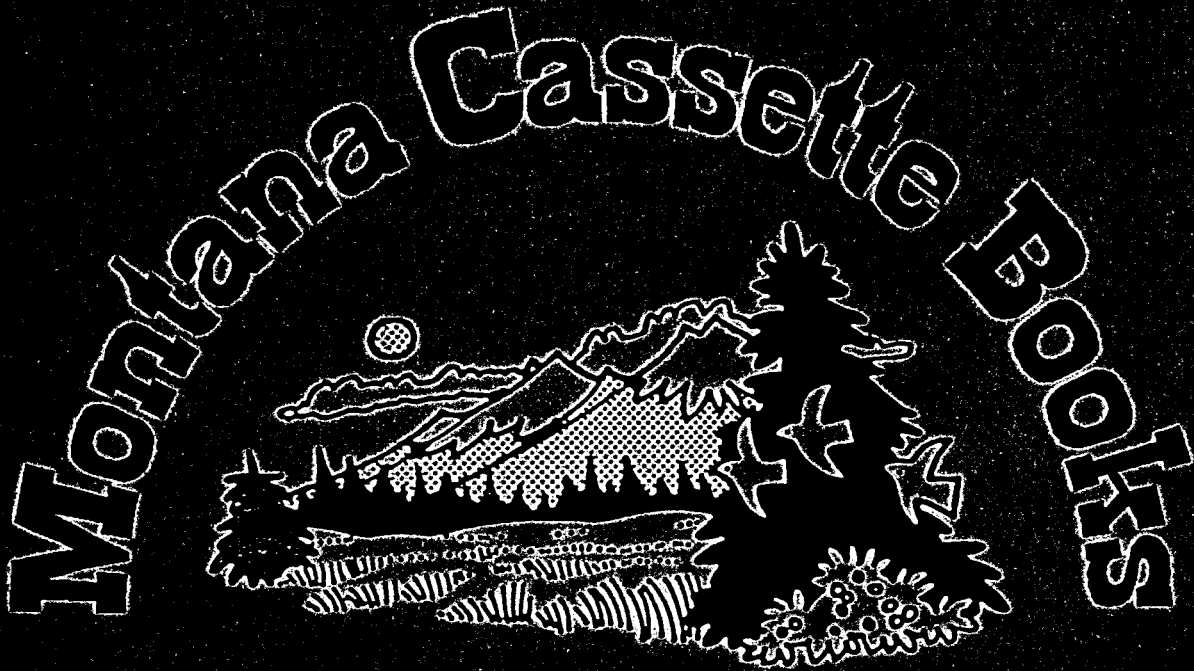
The Montana Library of Talking Books provides indispensable access to information and wisdom for the visually impaired population of Montana.

It should be allowed to keep the interest from private donations.



Robert B. Johnstone  
Professor of English  
University of Montana

EXHIBIT 4  
DATE 2-28-75  
S# 215



# Catalog

## 1993 Edition

The original of this document is stored at the Historical Society at 225 North Roberts Street, Helena, MT 59620-1201. The phone number is 444-2694.

HOUSE OF REPRESENTATIVES

VISITOR'S REGISTER

Appropriations COMMITTEE BILL NO. SB 156  
 DATE 2-28-95 SPONSOR(S) SB265

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

| NAME AND ADDRESS | REPRESENTING  | BILL | OPIOSE | SUPPORT |
|------------------|---------------|------|--------|---------|
| Richard Miller   | State Library | 265  |        | ✓       |
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