

Senate BILL NO. *72* *Hallibur*

INTRODUCED BY *Wagner, Rasmussen, Brown, Lee, Hooley, Jensen, Watt, Inman, Mark, Olson, Aber, Johnson, Turnage, E. Smith, Murray, Dumble, Thomas*

A BILL FOR AN ACT ENTITLED, "AN ACT TO CREATE AN HISTORIC RECORDS NETWORK, BETWEEN THE MONTANA HISTORICAL SOCIETY AND THE MONTANA UNIVERSITY SYSTEM; AMENDING SECTIONS 44-517 AND 44-523, R.C.M. 1947."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 44-517, R.C.M. 1947, is amended to read as follows:

"44-517. Definition of terms. As used in this act:

- (1) "Society" means the Montana historical society and includes:
 - (a) ~~the~~ the historical and miscellaneous libraries and their contents;
 - (b) ~~any~~ any museums and art galleries, and their contents, acquired by the trustees;
 - (c) ~~any~~ any historical places, sites, or monuments acquired or developed by the society;
 - (d) ~~any~~ any divisions, departments, and activities operated in conjunction with the historical library as are established by the trustees; and
 - (e) ~~any~~ any books, papers, maps, charts, manuscripts, photographs, writings, records, objects of history and art,

1 paintings, engravings, relics, collections of artifacts and
2 minerals, furniture, or fixtures acquired by the trustees.

3 (2) "Trustees" means the board of trustees of the
4 Montana historical society.

5 (3) "Committee" means the executive committee of the
6 board of trustees of the Montana historical society.

7 (4) "Historic records" means manuscripts, papers,
8 maps, charts, journals, diaries, photographs, business
9 records, or other records illustrative of the history of
10 Montana in particular, and generally of the region.

11 (5) "Historic records network" means an agreement
12 between the Montana historical society and the Montana
13 university system to facilitate exchange and cooperation in
14 the use, acquisition, and preservation of historic records."

15 Section 2. Section 44-523, R.C.M. 1947, is amended to
16 read as follows:

17 "44-523. Powers and duties of trustees. The powers and
18 duties of the trustees are as follows:

- (1) ~~to~~ to elect annually from among their number a
19 president, a vice-president, and a secretary;
- (2) ~~to~~ to adopt bylaws for their own government, and
20 to make rules and regulations, not inconsistent with law,
21 for the proper administration of the society in the
22 interests of preserving the rich heritage of this state and
23 its people;

1 (3) ~~To~~ to appoint a director, fix his salary, and
2 prescribe his duties and responsibilities;

3 (4) ~~To~~ to create such classes of memberships in the
4 society as they deem desirable, to determine the
5 qualifications for any class of membership, and to set the
6 fees to be paid for such memberships;

7 (5) ~~To~~ to sell or exchange publications and other
8 museum or art objects and use the money arising from such
9 sales for the operation of the society and for the
10 acquisition of historical materials and objects of art;

11 (6) ~~To~~ to sell or exchange surplus or duplicate books,
12 surplus museum or art objects or artifacts not pertinent to
13 the region encompassed by the Montana historical society
14 mission and to use the money arising from such sales
15 exclusively for acquisitions of library, art, and museum
16 artifacts;

17 (7) ~~To~~ to see that the collections and properties of
18 the society are maintained in good order and repair;

19 (8) ~~To~~ to report to the governor and the legislature
20 biennially. The report shall include a statement of all
21 important transactions and acquisitions, with suggestions
22 and recommendations for the better realization of the
23 purposes of the society and the improvement of its
24 collections and services.

25 (9) ~~To~~ to accept, receive and administer in the name

1 of the society, any gifts, donations, properties,
2 securities, bequests and legacies that may be made to the
3 society. Moneys received by donation, gift, bequest or
4 legacy, unless otherwise provided by the donor, shall be
5 deposited in the state treasury and used for the general
6 operation of the society.

7 (10) ~~To~~ to collect, assemble, preserve, and display
8 where appropriate, all obtainable books, pamphlets, maps,
9 charts, manuscripts, journals, diaries, papers, business
10 records, paintings, drawings, engravings, photographs,
11 statuary, models, relics, and all other materials
12 illustrative of the history of Montana in particular, and
13 generally of the Pacific Northwest, Northern Rocky Mountain
14 and Northern Great Plains regions, and of the United States
15 of America when pertinent; to procure from pioneers, early
16 settlers, and others, narratives of the events relative to
17 the early settlement of Montana, the Indian occupancy,
18 Indian and other wars, overland travel and immigration to
19 the territories of the west, and all other related documents
20 of Montana's history, development and society; to gather
21 contemporary information, specimens, and all other materials
22 which exhibit faithfully the distinctive historical and
23 contemporary characteristics of the area with particular
24 attention to Indian, military and pioneer artifacts and
25 implements; to collect and preserve such natural history

1 objects as fossils, plants, minerals and animals; to collect
2 and preserve books, maps, manuscripts, and other materials
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4 antiquarian research; to promote the study of Montana
5 history by lectures and publications; to generally foster
6 and encourage the fine arts and cultural activities in
7 Montana; to receive for and on behalf of the state by
8 donation or otherwise, art objects of any kind and
9 description and to exhibit and circulate such objects in
10 Montana and elsewhere; and to microfilm papers or documents
11 in danger of disappearance or injury;

12 (1) to administer the historic records network
13 established in [section 3 of this act]."

14 Section 3. There is a new R.C.M. section that reads as
15 follows:

16 Creation and purpose of historic records network. (1)
17 The trustees of the Montana historical society shall
18 establish and administer an historic records network.

19 (2) The staff of the society may aid staff archivists
20 and librarians at the university units in their work of
21 acquiring, cataloguing, processing, microfilming, and
22 preserving historic records.

-End-

STATE OF MONTANA

REQUEST NO. 209-77

FISCAL NOTE

Form BD-15

In compliance with a written request received January 27, 19 77, there is hereby submitted a Fiscal Note for Senate Bill 72 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

Senate Bill 72 is an act to create a Historic Records Network between the Montana Historical Society and the Montana University System.

ASSUMPTIONS:

1. The Montana Historical Society is responsible for administering the Historic Records Network as prescribed by this act.
2. In addition to the Historical Society, there are six (6) university units which make up the Historic Records Network.
3. The staff of the Archives Program (Montana Historical Society) would increase by four (4) FTEs — two (2) archivists and two (2) clerk typists.

FISCAL IMPACT:

The enactment of Senate Bill 72 would require a \$384,613 increase over that currently recommended for the biennium by the Executive Budget as indicated by the following analysis:

	<u>FY 78</u>	<u>FY 79</u>
Proposed Law (Senate Bill 72 -- Historic Records Network)		
Personal services	\$226,103	\$242,108
Operating expenses	<u>47,175</u>	<u>30,414</u>
Total expenditures under proposed law for the Historic Records Network	273,278	272,522
Monies recommended by the Executive Budget for the Montana Historical Society	<u>84,302</u>	<u>76,885</u>
Increased expenditures required for enactment of Senate Bill 72 for the Historical Society and University units	<u>\$188,976</u>	<u>\$195,637</u>

The following is a schedule of the proposed distribution of the appropriation as prescribed by Senate Bill 72:

continued on page 2

BUDGET DIRECTOR

Office of Budget and Program Planning

Date: _____

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AGENCY	Fiscal Year 78			Fiscal Year 79		
	Personal Services	Operating Expense	Total	Personal Services	Operating Expense	Total
Montana State University	\$ 42,109	\$ 9,585	\$ 51,694	\$ 45,058	\$ 2,394	\$ 47,452
University of Montana	42,493	11,770	54,263	45,841	7,300	53,141
Eastern Montana College	27,233	6,900	34,133	29,138	2,500	31,638
Montana College of Mineral Science & Technology	3,766	1,500	5,266	4,029	800	4,829
Western Montana College	3,766	1,500	5,266	4,029	800	4,829
Northern Montana College	3,766	1,300	5,066	4,029	1,300	5,329
Montana Historical Society	<u>102,970</u>	<u>14,620</u>	<u>117,590*</u>	<u>109,984</u>	<u>15,320</u>	<u>125,304*</u>
TOTAL	<u>\$226,103</u>	<u>\$47,175</u>	<u>\$273,278</u>	<u>\$242,108</u>	<u>\$30,414</u>	<u>\$272,522</u>

*Includes \$84,302 recommended by the Executive Budget for FY 78.

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Richard L. ... for
 BUDGET DIRECTOR
 Office of Budget and Program Planning
 Date: 1-31-77

Approved by Committee
on State Administration

SENATE BILL NO. 72

INTRODUCED BY WARDEN, REGAN, ROBERTS, FLYNN,

PETERSON, HAZELBAKER, TONE, HAGER, LOWE, RASMUSSEN,

BROWN, LEE, BEALY, BERGREN, BLAYLOCK, JERGESON, WATT,

LENSINK, MATHERS, NORMAN, CLSON, ABER, GRAHAM, GOODOVER,

TURNAGE, MANLEY, E. SMITH, MURRAY, DUNKLE, MEHRENS, THOMAS

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(4) "Historic records" means manuscripts, papers, maps, charts, journals, diaries, photographs, business records, VOICE RECORDINGS, FILMS, VIDEO TAPES, or other records illustrative of the history of Montana in particular, and generally of the region.

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Section 2. Section 44-523, R.C.M. 1947, is amended to read as follows:

"44-523. Powers and duties of trustees. The powers and duties of the trustees are as follows:

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 3 for the proper administration of the society in the
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 5 its people;

6 (3) ~~To~~ to appoint a director, fix his salary, and
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22 (7) ~~To~~ to see that the collections and properties of
 23 the society are maintained in good order and repair;

24 (8) ~~To~~ to report to the governor and the legislature
 25 biennially. The report shall include a statement of all

1 important transactions and acquisitions, with suggestions
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 3 purposes of the society and the improvement of its
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 16 in danger of disappearance or injury;

17 ~~(1) to administer~~ COORDINATE THE ADMINISTRATION OF the
 18 historic records network established in [section 3 of this
 19 act]."

20 Section 3. There is a new B.C.M. section that reads as
 21 follows:

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 2 archivists and librarians at the university units in their
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SECOND READING

SECOND PRINTING

1 (2) To ~~to~~ adopt bylaws for their own government, and
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6 (3) To ~~to~~ appoint a director, fix his salary, and
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5 SECTION 4. FUNDING. THE HISTORIC RECORDS NETWORK
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-End-

1 SENATE BILL NO. 72

2 INTRODUCED BY WARDEN, REGAN, ROBERTS, FLYNN,

3 PETERSON, HAZELBAKER, TOWE, HAGER, LOWE, RASMUSSEN,

4 BROWN, LEE, HEALY, BERGREN, BLAYLOCK, JERGESON, WATT,

5 LENSINK, MATHERS, NORMAN, OLSON, ABER, GRAHAM, GOODOVER,

6 TURNAGE, MANLEY, E. SMITH, MURRAY, DUNKLE, MEHRENS, THOMAS

7
8 A BILL FOR AN ACT ENTITLED: "AN ACT TO CREATE AN HISTORIC
9 RECORDS NETWORK BETWEEN THE MONTANA HISTORICAL SOCIETY AND
10 THE MONTANA UNIVERSITY SYSTEM; AMENDING SECTIONS 44-517 AND
11 44-523, R.C.M. 1947."12
13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:14 Section 1. Section 44-517, R.C.M. 1947, is amended to
15 read as follows:

16 "44-517. Definition of terms. As used in this act:

17 (1) "Society" means the Montana historical society and
18 includes:19 (a) ~~The~~ the historical and miscellaneous libraries and
20 their contents;21 (b) ~~Any any~~ museums and art galleries, and their
22 contents, acquired by the trustees;23 (c) ~~Any any~~ historical places, sites, or monuments
24 acquired or developed by the society;25 (d) ~~Any any~~ divisions, departments, and activities1 operated in conjunction with the historical library as are
2 established by the trustees; and3 (e) ~~Any any~~ books, papers, maps, charts, manuscripts,
4 photographs, writings, records, objects of history and art,
5 paintings, engravings, relics, collections of artifacts and
6 minerals, furniture, or fixtures acquired by the trustees.7 (2) "Trustees" means the board of trustees of the
8 Montana historical society.9 (3) "Committee" means the executive committee of the
10 board of trustees of the Montana historical society.11 ~~(4) "Historic records" means manuscripts, papers,~~
12 ~~maps, charts, journals, diaries, photographs, business~~
13 ~~records, VOICE RECORDINGS, FILMS, VIDEO TAPES, or other~~
14 ~~records illustrative of the history of Montana in~~
15 ~~particular, and generally of the region.~~16 ~~(5) "Historic records network" means an agreement~~
17 ~~between the Montana historical society and the Montana~~
18 ~~university system to facilitate exchange and cooperation in~~
19 ~~the use, acquisition, and preservation of historic records."~~20 Section 2. Section 44-523, R.C.M. 1947, is amended to
21 read as follows:22 "44-523. Powers and duties of trustees. The powers and
23 duties of the trustees are as follows:24 (1) To ~~to~~ elect annually from among their number a
25 president, a vice-president, and a secretary;

1 (2) ~~To~~ to adopt bylaws for their own government, and
2 to make rules and regulations, not inconsistent with law,
3 for the proper administration of the society in the
4 interests of preserving the rich heritage of this state and
5 its people;

6 (3) ~~To~~ to appoint a director, fix his salary, and
7 prescribe his duties and responsibilities;

8 (4) ~~To~~ to create such classes of memberships in the
9 society as they deem desirable, to determine the
10 qualifications for any class of membership, and to set the
11 fees to be paid for such memberships;

12 (5) ~~To~~ to sell or exchange publications and other
13 museum or art objects and use the money arising from such
14 sales for the operation of the society and for the
15 acquisition of historical materials and objects of art;

16 (6) ~~To~~ to sell or exchange surplus or duplicate books,
17 surplus museum or art objects or artifacts not pertinent to
18 the region encompassed by the Montana historical society
19 mission and to use the money arising from such sales
20 exclusively for acquisitions of library, art, and museum
21 artifacts;

22 (7) ~~To~~ to see that the collections and properties of
23 the society are maintained in good order and repair;

24 (8) ~~To~~ to report to the governor and the legislature
25 biennially. The report shall include a statement of all

1 important transactions and acquisitions, with suggestions
2 and recommendations for the better realization of the
3 purposes of the society and the improvement of its
4 collections and services.

5 (9) ~~To~~ to accept, receive and administer in the name
6 of the society, any gifts, donations, properties,
7 securities, bequests and legacies that may be made to the
8 society. Moneys received by donation, gift, bequest or
9 legacy, unless otherwise provided by the donor, shall be
10 deposited in the state treasury and used for the general
11 operation of the society.

12 (10) ~~To~~ to collect, assemble, preserve, and display
13 where appropriate, all obtainable books, pamphlets, maps,
14 charts, manuscripts, journals, diaries, papers, business
15 records, paintings, drawings, engravings, photographs,
16 statuary, models, relics, and all other materials
17 illustrative of the history of Montana in particular, and
18 generally of the Pacific Northwest, Northern Rocky Mountain
19 and Northern Great Plains regions, and of the United States
20 of America when pertinent; to procure from pioneers, early
21 settlers, and others, narratives of the events relative to
22 the early settlement of Montana, the Indian occupancy,
23 Indian and other wars, overland travel and immigration to
24 the territories of the west, and all other related documents
25 of Montana's history, development and society; to gather

1 contemporary information, specimens, and all other materials
 2 which exhibit faithfully the distinctive historical and
 3 contemporary characteristics of the area with particular
 4 attention to Indian, military and pioneer artifacts and
 5 implements; to collect and preserve such natural history
 6 objects as fossils, plants, minerals and animals; to collect
 7 and preserve books, maps, manuscripts, and other materials
 8 as will tend to facilitate historical, scientific, and
 9 antiquarian research; to promote the study of Montana
 10 history by lectures and publications; to generally foster
 11 and encourage the fine arts and cultural activities in
 12 Montana; to receive for and on behalf of the state by
 13 donation or otherwise, art objects of any kind and
 14 description and to exhibit and circulate such objects in
 15 Montana and elsewhere; and to microfilm papers or documents
 16 in danger of disappearance or injury.

17 ~~(1) to administer~~ COORDINATE THE ADMINISTRATION OF the
 18 historic records network established in (section 3 of this
 19 act)."

20 Section 3. There is a new R.C.M. section that reads as
 21 follows:

22 Creation and purpose of historic records network. (1)
 23 The trustees of the Montana historical society shall
 24 establish and ~~administer~~ COORDINATE THE ADMINISTRATION OF an
 25 historic records network.

1 (2) The staff of the society may ~~SHALL~~ aid staff
 2 archivists and librarians at the university units in their
 3 work of acquiring, cataloguing, processing, microfilming,
 4 and preserving historic records.

5 SECTION 4. FUNDING. THE HISTORIC RECORDS NETWORK
 6 SHALL OPERATE WITHIN THE BUDGETS OF THE HISTORICAL SOCIETY
 7 AND THE UNIVERSITY SYSTEM.

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