

RE: SB 67 - INCREASE FEES FOR MARRIAGE LICENSE AND
DECLARATION OF MARRIAGE WITHOUT SOLEMNIZATION

EXHIBIT 8
DATE 3/3/05
SB 67

HEARING BEFORE HOUSE JUDICIARY COMMITTEE, MARCH 3, 2005

TESTIMONY IN SUPPORT OF SB 67

PRESENTED BY: MARY "MARTY" PHIPPEN, LOBBYIST

THE MONTANA ASSOCIATION OF CLERKS OF DISTRICT COURT.

Madam Chair, Members of the Committee,

My name is Mary Phippen. I represent the Montana Association of Clerks of District Court. The Association supports this Bill to increase the Marriage License fee from \$30.00 to \$40.00 in order to defray the increasing administrative costs of issuing Marriage Licenses and filing Declaration of Marriages without Solemnization.

The Fee for issuing Marriage Licenses has not been increased since 1981. Since that time, the cost of supplies in printing the licenses, and the cost of staff time to issue the licenses has greatly increased.

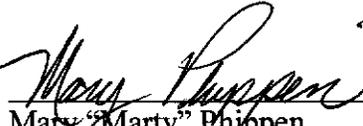
The changes in Sections 1 and 2 of the Bill on pages 1 through line 9 on page 8 are primarily housekeeping changes to delete outdated language that is no longer necessary. After July 1, 2003, the fees referred to on page 3, lines 24 through 27 were no longer retained by the District Courts for administrative costs.

Section 3 on pages 8 through line 9 on page 10 refer to the Fees of the Clerk of District Court. The proposed increase in the marriage license fee is indicated in 25-1-201 subsections (1)(l) and (o) on page 9, lines 1 and lines 7 of the Bill. This indicates the \$10.00 increase for issuing a marriage license and for filing a declaration of marriage without solemnization. 25-1-201(7) would allow the proposed increase in those fees to be deposited in the county district court fund or the county general fund to be used for district court operations. The costs of supplies, of staff time to issue a Marriage License, to review a Declaration of Marriage to determine that it is properly executed, and to file the declaration is a responsibility of the office of the Clerk of District Court. These expenses are specific to the Office of the Clerk of District Court and not included in 3-5-901, State Assumption of District Court costs. This is, therefore, the reason for requesting that the proposed increase in fee be allowed to remain in the county to be used for district court operations.

Sections 4 and 5 on pages 10 and 11 refer to issuing a Marriage License and filing a Declaration of Marriage. The proposed increase in the fees for these services is \$10, thereby increasing the fee from \$30 to \$40 as indicated on Page 10, line 13 and page 11, line 5.

Section 6 on page 11 refers to the 25 cent recording fee to defray the costs of reporting the marriage certificates filed each month to the Department of Vital Statistics. This 25 cent fee was implemented in 1967. The cost in time to collect the 25 cent fee, to make change, and to administrate the proper distribution of the 25 cent fee is greatly in excess to the amount collected. ~~The proposed increase in the fee for issuing a Marriage License and filing a Declaration of Marriage without Solemnization would more than cover the loss of the 25 cent recording fee.~~ In addition, the elimination of the 25 cent fee would prove more cost-effective and provide greater efficiency in staff time.

Your support of SB 67 is greatly appreciated.



Mary "Marty" Phippen
Montana Association of Clerks of District Court