

OFFICE OF THE GOVERNOR
STATE OF MONTANA

STEVE BULLOCK
GOVERNOR



MIKE COONEY
LT. GOVERNOR

May 4, 2017

The Honorable Corey Stapleton
Secretary of State
State Capitol
Helena, MT 59620

Dear Secretary Stapleton:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 198 (HB 198), "AN ACT REVISING DEATH CERTIFICATE FEE LAWS; REDISTRIBUTING A PORTION OF DEATH CERTIFICATE FEES; DIVERTING A PORTION OF DEATH CERTIFICATE FEES TO VETERANS' CEMETERIES; EXTENDING THE TERMINATION DATE FOR DEATH CERTIFICATE FEE INCREASES AT COUNTY AND STATE LEVELS; AMENDING SECTIONS 10-2-603 AND 37-19-203, MCA; AMENDING SECTION 6, CHAPTER 380, LAWS OF 2015; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

In 2015, the Legislature passed an increase in the fee Montanans must pay for death certificates and dedicated that funding to the Board of Funeral Services (BOFS). The 2015 fee constituted a 500 percent increase in the costs of such certificates for Montana's recently bereaved. Montanans sometimes need up to a dozen death certificates to close out the estate of a deceased family member, and this increase can constitute a significant financial burden. The fee increase was needed to assist with the solvency problems being experienced by the BOFS at that time. The Board has since become solvent, yet HB 198 would needlessly keep these increased fees in place until June 30, 2021.

In addition to being unnecessary, HB 198 continues a bad policy precedent by allowing a professional group to access vital records fees for private purposes. Since the increase in fees in 2015, other professional groups have approached the Department of Public Health and Human Services (DPHHS) Office of Vital Records about similar revenue generating strategies. Coroners, licensed medical professionals, attorneys, and others could likely claim a similar interest in seeking such funding. Shifting the funding of private business activities onto the backs of those who need vital records does a disservice to the citizens of Montana because the need for these records is rarely discretionary.

I sent HB 198 back to the legislature with amendments. Those amendments would have directed the fees generated under this bill to go exclusively to veterans' cemeteries. Unfortunately, the legislature rejected my amendments and I must now veto the bill. HB 198 is unneeded and is bad policy.

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For these reasons, I veto HB 198.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steve Bullock", with a long horizontal flourish extending to the left.

STEVE BULLOCK
Governor

cc: Legislative Services Division
Scott Sales, President of the Senate
Austin Knudsen, Speaker of the House