

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
55th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: By Chairman Norm Mills, on January 30, 1997, at 3:00 p.m., in Room 104.

ROLL CALL

Members Present:

Rep. Norm Mills, Chairman (R)
Rep. Chris Ahner, Vice Chairman (Majority) (R)
Rep. David Ewer, Vice Chairman (Minority) (D)
Rep. Ellen Bergman (R)
Rep. Sylvia Bookout-Reinicke (R)
Rep. Matt Brainard (R)
Rep. Bill Carey (D)
Rep. Matt Denny (R)
Rep. Charles R. Devaney (R)
Rep. Tim Dowell (D)
Rep. Jon Ellingson (D)
Rep. Antoinette R. Hagener (D)
Rep. Sam Kitzenberg (R)
Rep. Deb Kottel (D)
Rep. Bob Lawson (R)
Rep. Linda McCulloch (D)
Rep. Wes Prouse (R)
Rep. Liz Smith (R)
Rep. Loren L. Soft (R)

Members Excused: Rep. Daniel W. McGee (R)

Members Absent: None

Staff Present: Bart Campbell, Legislative Services Division
Debbie Thompson, Committee Secretary

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 248-1/17
HB 278-1/17
HB 253-1/17
HB 317-1/22
SB 25 -1/14
Executive Action: HB 190 DO PASS AS AMENDED
HB 319 DO PASS
SB 25 DO CONCUR

HEARING ON HB 248

Sponsor: Rep. Hal Harper, HD 52 {Tape: 1; Side: A; Approx. Time Count: 1.3-3.6; Comments: increase bonding, referred to amendment; coverage provided by state law.}

Proponents: Carroll South, Executive Director, Board of Investments {Tape: 1; Side: A; Approx. Time Count: 3.6-7.8; Comments: Exhibits 1, 1a.}

Opponents: No opponents

Questions From Committee Members and Responses: No questions

Closing by Sponsor: Rep. Harper closed

HEARING ON HB 278

Sponsor: Rep. Jay Stovall, HD 16 {Tape: 1; Side: A; Approx. Time Count: 9.9; Comments: bill gives fees collected in county to the county.}

Proponents: Gordon Morris, MACO {Tape: 1; Side: A; Approx. Time Count: 11.7-14.1; Comments: resolution adopted by the association; law arcane.}

Mike Mathew {Tape: 1; Side: A; Approx. Time Count: 17.0; Comments: viewed as consumer protection issue; could set reasonable fee and not have to double in order to pay the state.}

Les Graham, Stockgrowers and Cattlewomans' Association

John Youngberg, Montana Farm Bureau

Opponents: No opponents

Questions From Committee Members and Responses: {Tape: 1; Side: A; Approx. Time Count: 17.7-28.5.}

Closing by Sponsor: Rep. Stovall closed {Tape: 1; Side: B; Approx. Time Count: 0-2.0; Comments: bill not complicated, change in statute of predatory animals.}

HEARING ON HB 253

Sponsor: Rep. Mercer, HD 74 {Tape: 1; Side: B; Approx. Time Count: 2.1-5.3; Comments: bill on behalf of Montana Sheriffs' and Peace Officers Association; puts costs on those asking for them; service of process in area of child support-sheriffs' would like to be paid; suggested an amendment.}

Proponents: Kathy McGowan, Montana Sheriffs' and Peace Officers {Tape: 1; Side: B; Approx. Time Count: 5.4-10.8; Comments: money made collecting child support offsets AFDC; discussed options, reimburse counties, state to offer RFP for private sector or leave as is-sheriffs' do with little or no resources.}

Barry Michelotti, Sheriff, Cascade County {Tape: 1; Side: B; Approx. Time Count: 11.0-12.9; Comments: discussed serving papers, dramatic increases in child support collection; ability to collect a fee will help.}

Chuck O'Reilly, Sheriff, Lewis and Clark County {Tape: 1; Side: B; Approx. Time Count: 13.0; Comments: discussed Lewis and Clark County-time spent involving child support service; people move around-takes time to find them.}

Lee Edminsten, Sheriff, Madison County and President of the Montana Sheriffs' and Peace Officers Association {Tape: 1; Side: B; Approx. Time Count: 15.5-16.0; Comments: effects 12% of their work load.}

Opponents: No opponents

Questions From Committee Members and Responses: {Tape:1; Side: B; Approx. Time Count: 16.6-19.2; Comments: amendments effect on fiscal note, take amendment to budget office; financial problems for county sheriffs'.}

Closing by Sponsor: Rep. Mercer closed.

HEARING ON HB 335

Sponsor: Rep. Bob Lawson, HD 80 {Tape: 1; Side: B; Approx. Time Count: 20.7; Comments: explained increased fee to cover cost of microfilming.}

Proponents: Robert Throssell, Montana Association of Clerk and Recorders {Tape: 1; Side: B; Approx. Time Count: 22.1-25.6; Comments: costs to county, storage and retrieval, \$10 fee covers projected costs; microfilm-safety and security, off site storage.}

Vickie Zeier, Clerk and Recorder, Treasurer, Missoula County {Tape: 1; Side: B; Approx. Time Count: 25.8; Comments: recording of document one time fee for records held forever; showed old record (1880), consistently maintain records.}

Ruth Hodges, Lake County, Chair of Clerk and Recorders Association {Tape: 1; Side: B; Approx. Time Count: 27.9; Comments: similar situations in other counties; ancient documents.}

Bill Rappold, Pondera County Commissioner {Tape: 1; Side: B; Approx. Time Count: 28.8; Comments: counties under constraint of I105, recoups costs.}

Opponents: Bill Gowen, President, Montana Land Title Association {Tape: 1; Side: B; Approx. Time Count: 30.1-Tape 2A; Comments: magnitude of increase, Montana highest in costs; fees fall back on home buyers; 12 pages x 10=\$120; substantial increase; extra \$1 was supposed to go in for extra costs.}

John Shontz, Montana Association of Realtors {Tape: 2; Side: A; Approx. Time Count: 2.3-4.4; Comments: \$1 per page in 1991 specifically for preservation of records; find out what county does with that money; 1995-94,000 deeds-huge increase-costs of liens, mineral affidavits; fiscal impact on people=multi-million dollar annual increase for filing documents.}

Bill Leary, Montana Bankers Association {Tape: 2; Side: A; Approx. Time Count: 6.0-8.0; Comments: \$10 per page very costly.}

Informational Testimony: Tim Reardon, Chief Legal Officer, Department of Transportation {Tape: 2; Side: A; Approx. Time Count: 4.7; Comments: discussed fiscal impact on the department.}

Questions From Committee Members and Responses: {Tape: 2; Side: A; Approx. Time Count: 8.8-27.8; Comments: life of microfilm; actual cost of service; \$1 fee for preservation of documents.}

Closing by Sponsor: Rep. Lawson closed.

HEARING ON HB 317

Sponsor: Rep. Kim Gillan, HD 11

Proponents: Mike Mathew, Yellowstone County {Tape: 2; Side: B; Approx. Time Count: 1.1-4.9; Comments: administrative fee charged for maintenance districts increasing; people that benefit pay for the service.}

Gordon Morris, MACO

Opponents: No opponents

Questions From Committee Members and Responses: {Tape: 2; Side: B; Approx. Time Count: 6.9-10.5; Comments: districts changing boundaries; people assume services that aren't there.}

Closing by Sponsor: Rep. Gillan closed {Tape: 2; Side: B; Approx. Time Count: 10.5; Comments: districts benefit only property owners in that district; administrative costs.}

EXECUTIVE ACTION ON HB 190

Motion: Rep. Bergman moved DO PASS HB 190.

Motion: Rep. Devaney moved the amendment.

Discussion: Mr. Campbell {Tape: 2; Side: B; Approx. Time Count: 12.1-13.7; Comments: retention and disposition schedule, would not have to be done annually.}

Motion/Vote: The question was called on the amendment. The motion PASSED unanimously.

Motion/Vote: Rep. Devaney moved the bill as amended. {Tape: 2; Side: B; Approx. Time Count: 15.9-18.6; Comments: retention schedule always posted, uniform across the state.}

Rep. Soft {Tape: 2; Side: B; Approx. Time Count: 18.6; Comments: why other amendment not acted on. Mr. Campbell explained.}

Motion/Vote: Rep. Soft moved the conceptual amendment which would change the title. The motion PASSED unanimously.

Motion/Vote: The question was called on the bill as amended. The motion PASSED on a voice vote 18-2 with Rep. Dowell and Brainard voting no.

{Tape: 3; Side: A; Approx. Time Count: 0-2.4; Comments: None.}

EXECUTIVE ACTION ON SB 25

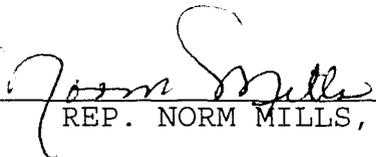
Motion/Vote: Rep. Ewer moved DO CONCUR on SB 25. The question was called. The motion PASSED unanimously. Rep. Ewer will carry the bill.

EXECUTIVE ACTION ON HB 319

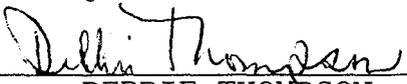
Motion/Vote: Rep. Ewer moved to DO PASS HB 319. The question was called. The motion PASSED unanimously.

ADJOURNMENT

Adjournment: 5:15 p.m.



REP. NORM MILLS, Chairman



DEBBIE THOMPSON, Secretary

NM/dt