

**MINUTES**

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

**COMMITTEE ON LOCAL GOVERNMENT**

**Call to Order:** By Chairman Mills, on March 20, 1997, at 3:40 P.M., in Room 104.

**ROLL CALL**

**Members Present:**

Rep. Norm Mills, Chairman (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. Deb Kottel (D)  
Rep. Bob Lawson (R)  
Rep. Linda McCulloch (D)  
Rep. Daniel W. McGee (R)  
Rep. Wes Prouse (R)  
Rep. Liz Smith (R)  
Rep. Loren L. Soft (R)

**Members Excused:** None

**Members Absent:** Rep. Chris Ahner, Vice Chairman (Majority) (R)  
Rep. Sam Kitzenberg (R)

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

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: SB 27 - 3/11  
SB 280- 3/11  
Executive Action: SB 51 DO CONCUR (15-2)

**EXECUTIVE ACTION ON SB 51**

**Motion:** Rep. Devaney moved DO CONCUR.

**Discussion:** {Tape: 1; Side: A; Approx. Time Count: 1.7-12.0; Comments: Rep. Denny suggested a possible study resolution; Gordon Morris clarified the bill that would coordinate probation officers cost of living with other elected officials; Rep. Bookout suggested a consensus amendment.}

**Amendments:** Rep. Bookout moved the amendment. Bart Campbell explained the amendment. {Tape: 1; Side: A; Approx. Time Count: 6.9; Comments: Rep. Kottel explained that the amendment proposed during the hearing allowed the judicial district movement for longevity; Rep. Denny pointed out this could be a disincentive to hire.}

**Motion:** Rep. Bergman moved to put the bill on hold so the next hearing could take place.

### HEARING ON SB 280

**Sponsor:** Senator Fred Van Valkenburg, SD 32 {Tape: 1; Side: A; Approx. Time Count: 12.3-22.2; Comments: raise salary for court reporters; bill provides for funding, not an unfunded mandate for local government; this has a potential for a change to state employment in the long run, whereas court reporters are presently hybrids; discussed historical aspect; justification for increase is the complicated nature of the job, technology and volume, as well as expectation of immediate turn around.}

**Proponents:** Peter Funk, Montana Court Reporters Association, **EXHIBIT 1** {Tape: 2; Side: A; Approx. Time Count: 22.8-31.1; Comments: showed chart of court reporter's salary.}

Kim Marchwick, Montana Court Reporters Association, **EXHIBIT 2**, 2a-flyer-Role of Court Reporter {Tape: 1; Side: A; Approx. Time Count: 32.3-35; Comments: discussed "real time"; expenses of continuing education, production of transcripts at reporter's expense.}

Melody Jeffries Peters, Jeffries Court Reporting, **EXHIBIT 3** {Tape: 1; Side: A; Approx. Time Count: 35.1-39.8; Comments: discussed standards, education, uniqueness of court reporting equipment, expenses covered personally.}

Doug Christiansen, MCRA, representing rural court reporters-multiple jurisdictions; **EXHIBIT 4**-flyer-Realtime Facts {Tape: 1; Side: A; Approx. Time Count: 39.9-42.5; Comments: judges ability to make better informed decisions; great costs; continuing education; can't rely on county government for financial expense.}

### **Opponents:**

Gloria Paladichuk, Richmond County {Tape: 1; Side: A; Approx. Time Count: 42.7-Side B-1.6; Comments: she objected to court reporters wanting county employment part of the time but not

wanting county employment at times when it is not a benefit, such as pay freezes; recommended changes to Title 3-5-604 regarding payments to court reporters; she noted that payments of \$2 per page was tied to the past in the use of typewriters; computers make the work more efficient; court reporters get paid higher than deputy county attorney.}

Mike Murray, Lewis and Clark County Commissioner {Tape: 2; Side: A; Approx. Time Count: 1.9-7.5; Comments: unfunded mandate, violates the pay plan; class of employees that should be state employees; county employees come and go as the judge orders them to work; presents a problem for the county.}

**Questions From Committee Members and Responses:**

{Tape: 2; Side: A; Approx. Time Count: 7.8-24.5; Comments: Rep. Kottel-expenses vs. revenue gained; Rep. Ewer-approximate supplemental income for transcribing additional court documents-\$3,000/yr.; Chairman Mills-court reporters furnish their own equipment, thereby justifying an increase in pay.}

**Closing by Sponsor:**

Senator Van Valkenburg closed {Tape: 2; Side: A; Approx. Time Count: 25.5-30.7; Comments: court reporters expend a significant amount of their own money; future expectation of the public; better court reporters will leave government employment and go to the private sector if not compensated adequately; fully funded, not an unfunded mandate.}

Recommended Rep. Ellingson to carry the bill.

**EXECUTIVE ACTION ON SB 51, cont.**

**Discussion:** {Tape: 2; Side: A; Approx. Time Count: 33.4-Tape 2-B.}

**Amendments:** Rep. Bookout called the question on the amendment. The amendment was discussed. Gordon Morris pointed out that Juvenile Probation Officers are under the Judicial Districts where the county pays the salary as compared to adult probation officers or prison guards which are under the state.

**Vote:** The question was called on the amendment. The motion FAILED 8-10 on a roll call vote.

**HEARING ON SB 27**

**Sponsor:** Senator Tom Keating, SD 5 {Tape: 2; Side: A; Approx. Time Count: 3.2-6; Comments: Allows county to increase money to

*bond without vote; facilitates funding projects; small projects cost more, saves time and money.}*

**Proponents:** Gordon Morris, MACO {Tape: 2; Side: A; Approx. Time Count: 6.1-9.7; Comments: practical option for county; opportunity for borrowing through Intercap loans, lower rates.}

**Opponents:** No opponents.

**Questions From Committee Members and Responses:**

{Tape: 2; Side: A; Approx. Time Count: 9.7-19.3; Comments: Rep. Denny pointed out that three commissioners could make the decision to indebt the county by \$500,000; Rep. Keating replied that the commissioners could make that decision if conditions warranted, they would do so prudently; single purpose.}

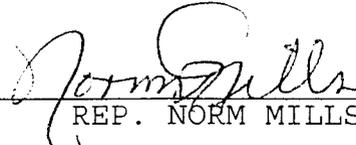
**Closing by Sponsor:** Senator Keating closed {Tape: 2; Side: A; Approx. Time Count: 20.3; Comments: allow county commissioners to do their job; borrow at cheap terms, benefit to people; avoid cost of election; efficiency.}

**EXECUTIVE ACTION ON SB 51, cont.**

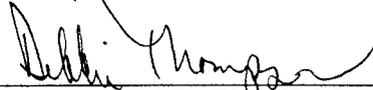
**Motion/Vote:** Rep. Hagener moved DO CONCUR SB 51. The question was called. The motion PASSED 15-2 on a roll call vote.

ADJOURNMENT

Adjournment: 5:39 p.m.



REP. NORM MILLS, Chairman



DEBBIE THOMPSON, Secretary

NM/dt