

January 11, 1977

The meeting was called to order by Vice-Chairman Iein in the absence of Chairman Brand. Absent - Brand and Menahan.

Dick Hargesheimer, Legislative Council Researcher for the committee, submitted his summary. See Attachment #3.

HB 96--Rep. Fagg, sponsor of the bill explained the bill to be one to allow the state to contract with private agencies for collection of past due tax debts. He stated that professional agencies can average a substantially higher collection rate than the state. Introduced Don Bentson, from the Department of Revenue - see attachment #1 for his statement.

Rep. Meyer asked if the state was intent on using primarily in-state collection agencies. To which Bentson replied that national agencies would be used, as they employ their own attorneys in various states and are generally better equipped professionally. The committee generally objected to giving business to firms out of Montana, and suggested amending the bill to specify preference for Montana firms.

Rep. Ryan questioned whether the state wasn't incurring another uncollectable debt by contracting with an agency. Laury Lewis, Deputy Director of the Department of Revenue, clarified this by saying that all national agencies are required by law to be bonded. The money, normally, is sent directly to the state; but in the event the agency receives it, they are required to put it in trust until it can be sent to the state. Local agencies can be subcontracted by other states.

Fagg closes. HB 109 was passed for the day, as Rep. Brand, the sponsor, was absent.

HB 118--was passed over, as no sponsor (Burnett, Moore, & Seifert) or witnesses were present.

HB 90--Rep. Robbins, sponsor, explained that this is a companion bill to HB 67 - see attachment #2. Robbins outlined the duties and requirements of the Fire Marshal, and proposed an amendment--

Page 4, Section 2, Line 17.

Following: "state's

Insert: "citizenry, and to represent the state in structural"

Bob Person, Director of the Research Division of Legislative Council, came in to explain the bill further. He said that the Fire Marshal had recommended a number of changes; and that the funding was put into a separate bill in case the Advisory Council bill (HB 67) failed. HB 90 clears up the language relative to the Fire Marshal, and clears his determination with all other statutes. Repealers in the bill delete the section which took away the Advisory Council.

Robbins introduced Rep. Bertelsen, co-sponsor of the bill, who contended that the bill is an attempt to clarify the Fire Marshal's authority.

Larry Darcy, Department of Administration, testified to confirm the acquiescence of his department to the Fire Marshal in bomb scare training and preparedness.

James Macklin, of the Fire Service Academy in Great Falls, appeared in support of the bill. As did Dan Mizner, Secretary of the State Fire Chief's Association and representing the Montana League of Cities and Towns.

Boyce Clarke, of the Independent Insurance Agents Association, also came to support the bill.

January 11, 1977

There were no opponents.

Rep. Feda asked how big the council would be, to which Person replied that the Attorney General would be able to respond to the situation as he saw fit, and would include representatives from various types of fire service.

Rep. Robbins moved to adopt the proposed amendments to HB 90 with O'Connell seconding the motion - the motion was accepted unanimously. Rep. O'Connell moved DO PASS - AS AMENDED on HB 90, Rep. Kanduch seconded - accepted unanimously.

HB 96 - Further discussion ensued concerning local agencies being given preference. Rep.'s O'Connell and Turner talked about various amendment possibilities. Rep. Robbins moved to pass HB 96 for the day, to work on amendments outside of committee and submit them at a later date. Seconded by Mular, Bardanoue warned the committee to be aware of the full implications of such an amendment before inserting it. Rep. Ryan would like to see something more emphatic as far as bonding procedures for the collection agencies.

Vice-Chairman Lein suggested that anyone with a proposed amendment check with the Department of Revenue before bringing it before the committee.

Also submitted by Dick Hargesheimer - summary - See Attachment # 3.

Meeting adjourned: 11:15

Attachment #4 - Amendments for HB 68 from Sub-Committee meeting 1-11-77.


Joe Brand, Chairman


Anita C. Sierke, Secretary