

February 10, 1977

An executive session of the Local Government Committee was called to order by Chairman Robbins at 7:10 PM in Room 437. The secretary called roll; Representatives Gunderson, Halvorson, and South were absent. All other members were present.

HOUSE BILL 122: Larry Weinberg began by referring the committee to the amendments they were given on February 9, 1977, on the court systems - exhibit 1.

Representative Stobie moved that amendment A for page 581, section 2, line 8, following: "costs of", strike: "authorized", insert: "necessary" NOT BE ALLOWED. Question, motion carried. Those voting NO were Representatives Ramirez, O'Connell and Colburn.

Representative Gould moved that the amendment to page 578, section 2, line 15, to insert: "(3) An appointed municipal judge may be removed from office only for cause." DO PASS. Question, motion carried. (SCR 355)

AMENDMENTS - TAX-EXEMPT ENTITIES - exhibit 2

Representative Colburn moved TO ADOPT amendment 1 for page 515, following line 6, to insert subsection (d). Representative Roth made a substitute motion that amendment 1 for page 515 DO NOT PASS. Question, roll call vote was taken: 11 voted YES and 4 voted NO. Motion carried. Those voting NO were: Representatives Colburn, Jensen, Pistoria, and Ramirez.

Representative O'Connell moved TO ADOPT amendment 2 for page 516, line 2, following: "with", strike: "other". Question, motion carried. (SCR 249)

Representative Hurwitz made a motion to remove the lien provision by adopting amendment 5 for page 516, line 25. Question, motion carried. (SCR 251)

Representative Bergelsen moved TO ADOPT amendment 4 for page 516, lines 18 - 20. Question, motion carried. Those voting NO were Representatives Pistoria, Colburn, Roth and O'Connell. (SCR 250)

AGRICULTURE PEST AMENDMENTS - exhibit 3.

Representative Gerke left.

There was discussion by the committee. Gould - what did you think of the testimony? Bertelsen - they could completely destroy the weed control program we now have. Dale - the groups support as it is. Each group had amendments that other groups couldn't accept. This pulls together laws and requires a county to have a plan to provide a service before providing the service. Representative Colburn moved that the committee NOT CONSIDER these amendments. Question, motion carried. Those voting NO were: Representatives Ramirez,

Bertelsen, and O'Connell.

Chairman Robbins left and Representative O'Connell assumed the chair.

AMENDMENTS FOR LIBRARIES - exhibit 4

Senator Wardens amendments 5 and 6 will bring back to present law. Amendment 1 is closer to HB 122. Amendments 2, 3, and 4 would mandate. Amendment 3 provides a tax levy of 8 mills for cultural and educational services if there are insufficient moneys available from general fund.

Representative Waldron moved that the committee adopt amendment 2 for page 340, line 5, to insert a new section 47A-6-5603.

Representative Colburn made a substitute motion that the committee DO NOT ADOPT any of the amendments.

Chairman Robbins returned.

Palmer - if you leave to county commissioner's discretion when budget cut it will be in cultural area, and that is the fear of the library people.

Representative Gerke returned.

Question was called on substitute motion that the committee DO NOT ADOPT any of the amendments. Roll call vote was taken: 8 voted NO and 7 voted YES. Motion failed. Those voting YES were: Representatives Bertelsen, Colburn, Gerke, Hurwitz, Jensen, Pistoria, and Roth.

Question on Representative Waldron's motion to adopt amendment 2 for page 340.

Representative Colburn made a substitute motion TO ADOPT amendment 2 and exclude amendments 3 and 4. After brief discussion Representative Colburn withdrew his motion.

Representative Palmer made a substitute motion TO ADOPT amendment 2 and delete subsection (5). Question, motion failed. Representatives Palmer and Waldron voted YES.

Representative Stobie made a motion to reconsider action on the motion to NOT ADOPT any of the amendments. Question, motion carried. Those voting NO were: Representatives Palmer, Waldron, O'Connell, and Robbins.

Representative Colburn moved that the committee NOT ADOPT the amendments on libraries. Question, roll call vote was taken: 8 voted YES and 7 voted NO. Motion carried. Those voting NO were: Representatives Gould, Palmer, Ramirez, Vinger, Waldron, O'Connell and Robbins.

AMENDMENTS - CULTURAL SERVICES - exhibit 5


Representative Gould moved to amend the amendment 47A-6-5701, subsection (b), following: "services", strike: "shall", insert: "may". Question, motion carried.

Representative Ramirez moved to amend the amendments by striking 47A-6-5702 and renumber subsequent sections and adopt all other parts, and amend subsection (b) strike "shall". After brief discussion Representative Ramirez withdrew this motion.

Representative Ramirez made a motion TO ADOPT 47A-6-5701, and 47A-6-5702 except in 47A-6-5701 strike subsection (2). Question, motion carried. (SCR 147)

The meeting adjourned at 9:10 PM.

Respectfully submitted,


HERSHEL M. ROBBINS, Chairman

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