

February 14, 1977

A meeting of the Local Government Committee was called to order by Chairman Robbins at 7:35 PM in Room 437. The Secretary called roll: Representatives Halvorson and O'Connell were absent. All other members were present.

HOUSE BILL 646: Representative Fagg, chief sponsor, believed the bill worthy of thought. In the past he sponsored a bill that dealt with the same subject. You are going to hear of the benefits. We are bringing the proposal back and changing some things we didn't like.

Proponents to speak were:

Byron Roberts, representing DCA, said this is a bill that passes \$300,000 dollars from gas tax revenue to offset a deficit of public transportation systems. The first year we would distribute \$75,000 to just 2 cities who are eligible. The formula in the act had to do with deficit, the number of passengers, and miles travelled. We found a problem with the formula with a scheduled route. Helena has a demand system and is operating a better system. We worked around the formula but had to add a few factors. The bill appropriates \$300,000, 1/2 to city and 1/2 to county. One particular amendment put a city and county transportation district under this act. These are systems for the elderly and handicapped. It is to be an incentive for new systems. He was asked to add another incentive by submitting to DCA records showing they have incurred a deficit. It will allow for cities to obtain funds when preparing their budget, and to get the funds at beginning of year instead of at the end of the year.

Arlene Loble, City of Helena, said Helena has a demand response dial-a-ride system. It is funded out of bus revenues produced by the system and 20% federal subsidized through City of Helena. This system is very important to the people who ride.

Lou Bertagna, representing city of Billings, spoke in support and submitted written testimony - exhibit 1.

Bob Cervero, city of Billings and Yellowstone County, spoke in support of bill.

John Crowley, representing Missoula Planning Department, spoke in support and left written testimony - exhibit 2.

Representative Palmer submitted written testimony from Mrs. Harriette D. Dooling, Chairperson, Missoula Urban Transportation District Board - exhibit 3.

Dan Mizner, representing League of Cities and Towns, said the league supports this legislation.

Charles A. Banderob, Montana Senior Citizens Association, said we are concerned with this bill and urge recognition that many senior citizens are in need of transportation.

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Jim Schwind, Helena Bus System, wished to speak in favor of the bill.

Marilyn Hamilton, self, Helena, supports this bill and uses the bus as she doesn't drive.

Chairman Robbins asked for hands of those people present who are in support of the bill.

Opponents were:

Larry Tobiason, representing AAA, said they are in opposition because of way it is funded. This is unfair - it is a diversion bill. You are taking from the highway trust fund and using for another purpose. 85% of their membership doesn't think money should be diverted from the trust fund.

Dean Zinnecker, representing Montana Association of Counties, said we do not oppose appropriation but oppose allocation of monies in bill. Counties are using money for busing Senior Citizens, but they have flexibility as they do not have to use for a bus system. At the bottom of page 2, he would like to add back the language deleted.

Earl Moritz, representing Highway Users Association, said if you take \$300,000 out of highway trust fund, you are denying 3 million dollars in federal matching funds. Seems there should be some other way to finance.

Don Allen said I think the concept to do what we can is good but have to oppose. We must be realistic; I would hope there is other monies instead of taking out of highway trust funds. Will work with sponsor and find an alternative way to fund.

Representative Fagg made his closing statement. We are looking at systems that need the money. Some suggested alternative ways to fund this. This could be taken over to taxation. I think money is available.

Those people signing witness statements in support of 646 are - exhibit 4.

South came in.

HOUSE BILL 675: Representative Ellison, chief sponsor, said the title tells you what the bill is. At the present time, \$10,000 is the limit. When county commissioners go to sales \$10,000 won't buy anything. Have talked to commissioners in my county, and they say over the course of the last two years could have saved money. Because of the price at an auction, they couldn't bid so had to buy new equipment and it cost more. When you get into road equipment, \$10,000 doesn't buy anything.

HOUSE BILL 675: - continued

Proponents to speak were:

Dean Zinnecker, representing Association of Counties, said counties are always trying to cut their cost and an auction is one way.

There were no opponents.

Representative Ellison made closing statement and said the reason for putting a limit on was to keep them honest. There is very little chance of anything going on at a public auction.

HOUSE BILL 287:

Representative Gerke, chief sponsor, said this is an act to establish a state advisory council in the DCA to review intergovernmental problems and the council would consist of 2 county officials, 2 municipal officials, 2 school district officials, 1 state senator, 1 member of the House, Director of DCA, 1 Representative of court system, 1 representative of federal agencies, 4 representatives of the people of Montana. This council would replace the State Commission on Local Government and the Governor's Advisory Council on Local Government. The budget would be a small sum. Information Bulletin was left for committee - exhibit 5.

Proponents to speak were:

Steve Turkiewicz, representing Montana Association of Counties, and a lot of things that happen between sessions happened because of lack of communication. We feel the time is now to use this vehicle that has been used in other states. This would establish a legitimate forum to solve recurring and emergency problems.

Dorothy Eck, representing Local Government Advisory Council, said this council, before disbanding, recommended just this thing. There is a lot of concern as to who is responsible for public assistance, and a concern with state and federal regulations that affect local governments.

Dan Mizner, representing Montana League of Cities and Towns, said they support this bill.

There were no opponents.

Representative Gerke closed on House Bill 287.

HOUSE BILL 671:

Representative South, sponsor, explained this bill is a recommendation of State Commission on Local Government and, if you look at the fiscal note, it would have a fiscal impact. The bill will be sent to Appropriations Committee. Representative South called on Beth Richter, staff member of State Commission on Local Government, to explain the rational of this bill. Beth Richter passed out prepared information - exhibit 6. This relates to state grants and she believed that

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local health departments deserve and need additional monies. A list of functions extracted from state law that local health departments are to provide is - exhibit 7. There is a provision in state law that the state health department may use local health personnel but no provision for paying cost. She explained the handout and noted only two programs could be vaguely applied as local programs. The third handout is exhibit 8, and on this sheet they have shown the division of federal money and state dollars and the total in the last column is what was received. This is significantly less than what is proposed. The Home Health Care Services is of great interest and this the local governments find hard to finance.

Proponents to speak were:

Gregg McCurdy, representing the Montana Association of Counties, said we are in support of this bill and feel public health services are important.

Will Selser, representing self, Helena, said this bill would be beneficial.

There were no opponents.

Representative South closed on House Bill 671.

Chairman Robbins opened the meeting for executive action on the following bills:

HOUSE BILL 211: Chairman Robbins said he had a note from Representative Dussault saying that a person claiming to be representing realtors the Realtor's Association said he was not a representative. Representative Waldron moved TO ADOPT the amendments (exhibit 9) for HB 211. Question, motion carried. Representative Colburn moved that HB 211 DO PASS AS AMENDED. Representative Ramirez made a substitute motion to amend HB 211 to require both notices to be given - exhibit 10. There was discussion by the committee. Question on the substitute motion, motion carried. Representative Colburn moved that House Bill 211 DO PASS AS AMENDED. Question, motion carried. Representatives Roth and Stobie voted NO.

HOUSE BILL 600: Representative Colburn moved that HB 600 DO PASS. Representative Hurwitz made a substitute motion that HB 600 DO NOT PASS. Representative Hurwitz said in his town the sheriff is the coroner so they don't have a budget. This would be preferable if he was working full-time as a coroner and would pay accordingly. Question on Representative Hurwitz's substitute motion that HB 600 DO NOT PASS, motion carried. Representatives Palmer, Colburn, and Gould voted NO.

HOUSE BILL 602:

Representative Gunderson moved the amendments (exhibit 11) to House Bill 602. Question, motion carried. Representatives Ramirez, Jensen, South, and Stobie voted NO. Representative Colburn moved that House Bill 602 DO PASS AS AMENDED. Representative Jensen made a substitute motion that House Bill 602 DO NOT PASS AS AMENDED. Question, motion carried. Representatives Stobie, Gould, and Colburn voted NO.

HOUSE BILL 638:

Representative South recommended that House Bill 638 DO NOT PASS. Representative Waldron made a substitute motion that House Bill 638 DO PASS. Waldron - this places firemen in a different section of the law, in the labor section, and seems to make sense as others are in labor section. Representative Palmer made a substitute motion to all motions pending to pass on the bill. Representative South said firemen are covered now and the minimum salary does not relate to firemen. He really doesn't know why the bill was introduced. Representative Palmer withdrew his motion. Question on Representative Waldron's substitute motion that House Bill 638 DO PASS, motion failed. Question on Representative South's motion that House Bill 638 DO NOT PASS, motion carried. Representative Waldron, Palmer, and Robbins voted NO. Representative Gunderson passed.

HOUSE BILL 195:

Chairman Robbins explained after seeing the fiscal note he call House Bill 195 back into committee for consideration. Representative Ramirez moved to reconsider House Bill 195. Question, motion carried. Representatives Stobie, Roth and Gould voted NO. Discussion by committee. Representative Colburn moved to hold House Bill 195 until Wednesday night. Representative Jensen made a substitute motion that House Bill 195 DO PASS AS AMENDED. Roll call vote was taken: 8 voted YES and 8 voted NO. Motion failed. House Bill 195 went out of committee with a AS AMENDED WITHOUT RECOMMENDATION.

HOUSE BILL 208:


Representative Roth made a motion that House Bill 208 DO PASS. Question, motion carried.

HOUSE BILL 247:

House Bill 247 is being held for the next meeting.

The meeting adjourned at 9:30 PM.

Respectfully submitted,


HERSHEL M. ROBBINS, Chairman