

February 16, 1977

A meeting of the Local Government Committee was called to order by Chairman Robbins at 7:40 PM in Room 437. The secretary called roll; Representative Bertelsen was excused, Representatives Colburn, Gould, Gunderson, Halvorson, Jensen, and Stobie were absent. All other members were present.

HOUSE BILL 677:

Representative Courtney, chief sponsor, said this is a bill to change the publication of notice requirements for county water and sewer districts. On page 2, lines 5, 6, and 7 are where changes were made to "once each week for two consecutive weeks". This is the only change in language in the bill. Advertising in a newspaper is expensive that is the reason why we have the bill.

There were no other proponents.

There were no opponents.

Representative Courtney closed on House Bill 677.

HOUSE BILL 704:

Representative Huennekens, chief sponsor, said this is a simple and obviously controversial bill. It takes the county share of the bridge tax and allows the city to use the tax to maintain bridges within the city limits and the remainder in repairing city streets. The last amount collected by the county from the city of Billings was \$131,000; the county spent \$15,000 in Billings. This is an attempt to rectify that which is an obvious injustice.

Proponents to speak were:

Ken Haag, PE, city engineer, city of Billings, said on this particular bill that it starts out the county does not have to maintain bridges; therefore, they don't need the funds. I would be more than willing to take over administration of the fund. Mr. Haag left a copy of his prepared testimony - exhibit 1.

Dan Mizner, representing the Montana League of Cities and Towns, supports this bill. This is the concept that is in HB 122 where cities and towns could opt out, and the funds would then be collected in the city. This takes away from counties and they wouldn't have responsibility in the cities. I call to your attention that there is some money to counties that can be used for roads under federal programs. The city has to put on a mill levy to take care of bridges.

Rod Wilson, Billings Chamber of Commerce, spoke in support.

Al Thelen, representing the city of Helena, said it is a matter of equity.

HOUSE BILL 704: continued

Opponents were:

Dean Zinnecker, representing the Montana Association of Counties, said you have a situation whereby the proponents could use the remainder of the money for city streets. They could use all the money for city streets as the bill is written. There is an option in House Bill 122 to be out by agreement only.

Cities do participate in the bridge tax to help the county, and this eliminates service duplication. 26 counties are at the maximum mill levy for the bridge fund. The Department of Community Affairs is initiating a bridge study on county roads to find out the condition of bridges. If the language on page 2, line 1, following "city" and on line 2 was deleted would not oppose the bill and if amended on page 1, lines 21, 22, 23.

John St. Jermain, Cascade County Commissioner, said this would take \$174,000 out of the bridge fund. If on page 2, line 1, leave two words out that don't go along with title of bill, he would not oppose.

Rod Johnson, representing Cascade County Transportation Committee, said we are opposed mainly because of our school bus situation. If we run out of money, the county couldn't take care of culverts, and that wouldn't be good. If you left off the last two sections would go with the bill.

Scott Lockwood, Lewis and Clark County, said he did not begrudge the cities, but Lewis & Clark County has thousands of miles of roads and many bridges. We have the full mill levy and could suffer a loss of 2/3. The road fund is at top mill levy now.

Representative Gunderson, self, said she is opposed to House Bill 704.

Representative Huenneckens in closing on House Bill 704 said something should be done about the present system, and he thought this bill does that.

HOUSE BILL 727:

Representative Vincent, sponsor, said he had this bill drafted, and he would merely like to place it before the committee. He doesn't know its relation to House Bill 122 and will give an idea of his intention. When a SID was created in Bozeman many people in the district and without were upset because they thought the project in Bozeman was going to be detrimental. This bill calls for a notice of a district, if created by the governing body, and to see if the people within the district want it or not. It has a provision for redress for people outside the SID. Some affect could be accrued to people outside the district, and they could by petition of 20% put it on a ballot. On line 24, page 3, there is a kind

HOUSE BILL 727; continued

of protection for people inside the district from the people outside approving it. He doesn't know if this addresses the problem, but it would involve both the people in and without. If this doesn't do what he wants, he would agree to another direction.

Proponents were:

R. A. Ellis, representing the Montana Volunteer Fireman's Association, spoke in support as written; it is much like a fire district. I think on page 2, line 5, paragraph B should be stricken. The mailing of notices has proven to be a problem for fire districts. If another method would be more economical it would be better.

Opponents were:

Dean Zinnecker, representing Montana Association of Counties, pointed out to the committee the mailing of notice does cost and an election is not cheap. I am not sure if the people outside of SID district should be allowed to participate.

Al Thelen, city of Helena, said both the existing law and the bill takes away the city's authority in that district. It would seem an election for each SID would be a cumbersome thing.

Ken Haag, city of Billings, is in opposition.

Representative Vincent made the closing statement. He thought from time to time the people would need a check from the governing body they elect to serve them. Mailing is most expensive; and with regard to an election it is cumbersome and costly. You will note the percentage could be adjusted.

The committee went into executive session to take action on the following bills:

HOUSE BILL 287:

Representative South moved that House Bill 287 DO PASS. Representative Pistoria made a substitute motion that House Bill 287 DO NOT PASS. Discussion by the committee. Vinger - what is the function of council. Gerke - merely takes place of advisory council that is under the governor's office and tries to set up a communication process. Ramirez - in section 7, on page 6, there are funds for matching funds. Gerke - if council is established it could apply for federal funds. Question on Representative Pistoria's substitute motion that House Bill 287 DO NOT PASS. Roll call vote was taken: 7 voted NO and 4 voted YES. Motion failed. Representatives Bertelsen, Colburn, Gould, Gunderson, Halvorson, Jensen, Stobie were not present. Question on Representative South's motion that House Bill 287 DO PASS. 7 voted YES and 4 voted NO. Motion carried. Representatives Pistoria, Ramirez, Roth, and Vinger voted NO.

HOUSE BILL 646:

Representative Palmer moved that HB 646 DO PASS. Question, motion carried. Representative Vinger voted NO.

HOUSE BILL 671:

Representative Gerke moved that HB 671 DO PASS. Question, motion carried with 6 voting YES. Representatives Roth, Ramirez, Vinger, Pistoria, and Hurwitz voted NO.

HOUSE BILL 675:

Representative O'Connell moved that HB 675 DO PASS. There was discussion by the committee. Question, motion carried.

HOUSE BILL 229:

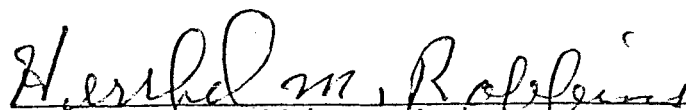
Chairman Robbins explained that this bill was transferred from another committee. The chairman of State Administration decided to bring back into this committee because of an effect it might have on HB 122 or HB 122 on it. It takes care of all employees for group insurance. All this does is put back into state law the health insurance for state employees and school districts. This bill excludes cities and counties, but they are in another bill. Representative Hurwitz moved that HB 299 DO PASS. Gerke - House Bill 122 repeals the section of law pertaining to employees as far as health insurance. This covers state and school districts and HB 122 covers local government. Ramirez - is there any way we can incorporate this in HB 122. Gerke - House Bill 122 does not deal with state employees. Question on Representative Hurwitz' motion that HB 229 DO PASS, motion carried. Representative Waldron voted NO.

HOUSE BILL 247:

Representative Gerke moved that HB 247 DO PASS. Representative Waldron moved to amend HB 247 on page 1, line 25, following: "census,", strike: "shall", insert: "may". Motion carried. Representative Palmer moved to adopt the proposed amendments - exhibit 2. Motion carried. Representative Gerke moved that HB 247 DO PASS AS AMENDED. Question, motion carried. Representative Roth voted NO.

The meeting adjourned at 9:35 AM.

Respectfully submitted,


Hershel M. Robbins, Chairman