

February 23, 1977

A meeting of the Local Government Committee was called to order by Chairman Robbins at 11:00 AM in Room 437. The secretary called roll: All members were present.

SENATE BILL 23: Senator Watt, chief sponsor, said this bill has to do with closing of streets, roads, and alleys. After this bill went through the Senate Local Government Committee and Judiciary Committee, they had struck everything after the enacting clause and inserted new Section 1. This is not originally what he wanted, but will agree to. You can now charge the petitioning property owner for the costs of discontinuation of streets, roads and alleys.

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

There were no opponents.

Senator Watt closed on Senate Bill 23.

SENATE BILL 91: Senator Lockrem, chief sponsor, said this is an act to amend Sections 6-501 and 82-1133, R.C.M. relating to bid security on public contracts. It was found that the bid security used by the Board of Examiners was not in compliance with the law. The Board of Examiners allowed for 10% of bid and this changes the law from 5% to 10%.

John W. Northey, attorney with the Legislative Auditor, said this is housekeeping legislation. A number of years ago the Board of Examiners required a 10% bid security, but the law stated 5%, so the present procedure is now in compliance. This also expands the type of security that could be used.

There were no opponents.

Senator Lockrem closed on Senate Bill 91.

SENATE BILL 116: Senator Flynn, sponsor, said this is a simple bill and how it came about is we have a new traffic route that goes across the edge of the city limits. It is zoned and is starting to sell. The problem is they want to hook onto city disposal system and to do that they have to petition out of rural fire district. This bill just simplifies the procedure for those people.

Proponents to speak were:

R. A. Ellis, representing the Montana Volunteer Firemen's Association, rose in support of Senate Bill 116.

Al Sampson, representing the Montana State Firefighter's Association, is in support.

Dave Fisher, representing the Montana Volunteer Firemen's Association, in support.

SENATE BILL 116; continued

Dan Mizner, representing the Montana League of Cities and Towns, supports this bill.

There were no opponents.

Senator Flynn closed on Senate Bill 116.

The committee went into executive session for the purpose of taking action on the following bills:

HOUSE BILL 433: Representative Palmer moved to DO PASS House Bill 433. Representative Ramirez made a substitute motion that House Bill 433 DO NOT PASS. Representative Colburn made a substitute motion to all motions pending that House Bill 433 BE TABLED. Representative Palmer said I have not decided if he would bring out on adverse committee report. Waldron - I have not voted to table a bill where the sponsor has not requested it. Colburn - the bill is complex - he would like to ask sponsor to propose some amendments. Palmer - I have not decided what to do and don't know if amendments would fix it up. He would like the prerogative to do some checking. South - would speak against the motion - he is not in favor of tabling so the sponsor could not do something with the bill. Question on the substitute motion to all motions pending to table. Roll call vote was taken, 17 voted NO and 1 voted YES. Motion failed. Representative Colburn voted YES. After discussion by committee, question was called on substitute motion that House Bill 433 DO NOT PASS. Roll call vote was taken: 16 voted YES and 2 voted NO. Representatives Palmer and Waldron voted NO. Motion carried.

HOUSE BILL 789: Representative Waldron said he didn't prepare any amendments. It is left up to local government to decide where areas need developing. There is a lot of area not being developed but should be. Representative Waldron made a motion that House Bill 789 DO PASS. Representative O'Connell made a substitute motion that House Bill 789 DO NOT PASS. Question, roll call vote was taken: 14 voted YES and 4 voted NO. Motion carried. Representatives Palmer, South, Waldron, and Robbins voted NO.

HOUSE BILL 294: Amendments to House Bill 294 (exhibit 1) were passed out to the committee. This is to amend the same as in House Bill 122.

SENATE BILL 23: Representative Gould moved that Senate Bill 23 DO PASS. Question, motion carried. Representative Ramirez voted NO. Representative Waldron is to carry Senate Bill 23 on the floor of the House.

SENATE BILL 91: Representative South moved that Senate Bill 91 DO PASS. Question, motion carried. Representative South will carry Senate Bill 91 on floor of House.

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SENATE BILL 116: Representative Gould moved that Senate Bill 116 DO PASS. Question, motion carried. Representative Gould will carry Senate Bill 116 on floor of House.

Chairman Robbins thanked the committee for their help and work they have done on House Bill 122.

The meeting adjourned at 11:45 AM.

Respectfully submitted,


HERSHEL M. ROBBINS, Chairman

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