

March 9, 1977

An executive session of the Local Government Committee was called to order by Chairman Robbins at 11:05 AM in Room 437. The secretary called roll; Representatives Colburn, Gould and Waldron were absent. All other members were present.

Representative O'Connell spoke to personal privilege on the appointing of the subcommittee to Senate Bill 232 and Senate Bill 349.

Chairman Robbins asked if the subcommittee was ready to report.

SENATE BILL 232: Representative Ramirez said the subcommittee would recommend that Senate Bill 232 DO NOT PASS. The reason why is basically there are three procedures under existing law. One we dealt with yesterday where annexation by resolution by city government, and, of course, that provided for 51% of freeholders could defeat the resolution. The first problem in Senate Bill 232 is that annexation can be initiated by resident freeholders by a petition of 33 1/3% of the resident freeholders and submitted to an election, not only in that area but also the city. What this bill would do is require a petition by 33 1/3% of freeholders whether living in the area or not. This makes it difficult on people who live there. The second problem is on page 3 and 4, the city then has to send notices to everyone by sending an absentee ballot to all freeholders whether living in the area or not. Vote is taken of all people in the city and people annexed and of those that are non-resident. I don't think it should be related to freeholders necessarily. The same is true on second part of the bill where 51% of the resident freeholders petition to come into city and then you have quite an involved procedure. If the people were willing to petition to come in, maybe we didn't have to go so far as to include non-resident freeholders. Halvorson - asked why would you feel any part is essential. Ramirez - said he doesn't, his preference and the subcommittees are to turn all the bill down and/or an alternative would be part 2 only. Representative Halvorson moved that Senate Bill 232 DO NOT PASS. Question, motion carried. Representative Waldron voted NO.

SENATE BILL 349: Representative Ramirez said there are two parts on how are you going to select the city judges under commission-manager form of government and what qualifications are you going to require. First, the subcommittee recommends leaving in present form insofar as the manner of selecting--non-partisan and four year terms. There are alternatives you can go back to the present way, and their recommendation is to leave as is. Gerke asked if that would be the only way the commission-manager form could get a judge. The answer was yes. The second part, the subcommittee recommends qualifications be set by ordinance. There are only five places that have that form of government and recommended amendment is - exhibit 1. Filling of vacancy was discussed, and it was recommended a provision to fill a vacancy be prepared by Larry Weinberg. Representative Hurwitz moved TO ADOPT recommendation by subcommittee and the amendment to

SENATE BILL 349: continued

fill a vacancy and that Senate Bill 349 DO PASS AS AMENDED. Representative Ramirez asked to pass Senate Bill 349 until Larry Weinberg returned.

SENATE BILL 240: Representative Stobie moved that Senate Bill 240 DO PASS. Representative Gerke said you already have this. Representative Stobie said on countywide basis, but not by district. Representative Waldron thought this should go into a sub-committee because of two laws on ambulance districts, and secondly, one other problem that individuals can exclude themselves in this bill. Hurwitz - they want better service and this would allow them. Stobie - they would have an ambulance based in remote areas so people in the outlying district could have on a voluntary basis. Question, on motion to DO PASS. Halvorson - you have to have people qualified to do this. O'Connell would agree the first moments are the most important; and you need the finest care and attendants are important. Roth - understand this is permissive, would we have to be qualified. Waldron - should look to be sure there are no problems. Representative Waldron made a substitute motion that Senate Bill 240 be placed in a sub-committee. Question, motion carried. Chairman Robbins appointed Representative Gunderson, Waldron and Stobie to be the sub-committee on Senate Bill 240.

SENATE BILL 198: The proposed amendments to Senate Bill 198 were read to the committee. Representative Halvorson moved TO ADOPT the amendments - exhibit 2. Representative Ramirez made a substitute motion to put in sub-committee. Question, motion carried. Chairman Robbins appointed Representatives Palmer, Ramirez, and O'Connell.

SENATE BILL 349: Mr. Weinberg reported back on how a vacancy would be filled and amendment is - exhibit 3. Representative Ramirez would like to amend in event of a vacancy. The vacancy would be filled by appointment by commission. Representative Hurwitz asked if you don't put in grandfather clause what will happen? Ramirez - this bill won't take effect until two years from now and in that time the commission would set qualifications by ordinance. O'Connell - thought should be an elected officer. Gerke - he is for elected officers, but he can see in his city it is not the most popular job and an election would not solve anything. Question, roll call vote was taken: 13 voted YES and 2 voted NO. Representative Colburn, Gould and South were absent. Motion carried. Those voting NO were: Representatives Gerke and Robbins.


HOUSE JOINT RESOLUTION 89: Representative Ramirez moved that House Joint Resolution 89 DO NOT PASS. Representative Waldron made a substitute motion that House Joint Resolution 89 DO PASS. All this does is recommend a study and don't see anything wrong to ask for a study to see if it is a feasible idea. Jensen - what would be the cost? Robbins - would be up to committee on priorities. Hurwitz - wasn't that asked for in last session

HOUSE JOINT RESOLUTION 89: continued

of legislature. Gerke - yes, but not this particular issue. Bertelsen - there are several unfortunate things with this bill, timing and abolishing. Hurwitz - this was an expression of frustration of one commissioner. Representative O'Connell made a substitute motion to all motions pending that House Joint Resolution 89 be held at a later date. Question, roll call vote was taken: 10 voted NO and 4 voted YES. Motion failed. Question on substitute motion that House Joint Resolution 89 DO PASS. Roll call vote was taken: 3 voted YES and 10 voted NO. Those voting YES were: Representatives Gerke, Palmer, and Waldron. Motion failed. Question on original motion that House Joint Resolution 89 DO NOT PASS; the roll call vote on the do pass motion was reversed: 10 voted YES and 3 voted NO. Motion carried. Those voting NO were: Representatives Gerke, Palmer, and Waldron. Representatives Colburn and South were absent.

The meeting adjourned at 12:10 PM.

Respectfully submitted,


HERSHEL M. ROBBINS, Chairman

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