

MINUTES OF THE MEETING
LOCAL GOVERNMENT COMMITTEE
MONTANA STATE SENATE

February 23, 1977

The meeting of the Local Government Committee was called to order by Chairman McCallum on February 13 at 9:37 A.M. in Room 410 of the State Capitol Building.

ROLL CALL: All members were present with the exception of Senator Peterson.

The following visitors were present: Dave Fisher, Montana Volunteer Firemen's Association; Ray Blehm, Montana State Firemen's Association; Harvey E. Lohr, Montana Volunteer Firemen's Association; Ed Johnston, Montana State Firemen; Glen Drake, League of Cities and Towns; Art Korn, Volunteer Firemen's Association; Al Sampson, Montana State Firemen's Association.

Senate Bill 164. Senator Lockrem moved Senate Bill 164 be give a "Do Pass" recommendation. There was no second to the motion. Senator Dunkle moved Senate Bill 164 be given a "Do Not Pass" recommendation. Senator Peterson seconded the motion. Motion carried with Senator Lockrem voting no.

CONSIDERATION OF HOUSE BILL 124: Representative Sivertsen, Sponsor of House Bill 124, gave a brief resume of the bill. Glen Drake, League of Cities and Towns, testified in support of House Bill 124.

Al Sampson, Montana State Firemen's Association, opposed the bill and proposed amendments (attached). Ray Blehm, Montana State Firemen's Association, opposed House Bill 124. Ray Fisher, Montana Volunteer Firemen's Association, stated he would like to amend the bill to exempt volunteer fire departments. Art Korn, Montana Volunteer Firemen's Association, opposed House Bill 124.

Senate Bill 175. Senator Lockrem moved to adopt Senator Dunkle's amendments to Senate Bill 175. Senator Dunkle seconded the motion. Senator Thiessen made a substitute motion to work with Dean Zinnecker's amendments. Senator Story seconded the motion. The Chairman called for a roll call vote. The motion carried. Senator Lockrem moved Senate Bill 175 be given a "Do Not Pass" recommendation. There was no second to the motion.

ADJOURN: The meeting adjourned at 11:05 A.M.


Senator George McCallum, Chairman

ROLL CALL

LOCAL GOVERNMENT COMMITTEE

45th LEGISLATIVE SESSION - - 1977

Date 2-23-77

[illegible]

SENATE

COMMITTEE

BILL HB 124

VISITORS' REGISTER

DATE 2/13/77

Please note bill no.

(check one)

NAME

REPRESENTING

BILL #

SUPPORT

OPPOSE

Sam Fisher

Montana Vol Firemen Ass

HB 124

Ray Blehm

Mont State Firemen Assoc

HB 124

Harry E. Zepher

Montana Vol Firemen Assn

HB 124

Ed. J. Byston

Montana State Fire

HB 124

Ed. D. Doh

League of Cities & Towns

HB 124

✓

ART KORN

VOL FIRE ASSOC

HB 124

AL Sampson

Mont St Fire Assn

HB 124

✓

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY

Amendment to H.B. 124

1. Amend page 2, section 4, line 6

Following: line 5

Insert: "(1) Any volunteer fire departments or fire districts that
have been in existence for a period of 10 years or more shall be
exempt from the provisions of this bill."

Renumber: All subsequent subsections.

SENATE COMMITTEE LOCAL GOVERNMENT

Date _____ Senate Bill No. 175 Time 10:40

NAME	YES	NO
George McCallum, Chairman	✓	
Robert Watt, Vice Chairman		✓
Pete Story	✓	
Frank Dunkle		✓
Lloyd Lockrem		✓
Bob Peterson		
Cornie Thiessen	✓	
Bill Thomas	✓	

Mary Miller
Secretary

George McCallum
Chairman

Motion: Work with Zannecker Amendments

(include enough information on motion--put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

February 23 19 77

MR. President

We, your committee on Local Government

having had under consideration Senate Bill No. 164

Respectfully report as follows: That Senate Bill No. 164

~~DO NOT PASS~~
DO NOT PASS

PA

2-23-77

Amendment to H.B. 124

1. Amend page 2, section 4, line 6

Following: line 5

Insert: "(1) Any volunteer fire departments or fire districts that
have been in existence for a period of 10 years or more shall be
exempt from the provisions of this bill."

Renumber: All subsequent subsections.

COMMENTS: _____

1
We agree with the concept of H.B. 124. We proposed an amendment in the house which was adopted. We then sent copies to our people and the reaction was very negative in its present form and is probably unworkable in its present form.

Pg I line 6 - (Pg 12 of yellow book)
11-1909. Repeals the act that authorizes cities + Towns of 1st Class to levy 2 mills for fire & Vd. Dept.

Pg. 4 - Sect 8 - Line 18 -

This apparently allows for volunteer fire fighters in 1st Class cities but does not set up mechanism for establishing pensions or monies for paying them pensions. Is the present pension system responsible for any new volunteers created.

Pg. 2. After line 10. We recommend..

new Sub (3).. Municipality of over 10,000 pop may not form volunteer fire companies. This is present law.
(11-1936 - Pg 25)

4
Pg 5 - Sect. 5. ^{line 12} - Change from 6 months to 1 year. probation. This will give 6 months more pension credit with out any resulting increase in payment to help defray the cost.

Pg. 7 - Sect 12 - line 2.

This does not require that a person come back to work in the fire service. he physically fit. Is he immediately eligible for a pension due to a non related injury or illness.

Pg 8 - Sect 17 - Line 10.

The rest of this act together with parts of the foregoing. replace most of the unincorporated volunteer fire fighters act. Yet we find no repealer or amendments. Does this mean that both acts are still under effect.

Pg. 15. There is no severability clause or savings clause.

Pg 15 - line 3. before Sect. 26. a new sect. 26.

32
This act shall be in full force and effect in all local governments including those with consolidated or self government powers.

It. This above recommendations were followed. This could be a good bill. It would seem that they have repeated too much of the 11-1900 series and forgot to Repeat any of the 11-2000 series.

This same subject matter is covered under H.B. 122. If the Senat Resolution prevails This will all be restudied over the next 2 years and legislation propose at the next session.