

JANUARY 9, 1979
PROCEEDINGS OF THE
LOCAL GOVERNMENT COMMITTEE
HOUSE OF REPRESENTATIVES
46th Session

The meeting was called to order at 1:30 pm. by Chairman Hershel M. Robbins. The secretary called the roll and found all members present.

Chairman Robbins then introduced members of the Legislative Council, Debbie Schmidt, who will be present on all subdivision bills and Scott Curey, Research Assistant, who will be present at all meetings. Chairman Robbins then briefly explained rules of the committee for the public.

HOUSE BILL 45: Representative Thomas R. Conroy, Sponsor was introduced. He gave a brief history of the bill and asked members to obtain a copy of the study on subdivisions entitled "Montana Subvision Laws, Problems & Projects". He stated the concern was with counties being able to issue revenue bonds for projects. Researcher Debbie Schmidt then spoke, stating she would be available and would work closely with the utility companies if there were any problems.

Chairman Robbins called for proponents. Cliff Christian of the Montana Association of Realtors spoke in favor, stating that at certain times subdividers run into problems and this would keep areas from going to septic tanks and wells as had happened in the valley, and that the property owners would eventually pay the costs.

Dean Zinnecker of the Mont. Assoc. of Counties stated they were in support, that this gives the same authority the county has always had. He offered amendments to the bill which are attached as Exhibit A. The amendments would be to delete the word corporate as this does not apply to counties.

Chairman Robbins then called for opponents. Dan Meisner of the Mont. League of Cities and Towns stated he was not really an opponent but wanted to offer some amendments that might put him in opposition. The amendments were to add "municipality" in several sections and are attached as exhibit "B".

Sponsor Conroy then gave closing remarks, stating he agreed with Mr. Christian, and also suggested holding the bill until the committee was comfortable with the wording. There were then questions from Representatives Waldron, Pistoria, Moore, Bertelsen and Hurwitz. There was some question regarding the provision of not having a vote of the public on revenue bonds.

Chairman Robbins then appointed a Sub-Committee, requesting Debbie Schmidt to work with them on this bill. Committee will be Daniel Kemmis, Chairman, Eurt Hurwitz and Arlyne Reichert.

HOUSE BILL 47: Chairman Robbins introduced Sponsor Rep. Art Sheldon who was chairman of the interim committee on subdivision laws, and asked members to also find time to read the report referred to earlier by Rep. Conroy. He explained there had been two members each from the House and Judiciary Committee that had spent considerable time on the bill, and public meetings had been held around the state. The bill would allow for the highway department to straighten out tracts of land left over from acquired right-of-way and resell this back to the owners without an additional survey.

There was a short discussion, Mr. Jim Richards stated that it would not change the original authorization or intent. Mr. Cliff Christian of the Mont. Assoc. of Counties stated they were in favor. Mr. H. S. Hansen stated the County Commissioners were in support.

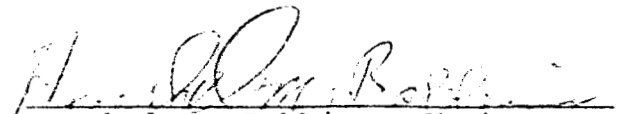
There were no opponents. There were then announcements of meetings of the Senate Local Government and Taxation committees to be held on Saturday, Jan. 13 at 8am.


The committee then went into Executive Session and it was moved by Representative Moore that House Bill 47 Do Pass. Vote was called and the motion carried unanimously.

SENATE BILL 66: Senator George McCallum gave a history of the bill, stating it was for protection of schools issuing bonds this year, that the bill had been automatic each year. Explanation was given that several schools had held bond elections and that the Attorney General ruled everything had been done legal, however bonding companies were holding approval until the bill was passed. They had been given until January 15th, and then would have to hold another bond election. Scott Curey explained that the application of the bond validating act would extend to bonds issued in proceedings taken prior to the date.

The committee then went into Executive Session. It was moved by Representative Hurwitz, second by Representative Gould that Senate Bill 66 Do Pass. Vote was called and the bill passed unanimously.

There being no further business the meeting was duly adjourned at 2:35 pm.


Hershel M. Robbins, Chairman
Local Government Committee, House


Patricia A. Hatfield
Comm. Sec.