

January 12, 1979

The House Natural Resources Committee convened with Chairman Shelden presiding in Room 3 of the Capital Annex at 1:30 p.m., Friday, January 12, 1979. Sixteen members were present (absent were Representatives Nathe and Scully and excused was Rep. Burnett).

Chairman Shelden asked Vice-Chairman Hal Harper to take the chair as he is the chief sponsor of the bill to be heard.

HB 44

REP. SHELLEN, the chief sponsor, said this bill is a housekeeping one for SB 401 of the last session. He said it amends parts 1 and 3 of Chapter 60, and would provide the mechanism for the counties to establish building codes. He said the bill was at the request of the interim subcommittee on subdivision laws and was researched by our researcher, Debbie Schmidt.

MICHAEL STEPHEN, Montana Association of Counties, was the next proponent speaker. He stated they were a proponent of this bill and they were pleased that the word "county" appears as many times as it does. He said they had two amendments to offer: 1) page 3, line 5, following "request" to insert "and with the approval of the county governing body;" and 2) page 7, following line 2, add a new subsection "(g) units of local government may enter into interlocal agreements to accomplish the purposes of this section."

JIM KEMBEL, Building Codes Division, Department of Administration, spoke in support of the legislation. He said the counties presently have the power of inspection and the proposed bill merely clarifies the law. He said Attorney General's Opinion No. 66, Vol. No. 37 verifies the county's right to inspect.

DAVID G. GOSS, representing the City of Billings, spoke next in support. He said they have no problem with the bill and support it as drafted by the interim committee. He said it is important to his city that they have the authority within the four and a half mile radius around the city as this provides them an opportunity to do proper planning in an area that will probably be annexed by the city. A copy of his comments is exhibit 1.

There were no opponents.

Rep. Shelden closed by saying again that the bill is just a house-keeping one.

Allen R. Williams, Montana AFL-CIO, signed as favoring the bill.

During discussion Rep. Fagg questioned the amendments suggested by the Montana Association of Counties. He questioned if these amendments would prevent the cities from maintaining their four and a

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half mile jurisdictional area around the periphery of their cities. He felt they were not good amendments. Rep. Huannekens also felt the amendments would make a major change in the intent of the bill.

Acting-Chairman Harper closed the hearing on the bill and turned the chair back over to Chairman Shelden.

Chairman Shelden said the committee would meet on Monday at the regular time to take executive action on the bill.

Rep. Cooney moved the meeting adjourn. Meeting adjourned at 1:50 p.m.

Respectfully submitted,

  
ARTHUR H. SHELDEN, Chairman

Emelia Satre, Secretary