

PROCEEDINGS OF THE
LOCAL GOVERNMENT COMMITTEE
HOUSE OF REPRESENTATIVES
January 29, 1979

The meeting was called to order at 5:25 pm by Chairman Robbins. The secretary called the roll and found a quorum of members present. Chairman Robbins then announced the purpose of the meeting was to hold executive session on several bills.

HOUSE BILL 156: Representative Kemmis moved that HB 156 Do Pass. There was then a short discussion on filing fees not being the same for all offices and this would make that change. Question was called and all voted "aye" except Representatives Sales and South who were absent.

HOUSE BILL 114: It was moved by Rep. McBride that HB 114 Do Pass. It was noted there is no problem here, but this was to prevent zoning against children by local governments in the future as is being done in some areas. Question was called, all voted "aye" except Representatives Bertelsen, Vinger, Robbins and Pistoria who voted "no", Sales and South were absent. Motion carried that HB 114 do pass.

HOUSE BILL 139: Representative Pistoria moved that HB 139 do pass, stating he was representing the people and local governments had not been doing that when out of 4072 signatures they had voted against the people. It was then moved as a substitute motion by Rep. Kessler that HB 139 do not pass. He then stated he felt the decisions should be left to the local governing bodies. Rep. Azzara stated that the cities do have the right to adopt by ordinance what Rep. Pistoria wants in this bill. Rep. Gould then called for question. Vote was called with 11 voting yes, 4 voting no and 2 absent. Vote was recorded and HB 139 was given Do Not Pass.

HOUSE BILL 163: It was moved by Rep. Kemmis that HB 163 do pass. Question was called, vote was 14 yes, 1 no, 2 absent, motion carried that HB 163 do pass.

HOUSE BILL 198: Rep. Pistoria moved that HB 198 do pass. Rep. Kessler made a substitute motion that HB 198 do not pass. Vote was called with 9 voting no, 6 yes, motion carried that HB 198 do not pass.

HOUSE BILL 155: Representative Moore stated he would like to propose some amendments, and to insert "requiring that the appropriations would be from the general fund. Then after appropriations on line 7 insert requiring any further appropriations for the fund would be from the general fund. On page 1, line 16, following deficit strike line 16 and 17 and insert "shall be allocated to local governments according to the following stipulations: 1. counties shall receive

45% of the funds to be distributed among counties as provided in 15-70-101(2)(a). 2. municipalities shall receive 55% of the funds to be distributed among cities and towns as provided in 15-70-101(2)(a). 3. the legislature may appropriate money for the purpose of providing aid to public transportation systems operating at a deficit from the general fund only. Renumber subsequent sections. Rep. Moore moved the amendments. Rep. Pistoria stated this would take money away from the larger cities such as Great Falls and Billings. Rep. Moore then explained that in 1975 there was a 3/4 cent gasoline tax that was to go for this purpose and this would be putting it back where it belonged. Rep. Moore then gave amounts of operating costs for various cities and the amounts of deficits they had and amounts funded. Some of those are for 1976; Billings, \$261,291 operating, \$54,225 funded; Helena, \$49,808 operating, \$20,775 funded, Billings, \$286,349 operating, \$56,250 funded, Butte, \$18,104 operating, \$3,000 reimbursed deficit. The 1977 amounts were Billings, \$360,469 operating, \$47,250 funded, Helena, \$55,057 operating, \$4,500 funded, Butte, \$43,750 operating, \$4,500 funded, Missoula \$175,000 operating, \$18,750 funded. Total expenditures for the highway department were \$220,300,000 for 76, 77 and 78.

Discussion continued with members inquiring as to whether the funds would be harder for the cities to get if they were placed in general fund. Motion was then made by Rep. Kemmis to pass HB 155 for the day, motion failed 6 to 9 and discussion continued. Rep. Moore then asked to have action delayed until the amendments were completed. There was further discussion and Rep. Kemmis moved do pass on the amendments. Some members then stated they were quite happy with using the funds from the highway department. It was then stated vote should be called on the bill or the amendments. Motion was then withdrawn on the amendments. It was then moved by Rep. Kessler that HB 155 do not pass. Rep. Gould then asked to extend courtesy of moving to the end of the calendar, motion was withdrawn and it was moved to move HB 155 to the end of the calendar, motion carried.

HOUSE BILL 125: Representative Reichert moved that HB 125 do pass. It was noted by Rep. Moore that this bill does not appropriate any money, but sets up the framework for the revenue sharing system. Question was called and motion passed that HB 125 do pass, with Representatives Donaldson, Pistoria and Hurwitz voting no.

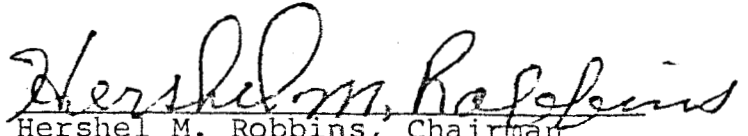
HOUSE BILL 199: Representative Pistoria stated he felt this had been well explained in committee and felt it should be like the representatives living and running from districts for counties. He then read a letter in support. Several members of the committee agreed, including Rep. Gould, Vinger and Oberg. Rep. Pistoria then moved that HB 199

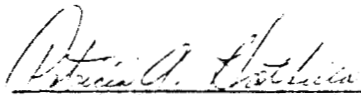
do pass. Question was called with 9 voting no, 4 yes, 1 abstained and 2 absent. Vote was reversed and HB 199 carried do not pass.

It was then moved by Representative Moore to table HB 155, with members then discussing whether it would take 2/3 or a majority to bring the bill back. Vote was called and motion carried to table HB 155.

Chairman Robbins then announced hearings for 12:30 Wed. Jan. 30, Wednesday at 5:00 pm, Thursday at 12:30 , Friday at 5:00 pm and Saturday, Feb. 3 at 12:30pm.

There being no further business the meeting was duly adjourned at 6:30 p.m. A subcommittee meeting was called for 7:00 pm. for HB 46.


Hershel M. Robbins, Chairman
LOCAL GOVERNMENT COMMITTEE


Patricia A. Hatfield
Committee Secretary