

PROCEEDINGS OF  
LOCAL GOVERNMENT COMMITTEE  
February 2, 1979  
6:00 pm

The committee met for the purpose of taking executive action on pending bills. Chairman Robbins called the meeting to order at 6:00 pm and roll was called by the secretary. All members were present except Rep. Hurwitz who was excused and who had left his vote on bills.

HOUSE BILL 193: It was moved by Rep. Oberg that HB 193 do pass. Representative Moore introduced a substitute motion that HB 193 do not pass. He stated he felt it was the prerogative of the individual to put their party affiliation on literature. Rep. Oberg objected, stating we do require the treasurer and printing firm. Question was then called on the substitute motion that HB 193 do not pass. Vote was called, 5 voting yes, 11 no, one abstained. It was then moved that HB 193 do pass, the vote was reversed with 11 voting yes, 5 no, one abstaining and motion carried, that House Bill 193 do pass.

HOUSE BILL 244: It was moved by Representative Moore that HB 244 do pass. Rep. Sales moved the amendments. Chairman Robbins asked the secretary to read the amendments. Proposed amendments as submitted by Mr. Gannon, Shanahan and Smith were read. It was moved several times that HB 244 as amended do pass. Members did not come to agreement on the amendments and it was moved to pass for the day on HB 244. All voted "aye". Amendments will be considered later.

HOUSE BILL 249: Representative Pistoria stated he thought this bill wouldn't come up for executive session later and he wanted to submit amendments. It was then moved by Rep. Sales that HB 249 do not pass. Substitute motion was entered by Pistoria that HB 249 be passed for the day, vote was called and all voted "aye".

HOUSE BILL 268: It was moved by Representative Oberg that HB 268 do pass. There was no further discussion. Roll was called with 10 voting yes, 7 voting no, motion carried and House Bill 268 was given do pass.

HOUSE BILL 276: It was moved by Representative Moore that HB 276 do pass. It was noted this bill deletes several areas of the present law, that officers in cities cannot receive additional compensation during their term. Vote was called, all voted "aye" that HB 276 do pass.


HOUSE BILL 288: Representative Donaldson stated he would like to move the proposed amendment, page 2, line 5, following "Montana" insert: "except on bonds sold on or before July 1, 1979", and the correction amendments the City of Helena asked, page 3, line 5, following "payable", strike: "annually", insert: "semiannually" and page 3, line 24, following "year,", insert: "and on the first day of \_\_\_ in each year,". It was then moved by Rep. Donaldson that HB 288 do pass as amended, all voted "aye".

HOUSE BILL 320: It was stated there was to be some further research on amendments, it was moved to pass this bill for the day, all voted "aye".

HOUSE BILL 327: It was moved by Representative Moore that HB 327 do pass. There was short discussion that the Dept. of Revenue had not attended the meeting and evidently felt the amount was minimal and would not affect their budget. Vote was called on the motion that HB 327 do pass and all voted "aye".

HOUSE BILL 274: Representative Kessler offered the proposed amendment on page 1, line 24, following: "sign" to strike: "a consent to annexation" and insert: "an agreement to require a consent to annexation upon utilizing the service". Rep. Robbins inquired if this would solve the problems of the people in the heights in Billings that now have water and sewer, and would they be annexed without saying anything about it. Rep. Kessler stated the amendment would apply to those that are connected. Rep. Robbins stated this would mean they couldn't protest annexation. Representative Gould stated he had gone to the legislative council and asked for a resolution for an interim study of the house and senate on local government conditions on annexation laws, that would be legally acceptable and workable. He felt this bill and others should be killed until that time. Representative Kessler then moved HB 274 do pass as amended. Representative Moore then moved that HB 274 do not pass as a substitute motion, stating we have no right to take away the right of people to protest annexation. There were questions from the committee as to how long the situation had existed with people having city service and not being annexed, it was stated probably 15 to 20 years. Question was called on the substitute motion that HB 274 do not pass. Roll was called and 11 voted yes, 5 voted no, motion carried that HB 274 do not pass.

The meeting was then duly adjourned at 7:00 p.m.

  
HERSHEL M. ROBBINS, Chairman  
LOCAL GOVERNMENT COMMITTEE

  
Patricia A. Hatfield, Sec.