

FEBRUARY 20, 1979
PROCEEDINGS OF THE
LOCAL GOVERNMENT COMMITTEE
HOUSE OF REPRESENTATIVES

The meeting was called to order at 12:30 p.m. by Chairman Hershel Robbins. The secretary called the roll and found all members present except Representative Sales. Representative Sales had also left a proxy for an executive session that would take place.

The purpose of the meeting was to conduct hearings and possible executive session.

HOUSE BILL 644: This bill was presented by Representative Stobie, of Thompson Falls. He very briefly stated this would allow for setting of county surveyors fees by resolution. He stated he didn't think there had been a change for a long time.

There were no proponents or opponents present. Hearing was then closed on House Bill 644.

HOUSE BILL 710: This bill was presented by Representative Ellison, District 73. Representative Ellison stated this would affect Section 7-13-231 and would authorize counties to set up and maintain refuse disposal districts and allow them to charge fees for the same. He stated if a person didn't use the service, they would still have to pay, as it would put on the tax bill. This would also allow for fees to go into operating the landfill.

Chairman Robbins then called for proponents.

Bill Romine, representing the Montana Solid Waste Contractors, spoke in support. He stated in addition to operation of the landfill, this would relieve people from paying a service charge for taking things to the landfill.

Opponents were then called for.

John Palagi, from Great Falls, private contractor, spoke in opposition, stating he also has to use the county landfill sites.

There were other opponents, also from Great Falls, stating they did not feel this would be a justified type of bill.

Louis Breeden, Flathead County Disposal Director, stated he was also opposed to the bill. He stated services would have to be provided for about 3 cents a day and this would be very costly for the few numbers of people serviced.

House Bill 710 (continued)

Art Woods also spoke in opposition. He stated that according to the bill people in the district could petition out and could then go to a private owner for hauling of refuse. This would leave the district without many people belonging and it would automatically be operating at a deficit.

Other opponents were Ralph Hahn, Helena valley landfill district. He stated he didn't have any problem now, but there could be problems in the future and he was in opposition.

Jack Anderson, of the State Department of Health and Environmental Services, stated that the law now allows for special circumstances, and those with special circumstances could take their cases to the Board.

Jimmy Knight, from Broadwater County, stated he was the County Sanitarian, and that their county has tried to look at all areas of enforcement and exceptions. He stated this bill would have a definite impact and he was opposed.

Dean Zennicker, from the Montana Association of Counties, also spoke in opposition.

There were other opponents present who did not testify. There were then a few questions from committee members. Hearing was then closed on House Bill 710.

HOUSE BILL 616: Representative Darryl Meyer presented the bill. He stated this would allow provision for counties to lease equipment without competitive bids. He stated the bill was fairly self-explanatory.

There were no proponents or opponents present. Hearing was then closed on House Bill 616.

HOUSE BILL 494: This bill was presented by Representative Dennis Nathe, District 1. Representative Nathe introduced Doug Olson, attorney for the Department of Health. A prepared statement was given to committee members and it is attached as testimony. This would allow the State Department of Health to be set up as administrator for this bill. Included would be standards set up by the EPA for water quality. The bill would prevent use by 1981 of water that would exceed present levels.

Also present was Art Clarkson from the Water Quality Department, in the event there was any question.

Committee members did not have any questions and hearing was then closed on House Bill 494.

HOUSE JOINT RESOLUTION 14, presented by Orren Vinger, District 3. Representative Vinger stated this would allow for payment in lieu of taxes on lands controlled by the BIA, Bureau of Indian Affairs. He stated there was a considerable amount of acres in the state and this would give these lands considerable assistance.

Bill Bigspring, County Commissioner, stated they have approximately 1,896,000 acres that would be affected. They stated this would be of considerable assistance to them in dealing with the county putting roads and also use of highway 2 running through their property. He stated he felt the federal government was responsible for the areas in lieu of taxes.

Dan Mizner, representing the League of Cities and Towns, also spoke on behalf of the 17 towns that have Indian lands, stating this would give them considerable assistance.

There were no further proponents present. There were no opponents present.

Representative Vinger then gave brief closing remarks.

There was then discussion by committee members. This included the fact that on these Indian lands controlled strictly by the federal government that they are tax exempt.

Hearing was then closed on the House Joint Resolution 14.

The committee then went into Executive Session.

Representative Gould moved that House Joint Resolution 14 be adopted. Vote was called. All present voted "aye." Motion carried that House Joint Resolution 14 be adopted.

HOUSE BILL 494: Representative Gould moved that House Bill 494 do pass. All voted "aye" except Representative Pistoria. The vote was 16-1. House Bill 494 was given a do pass recommendation.

HOUSE BILL 616: Representative Hurwitz moved do pass on House Bill 616. Question was called. All voted "aye." The vote was unanimous. Motion carried that House Bill 616 do pass.

HOUSE BILL 644: Representative Bertelsen moved do pass on House Bill 644. All voted "aye" and motion carried unanimously that House Bill 644 do pass.

HOUSE BILL 710: Representative Pistoria moved do not pass. Representative Gould inquired as to what was the matter with this bill. Representative Pistoria stated there would be a lack of supervision. Representative Gould then stated he would abstain from voting. Question was called. All


House Bill 710 (continued)

voted "aye" with Representative Gould abstaining. Representative Sales voted no, Representative Vinger voted no. Motion carried that House Bill 710 do not pass, 13-3, one abstention.

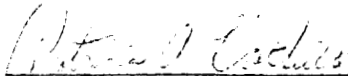
HOUSE BILL 320: There was discussion by committee members as to the amendment. It was stated this could be amended on the floor. Representative Gould then moved that the committee pass House Bill 320 with no recommendation from the committee. Vote was called on the motion. All voted "aye" that House Bill 320 be passed back to the House with no recommendation.

HOUSE BILL 249: Moved a substitute bill on House Bill 249. Representative Reichert then made a substitute motion that House Bill 249 do pass. There was then discussion by the committee. Vote was called, 5 voting yes, 11 voting no. Vote was then reversed. House Bill 249 was given a do not pass, 11-5.

Chairman Robbins announced that Senate bills would be scheduled for the next week beginning on Thursday. There being no further business to come before the committee, the meeting was duly adjourned at 1:40 p.m.



Hershel M. Robbins, Chairman
Local Government Committee, House



Patricia Hatfield
Secretary