

MARCH 1, 1979  
PROCEEDINGS OF THE  
LOCAL GOVERNMENT COMMITTEE  
HOUSE OF REPRESENTATIVES  
46th Session

A meeting of the Local Government Committee of the House of Representatives was called to order on March 1, 1979, and 12:30 p.m., by Vice Chairman Arlyne Reichert in the absence of Chairman Hershel Robbins. The secretary called the roll and found a majority of members present. Those absent were Representatives Gould, Kemmis, Moore, Sales, South, Waldren and Robbins.

SENATE BILL 257: The bill was introduced by Senator Thiessen, District 27. Senator Thiessen stated that in eastern Montana counties are having a problem with having enough road taxes. The counties do have oil property, some have oil wells and some have oil leases. The bill would allow these funds to go into the general fund of these counties. They currently have no way of getting these funds allotted toward the road funds. This bill would allow them to divert 50% of the oil tax money to the road fund. He felt this would help take care of their problems.

Proponents were then called for.

Dean Zennicker, of the Montana Association of Counties, stated they were in favor and felt this would be very helpful to the counties.

There were no opponents present.

There were then a few short questions from committee members.

The committee then agreed to take executive action at this time since there were no opponents.

It was then moved by Representative Hurwitz that Senate Bill 257 be concurred in. It was seconded by Representative Oberg. Question was called and all voted "aye." The motion carried.

SENATE BILL 237: The bill was introduced by Senator Van Valkenburg. He stated the bill requests that the state pay the entire cost of construction of highways in areas that go through city limits. They would also be responsible for maintenance of streets in these areas; however, they would not have maintenance of the sidewalks. He stated fiscal impact would be \$45,000. The cities currently pay one-half the cost of the curbing of these streets. He stated he had talked with highway officials and they had

## Senate Bill 237 (continued)

given him the figure on the fiscal impact.

Proponents were then called.

Jim Beck, from the Department of Highways, stated he would ask for an amendment to reduce the impact on the maintenance of the sidewalks. However, he was in support of the bill.

Tom Crowley, City Manager of Missoula, stated he felt this would be of great assistance to the cities.

Dave Goss of Helena, also spoke in favor. He stated comments were not needed.

Dan Mizner, representing the League of Cities and Towns, also spoke and recommended that committee do pass.

There were then a few comments from committee members, a short discussion and it was moved by Representative Donaldson that Senate Bill 237 be concurred in. Question was called. All voted "aye." The motion carried.

Senator VanValkenburg then stated that he would get someone to carry the bill on the House floor.

SENATE BILL 264: The bill was to have been presented by Senator Boylan. In his absence Senator VanValkenburg agreed to present the bill. It dealt with licensing with dogs in county areas.

Proponents were then called.

Harold Hanson, County Attorney, stated that he would suggest an amendment which would give a definition of vicious dogs. He felt that this might be a hard area to define; however, perhaps the committee should look at it. He stated the county has authority to do licensing of dogs according to the bill.

Dick Shaffer, County Sheriff, stated he was in favor of the bill, that they have no way at the present time to control dogs and he has had cases filed of bodily injury due to vicious dogs.

Dean Zennicker, from the Montana Association of Counties, also spoke in support. He stated this was particularly needed in the new subdivision areas where there is no annexation and no city control, with licensing by the counties people would have better control of dogs.

There were then questions by committee members. During this time it was pointed out that there would be procedure for counties to set up ordinances under this bill.

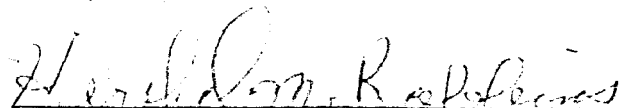
## Senate Bill 264 (continued)

Representative Kessler then suggested an amendment on page 2, line 2, defining "vicious"; also, on line 7 in section 3 for the purposes of this section a vicious dog is defined as "one which bites, or attacks, or attempts to bite any human without provocation, and which attacks or attempts to bite any other animal." He then moved this amendment. Representative Gould seconded the amendment. Vote was called on the amendment. All voted "aye."

Representative Kessler then moved Senate Bill 264 be concurred in as amended. Vote was called. All voted "aye."

It was then announced that the committee meet on Saturday, March 3, and again on Tuesday, March 6. It was stated there were 16 bills to be heard on Tuesday. It was then announced that the Senate bills were to be heard by the 70th day and the House had been asked to have them out of committee by the 62nd day. It was also announced that the Local Government Committee had been asked to move out of the Capitol Annex building by March 15. It was hoped, also, that after that date there would be no further committee meetings.

There being no further business, the meeting was duly adjourned at 1:10 p.m.

  
HERSHEL M. ROBBINS, CHAIRMAN  
LOCAL GOVERNMENT COMMITTEE

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Patricia Hatfield  
Secretary