

MINUTES OF THE MEETING  
LOCAL GOVERNMENT COMMITTEE  
MONTANA STATE SENATE

January 9, 1979

The meeting of the Local Government Committee was called to order by Chairman, George McCallum, on January 9, 1979, at 1:30 p.m. in Room 405 of the State Capitol Building.

ROLL CALL: All member were present with the exception of Senator Story who was excused. However, he arrived shortly after the start of the meeting.

The following visitors testified: Don Dooley from the Department of Community Affairs, and Mike McGrath from the Attorney General's Office. Other visitors were present. See Attachment.

CONSIDERATION OF SENATE BILL #49: Senator Peterson of Senate District 42, sponsor of Senate Bill #49, gave a brief resume of the bill. This bill is an act to revise the law pertaining to the investment of Fire Department Relief Association pension funds in municipalities other than first and second class cities.

Don Dooley from the Department of Community Affairs spoke in favor of the bill. He stated that the bill would make reporting more operable.

A motion was made by Senator Peterson moving that Senate Bill #49 be given a "DO PASS" recommendation, seconded by Senator Conover. Motion carried unanimously.

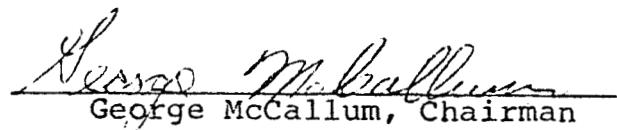
CONSIDERATION OF SENATE BILL #34: Senator Thomas of Senate District 20, sponsor of Senate Bill #34, gave a brief resume of the bill. This bill is an act to revise the statutes prescribing qualifications for municipalities commissioners, mayor and alderman by deleting freeholder requirements. He then introduced Mike McGrath of the Attorney General's Office who spoke in favor of the bill. He stated that as the law now reads it is unconstitutional, and his office has been asked for opinions as far back as 1977, regarding this matter. Some city clerks are requiring people to own land in order to file for office, because of the present statutes. It is an unconstitutional practice and this bill would take care of the problem.

A motion was made by Senator Watt moving that Senate Bill #34 be given a "DO PASS" recommendation, seconded by Senator Conover. Motion carried unanimously.

Senator Watt spoke on Senate Bill #14 which will be heard on January 13, 1979 in Room 405. He stated that Senate Bill #14 is part of House Bill #122 which was introduced in the House last session, however, the Senate did not even really consider the bill. He explained why he is a co-sponsor of the bill. Many cities and counties are having real problems. Senator McCallum reviewed the history of HB 122. An interim committee has been studying this bill. Senator Watt presented an outline of SB 14.

Senator Lockrem asked Senator Story, if the county and city portions of the bill are integrated. Senator Story, replied, "Yes". Larry Weinburg, staff attorney for the Legislative Council will review the recodification of local government bills at the meeting on Thursday, January 11, 1979.

ADJOURN: The meeting was adjourn at 2:20 p.m. with the next meeting to be held on Thursday, January 11, 1979 at 1:30 in Room 405 to consider Senate Bill 47.



George McCallum  
George McCallum, Chairman

## ROLL CALL

## LOCAL GOVERNMENT COMMITTEE

46th LEGISLATIVE SESSION - 1979

Each Day Attach to Minutes.

SENATE COMMITTEE LOCAL GOVERNMENT

Date JANUARY SENATE Bill No. 34 Time 2:00

John S. Crowley  
Secretary

Mr. Callinan  
Chairman

**Motion:** DO PASS motion was made by Senator Robert D. Watt

(include enough information on motion--put with yellow copy of committee report.)

SENATE COMMITTEE LOCAL GOVERNMENTDate JANUARY SENATE Bill No. 49 Time 1:45

NAME	YES	NO
<u>GEORGE MCCALLUM, CHAIRMAN</u>	✓	
<u>LLOYD LOCKREM, VICE CHAIRMAN</u>	✓	
<u>MAX CONOVER</u>	✓	
<u>JESSE A. O'HARA</u>	✓	
<u>BOB PETERSON</u>	✓	
<u>A. T. (TOM) RASMUSSEN</u>	✓	
<u>PETE STORY</u>	✓	
<u>BILL THOMAS</u>	✓	
<u>ROBERT D. WATT</u>	✓	

Clarie Grawley  
SecretaryMcCallum  
ChairmanMotion: DO PASS motion was made by Senator Bob Peterson

(include enough information on motion--put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

.....JANUARY 9.....1979.....

MR. ....**PRESIDENT**.....

We, your committee on .....**LOCAL GOVERNMENT**.....

having had under consideration .....**SENATE**..... Bill No. ....**34**....

Respectfully report as follows: That.....**SENATE**..... Bill No. ....**34**.....

DO PASS

STANDING COMMITTEE REPORT

JANUARY 9

1979

MR. PRESIDENT

We, your committee on LOCAL GOVERNMENT

having had under consideration SENATE Bill No. 49

Respectfully report as follows: That SENATE Bill No. 49

DO PASS

STATE PUB. CO.  
Helena, Mont.

*HC.*

Chairman.

SENATE

## COMMITTEE

**BILL**

VISITORS' REGISTER

DATE

Please note bill no.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY

NAME: MIKE M'GRATH DATE: 1/9/79

ADDRESS: OFFICE OF ATTY GEN

PHONE: 419-2226

REPRESENTING WHOM? ATTY GEN

APPEARING ON WHICH PROPOSAL: SB 34

DO YOU: SUPPORT? X AMEND? \_\_\_\_\_ OPPOSE? \_\_\_\_\_

COMMENTS: \_\_\_\_\_

NAME: Don Doolen DATE: 1/9/19

ADDRESS: 1400 11<sup>th</sup>

PHONE: 449-3010

REPRESENTING WHOM? Dept Community Affairs

APPEARING ON WHICH PROPOSAL: 50-49

DO YOU: SUPPORT? ✓ AMEND? OPPOSE?

**COMMENTS:** \_\_\_\_\_