# MINUTES OF THE MEETING LOCAL GOVERNMENT COMMITTEE MONTANA STATE SENATE

March 15, 1979

The minutes of the Local Government Committee was called to order by Chairman McCallum at 12:30 on Thursday, March 15, in Room 405 of the State Capitol Building.

ROLL CALL: All members were present.

Dennis Taylor, staff researcher, was also present.

Many visitors were in attendance. (See attachment.)

CONSIDERATION OF HOUSE BILL 381: Representative Gene Donaldson, of District 29, presented a brief resume on HB 381 in the absence of Representative Kessler, sponsor of the bill. This bill is an act to amend Section 7-2-4736, MCA, relating to garbage and solid waste service in the event of annexation. This bill is a companion bill to HB 707.

Bill Romine, representing Montana Solid Waste Contractors Association, stated his support of HB 381. Under present law, if an area is annexed by a city, the private garbage collector servicing the area continues his service for three years. This amount of time does not give the private collector time to depreciate his equipment. Mr. Romine offered a written statement. (See attachment.)

Lester Foley, of Billings, stood in support of the bill. He stated that the investment of new equipment is quite large and this would give time to depreciate out the equipment.

John Palagz, of Green's Disposal of Great Falls, stood in support of the bill.

With no further proponents, Chairman McCallum called on the opponents.

Larry Grahl, representing the City of Billings, stood in support of the bill as it is presently worded. Mr. Gohl offered an amendment which, if accepted, the City of Billings would support the bill.

David Hunter, representing the City of Helena, said the people who handle solid waste and garbage last legislative session asked for three years and now they are back asking for two more years. It is getting tougher and tougher to annex. Mr. Hunter stated that he had no objections to the proposed amendments.

There were no further opponents. Therefore, Representative Donaldson made the closing remarks. He stated that he resists the amendments. Some sort of protection and security is needed.

LOCAL GOVERNMEN'T COMMITTEE MARCH 15, 1979

The meeting was opened to a question and answer period from the Committee. Discussion was held.

CONSIDERATION OF HOUSE BILL 382: In the absence of Representative Red Menahan, of District 90, sponsor of HB 382, Bill O'Leary gave a brief resume. This bill is an act to allow a private fire protection company to continue to provide fire protection services to an area that has been annexed or incorporated by a municipality for 3 years following annexation; providing requirements for purchase of the business of such company by the municipality. The purpose of this bill is to allow fire protection companies to provide protection for 3 years to an area that There seems to be quite a problem at Billings. is annexed. O'Leary stated that this does not provide protection but does provide service for the people. This would allow O'Donnell's Fire Service to provide service to an area for 3 years to offset the costs. Mr. O'Leary asked the Committee for support on this bill.

There were no proponents to the bill. Chairman McCallum then called on the opponents.

Ray Blehm, representing the Montana State Firemen's Association, stated that HB 382 prohibits the city from providing fire protection within its own boundaries while at the same time, the city is required to be able to provide fire protection before it can annex. This law would provide a windfall profit to a private company if the city bought out the protection at the same time prohibit the city from taxing for the three year period. (See attachment.)

Larry Grahl, representing the City of Billings, stated they are against HB 382 as special interest legislation which would deny residents of newly annexed areas equal protection under the law, place the property of some of these residents in jeopardy from fire and open the door to numerous and costly lawsuits being filed against the city.

David Hunter, representing the City of Helena, stated that Helena does not have private service at this time. It is making it tougher and tougher to annex. It will stop annexation.

Dan Mizner, representing the League of Cities and Towns, stated that cities simply cannot comply with legislation of this type.

Mr. O'Leary closed by saying that in 1978, O'Donnell's Fire Service answered a total of 296 calls and 114 were not under contract.

The meeting was opened to a question and answer period from the Committee. Discussion was held.

CONSIDERATION OF HOUSE BILL 553: Representative Helen O'Connell, of District 34, chief sponsor of HB 553, gave a brief resume.

LOCAL GOVERNMEN. COMMITTEE MARCH 15, 1979

This bill is an act to require repayment to the municipal police officers' retirement system of funds advanced to implement section 19-9-1007, MCA, and to provide changes in calculating and reporting procedures under that section. This bill follows up on HB 428. Representative O'Connell stated that this is just a house keeping bill. This bill corrects problems that have become apparent since the 1977 legislature.

Josephine Driscoll, of the State Insurance Department, stated her support of the bill. Ms. Driscoll would be working with this procedure.

Mike McGrath, from the Attorney General's Office, stated the bill from last session took effect on July 1, 1977.

There were no further proponents or any opponents, therefore, Representative O'Connell made the closing remarks by asking the Committee for a favorable recommendation from the Committee.

The meeting was opened to a question and answer period from the Committee. Discussion was held.

CONSIDERATION OF HOUSE BILL 704: Representative Harrison Fagg, of District 63, chief sponsor of House Bill 704, gave a brief resume. This bill is an act to clarify the allocation of state funds for public transportation and to revise the allocation formula, and providing an effective date. Representative Fagg reported that the past two years have been spent trying to find a formula which would work.

Barbara Garrett, of the Department of Community Affairs, stated that she was actually taking no position on the bill. However, there have been problems with the present formula.

Dan Mizner, of the League of Cities and Towns, stood in support of the bill.

Larry Grahl, representing the City of Billings, stated his support of the bill. Mr. Grahl stated that this bill simplifies the formula that distributes state aid to local transit service. All of the transit operators have met previously on this bill and agree that it is a fair way to distribute the state aid. (See attachment.)

David Hunter, representing the City of Helena, stood in support of the bill.

There were no opponents, therefore, Representative Fagg made the closing remarks. He stated that failure to pass this bill would result in more costs to the local taxpayer, which would far exceed what is now being allocated under this bill. The formula is based on the local government expenditures for transit.

CONSIDERATION OF HOUSE BILL 722: Representative Robert Dozier, of District 61, sponsor of House Bill 722, gave a brief resume.

This bill is an act to remove the requirement that the Department of Social and Rehabilitation Services pay the county share of public assistance for one year and to remove the one year residency requirement for liability when a recipient of public assistance moves to another county. Representative Dozier stated that the federal government does not have a residency requirement. This involves only small amounts of money.

There were neither proponents or opponents to the bill.

CONSIDERATION OF HOUSE BILL 696: Representative Robert Dozier, of District 61, chief sponsor of House Bill 696, gave a brief resume. This bill is an act changing the county share of participation in the aid to dependent children grants. Representative Dozier stated that he feels HB 722 and HB 696 go together, hand in hand. The purpose of this bill is to correct a possible inequity which could result with the passage of HB 722. These two bills should perhaps have been in one bill except that they really deal with two different subjects, and thus, one bill was not appropriate.

Judy Carlson, of the Social and Rehabilitation Services, stated that the federal government pays nearly 2/3 of the total grant, the state and county share in the remainder with the county paying 1/3 of that or approximately 12% of the total grant. This bill would simply change the formula so that the county would have to pay only 22.5% of the non-federal share, or a little over 8% of the total payment. (See attachment.)

Gail Stolz stood in support of the basic bill, and what it stands for.

There were no opponents to the bill.

Chairman McCallum opened the meeting to a question and answer period from the Committee. Discussion was held.

CONSIDERATION OF HOUSE BILL 707: In the absence of Representative Carroll South, of District 51, sponsor of House Bill 707, Bill Romine, of the Montana Solid Waste Contractors Association, gave a brief resume of the bill. This bill is an act to provide private motor carriers authorized by the Public Service Commission to provide garbage and solid waste services to a municipality from competition from or replacement by public services without fair compensation for equipment or without a delayed effective date. Mr. Romine stated that HB 707 is a companion bill to HB 696. Mr. Romine stated in many cities and towns, no city garbage collection is provided. In other cities and towns, there is both public and private garbage collection. In either instance, the private garbage collector has expended a great deal of money to purchase his equipment and to keep it modern and repaired. It would be unjust for a city municipality to drive the private carrier out of business without giving that carrier an opportunity to depreciate his equipment. It takes at least 5 years for his equipment to be depreciated.

Vester Wilson, of the Montana Solid Waste, stated this bill would give protection to the private collector. Mr. Wilson stated his support of the bill.

John Etchemendy, Miles City Sanitation Department, stated that equipment is expensive, and as written, would help everyone. He asked the Committee for some protection.

John Bell, Helena, stood in support of this bill.

John Palagz, of Green's Disposal, stood in support of the bill.

Les Foley, of D & F of Billings, also stood in support of the bill and asked for some protection.

With no further proponents, Chairman McCallum called on the opponents.

Dan Mizner, of the League of Cities and Towns, stated his concern regarding this bill. However, he felt that the problem could be solved with some amendments.

Bill Romine made the closing remarks, being as there were no further opponents. Mr. Romine stated that without this bill, the private collector is going to be reluctant to provide services or to maintain his equipment if he can be put out of business upon little or no notice.

The meeting was opened to a question and answer period from the Committee. Discussion was held.

Senator Watt asked who sets the rates. Mr. Romine explained that the rates are set by the Public Service Commission.

DISPOSITION OF HOUSE BILL 707: A motion was made by Senator Rasmussen that House Bill 707 receive a recommendation of "BE CONCURRED IN" from the Committee. Motion carried.

DISPOSITION OF HOUSE BILL 382: Senator Lockrem stated that this is concerned mainly with his area, therefore, he will try to get the two groups involved to sit down and work out some agreeable amendments to the bill. Everyone felt this was a good idea.

Being as time is of the essence, a motion was made by Senator Lockrem that the amendments be accepted. Motion carried.

A motion was made by Senator Lockrem that HB 382 receive a recommendation of "BE CONCURRED IN, as amended" from the Committee. Motion carried.

DISPOSITION OF HOUSE BILL 553: This bill is in regard to police officers' retirement systems.

A motion was made by Senator O'Hara that HB 553 receive a

recommendation of "BE CONCURRED IN" from the Committee. Motion carried. Senator Watt will carry the bill on the floor.

DISPOSITION OF HOUSE BILL 704: A motion was made by Senator Watt that HB 704 receive a recommendation of "BE CONCURRED IN".

Senator Lockrem explained that he is against this bill, because it completely reverses its original intent. The funding for this comes from earmarked revenues.

Senator Watt stated that he would like to try this during the next biennium to see how well it works.

A substitute motion was made by Senator Lockrem that HB 704 "BE NOT CONCURRED IN". Motion carried. (See attachment.)

DISPOSITION OF HOUSE BILL 696: A motion was made by Senator Watt that HB 696 "BE CONCURRED IN". Motion carried with everyone voting "yes" except Senator Thomas who voted "no".

DISPOSITION OF HOUSE BILL 722: A motion was made by Senator Watt that HB 722 receive a "BE CONCURRED IN" recommendation from the Committee. Motion carried with everyone voting "yes" except Senator Thomas who voted "no".

DISPOSITION OF HOUSE BILL 673: Senator Story stated that it is bad to put the county officers into the state pay plan.

Senator Lockrem commented that this would be back to the local property taxes.

A motion was made by Senator Lockrem that HB 673 "BE NOT CONCURRED IN" by the Committee. Motion carried.

HOUSE BILL 46 REPORT: Chairman McCallum reported that HB 46 has been put in a sub-committee consisting of Senator Story, chairman, Senator Watt, and Senator Peterson. Senator McCallum will try to attend the meetings on this when possible.

DISPOSITION OF HOUSE BILL 381: A motion was made by Senator Conover that HB 381 "BE CONCURRED IN". Motion carried.

ADJOURN: With no further business the meeting was adjourned at 2:55. The next meeting will be held on Saturday, March 17, at 12:30 in Room 108.

CHAIRMAN, Senator George Mccallum

### ROLL CALL

### LOCAL GOVERNMENT COMMITTEE

### 46th LEGISLATIVE SESSION - 1979

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Each Day Attach to Minutes.

SENATE COMMITTEE LOCAL GOVERNMENT		
Date March 15 House Bill No.	704 T	ime
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March 15 19 79

MR. President:			
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Keedy	(Lockrem)		

Respectfully report as follows: That House Bill No. 673

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George McCallum

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George McCallum

Chairman.

STATE PUB. CO. Helena, Mont.

March 15

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MR President:		
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George McCallum

Chairman.

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STATE PUB. CO. Helena, Mont.

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MR. President:			
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Respectfully report as follows: That House Bill No. 722

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George McCallum

Chairman.

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George McCallum Chairman.

March 15, 19 79

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George McCallum

Chairman.

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SENATE	COMMITTER

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that private caterprise can provide better scavice, more chearly, the
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Therese Leave any prepared Statements with the Committee Secretary.

Annexed area want his service.

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PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY. for the 3 year period,

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APPEARING ON WHICH PROPOSAL: 1382
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APPEARING ON WHICH PROPOSAL: 43553
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\*NAME: Jail 40. Stolt DATE: 3-15-1979 ADDRESS: 5/4-5/6 Lower Block Buldings, Helena, Mit PHONE: 443-1204, 443-3518

Montana Eleman Resources Development
REPRESENTING WHOM? Councils Directors association APPEARING ON WHICH PROPOSAL: HB 722 (HB 696) DO YOU: SUPPORT? \_\_\_\_ AMEND? \_\_\_\_ OPPOSE?\_\_\_\_ COMMENTS: We support HB722 which remains the I year residerey requirements for necessing general assistance. The has been a grayarea for individuels who have moved from county to county who should be receiving general assistance. When a person needs help it is very difficult to make do until the residency has been established. It is a Jairly arbetay requirement and asas confusion when persons really need help. The act of do pass recommendation for

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HAME: Surbara Garrett DATE: 3-15-79
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PHONE: 449-3757
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APPEARING ON WHICH PROPOSAL: HB 704
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ADDRESS: Highwayel Mont
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#### CITY OF BILLINGS

220 NORTH 27TH STREET P. O. BOX 1178 BILLINGS, MONTANA 59103 PHONE (406) 248-7511

As it is presently worded the City of Billings is opposed to HB 381.

When this bill was in the House it was amended as the result of a compromise on two separate bills that had been introduced on this matter. However the drafting of the amendments that were added to this bill do not reflect the compromise that we had agreed to. In order for the bill to reflect the true intent of the compromise we propose the following amendment be made.

On page 1 line 20 following the word "area" insert a period. Delete the rest of the wording in the bill and insert the following wording:

"Provided that within the five (5) year period upon a proper showing or on petition of a majority of the residents of the annexed or incorporated area the area may be served by the municipality. Provided further that at the end of the five (5) year period the municipality shall assume sole jurisdiction for garbage and solid waste disposal service to the entire annexed or incorporated area."

With this amendment the City of Billings would be able to support this bill since we feel the amendment truly reflects what had been agreed upon in the House. But without this amendment asks that the bill be killed since it would deny city residents the opportunity to benefit from city services.

PROPOSED AMENDMENT TO HB 381

Page I line 20-After the word "area" insert a period. Delete the rest of the wording in the bill and insert the following wording:

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#### CITY OF BILLINGS

220 NORTH 27TH STREET
P. O. BOX 1178
BILLINGS, MONTANA 59103
PHONE (406) 248-7511

The City of Billings is opposed to House Bill 382 as special interest legislation which would deny residents of newly annexed areas equal protection under the law, place the property of some of these residents in jeopardy from fire and open the door to numerous and costly lawsuits being filed against the City.

If House Bill 382 is approved, the result would be that most residents of the City of Billings would benefit from city fire protection but residents of newly annexed areas would be denied this service even though they are city residents and as city residents have the right to expect and demand this service. We feel this would be a violation of the Montana Constitution in that the City of Billings does provide fire protection to its residents, the residents of the City are entitled to all city services, and if any city service is denied a city resident, that person is being denied equal protection under the law which is granted to them by the Constitution.

By denying this equal protection to these residents, this bill also places the property of the people in jeopardy from fire. This bill would prohibit the City of Billings from responding to a fire call anywhere within a newly annexed area if anyone in that area was receiving fire service from the private fire fighting company prior to annexation regardless of how many people live in the area. Also, the private company has stated publicly on numerous occasions that they will not fight a fire at any property if the owner is not a subscriber to their service. Therefore, if a house catches on fire in a newly annexed area and the owner is not a subscriber to the private service, there would not, nor could there be, any effort made by any organized fire department to save that structure from fire even though the owner is a resident of the City.

As a result of this type of situation, we are sure that the City of Billings would be faced with costly lawsuits. If fire destroys or damages any property owned by a city resident and the City Fire Department makes no effort to fight that fire because of the prohibitions of this bill, we feel the City could be directly liable since the owner of that property is a resident of the city and therefore entitled to all services of the City. If the service is denied, the City could probably be liable and have to pay the damages even though it was not our decision to deny the service.

Another point of opposition that the City of Billings has to this bill is that it mandates as the only alternative to maintaining the private fire service in a newly annexed area is for the City to purchase the private company. We feel that the Legislature should not be in the position of telling a local government that the only way it can provide service to its residents is to purchase a private company.

There may be some question as to why the City of Billings is opposed to this bill when there is already a similar law for private garbage haulers in newly annexed areas. First of all, we are opposed to any law that denies city services to city residents. But we also feel there is a major difference between garbage collection and fire protection. A person who does not have private garbage collection and is denied city garbage hauling can always take care of the situation himself without much danger. But a person whose home catches on fire can do little by himself to save his home.

House Bill 382 is special interest legislation which would affect only Billings because there is no other city in Montana that has a private fire fighting company. We ask that this bill be defeated because it does deny citizens equal protection under the law and would create a dangerous situation for some as far as fire is concerned.

TESTIMONY BEFORE THE SENATE LOCAL GOVERNMENT COMMITTEE MARCH 15, 1979
By the Department of Social and Rehabilitation Services

HOUSE BILL 722: A BILL FOR AN ACT ENTITLED: "AN ACT TO REMOVE THE REQUIREMENT THAT THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES PAY THE COUNTY SHARE OF PUBLIC ASSISTANCE FOR 1 YEAR AND TO REMOVE THE 1 YEAR RESIDENCY REQUIREMENT EOR LIABILITY WHEN A RECIPIENT OF PUBLIC ASSISTANCE MOVES TO ANOTHER COUNTY; AMENDING SECTIONS 53-2-610, 53-3-306, 53-4-231 AND 53-4-247, MCA."

THE PURPOSE OF H.B. 722 IS TO REDUCE PAPERWORK, CUT RED TAPE, DECREASE ADMINISTRATIVE COSTS, MAKE REQUIREMENTS FOR PUBLIC ASSISTANCE MORE CONSISTENT WITH EACH OTHER, AND PROVIDE BETTER SERVICES TO APPLICANTS FOR PUBLIC ASSISTANCE.

The residency requirement states that a given person must reside in a given county for one year before he qualifies for public assistance in that county. Under present law, there are residency requirements for General Assistance and for Aid to Dependent Children but not for Medicaid, County Medical programs, or Food Stamps. Because the federal government does not allow a state residency requirement for applicants or recipients of Aid to Dependent Children, the state of Montana has provided that those non-resident families be paid out of 100% state and federal funds until the family has resided in a county for one year. At that time the county begins to pay its share—now set at 1/3 of the non-federal share or about 12% of the assistance grant.

THE PROPOSED LAW WOULD DO AWAY WITH ALL COUNTY RESIDENCE
REQUIREMENTS AND MAKE A CONSISTENT PUBLIC ASSISTANCE PROGRAM
IN THIS STATE. THIS WILL AID IN DISPELLING PUBLIC MISUNDER-

STANDINGS DUE TO DIFFERING REQUIREMENTS FOR DIFFERENT PROGRAMS.

At the present time, when an individual or family moves into a county and needs assistance, the county eligibility technician must verify residence. Perhaps the applicant has moved from one county to another at fairly frequent intervals over the past several years. Letters must be sent to previous counties where the person lived to attempt to tie down the specific dates of moving. This is a time-consuming process. Counties have sued each other over the question of residence where the facts have been unclear. All of this paperwork, staff time, and court costs would be avoided by passage of this bill.

EVEN IF THE COUNTY PROVIDES IMMEDIATE ASSISTANCE TO A CLIENT AND HOPES TO RECEIVE LATER REPAYMENT FROM THE COUNTY OF RESIDENCE, CLIENTS CAN BE DEGRADED BY THIS PROCESS. WHERE THE PERSON HAS LIVED CAN APPEAR TO BE MORE IMPORTANT THAN THE REAL HUMAN PROBLEMS THEY ARE SUFFERING. THIS BILL WOULD ALLOW FOR MORE EMPHASIS TO BE PLACED ON NEEDS AND PROVIDE BETTER SERVICE.

THE SRS BUDGET HAS ALWAYS INCLUDED AN ITEM TO PAY FOR NON-RESIDENT RECIPIENTS UP UNTIL THE TIME THEY HAVE ACHIEVED COUNTY RESIDENCY. IF THIS BILL PASSES, THAT MONEY WOULD NOT BE NEEDED. IN KEEPING WITH BOTH EXECUTIVE AND LEGISLATIVE INTENT NOT TO PASS FINANCIAL BURDENS ON TO THE COUNTIES AS A RESULT OF NEW STATE LAWS OR POLICIES, REPRESENTATIVE DOZIER IN H.B. 696 IS PROVIDING FOR A SIMPLE METHOD OF PROVIDING

COUNTIES THE FISCAL RELIEF THEY NEED TO ASSUME THE ADDITIONAL COSTS OF NON-RESIDENCY.

CERTAIN COUNTIES WOULD, UNDER THIS BILL, GAIN IN RELATIVE FINANCIAL IMPACT; OTHERS WOULD LOSE. IN COMBINATION WITH H.B. 696, HOWEVER, THE COUNTIES AS A WHOLE WILL NEITHER BENEFIT NOR LOSE. AND GOVERNMENT WILL BE A BIT MORE SIMPLE.



#### CITY OF BILLINGS

220 NORTH 27TH STREET
P O BOX 1178
BILLINGS, MONTANA 59103
PHONE (406) 248-7511

I am here today to testify in favor of House Bill 704.

As previously explained, this bill simplifies the formula that distributes State aid to local Transit services. All of the local Transit Operators have met previously on this bill and agree that it is a fair way to distribute the State aid.

I would like to point out that Transit plays a very important part in the transportation picture in the City of Billings. At the present time, we do have some major problems with traffic congestion. I would shudder to think of the increase in this problem if we put the 880 riders that we presently carry during a peak traffic hour out of the bus and into individual automobiles. At the present time, a 1.2 passenger per vehicle ratio is common in our community and would result in an additional 734 automobiles on Billings' streets during our peak hours alone. We would also be faced with an additional 760 vehicles during the remaining non-peak hours of the day.

Another major item to be considered is that our Transit System provides service for the school children of our community to the extent of over 10,000 riders per school year. These students and their parents are dependent on Mass Transit for their transportation and should they lose this service, an additional 8,334 automobiles will be traveling our streets to provide transportation for these students now using Mass Transit.

I also remind you of the potential parking problems that result in high volume personal vehicle usage not to mention the increased costs for street maintenance and repairs, traffic control costs, increased law enforcement and many more unseen expenses.

A failure to pass this bill would result in more costs to the local taxpayer, which would far exceed what is now being allocated under this bill.

TESTIMONY BEFORE THE SENATE LOCAL GOVERNMENT COMMITTEE MARCH 15, 1979
By the Department of Social and Rehabilitation Services

H.B 696: A BILL FOR AN ACT ENTITLED: "AN ACT CHANGING THE COUNTY SHARE OF PARTICIPATION IN THE AID TO DEPENDENT CHILDREN GRANTS; AMENDING SECTION 53-4-246, MCA."

THE PURPOSE OF THIS BILL IS TO CORRECT A POSSIBLE INEQUITY WHICH COULD RESULT WITH THE PASSAGE OF H.B. 722 (WHICH WOULD REMOVE RESIDENCY REQUIREMENTS)—THAT IS, THE REQUIREMENT THAT COUNTIES PAY FOR RECIPIENTS OF PUBLIC ASSISTANCE FOR WHOM THE STATE IS NOW PAYING. THESE TWO BILLS SHOULD HAVE BEEN IN ONE BILL EXCEPT THAT THEY REALLY DEAL WITH TWO DIFFERENT SUBJECTS AND THUS ONE BILL WAS NOT APPROPRIATE.

AID TO DEPENDENT CHILDREN IS A FEDERALLY MANDATED PROGRAM TO PROVIDE FINANCIAL ASSISTANCE TO CHILDREN IN SINGLE PARENT FAMILIES OR WHERE THE PARENT IS DISABLED OR UNEMPLOYED. Few PEOPLE STAY ON THIS PROGRAM VERY LONG. IT IS BASICALLY A TEMPORARY HELP PROGRAM--FOR SINGLE MOTHERS TO BE ABLE TO STAY HOME UNTIL THEIR CHILDREN ARE IN SCHOOL; FOR UNEMPLOYED FATHERS UNTIL THEY RETURN TO WORK. THE AVERAGE FAMILY RECEIVES ADC FOR ONLY 17 MONTHS. THERE IS A 50% TURNOVER IN THE ADC CASELOAD EACH YEAR. THERE ARE CURRENTLY APPROXIMATELY 6000 FAMILIES IN THE STATE RECEIVING ADC. INCIDENTALLY, 5 YEARS AGO THERE WERE 6500. THE AVERAGE ADC MONTHLY PAYMENT IS LESS THAN \$200.

THE FEDERAL GOVERNMENT PAYS NEARLY 2/3 OF THE TOTAL GRANT;
THE STATE AND COUNTY SHARE IN THE REMAINDER WITH THE COUNTY

PAYING 1/3 OF THAT OR APPROXIMATELY 12% OF THE TOTAL GRANT.

THE PROPOSAL BEFORE YOU WOULD SIMPLY CHANGE THE FORMULA SO THAT THE COUNTY WOULD HAVE TO PAY ONLY 22.5% OF THE NON-FEDERAL SHARE--OR A LITTLE OVER 8% OF THE TOTAL PAYMENT. THE NET EFFECT OF THIS IS TO ALLOW THE STATE TO MAKE UP TO THE COUNTIES WHAT THEY HAVE LOST THROUGH THE PASSAGE OF H.B. 722.

SRS's PROPOSED BUDGET PROVIDES ENOUGH FUNDS TO EITHER 1) CONTINUE TO MAKE STATE PAYMENTS ON BEHALF OF NON-RESIDENTS, or 2) Decrease the ADC county participation rate. If one of THESE COMPANION BILLS PASSES AND THE OTHER DOESN'T, THEN EITHER THE COUNTY OR THE STATE WILL BE IN BAD SHAPE. IF NEITHER PASSES, WE'LL CONTINUE AS IN THE PAST-BUT WITHOUT THE STREAMLINING OF GOVERNMENT. IF BOTH PASS, NO ONE LOSES AND EVERYONE WINS.

ADC PARTICIPATION SPLIT

### CURRENT (APPROXIMATE)

RESIDENTS

NON-RESIDENTS

FEDERAL: STATE:

FEDERAL:

STATE:

PROPOSED (Approximate) NO RESIDENCY REQUIREMENT

EDERAL:

THE FEDERAL PARTICIPATION RATE FLUCTUATES FROM YEAR TO YEAR DEPENDING UPON POPULATION AND INCOME PROJECTIONS MADE BY THE FEDERAL GOVERNMENT.

William L. Romine
Mont. Sol. Queste Contractor's
Association
P.O. Box 1691
Helena
442-2220

### HOUSE BILL NO. 707.

House Bill 707, as introduced, contained some technical errors. The Bill, amended, would provide the underlying purposes for which it was introduced. With the Amendment, the Bill states that any municipality which decides to provide the exclusive and sole garbage collection, and therefore prohibit any future private garbage collection in that municipality, must either pay the private garbage collector the fair market value for his equipment, or delay its decision to provide the exclusive garbage collection for five (5) years.

In many cities and towns, no city garbage collection is provided. In other cities and towns, there is both public and private garbage collection. In either instance, the private garbage collector has expended a great deal of money to purchase his equipment and to keep it modern and repaired. It would be unjust for a city municipality to drive the private carrier out of business without giving that carrier an opportunity to depreciate his equipment.

It takes at least five (5) years for this equipment to be depreciated, and therefore, this Bill would give the private carrier an opportunity to depreciate his equipment after learning that the municipality has decided to provide the sole garbage collection service in the city. In the alternative, if there is a particular need, the city can purchase the private carrier's equipment at its fair market value and begin collection services immediately.

Without this Bill, the private collector is going to be reluctant to provide services or to maintain his equipment if he can be put out of business upon little or no notice. History: En. 59-917 by Sec. 3, Ch. 563, L. 1977; R.C.M. 1947, 59-917.

2-18-312. Pay matrix for second fiscal year.

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	5.784	5.911	6.031	6,120	6,210	6,326	6.443	6,567	6,691	6,772	6,855
086	6.210	6.326	6.443	6.567	6,691	6,820	6,951	7,081	7,212	7,301	7.390
556	6.691	6.820	6.951	7.081	7.212	7,356	7,501	7,645	7,790	7,884	7.981
990	7.212	7.356	7.501	7.6.15	7,790	7,941	8,092	8,256	8,421	8,532	8,640
630	7.790	7.941	8.092	8.256	8,421	8,593	8,765	8,943	9.121	9,239	9,355
8.247	8.421	8,593	8,765	8,943	9,121	9.306	9,493	9,685	9,878	10.008	10.139
8.931	9.121	9.306	9,493	9,685	9.878	10.083	10,289	10,502	10,716	10.859	11,003
9.670	9.878	10,083	10.289	10.502	10,716	10,942	11,168	11,402	11,635	11,794	11.952
0.489	10,716	10.942	11,168	11,402	11,635	11,883	12,130	12,384	12,638	12.810	12.982
0.938	11,175	11.412	11.649	11,893	12,137	12,394	12,652	12,923	13,194	13,373	13,551
1.387	11,635	11.883	12.130	12,384	12,638	12,906	13,174	13,462	13,750	13,936	14.121
1.879	12,139	12.394	12,653	12,923	13,194	13,477	13,761	14,058	14,358	14,554	14,747
2.367	12,638	12.906	13,174	13,462	13,750	14,045	14,341	14,650	14,959	15,166	15,372
2.910	13,194	13,477	13,761	14,058	14,358	14,664	14.974	15,297	15,619	15.837	16,053
13,454	13,750	14,045	14,341	14,650	14,959	15,282	15,605	15,942	16,278	16.506	16,732
14.047	14,358	14,664	14,974	15,297	15,619	15,959	16,301	16,652	17,007	17,243	17,480
14,635	14,959	15.282	15,605	15.942	16,278	16,636	16,993	17.363	17.734	17,982	18.228
15,923	16,278	16,621	16,965	17,309	17,651	17,995	18,339	18,683	19.026	19,369	19.712
7.346	17,734	18.078	18,422	18,765	19,107	19,451	19,794	20,138	20,482	20.825	21,168
18,916	19,341	19,685	20.029	20,371	20.715	21,058	21.402	21,745	22,089	22.433	22,775
20.621	21.086	21,129	21,773	22,117	22,459	22,803	23,147	23,489	23,833	24,177	24,520
22,499	23,009	23,352	23.696	24,040	24,383	24.725	25,069	25,412	25.756	26,100	26.444
24.567	25,125	25,469	25,810	26,151	26,498	26,842	27,184	27,528	27.872	28.215	28,558
36.822	27,433	27,774	28,118	28,462	28,806	29,149	29,493	29,837	30.179	30,523	30,866
305	29.974	30,358	30,660	31,004	31.347	31,690	32,033	32,377	32.720	33,064	33,468
12.028	32,761	33,105	33,449	33,792	34,135	34,478	34,822	35,165	35,509	35,853	36,196
5,008	35,811	36.154	36,498	36,842	37.186	37,527	37,871	38,215	38,558	38,902	39,246
8 283	39.163	39 507	39.850	40,193	40,536	40.879	41.223	41,567	41,910	42,253	42.597
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History: En. 59-918 by Sec. 4, Ch. 563, L. 1977; R.C.M. 1947, 59-918.

### STATE EMPLOYEE CLASSIFICATION, COMPENSATION, AND BENEFITS

completed by the beginning of the biennium, retroactivity to the beginning of the biennium shall be negotiable.

History: En. 59-921 by Sec. 7, Ch. 563, L. 1977; R.C.M. 1947, 59-921.

2-18-308 through 2-18-310 reserved.

2-18-311. Pay matrix for first fiscal year.

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-	STEP 13	6.209	6,738	7.329	7 980	200,0	0,091	9,463	10,322	11,261	12,289	12,853	13.416	14.037	14 657	15,23,4	10,004	10,000	10,740	17,489	18,857	20,280	21,850	23,555	25,433	27,501	29,756	32.239	34,962	37,942	41.217	44.813	
	STEP 12	6.128	6,651	7.228	070	10,0	0/6.8	9,336	10.181	11,108	12.114	12.670	13 227	13.839	14 449	15,710	10,110	07.7.01	600'91	17.240	18.690	20.112	21.682	23.387	25.267	27,333	29,588	32,071	34 795	37.775	41 0 19	44 646	
	SIEP 11	6.047																								26.997						44.310	
	STEP 10 S	5,968	6.477	7.041	40.1	9091	8,342	9.081	9.900	10,798	11.778	19,391	10.00	12,000	10,400	14,040	14,691	15,335	16,047	16,757	18,019	19,442	21,012	22.716	24,595	26,662	98 916	21 200	04.194	93,164	307.10	40,040	40,04
	STEP 9 ST	5.846	6.249	000	0,200	164.1	8.168	8.893	9 691	10.570	11.530	19.057	14,001	12,000	001,61	13,744	14,376	15,006	15,700	16,395	17.684	19,106	20.676	22.380	94.959	26.326	08886	200,02	20,004	007,00	30,100	40,045	600.04
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	S1EP 6	308	0000	000,0	6,477	7,041	7,658	93.19	1000	0000	0.000	10,730	11,239	11.778	12,321	12,865	13,459	14.046	14,691	15,335	16.676	15.009	10,630	19,010	#10.12	23,230	026,02	6/6/12	30,058	32.782	35,762	39,036	42.632
	STEP 5																									816.77						300	42,298
	STEP 4																									22.582						38,365	41,962
	STEP 3													11,040												22.246				31,775	34,754	38,030	41,626
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	SIFPI			5,377	9000	0000	1000	5,77.0	xx	8,156	\$ 1.50 \$ X	9.678	10.117	95501	11,037	11.513	19.61	10,01	14.010	10,100	13,129	S. S. T.	16.378	17,912	19,578	21,413	23,433	25.636	28,062	30,723	33,634	36,834	40,348
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