

MINUTES OF THE MEETING  
LOCAL GOVERNMENT COMMITTEE  
MONTANA STATE SENATE

March 21, 1979

The meeting of the Local Government Committee was called to order by Chairman George McCallum on Wednesday, March 21, 1979 at 12 noon in Room 405 of the State Capitol Building.

ROLL CALL: All members were present with the exceptions of Senators Lockrem and Rasmussen, who were excused.

Dennis Taylor, staff researcher was also present.

DISPOSITION OF HOUSE BILL 125: This bill is in regards to establishing the Montana State-local revenue sharing program.

Senator Watt stated he felt that this bill should be moved to the Taxation Committee.

Senator Thomas stated that perhaps it should be moved to either Finance and Claims or Appropriations.

It was decided to move the bill to the Taxation Committee.

DISPOSITION OF HOUSE BILL 244: This bill is in regards to amending the Montana Major Facility Siting Act.

A motion was made by Senator Thomas to accept the proposed amendments. (See attached Committee Report.) Motion carried.

A motion was made by Senator O'Hara that House Bill 244 BE CONCURRED IN, as amended. Motion carried with all voting "yes" except Senator Story who voted "no". Senator Conover will carry the bill on the floor.

DISPOSITION OF HOUSE BILL 851: This bill provides a procedure for alteration of existing forms of local governments.

A motion was made by Senator Story to accept the proposed amendments of the Department of Community Affairs. Counties have to use a petition, otherwise, things could be railroaded through. The petition is a way of protection for the people.

A motion was made by Senator Story to amend the bill to remove the area dealing with a resolution.

A substitute motion was made by Senator Watt to leave the area dealing with a change by resolution. Motion failed. (See attachment.)

A vote was taken on Senator Story's motion. The motion carried. (See attachment.)

A motion was made by Senator Story to amend the bill with regards to city-county consolidation. (See attached Committee report #3.) Motion was carried with everyone voting "yes" except Senator Rasmussen who abstained and Senator Lockrem who voted "no".

A motion was made by Senator Watt that House Bill 851 BE CONCURRED IN, as amended.

Senator O'Hara asked if this bill was really needed. David Hunter, representing the City of Helena, stated that a number of local governments want to put their current form of government up to a vote of the people and this bill would take care of the problem.

Senator McCallum stated that according to the constitution, every ten years it must be voted on for an alternate form of government. This would allow counties to initiate a change of government without waiting for the ten years.

Senator Watt stated he feels that it is good for the people to have a choice.

Senator Peterson stated he like the idea of having to wait for three years.

A vote was taken on Senator Watt's motion to concur with the House on this bill. Motion carried.

DISPOSITION OF HOUSE BILL 365: This bill deals with annexation and elections.

A motion was made by Senator Thomas that House Bill 365 BE CONCURRED IN.

A motion was made by Senator Lockrem to amend the bill on page 1, lines 14 and 24, to change the "more than" to "or more". Motion carried.

A motion was made by Senator Watt that House Bill 365 BE CONCURRED IN, as amended. Motion carried. (See attachment.)

DISCUSSION ON HOUSE BILL 366: This bill is in regards to streamlining annexation methods.

There are four distinct procedures for annexation. This bill amends the Planned Community Development Act of 1974. Discussion was held regarding the problem facing Missoula concerning annexation.

A motion was made by Senator Watt that the bill BE CONCURRED IN.

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Senator Lockrem stated that he would like to take out Section 2 of the bill.

Senator Lockrem moved to strike page 2, lines 14-24. He then withdrew his motion.

A substitute motion was made by Senator Lockrem to pass consideration and defer action on this bill for a day or two. Motion carried.

DISPOSITION OF HOUSE BILL 801: This bill increases the limit of indebtedness or liability for a county.

A motion was made by Senator Lockrem that the bill BE NOT CONCURRED IN.

This bill make it so the counties can spend more money without a vote of the people.

A vote was taken on Senator Lockrem's motion. Motion carried with all member voting "yes", except Senators Thomas and O'Hara.

DISCUSSION ON HOUSE BILL 382: This bill allows private fire protection companies to continue to provide fire protection services to an area that has been annexed or incorporated.

Mr. O'Leary, representing the O'Donnell Fire Service of Billings, stated that he opposed the proposed amendements. They are not necessary.

Ray Blehm, represting the Billings Fire Department, stated that the main problem with the bill is the option to purchase the equipment. There is no way cities can buy out the businesses. He asked the Committee to amend the bill to require that the cities would get something in return. There is no way, at present to finance the services. Mr. Blehm asked the Committee to put the proposed amendements into the bill. He then explained the amendements.

ADJOURN: The meeting adjourned at 1:50. The next meeting will be held on Thursday, March 22, at 12 Noon to consider House Bills 879 and 81.

  
CHAIRMAN, George McCallum

Roll Call

ROLL CALL

LOCAL GOVERNMENT COMMITTEE

46th LEGISLATIVE SESSION - 1979

NAME	PRESENT	ABSENT	EXCUSED
GEORGE MCCALLUM, CHAIRMAN	✓		
LLOYD LOCKREN, VICE CHAIRMAN			✓
MAX CONOVER	✓		
JESSE A. O'HARA	✓		
BOB PETERSON	✓		
A. T. (TOM) RASMUSSEN			✓
PETE STORY	✓		
BILL THOMAS	✓		
ROBERT D. WATT	✓		

Each Day Attach to Minutes.

SENATE COMMITTEE LOCAL GOVERNMENT

Date March 21 House Bill No. 851 Time 12:35

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

*Glenn Quincy*  
Secretary

*George McCallum*  
Chairman

Motion: A motion was made by Senator Watt that House Bill 851  
be amended to leave the area dealing with a resolution in the  
bill. Motion failed.

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

SENATE COMMITTEE LOCAL GOVERNMENT

Date March 21 House Bill No. 851 Time 12:40

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

*Clarence Gravelly*  
Secretary

*George McCallum*  
Chairman

Motion: A motion was made by Senator Story to amend the bill  
to remove the area dealing with a resolution. Motion carried.

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

SENATE COMMITTEE LOCAL GOVERNMENT

Date March 21 House            Bill No. 365 Time 1:10

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

*Glenn Gurney*  
Secretary

*George McCallum*  
Chairman

Motion: A motion was made by Senator Watt that House Bill  
365 BE CONCURRED IN, as amended. Motion carried.

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

# STANDING COMMITTEE REPORT

March 21

1979

MR. **President:**

We, your committee on **Local Government**

having had under consideration **House** Bill No. **801**

**Meyer (Lockren)**

Respectfully report as follows: That **House** Bill No. **801**

~~DO NOT~~

BE NOT CONCURRED IN

*Bl.*



# STANDING COMMITTEE REPORT

March 21

1979

MR. President:

We, your committee on Local Government

having had under consideration House Bill No. 244

Ernst (O'Hara)

Respectfully report as follows: That House Bill No. 244,

third reading bill, be amended as follows:

1. Page 5, line 14.

Strike: lines 14 through 18 in their entirety

Renumber: subsequent subsections

2. Page 6, line 8.

Following: "be"

Insert: "furnished to the governing body of each county in which any facility included in the plan under (2) (a) of this section is proposed to be located and"

~~YCHASS~~ And, as so amended, BE CONCURRED IN

*BB*

# STANDING COMMITTEE REPORT

March 21

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MR. President:

We, your committee on Local Government

having had under consideration House Bill No. 365

**Kessler (Watt)**

Respectfully report as follows: That House Bill No. 365,

third reading bill, be amended as follows:

1. Page 1, line 14.  
Strike: "MORE THAN"
2. Page 1, line 15.  
Following: "50%"  
Insert: "or more"
3. Page 1, line 24.  
Strike: "MORE THAN"
4. Page 1, line 25.  
Following: "50%"  
Insert: "or more"

~~XXXXXX~~ And, as so amended, BE CONCURRED IN

*PA*

# STANDING COMMITTEE REPORT

..... March 21 ..... 1971 .....

MR. President: .....

We, your committee on ..... Local Government .....

having had under consideration ..... House ..... Bill No. 351 .....

**Spilker (Watt)**

Respectfully report as follows: That ..... House ..... Bill No. 351, .....

third reading bill (Corrected Copy), be amended as follows:

1. Page 3, line 8.  
Strike: ":"

2. Page 3, line 9.  
Following: line 8  
Strike: "(1)"  
Following: "electors"  
Strike: remainder of lines 9 and 10 in their entirety  
Insert: "."

3. Page 3, line 24.  
Following: "alteration."  
Insert: "whenever county-municipal consolidation is proposed, the petition must be signed by at least 15% of the electors residing within the municipality or municipalities proposed to be consolidated and 15% of the electors residing in the remainder of the county."

XBXBX

..... (Continued) .....

4. Page 3, line 25.

Strike: lines 25 through line 5 on Page 4 in their entirety  
Renumber: Subsequent sections

5. Page 4, line 7.

Strike: "or resolution"

6. Page 4, line 17.

Strike: "CIRCULATED OR A RESOLUTION"

7. Page 4, line 20.

Strike: "or resolution"

8. Page 5, line 3.

Strike: "or resolution"

9. Page 5, line 4.

Strike: "or resolution"

10. Page 6, line 5.

Strike: "or resolution"

11. Page 7, line 9.

Strike: "or resolution"

12. Page 7, line 14.

Strike: "or resolution"

13. Page 8, line 18.

Strike: "or resolution"

14. Page 8, line 24.

Strike: "or resolution"

15. Page 8, line 25.

Strike: "or a resolution"

16. Page 9, line 2.

Strike: "or resolution"

17. Page 9, line 5.

Strike: "30 days of adoption of a resolution and within"

18. Page 9, line 6.

Following: "of"

Strike: "a"

Insert: "the"

(Continued)

19. Page 9, line 7.  
Strike: "and resolution"

20. Page 9, line 8.  
Strike: "or resolution"

21. Page 9, line 16.  
Strike: "or resolution"

22. Page 9, line 22.  
Strike: "or"

23. Page 9, line 23.  
Strike: "resolution"

24. Page 11, line 11.  
Strike: "or resolution"

25. Page 11, line 18.  
Following: "by"  
Strike: "("  
Following: "people"  
Strike: remainder of lines 18 and 19 in their entirety  
Insert: "."

26. Page 12, line 8.  
Strike: "or resolution"

27. Page 14, line 14.  
Following: "has"  
Strike: "adopted a new alternative "  
Insert: "voted upon the question of changing the"

28. Page 14, line 15.  
Following: "plan"  
Insert: "or upon the question of amending the alternative  
form, charter, or consolidation plan"

29. Page 14, line 16.  
Following: "changing"  
Insert: "or amending"

30. Page 14, line 17.  
Following: "government"  
Strike: "until"  
Insert: "for"  
Following: "years"  
Strike: remainder of lines 17 through line 19 in their entirety  
Insert: "."

And, as so amended, BE CONCURRED IN