MINUTES OF THE MEETING LOCAL GOVERNMENT COMMITTEE MONTANA STATE SENATE

January 22, 1981

The meeting of the Local Government Committee was called to order by Vice-Chairman O'Hara, in the absence of Senator McCallum, on January 22, 1981 at 1:15 p.m. in Room 405, State Capitol.

ROLL CALL: Roll was called with Senator McCallum being excused due to illness.

Several visitors were in attendance. (See Attachments.)

CONSIDERATION OF SENATE BILL NO. 121: Senator Ochsner of Senate District No. 26 in Miles City, sponsor of the bill, said he was requested by the Clerks of District Courts to introduce this bill. The bill raises the charges for services and fees of the clerk of district court.

Margaret Shaw, a proponent of the bill and Clerk of Court of Beaverhead County, said the purpose of the bill was to raise costs for those who are using the courts and creating the burden rather than putting the entire load on the taxpayers. Hers is a small court and has to handle a lot of small claims which demand a jury. This bill would deter the court from being used as a small claims court. In essence, the bill should be adopted to put more money into the General Fund and make district courts more independent.

Clara Gilreath of the Clerks of Court Association in Lewis and Clark County supports the bill. Those who use the courts should bear greater expenses. The fees are far below the national level and the second lowest in surrounding states. Sixty percent of the fees are paid back to the state. These fees should remain in the county budget. The 1979 Legislature fell short of funding district courts beyond the 6 mill levy.

Mike Stephen of the Montana Association of Counties supports the bill. His association would like to see the greatest percentage of fees kept at the city and county level rather than giving it to the state.

Gene Hollmann, a member of the Montana Shorthand Recorders Association, supports the bill except for Section 25-1-202, lines 11-14. He feels it is not the responsibility of the clerk but of the reporter.

There were no further proponents and no opponents of Senate Bill No. 121.

Senator O'Hara then asked for questions from the committee.

Senator Thomas asked if, in the portion concerning marriage licenses, they are doing away with the battered spouses section.

Clara Gilreath answered no.

Senator Van Valkenburg directed a question to Mike Stephen. He said we are told we shorted the counties by not providing them additional funding over and above the 6 mill levy. This is a sore spot with him because the 6 mill levy was additional funding that was provided to the counties who had previously been taking care of these costs out of the General Fund. Now we are being asked to approve a 200% increase in court fees from 1977. Action of the legislature raised this from \$10 to \$20 and now it would go up to \$40. He needs more persuasion why we need this increase.

Mike Stephen answered that the state was to pick up the overrun in that and the state did not live up to it so the county paid for it anyway. Until the state lives up to the funding, district courts do need the money.

Senator Van Valkenburg asked what effect this change from 60% to 40% will have on the soundness of the judges' retirement system.

Margaret Shaw replied that, as she understands it, the biggest percentage goes to the state. Twenty percent ends up in the judges' retirement fund, not the full 60%.

Dan Bukvich, Clerk of Court in Butte, said 20% goes to pay salaries of district court judges and supreme court justices, anything else goes into the General Fund.

There was no further discussion of Senate Bill No. 121.

CONSIDERATION OF SENATE BILL NO. 22: Senator Ed Smith presented the bill to the committee. This bill was introduced at the request of the Legislative Finance Committee of which he is a member. (See attached Exhibit A.) He added they have a conflict with the law now with the gas tax but not with any of the others.

Bob Robinson of the Legislative Fiscal Analyst's Office and member of the Legislative Finance Committee further explained the bill. He said it would take a vast percentage of the General Fund to replace these other funds. The amount allocated to local government would be a windfall to cities and counties.

There were no further proponents of the bill. Vice-Chairman O'Hara then called for opponents.

Cy Jamison, representing the City of Billings, spoke against the bill and submitted written testimony. (See attached Exhibit B.)

Clint Grimes of the Alcoholism Programs of Montana, opponent of the bill, said in a latter part of the bill it begins to erode seriously into the funds they earmarked years ago for alcoholism treatment. People that buy alcoholic beverages give themselves a little insurance program with this tax. The tax on alcohol pays for treatment at Galen. As the tax now stands, a substantial portion of it goes to counties and is earmarked especially for alcoholism services. He is very concerned that there are a number of problems associated with this. If this bill was enacted, a small county that had very little money coming in might send their clients to a neighboring larger county. The lack of clarity of this bill may destroy what they have worked so hard to obtain.

Jim Manion of the Montana Automobile Association said he appreciated Senator Smith mentioning problems with the gas tax. That is the problem they have with it. They feel what this bill would do with gas tax money is clearly a diversion of earmarked funds. Article 8, Section 6 is in strict conflict with this. They have polled their members and 90% or more have voiced their opposition to this.

William Romine of the Montana Automotive Dismantlers and Recyclers Association said Sections 14 and 15 of this bill affect the junk vehicle tax. The money generated from that fee enables the county to pick up junk vehicles and provides a graveyard for them. When there are enough junk vehicles in the wrecking yard, this money enables the state to contract with a crusher and recycles them. This bill, in Section 14 and part of Section 15, would do away with that. The association thinks they should continue as it is now or do away with the tax completely. The tax was set up in the first place especially for junk vehicles and this bill would be diverting funds from the purpose for which they were enacted. He feels we should leave the earmarked funds alone.

Don Peoples, representing Butte Silver Bow County, said they don't really support or oppose the bill. They are mainly concerned that the bill means little additional money for cities and counties. They do endorse the concept of revenue sharing but the additional monies available to local governments is not substantial. We need additional revenue and this is not an answer to the problem.

Larry Mitchell from the Department of Health and Environmental Sciences spoke in opposition of the bill and submitted written testimony. (See attached Exhibit C.)

Pete Frazier of the City-County Health Department in Great Falls also spoke in opposition of Senate Bill No. 22 and submitted written testimony. (See attached Exhibit D.)

Dale Cowger, representing Yellowstone County, said Yellowstone County was against the bill. They feel they have a satisfactory program going on in the county now.

Ed Flatt, representing Park County, also feels they have a good program now. (See attached Exhibit E.)

Richard Isern of the Central Montana Health District spoke in opposition of the bill and passed around photos, news clippings and written testimony. (See attached Exhibit F.)

Don Mullin of the Ravalli County Junk Vehicle Program opposed the bill and submitted written testimony. (See attached Exhibit G.)

Senator O'Hara then passed out a letter the committee received in opposition to Senate Bill No. 22. The letter was from David A. Feffer and Joseph Aldegarie of the Missoula City-County Health Department. (See attached Exhibit H.)

There were no further proponents or opponents of Senate Bill No. 22 appearing before the committee.

Senator Smith said he would like to add that he had hoped Senator McCallum, sponsor of the bill, would have been able to present the bill to the committee. Senator Smith said he was not surprised by any of the comments made by the opponents. He is disappointed, however, that some cities and counties feel this bill will reduce their funding. The funding is a complicated process. The funds will be allocated and you are not losing any of those funds. It is costly when the state makes distribution of these earmarked funds. This bill will provide more local control and that is what the public is asking for. According to what he has heard today, people do not trust their local government agencies. He feels local people with local control can better understand how the money should be spent. It is in no way heading off the revenue sharing bill.

Senator O'Hara then asked for questions from the committee.

Senator Van Valkenburg asked Bob Robinson why on page 3, lines 22-23, they are leaving in the language which says money distributed to counties under this section shall be used by the counties for highways or other transportation purposes. Was this an oversite to leave that language in the bill or was it deliberate.

Mr. Robinson did not know the money was to be taken from the earmarked fund and given to the General Fund. He said there are no strings attached.

Senator Van Valkenburg directed a remark to Senator Smith that he was concerned about the issue raised by people in the alcoholism field. There is a very strong likelihood that a larger county could get an overload from smaller surrounding counties and these smaller counties would spend their money for other purposes. The people would move to where the program is but the money would not.

Senator Smith agreed, but, he feels if the county is not providing the services, pressure would be applied by the public to see to it that the funds are distributed properly.

Senator Van Valkenburg thinks the counties outside big urban ones are in a position to take advantage of larger counties.

Senator Smith said there are some minor changes that can be made. Anytime there is that kind of a drastic change, you are going to get a lot of static.

Senator Ochsner asked Senator Smith if he remembered two years ago when they had a surplus in the junk vehicle fund. He thought they had come up with a bill that would allocate that money toward bike-ways on highways.

Senator Smith did not remember anything about this.

Senator O'Hara then called on Mike Young of the Missoula City-County Health Department and Missoula County Alcohol Board to remark about Senator Smith's comment that there would probably be pressure from the local level to keep tax funds earmarked for alcohol abuses.

Mr. Young stated that only one in fifty abusers will admit they are an abuser and request funds for that. There would not be anyone putting pressure on the local government to allocate the funds to alcoholism treatment.

There were no further proponents, opponents or questions on Senate Bill No. 22.

ADJOURN: There being no further business before the committee, the meeting was adjourned at 2:20 p.m.

Vice Phairman Jesse O'Hara

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ROLL CALL

LOCAL GOVERNMENT COMMITTEE

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47th LEGISLATIVE SESSION - - 1981 Date 1/22/81

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Senator Jesse O'Hara	\checkmark		
Hammond Senator Pete Story	\checkmark		
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Each day attach to minutes.

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January 22, 1981

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TO: Senator George McCallum

FROM: Bob Robinson, Senior Fiscal Analyst

Revenue Sharing Bill - SB 22 -- NOTES RE:

- Currently the state makes payments to local government units by dedicat

ing portions of :

- 1) gasoline license tax,
- 2) beer tax,
- 3) liquor license tax,
- 4) wine tax, and
- 5) coal tax,
- 6) iunk vehicle fees,
- 7) institutions discretionary alcohol tax distribution.

SB 22 would provide that each city, town and county would receive a grant of general fund money in the same amount that the state currently allocates to local government units from the above sources. ---- In fiscal 1981 \$4.7 million is allocated to counties and \$6.1 million to incorporated cities and towns annually for a total of \$10.8 million. This amounts to 4.14 percent of anticipated total general fund revenues.

Advantages of Revenue Sharing vs. Revenue Dedication

1) Currently a significant amount of time and effort is spent calculat-

ing the various allocations. Most of this would be eliminated.

Senator George McCallum Page 2

- 2) Better planning possibilities for local government units. They would know each biennium how much would be coming to them.
- 3) Revenues to local government units would increase at the same rate the general fund increases, historically, faster than their earmarked funds have.
- Legislature is now without the ability to review these allocations which would be remedied by legislative appropriation of general fund.
- 5) Possibly fewer restrictions on expenditure of state money by local governments than is now the case.

Senator George McCallum Page 3

Summary of SB 22 by Section

Section 1. Each local government unit would receive the same percentage of the state general fund as the county will receive in fiscal 1981 from the various revenue dedications.

Section 2. The budget director shall compute annual amount of grant consolidation funds payable to local government units.

Section 3. The payments will be made in equal quarterly installments. Section 4. Funds allocated for public transportation from gas tax revenues are allocated to local government units in the same manner as current law.

Section 5. Deletes share of coal tax dedicated to county land planning.

Section 6. Changes fuel tax disposition. Six million - five hundred thousand dollars currently dedicated to cities and counties would go to general fund. Deletes all restrictions and allocation formula based on popula tion and rural road, street and alley mileage.

Section 7. Deletes option of cities and counties using gas tax funds for railroad grade crossing protection. The funds are no longer restricted so an option is not necessary.

Section 8. Strikes criminal penalty provision relating to 15-70-101 as the section has been deleted.

Section 9. Provides that \$3/barrel from the beer tax shall be deposited in general fund. The tax is \$4 per barrel which is currently distributed as follows:

\$1 to department of institutions for alcohol rehabilitation; \$1.50 to cities and towns for general purposes and \$1.50 to general fund.

Senator George McCallum Page 4

Section 10. Provides that $34\frac{1}{2}$ percent of the liquor license tax revenue be deposited in general fund instead of allocating 30% to incorporated cities and towns, based on the sale of liquor and $4\frac{1}{2}$ percent to counties.

Section 11. Provides that \$1.50 per barrel of the beer tax currently dedicated to cities and counties be deposited in the general fund.

Section 12. Provides that the 2-2/3 cents of wine tax currently allocated to counties, cities and towns be deposited in the general fund. County wine funds were previously restricted to alcohol law enforcement.

Section 13. Alcohol funds distributed by department of institutions to cities and counties would be deposited in the general fund.

Section 14. Deposits proceeds of sale of junk vehicles, recycling of the material, motor vehicle wrecking facility license fees, and motor vehicles disposal fees in the general fund and deletes section restricting their use.

January 22, 1981 Room 404

TESTIMONY PROVIDED BY CY JAMISON, COUNCILMEMBER, TO SENATE LOCAL GOVERNMENT COMMITTEE AS IT RELATES TO SENATE BILL 22.

My name is Cy Jamison, I am a City Councilmember from Billings, Montana, and I represent that City before you today.

The City of Billings neither supports nor endorses SENATE BILL 22. The City of Billings does support Revenue Sharing which this bill purports to provide, but really is just a consolidation of the provisions of the existing law into one bill relating to revenues that are currently received by local goverment. If the provisions of HOUSE BILL 73 were included in this revenue sharing bill, we could enthusiastically support it, and it would in fact be a bill providing additional revenues for cities.

In addition to the confusion relating to the title of the bill, we have some concerns about the future fiscal impacts of the bill since it does not appear to make any provisions for adjusting revenues based on changes in population, road miles, and other factors currently being used to distribute state funds.

It is also our understanding that a fiscal impact has not been developed for the bill. This would seem to be a necessary ingredient before it could be acted upon.

Thank you.

DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES

SOLID WASTE MANAGEMENT BUREAU



POSITION STATEMENT - SENATE BILL 22

The Solid Waste Management Bureau is concerned about the survival of the state junk vehicle program if Senate Bill 22 passes the Legislature in its present form. This program was created in response to complaints from the public and from county officials who had no method to handle the problem of abandoned junked vehicles. Like so many other legislative mandates, the program requires local government to provide a service to the public but it also provides the funding to perform the service. The earmarked nature of the program funds has resulted in a self-supporting, well balanced and especially accountable program where the public and government officials at all levels can easily see what they're getting for their money.

SB22 seeks to eliminate both the accountability of the program funds as well as government's responsibility to spend the funds for the "control, collection, recycling and disposal of junk vehicles." The taxpayers of Montana will continue to pay over \$500,000 each year in junk vehicle fee assessments which will merely become a small component (6%) of a no-strings-attached county revenue sharing grant under SB22. With all the financial pressures on county general fund monies, it is highly unlikely that local junk vehicle programs will receive the level of funding they currently enjoy under the existing earmarked procedure.

SB22 repeals the funding mechanism in the junk vehicle law which states that each county shall receive an annual budget of \$1.00 for each vehicle under 8001 pounds GVW licensed in the county or \$5000, whichever is greater. There are 27 of Montana's 56 counties which receive \$5000 annually, even though they license fewer than 5000 qualifying vehicles. Petroleum County, for example, licensed 518 vehicles last year, yet receives a program grant of \$5000. Yellowstone County licensed 84,918 vehicles and received a grant of \$84,918. This year all but six counties are receiving more program money than they collect in junk vehicle fees. This apparent deficit spending situation has been designed in an attempt to return the \$1.5 million earmarked fund balance to the counties which created it in the early program years when the junk vehicle fees were more than twice their present amount. If the program balance is transferred to the state general fund as proposed in SB22, it is very likely that the Legislature will need to raise the junk vehicle fees to the public in order to cover the deficit. With the earmarked balance to rely on, the department projects that county programs can continue to receive adequate funding for 8 to 10 years before a fee adjustment may be required to cover the deficit.

We are also concerned about what impact the passage of SB22 will have on the operation and administration of the junk vehicle program. For example, Section 75-10-521 of the junk vehicle law requires each county to submit a program operating budget for department approval each year. Also, prior to funding each county program, an itemized accounting of expenditures from the previous fiscal year is to be submitted for review and approval. Senate Bill 22 does not address or take into

consideration these statutory requirements but it appears that this accountability of program funds and expenditures would not be required or even be possible if the bill is passed in its present form.

Additionally, Section 75-10-533 requires the department to report to each legislature the cost of the program and the revenue it derives. This will not be possible under SB22 since the revenue and expenditures will no longer be identifiable as junk vehicle program funds; only as a percentage of a consolidated grant paid by the state budget office, a portion of which may or may not have been spent on local junk vehicle programs.

In summary, we feel that inclusion of the junk vehicle program funds in SB22 is not in the best interests of the state, the counties, the program or the taxpayers who support it. The junk vehicle program is a straight-forward, easily administered environmental improvement and recycling program which benefits every citizen of Montana at nominal cost.

Although the taxpayers will continue to pay for the service, SB22 eliminates government's promise to provide the service to the taxpayer. It is not responsible government to tax for one purpose and spend for another. It would be more honest not to have taxed at all.

Exhibit (1

CITY-COUNTY HEALTH DEPARTMENT 1130.17TH AVE. BOUTH GREAT FALLS, MONTANA 59405

January 21, 1981

PHONE 781-8700 EXT. 540

BOARD OF HEALTH COUNTY COMMISSIONER MAYOR SUPERINTENDENT CITY ECHOOLS REPRESENTATIVE MEDICAL SOCIETY REPRESENTATIVE DENTAL SOCIETY

TESTIMONY ON SB - 22

By Peter M. Frazier

Mr. Chairman, Committee members, my name is Pete Frazier. I am Environmental Health Coordinator with the City-County Health Department in Great Falls, and also serve as Director of the Cascade County Junk Vehicle Disposal Program.

I appreciate the opportunity to testify on SB 22. I am here today, to speak only on two sections of SB 22, those being Section 14 line 19 through 25 of page 16 and lines 1 and 2 of page 17 and Section 15 lines 3 and 4 on page 17. These sections deal with the disposition of monies collected from the sale of junk vehicles, wrecking facility license fees, and disposal fees collected on each vehicle when the vehicle is licensed. Currently these fees are placed in a special State fund and utilized for the control, collection, recycling and disposal of junk These fees are then partially returned to each County on the vehicles. basis of one dollar for each vehicle under 8,001 G.V.W. licensed within the County. When the County receives these funds, they must be utilized at the County level for junk vehicle disposal purposes. Section 14 of SB 22 proposes to deposit all fees collected for junk vehicle disposal directly into the State General Fund and Section 15 of this bill proposes to repeal the current section of State law which allows for disposition of a portion of these funds to the Counties for junk vehicle disposal activities.

Page 2

SB 22 does not indicate how these funds would be utilized from the State General Fund nor how they would be redistributed to the Counties. It appears that the citizens of Montana would be paying a junk vehicle disposal fee on their vehicles each time they license their vehicles, yet there would be no County junk vehicle programs, since the funds currently allocated to the Counties would no longer be available.

The Montana Junk Vehicle Law, which went into effect in 1974, has been an extremely effective law. Prior to enactment of the junk vehicle law, Counties throughout Montana had no funds available for junk vehicle removal, nor were there any junk vehicle graveyard sites available for Junk vehicles were merely left along road sides storage of vehicles. and in vacant lots and open fields, which created a serious potential for public health and safety problems, since they were dangerous playgrounds to curious children. It was extremely easy for children to get cut by broken glass or rusty metal, not to mention the potential injury associated with explosions from partially filled gas tanks. In addition. junk vehicles provided excellent harborage areas for rats, mice and other Finally, the numbers of junk vehicles scattered about the vectors. country side caused a serious esthetical problem throughout Montana. With the implementation of the Junk Vehicle Law in 1974, thousands of junk vehicles have been removed, crushed, and recycled throughout Montana, alleviating many of the problems discussed earlier. In Cascade County alone, over 5,000 junk vehicles have been removed, crushed and recycled, at no additional costs to the residents of the County. Should Sections 14 and 15 of SB 22 remain as proposed there would no longer be funds available to continue this important and worthwhile program.

Page 3

Even though the junk vehicle law would remain in effect Section 75-10-534 of this law would be repealed under Section 15 SB 22. Section 75-10-534 of the current junk vehicle law authorizes funds to be returned to the Counties for operation of junk vehicle programs.

The State of Montana would take a giant step backward with regard to junk vehicle removal, back to the days before the implementation of the junk vehicle law. It would appear that the junk vehicle disposal fees collected at the time of vehicle licensing would be an illegal assessment if the fees collected are not utilized for the purpose for which they are collected.

Therefore, I urge this committee to take a hard look at Sections 14 and 15 of SB 22. I would strongly recommend that Section 14 be amended to require that "monies received for motor vehicle wrecking facility license fees and fees collected as motor vehicle disposal fees be distributed to the Counties at the rate of one (1) dollar for each vehicle licensed in the County, regardless of the vehicle's G.V.W. rating". The committee should be aware that presently money received for the sale of junk vehicles and from recycling of the material does not return to the County, but is kept at the State, accounting for the fact there is currently a large reserve in the junk vehicle fund. T have had a number of residents of Cascade County express dismay when they learn that the money obtained from junk vehicles owned by Cascade County residents is not returned to the County. The State has received slightly over \$59,000 just from junk vehicles that have been crushed and recycled in Cascade County. It appears that the State Junk Vehicle Reserve Fund is now adequate to cover expenses for continued crushing and salvaging operations should the metals market require payment by

Page 4

the State for these services. Therefore, I would propose that Section 14 be further amended to require that in the future, "monies received from the sale of the junk vehicles or from recycling of the material shall be distributed to the County from which the recycled vehicles originated. Monies distributed under this section may only be used for capital expenditures and operational costs for junk vehicle and solid waste disposal purposes." This proposed wording is consistent with other Sections of SB 22 which calls for distributing various funds to Counties for certain broad purposes such as transportation or alcoholism and related problems.

Should you have any questions I will be happy to answer them. Thank you.

Exhibit E

P. O. Box 1037 Livingston, Montana 59047

PARK COUNTY COMMISSIONERS

January 19, 1981

Senator George McCallum Senate, Capitol Station Helena, Montana 59601

Re: Senate Bill #22

Dear Senator McCallum:

I am opposed to Senate Bill Number 22, which will consolidate funding for Park County. The Junk Vehicle Program plays an important part in keeping our County cleaned of unsightly car bodies. If funding is consolidated, areas such as roadwork, bridges, etc., will have higher priorities when the funds are alloted.

The Junk Vehicle Program last year spent \$7,000.00 for a trailer which is used to haul cars from all areas of Park County. We feel this is a necessity when you remember we are the North Entrance to Yellowstone National Park and we depend largely on tourism to bolster our economy.

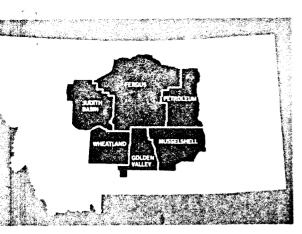
Another reason for Opposition to your Bill Number 22, is that taxation clearly states the fee will be used for Junk Vehicles only. Let's be sure it is! We cannot run a competent program with minimal funding!

Sincerely,

Ed net

Ed Flatt, Director Park County Junk Vehicle Program, Solid Waste Director

EF/vr



January 21, 1981

The Honorable George McCallum Senate Chambers State Capitol Helena, Montana 59620

Dear Senator McCallum:

I wish to present the enclosed staff report, photographs, and a sample of the junk vehicle program news articles as testimony against the provisions of Senate Bill 22 which would eliminate the requirement to utilize earmarked money to continue the control, collection, recycling, and disposal of junk vehicles and component parts. We are proud of our program and would like to see it continue to operate.

Even though we pick up over 700 junk vehicles a year, they are generated as fast as they are removed.

The public in our District has accepted this service and expects it.

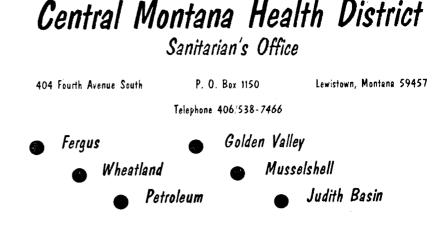
I feel strongly that those funds collected for and from the collection of junk vehicles continue to be used specifically for that purpose.

If a surplus in the junk vehicle fund exists, it should go to the county programs to help offset inflationary cost increases and provide better services.

Sincerely,

E. Richard Isern District Sanitarian

ERI:jp



STAFF REPORT:

-

SENATE BILL 22: AS IT RELATES TO THE CENTRAL MONTANA JUNK VEHICLE

DISPOSAL PROGRAM:

Section 14. Section 75-10-532, MCA, is amended to read:

"75-10-532. Disposition of moneys collected. All moneys received from the sale of the junk vehicles or from recycling of the material and all motor vehicle wrecking facility license fees and fees collected as motor vehicle disposal fees shall be deposited with-the-state-treasurer-to-be-utilized-for-the-control, collection;-recycling;-and-disposal-of-junk-vehicles-and-component-parts in the state general fund."

THIS WOULD REMOVE THE PROVISIONS FOR FUNDING OF OUR VEHICLE DISPOSAL PROGRAM. THE PROGRAM HAS BECOME AN INTEGRAL PART OF THE CENTRAL MONTANA HEALTH DISTRICT AND THE SIX COUNTIES IT SERVES.

OVER FIVE THOUSAND JUNK CARS HAVE BEEN REMOVED FROM THE 12,136 SQUARE MILES IN THE DISTRICT SINCE THE PROGRAMS IMPLEMENTATION IN 1974. CARS FROM LOTS AND STREETS IN COMMUNITIES, FROM STREAM BEDS, PASTURES, PUBLIC

AND PRIVATE LANDS HAVE BEEN REMOVED TO RESTORE THE BEAUTY OF OUR LANDSCAPES AND COUNTRY SIDE.

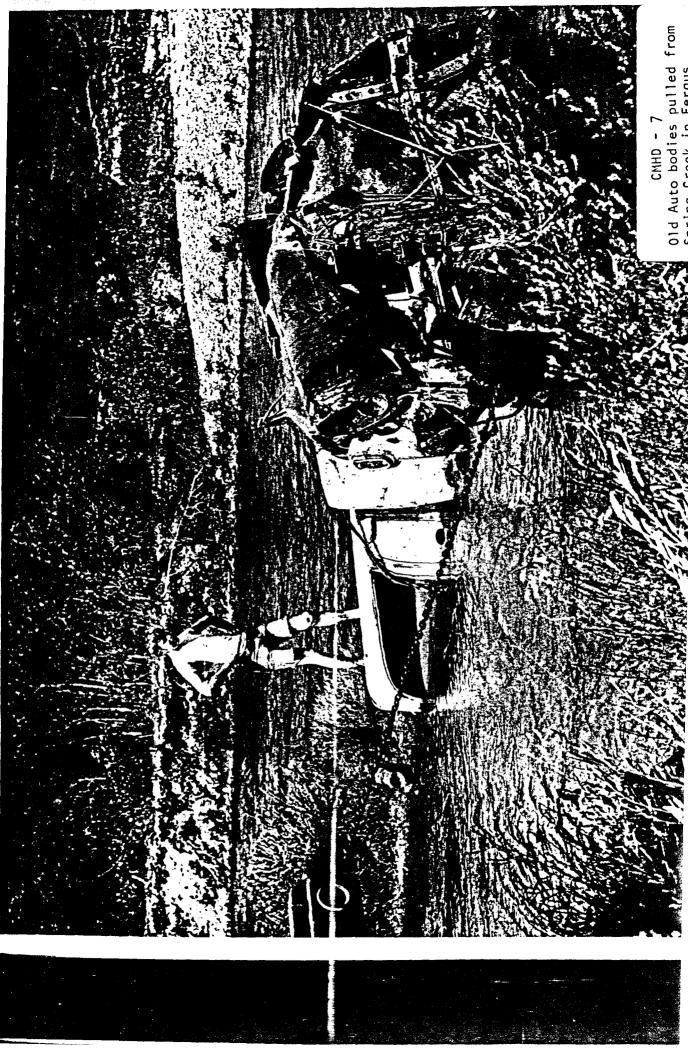
OUR PROGRAM HAS BEEN WELL PUBLICIZED AND ACCEPTED IN THE DISTRICT AS A VALUABLE COMMUNITY SERVICE. FAVORABLE EDITORIALS HAVE APPEARED IN THE LOCAL NEWSPAPERS, AND MANY SERVICE ORGANIZATIONS HAVE BEEN INVOLVED.

IT HAS BEEN EXPENSIVE. WE HAVE GONE FROM CONTRACTED OPERATORS, TO EMPLOYEES HIRED BY THE DISTRICT. WE OWN OUR RETRIEVER TRUCK, AND OUR EFFICIENCY HAS BEEN CONSIDERABLY ENHANCED SINCE THE PROGRAM BEGAN. WE INTEND FOR THE PROGRAM TO CONTINUE PROGRESSING. BY NOT CONTINUING TO SPECIFICALLY REQUIRE THAT THE MONEY COLLECTED FOR JUNK VEHICLE REMOVAL BE USED TO REMOVE JUNK VEHICLES, THERE WILL BE NO ACCOUNTABLILITY FOR THOSE FUNDS. THEY MAY OR MAY NOT BE USED FOR THEIR INTENDED PURPOSE. ×

EVEN IF EACH OF OUR SIX COUNTIES WERE TO DECIDE TO CONTINUE A PROGRAM, THE AMOUNT THEY RECEIVED FROM THIS FUND FOR THIS PURPOSE WOULD BE UNKNOWN TO THEM.

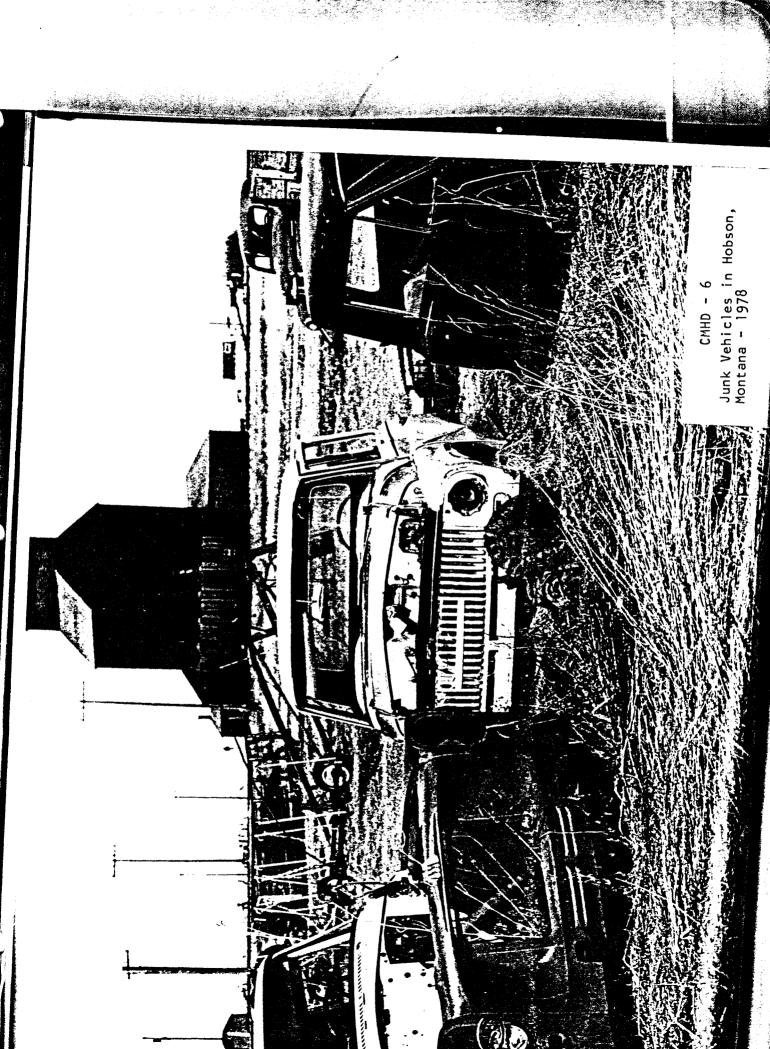
THE REALLOCATION OF THESE FUNDS WOULD NOT PROVIDE ENOUGH MONEY FOR MANY OF THE SMALLER COUNTIES TO OPERATE A PROGRAM.

WE WILL AGAIN HAVE JUNK VEHICLES DETRACTING FROM THE ATTRACTION OF THE SCENIC BEAUTY OF MONTANA.

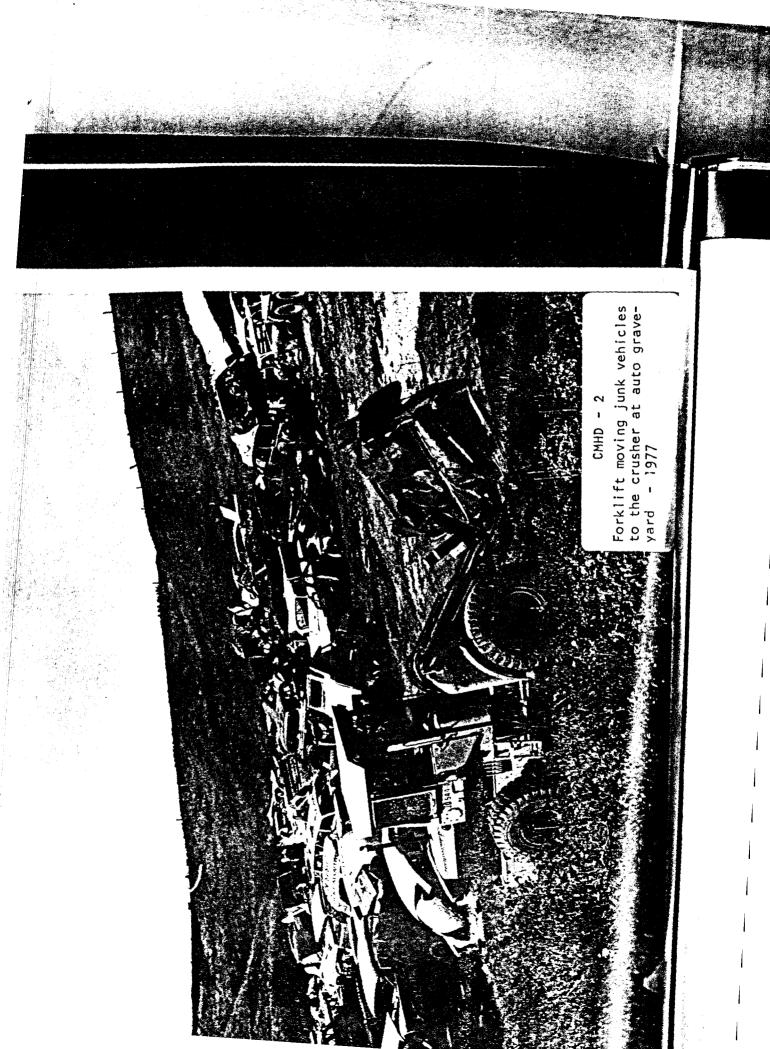


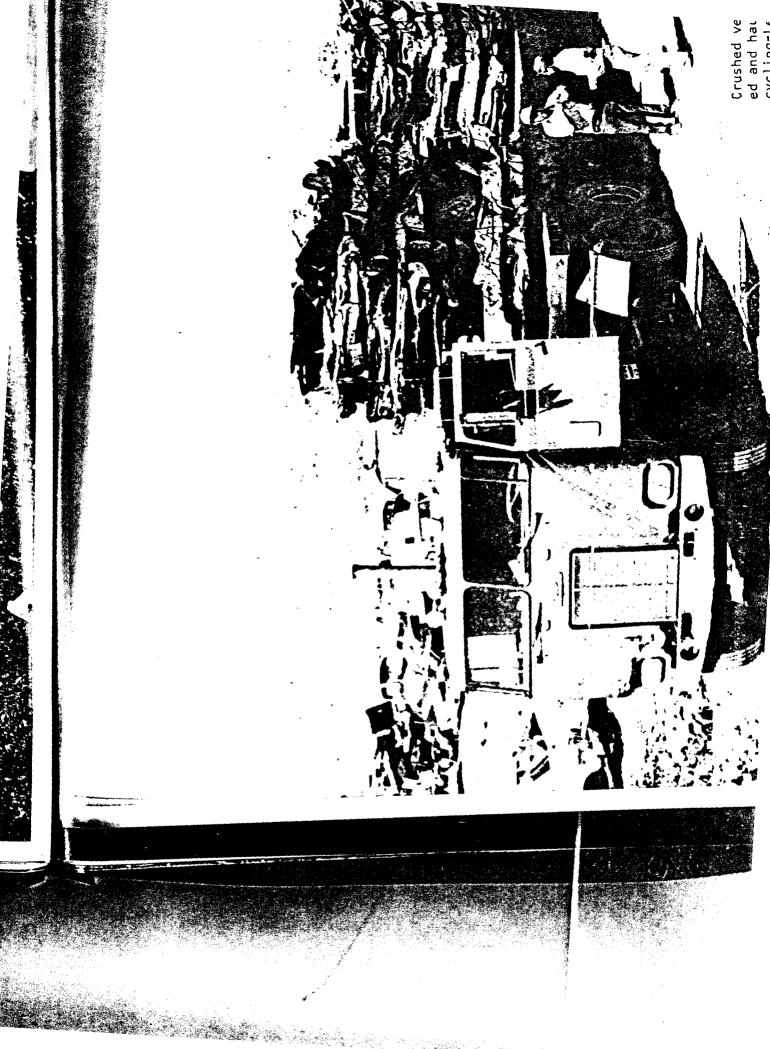
















WKED CARS CRUSHED — A crusher has en in Lewistown for the past few days to crush inked cars. It was set up near the "old car raveyard" on the county shop property at the port. The remains of two crushed cars can be

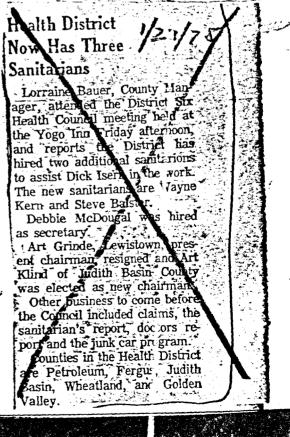
00 junked cars rushed for recycling

bout 300 junked cars, picked earlier in the Lewistown were crushed in the past Cays. They will eventually recycled.

goners of Livingston, who the contract for crushing ted cars in the five counties te Central Montana Health t ct, moved their crusher to town Friday. The crush-So: the old cars here was to be apleted today. $\mathbb{P}_{\mathcal{F}}^{\mathcal{F}}$ e crusher was set up by the d car graveyard" near the ty shop at the airport. fore coming to Lewistown; crusher was used to crush cars at Harlowton, 75 at gate and 59 at Grass Range: vill be taken to Moore this moon to crush 65 cars there 1 will go from there to

Stanford to crush approximate ly 250 cars. the district. A truck was purchased by the district recently to use in picking up junked cars. A staff of three operate it, including Earl Tresch and Dale Gauer. drivers, and their helper, Mike Saunders. The truck is operated seven days a week throughout the district. The five counties in the district are Judith Basin, Fergus, Petroleum, Wheatland and Golden Valley Junked cars collected and crushed in the district will be shipped to Regina, Canada, where they will be pulverized and recycled into steel and 1.2 other products.

seen in the foreground, with the crusher in the background. At left, a car is being picked up from the pile to be transported to the crusher. About 300 old cars were crushed while the crusher was here. (Roberta Donovan photo)

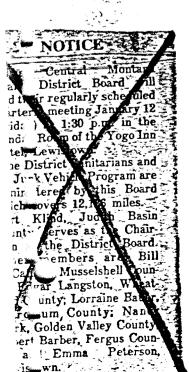




C USHED CARS ARE LOADED ON A SEMI-TRAILER AT THE LEWISTOWN WEYARD" FOR JUNKED VEHICLES. THE CENTRAL MONTANA HEALTH DISTRICT ADMINISTERS A PROGRAM WHICH DISPOSES OF ABANDONED VEHICLES THROUGH RECYCLING.

Local health district disposes of junked cars

651 junked vehicles According to Jeff Koons, een crushed and district sanitarian nearly 4,000 from Central Montana, Junked vehicles from this area is ar. have been hauled away for



recycling since the the program began less than four years ago. 🛔 The Central Montana Health District administers the junked vehicle program, Koons explained, There are two graveyards for the vehicles one is here at Lewistown and the other is in Roundup. The vehicles are placed in the graveyards after the state takes graveyards after the state take possession of them. There the await disposal . Once a year, a crushe comes to compact the vehicles By doing this, as many as 18 can be hauled away on a semi for recycling, he added. N, "Last week the J and B Junk and Salvage Company of Lewis ton, Idaho, was here to crush and haul away the cars." Koons noted many people aren't aware they can dispose of an abandoned vehicle free of charge simply by calling the Central Montana Health District office Anyone who wants to ge rid of unused and abandoned vehicles may call 538-7466. Koons said. Not only does the junked vehicle program clean n the con

ROY water Roy w G JUNKED CARS — Jim Jeide, disposal retriever truck operator, is District serving Judith Basin, Fergus, Petroleum, Wheatlard, Golden Valley and Musselshell Counties. The program is funded by recen tion v Quali ing" two car bodies from Spring Depa of Lewistown just off Highway 191. state monies collected when cars are licensed viron Cars will be picked up free of charge anywhere in the district by calling 538-7466. 1,500 junked vehicles that have been ena, by the Central Montana Health wo environ Mquer 12,1977

Junk vehicles crushed

pproximately 500 junk cars, will be disposed of later eived a crushing blow in ergus County last week. A crusher was brought into Central Montana Health trict junk vehicle graveyard in Fergus County, to crush and dispose of the vehicles.

n addition to the 500 cars in the Fergus County graveyard, about 130 in Harlowton will be ished, and 300 in Roundup

Using a hydraulic system which wields about 2,500 pounds per square inch, the crusher packs the vehicles down to approximately nine inches high.

About 18-21 cars are packed and loaded in bundles on a semi and transferred to the West Coast where they are recycled. About \$9.37 per ton will be received from the scrap metal.

About 690 tons of scrap metal

e estimated to be in the Fergus County and Harlowton facilities. The Harlo facility will be closed after the crushing.

9/25/77

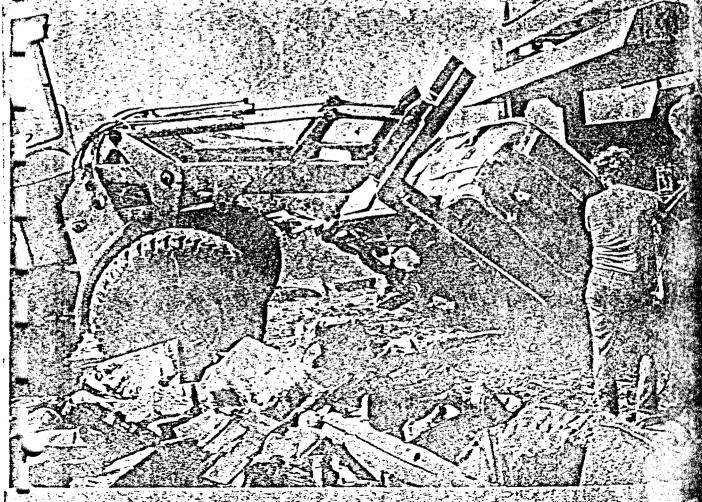
The revenue received from the crushing will go to the state for the junk car program. Once the junk vehicles are in the gravevard, they belong to the state, who in turn, contracts for the crusher.

Only the gas tank and wheels

are removed from th before they are crush Anyon : having jun can phone the healt office ir Lewistown them rei loved free of

One man in the c designated to pick in cars and place then graveyards.

"The district has one better junk car prograstate," Dick Isern said



CRUSHER — A crusher was brought into the unk vehicle graveyard belonging to the Central

crusher packs the vehicles to about nine high. They are then loaded on semitransferred to the West Coast for recvel

k vehicle collection to be stepped _aw provisions are clarified

Roundup, Mt., April 13, 1977

Roundup Record-Tribune

strict Sanitarian's junk tor las been quite busy unip area during the weeks and has made a nt in the junk vehicles n around on city r turny years some of Commissioner_Robert thi 's residents need to law clarified so they they can expect. r states that all junk otc vehicles wrecking are required to be om public view. Public point six feet above the. any sublic road from " or vehicles can acia three vehicles at one Ш e handled as he mak vehicles may with the free motor

No. 2

Year

graveyard; 2, if left on the not lawfully and validly premises, the junk vehicle is to be licensed, and remains inoperative shielded from public view. or incapable of being driven. One the vehicle has been To have the collector pick up a iunk vehicle, a title must be deposited in the free county-oper; ated motor vehicle graveyard, no furnished or a release which may, salvage will be permitted from be obtained from him, the Sheriff vehicles. This law will be strictly or Clerk and Recorder. enforced. From now on, the collector will be picking up vehicles from yards A junk vehicle is any discarded, ruined, wrecked, or dismantled which are exposed to public view vehicle that is in public view which from roadways

Health District program... Junked vehicles help save energy

The steel fence post you saw the other day beside the road fencing in a herd of cattle may be your old car.

LNA

That car helped save the nation energy.

Since June 1974, when the junk vehicle collection program began, nearly 3,800 vehicles have been collected and crushed in the Central Montana Health District, which includes five other counties as well as Fergus.

This produced 4,100 tons of scrap metal representing 466,137 gallons of fuel saved when energy savings are transated into that equivalent. This fuel is saved because there are no mining operations and much less smelting involved

A total of 36,234 junk vehicles

totally recycled in the past four

has been collected through the state of Montana during this time.

3/22/28

Central Montana's crushed vehicles are usually sent to rolling mills on the West coast where the ferrous scrap is used to make fence posts and concrete reinforcement bar. This program is nearly a total recycling project since everything is reused except the obvious items such as tires.

Although the legislation providing for the program establishes it state-wide, it is administered at the county level with the state redistributing the fees collected locally to support the effort according to each county's needs.

This financing method recognizes that the per vehicle collection costs in large sparsely populated counties are greater than those in urban areas.

The six counties, Fergus Judith Basin, Musselshell, Golden Valley, Petroleum, and Wheatland, joined together to form the Central Montana Junk Car District which is administered by the Health District and

The program has been called a "beautification" project since it rids the state of unsightly junkers while others praise its "energy and resource" aspects. Since 1977 alone, 8,596 vehicles were picked up in the state, most of them scattered throughout the countryside. This benefits every Montanan, who travels in the state and appreciates unspoiled scenery as well as enhancing the enjoyment of tourists.



(Courteen nhatal

The Central Montana Health District is new enforcing junk vehicle disposal regulations adopted by the state in September, 1973, District Sanitarian Dick Isern told the Lewislown f of it at the free county City Council Monday night. 2. . . . 3 Isern said the commissioners of the five counties included in the district have delegated the responsibility for removal of old cars to the health district.

Isern explained that a junk vehicle is defined as, "either a discarded, ruined, wrecked, or dismantled vehicle, or a vehicle substantially changed in form substantianty charge of component and in the constructed ent materials and in either cases operated, and shielded accord view which is not lawfully and validly licensed and remains inoperative or incapable of being driven."

Isern' said he is concentrat. ing at this time on removing the vehicles which are offensive to the owners and which the owners want removed. The goal, eventually, is to remove all junked cars as funding -The junk vehicle program is funded by the one dollar fee charged for each license plate purchased. This dollar is returned to the individual counhes. As long as funds are avail. able, the Health District will continue to collect a many junk vehicles as possible. Isern said. However, it is the individual

vehicle has a choice of disposing graveyard or at a licensed salvage operator: they can shield it from view; or they can purchase a current license plate for it. \tilde{E}^{2} Four or more vehicles constitute a motor wrecking facility, Isern said, and as such must comply with state regulations and purchase a \$50 annual license All licensed wrecking faciling to state regulations before May 4, 1975. The five county district has acquired a junk vehicle retriever truck and has already begun collecting the 3,913 junks scattered throughout Central Montana. There will be a permanent district auto graveyard at Lewistown Isern said, and 17 temporary siles elsewhere the five counties. 1 Owners of junk vehicles who desire the free removal service should contact their county clerk and recorder or the district health office. Isern also announced that the quarterly meeting of the Central Montana Health District will be held at the Yogo Inn Friday at 1 p.m.

owner's responsibility for pro-

A person having a junk

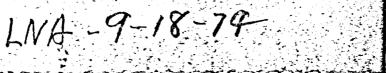
OWN

per disposal of their

car disposa

vehicles.

es enforced



Uars!!!! Junk

WHAT IS A JUNK CAR? A junk car is a discarded, ruined, wrecked, or dismantles vehicle or a vehicle which is substantially changed in form by the removal of parts or component materials; in either case, one that remains in public view which is not lawfully or validly licensed or remains inoperative or incapable of being driven. ven. WHAT IS A JUNK VEHICLE DEALER? A dealer is a facility buying, selling, or dealing in four or more vehicles per year for the purpose of wrecking, dismantling, disassembling, or substantially changing the form of the vehicle which or buys or sells second-hand parts in whole or in part. The term does not include a garage where wrecked or disabled vehicles are temporarily stored for a reasonable period of time for inspection or repairs. WHAT IS 17 THE LAW CONCERNING JUNK CARS? Laws for junk vehicles are found under Chapter 410, Montana Session Laws 1973, House Bill No.

WHAT DATE IS THE LAW DELIVER FECTIVE? The laws pertain EFFECTIVE? The laws pertain-, OWNED JUNK VEHICLES TO wrecking yards also became of junk car removal. effective that date, but they had until May 5, 1975 to have their vehicles properly screened from public view.

THE WHO ENFORCES LAW? All enforcement of the six Central Montana Counties is handled through the District Health Department.

WHAT IF I_DISREGARD THIS LAW? Persons who violate this law will be subject to prosecution by the Co Attorney in each county conviction upon such vio County and conviction upon such violation could result in a penalty of a \$500

State Department of Health and Environmental Sciences. Responsibility was delegated to individual Board of County Commissioners. Musselshell County has elected to join the other five counties and charge the administration to the Central Montana Health District and have formed a six-county ي ينه ال

junk car disposal district. HOW 1S THE PR HOW IS THE PROGRAM FINANCED? The State returns the Disposal Fee collected when you purchase your license plates to the Junk Vehicle District. This

Roundup, Lewistown, and Harlowton.

HAVE ONLY ONE CAR. DO I HAVE TO GET RID OF IT? The answer is NO, if it can be concealed from view from any public road, street or alley. Otherwise it can be licensed for the current year or it can be disposed of through the Junk Vehicle Program. WHAT IS MY RESPONSI-BILITY? The owner of the

vehicle, or the owner of the land on which the junked vehicle is located, is responsible for its

shielding or removal. WHAT IS THE STATE'S The State **RESPONSIBILITY?** becomes the owner of the vehicle once it is placed in the designated site. The State then invites bids from private contractors to crush and remove the vehicles to recycling center.

WHAT IS THE COUNTY'S RESPONSIBILITY? It is the County's responsibility to provide a free motor vehicles graveyard. IT IS NOT THEIR RESPONSI TO PICK UP A R PRIVATELY AND ing to the individual citizen THE GRAVEYARD. As long as became effective the last day of funds are available, the District July, 1973. Laws pertaining to will continue its present program IT IS MY LAND, BUT NOT MY VEHICLE, THE OWNER IS UNKNOWN. In this case, you can sign a release and the District will remove the yehicle. I HAVE A JUNK CAR, BUT

IT IS A VALUABLE ANTIQUE CAN I KEEP IT? Yes, if it is an antique (30 years or older) or a classic. It should be licensed, shielded, or protected in building.

I HAVE TO PAY DO TO HAVE A JUNKER REMOVED? At this time, no. The Central could result in a penalty of a 3500 fine or imprisonment in the provide this service without County Jail for six months, or charge, as long as District funds both WHO ADMINISTRATES WHAT IS REQUIRED BE-CAR PROGRAM? FORE THE DISTRICT WILL PEMOVE MY CAR? Preferable, Montana Health District will provide this service without any charge, as long as District funds are available. REMOVE MY CAR? Preferable, the title should accompany the vehicle. If a title cannot be produced, then a simplified release form which has been approved by your County Attorney must be signed.

WHO DO I CONTACT? Notify the Central Montana Health District Office, P.O. Box 1150, Lewistown, Montana 59457, or Lewistown, Montana 59457, or leave work with the Musselshell County Clerk and Recorder including directions to locate the vehicle.

1 while G

Por Alalan

Re: Senate Bill 22

Money collected for junk vehicle disposal when registering automobiles is currently earmarked by Section 75-10-532 to be used for the control, collection, recycling and disposal of junk vehicles and component parts. Section 75-10-534 allows this money to be dispersed back to the county in which it was collected, after the county submits an acceptable program and budget to the Solid Waste Bureau.

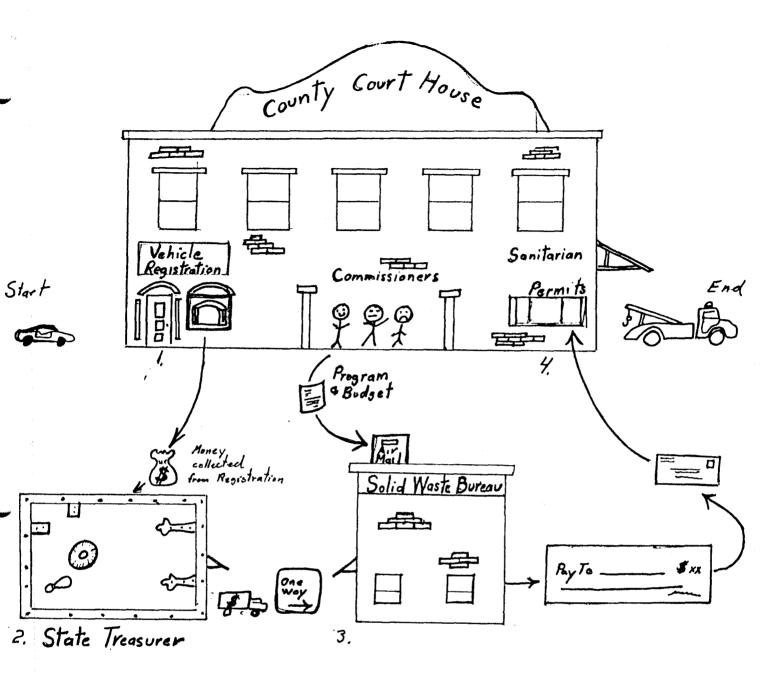
Montana has always been concerned over protecting her natural resources particularly her scenic visual beauty. The junk vehicle program has been a great help in this area by making it possible for local governing authorities to remove and dispose of old abandoned and unwanted vehicles. In addition, it supplies the means to enforce screening laws for junk yards and junk vehicles which private individuals own and want to keep.

The problem of junk vehicles is an ongoing one in that people are constantly acquiring and discarding them for one reason or the other.

In this fiscal year alone Ravalli County has hauled 181 cars (30 cars per month, 7 to 8 cars a week). Last year we hauled 310 cars for an average of 25 cars per month. Since 1976 we have hauled a total of 1675 cars.

It becomes evident that the program is getting more use by the public rather than less use as time goes on. This fact is also reassuring in that it may indicate we are removing unwanted cars before they become an eye sore.

With all the problem areas we have corrected we still have violators both new and old to work on. The public is using the program regularly and show no signs of diminishing interest and the desire to keep our surroundings litter free are all genuine concerns in favor of continuation of the program.



Junk Vehicle

Funding Route

P

MONTANA OWNER'S CENTIFICATE OF REGISTRATION AND TAX RECEIPT						NELLA VINIE	EE PERIOD
Current Plate	Type Veh.Yr.	Make Mode	Style	Color	TW/WYD	(A)ANNUAL QUARTERS	(6) 3rd & 4th
13-18311	PC 68	Ramb Am	er 21)	Grn	2678		. (7) 1st <u>& 2</u> nd - (8) 2nd & 3rd
EXPIRATION DATES	Vehicle I	dent./Motor No.	Title Nu	mber	1	1	(9) 1 2 - 3rd
2-28-81	ASVO	97B 274	529 M 4	107 07	7		, DUASS 205 (2)
Tah No.	Gas (1)	Vehicle Type	Equipment	No.	Ton	(7) 1 RANS	(3) 16%
D 035915	Beset (3)	4101				(1) 1025	_14) SCH 3
Registered Owner's Na						.(2) 75%	(5) 55%
MULLIN, Don S/Margaret M 1742						MIN NEED 113	
5369 Sweeny Cr.p						Co Tax	5.56
Florence 59870					Fog Fre	7.00	
Lienholder's Name and Address Lien Amount F.O.B. Price				G.V.W. Tax			
			L			New Use Tax	
		****				Title	
Valid By	Market Value	Taxable Val.		1		Junis Vehicle	.50)
d		.7,5 23		281.		RMV/F&G	
	I CERTIFY UNDER THAT THIS VEHICL	E IS INSURED AS	gignature o	f Registered (Dwner.	Co Folat	
	61-6-302 MCA	MONTANA STATUTE	$-\mathcal{A}(P^{(2)}) = \mathcal{A}$			Titlo	
· · · · ·	Out of	AUDITION STA	MEREGISTIRA	TIONEINIA Ist	OLA MARYICH	Por	
	State 80	No.				Dup Phg	
Legal Domicifie			,	24 • • • •		I room at the second	
OWNER COPY	1		Í)963	12112	TOTAL	13.06

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Exhibit H



... MAKING A DIFFERENCE ...

January 22, 1981

1981 Legislature Local Government Committee George McCallum, Chairman Capitol Building Helena, MT 59601

SUBJECT: Senate Bill 22

Gentlemen:

Section 75-10-532 of Senate Bill 22 proposes to change the disposition of monies derived from motor vehicle disposal fees, sale of junk vehicles, and from recycling of the material, and motor vehicle wrecking facility license fees--from earmarked funds to administer the program to the State General Fund.

The Missoula City-County Health Department opposes this portion of the bill, as we consider both the program and the financing mechanism to be appropriate to the needs of Missoula County. Since the program's inception, almost 4,000 junk vehicles were removed and recycled through the county system. Due to the other aspects of the program, for every vehicle removed through the county system, approximately 5-10 others were recycled through private channels, resulting in more than 25,000 cars being recycled as a valuable resource. Additionally, hundreds of rusting cars have been removed from the banks of the Bitterroot and Clark Fork Rivers through this program.

Through the Motor Vehicle Recycling Act, the program was created and the financing established, with the philosophy that the people contributing to the problem would pay for solving the problem. Also, deletion of these earmarked funds would, in all practicality, completely put an end to the motor vehicle recycling program in the State of Montana, and will result in an ever-growing accumulation of rusting eyesores and a waste of a valuable resource.

David

Health Officer

aria Joseph L. Aldegarie

Joseph L. Aldegarle Director, Environmental Health

MISSOULA CITY-COUNTY HEALTH DEPARTMENT 301 WEST ALDER STREET MISSOULA, MT 59801 TELEPHONE 721-5700