

MINUTES OF THE MEETING
SENATE LOCAL GOVERNMENT COMMITTEE
MARCH 26, 1981

The meeting of the Local Government Committee was called to order by Chairman George McCallum on the above date in Room 405 at 12:15 p.m.

ROLL CALL: All members were present.

DISPOSITION OF HOUSE BILL 558: Senator Van Valkenburg made a motion to adopt the amendments to the bill. The motion carried unanimously.

Senator Van Valkenburg moved the bill be concurred in as amended. The motion carried unanimously.

DISPOSITION OF HOUSE BILL 765: Senator Thomas handed out the amendments the subcommittee came up with for the bill. On page 1 they decided to change 15% to 10%. Notice of what an average customer would pay has to be sent within the monthly statement and also posted in the newspaper. On page 3 they have reduced 15% to 10%. The rates may be appealed to district court. If distribution is outside the city they cannot raise rates disproportionately. This is a compromise.

Debbie Schmidt said there was a mistake in the amendments, she would have to add an amendment about requiring people outside of the city to be charged the same amount.

Senator Ochsner asked if 10% was going to keep up with inflation.

Senator Thomas said most people were concerned that 15% was too high, perhaps in two years we can raise it.

Senator McCallum asked Dan Mizner if there was to be an effective date.

Mr. Mizner said he would like July 1, 1981 as the effective date.

Senator McCallum said that was in the bill and it remains effective through July 1, 1983.

Mr. Mizner said 12% to 15% is looking at the cost of living and growth of the cities.

Senator Thomas moved the amendments be adopted.

Senator Van Valkenburg asked that the vote be separated for amendments 2 and 7.

Senator Thomas said there was a major problem with the 15%. He

Local Government Committee

March 26, 1981

Page 2

moved to amend line 19 to strike "15%" and insert "10%". The motion failed with Senators Hammond, Van Valkenburg, Conover and Ochsner being opposed. Senators O'Hara, Thomas and McCallum were in favor.

Senator Hammond moved to strike "15%" and insert "12%". The motion carried unanimously.

Senator Van Valkenburg thought amendment No. 7 should yield more.

Senator Thomas said it makes it clear that total revenues cannot be raised more than 12% the way it is amended.

Senator McCallum asked Dan Mizner if he had problems with the amendments.

Mr. Mizner answered no.

Senator Van Valkenburg said the language on page 5, lines 6 through 8 is relatively important. It essentially says that municipally owned utilities are not public utilities so the PSC cannot regulate when more than 12%. He thought the committee should amend line 10 on page 4 to read "the rule shall provide that rate increases for comparable classifications and zones outside the municipal boundaries may not exceed those set within the municipal limits under the provisions of this act."

Senator Thomas moved the amendments be adopted as amended. The motion carried unanimously.

Senator Thomas moved House Bill 765 be concurred in as amended.

Senator Van Valkenburg can see problems with the Consumer Counsel having to go all around the state.

Senator Thomas said they have to leave it in. There is an agreement on that.

Senator Thomas's motion carried unanimously.

DISCUSSION OF HOUSE BILL 33: Senator Van Valkenburg moved the committee reconsider its action of be not concurred in on this bill. Some members have said they would like to look at the bill again. He would like another chance to look at it with the 51% in the bill.

DISPOSITION OF HOUSE BILL 575: Debbie Schmidt said Senator Turnage was concerned in many ways. Representative Kitselman explained the primary goal is to legalize establishment of a citizen advisory committee to advise county commissioners on proposed amendments to zoning regulations. Page 2, lines 6 through

13 are what Senator Turnage objects to. He feels that broadens stricken language on lines 2 through 6. She suggested reinserting the original language on 2 through 6 and strike "district" and insert "classification". She is not sure if this will satisfy Senator Turnage completely. Representative Kitselman wants to make sure there is a procedure to establish a commission.

Senator Conover thought the concern might be that they could come in with parking garages or any kind of building.

Ms. Schmidt said there were two schools of thought. One is that lines 6 through 13 are a clarification and further spelling out of lines 2 through 6. Senator Turnage thinks it is expansion. It is a debatable issue.

Senator Hammond said it points some things out that were not mentioned before.

Ms. Schmidt said he is also concerned with page 3, line 22 in striking of the amendment of zoning regulations. Sections 4 and 5 on page 6 establish new procedures for zoning regulations. He is concerned that the only way zoning regulations can be amended is if the zoning commission is appointed. County commissioners could amend zoning regulations even if one is not appointed.

Senator Van Valkenburg moved to amend page 2 by striking all new language on lines 6 through 13 and reinserting stricken language on lines 2 through 6. Substitute "classification" for "district" on line 2.

Senator O'Hara asked what that would do.

Senator Van Valkenburg said it is what Senator Turnage wants.

Senator McCallum said he was not sure that was what Senator Turnage wanted. He doesn't like the bill at all.

Ms. Schmidt said he does not like the existing law.

Senator McCallum asked Dan Mizner what would happen if this bill did not pass.

Mr. Mizner did not know, he had not been following the bill.

Ms. Schmidt said in Billings it would require holding two hearings instead of joint hearings.

Senator Van Valkenburg's motion carried unanimously.

Senator Hammond asked if they could do this in the counties presently and this bill would mandate it.

Ms. Schmidt answered no, it is permissive. That is provided on page 6, line 11.

Senator Hammond moved the bill, as amended, be not concurred in.

Senator Van Valkenburg said Representative Kitselman said they can do it but they must hold separate meetings for the zoning commission and another for the county commissioners. This allows them to hold combined meetings.

Senator O'Hara said Cliff Christian said 33% of housing costs are caused by government regulations.

Senator Hammond's motion was opposed by Senators Van Valkenburg, O'Hara and Conover. Senators Hammond, Thomas, McCallum and Ochsner voted aye.

Senator Van Valkenburg moved to reconsider action on HB575 so it would not have to be amended and killed. The motion carried unanimously.

Senator Van Valkenburg moved the bill be returned to the form in which we received it from the House. The motion carried unanimously.

Senator Van Valkenburg moved that HB575 be not concurred in. The motion carried unanimously.

DISPOSITION OF HOUSE BILL 760: Senator Van Valkenburg moved the bill be concurred in. The motion carried unanimously.

DISPOSITION OF HOUSE BILL 790: Senator Thomas said line 25 on page 2 needs amended.

Debbie Schmidt agreed, it needs to be subject to the provisions of HB765.

Senator Thomas moved to amend the bill to coordinate it with HB765. The motion carried unanimously.

Senator Hammond moved the bill be concurred in as amended. The motion carried unanimously.

DISPOSITION OF HOUSE BILL 594: Senator Van Valkenburg moved the bill be concurred in.

Senator Thomas said this has connotations beyond the university system.

Senator Van Valkenburg said they are exempted.

Senator Thomas asked where the exemption was for group homes.

Senator Van Valkenburg answered on page 1, line 17 it says "except as provided in 76-2-314". He said he would amend the bill to add a section which would exempt any state agency from having to pay building permit fees or any fee related to building construction or zoning or anything of that nature. He would put that amendment in on the floor prior to action so it would be provided for.

Senator Hammond said it restricts the use of any property they may purchase.

Senator Van Valkenburg said it would be just as you are restricted now. The state should not receive better treatment than individuals.

Senator Thomas said a master plan could be adopted to prevent them from doing a number of things.

Senator Van Valkenburg said on page 2 the application of zoning cannot exclude them from the area.

Senator McCallum asked if this would include junior colleges.

Senator Van Valkenburg replied it would apply to any government agency, not just the university system.

Senator Thomas said we have to look at the common good of all citizens.

Senator Van Valkenburg moved to amend the bill to strike Section 2 from the bill. It would require a public hearing before the state can come in and disregard local zoning regulations. Taking Section 2 out is taking out the guts of the bill so we would have to amend the title also. The state ought to take the people's opinions from the locality into consideration.

Senator Thomas said you are providing a new section and a new act so they will come back next session to put the rest into law. To incorporate it into an existing section would be the only way.

Senator Van Valkenburg's motion failed with Senators Thomas, O'Hara, McCallum, Hammond and Ochsner being opposed. Senators Van Valkenburg and Conover were in favor of the amendment.

Senator Hammond made a substitute motion to Senator Van Valkenburg's first motion and moved that the bill be not concurred in. Senators Van Valkenburg and Conover were opposed, all others voted aye.

Senator Van Valkenburg wants a minority report on the bill.

DISPOSITION OF HOUSE BILL 58: Senator Van Valkenburg presented proposed amendments to the committee. (See attached Exhibit A.) The amendments make the provisions apply only to first-class cities.

Senator Van Valkenburg made a motion to adopt the amendments. The motion carried unanimously.

Senator Van Valkenburg moved the bill be concurred in as amended. The motion carried unanimously.

DISPOSITION OF HOUSE BILL 192: Senator Van Valkenburg said this was something that developers wanted so there would be a more clear definition of what the considerations are so they would have a better understanding of what is required of them.

Senator Thomas said they submitted the bill in its original form. It was amended in the House to come to an agreement with the League of Women Voters. This is a compromise.

Senator Van Valkenburg moved it be concurred in. It is beneficial to developers. The motion carried unanimously.

DISPOSITION OF HOUSE BILL 59: Senator Van Valkenburg moved the bill be not concurred in. This makes annexation more difficult for first-class cities. It would have been fine if HB56 and HB57 had been acceptable.

Senator Conover was opposed, all others voted aye.

There being no further business before the committee, the meeting was adjourned at 1:30 p.m.*


Chairman George McCallum

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*Further consideration of HB33 is recorded in the minutes of March 24, 1981, 7:30 p.m.

ROLL CALL

LOCAL GOVERNMENT COMMITTEE

47th LEGISLATIVE SESSION - - 1981

Date 3/26/81

| NAME | PRESENT | ABSENT | EXCUSED |
|-----------------------------|---------|--------|---------|
| Senator George McCallum | ✓ | | |
| Senator Jesse O'Hara | ✓ | | |
| Senator H. W. Hammond | ✓ | | |
| Senator J. Donald Ochsner | ✓ | | |
| Senator Bill Thomas | ✓ | | |
| Senator Max Conover | ✓ | | |
| Senator Fred Van Valkenburg | ✓ | | |
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Each day attach to minutes.

AMENDMENTS

HB 58

1. Page 1, line 17.

Following: "(2)"

Insert: "in first class cities,"

2. Page 1, line 25.

same amendment

3. Page 2, line 8.

same amendment

4. Page 2, line 16.

same amendment

PROPOSED AMENDMENTS TO HB558

1. Page 3, line 2.

Strike: section 2 in its entirety

Renumber: subsequent sections

2. Page 9, line 3.

Following: line 2

Strike: "5"

Insert: "4"

Following: "through"

Strike: "5"

Insert: "4"

Coordination w/ HB 765

Amend HB 790, third reading (blue) copy as follows:

1. Page 2, line 25.

Following: "authority"

Insert: "[subject to the provisions of [House Bill 765]]"

2. Page 4.

Following: line 19

Insert: "(4) The bracketed material in section 3 relating to
House Bill 765 is effective."

SENATE COMMITTEE ON LOCAL GOVERNMENT

Date 3/26/81 House Bill No. 33 Time 12:55

| NAME | YES | NO |
|-----------------------------|-----|----|
| Senator George McCallum | ✓ | |
| Senator Jesse O'Hara | ✓ | |
| Senator H. W. Hammond | ✓ | |
| Senator J. Donald Ochsner | ✓ | |
| Senator Bill Thomas | ✓ | |
| Senator Max Conover | ✓ | |
| Senator Fred Van Valkenburg | ✓ | |
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Gail Stockwell
Secretary, Gail Stockwell

George McCallum
Chairman, GEORGE MCCALLUM

Motion: Senator Van Valkenburg moved the
bill be concurred in as amended.

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

SENATE COMMITTEE ON LOCAL GOVERNMENT

Date 3/26/81 House Bill No. 58 Time 12:15

| NAME | YES | NO |
|-----------------------------|-----|----|
| Senator George McCallum | ✓ | |
| Senator Jesse O'Hara | ✓ | |
| Senator H. W. Hammond | ✓ | |
| Senator J. Donald Ochsner | ✓ | |
| Senator Bill Thomas | ✓ | |
| Senator Max Conover | ✓ | |
| Senator Fred Van Valkenburg | ✓ | |
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Gail Stockwell
Secretary, Gail Stockwell

George M. McCallum
Chairman, GEORGE MCCALLUM

Motion: Senator Van Valkenburg moved the
bill be concurred in as amended.

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

George M. McCallum

SENATE COMMITTEE ON LOCAL GOVERNMENT

Date 3/26/81 House Bill No. 59 Time 12:15

| NAME | YES | NO |
|-----------------------------|-----|----|
| Senator George McCallum | ✓ | |
| Senator Jesse O'Hara | ✓ | |
| Senator H. W. Hammond | ✓ | |
| Senator J. Donald Ochsner | ✓ | |
| Senator Bill Thomas | ✓ | |
| Senator Max Conover | | ✓ |
| Senator Fred Van Valkenburg | ✓ | |
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Gail Stockwell
Secretary, Gail Stockwell

George McCallum
Chairman, GEORGE MCCALLUM

Motion: Senator Van Valkenburg moved the bill
be not concurred in.

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

SENATE COMMITTEE ON LOCAL GOVERNMENT

Date 3/26/81 House Bill No. 192 Time 12:15

| NAME | YES | NO |
|-----------------------------|-----|----|
| Senator George McCallum | ✓ | |
| Senator Jesse O'Hara | ✓ | |
| Senator H. W. Hammond | ✓ | |
| Senator J. Donald Ochsner | ✓ | |
| Senator Bill Thomas | ✓ | |
| Senator Max Conover | ✓ | |
| Senator Fred Van Valkenburg | ✓ | |
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Gail Stockwell
Secretary, Gail Stockwell

George McCallum
Chairman, GEORGE MCCALLUM

Motion: Senator Van Valkenburg moved the
bill be concurred in.

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

SENATE COMMITTEE ON LOCAL GOVERNMENT

Date 3/26/81 House Bill No. 558 Time 12:15

| NAME | YES | NO |
|-----------------------------|---------------------|----|
| Senator George McCallum | ✓ | |
| Senator Jesse O'Hara | ✓ XXXXXX | |
| Senator H. W. Hammond | ✓ | |
| Senator J. Donald Ochsner | ✓ | |
| Senator Bill Thomas | ✓ | |
| Senator Max Conover | ✓ | |
| Senator Fred Van Valkenburg | ✓ | |
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Gail Stockwell
Secretary, Gail Stockwell

George McCallum
Chairman, GEORGE MCCALLUM

Motion: Senator ~~XXXXXX~~ Van Valkenburg moved the
bill be concurred in as amended.

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

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SENATE COMMITTEE ON LOCAL GOVERNMENT

Date 3/26/81 House Bill No. 575 Time 12:15

| NAME | YES | NO |
|-----------------------------|-----|----|
| Senator George McCallum | ✓ | |
| Senator Jesse O'Hara | ✓ | |
| Senator H. W. Hammond | ✓ | |
| Senator J. Donald Ochsner | ✓ | |
| Senator Bill Thomas | ✓ | |
| Senator Max Conover | ✓ | |
| Senator Fred Van Valkenburg | ✓ | |
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Gail Stockwell
Secretary, Gail Stockwell

George McCallum
Chairman, GEORGE MCCALLUM

Motion: Senator Van Valkenburg moved the
bill be not concurred in.

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

minority report

SENATE COMMITTEE ON LOCAL GOVERNMENT

Date 3/26/81 House Bill No. 594 Time 12:15

| NAME | YES | NO |
|-----------------------------|-----|----|
| Senator George McCallum | ✓ | |
| Senator Jesse O'Hara | ✓ | |
| Senator H. W. Hammond | ✓ | |
| Senator J. Donald Ochsner | ✓ | |
| Senator Bill Thomas | ✓ | |
| Senator Max Conover | | ✓ |
| Senator Fred Van Valkenburg | | ✓ |
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Gail Stockwell
Secretary, Gail Stockwell

George McCallum
Chairman, GEORGE MCCALLUM

Motion: Senator Hammond moved the bill
be not concurred in

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

SENATE COMMITTEE ON LOCAL GOVERNMENT

Date 3/26/81 House Bill No. 760 Time 12:15

| NAME | YES | NO |
|-----------------------------|-----|----|
| Senator George McCallum | ✓ | |
| Senator Jesse O'Hara | ✓ | |
| Senator H. W. Hammond | ✓ | |
| Senator J. Donald Ochsner | ✓ | |
| Senator Bill Thomas | ✓ | |
| Senator Max Conover | ✓ | |
| Senator Fred Van Valkenburg | ✓ | |
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Gail Stockwell Secretary, Gail Stockwell
George McCallum Chairman, GEORGE MCCALLUM

Motion: Senator Van Valkenburg moved the
bill be concurred in.

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

SENATE COMMITTEE ON LOCAL GOVERNMENT

Date 3/26/81 House Bill No. 765 Time 12:15

| NAME | YES | NO |
|-----------------------------|-----|----|
| Senator George McCallum | ✓ | |
| Senator Jesse O'Hara | ✓ | |
| Senator H. W. Hammond | ✓ | |
| Senator J. Donald Ochsner | ✓ | |
| Senator Bill Thomas | ✓ | |
| Senator Max Conover | ✓ | |
| Senator Fred Van Valkenburg | ✓ | |
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Gail Stockwell
Secretary, Gail Stockwell

George McCallum
Chairman, GEORGE MCCALLUM

Motion: Senator Thomas moved the bill be
concurred in as amended.

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

SENATE COMMITTEE ON LOCAL GOVERNMENT

Date 3/26/81 House Bill No. 790 Time 12:15

| NAME | YES | NO |
|-----------------------------|-----|----|
| Senator George McCallum | ✓ | |
| Senator Jesse O'Hara | ✓ | |
| Senator H. W. Hammond | ✓ | |
| Senator J. Donald Ochsner | ✓ | |
| Senator Bill Thomas | ✓ | |
| Senator Max Conover | ✓ | |
| Senator Fred Van Valkenburg | ✓ | |
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Gail Stockwell
Secretary, Gail Stockwell

George McCallum
Chairman, GEORGE MCCALLUM

Motion: Senator Hammond moved the bill
be concurred in as amended.

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

STANDING COMMITTEE REPORT

March 26

19 81

MR. PRESIDENT

We, your committee on LOCAL GOVERNMENT

having had under consideration HOUSE

Bill No. 33

AZZARA (VAN VALKENBURG)

Respectfully report as follows: That HOUSE

Bill No. 33

third reading (blue) copy, be amended as follows:

1. Page 2, line 2.

Following: "51½"

Strike: "66½"

Insert: "51½"

2. Page 2, line 3.

Following: "69"

Strike: "30"

Insert: "60"

And, as so amended, BE CONCURRED IN

XXXXXX
DO PASS

G.A.

STANDING COMMITTEE REPORT

March 26

19 31

MR. **PRESIDENT**

We, your committee on **LOCAL GOVERNMENT**

having had under consideration **HOUSE** Bill No. **58**

KESSLER (REGAN)

Respectfully report as follows: That **HOUSE** Bill No. **58**

third reading (blue) copy, be amended as follows:

1. Page 1, line 17.

Following: **"(2)"**

Insert: **"in first class cities,"**

2. Page 1, line 25.

same amendment

3. Page 2, line 8.

same amendment

4. Page 2, line 16.

same amendment

And, as so amended, BE CONCURRED IN

UNPASS

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STANDING COMMITTEE REPORT

March 26

19 81

MR. PRESIDENT

We, your committee on LOCAL GOVERNMENT

having had under consideration HOUSE Bill No. 59

FABREGA (VAN VALKENBURG)

Respectfully report as follows: That HOUSE Bill No. 59

BE NOT CONCURRED IN

~~DO PASS~~

STANDING COMMITTEE REPORT

March 26

19 81

MR. PRESIDENT

We, your committee on LOCAL GOVERNMENT

having had under consideration HOUSE Bill No. 192

MOORE (VAN VALKENBURG)

Respectfully report as follows: That HOUSE Bill No. 192

BE CONCURRED IN

~~XXXXXXXX~~

g.c.

STANDING COMMITTEE REPORT

March 26

19 81

PRESIDENT

MR.

LOCAL GOVERNMENT

We, your committee on

HOUSE

having had under consideration Bill No. 558

D BROWN (VAN VALKENBURG)

HOUSE

558

Respectfully report as follows: That..... Bill No.

third reading (blue) copy, be amended as follows:

1. Page 3, line 2.

Strike: section 2 in its entirety

Renumber: subsequent sections

2. Page 9, line 3.

Following: line 2

Strike: "5"

Insert: "4"

Following: "through"

Strike: "5"

Insert: "4"

And, as so amended, BE CONCURRED IN

~~DO PASS~~

STANDING COMMITTEE REPORT

March 26

19 91

MR. PRESIDENT

We, your committee on LOCAL GOVERNMENT

having had under consideration HOUSE Bill No. 594

KEMMIS (McCALLUM)

Respectfully report as follows: That HOUSE Bill No. 594

BE NOT CONCURRED IN

XXXXX
DO PASS

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STANDING COMMITTEE REPORT

MINORITY REPORT

March 26, 19 81

MR. PRESIDENT

We, your committee on LOCAL GOVERNMENT

having had under consideration HOUSE Bill No. 594

KEMMIS (MCCALLUM)

Respectfully report as follows: That HOUSE Bill No. 594

BE CONCURRED IN
XXXXXX
DO PASS

STANDING COMMITTEE REPORT

March 24

19 81

MR. **PRESIDENT**

We, your committee on **LOCAL GOVERNMENT**

having had under consideration **HOUSE** Bill No. **624**

WILLIAMS (VAN VALKENBURG)

Respectfully report as follows: That **HOUSE** Bill No. **624**
third reading (blue) copy, be amended as follows:

1. Page 2, line 7.

Following: "claim"

Strike: ", "

Insert: "or"

2. Page 2, lines 8 and 9.

Following: "water,"

Strike: "or notice of appropriation of water"

3. Page 3, lines 9 and 10.

Following: "for"

Strike: the remainder of line 9 and line 10

Insert: "the first page of any document, 50 cents, and 25 cents for each subsequent page; and"

(cont'd)

DO PASS

Local Government Committee
House Bill 624
Page 2

4. Page 3, line 11.
Following: "\$1"
Strike: "\$2"
Insert: "\$1"

And, as so amended, BE CONCURRED IN

1. Page 3, line 11.
Following: "claim"

G.A.

STANDING COMMITTEE REPORT

March 26

19 81

PRESIDENT

MR.

LOCAL GOVERNMENT

We, your committee on

HOUSE

having had under consideration Bill No. **760**

WALDRON (HAGER)

HOUSE

Respectfully report as follows: That Bill No. **760**

BE CONCURRED IN

~~XXXXXX~~

G.A.

STANDING COMMITTEE REPORT

March 26

19 81

PRESIDENT

MR.

LOCAL GOVERNMENT

We, your committee on

HOUSE

having had under consideration Bill No. **765**

DONALDSON (HAMMOND)

Respectfully report as follows: That **HOUSE** Bill No. **765**
third reading (blue) copy, be amended as follows:

1. Title, line 8.

Following: "MCA"

Insert: "AND PROVIDING A PERIOD OF EFFECTIVENESS"

2. Page 1, lines 18 and 19.

Following: "raised"

Strike: "more than 15% per year"

Insert: "to yield more than a 12% increase in total annual revenues"

3. Page 1, lines 21 and 22.

Following: "to"

Strike: "pay principal and interest on the bonds or loans"

Insert: "meet the requirements of bond indentures or loan agreements"

4. Page 2, line 7.

Following: "(3)"

Insert: "(a)"

DQ PASS

(cont'd)

5. Page 2.

Following: line 11

Insert: "(b) The notice must also be mailed at least 7 days and not more than 30 days prior to the hearing to persons served by the utility. The notice shall accompany the bill for services of that utility and must be mailed within the prescribed time period. This notice must contain an estimate of the amount the customer's average monthly bill will increase."

6. Page 3, line 6.

Following: "clerk."

Insert: "A copy of each revised rate schedule shall be filed with the public service commission upon final decision."

7. Page 3, line 19.

Following: "increases"

Strike: "in excess of 15¢"

Insert: "that yield total revenues in excess of 12¢"

8. Page 3, line 20.

Following: "for"

Insert: "mandated federal and state"

9. Page 3, line 21.

Following: "improvements"

Insert: "for which the increase exceeds amounts necessary to meet the requirements of bond indentures or loan agreements required to finance the local government's share of the mandated improvements"

10. Page 4, line 10.

Following: "boundaries."

Insert: "The rule shall provide that rate increases for comparable classifications and zones outside the municipal boundaries may not exceed those set within the municipal limits under the provisions of [this act]."

11. Page 4.

Following: line 10

Insert: "NEW SECTION. Section 7. Appeals. (1) A party to a municipal rate hearing may appeal the decision of the municipality to the district court in whose jurisdiction the municipality lies.

(2) A person may appeal the adoption or application of municipal utility rules to the district court in whose jurisdiction the municipality lies."

Renumber: subsequent sections

(cont'd)

March 26

81

Local Government Committee
House Bill 765
Page 3

19.....

12. Page 5, line 2.

Following: "(e)"

Insert: "except as provided in [sections 1 through 6],"

13. Page 5, line 6 through line 8.

Strike: these lines in their entirety

14. Page 5.

Following: line 8

Insert: "Section 9. Period of effectiveness. This act is
effective July 1, 1981 and remains in effect until July 1, 1983."

And, as so amended, BE CONCURRED IN

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STANDING COMMITTEE REPORT

March 26

81

19.....

PRESIDENT

MR.

LOCAL GOVERNMENT

We, your committee on

HOUSE

having had under consideration

Bill No. **790**

DAILY (HAMMOND)

HOUSE

Respectfully report as follows: That

Bill No. **790**

third reading (blue) copy, be amended as follows:

1. Page 2, line 25.

Following: "authority"

Insert: "[subject to the provisions of House Bill 765]"

2. Page 4.

Following: line 19

Insert: "(4) The bracketed material in section 3 relating to House Bill 765 is effective."

And, as so amended, BE CONCURRED IN

~~XXXXXX~~

PA