

MINUTES OF THE MEETING OF THE LOCAL GOVERNMENT COMMITTEE
February 18, 1983

The meeting of the Local Government Committee held February 18, 1983, 7 p.m. in Room 224A of the Capitol Building was called to order by Chairman Kathleen McBride. All members were present except Rep. Waldron who was excused.

HOUSE BILL 788

REP. O'CONNELL, sponsor, said this measure would make more equitable fire hydrant assessments. She said it would make assessments on fire hydrants "statutorily right."

PROPOSERS:

MIKE YOUNG, representing the City of Missoula, spoke in favor of the bill. YOUNG said that in the City of Great Falls, the city levies two mills against all property owners to pay for fire hydrants, which only a portion of the property owners use. He said the measure would make costs of hydrants more equitable.

AL JOHNSON, City Manager of Great Falls, said the present system of paying for fire hydrants is a "big problem." He said the cities have been trying to devise equitable ways of dividing costs of fire hydrants, but are in need of enabling legislation for assessing hydrants fairly. He said HOUSE BILL 788 would do this, and he called for its passage.

ALEC HANSEN, representing the Montana League of Cities and Towns, spoke in support of the bill. He said it was fair and equitable.

REP. PISTORIA, speaking as a proponent, commended REP. O'CONNELL and AL JOHNSON for coming up with the bill. He spoke in favor of its passage.

OPPONENTS: None

REP. O'CONNELL closed her remarks by calling for the Committee to give the bill a do pass recommendation.

CHAIRMAN McBRIDE closed the hearing on HOUSE BILL 788.

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EXECUTIVE SESSION
HOUSE BILL 788

CHAIRMAN McBRIDE called the Committee into Executive Session to act on HOUSE BILL 788.

REP. HAND: Moved the bill DO PASS.

Question was called and the motion CARRIED by voice vote.
REPS. SWITZER and WALLIN voted no.

REGULAR SESSION
HOUSE BILL 732

REP. HARPER, sponsor. This bill would allow the state to "take out useless pages from the code."

PROPOSERS:

HOWARD SCHWARTZ, representing Missoula County, spoke in favor of the measure. He said it would eliminate ambiguities in existing law.

OPPOSERS: None

REP. HARPER closed.

QUESTIONS:

REP. SALES: Would Chapter 1 of Title 7 still exist after the bill is enacted.

LEE HEIMAN: Chapter 1 through about 50% of Chapter 3 would remain.

HOWARD SCHWARTZ: The law that would be repealed by the measure is the older law.

CHAIRMAN McBRIDE closed the hearing on HOUSE BILL 732.

HOUSE BILL 734

REP. HART, sponsor. This bill would enable cities and counties to have a facility that would address one particular group's needs within the geographic area, without burdening the full jurisdiction with the expense. She said the measure would allow certain districts to be formed

by interested groups of people to finance projects. As an example, she said that it would allow rural districts to be freed of costs for projects used predominately by urban residents within a county.

PROPONENTS:

LES PRENTICE, Director of the Missoula Redevelopment Agency, spoke in support of the measure. He gave a history of Missoula's efforts to arrange for similar facilities, and some difficulties encountered that might be remedied by this bill.

GENE PETERSON, past President of the Missoula Area Chamber of Commerce, spoke in support of the bill. He said there was a real need for the district approach to project building. He said sometimes a county can be too big but a city would be too small, and that was a frequent experience in the Missoula area. PETERSON also noted that this bill was the first time he had seen all forces get together in support of such a measure.

LEON STALCUP, a Missoula City Council member, endorsed the bill. He noted that Glendive city officials endorse it as well.

DAN SMITH, representing President NEIL BUCKLEW at the University of Montana, endorsed the bill. He said the entire Missoula community supports the measure.

PAUL CHUMRAU, a retired savings and loan officer from Missoula, said the bill would address the realities of a "new economic revolution" now getting under way. He said the legislation would enable community residents to do something for themselves and pay for it themselves.

MIKE STEPHEN, representing the Montana Association of Counties, endorsed the measure.

HOWARD SCHWARTZ, representing Missoula County, proposed amendments to the measure (EXHIBIT 1). SCHWARTZ expressed reservations about the bill because it would inappropriately

delegate taxing authority to the governing body of the district rather than keep that taxing authority within the hands of county commissioners. SCHWARTZ said his amendments would make the county commissioners the governing body of a particular district within a county, thus retaining taxing authority in the hands of the county commissioners. He said the amendments would allow the county commissioners to appoint governing boards for facilities if needed. He also said the amendments would harmonize the budget procedures for the districts with existing county procedures.

Additional testimony was submitted (EXHIBIT 2).

OPPONENTS:

DENNIS LOPACH, representing the Montana Taxpayers Association, said that organization was concerned about the bill because it speaks to the authority of the district to issue general obligation bonds without taking the issue to the voters. He said at present the exceptions that allow such actions are very narrow. He said the Montana Taxpayers Association believes the bill is too sweeping in its bonding authority. He said he also believed the indebtedness limitation contained in the bill was too great compared to the limits now bearing on counties.

REP. HART closed saying that the taxing authority contained in the bill was not mandatory.

QUESTIONS:

REP. HAND asked for clarification of the language in the bill regarding "community facility district."

REP. HART: The districts would be made up by the geographical considerations and the taxpayers.

REP. NEUMAN: How would someone within the geographical limits of a proposed district get out of assessments to provide for a project which he/she did not care for.

MIKE STEPHEN: This is a weakness of the bill.

REP. NEUMAN: It is a fatal flaw.

REP. BERTELSEN: What about the 25% taxing limit contained in the bill.

HOWARD SCHWARTZ: I am uncomfortable with this limit. He said it was too great. He also said that the kinds of and numbers of bonds issued by a district could affect the bond ratings of a city or county or other jurisdiction.

CHAIRMAN McBRIDE closed the hearing on HOUSE BILL 734.

HOUSE BILL 632

REP. BLISS, sponsor. This measure would allow the county governing body to appoint fire district trustees if individuals do not seek election.

PROPOSERS:

BILL ROMINE, representing the County Clerks and Records Association, suggested that "sometimes elections are unnecessary when nobody is running." He spoke for the bill.

(EXHIBIT 3)

MIKE STEPHEN, representing the Montana Association of Counties, also supported the measure.

OPPOSERS: None

QUESTIONS: None

CHAIRMAN McBRIDE closed the hearing on HOUSE BILL 632.

HOUSE BILL 720

REP. LORY, sponsor. This bill would save taxpayers money because it would allow the refunding in advance of general obligation bonds. REP. LORY also distributed amendments to the bill which he said were prepared in the wake of a recent court decision by the Appeals Court in Washington D.C. He said the amendments would bring the proposed legislation into conformity with the court ruling.

PROPOSERS:

MAE NAN ELLINGSON, Missoula, spoke to the need for the amendments. She also pointed out the need for the word "refund" in the proposed amendments, specifically, at the end of the first line in proposed amendment #2, to make the sentence read "refunding bonds issued pursuant to this section may be issued to refund outstanding bonds in advance..."

(EXHIBIT 4)

BILL VERWOLF, representing the City of Helena, said that at present municipalities can call general obligation bonds once the issue is passed its halfway point. He said, however, that jurisdictions like authority for advance refunding, and this is to the disadvantage of those authorities, as advanced refunding can be used to reduce the cost of bonds.

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BRUCE MacKENZIE, representing the brokerage firm of D. A. Davidson, explained the concept of "advance refunding." MacKENZIE also said the bill would provide an incentive for municipalities to save money.

AL JOHNSON, City Manager of Great Falls, urged passage of the measure, saying it would save money.

HOWARD SCHWARTZ, representing Missoula County, said the measure would be helpful to counties as well.

ALEC HANSEN, representing the League of Cities and Towns, said his organization supported the measure.

OPPONENTS: None

REP. LORY closed saying that the measure would save money and result in lower taxes.

QUESTIONS:

Responding to a question by REP. SALES, VERWOLF said that jurisdictions cannot at present do advanced refunding of general obligation bonds. He said advanced refunding can be done of revenue bonds.

REP. PISTORIA: Have you seen the amendments and are they proper?

BRUCE MacKENZIE: Confirmed they were.

CHAIRMAN McBRIDE: If at present, cannot counties issue revenue bonds?

MAY NAN ELLINGSON: That is correct.

CHAIRMAN McBRIDE: Referred to page four, line 12 of the bill which would give authorities the option of giving public notice about a bond sale.

MAY NAN ELLINGSON: Language is needed to conform the language with other portions of the measure.

CHAIRMAN McBRIDE closed the hearing on HOUSE BILL 720.

HOUSE BILL 874

REP. HANSEN, sponsor. This measure would allow a local Board of Health to collect fees for inspections mandated by state government. She referred to page 3, line 3 of the measure, which would strike the words "establishment being inspected." She said the words "state of Montana" should

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be used instead, as that would give a completely different meaning to the bill. She said that counties seek help in spreading out the costs of running local health departments. She said, however, the measure would put limits as to how high the fees could go.

PROPOSERS:

HOWARD SCHWARTZ, representing Missoula County, spoke in support of the bill.

OPPOSERS: Written testimony submitted (EXHIBIT 5).

REP. HANSEN closed.

QUESTIONS:

REP. WALDRON: At present, where would the money come from for the bill?

REP. HANSEN: The General Fund.

REP. BERTELSEN: Would the bill place limits on charges to state government?

REP. HANSEN: I am not sure.

CHAIRMAN McBRIDE closed the hearing on HOUSE BILL 874

HOUSE BILL 830

REP. HANSEN, sponsor. This bill would allow local governments to charge for the review of proposed subdivisions.

PROPOSERS:

HOWARD SCHWARTZ, representing Missoula County, spoke in support of the measure. He said a problem is that in the course of review of subdivisions, often there arise very serious and complex questions to be answered. He said these sorts of questions justify deferral of expenses by local governments.

OPPOSERS:

DENNIS RIEBERG, representing the Montana Association of Realtors, spoke against the measure. He said that local governments may already charge fees for review of lots, sewage, and sanitary services (EXHIBIT 6).

JOHN HOLLOW, representing the Montana Associated Home Builders, stated his organization's opposition to the measure. He said that at the very least, local governments would need guidelines for basing charges, which the bill does not have.

REP. HANSEN closed saying the bill makes the fees to be charged by local governments discretionary.

QUESTIONS:

REP. WALLIN: What is a "parcel" under the terms of the bill?

DENNIS RIEBERG: A parcel would amount to any division of property.

CHAIRMAN McBRIDE: Where does the money presently paid go? What does the state do for its \$15 a share at present?

HOWARD SCHWARTZ: The state has the final review authority for a subdivision and retains the \$15 for administrative costs.

REP. SANDS: Why not simply raise the lot fee for inspection?

HOWARD SCHWARTZ: Such a move would be simple so that simple lot inspections are not subsidizing complex ones.

REP. SANDS: If local government is already charging fees, why do the realtors object?

DENNIS RIEBERG: Because the association would prefer not to have a fee structure in the form of statutes.

CHAIRMAN McBRIDE: By what authority does the City of Billings charge for review?

DENNIS RIEBERG: I do not know.

CHAIRMAN McBRIDE closed the hearing on HOUSE BILL 830.

HOUSE BILL 715

REP. WALDRON, sponsor. He described the bill as allowing cities and counties to amend budgets because of anticipated savings or revenues or shortfalls in revenues.

PROPONENTS:

MIKE YOUNG, the Missoula Budget Officer, said the bill would address three particular situations: the cases of anticipated revenue, shortfalls in revenue, and the need for reappropriation of savings or expenditures to other line items within the jurisdictions budgets. He also said the measure would allow governing bodies to change total dollar amounts of budgets.

BILL VERWOLF, representing the City of Helena, stated his support for the measure. VERWOLF gave another example of the usefulness of the bill: he spoke of the need for readjustment of budgets when, as in the case of public service commission action on proposed rate increases for municipally-owned utilities, the present law does not allow budgetary changes.

MIKE STEPHEN, representing the Montana Association of Counties, spoke of the "attractive features" of the bill. He said it would allow jurisdictions to make use of revenues as soon as available rather than waiting until the next budget year.

HOWARD SCHWARTZ, representing Missoula County, also spoke in support of the measure.

OPPONENTS: None

REP. WALDRON closed.

QUESTIONS:

REP. SALES: Would the bill set up a complicated procedure?

BILL VERWOLF: At present, there is not the explicit authority to make such changes.

REP. NEUMAN: If this bill had been in effect this year, local jurisdictions could have made use of additional unexpected revenue from licenses.

BILL VERWOLF: It would have helped local jurisdictions.

CHAIRMAN McBRIDE closed the hearing on HOUSE BILL 715.

EXECUTIVE SESSION
HOUSE BILL 715

REP. WALDRON, sponsor. This bill would allow counties and municipalities to amend their final budgets because of unanticipated revenues, shortfalls in revenues, or savings.

REP. SALES: Moved HOUSE BILL 715 DO PASS.

Question was called and the motion CARRIED by UNANIMOUS-VOICE VOTE.

HOUSE BILL 874

REP. HANSEN, sponsor. This measure would allow a local Board of Health to collect fees for inspections mandated by state government.

REP. SALES: Moved to TABLE HOUSE BILL 874. Question was called and the motion CARRIED by UNANIMOUS VOICE VOTE.

HOUSE BILL 732

REP. HARPER, sponsor. This bill would repeal provisions on optional forms of county government in order to eliminate confusion and duplication with other laws relating to alternative forms of local government applicable to counties.

REP. SALES: Someone should look at both sections of law contemplated by the bill to make sure that nothing would be overlooked.

HOUSE BILL 734

REP. HART, sponsor. This bill would authorize the establishment of community facilities districts, after hearing, by a vote on the question; to provide for the appointment of commissioners; to authorize a levy of not more than 3 mills for the establishment and operation of community facilities; and to allow the issuance of bonds to develop facilities for the district.

REP. SALES: Moved HOUSE BILL 734 DO NOT PASS.


REP. HANSEN: Made a substitute motion that HOUSE BILL 734 be TABLED. She spoke to problems with the bill. She said another umbrella bond bill would be just as good.

Question was called and the motion CARRIED with REPS. BERGENE, WALDRON, KEENAN, and KADAS voting no.

The meeting adjourned at 10:30 p.m.



CHAIRMAN KATHLEEN McBRIDE



Secretary

VISITOR'S REGISTER

HOUSE LOCAL GOVERNMENT COMMITTEE

BILL HOUSE BILL 788

DATE 2-18-83 7 p.m.

SPONSOR Rep. O'Connell

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITOR'S REGISTER

HOUSE LOCAL GOVERNMENT COMMITTEE

BILL HOUSE BILL 732

DATE 2-18-83 7 p.m.

SPONSOR REP. HARPER

[illegible]

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WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

PROPOSED AMENDMENTS TO HB 734

The following substitute is proposed for Sections 13, 14 & 15:

Section 13. District governing board -- (1) A district is governed by the board of county commissioners. (2) Commissioners shall appoint an advisory board consisting of five members, who shall reside in the district. The advisory boards shall advise the board of county commissioners on all matters relating to construction and maintenance of district facilities. The board of county commissioners may delegate to the advisory board such responsibilities as are deemed appropriate. (3) Advisory board members shall serve staggered three-year terms. Advisory board members may serve more than one term and may be removed by the board of county commissioners for cause. A person appointed by the board of county commissioners to fill a vacancy is appointed to complete the unexpired term of his predecessor. (4) The members serve without pay except for reimbursement of necessary and approved expenses incurred while representing the advisory board on official business. (5) The board of county commissioners has all powers necessary and proper for the acquisition, purchase, construction, renovation, establishment, operation, improvement, maintenance, and administration of public facilities controlled by the district. The board of county commissioners may lease facilities on a non-discriminatory basis for purposes not contrary to the public interest. The board of county commissioners has the authority to obtain funds or property through grants or gifts. (6) The board of county commissioners may employ a qualified administrative officer and other staff for the facilities district.

Section 14. Facilities district budget. The facilities district budget shall be prepared as prescribed by county budget law, and the board of county commissioners shall approve the amount of money necessary for district operation during the ensuing year.

Section 15. Mill levy authorized -- limitation. (1) Subject to the limitations of this section, the county commissioners shall

annually, at the time of levying county taxes, fix and levy a tax, not to exceed 3 mills, on all taxable property within the district sufficient to raise the amount of money necessary for district operation. (2) The annual district budget may include an amount to be placed into a capital improvements fund, including the amount of money necessary to meet anticipated needs for maintenance, renovation, or improvement of public facilities commensurate with the public need as determined by the facilities board. Any money remaining in the capital improvements funds at the end of the county's fiscal year may be carried over into the following year.

Section 16. Disposition of tax -- role of county treasurer. (1) The money collected under the district tax levy must be deposited in a district fund administered by the county treasurer. (2) The county treasurer is ex-officio treasurer for the district and shall keep a detailed account of: (a) all tax money paid into the fund; (b) all other money, from whatever source, received by the district; and (c) all payments and disbursements from the district fund for whatever purpose.

Section 17 shall be substituted as follows:

Section 17. Warrants or checks to be used for payments. Funds must be paid out on warrants or checks issued under the direction of the board of county commissioners pursuant to Title 7, Chapter 6, Parts 23, 24, 25 & 26, MCA.

Submitted by:

Howard Schwartz, Executive Officer
Board of County Commissioners
Missoula County

HS/ljs

VISITOR'S REGISTER

HOUSE LOCAL GOVERNMENT

COMMITTEE

BILL HOUSE BILL 734

DATE 2-18-83 7 p.m.

SPONSOR REP. HART

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

WITNESS STATEMENT

Name Bill Romine Committee On Local Gov.
Address Helena Date 2-18-83
Representing Clerks & Recorders Support X
Bill No. HB 632 Oppose _____
Amend _____

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1. *this bill merely says that if there are no nominations for a trustee of a fire district, then it will not be necessary to have an election. It does not seem to make any sense to have an election when there is no one running for the office.*
- 2.
- 3.
- 4.

Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.

VISITOR'S REGISTER

HOUSE LOCAL GOVERNMENT

COMMITTEE

BILL HOUSE BILL 632

DATE 2-18 7 p.m.

SPONSOR REP. BLISS

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

AMENDMENTS TO HB 720

- (1) Title, Lines 7
 Following: Refund Bonds
 Strike: " ;"
 Insert: "And to provide for the issuance of Advance Refunding General
 Obligation Bonds by counties, municipalities and school
 districts."
- (2) Page ~~4~~
 Following: Line 20
 Insert: "(4)"

Refunding bonds issued pursuant to this section may be issued to ^{REFUND}
outstanding bonds in advance of the date on which such bonds mature or
are subject to redemption; provided the proceeds of the refunding
bonds, less any accrued interest or premium received upon the sale
thereof, are deposited with other funds appropriated to the payment of
the outstanding bonds in escrow with a suitable banking institution
within or without the state. Funds deposited shall be invested in
securities which are general obligations of the United States or the
principal and interest of which is guaranteed by the United States and
which mature or are callable at the option of the holder on such dates
and bear interest at such rates and payable on such dates as shall be
required to provide funds sufficient, with any cash retained in the
escrow account, to pay when due the interest to accrue on each
refunded bond to its maturity or redemption date, if called for
redemption, and to pay the principal thereof at maturity or upon such
redemption date, and to pay any redemption premium. The escrow
account shall be irrevocably appropriated to the payment of the
principal of and interest and redemption premium, if any, on the
refunded bonds. Funds to the credit of the debt service fund for the
payment of the refunded bonds and not required for the payment of
principal of or interest thereon due prior to issuance of the
refunding bonds may be appropriated by the district to the escrow
account. The school district may pay the reasonable costs and
expenses of printing the refunding bonds and of establishing and
maintaining the escrow account. Bonds refunded pursuant to this part
shall not be considered outstanding for purposes of Section 20-9-406
or any other debt limitation.

- (3) Page 4
 Following: Line 20
 Insert: New Section. Section 7. There is a new MCA section numbered
7-7-2313 that reads:

7-7-2313. Advance Refunding Bonds. The board of county
commissioners may issue refunding bonds pursuant to this section to
refund outstanding bonds in advance of the date on which such bonds
mature or are subject to redemption; provided the proceeds of the
refunding bonds, less any accrued interest or premium received upon
the sale thereof, are deposited with other funds appropriated to the
payment of the outstanding bonds in escrow with a suitable banking

institution within or without the state. Funds so deposited shall be invested in securities which are general obligations of the United States or the principal and interest of which is guaranteed by the United States and which mature or are callable at the option of the holder on such dates and bear interest at such rates and payable on such dates as shall be required to provide funds sufficient, with any cash retained in the escrow account, to pay when due the interest to accrue on each refunded bond to its maturity or redemption date, if called for redemption, and to pay the principal thereof at maturity or upon such redemption date, and to pay any redemption premium. The escrow account shall be irrevocably appropriated to the payment of the principal of and interest and redemption premium, if any, on the refunded bonds. Funds to the credit of the sinking fund account for the refunded bonds and not required for the payment of principal of or interest thereon due prior to issuance of the refunding bonds may be appropriated by the county to the escrow account. The county may pay the reasonable costs and expenses of printing the refunding account. Bonds refunded pursuant to this part shall not be considered outstanding for purposes of Section 7-7-2203 or any other debt limitation.

(4) Page 4

Following: Line 20

Insert: New Section. Section 8. There is a new MCA Section numbered 7-7-4313 that reads:

7-7-4313. Advance Refunding Bonds. A city or town may issue refunding bonds pursuant to this section to refund outstanding bonds in advance of the date on which such bonds mature or are subject to redemption; provided that proceeds of the refunding bonds, less any accrued interest or premium received upon the sale thereof, are deposited with other funds appropriated to the payment of the outstanding bonds in escrow with a suitable banking institution within or without the state. Funds so deposited shall be invested in securities which are general obligations of the United States or the principal and interest of which is guaranteed by the United States and which mature or are callable at the option of the holder on such dates and bear interest at such rates and payable on such dates as shall be required to provide funds sufficient, with any cash retained in the escrow account, to pay when due the interest to accrue on each refunded redemption, and to pay the principal thereof at maturity or upon such redemption date, and to pay any redemption premium. The escrow account shall be irrevocably appropriated to the payment of the principal of and interest and redemption premium, if any, on the refunded bonds. Funds to the credit of the sinking fund account for the refunded bonds and not required for the payment of principal of or interest thereon due prior to issuance of the refunding bonds may be appropriated by the city or town to the escrow account. The city may pay the reasonable costs and expenses of printing the refunding bonds and of establishing and maintaining the escrow account. Bonds refunded pursuant to this part shall not be considered outstanding for purposes of Section 7-7-4201 or any other debt limitation.

VISITOR'S REGISTER

HOUSE LOCAL GOVERNMENT COMMITTEE

BILL HOUSE BILL 720

DATE 2-18-83 7 p.m.

SPONSOR REP. LORY

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Ex 5
HB 87

HB 874

Mr. Chairman, Members of the Committee for the Record:

My name is Roland D. Pratt and I am the executive director for the Montana Restaurant Association. I am presenting this written testimony in opposition to HB 874.

As the committee is already aware, the state of Montana presently charges a fee for the inspection of restaurants and food establishments. There is a proposal in SB 403 which will raise this fee. We are not against paying for the services that are provided to the owner and to the public by these inspections, but in SB 403, there is a cap on the charge. This is not true in HB 874. Our fear is that the fee for service could become exorbitant and could work definite hardship on some of our smaller and marginal establishments. We realize that the opposition will say, well, this will never happen, that what we are actually looking for is to recover the costs for these inspections. I am sure that the Committee can realize that without a limit on these fees, that anything can be done.

We further object to this bill from the standpoint that the state already charges for these inspections. We feel that it would be in bad precedence to allow the counties to tack on a tag-along fee for the same service. Therefore, we urge a "Do not pass" on HB 874.

VISITOR'S REGISTER

HOUSE LOCAL GOVERNMENT COMMITTEE

BILL HOUSE BILL 874

DATE 2-18-83 7 p.m.

SPONSOR REP. HANSEN

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Dennis Kiaberg

EX 6
HB 230
Effective: January 1, 1983

P R I C E L I S T

County:	Zone Change	\$280.00
	Special Exception	150.00 Residential 280.00 Other
	Variance	150.00 Residential 190.00 Other
	Planned Development	280.00
	Preliminary Plat	375.00 or <u>9.50 per lot</u> whichever is greater
	Final Major Plat	260.00 or <u>8.50 per lot</u> whichever is greater
	Minor Plat	150.00
	Extension of Preliminary Plat Approval	50.00
City:	Zone Change	200.00
	Special Review	200.00
	Variance	150.00
	Planned Development	200.00
	Preliminary Plat	675.00 or <u>16.90 per lot</u> whichever is greater
	Final Major Plat	260.00 or <u>8.50 per lot</u> whichever is greater
	Minor Plat	250.00
	Extensions of Preliminary Plat Approval	50.00

OVER

TABLE 14

SPECIAL FEES AND CHARGES

ITEM	OLD EXISTING (S)	EXISTING PROPOSED (S)
		EFF. 11-1-82
(1) Application for enlargement of the sanitary sewer design area of the city.....	35.00	39.00
(2) Application for extension of the sanitary sewer system of the city.....	50.00	56.00
(3) Application for introduction of sanitary sewage service to a previously unserved tract or parcel of land which does not require an extension of the sewer system.....	15.00	17.00
(4) Application for sanitary sewer service line installation permits:		
(a) Domestic users permit.....	20.00	22.00
(b) Major and significant industrial users permit.....	500.00	560.00
(c) Minor industrial users permit....	50.00	56.00
(5) Special Agreements.....	75.00	84.00
(6) Lateral Sewer Construction Fee (\$/sq. ft.).....	0.0800	0.0900
(7) Trunk Sewer Construction Fee (\$/sq. ft.).....	0.0225	0.0260
(8) Septage Disposal Permit Fee		
(a) First 2,000 gallons or any portion thereof.....	10.00	12.00
(b) Each additional 1,000 gallons or any portion thereof.....	5.00	6.00

*NOTE: Reflects proposed 12% increase.

(9) water Hookup fee (1.16/L) = 5⁰⁰/Front Feet.
~~Send for PDD~~
~~3-15 for prints on~~
~~Her Con Study~~

VISITOR'S REGISTER

HOUSE LOCAL GOVERNMENT COMMITTEE

BILL HOUSE BILL 830

DATE 2-18-82 7 p.m.

SPONSOR REP. HANSEN

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITOR'S REGISTER

HOUSE LOCAL GOVERNMENT COMMITTEE

BILL HOUSE BILL 715

DATE 2-18-83 7 p.m.

SPONSOR REP. WALDRON

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

STANDING COMMITTEE REPORT

February 21, 19 83

MR. SPEAKER

We, your committee on LOCAL GOVERNMENT

having had under consideration HOUSE Bill No. 632

first reading ~~copy~~ (white)
Color

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE COUNTY GOVERNING
BODY TO APPOINT A FIRE DISTRICT TRUSTEE WHEN THERE ARE NO NOMINEES
FOR THE POSITION; AMENDING SECTION 7-33-2106, MCA."

Respectfully report as follows: That HOUSE Bill No. 632

DO PASS

STANDING COMMITTEE REPORT

FEBRUARY 18,

19 83

MR. SPEAKER

We, your committee on LOCAL GOVERNMENT

having had under consideration HOUSE Bill No. 715

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A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW COUNTIES AND MUNICIPALITIES TO AMEND THEIR FINAL BUDGETS BECAUSE OF UNANTICIPATED REVENUES, SHORTFALLS IN REVENUES, OR SAVINGS; AMENDING SECTIONS 7-6-2302, 7-6-2324, 7-6-4231, AND 7-5-4235, MCA; AND PROVIDING AN EFFECTIVE DATE."

Respectfully report as follows: That HOUSE Bill No. 715

DO PASS

STANDING COMMITTEE REPORT

HOUSE BILL 720

Page 1 of 3

February 21, 1983

MR. SPEAKER

We, your committee on LOCAL GOVERNMENT

having had under consideration HOUSE Bill No. 720

first reading copy (white)
Color

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR THE NEGOTIATED SALE OF COUNTY, MUNICIPAL, AND SCHOOL DISTRICT GENERAL OBLIGATION REFUNDING BONDS AND MUNICIPAL REVENUE REFUNDING BONDS: AMENDING SECTIONS 7-7-2302, 7-7-4302, 7-7-4311, 7-7-4501, 7-7-4503, AND 20-9-412, MCA."

Respectfully report as follows: That HOUSE Bill No. 720

BE AMENDED AS FOLLOWS:

1. Title, Lines 7

Following: "REFUNDING BONDS;"

Insert: "TO PROVIDE FOR THE ISSUANCE OF ADVANCE REFUNDING GENERAL OBLIGATION BONDS BY COUNTIES, MUNICIPALITIES AND SCHOOL DISTRICTS"

2. Page 4

Following: Line 20

Insert: "(4) Refunding bonds issued pursuant to this section may be issued to refund outstanding bonds in advance of the date on which such bonds mature or are subject to redemption; provided the proceeds of the refunding bonds, less any accrued interest or premium received upon the sale thereof, are deposited with other funds appropriated to the payment of the outstanding bonds in escrow with a suitable banking institution in or out of the state. Funds deposited shall be invested in securities which are general obligations of the United States or the principal and interest of which is guaranteed by the United States and which mature or are callable at the option of the holder on such dates and bear interest at such rates and payable on such dates as shall be

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required to provide funds sufficient, with any cash retained in the escrow account, to pay when due the interest to accrue on each refunded bond to its maturity or redemption date, if called for redemption, and to pay the principal thereof at maturity or upon such redemption date, and to pay any redemption premium. The escrow account shall be irrevocably appropriated to the payment of the principal of and interest and redemption premium, if any, on the refunded bonds. Funds to the credit of the debt service fund for the payment of the refunded bonds and not required for the payment of principal of or interest thereon due prior to issuance of the refunding bonds may be appropriated by the district to the escrow account. The school district may pay the reasonable costs and expenses of printing the refunding bonds and of establishing and maintaining the escrow account. Bonds refunded pursuant to this part are not to be considered outstanding for purposes of 20-9-406 or any other debt limitation.

New Section. Section 7. Advance Refunding Bonds. The board of county commissioners may issue refunding bonds pursuant to this section to refund outstanding bonds in advance of the date on which such bonds mature or are subject to redemption; provided the proceeds of the refunding bonds, less any accrued interest or premium received upon the sale thereof, are deposited with other funds appropriated to the payment of the outstanding bonds in escrow with a suitable banking institution in or out of the state. Funds so deposited shall be invested in securities which are general obligations of the United States or the principal and interest of which is guaranteed by the United States and which mature or are callable at the option of the holder on such dates and bear interest at such rates and payable on such dates as shall be required to provide funds sufficient, with any cash retained in the escrow account, to pay when due the interest to accrue on each refunded bond to its maturity or redemption date, if called for redemption, and to pay the principal thereof at maturity or upon such redemption date, and to pay any redemption premium. The escrow account shall be irrevocably appropriated to the payment of the principal of and interest and redemption premium, if any, on the refunded bonds. Funds to the credit of the sinking fund account for the refunded bonds and not required for the payment of principal of or interest thereon due prior to issuance of the refunding bonds may be appropriated by the county to the escrow account. The county may pay the reasonable costs and expenses of printing the refunding account. Bonds refunded pursuant to this part are not considered outstanding for purposes of 7-7-2203 or any other debt limitation.

KATHLEEN McBRIDE.....

Chairman.

February 21, 1983

New Section. Section 8. Advance Refunding Bonds. A city or town may issue refunding bonds pursuant to this section to refund outstanding bonds in advance of the date on which such bonds mature or are subject to redemption; provided that proceeds of the refunding bonds, less any accrued interest or premium received upon the sale thereof, are deposited with other funds appropriated to the payment of the outstanding bonds in escrow with a suitable banking institution in or out of the state. Funds so deposited shall be invested in securities which are general obligations of the United States or the principal and interest of which is guaranteed by the United States and which mature or are callable at the option of the holder on such dates and bear interest at such rates and payable on such dates as shall be required to provide funds sufficient, with any cash retained in the escrow account, to pay when due the interest to accrue on each refunded redemption, and to pay the principal thereof at maturity or upon such redemption date, and to pay any redemption premium. The escrow account shall be irrevocably appropriated to the payment of the principal of and interest and redemption premium, if any, on the refunded bonds. Funds to the credit of the sinking fund account for the refunded bonds and not required for the payment of principal of or interest thereon due prior to issuance of the refunding bonds may be appropriated by the city or town to the escrow account. The city may pay the reasonable costs and expenses of printing the refunding bonds and of establishing and maintaining the escrow account. Bonds refunded pursuant to this part are not to be considered outstanding for purposes of 7-7-4201 or any other debt limitation."

Renumber: Subsequent section.

AND AS AMENDED
DO PASS

STANDING COMMITTEE REPORT

February 21, 19 43

MR. SPEAKER

We, your committee on LOCAL GOVERNMENT

having had under consideration HOUSE Bill No. 732

first reading copy (white)
Color

A BILL FOR AN ACT ENTITLED: "AN ACT TO REPEAL PROVISIONS ON
OPTIONAL FORMS OF COUNTY GOVERNMENT IN ORDER TO ELIMINATE CONFUSION
AND DUPLICATION WITH OTHER LAWS RELATING TO ALTERNATIVE FORMS OF
LOCAL GOVERNMENT APPLICABLE TO COUNTIES; REPEALING SECTIONS
7-3-2101 THROUGH 7-3-2117 AND 7-3-2131 THROUGH 7-3-2134, MCA."

Respectfully report as follows: That HOUSE Bill No. 732

DO PASS

STANDING COMMITTEE REPORT

FEBRUARY 18, 19 83

MR. SPEAKER

We, your committee on LOCAL GOVERNMENT

having had under consideration HOUSE Bill No. 788

first reading copy (white)
color

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR ESTABLISHMENT
OF FIRE HYDRANT MAINTENANCE DISTRICTS IN CITIES AND TOWNS; PROVID-
ING FOR METHODS OF ASSESSING THE DISTRICTS FOR COSTS; AND PROVIDING
AN EFFECTIVE DATE."

Respectfully report as follows: That HOUSE Bill No. 788

DO PASS

February 21, 19 83

MR. SPEAKERWe, your committee on LOCAL GOVERNMENThaving had under consideration HOUSE Bill No. 830first reading copy (white)
color

A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW A LOCAL GOVERNMENT
TO ESTABLISH AND CHARGE A FEE FOR REVIEW OF A MINOR SUBDIVISION;
AMENDING SECTION 76-4-128, MCA."

Respectfully report as follows: That HOUSE Bill No. 830

AND AMEND HOUSE BILL 830 AS FOLLOWS:

1. Page 2, line 5.

Following "(4)"

Strike: "In addition to"

Insert: "If"

2. Page 2, line 6.

Following: "(3)"

Strike: " , "

Insert: "does not cover all the"

Following: "government"

Insert: "costs, it"

~~DOUGLAS~~

February 21, 1983

3. Page 2, line 7.

Following: "collect"

Strike: "a"

Insert: "an additional"

4. Page 2, lines 7 and 8.

Following: "fee"

Strike: the remainder of subsection (4)

Insert: "to cover the remaining costs."

AND AS AMENDED
DO PASS