

## HOUSE COMMITTEE ON LOCAL GOVERNMENT

Chairman, Kathleen McBride, called the Local Government Committee to order on February 19, 1983, in Room 224A, Capitol Building, Helena, Montana at 8:00 a.m. All members were present.

### HOUSE BILL 394

REP. JAMES JENSEN, District 66, sponsor, opened by saying this bill prohibits the distribution of certain public assistance funds to county welfare departments. Those funds are federal community service block grant funds, or federal low income energy assistance funds.

### PROPOSERS:

JIM SMITH, Region Eight Community Action Agencies Association: Who is eligible for CSBG, LIEAP, Weatherization? Generally, persons whose gross annual income is less than 125% of the official poverty level, as determined by the federal government, or above the eligibility level for other forms of assistance. These were aimed at elderly, handicapped, near poor, and working poor. This distinction has been impressed upon program participants in Montana and especially the senior citizens. We would like to see this distinction maintained and we support HB 394.

(Exhibit #1)

GEORGE SMITH, Senior Citizen's Board: This bill is our Number One priority. Anything that resembles welfare, the senior citizen will not go near. Human Resources can handle weatherization and we'd rather go cold than go to welfare.

TOM RYAN, Montana Senior Citizen's Association: These programs aren't welfare programs. The workers at the welfare office don't understand our problems. During the '30's the welfare office made you feel like scum and we will not go there now.

CHARLES BANDERAB, Montana Senior Citizen's Association: Senior citizens have struggled hard to stay off welfare and to make them go to the welfare office is demeaning to them.

DOUG OLSON, Attorney - Federal Older American's Act: Welfare participation in these programs will stymie them. We support this bill.

HOWARD SCHWARTZ, Missoula County Commission: Human Resource Councils have done an excellent job of distributing these funds and Missoula wants them to continue.

DON FRASER, Park County Senior Citizens: We support HB 394.

### OPPOSERS:

JUDITH CARLSON, Deputy Director, SRS: The Department would recommend that you do not pass on this bill. This bill would prohibit counties that want welfare to distribute weatherization funds from doing so. We are working on complaints in

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the counties that have these programs. We are not treating them as regular welfare programs and we want to hear about problems. We need to cut down on duplications. We receive the funds and then contract with a county to actually carry out the program. We want to continue to provide this assistance.

REP. JENSEN, in closing, said we need to decide if the distribution of these funds should be at the county welfare office. This does keep people away from the programs.

QUESTIONS:

REP. PISTORIA: Would this bill by-pass what you are doing at SRS? Ms. Carlson: It would require us to contract with the HRDC's for this program.

REP. SALES: How many counties are still contracting and how many are handling it themselves? Ms. Carlson: About 35 are going with HRDC's.

HOUSE BILL 729

REP. KELLY ADDY, District 62, sponsor, opened by saying this is a local powers bill. There are people opposed to income tax in any form, sales tax in any form and gambling in any form. This bill gives local governments with self governing powers the option to select any one of these forms.

PROONENTS:

GEORGE BOUSLIMAN, Urban Coalition: It will allow local governments to do their own thing. It can generate its own revenue from its own sources and its own constituents.

AL THELAN, City Manager, Billings: The 18 cities and counties that have self governing powers have it because the people voted for it within their jurisdictions. To deny them is taking away a basic concept they voted for. The long term solution to local government's financial problems are related to option taxes. It's very difficult to pick a source of revenue that makes sense in every city and county in Montana. If you give them options, they can do some model experimentation.

BILL VERWOLF, City of Helena: We are in support of this bill.

OPONENTS:

PHIL STOPE, Montana Innkeepers Association: What's being proposed is to repeal a section of law that was put in in 1975. The 1972 Consitution says that local governments can have all powers that are not prohibited by the legislature. In 1975 the legislature prohibited putting a tax on income. If you leave this statute on the books, then Rep. Bertelsen's HB 793 would be in conflict with it. Montana does not have any single segment that should be an island unto itself. The legislature should determine taxes and the authority should stay here.

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CATHY CAMPBELL, Montana Association of Churches: In Subsection 5, those lines would do what HB 388 would do. This would be more permissive than what was proposed in HB 388. We are opposed to any expansion of gambling in Montana.

REP. ADDY, in closing, said we are speaking here only of local governments with self governing powers. We have given local governments far more responsibility than they had 5 or 10 years ago but we have not given them the tools to solve their problems. It does not say they should have taxes and gambling, it says the option should be left to them. We waste alot of our time saying how much to give to the cities. Why not give them some say.

### HOUSE BILL 793

REP. BERTELSEN, District 27, sponsor, opened by saying this bill would give local governments some freedom of choice. We try to set up a system where the State of Montana becomes "big daddy" and we want local governments to come back and beg before we will give their money back to them. This bill would allow local governments to use an all purpose mill levy of 55 mills. This would be for the general fund and they could determine what needs should be met with that general fund. The 55 mill fund would be over and above the general road fund, the poor fund, the district court, etc. We are saying they aren't smart enough to handle their own money - someone here in Helena has to decide it for them. There is a local income tax option. I have spelled out exactly how it should be administered. This could be used as a substitute for local property tax or in addition. It must be administered by the Dept. of Revenue. The state would oversee and they would receive up to 1% at the state level to take care of costs.

### PROPOSERS:

ALEC HANSEN, League of Cities: This represents land mark legislation. We look at this as a supplement to the Block Grant programs. This isn't a quick and easy fix to the local problems - it is a long range program. This proposes to put the decision of taxes and finances back to the local government.

GEORGE BOUSLIMAN, Urban Coalition: We strongly support this bill.

ANN MULRONEY, League of Women Voters: We stand in support of this bill. This will allow local governments to help themselves.

BILL VERWOLF, City of Helena: The basic concept is one we have supported for a long time and it will allow people to decide how they want to generate funds.

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MIKE YOUNG, City of Missoula: This concept along with block grants will be of major help to local governments.

HOWARD SCHWARTZ, Missoula County Commission: If this bill passes, it's a chance to get our financial problems out of the State Taxation Committee.

JOHN WILKERSON, Lewis & Clark County Commission: We are in support of this bill.

AL JOHNSON, City Manager, Great Falls: We don't see this as an immediate remedy but as a tool that in the long run will provide local government financing at the local level.

JOHN ALKE, Montana Dakota Utilities: We see one problem with the bill. MDU is not a tax payer, we are a tax collector. Since our rates are set at the state level, we feel under the language of the income tax option it would permit counties to levy an income tax on MDU operations. We suggest an amendment to read: "provide that nothing herein shall be construed to permit a county to levy income taxes against a utility."

OPPONENTS: none

QUESTIONS: none

HOUSE BILL 872

REP. WALTER SALES, District 79, sponsor, opened by saying we have delinquent RID's and SID's at this time. Our present laws that establish bonds for SID's and RID's have a revolving fund requirement that the whole tax paying area is actually responsible for the payment of those bonds. When you get into a period like we're in now when payments are not being made, then the county has to levy a property tax on the whole district to make those bond payments. This is an alternate type of bond. It would limit the obligation to the district where the improvement is being made. There would be no general taxing backup of these bonds. It would not effect the existing law but it would create a new section for a new type of bond. Any developer who comes in is getting a cold shoulder because the city does not want to extend itself any further. This would say, if you can find a market for your bonds they will still have a tax exempt feature and it would not fall back on the general tax payer, it would only be an obligation to that district.

PROPONENTS:

MS. ALIKSON, City of Billings: We support the concept of this bill but it needs to be rewritten if it is to accomplish his objective.

OPPONENTS: none

REP. McBRIDE: Between now and tomorrow, Rep. Sales, I would like you to get this bill into a more acceptable form. It's our

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responsibility to see that it's in good form before we pass it out of committee.

HOUSE BILL 859

REP. STEVE WALDRON, District 97, sponsor, opened by saying Missoula County requested that he carry this bill. It's an attempt to standardize the notice requirements for local governments other than municipalities. There are a few problems with it that can be handled by the Senate.

HOWARD SCHWARTZ, Missoula County Commission: This establishes two general sections of law so you can reference what section you are referring to. This would be of great help for county attorneys and the general public who doesn't know which notices are required. The idea is to make this parallel to the cities so we have one body of law. It needs to be tidied up, however.

JOHN WILKERSON, Lewis & Clark County Commissioner: We have been challenged through the letter of the law because of notifications. This would go a long way toward clearing up the notification laws.

MIKE MELOY, Montana Press Association: My newspapers don't like very much reducing the three publications down to two but there is something to be said about standardization. I would be willing to work with Rep. Waldron to clean up this bill.

OPPONENTS: none

HOUSE BILL 821

REP. FAGG, District 63, sponsor, opened by saying this is a poorly drafted bill that does not do what he intended it to do. The general theme is present so he will proceed...The bill sets up a committee under the Dept. of Commerce that would work to achieve cost savings for the cities. This is an appropriations bill and he asks that it be held in committee until details could be worked out. It would require \$12.5 million from the general fund to be matched from city and county savings. This would be to form consolidation in governmental units.

PROPONENTS:

GEORGE BOUSLIMAN, Urban Coalition: This bill is 14 pages long and on the surface there appears to be a number of characteristics that are attractive.

OPPONENTS: none

QUESTIONS:

REP. McBRIDE: This doesn't appear to help my city at all. It gives us no money. Rep. Fagg: County consolidation would

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be a benefit. Two or three counties could consolidate into one government.

HOUSE BILL 863

REP. FAGG, District 63, sponsor, opened by saying this bill would give broader retirement benefits. The state would assume all local government retirement benefits for sheriff, police and fire department until those benefits run out. All existing people under municipal government plans would continue to be covered by the state relieving local government of that obligation. All people coming on board after the effective date would be handled under a new program where there would be no state participation. I was attempting to get the state out of the retirement program but keep them in until after all present people are satisfied.

PROPOSERS: none

OPPOSERS:

DON FRASIER, Retired Police Officer's Association: No city has been able to run an efficient retirement program. We finally came in under the state. We like it the way it is and we want to keep it that way.

GEORGE OLSEN, Active Police Officers Association: We are in total opposition to this bill.

MIKE MARRIS, Retired Police Chief's: This would throw us back to the old system. The state operates this system wonderfully. We would like to leave it the way it is.

JOHN WALSH, Butte Police Officers: Local governments in better times than these, were never able to properly run or fund the pension systems. The state people have expertise in this field and I strongly urge do not pass HB 863. (Exhibit #2)

TOM SCHNEIDER, MPEA: The key point is expertise. The big local governments can afford to hire it but the small ones will get themselves into trouble again.

ROY SWINGLEY, Great Falls Retired Police Officer's Association: This bill is of no benefit what-so-ever and we totally oppose it.

RAY BLEHM, Mont. State Firemen's Association: It appears that benefits established by ordinance may be revocable but by state law they are not revocable. If you comply with the concept in HB 863, HB 821 would run head on into it. I assume we will be in a local bargaining situation with local governments if this were to pass.

REP. FAGG, in closing, said he has cleared his conscience as he carried the two bills they are discussing today in 1973 and ever since that time has been accosted by administrators or mayors or editorials about the unconscionable burden the state has put

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upon local government, costing the counties about 7 mills and that we're mandating programs for the local government to fund. I, therefore, thought perhaps I had created something I should try to get myself out of. I made that offer today and I have gotten no support.

QUESTIONS:

REP. SWITZER: Harrison, the state would carry these for all the existing people? Rep. Fagg: We cannot walk away from the people already in the program. It would last until they passed away. It probably would not be a tremendous amount of time... most of these people are getting along in years...

REP. McBRIDE: During the last session we created a Firefighter's Unified Retirement System and it seems like this would be stepping backward from what we accomplished in the last session.

Ray Blehm: The concept has been a continual push toward consolidation which firemen have resisted for many years. I thought we managed our money quite well. Now that we have the funding mechanism in place and we are continually trying to improve the system, we think the process should be continued.

The hearing adjourned at 10:00 a.m.

*Kathleen McBride*

REP. KATHLEEN McBRIDE, CHAIRMAN

*Linda Palmer*

Linda Palmer, Secretary

VISITOR'S REGISTER

HOUSE LOCAL GOVERNMENT COMMITTEE

BILL HOUSE BILL 394

DATE 2-19-83

SPONSOR REP. JENSEN

NAME	RESIDENCE	REPRESENTING	SUP-PORT	OP-POSE
Doug Olson	Helena	ret Senior Adv. Post	✓	
WADE WILKISON	HELENA	LISCA	✓	
Howard Schwartz	Missoula	Missoula County	✓	
Sam Peyer	Helena	Sisco & Med. Cal	c	
Don Franer	Lewistown	v.t. Park Co. Sen. City	✓	
Jim Smith	Helena	Reg. & CAA Assoc.	✓	
Charles Banderab	Ballantine, Mt.	Mont. Senior Citizens Assn.	✓	
George Smith	Butte	Legacy Legislator	✓	
JUDITH H CARLSON	HELENA	SR.S		X

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.  
 WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.



FACT SHEET

HB 394

QUESTION: WHAT PUBLIC ASSISTANCE FUNDS ARE DESCRIBED IN THIS LEGISLATION?

ANSWER: The following three programs: 1. Low Income Energy Assistance Program (LIEAP); 2. Low Income Home Weatherization Program (Weatherization); 3. Community Services Block Grant (CSBG).

QUESTION: ARE THESE THREE PROGRAMS FUNDED BY THE STATE OF MONTANA?

ANSWER: No. These programs are funded entirely by the federal government. CSBG and LIEAP are funded by the Department of Health and Human Services (HHS). Weatherization is funded by the Department of Energy (DOE).

QUESTION: DO ANY OF THESE PROGRAMS REQUIRE A STATE OR LOCAL "MATCH"?

ANSWER: No.

QUESTION: WHAT STATE AGENCY ADMINISTERS THESE PROGRAMS?

ANSWER: These programs are presently administered by the Department of Social and Rehabilitation Services (SRS).

QUESTION: HOW ARE THESE PROGRAMS ADMINISTERED LOCALLY?

ANSWER: Historically, these programs have been administered by the ten Human Resource Development Councils (HRDCs). In October of 1982 twenty one counties assumed local administration of LIEAP.

QUESTION: WHO IS ELIGIBLE FOR THESE PROGRAMS (CSBG, LIEAP, WEATHERIZATION)?

ANSWER: Generally, persons whose gross annual income is less than 125% of the official poverty level, as determined by the federal government. >

QUESTION: WHAT DOES "125% OF THE POVERTY LEVEL" MEAN IN ACTUAL DOLLAR AMOUNTS?

ANSWER: This depends on the actual number of persons in the family or household. Those figures are as follows:

<u>FAMILY SIZE</u>	<u>100% OF POVERTY</u>	<u>125% OF POVERTY</u>
1	\$4,680	\$5,850
2	\$6,220	\$7,775
3	\$7,760	\$9,700
4	\$9,300	\$11,625
5	\$10,840	\$13,550
6	\$12,380	\$15,475

QUESTION: DO OTHER FORMS OF PUBLIC ASSISTANCE HAVE DIFFERENT ELIGIBILITY STANDARDS?

ANSWER: Yes. Other programs, especially Aid to Families with Dependent Children (AFDC), Medicaid, and Food Stamps have eligibility established at 100% of the poverty level.

QUESTION: WHY THE DIFFERENCE?

ANSWER: LIEAP and Weatherization are recently enacted programs, both aimed at reducing the impact of fuel cost increases on people with low and fixed incomes. Both are "targeted" to reach the elderly, handicapped, near poor, and working poor by deliberately establishing eligibility above the official poverty level. CSBG is targeted at low income people in order to design programs to assist them in becoming more self sufficient.

QUESTION: ARE THERE OTHER INDICATIONS OF DIFFERENCES BETWEEN LIEAP, WEATHERIZATION, CSBG AND OTHER, MORE TRADITIONAL FORMS OF PUBLIC ASSISTANCE?

ANSWER: Some. LIEAP requires assurances from states that outreach efforts will be conducted, and that "priority" will be given to elderly and handicapped people. Weatherization requires outreach, assurance that efforts will be made to serve renters. CSBG, LIEAP and Weatherization all require "state plans" and approval by DOE or HHS. In addition, LIEAP has been funded out of the Windfall Profits Tax or decontrolled oil (this is subject of "The Broken Promise," by the National Consumer Law Center, copies available) and the program has been presented to eligible persons on that basis.

QUESTION: HAS PROGRAM PARTICIPATION REFLECTED THESE FEDERAL PRIORITIES AND STATE AND LOCAL EFFORTS?

ANSWER: Historically, yes.

WITNESS STATEMENT

Name John Walsh Committee On STATE Ad  
 Address 1215 W. Gold Date 2-19-83  
 Representing BUTTE POLICE OFFICERS Support \_\_\_\_\_  
 Bill No. HB 863 Oppose X  
 Amend \_\_\_\_\_

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1. AS PRESIDENT of BUTTE SILVER BOW POLICE OFFICERS LOCAL 2033 AFSCME. I MUST RISE to OPPOSE H.B. 863.
2. LOCAL GOVERNMENTS in the PAST which WERE BETTER TIMES THAN NOW WERE UNABLE TO PROPERLY FUND OR MANAGE THE <sup>POLICE + FIRE.</sup> PENSION SYSTEMS, this is
3. why THE STATE CONTROLS the pension system NOW.  
 How in these times of ECONOMIC CONSTRAINTS CAN THEY BERR the ADMINISTRATIVE BURDEN
4. which would ARISE with the ESTABLISHMENT OF A NEW CITY BUREAU.

THE RETIREMENT SYSTEM IS ALREADY in the HANDS OF PEOPLE who HAVE EXPERTISE in THIS FIELD.

It would strongly URGE A do NOT PASS of HB. 863  
 THANK YOU

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 793 \_\_\_\_\_ DATE 2-19-83 \_\_\_\_\_

SPONSOR \_\_\_\_\_ REP. BERTELSEN \_\_\_\_\_

NAME	RESIDENCE	REPRESENTING	SUP-PORT	OP-POSE
GEOFF PHILLIPS	KATHISPELL	PACIFIC POWER & LIGHT	AMEND	
Phil Stroppe	Helena	Mt. Inn Keepers Assn		K
Howard Schwarz	Missoula	Missoula County	✓	
Mike Young	Missoula	CITY OF MISSOULA	✓	
D. Johnson	Great Falls	City of Great Falls	✓	
Alec Hansen	Helena	Leagers of Cities	✓	

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 872 \_\_\_\_\_

DATE \_\_\_\_\_ 2-19-83 \_\_\_\_\_

SPONSOR \_\_\_\_\_ REP. SALES \_\_\_\_\_

NAME	RESIDENCE	REPRESENTING	SUP- PORT	OP- POSE
<i>Alfred</i>	<i>Belling</i>	<i>at</i>	<i>c</i>	

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 821

DATE 2-19-83

SPONSOR REP. FAGG

NAME	RESIDENCE	REPRESENTING	SUP- PORT	OP- POSE
<i>W.A.</i>	<i>Bell</i>		<input checked="" type="checkbox"/>	

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 863 \_\_\_\_\_

DATE 2-19-83 \_\_\_\_\_

SPONSOR \_\_\_\_\_ REP. FAGG \_\_\_\_\_

NAME	RESIDENCE	REPRESENTING	SUP- PORT	OP- POSE
<i>George Brumley</i>	<i>Helena</i>	<i>Urban Center</i>	<i>NB</i>	
<i>John [unclear]</i>	<i>Great Falls</i>	<i>City of Great Falls</i>		X
<i>Thomas Johnson</i>	<i>Helena</i>	<i>WPA</i>		X
<i>Tom Williams</i>	<i>Livingston</i>	<i>Sedition M.R.P.O.A</i>		X
<i>LeRoy Swingle</i>	<i>Great Falls</i>	<i>F. F. Retired Assn -</i>		X
<i>Mark Moore</i>	<i>Spokane</i>	<i>Ret Police Officer</i>		X
<i>George Oss</i>	<i>HELENA</i>	<i>MONTANA POLICE PROTECTIVE ASSOC</i>		X
<i>John Walsh</i>	<i>Butte</i>	<i>BUTTE POLICE LOCAL 2033 AFSCME</i>		X
<i>R. N. Jensen</i>	<i>HELENA</i>	<i>AFSCME</i>		X

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 859 \_\_\_\_\_

DATE \_\_\_\_\_ 2-19-83 \_\_\_\_\_

SPONSOR \_\_\_\_\_ REP. WALDRON \_\_\_\_\_

NAME	RESIDENCE	REPRESENTING	SUP- PORT	OP- POSE
H. Schwart	Missouri	Missouri Co	✓	
Altked	Bullerz	city	✓	

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 729

DATE 2-19-83

SPONSOR REP. ADDY

NAME	RESIDENCE	REPRESENTING	SUPPORT	OPPOSE
Phil Strope	Helena	Mt Innkeepers Assn		X
Cathy Campbell	Helena	MT. Assn of Churches		X <small>subsections</small>
John [unclear]	Butler	city	✓	
Henry [unclear]	Helena	certified [unclear]	X	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.  
WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

WITNESS STATEMENT

Name Jan Mulrooney Committee On Local Gov  
Address 700 Power, Helena Date 2/9/83  
Representing League of Women Voters Support X  
Bill No. 793 Oppose \_\_\_\_\_  
Amend \_\_\_\_\_

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1. The League of Women Voters supports this bill. We believe there are important
2. revenue options to make available to local governments and will enable
3. them to respond to their special needs
- 4.

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

WITNESS STATEMENT

Name John Albe Committee On Local Gov't  
Address 406 Fuller Date 2/19  
Representing NSDU Support \_\_\_\_\_  
Bill No. 793 Oppose \_\_\_\_\_  
Amend X

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1. On page 4, line 16 add:  
"Provided that nothing herein
2. shall be construed to permit a
3. county to levy an income tax
4. upon a regulated public utility"

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

WITNESS STATEMENT

Name Cathy Campbell Committee On Local Govt.  
Address Helena Date Feb. 19, 1983  
Representing Mt. Assn of Churches Support \_\_\_\_\_  
Bill No. HB729 Oppose  - The deletion of subsection (5) as proposed by HB729  
Amend  reinstate subsection (5) as it exists in the current law.

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1. Subsection (5) would authorize expanded gambling, to which we are opposed. Subsection (5) would be even more pervasive than HB 388, which this committee has already heard and the house has already debated and defeated. ~~From~~ I appreciate the action of the committee on HB 388. The only ~~of~~ thing different about subsection (5) of HB 729 and HB 388 is the title.
2. We have no position on the other parts of HB 729
3. Please do not delete subsection (5), p. 2 lines 3+4 as proposed by HB 729
- 4.

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



# STANDING COMMITTEE REPORT

February 21, 1983

MR. ~~SPEAKER~~.....

We, your committee on LOCAL GOVERNMENT.....

having had under consideration HOUSE..... Bill No. 394.....

first reading copy (white color)

**A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING THE DISTRIBUTION OF CERTAIN PUBLIC ASSISTANCE FUNDS THROUGH COUNTY WELFARE DEPARTMENTS; AMENDING SECTION 53-2-306, MCA."**

Respectfully report as follows: That HOUSE..... Bill No. 394.....

**DO NOT PASS**  
~~DO NOT PASS~~

STANDING COMMITTEE REPORT

HOUSE BILL 793  
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March 22, 19 83

MR. SPEAKER

We, your committee on LOCAL GOVERNMENT

having had under consideration HOUSE Bill No. 793

first reading copy (white)  
Color

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR OPTIONAL LOCAL GOVERNMENT TAXES; AUTHORIZING A 55-MILL ALL-PURPOSE LEVY FOR COUNTIES, A LOCAL GOVERNMENT INCOME TAX NOT TO EXCEED 20 PERCENT OF STATE INCOME TAX LIABILITIES TO BE ESTABLISHED COUNTYWIDE AFTER APPROVAL BY THE ELECTORATE, A LOCAL GOVERNMENT MOTOR VEHICLE LICENSE FEE, AND A HOTEL OR MOTEL ROOM TAX; AMENDING SECTION 7-6-2220, MCA; AND PROVIDING AN EFFECTIVE DATE."

Respectfully report as follows: That HOUSE Bill No. 793

1. Title, line 10.  
Following: "MCA;"  
Insert: "PROVIDING AN APPROPRIATION;"

2. Page 4, line 13.  
Following: "tax"  
Insert: "as a percentage of the state income tax liability"

3. Page 4, line 16.  
Following: "liability."  
Insert: "Nothing in (sections 8 through 15) may be construed to permit a county to levy an income tax on a regulated public utility"

~~DICKINSON~~

4. Page 4, line 18.  
Strike: "local income"

5. Page 4, line 19.  
Following: "by"  
Strike: "[section"  
Insert: "[sections"  
Following: "8"  
Insert: ", 16, and 17"

6. Page 5, line 8.  
Following: "government"  
Strike: "income tax"  
Insert: "(insert name of tax)"

7. Page 5, line 9.  
Following: "government"  
Strike: "income tax"  
Insert: "(insert name of tax)"

8. Page 5, line 17.  
Following: "before"  
Strike: "October"  
Insert: "August"

9. Page 5, line 21.  
Following: "any"  
Strike: "fiscal"  
Insert: "calendar"

10. Page 5, line 23.  
Strike: "120"  
Insert: "150"

11. Page 6.  
Following: line 23  
Insert: "(1) For the purposes of this section the term  
"nonresident" means a person not maintaining a permanent  
place of residence in the county as the close of the tax  
year."

Renumber: subsequent subsections

12. Page 7, line 6.  
Following: "the"  
Strike: "nonresident"  
Insert: "taxpayer"

13. Page 7, line 8.  
Following: "tax, the"  
Strike: "department shall credit"  
Insert: "taxpayer shall pay"

14. Page 7, line 9.



Following: "total"

Strike: "net proceeds of the nonresident's"

Following: "to"

Insert: "be credited to"

15. Page 7, line 10.

Following: "business"

Strike: "and refund the"

16. Page 7, line 11.

Strike: "remainder to the taxpayer"

17. Page 8, lines 9.

Following: "must be"

Strike: "distributed" on line 9 through "be" on line 11

18. Page 8, lines 18 through 24.

Strike: subsection (b) in its entirety

19. Page 9, line 4.

Following: "(1)"

Strike: "A"

Insert: "Pursuant to the provisions of [section 9] a"

20. Page 9, lines 4 through 6.

Following: "may" on line 4

Strike: "by" on line 4 through "resolution" on line 6

21. Page 9, line 9.

Following: "The"

Strike: "registrar of motor vehicles"

Insert: "motor vehicle division, department of justice"

22. Page 10, line 4.

Following: line 3

Strike: "A"

Insert: "Pursuant to the provisions of [section 9] a"

23. Page 10, lines 4 through 6.

Following: "may" on line 4

Strike: "by" on line 4 through "resolution" on line 6

24. Page 10.

Following: line 24

Insert: "NEW SECTION. Section 20. Appropriation. There is appropriated \$37,000 from the general fund to the department of revenue for the biennium ending June 30, 1985, for the initial development costs of the local income tax program."

Renumber: subsequent section

**AND AS AMENDED**  
**DO PASS**

STATEMENT OF INTENT  
HOUSE BILL 793

A statement of intent is required of this bill because rulemaking authority is granted the Department of Revenue in section 13 and the Motor Vehicle Division of the Department of Justice in section 16.

It is intended that the rules promulgated by the Department of Revenue would provide maximum compatibility with rules adopted by the Department for administering state income taxes. In achieving this goal the Department should strive for simplicity for taxpayers, and if burdens are necessary, the Department should bear them. In administering the program the primary objective should be efficiency for both the state and the concerned counties. It is contemplated that the rules will address reporting forms, payments to local governments, and other procedures necessary for the proper administration of the local income tax.

The rules promulgated by the Motor Vehicle Division are intended to be primarily administrative such as prescribing reporting by local governments, payment schedules by the Division, forms to be used, and other procedures necessary for the proper administration of the motor vehicle fee for local governments.

# STANDING COMMITTEE REPORT

February 21,

19 83

MR. SPEAKER

We, your committee on LOCAL GOVERNMENT

having had under consideration HOUSE Bill No. 859

first reading copy (white)  
Color

A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY STANDARDIZE NOTICE REQUIREMENTS RELATING TO THE CONDUCT OF BUSINESS OF LOCAL GOVERNMENT UNITS OTHER THAN MUNICIPALITIES; AMENDING SECTIONS 7-2-2794, 7-2-2756, 7-4-2307, 7-5-2301, 7-6-2326, 7-6-2342, 7-6-2605, 7-8-101, 7-8-2212, 7-8-2216, 7-8-2302, 7-8-2511, 7-11-228, 7-13-145, 7-13-208, 7-13-2304, 7-13-2345, 7-14-2706, 7-14-4630, 7-15-2103, 7-16-2324, 7-21-3422, 7-22-2212, 7-22-2446, 7-33-2102, 7-34-2153, 7-34-2157, 7-34-2162, 7-35-2102, AND 7-35-2115, MCA."

Respectfully report as follows: That HOUSE Bill No. 859

AND AMEND HOUSE BILL 859 AS FOLLOWS:

1. Page 2, line 3.

Following: "be"

Strike: ":",

Insert: "the newspaper as provided in 7-5-2411.

2. Page 2, lines 4 through 14.

Strike: the remainder of subsection (2) and all of subsection (3) in their entirety.

Renumber: subsequent subsections

AND AS AMENDED

DQ PASS

STANDING COMMITTEE REPORT

February 21, 1983

MR. SPEAKER

We, your committee on LOCAL GOVERNMENT

having had under consideration HOUSE Bill No. 872

first reading copy (white) Color

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING LOCAL GOVERNMENTS TO ISSUE LIMITED SPECIAL AND RURAL IMPROVEMENT DISTRICT BONDS; REMOVING THE LIABILITY OF TAXABLE PROPERTY FOR THE IMPROVEMENTS; PROVIDING SALE BY ADVERTISEMENT OF SUCH PROPERTY IF ASSESSMENTS ARE DELINQUENT; AMENDING SECTIONS 7-6-4423, 7-12-2170, 7-12-2182, 7-12-2185, 7-12-4182 THROUGH 7-12-4184, 7-12-4202, 7-12-4222, AND 7-12-4225, MCA; AND PROVIDING AN EFFECTIVE DATE."

Respectfully report as follows: That HOUSE Bill No. 872

DO PASS

KATHLEEN McBRIDE Chairman