

MINUTES OF THE MEETING OF THE LOCAL GOVERNMENT COMMITTEE  
March 17, 1983

The meeting of the Local Government Committee was held Wednesday, March 17, at 12:30 p.m. in Room 224A of the Capitol Building. All members were present except Reps. Neuman and Waldron, who were absent.

EXECUTIVE ACTION

SENATE BILL 428

SEN. ETCHART, sponsor. This bill would authorize establishment of county weather modification authorities with termination after 5 years and providing for a levy of as much as 2 mills.

LEE HEIMAN passed copies of amendments to the members and discussed them briefly. The first two relate to liability. The state contracts with private individuals regarding weather modification. They themselves don't perform any weather modification activities--and neither would the board. The department in the contract requires a \$2 million insurance policy to cover the state. There is a section amended which provides that the department isn't liable for the actions of the contracting party that does the actual weather modification. The person in providing the service is the liable party.

REP. SALES: I am concerned where we are constitutionally in this. It seems to me if we pass on authority to somebody else to do something, we can still have a problem.

CHAIRMAN McBRIDE: It seems like the problem is--you can't say in the law you are not liable because you may be liable. Is it your concern whether or not the county ends up being liable or the state?

REP. SALES: Either one.

REP. SCHYE: Moved that SENATE BILL 428 BE CONCURRED IN.

REP. SCHYE: Also moved that the amendments be accepted.

REP. HANSEN: Does that take care of the legality of it.

LEE HEIMAN: 1 and 2 are as close as we can come to liability problems.

CHAIRMAN McBRIDE: But it doesn't eliminate them.

The motion that the amendments be accepted was voted and PASSED UNANIMOUSLY.

REP. SCHYE: Moved that SENATE BILL 428 BE CONCURRED IN AS AMENDED.

The motion PASSED with REP. SALES voting no.

Rep. Schye will carry the bill on the House floor.

SENATE BILL 345

SEN. STEPHENS, sponsor. This bill would allow the Department of Administration to assist political subdivisions or non-profit organizations to establish communications systems.

REP. DARKO: Moved that SENATE BILL 345 BE CONCURRED IN.

The motion was voted and PASSED UNANIMOUSLY.

Rep. Lory will carry the bill on the House Floor.

SENATE BILL 173

SEN. CRIPPEN, sponsor. This bill would raise the maximum permissive mill levy for county museums to two mills.

CHAIRMAN McBRIDE: REP. BENGSTON suggested some amendments, the affect of which would be to expand the number of museums that might get money under this increase in the mill levy.

LEE HEIMAN: The county museums have a governing board of three trustees and that is what this bill funds so if the bill was expanded to include more museums, the wording would have to show museums with trustees or museums without trustees. The way the section sits within the part on county museums, it would seem to read that those would have to be the board of trustees, also.

CHAIRMAN McBRIDE: The other possibility for the kind of museum that REP. BENGSTON was talking about--to get money under a bill like this--all they would have to do is have the county buy the museum for \$1 and then have the museum board of trustees retain the control. We may be opening it up wide to go in the direction REP. BENGSTON wants. Her museum could be taken care of fairly easy if she wanted.

REP. SWITZER: I know of a rural community that has a museum that has a number of contributions from people who live in the area. I don't think they would want to give it to the county for \$1, or maybe even \$5.

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REP. HAND: In the title, line 5, we have taken out "county" and added "art center". I think we should consider that separate from this discussion.

REP. SWITZER: Moved that the amendments be accepted.

Page 1, lines 11 through 13.

Following: "commissioners" on line 11

Strike: "of any county owning or acquiring any  
such museum or collection of exhibits"

Page 1, line 16.

Following: line 15

Strike: "thereof"

Insert: "of any county owned or rural community  
nonprofit museum"

CHAIRMAN McBRIDE: suggested another technical amendment. I don't know that we have a definition of what a "rural community" nonprofit museum is. She suggested amending the second amendment and striking the words "rural community" and put "or nonprofit museum". What about an "urban" museum? The indication is that a rural museum would receive funds but an urban one might not.

REP. SANDS: Why are we leaving out "or collection of exhibits"?

REP. HAND: When a museum has been given items, do they have a bill of sale to show that the museum owns them?

REP. SALES: I would assume the county would keep ownership of those items.

REP. SANDS: I don't really understand why taxpayers in the county should be asked to support museums that they don't own. It seems you are going to open up a whole spectrum of people who are going to be asking for grants and assistance. I don't know why that is appropriate.

CHAIRMAN McBRIDE: You have hit on the policy as to whether or not that is something we want to do. I don't think there is anything to prevent one of these museums being called a county museum. Granted, they may give up some but they can get money if the county chooses to levy the mills for those museums.

CHAIRMAN McBRIDE reviewed the amendments. The affect would be--instead of giving money to a county museum or to any museum acquiring collections, it is now opened up to any nonprofit museum within the county--no longer being restricted to solely county owned.

REP. HAND: We are saying one mill levy may be assessed to support private museums.

CHAIRMAN McBRIDE: The thing the bill does is raise the mill levy from one mill to two mills.

REP. HAND: We are saying that this levy can be used for private museums?

CHAIRMAN McBRIDE: Private nonprofit museums.

The motion of those in favor of the amendments was voted.  
The motion FAILED.

REP. DARKO: Moved that SENATE BILL 173 BE CONCURRED IN.

REP. SWITZER: I know of two rural museums that were largely started and supported by federal grants. The people who participated in the erection and fielding of these museums were doing so on a volunteer basis. Those who thought it was a community service contributed and they could continue on that basis where interest and merit were sufficient.

REP. VINGER: The county can levy a fraction of the mill?

CHAIRMAN McBRIDE: The previous law said they may levy a tax not to exceed one mill.

The motion was voted on and PASSED with REPS. SWITZER and SALES voting no.

Rep. Kitselman will carry the bill on the House floor.

#### REGULAR SESSION

#### SENATE BILL 295

SEN. MARBUT, sponsor. This bill provides that interest on the investment of RID and RSID money is credited to the fund from which the money was withdrawn. He said this legislation is intended to put a little clearer language in the use of funds generated in the SID process. More specifically, it is those funds which are produced by the counties for SID districts by investment of proceeds. There are two sections of law addressed here and amended--SID's and RSID's. As it now stands, there are two sources of revenue available in form of interest on SID funds. The first source of revenue is that generated by investment of funds which the county receives at the time taxes are paid. It is available to

the county until the coupons are clipped and the bond is retired. This is a period of 30 - 60 days. Another change--the term "improvement" is crossed out and the term "sinking" is added. The point of that amendment is that the money that was generated by the investment will remain in the sinking fund for the SID program and not be available for use in other areas of the county. Section 2, page 2 is a different fund. That is the money that is available to the county in the form of interest by investment of the bond or warrant proceeds. When the county sells an SID, that money becomes available to the county or the city and can be invested and interest earned on that money until such time as it is drawn from the fund to pay construction costs or whatever the SID costs are. During that period of time, there is some significant interest earned on those funds. It is the intent of this legislation to ensure that interest earned on that investment is returned to the fund from which it was drawn. In a few select counties, the cities or counties have chosen to put that money in the General Fund. The reason I propose this legislation and oppose that procedure is because it makes the city a partner with the developer. The money is available to run the city, hire policemen, etc.,--that is not the intent of SID's. I don't think the cities and counties should be making evaluation on SID's based on the potential earning revenue of the bond proceeds between the time of the sale of the bond and the time the money is used. The SID program should be used for the purposes intended and that is to make low interest rate money available for development and improvement of existing facilities.

PROPONENTS: None

OPPONENTS: None

SEN. MARBUT closed saying the reason it was changed from "improvement district" to "sinking" is simply because sometimes interest earned in that first category can be rather modest amounts; and if counties and cities had to go through expense of keeping all those straight between the various improvement districts, it would cost more than the money involved.

QUESTIONS:

REP. HAND: You want money to go back into the SID's and not divert it to General Fund?

REP. MARBUT: That is correct.

CHAIRMAN McBRIDE: Under current law, do they have to keep separate accounts for each improvement district. Would this allow the interest to be credited to a single sinking fund?

SEN. MARBUT: They do keep separate accounts for each improvement district. The money would be credited to a sinking fund that services these improvement districts. The original language of the law did not include either "improvement" or "sinking". It just said--such deposit of investment shall be credited to the fund from which the money was withdrawn. I wanted to specifically outline "improvement district" but was persuaded by the administrative costs that "sinking" would do exactly what I wanted to do without increasing the county's cost.

CHAIRMAN McBRIDE: On page 2, line 12, why was the language "as provided in 7-12-2175" struck and "from which the proceeds were withdrawn" added?

SEN. MARBUT: We wanted that to go back into the SID fund and not into the sinking fund.

REP. HANSEN: How much difference would that make to the General Fund?

SEN. MARBUT: The difference is probably insignificant. If there is a difference--we have been told by various county attorneys that if the cities are taking the money to the General Fund, that is probably illegal. When the bonds are sold, they are sold based upon that improvement district and any money generated from this must be returned to the district. That section was not clear--whether you were talking about bond proceeds or tax payments.

REP. WALLIN: When the money is put back in the SID, is it credited to a particular improvement district.

SEN. MARBUT: To that district for which the bonds were sold.

REP. WALLIN: We have had some problems with defaults. If this were left in the total area of special improvement district money, that might build up to help these default systems.

SEN. MARBUT: It might or it might not. That would take a whole new concept.

REP. SANDS: Would you tell me again what is the difference between sinking fund and improvement district fund.

SEN. MARBUT: The sinking fund is the fund that is used to pay the interest that the bonds are earning. That money is generated because people pay their taxes in November and that money dribbles in from the first of November to late December. Then it sits in a fund which the county invests until they clip coupons which is almost always done about the first of February. So you are looking at 30-90 days of investment of considerable amounts of dollars--short term investments by the county. That is what section 1 is about. The improvement district fund is the money within each special improvement district which is used to pay for the development and then to retire the bonds of that development as they go year by year. That is tax money, but it is kept separate. As the bonds are retired on the assessment on the property, some of that is interest rate money and some of it is bond retirement money. The most important part of that is that the special improvement district has a fund which starts out as a debt, with an obligation on the property, and works its way through to pay it off. Depending on the relationship between the interest rate earned and the amount of the actual bid, there is an item called the bond spread. So if you have land obligated to an SID; you sell the bonds; then they spread the debt throughout the district based on the sale of the bonds; then construction happens. The last three or four years, the construction b i d s have been much lower than the bond spread. The difference is money that can be invested until you get through with construction. I want that money to go back and help with the cash flow on delinquencies in that district--not countywide.

CHAIRMAN McBRIDE closed the hearing on SENATE BILL 295.

SENATE BILL 439

SENATOR, HAGER, sponsor. This bill involves the 600 foot rule which does not allow a bar or any place that dispenses liquor to be located within 600 feet of a church or school. This bill strikes the section that was known as the 600 foot rule and expands the section which strengthens the power of the local government to define certain areas where alcoholic beverages may be sold. One item was questioned on the floor of the Senate--we are giving counties power to make ordinances and counties usually work under resolution.

PROPOSERS: None

OPPOSERS: None

SENATOR HAGER closed.

QUESTIONS:

CHAIRMAN McBRIDE: We had another bill in this committee that addressed the same problem. It was different in that it said the 600 foot rule would continue in affect unless a county chose to eliminate the 600 foot rule. SENATE BILL 439 would completely eliminate the 600 foot rule but would allow that a county or municipality could set whatever they want. We might want language that would clarify that a county would be given jurisdiction but only outside the municipal boundary. Would you have any problem with the language that would clarify the jurisdiction--in other words, the county could do it outside their municipal and the municipality could do it within their boundaries.

SEN. HAGER: No.

REP. SANDS: Would you have any objection to that provision that says the 600 foot rule would remain in effect.

SEN. HAGER: It was the feeling of the Committee in the Senate that we ought to do away with the 600 foot rule altogether, and let the county address it through their zoning, etc..

REP. SANDS: Was it the intention of the subcommittee that there should be no distance unless the county affirmatively acted.

SEN. HAGER: That is right.

REP. SANDS: If somebody wanted to put in a tavern right next door between the time of the effective date of this and the county or city were to act, they could do it.

SEN. HAGER. They could to that or put it right in the same building.

CHAIRMAN McBRIDE: It appears that the county does not have the power to do it by ordinance and would have to do it by resolution. Do you have any problems in doing that?

SEN. HAGER: No.

CHAIRMAN McBRIDE closed the hearing on SENATE BILL 439.

SENATE BILL 21

SEN. HALLIGAN, sponsor. This bill would provide for a one mill levy by general purpose local governments to provide transportation services for senior citizens and the handicapped. The services can be provided by contract with public or private transportation providers or by augmenting or subsidizing transportation to handicapped persons provided by public transportation providers. The local government may establish a separate system if they wish. Local governments



are encouraged to enter into interlocal agreements to provide regional transportation. All of the amendments that are in the bill were added by the Senate Taxation Committee. This legislation would only apply to cities and counties. It was also expanded to include senior citizens.

PROPONENTS:

TOM RYAN, Montana Senior Citizens, stated he was very happy to see "senior citizens" written into the bill. They are also happy to see the combination of counties and different sections of Montana getting together in some form of cooperation to make sure transportation is furnished. This is permissive legislation and not mandatory. They heartily endorse SENATE BILL 21.

WALTER TAYLOR, representing the Interim Committee of the Legacy Legislature, wanted to go on record as supporting SENATE BILL 21. He said that the first priority of the Legacy Legislature was to keep senior citizens in their homes. We don't realize the problem we have with transportation for senior citizens compared to most of the 48 states. We wonder if some places that have furnished transportation--if this money might be used to replace that money. In that case, I think the other money that was raised on the one mill for social services for senior citizens would get additional help and it would not decrease services. One question he had--line 22 refers to senior citizens and handicapped. Line 25 only refers to the handicapped. He would like to make sure that senior citizens are also included in line 25.

VIRGINIA JELLISON, Low Income Group for Human Treatment, Handicapped Coalition, and Handicapped Students Union, stated they were all very much in support of SENATE BILL 21. She said they have about 350 people in their membership and have been around for fourteen years so we are familiar with the problems. This one mill permissible levy would allow local governments three options to provide specialized transportation services in their communities. She urged the Committee to give a do pass to SENATE BILL 21 (EXHIBIT 1).

G. V. ERICKSON, Chairman, Legislative Committee of Retired Teachers Association, spoke in favor of the bill and urged support of SENATE BILL 21.

JUDITH CARLSON, Department of Social and Rehabilitation Services, said this is a well written bill because it talks about cooperation and coordination of other human services programs. She supported this legislation.

OPPONENTS: None

SEN. HALLIGAN closed saying that most of the money that is currently available for the handicapped and elderly will be used for the maintenance of oil and gas to get them to places they want to go.

QUESTIONS:

REP. WALLIN: How does this tie in with RSVP?

G. V. ERICKSON: That is an entirely different thing. That is money that comes directly to the organization.

WALTER TAYLOR: In Missoula, RSVP is separate. They also get city and county funds.

REP. WALLIN: As long as they have funds, do they need this?

WALTER TAYLOR: They don't have buses but they get financed through local taxes.

REP. WALLIN: If the city is already funding the service, why do they need this service?

SEN. HALLIGAN: In Missoula, they have an urban transportation district. They don't have the funds to channel into this service.

VIVIAN CRABTREE: We will go back to the question of RSVP. The federal government has a program, 16-B-2, which will provide 80% of the capital funding to purchase a vehicle for transportation for the elderly and handicapped. RSVP would be eligible to apply for that funding if they have the 20% to match that. That only buys the vehicle. It does not provide operational funds. RSVP must raise the money to provide all the oil, gas, driver's insurance, operational training, once the bus is there. This kind of transportation goes to the person's home. These kinds of vehicles are more expensive. Transportation districts have a hard time getting into this transportation system. The training for drivers, the bus, and the insurance is all more expensive because of the potential of accidents. One cent of the five cents gas tax will go for this transportation but it isn't going to do much for us. It did not carry any special designation so they cannot even pull some of it and give it to the transportation bureau. All operations funding is scheduled to be eliminated in 1985. If a county could assess a one mill levy, they could provide transportation for people who don't fit into slots. They can be just a disabled person who needs to go and see his doctor. Human services and senior programs have specific designations for what they can pay for. If you use 16-B-2 funds to purchase a bus with, you cannot discriminate. You give priority to handicapped and elderly. If there is space available, other county residents could utilize the service. This could help people who are not handicapped or elderly.

REP. WALLIN: This is only for gas and oil. You are using it to buy special equipment.

VIVIAN CRABTREE: When you get federal money for capital assistance, the equipment is all included. You ask for everything you need. If you need a two-way radio, special seat belts, etc., you ask for them. Anything that would be classified as equipment or capital expenditure, you can get funding from the federal government. This would help out with everything classified as operational.

REP. SALES: It is not based at all on anybody's financial needs. It isn't restricted in any way for use by seniors and handicapped. What is a senior citizen?

SEN. HALLIGAN: Anyone 60 years or older is a senior citizen.

REP. SALES: I do see the problem of not making some determination of not meeting somebody's financial needs. This blanket type thing is a bad approach.

REP. KEENAN: If you have a group of developmentally disabled people in a home and they are able to go down to the corner and catch a bus; you might have a paraplegic who can't get to the corner; you are not going to have 100 people who are paraplegic in a rural area. You might have senior citizens or a couple of people who are going to need specialized service and those people will go to the county commissioner and ask for that service. I don't think there is a real ability for it to be abused.

REP. SALES: I don't know how much assistance we are giving to those people now to take care of their problems. I am not sure where this is really going to fit in. Another question--an independent transportation system bothers me.

REP. HANSEN: What do they mean by independent transportation system?

SEN. HALLIGAN: If there is no existing bus system, money could be used to purchase capital equipment.

REP. SALES: Direct assistance to somebody that needs help is the proper way to provide service. I don't see the need for this bill.

REP. KITSELMAN: In Billings, we receive federal funding for a full bus system. For those who are severely handicapped, out of millage and matching funds from the federal government they have augmented that bus system using Special Transportation, Inc., which takes care of those who are severely handicapped rather than equip every bus with the lifts, etc.. It is my understanding then with this, if the millage for the county would be levied and we levied an additional ten mills--you are requesting an additional two mills--would that money be used to amend the system we have now or would it be used

to help supplement special transportation needs or would this create a new bus system.

VIVIAN CRAPTREE: It should be used to help supplement your Special Transportation, Inc. The need is so terrific, the systems that are in existence are not meeting the needs.

REP. KITSELMAN: Following that need up, there are several hours of ridership that is low and that is from 10 a.m. to 12 a.m. and after 6 p.m. and on Saturday. Could not these same people use that system in the nonpeak hours.

VIVIAN CRAPTREE: You are referring to a fixed route municipal system. Do they not have non-busy times.

REP. KITSELMAN: Special Transportation, Inc. is busy all the time.

VIVIAN CRAPTREE: People who could use the fixed route system during nonpeak hours usually can't get to it because it is down on the corner. With this additional money, Inc. in Billings might be able to expand. They don't have enough money to pay for operating costs of another bus; there is no operational money to keep it on the street and that is what this would do.

CHAIRMAN McBRIDE closed the hearing on SENATE BILL 21.

The meeting adjourned at 2:20 p.m.

*Kathleen McBride*

CHAIRMAN KATHLEEN McBRIDE

*Geri Brunsatt*

Secretary

# VISITOR'S REGISTER

HOUSE LOCAL GOVERNMENT COMMITTEE

BILL      SENATE BILL 295

DATE 3-17-83

SPONSOR SENATOR MARBUT

[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                      SENATE BILL 439

DATE 3-17-83

SPONSOR            SENATOR HAGER

[illegible]

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

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Ex 1  
51321

L.I.G.H.T., Inc.  
147 W. Main  
Missoula, Montana 59802  
(406)549-0212  
Hugh Standley, Chairman

March 16, 1983

The Honorable Kathleen McBride & Committee Members  
House Local Government Committee  
Montana House of Representatives  
Helena, Montana

Dear Chairperson McBride:

L.I.G.H.T., Low-Income Group for Human Treatment, supports  
S.B. 21, sponsored by Senator Mike Halligan.

We regret that we cannot speak to you in person because we feel  
so strongly that this legislation is needed.

This one mill permissable levy would allow local governments three  
options to provide specialized transportation services in their  
communities. This is an important factor for both urban and rural  
counties.

L.I.G.H.T. is an advocacy organization for low-income, handicapped  
and elderly people. Many of our members, as well as non-members,  
would directly benefit if this bill is passed. It is very hard for  
handicapped and elderly low-income people to get to doctors, shopping,  
government agencies and to socialize without the specialized transp-  
ortation that they need.

We urge the House Local Government Committee to give a "Do Pass"  
to S.B. 21. Handicapped and elderly citizens throughout Montana will  
be very grateful for your support.

Thank you for the opportunity to express our views.

Yours truly,  
*Virginia Jellison*  
Virginia Jellison, Project Director



March 16, 1983

The Honorable Kathleen McBride  
House Local Government Committee  
Montana State Legislature  
Capital Station  
Helena, MT 59920

Dear Representative McBride:

I would like to voice my support of House Bill 21 authorizing local governments to levy not more than one mill of property taxes to provide transportation services to disabled and elderly persons.

SUMMIT is a program which assists disabled persons in obtaining independence personally and within the community. Adequate specialized transportation is one of the most crucial elements to enable disabled persons to be independent within the community. Without this service available, disabled persons may achieve the skills and housing to live independently but not be able to obtain supplies, groceries, attend community activities, work or go to school, etc., all basic rights of citizens. In order to achieve this, the services must be available weekends and evenings, as well as regular day hours. House Bill 21 would finally establish a sound basis of funding to provide lift-equipped transportation to all disabled persons in Montana.

If further information is needed, I would be happy to supply statistics of anticipated need of this comprehensive service. Thank you for your time and consideration.

Sincerely,

*Wendy Holmes, OTR*

Wendy Holmes, OTR  
Program Supervisor  
SUMMIT

WH/lib

M/C Missoula Community Hospital  
M/C 2827 Fort Missoula Road, Missoula, Montana 59801  
M/C Missoula Community Medical Center (406) 728-4100



# MONTANA TRANSIT ASSOCIATION

JOHN GREW, PRESIDENT  
P.O. BOX 8183  
MISSOULA, MONTANA 59807  
(406) 543-8386

March 17, 1983

Representative Kathleen McBride  
Chair  
House Local Government Committee  
Capital Station  
Helena, MT 59620

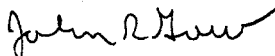
Dear Representative McBride:

I am writing to you on behalf of the members of the Montana Transit Association to express support for Senate Bill 21. The Transit Association supports this bill because it provides much needed increased funding to support services that are vital to many elderly and/or handicapped persons.

Demand for specialized transportation services is extremely high and in many communities this demand cannot be met by existing financial resources. Montana Transit Association systems are extensively involved in providing services to meet the transportation needs of elderly and/or handicapped citizens including the provision of wheelchair accessible fixed route service and specialized transportation. However, current funding for such services is limited and will be further constrained during upcoming years as federal funding on which we now rely heavily is cut back.

For these reasons, the Montana Transit Association urges the House Local Government Committee to support Senate Bill 21.

Sincerely,



John R. Grew,  
President

JRG:ac

March 16, 1983

House of Representatives  
Local Government Committee  
Helena, Montana

Re: Senate Bill 21

Dear Chairperson McBride and Committee Members:

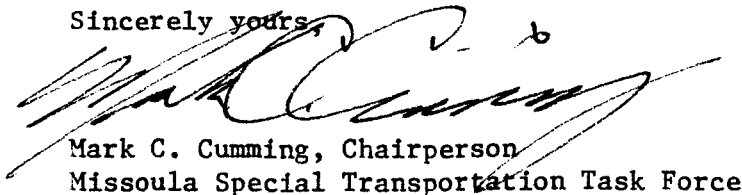
I am Chairperson of the Missoula Special Transportation Task Force. We are a group of concerned individuals, representing several agencies and organizations, involved with the special transportation needs of the elderly and handicapped. One of our tasks is to explore various possibilities for providing adequate transportation to meet the needs of this population.

At this time, many of these needs are not being adequately addressed. One of the primary reasons is insufficient funding.

This organization supports Senate Bill 21. The 1% mill levy would provide an excellent resource in helping to meet the growing need for adequate special transportation. Your support of this legislation would be greatly appreciated.

Thank you for your consideration in this matter.

Sincerely yours,



Mark C. Cumming, Chairperson  
Missoula Special Transportation Task Force



*An Independent Living Center for Western Montana*  
3115 Clark Street ♦ Missoula, Montana 59801 ♦ (406) 728-1630

March 16, 1983

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House Local Government Committee  
Montana State Legislature  
Capital Station  
Helena, MT 59920

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Program Supervisor  
SUMMIT

WH/lib

M/C Missoula Community Hospital  
M/C 2827 Fort Missoula Road, Missoula, Montana 59801  
Missoula Community Medical Center (406) 728-4100

# MONTANA TRANSIT ASSOCIATION

JOHN R. GREW, PRESIDENT

P.O. BOX 8183

MILWAUKEE, MONTANA 59807

(406) 545-0076

March 17, 1983

Representative Kathleen McBride  
Chair  
House Local Government Committee  
Capital Station  
Helena, MT 59620

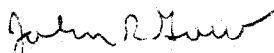
Dear Representative McBride:

I am writing to you on behalf of the members of the Montana Transit Association to express support for Senate Bill 21. The Transit Association supports this bill because it provides much needed increased funding to support services that are vital to many elderly and/or handicapped persons.

Demand for specialized transportation services is extremely high and in many communities this demand cannot be met by existing financial resources. Montana Transit Association systems are extensively involved in providing services to meet the transportation needs of elderly and/or handicapped citizens including the provision of wheelchair accessible fixed route service and specialized transportation. However, current funding for such services is limited and will be further constrained during upcoming years as federal funding on which we now rely heavily is cut back.

For these reasons, the Montana Transit Association urges the House Local Government Committee to support Senate Bill 21.

Sincerely,



John R. Grew,  
President

JRG:ac

L.I.G.H.T., Inc.  
147 W. Main  
Missoula, Montana 59802  
(406)549-0212  
Hugh Standley, Chairman

March 16, 1983

The Honorable Kathleen McBride & Committee Members  
House Local Government Committee  
Montana House of Representatives  
Helena, Montana

Dear Chairperson McBride:

L.I.G.H.T., Low-Income Group for Human Treatment, supports  
S.B. 21, sponsored by Senator Mike Halligan.

We regret that we cannot speak to you in person because we feel  
so strongly that this legislation is needed.

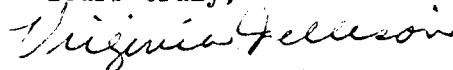
This one mill permissable levy would allow local governments three  
options to provide specialized transportation services in their  
communities. This is an important factor for both urban and rural  
counties.

L.I.G.H.T. is an advocacy organization for low-income, handicapped  
and elderly people. Many of our members, as well as non-members,  
would directly benefit if this bill is passed. It is very hard for  
handicapped and elderly low-income people to get to doctors, shopping,  
government agencies and to socialize without the specialized transp-  
ortation that they need.

We urge the House Local Government Committee to give a "Do Pass"  
to S.B. 21. Handicapped and elderly citizens throughout Montana will  
be very grateful for your support.

Thank you for the opportunity to express our views.

Yours truly,



Virginia Jellison, Project Director

March 16, 1983

House of Representatives  
Local Government Committee  
Helena, Montana

Re: Senate Bill 21

Dear Chairperson McBride and Committee Members:

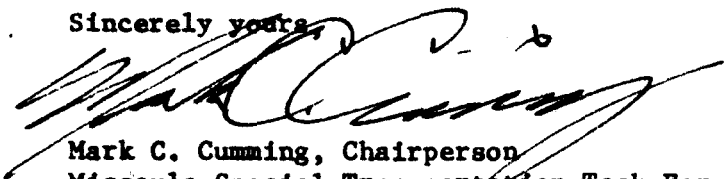
I am Chairperson of the Missoula Special Transportation Task Force. We are a group of concerned individuals, representing several agencies and organizations, involved with the special transportation needs of the elderly and handicapped. One of our tasks is to explore various possibilities for providing adequate transportation to meet the needs of this population.

At this time, many of these needs are not being adequately addressed. One of the primary reasons is insufficient funding.

This organization supports Senate Bill 21. The 1% mill levy would provide an excellent resource in helping to meet the growing need for adequate special transportation. Your support of this legislation would be greatly appreciated.

Thank you for your consideration in this matter.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Mark C. Cumming', with a large, sweeping flourish extending from the end of the name.

Mark C. Cumming, Chairperson  
Missoula Special Transportation Task Force

## VISITOR'S REGISTER

HOUSE LOCAL GOVERNMENT

COMMITTEE

BILL            SENATE BILL 21

DATE 3-17-83

SPONSOR      SENATOR HALLIGAN

[illegible]

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

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

# STANDING COMMITTEE REPORT

March 23,

19 83

MR. SPEAKER

We, your committee on LOCAL GOVERNMENT

having had under consideration SENATE Bill No. 21

third reading copy ( blue )  
color

**A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE GENERAL PURPOSE  
LOCAL GOVERNMENTS TO LEVY NOT MORE THAN 1 MILL OF PROPERTY TAXES  
TO PROVIDE TRANSPORTATION SERVICES TO SENIOR CITIZENS AND HANDI-  
CAPPED PERSONS; AND PROVIDING AN EFFECTIVE DATE."**

Respectfully report as follows: That SENATE Bill No. 21

**BE AMENDED AS FOLLOWS:**

1. Page 1, line 25.

Following: "of"

Insert: "senior citizens and"

**AND AS AMENDED  
BE CONCURRED IN**

**DOKOSKY**



# STANDING COMMITTEE REPORT

March 23,

19 83

MR. **SPEAKER**

We, your committee on **LOCAL GOVERNMENT**

having had under consideration **SENATE** Bill No. **295**

**third** reading copy ( **blue** )  
color

A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THAT INTEREST EARNED ON THE DEPOSIT OF COUNTY AND MUNICIPAL IMPROVEMENT DISTRICT FUNDS AND INTEREST EARNED ON THE INVESTMENT OF BOND AND WARRANT PROCEEDS OF SUCH DISTRICTS ARE CREDITED TO THE DISTRICT'S FUND; AMENDING SECTIONS 7-12-2173, 7-12-2175, 7-12-4205, AND 7-12-4207, MCA; AND PROVIDING AN EFFECTIVE DATE."

Respectfully report as follows: That **SENATE** Bill No. **295**

BE CONCURRED IN  
~~XXXXXX~~

# STANDING COMMITTEE REPORT

SENATE BILL 439  
PAGE 1 of 3

March 24, 1983

MR. **SPEAKER**

We, your committee on **LOCAL GOVERNMENT**

having had under consideration **SENATE** Bill No. **439**

**third** reading copy (**blue** color)

A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZER COUNTIES TO ENACT ORDINANCES DEFINING AREAS WHERE ALCOHOLIC BEVERAGES MAY OR MAY NOT BE SOLD; REMOVING THE PROHIBITION AGAINST THE ISSUANCE OF A RETAIL ALCOHOLIC BEVERAGE LICENSE TO A BUSINESS LOCATED WITHIN 600 FEET OF A SCHOOL OR CHURCH; AMENDING SECTION 16-3-309, MCA; AND REPEALING SECTION 16-3-306, MCA."

Respectfully report as follows: That **SENATE** Bill No. **439**

## BE AMENDED AS FOLLOWS:

1. Title, line 7.  
Following: line 6  
Insert: ", CITIES, AND TOWNS"

2. Title, line 8.  
Following: "SOLD"  
Strike: "; REMOVING"  
Insert: "BY VARYING THE"

XXXX  
DO TASS

March 24, 1983

3. Title, line 11.

Following: "AMENDING"

Strike: "SECTION"

Insert: "SECTIONS 16-3-306 AND"

Following: "MCA;"

Strike: "AND REPEALING SECTION"

4. Title, line 12.

Strike: line 12 in its entirety

5. Page 1.

Following: line 14

Insert: "Section 1. Section 16-3-306, MCA, is amended to read:

"16-3-306. Proximity to churches and schools restricted. (1) Except as provided in subsections (2) and, (3), and (4), no retail license may be issued pursuant to this code to any business or enterprise whose premises are within 600 feet of and on the same street as a building used exclusively as a church, synagogue, or other place of worship or as a school other than a commercially operated or postsecondary school. This distance shall be measured in a straight line from the center of the nearest entrance of the place of worship or school to the nearest entrance of the licensee's premises. This section is a limitation upon the department's licensing authority.

(2) However, the department may renew a license for any establishment located in violation of this section if the licensee does not relocate his entrances any closer than the existing entrances and if the establishment:

(a) was located on the site before the place of worship or school opened; or

(b) was located in a bona fide hotel, restaurant, or fraternal organization building at the site since January 1, 1937.

(3) Subsection (1) does not apply to licenses for the sale of beer, table wine, or both in the original package for off-premises consumption.

(4) The governing body of a county, for that area of the county not within the corporate limits of a city or town, or the governing body of an incorporated city or town may provide general exceptions that would reduce or eliminate the 600-foot rule in subsection (1). The exception must be adopted by ordinance, except if a county does not have general purpose ordinance making powers it must be adopted by resolution. The ordinance or resolution must specify the reason why an exception is necessary and the distance in feet that applies within the county or the city or town limits."

Renumber: subsequent section

6. Page 1, line 16.

Following: "(1)"

Strike: "The"

Insert: "As provided in 16-3-306, the"

March 26, 1933

6. Page 1, line 18.

Following: "counties"

Insert: "not within the limits of a city or town"

7. Page 1.

Following: line 22

Insert: "(3) An ordinance as used in subsection (1) means a resolution if a county does not have the power to enact general purpose ordinances."

8. Page 1, lines 23 and 24.

Strike: section 2 in its entirety

AND AS AMENDED  
BE CONCURRED IN