MINUTES OF THE MEETING LOCAL GOVERNMENT COMMITTEE MONTANA STATE SENATE

February 15, 1983

The meeting of the Local Government Committee was called to order by Chairman George McCallum on February 15,1983 at 12:30 p.m. in Room 405, State Capitol.

<u>ROLL CALL</u>: A quorum was present with the remainder of the members appearing shortly after 12:30 p.m.

CONSIDERATION OF SENATE BILL NO. 319: Sen. Stephens, District #4, appeared before the committee as sponsor of SB 319 and said that the bill had to do with juvenile probation officers in the state of Montana and clarifies the powers for adjusting probation officer's salaries for cost of living adjustments. This legislation was enacted last session. It also provides a longevity adjustment to the officer's salaries. On page 1, line 21 he stated that it was not the intent of the Legislature to have the date read July 1, 1981. He explained the amendment on page 2, line 11 through 18. This is similar to the deputy sheriffs and other public servants. The computation is on page 3, line 9 through 15. The amendments to SB 319 are pretty much a clarification. This makes it clear the cost of living would be in addition to the \$22,000 salary. Sen. Stephens stated that since 1935 juvenile probation officers have only had 17 increases so they haven't been before the Legislature that much asking for money. (Proposed amendments attached to minutes).

PROPONENTS: Jeremiah Johnson, President of the Juvenile Probation Officers' Association, Fourth Judicial District, Missoula, said that the addition to the bill is the longevity clause which is similar to deputy sheriffs. He stated that the chief probation officers have spent an average of 15 years in the profession and deputies an average of 6 years. He said he was available for any questions that the committee might have.

Bryce Johnson, Chief Probation Officer, Twelfth Judicial District, Havre, said that under the present law, since the cost of living has gone down, he would actually take a decrease in salary. The clients they work with are not 8-5 people. They have to be around 24 hours a day. Also, during the last 20 years they have been involved in a great deal of continued training and all types of seminars. It is not too long before a chief reaches the top of the scale. He asked the committee to take this into consideration when they consider the bill.

Charles Dooley, Chief Probation Officer, Ninth Judicial District, said he agreed with everything that had been said but had a couple other points to make. He has been a chief for 17 years and before there were job descriptions, the district judge would appoint someone "of good moral character" - now it is someone with a master's degree. Another change has been in the type of clients they serve. They also counsel, not just the youth, but the entire family. They provide pre-marriage counselling, marriage counselling and have a youth guidance home. The clients now have multiple felony offenses. He felt that now, of all times, they need some incentive to keep top people in this field.

Rep. Paul Pistoria, District #39, very strongly supported this bill. He said that he works very closely with the probation officers in Great Falls. The longevity clause is in effect for firemen, policemen and deputy sheriffs and these people should be entitled to the same thing.

There were no further proponents and no opponents.

 DISCUSSION OF SENATE BILL NO. 139: Sen. Marbut asked if this would be a one time thing. Mr. Johnson stated that the chief's average years of service is 15 and whatever the salary is at the present time, the years of service would be computated to that figure.
Sen. Story felt we might be giving more than the 15% increase. Mr. Johnson said that the cost of living, so far this past year, was 3.9%. They used an estimate for years past when there was higher inflation.

Sen. Story said that this bill was rereferred from State Administration because they were unaware what had been done with other local officials. Sen. Thomas asked how this compared with adult probation officers. Mr. Johnson said that they are state employees under job descriptions and are treated differently. Sen. Thomas wondered if they would have to pass some mechanism for funding this.

Chairman McCallum told Mr. Johnson that they were here last year and the committee went through all this and settled on \$22,000, not expecting them to come back again. This \$22,000 was for the chief probation officers and they have received an increase since that time. They are probably receiving as much as the sheriff and maybe more in some counties. Mr. Johnson said they are receiving approximately \$2,000 less than the sheriff in first class counties and they would like to be on some type of step system. He said that most of the deputy sheriffs are getting more than they are.

Chairman McCallum said that in Sanders County the sheriff is getting \$17,000 and the undersheriffs are getting 90% of that. They were raised from \$18,000 to \$22,000 (maximum) and put them under the same schedule as are the rest of the county officials. Because inflation is down they did not get much of a raise.

Sen. Marbut asked if there is an earmarked levy for this and Dave Bohyer said he believed it comes from the district court fund.

There were no further questions from the committee. In closing, Sen. Stephens said they were appearing before the committee asking for additional money. These people have a continuing program because their work is constantly changing and he felt this was a worthy bill for a worthy cause.

The hearing was closed on SB 319.

CONSIDERATION OF SENATE BILL NO. 322: Sen. Halligan, District #48, explained that this bill was heard in the Business and Industry Committee before it was referred to Local Government. Most of the 126 cities and towns existed prior to the state legislature and they were regulating themselves at that time. This is a small step to put the government back into the hands of the people and he could see no reason why local government officials cannot handle this themselves. When it is handled at the local level there is a greater effort to keep the cost down.

<u>PROPONENTS</u>: Mike Young, City of Missoula, felt that the local officials would be more accountable to the ratepayers than the Public Service Commission and can do a better job in determining what is fair.

Bill Opitz, Executive Director of the Public Service Commission, appeared as an opponent before the B&I Committee but is really a neutral party. The Commission would like to see any reference to them being stricken from the bill. See the attached Witness Statement containing the reason for this and the amendments he proposed to the bill.

Al Thelen, City Manager of the City of Billings, said that in discussing audits (out of context), there is a law requiring them and an audit function is a necessary part of government. He urged support of this bill.

<u>OPPONENTS</u>: Paul Pistoria, District #39, said he naturally opposed this bill and was worried about the consumers. He said he knew of situations where cities attempted to increase the rates more than once a year. He felt the reason for electing the PSC was to protect the consumer. The cities and towns are the ones that really need to be looked at and urged the committee to give the bill a do not pass. He introduced a petition into the record protesting this bill.

John Allen, staff attorney for the Montana Consumer Counsel, said this bill was passed last year to allow cities to raise rates 12% every year. Of the 72 cities in Montana that increased water rates, 59 used the 12% increase and 13 applied to the PSC. Of these 13, ten have been heard. He felt there have been some abuses. Cities do not have adequate staff togovern themselves, i.e., engineering expertise. Engineers have also entered into the ratemaking process by advising the cities how to raise their rates to meet their objectives and hoped the committee would take a real hard look at this.

Sen. Boylan, District #38, said he should have opposed this bill when it was heard in the B&I Committee so he was opposing it now. Cities are using sewer and water rates to pay for other government functions. When the Consumer Counsel did an audit in Bozeman they discovered they were diverting funds. Before the audit they believed they were in pretty good shape but soon found out they were in big trouble. With the 12%, that gives them plenty of room, and he felt this bill should be killed.

CONSIDERATION OF SENATE BILL NO. 322: Sen. Ochsner asked what they should do with the termination date on this bill. Mr. Opitz said that Sen. Blaylock is introducing a bill to make this 12% permanent. This Audit Committee Bill covers garbage hauling, etc. Sen. Van Valkenburg asked if this passed, what would this mean to staff needs at the Public Service Commission. Mr. Opitz said that at the present time they have one person that spends all of the time with water and sewer and he didn't see how they could cut from the staff.

Sen. Halligan closed saying that the small cities and towns don't like the delay in waiting for the Public Service Commission. This allows the flexibility for the local officials to deal with the most critical area of their positions. The Senate just passed SB 140, so why can't the local officials handle the water and sewer rates. He said he would be willing to put a sunset on the bill put it in effect for two years and see if there are any abuses.

The hearing was closed on SB 322.

CONSIDERATION OF SENATE BILL NO. 380: Sen. Manning, District #18, read the bill to the committee. One of the reasons for introducing this bill was because of our young people leaving the state for employment and felt this was just one small way of trying to alleviate that problem. Sen. Manning read his handout, attached to the minutes. He asked the committee, in the event they felt they could not pass the bill, if they could amend it to be "Montana preference". He felt it was a necessary bill.

PROPONENTS: Art Korn, Montana Volunteer Firemen's Association, felt it was a very good, dedicated bill.

Dave Fisher, Montana Volunteer Firemen's Association, said he had been a fire chief for 34 years. He felt that this is a good bill and also didn't feel that we need to import any people.

Clem Duaine, President of the Montana State Volunteer Firemen's Association said it was in the best interests of the fire training schools and was in support of SB 380.

Harry Crawford, Volunteer Firemen's Association, was in support of the bill.

<u>OPPONENTS</u>: Bruce Suenran, Chief of the Missoula Rural Fire District, felt that the most qualified applicant, whether from this state or another, should be hired. The number of qualified applicants will be reduced if they have to come from Montana.

Arthur Schauer, State Board of Public Education, said that the last time they hired someone from out of state was in the early 1960's. The residency requirement in other states would limit our young people getting jobs out of state. Perhaps other agencies would come in and decide to do the same thing. Job preparation and knowledge should be the requirement, not residency. The people most qualified should be hired for the job.

Hidde VanDuym, Board of Public Education was opposed to the bill. See attached Witness Statement.

Irving Dayton, Commissioner of Higher Education said that the qualifications should be described in the job description. The assumption that being in the state long enough should not have anything to do with securing the job. Montana is an exporter, particularly of young people. This could possibly be reciprocated by other states and we would be the losers.

DISCUSSION OF SENATE BILL NO. 380: Sen. Crippen asked if the sponsor of the bill would be willing to apply this to all appointed and elected officials in the state. Sen. Ochsner asked how many fire service training schools are in the state. Mr. Fisher said there are three at the present time and one position open, which would make it four. These schools are conducted mainly for structural fires.

The hearing was closed on SB 380.

CONSIDERATION OF SENATE BILL NO. 397: Sen. Marbut, District #49, sponsor of the bill, said it was an attempt to require more accountability in the SID process. Currently, the lien attaches at the time the resolution creating the RID or SID is adopted. This bill would set the time of attachment at the time of delinquency on the RID or SId.

There were no proponents.

OPPONENTS: Al Thelen, City Manager for the City of Billings, said that the problem he sses is in the older areas where there could be mortgages on every house and maybe 2nd mortgages. He suggested an amendment exempting older areas and having it apply only to new raw land.

DISCUSSION OF SENATE BILL NO. 397: Sen. Crippen said he could see what Sen. Marbut was trying to do but this would, in effect, kill SID's. Sometimes, what Sen. Marbut is trying to do, is already being done and Sen. Crippen was concerned with how it would affect the bonding companies.

Sen. Thomas said that the bonding companies could be third in line in case of delinquency. Sen. Crippen said that you would have to get all the lien holders on record on all the property before the bonding company would issue a bond. Sen. Thomas said that the bonding laws are very fragile and felt that we would be treading on very dangerous ground trying to fix something that doesn't need to be fixed.

DISPOSITION OF SENATE BILL NO. 364: Sen. Fuller felt that Mr. Racicot may have some amendments to this bill and Sen. Thomas said that some of the county attorneys are really afraid of this bill. Sen. Thomas MOVED SB 364 DO NOT PASS. Sen. Van Valkenberg related the incident in Bozeman where this bill would be of benefit but Sen. Boylan said he had heard nothing from his area. The question on the

original motion was called for. MOTION CARRIED UNANIMOUSLY.

DISPOSITION OF SENATE BILL NO. 332: Sen. Conover MOVED SB 332 DO PASS. Sen. Ochsner made a SUBSTITUTE MOTION FOR DO NOT PASS. MOTION FAILED, 6-5 vote. Original motion, DO PASS, MOTION CARRIED, 6-5 vote. (See Roll Call votes attached):

DISPOSITION OF SENATE BILL NO. 374: Sen. Thomas MOVED SB 374 DO NOT PASS. MOTION CARRIED, with Sen. Boylan voting "no".

FURTHER CONSIDERATION OF SENATE BILL NO. 124: Sen. Van Valkenburg MOVED SB 124 DO NOT PASS. Chairman McCallum said that there may be some amendments ready by Thursday's meeting. No action was taken on the motion.

DISPOSITION OF SENATE BILL NO. 397: Sen. Van Valkenburg MOVED SB 397 DO NOT PASS. MOTION CARRIED with Sens. Marbut and Story voting "no".

DISPOSITION OF SENATE BILL NO. 380: Sen. Crippen MOVED SB 380 DO NOT PASS. MOTION CARRIED, with Sen. Conover voting "no".

MEETING ADJOURNED at 2:22 p.m.

GOERGE MCCALLUM, CHAIL

(Type in committee members names and have 50 printed to start.)

ROLL CALL

LOCAL GOVERNMENT COMMITTEE

n.,

48th LEGISLATIVE SESSION -- 1983

Date 2/15/83

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OCHENED	~		
OCHSNER			
CRIPPEN			
HAMMOND	-		
STORY			
MARBUT	2		
CONOVER			
FULLER	-		
THOMAS			-
VAN VALKENBURG	/		
BOYLAN	/		-
McCALLUM	~		· .
McCALLUM			

COMMITTEE ON

BILL NO.

VISITOR'S REGISTER Check One NAME REPRESENTING Support Oppose SB380 versity System MT SB380 his Chief VOL FIRE VASSOC SB 380 KORN RT Val Firemen Here SP 380 Prosident 177 57 Unive PSC Neutral - Artend SB-322 bitz MONT ound & Public Education 5536 rida boun Domm SB 380 5, 5 SE-Bac Varal Deel Hours SB319 JUNY IN Det 5\$319 53319 RASU SKERZ J-SIX SB, 322 1 deat 39 Censordin 58319 14 ILD. 5B380 FIRE FLETERS ASSOC MOVIAVA SB322 TI DE 1. ISWCH File Service Granning

DATE

(Please leave prepared statement with Secretary)

February 15, 1983

Testimony for SB 380 by Senator Richard E. Manning

Senate Bill 380 is a bill that would require instructors at the fire services training school be residents of this state for at least three years.

The reason for the establishment of a residency requirement is to make certain that these instructors are familiar with the operations of the state of Montana, are able to relate with other Montanans, and are relatively stable in the state.

It is important that the instructors understand how the System works in Montana in order for them to present their course effectively.

It appears that those people who have resided in Montana for over three years better comprehend the needs of other Montanans and can relate to them better.

It is also important that these fire training instructors be stable members of the state in order to prevent diffettantism. By in large, the longer a person stays in one place the more inclined he or she is to remain.

I feel that this bill would increase the overall effectiveness of the fire services training school.

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MONTANA STATE HOUSE OF REPRESENTATIVES

The Big Sky Country

REPRESENTATIVE PAUL G. PISTORIA HOUSE DISTRICT 39

Feb. 10, 1983

COMMITTEES: VICE CHR. LOCAL GOVERNMENT STATE ADMINISTRATION

HOME ADDRESS: 2421 CENTRAL AVE. GREAT FALLS, MONTANA 59401

ILS, MONTANA 59401 FOR TESTIMONY AGAINS J. In the 1981 Dession then Denatos Jesse O'Haea defeated for supporting H.B. 765, which allowed nutomotically Rise their water Rates 12% and lies AGAINST 5.8.322 (5) H.B. 765. It was sponsored by Gene Donaldson. This bill passed and now is the law for 2 years. It allows the Cities and Towns to automatically raise the Water & Sewer Rates 12% once each year. This took this Jurisdiction from the PSC to set Water & Sewer Rates. Then WHY HAVE THE PSC? That is a good question. THIS WAS TERRIBLE! Even though I fought very hard against the bill in the House Local Gov't Committee and in the Senate Local Cov't Committee, it passed in Both Houses. In the House, your Representatives Jack Moore, John Phillips, John Matsko, Jay Fabre-NOTE ga and Toni Bergene VOTED for its passage. DID THEY REPRESENT YOU? NO. Now, in the Senate, it was very interesting. LISTEN TO THIS: In the Senate THIS 15 LOCAL GOV'T COMMITTEE, I presented them with 719 signatures on a petition AGAINST TRUE. this bill. The Black Eagle Civic Club presented the Committee with the fact they were unaminously AGAINST this. Now the climax ... Mrs Mary Mehlhoff, who lives in Senator JESSE O'HARA'S Dist. #18 mailed me a petition with approximately 370 signatures AGAINST THIS BILL. I gave then to JESSE O'HARA, Vice Chr. of the Senate Committee. He never turned it in to his committee and they didn't know about them when I questioned the committee. Chairman, Sen. Geo. McCallum was unaware of the petitions. No doubt, you know what JESSE O'HARA did with the petitions .. he probably threw the petitions away. Being he is Vice Chairman of this committee. this was not the way to represent his constituents in his Senate District #10. DOES HE DESERVE TO BE RE-ELECTED ... I WOULD SAY NO! I WILL DO EVERYTHING POSSIBLE TO FIGHT THIS IF, IT COMES UP AGAIN IN THE 1983 SESSION. YOU SHOULD SLECT THE FERSON WHO WILL REPRESENT YOU. MY RECORD SPEAKS FOR ITSELF AND I WILL NOT WAIVER. I AM NOT FOR SALE. GOVERNMENT IS GETTING TOO BIC! WE NEED LESS. I WOULD APPRECIATE YOUR CONTINUED SUPPORT. BE SURE TO EXERCISE YOUR VOTE ON NOVEMBER 2, 1982. 8. THANK YOU. Sincerely yours. October 28, 1982 Circulated and Pd. for by Paul Pistoria for Legis-Paul G. Pistoria lature, Kay Pistoria, Treas. 2421 Central Avenue State Representative Great Falls, Montana, 59401 VOTE- J.B. 322 by Senator Halligan is the H.B.7.7

WITNESS STATEMENT

NAME Bill Opitz BILL NO. 58-322 rt. DATE ADDRESS 1227 WHOM DO YOU REPRESENT ont AMEND **OPPOSE** SUPPORT PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY. The Wont PSC is neutral on 5B-322. Regulation of a non-profit organization is a Comments: policy question which must be addressed by the legislature. If the committee should pass this bill, the PSC would request that all reference to the PSC be striken from the bill. Specifically: Strike the phrase P9 2 lines 11412 strike the phrase "the public service commission and " Also pg 2 lines 17-21 Strike all of section 3 of then renumber the remaining sections appropriately.

Commissioners Russell J. Ritter, Mayor Rayleen Beaton Michael J. DaSilva Joan A. Duncan Dale L. Johnson

Robert A. Erickson City Manager



City-County Admin. Bldg. 316 North Park Helena, MT 59623

Phone 406/442-9920

February 14, 1983

Senate Committee on Business & Industry State Capitol Helena, MT 59620

Dear Chairman:

At the Committee Hearing of SB 322, on Friday, February 11th, there were several items not mentioned by the City of Helena due to our late appearance.

This bill would remove the requirement for the rates approved by the elected city officials to be reviewed and approved by the Public Service Commission (PSC).

One of the major problems of the PSC review of non-profit municipal organizations is that there is no procedure to rectify an error in rate If the PSC approves water rates, based on a prediction. For example: certain number of customers, and a certain level of consumption, and also aproves the expenditure levels to match those revenues; and then, the consumption level drops, there is a deficit created in that water fund. This would be acceptable if this deficit could be reduced in future rates. Due to a PSC procedure and rule which is derived for the regulation of for-profit utilities, there is no way to reduce a past deficit under a current rate proposal. Since municipal utilities do not generate a rate of return or profit from operations, there is no legitimate source to eliminate this deficit. It can only be reduced by reducing infrastructure expenditures below authorized levels or reducing operating expenditure levels. It would be much more appropriate to address this problem openly and make a decision.

Another problem that PSC review causes is additional time delay and bond market uncertainty. The City of Helena, after studying and reviewing our water supply problems over a period of five (5) years, submitted a rate request to the PSC in January of 1982. It was September 1982 before we received approval of a portion of the rates requested. During that time, our construction costs continued to escalate. Senate Committee on Business & Industry February 14, 1983 - Page 2 -

The Consumer Council representative at the public hearing commented that the City of Helena did not heed his recommendations about the basic composition of the system. This is true. The City of Helena had spent 5 years reviewing this water problem. We had brought in one of the highest rated water works engineering consulting firms in the country to redesign the system when the City Commission was not satisfied with the original proposals. We consulted water system experts at Montana State University to assure we were designing an appropriate system. The City staff made numerous changes to improve the design. Then, in a few weeks, the Consumer Council staff looked over the proposal and made rather large scale change recommendations. Those recommendations were reviewed by the City and were not considered to be in the best long term interests of the City. We do not begrudge the Consumer Council the right to question and make recommendations. Those are to our benefit. The decision, however, must be based on the best available information, and made by the City Commission. The fact that the Consumer Council has an idea does not automatically make it the best idea available.

The responsibility for decisions determining utility rates of municipally owned utilities are best left at the level most responsible to the people who must pay the rates. The City Commission of Helena is elected by the very same people who must pay the Helena water rates. The PSC members are elected by a larger constituency, the majority of whom are not at all affected by the City of Helena rates.

I appreciate your time and effort in reviewing SB 322, and considering our concerns. If I may be of any service at all, please contact me or call at 442-9920.

Sincerely,

BILL VERWOLF Assistant City Manager

BV/jsa

SENATE COMMITTEE LOCAL GOVERNMENT

Date 2/15/83 5B Bill No. 332 Time 2:11

NAME	YES	NO	
OCHSNER, J. Donald, Vice-Chairman			
CRIPPEN, Bruce		<u>``</u>	
HAMMOND, H.W.	-		
STORY, Pete		C	
MARBUT, Reed	~		
CONOVER, Max			
FULLER, David	V		
THOMAS, <u>B</u> ill		-	
VAN VALKENBURG, Fred	<u> </u>		
BOYLAN, Paul		<u> </u>	
Mc C.Allum, George		i	

Louise Su Secretary	llivan	<u>Sen. George McCallum</u> Chairman	
Motion:	16	Do Pass notion Carried	6-5

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

SENATE COMMITTEE LOCAL GOVERNMENT

Date 2/15/83 SB Bill No. 332 Time 2/10

NAME	YES	NO
OCHSNER, J. Donald, Vice-Chairman	~	
CRIPPEN, Bruce		<u> </u>
HAMMOND, H.W.		•
STORY, Pete	-	
MARBUT, Reed		
CONOVER, Max		
FULLER, David		<i>c</i>
THOMAS, <u>B</u> ill		
VAN VALKENBURG, Fred		
BOYLAN, Paul		
Me Callum, George		

Louise Sullivan	Sen. George McCallum
Secretary	Chairman
Motion:	6-5
1-26	1 0
motion failed Dal	hat fins

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

WITNESS STATEMENT

NAME Arthur R. Kacky "Schauer BILL NO. 5B380 ADDRESS <u>Rt. 2 Box 549 Libby</u> DATE <u>Phb 15,1985</u> WHOM DO YOU REPRESENT <u>State Board of Public State And</u> SUPPORT OPPOSE PLEASE LEAVE PREPARED STATEMENT WITH A. I an Arthur Schame - from Libby, MT I am opposed to this bit for the following reasons; Ø. 1. Fin Services Training School has a smiter Stiff - less than the employees and because of this, the Turnever is very small. The FSTS 'S import on the state labor market is very limited The hiring practices of the SSTS would have no real effect on the states labor market so. I don't understand the direction of such a buil singling out the ISTS. 2. Such a policy could have for reaching ramifications to other state agencies. 3. The bill is inaccurate in that the FSTS doesn't supply training services, or even deal with fire propression techniques in the montana Forestry environment. 4. The last outof. state instructor threads for the school was in the early 1960's - So why a bell now? 5. and finally, fire suppression techniques are not FORM CS-34 related to local areas, suppression techniques

(b) No land surveyor shall act as an examining land surveyor in regard to a plat or certificate of survey in which he has a financial or personal interest.

History: En. Sec. 9, Ch. 500, L. 1973; amd. Sec. 7, Ch. 334, L. 1974; amd. Sec. 1, Ch. 553, L. 1977; R.C.M. 1947, 11-3867(part); amd. Sec. 1, Ch. 273, L. 1981.

Compiler's Comments

1981 Amendment: Added subsection (1)(b).

76-3-612. Abstract of title required for review process. (1) The subdivider shall submit with the final plat a certificate of a title abstracter showing the names of the owners of record of the land to be subdivided and the names of lienholders or claimants of record against the land and the written consent to the subdivision by the owners of the land, if other than the subdivider, and any lienholders or claimants of record against the land.

(2) The governing body may provide for the review of the abstract or certificate of title of the land in question by the county attorney where the land lies in an unincorporated area or by the city or town attorney when the land lies within the limits of a city or town.

History: En. Sec. 7, Ch. 500, L. 1973; amd. Sec. 5, Ch. 334, L. 1974; R.C.M. 1947, 11-3865; amd. Sec. 186, Ch. 575, L. 1981.

Compiler's Comments 1981 Amendment: Deleted "licensed" before

"title abstracter" in (1).

76-3-613. Index of plats to be kept by county clerk and recorder. (1) The county clerk and recorder shall maintain an index of all recorded subdivision plats and certificates of survey.

(2) This index shall list plats and certificates of survey by the quarter section, section, township, and range in which the platted or surveyed land lies and shall list the recording or filing numbers of all plats depicting lands lying within each quarter section. Each quarter section list shall be definitive to the exclusion of all other quarter sections. The index shall also list the names of all subdivision plats in alphabetical order and the place where filed. History: En. Sec. 15, Ch. 500, L. 1973; R.C.M. 1947, 11-3873.

76-3-614. Correction of recorded plat. When a recorded plat does not definitely show the location or size of lots or blocks or the location or width of any street or alley, the governing body may at its own expense cause a new and correct survey and plat to be made and recorded in the office of the county clerk and recorder. The corrected plat must, to the extent possible, follow the plan of the original survey and plat. The surveyor making the resurvey shall endorse the corrected plat referring to the original plat and noting the defect existing therein and the corrections made.

History: En. Sec. 16, Ch. 500, L. 1973; R.C.M. 1947, 11-3874.

CHAPTER 4

STATE REGULATION OF SUBDIVISIONS

Part 1 - Sanitation in Subdivisions

Section 76-4-101. Public policy. 76-4-102. Definitions.

J J.B. 15, 1983

February 14, 1982

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The position of Chief Probation Officer was authorized by the 1935 legislature, Section 12288 of the Revised Codes of Montana, 1935. Since that time maximum salary authorized by the legislature has been as follows:

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Year	Per month	Per year
1935 1943 1951 (Jan) 1951 (July) 1953 1955 1957 1961 1963 1965 1967 1972 1973 1975 1979 1981 (Oct.)	<pre>\$ 150.00 200.00 250.00 266.66 300.00 375.00 400.00 450.00 500.00 575.00 750.00 850.00 1,041.67 1,333.33 1,666.66 1,833.33 f living) 70% CPI</pre>	<pre>\$ 1,800.00 2,400.00 3,000.00 3,200.00 3,600.00 4,500.00 4,800.00 5,400.00 6,000.00 6,900.00 10,200.00 10,200.00 12,500.00 16,000.00 20,000.00 22,000.00</pre>
LUCE (OULY COST O	т ттоти?) 70.9 Стт	- 1.5710

The above represents 48 years since authorization with 16 raises including the cost of living increase in 1982.

WITNESS STATEMENT

NAME	`	hidd	bour th). ym_		BII	LL No.	SB 380	
ADDRESS_		33 8	o. Last	Chance	Gulch	DA'I	?Е	Feb 15, 83	
WHOM DO	YOU	REPRES	ENT		Soard of	Puttic	Educ	ahu	
SUPPORT_				OPPOS	Е		AMEND)	

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1. The bill is in accurate: FSTS does not reve the Forest dervice

There is no need for the fill: there has then nots the nover in shaff for a decade; we are quaking of a stall of five professionals It is addressed at one job aperting without public benefit 2. The Board encourages hiring in -state personnel but it is good management to have the best -trained personnel for the budget - and proficiency in fired suppression techniques are not related to locale 3. louremently the bill does not encourage good management.

WITNESS STATEMENT

NAME John Allen	BILL NO. <u>5-322</u>
ADDRESS 34 W/12 th	DATE 2-15-83
WHOM DO YOU REPRESENT Mt Consumer Cou	nsel
SUPPORTOPPOSE	AMEND
PLEASE LEAVE PREPARED STATEMENT WITH SECRED	TARY.
Comments: This legislation is unneces	isary in light
of existing legislation (MCCle9-8)	
Furthermore the potential for abuse	is great in
light of our experience dealing u	it Municipal
Water and sewer departments.	

BILL SUMMARIES

SENATE LOCAL GOVERNMENT COMMITTEE

SB 319 Senate Bill 319 clarifies the powers for adjusting probation officer's salaries for cost of living adjustments. It also (Stephens) provides a longevity adjustment to probation officer's salaries.

Senate Bill 322 would eliminate rate restrictions on (Halligan) municipal utilities, changes the reporting requirements, and makes the statutes concerning municipal utilities permanent.

SB 380 Senate Bill 380 institutes a 3-year residency requirement for (R. Manning) instructors at the fire services training school. There currently is no such requirement.

> Senate Bill 397 changes the time at which a lien attaches upon property in an RID or SID. Currently, the lien attaches at the time the resolution creating the RID or SID is adopted. This bill would set the time of attachment at the time of delinquency on the RID or SID.

SB 322

SB 397

(Marbut)

STANDING COMMITTEE REFURI

			February	15
MR	PRESIDENT			
We, your co	mmittee on	LOCAL GOVERNMENT		
having had under	r consideration	SENATE		380 Bill No
.• <u>.</u>				
			• •	

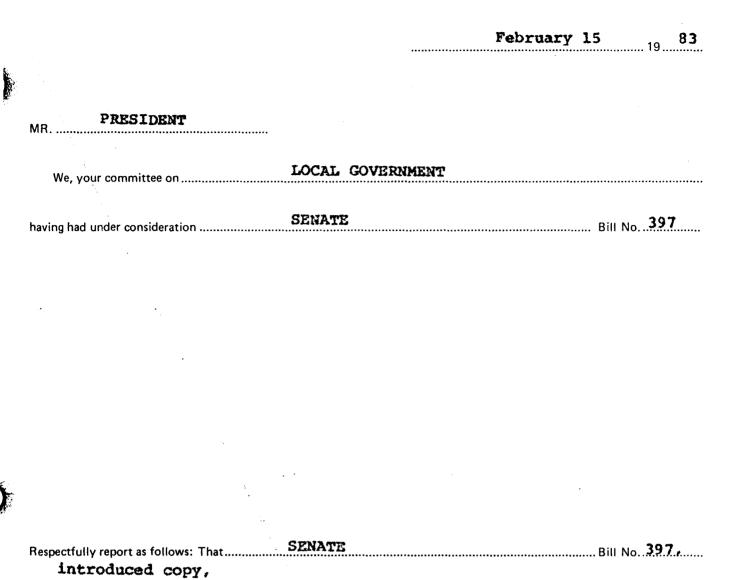
DO NOT PASS

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Chairman.

MC.

STANUING GUNIMITTEE KEFUKT



DO NOT PASS

SXXXXXXX

George McCallum

..... Chairman.

11.C.

STANDING CUMINITIES REPORT

	Febr	uary 15 19.83
· · · •		
MR. PRESIDENT		
We, your committee on	LOCAL GOVERNMENT	
having had under consideration	SENATE	Bill No

Respectfully report as follows: That SENATE Bill No. 364, Bill No. 364,

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DO NOT PASS

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STATE PUB. CO. Helena, Mont.

George McCallum Chairman.

M.C.

C STANDING COMMITTEE REPORT

		February 15	
MR. PRESIDENT			
We, your committee on	LOCAL GOVERNMENT		
having had under consideration	SENATE		Bill No374
	. · · · ·		
	SRNJUR		37 e
Respectfully report as follows: That introduced copy,			Bill No

DO NOT PASS

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George McCallum Chairman. George McCallum

Chairman.

M.C.

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C STANDING COMMITTEE REPORT

	<u></u>	February 15	19 83
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MR. PRESIDENT			:
We, your committee on	LOCAL GOVERNMENT		
having had under consideration	SENATE		Bill No 374
	_ • · · · · · · · · · · · · · · · · · ·		
	SENATE		372
Respectfully report as follows: That			Bill No.

DO NOT PASS

XXXXXXXXX

George McCallum Chairman.

M.C.

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STANDING CUMINITIEL REFURT

February 15 19 83

MR. PRESIDENT

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We, your committee on	LOCAL GOVERNMENT	
having had under consideration	SENATE	Bill No

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DO PASS

George McCallum

Chairman.

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