

MINUTES OF THE MEETING
LOCAL GOVERNMENT COMMITTEE
MONTANA STATE SENATE

February 18, 1983

The special meeting of the Local Government Committee was called to order by Chairman McCallum on February 18, 1983 in Room 402 at 3:30 p.m., State Capitol.

ROLL CALL: All Senators were present for the voting with the exception of Sen. Boylan who was excused.

DISPOSITION OF SENATE BILL NO. 428: Sen. Hammond MOVED SB 428 DO PASS. MOTION CARRIED, UNANIMOUSLY.

DISPOSITION OF SENATE BILL NO. 124: Chairman McCallum told the committee that there were some real problems with the amendments that were accepted to SB 124 at the last meeting at which time it had received a Do Pass As Amended. However, Chairman McCallum asked for a motion to reconsider action on SB 124. Sen. Crippen MOVED TO RECONSIDER ACTION ON SB 124. MOTION CARRIED UNANIMOUSLY. Sen. Crippen then MOVED TO TABLE SB 124. MOTION CARRIED UNANIMOUSLY.

DISPOSITION OF SENATE BILL NO. 173: Sen. Crippen MOVED SB 173 DO PASS. MOTION CARRIED, with Sens. Ochsner, Hammond and Story voting "no".

DISPOSITION OF SENATE BILL NO. 272: Sen. Ochsner MOVED SB 272 DO NOT PASS. In view of the fact that HB 212 is in this committee and part of SB 272 may be amended into that bill, Sen. Thomas made a SUBSTITUTE MOTION TO LAY SB 272 ON THE TABLE. MOTION CARRIED.

DISPOSITION OF SENATE BILL NO. 175: Sen. Ochsner brought it to the committee's attention that SB 175 had been previously TABLED.

DISPOSITION OF SENATE BILL NO. 21: Sen. Crippen said that this bill had been heard in Committee on Taxation and the amendments were adopted, however, final action was not taken on the bill and it was rereferred to this committee. Sen. Fuller MOVED SB 21 DO PASS. Sen. Thomas said that the city of Great Falls has a transit system which is accepting handicapped persons on the system and felt if this bill were to pass it would give the authority to someone to start their own transit system which would be in competition with the city's. This could be very detrimental to the city's system. Sen. Fuller suggested that the language be changed to "may". Sen. Ochsner made a SUBSTITUTE MOTION, DO NOT PASS. Sen. Fuller made a 2ND SUBSTITUTE MOTION, DO PASS AS AMENDED. MOTION FAILED ON A TIE VOTE, 5-5. (See Roll Call Vote attached).

DISPOSITION OF SENATE BILL NO. 135: Sen. Marbut stated that the amendments had been adopted at the meeting on February 17. The majority report of the subcommittee was to also remove (7) and (8) and change the mills from 24 to 20.

Sen. Crippen said that they had just passed a 2 mill permissive levy for museums and if SB 135 is passed, SB 173 is of no avail. Would

SB 135 prevail over SB 173? He suggested another amendment stating that the mills go up accordingly. Sen. Crippen said he would like to take (5) out of SB 135 and leave it at 20. Sen. Fuller said he was thoroughly confused.

Sen. Marbut MOVED TO REMOVE (7) and (8) from the all purpose levy.
MOTION CARRIED, UNANIMOUSLY.

Sen. Ochsner MOVED TO TABLE SB 135: Sen. Crippen made a SUBSTITUTE MOTION TO REMOVE (5). MOTION CARRIED, Sen. Marbut voting "no".

Chairman McCallum said he would like to see the ferry levy taken out since there are probably only two ferries in the state. Sen. Crippen MOVED TO REMOVE (2). MOTION CARRIED, Sen. Marbut voting "no".

Due to hearings being held in other rooms and some of the members leaving to register their vote elsewhere, Sen. Ochsner and Sen. Story left their vote against this bill and Sen. Van Valkenburg wanted his shown as supporting the bill in the event they were unable to return for the vote. (All members were, however, present for the vote).

Sen. Hammond said he believed everybody is afraid of this bill and MOVED SB 135 DO NOT PASS. Sen. Crippen said that everybody is asking for their pet project to be removed from the all-purpose levy and suggested that the bill be laid on the table. Consequently, Sen. Hammond withdrew his original motion and MOVED SB 135 BE LAID UPON THE TABLE. MOTION CARRIED, with Sens. Fuller, Van Valkenburg and Marbut opposed.

MEETING ADJOURNED 4:01 p.m.


GEORGE McCALLUM, CHAIRMAN

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

ROLL CALL

LOCAL GOVERNMENT

COMMITTEE

48th LEGISLATIVE SESSION -- 1983

Date 2/18

NAME	PRESENT	ABSENT	EXCUSED
OCHSNER	✓		
CRIPPEN	✓		
HAMMOND	✓		
STORY	✓		
MARBUT	✓		
CONOVER	✓		
FULLER	✓		
THOMAS	✓		
VAN VALKENBURG	✓		
BOYLAN			✓
McCALLUM	✓		

11/18/83
2/8/83

Proposed amendment to SB 21 which:

1. includes senior citizens within the scope of the bill;
2. clarifies that local government means a general purpose local government;
3. provides that a local government may not establish an independent transportation system for senior citizens and handicapped individuals without first considering the other two options set forth in the bill; and
4. encourages interlocal agreements to provide regional transportation services to senior citizens and the handicapped.

1. Page 1, line 4.
Following: "AUTHORIZE"
Insert: "GENERAL PURPOSE".
2. Page 1, line 6.
Following: "SERVICES TO"
Insert: "SENIOR CITIZENS AND"
3. Page 1, line 10.
Following: "for"
Insert: "senior citizens and"
Following: "handicapped."
Insert: "(1)"
Following: "A"
Insert: "general purpose"
4. Page 1, line 13.
Following: "services for"
Insert: "senior citizens and"
5. Page 1, line 14.
Following: "persons."
Insert: "(2)"
Following: "The"
Insert: "general purpose "
6. Page 1, line 16.
Following line 15 strike line 16 and 17.
Insert: "(a) contract with public or private transportation providers for services to senior citizens and handicapped individuals; or"
7. Page 1, line 18.
Following line 17,
Strike: "(2)",
Insert: "(b)".

8. Page 1, line 20.
Following: "providers"
Strike: "; and"
Insert: "."

9. Page 1, line 21.
Following : "(3)"
Strike remainder of line 21 and 22;
Insert: " If the general purpose local government determines
that it is not in the best interest of senior citizens and
handicapped individuals to use the tax levy as provided for
in subsection (2) the general purpose local government may
use the proceeds of the levy to establish and operate an
independent transportation system for senior citizens and
handicapped individuals.

(4) General purpose local governments are encouraged to enter
into interlocal agreements to provide regional
transportation services to senior citizens and handicapped
persons and may create regional advisory committees to
coordinate regional transportation services."

Senate Local Government
Capitol Station
Helena, Montana 59620

GEORGE McALLUM Chairman

802 North Benton Apt. 1
Helena, Montana 59601

2/19/83

Dear Sirs:

As a person with a disability who has to rely upon public transportation, and as a person who has worked in the Transportation Industry I implore you to move S.B 21 on to the floor with a do pass recommendation.

Transportation for the Elderly and Handicapped is an expensive enterprise because of the additional technology, equipment, and staff training that must all be in place before a transportation unit can provide safe and adequate service.

There are several programs in place for Elderly and it is true that they do provide a small portion of funding for transportation to make that particular program accessible; However that only covers the person eligible for a specific program and to and from a specific place. In no way will this be a duplication of a service already available and it has the potential to encourage cooperation among agencies and programs.

For the person with a disability that lack of a transportation system may be the only thing that stands between him being a productive member or a dependent member of society. For the disabled person who will always have to be dependent upon society an accessible transportation system goes a long way to improve the quality of life.

The State of Montana has no direct support for Specialized Transportation Systems operations cost. I sent to Federal Highways a request for information about two programs that might have provided some potential for funding and I am going to enclose my request and their response. As you will see it does not give us any hope that we can look to the Department of Transportation for help.

I thank you for your attention and again I entreat you to move on this matter as soon as you can.

Sincerely,


Vivian M. Crabtree

Federal Highway Administration
Federal Building Drawer 10050
301 South Park
Helena, Mt 59626

802 North Benton Apt. 1
Helena, Mt. 59601

2/16/83

Dear Sirs:

Currently before the Local Governments Committee is SB 21 a Bill to give Local Governments the authority to assess one, (1) Mill for the funding of Specialized Transportation for Elderly and Handicapped.

To assist me with support for this Bill I need information regarding; the proposed uses of the Surface Transportation portion of the new Gas Tax, and the projected future of Section 18 and how that will impact rural Montana?

Thank you for your attention and promptness (which I know I can rely upon) in attending to my request.

Sincerely,


Vivian M. Crabtree



U.S. DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

REGION EIGHT

Montana Division
Federal Office Building
301 S. Park, Drawer 10056
Helena, Montana 59626

February 18, 1983

IN REPLY REFER TO

HEC-MT

710.31

Ms. Vivian M. Crabtree
802 North Benton, Apt. 1
Helena, Montana 59601

Dear Ms. Crabtree:

We appreciate your interest and support of funding to assist the elderly and handicapped through specialized transportation as noted in your letter of February 16. In answer to your request as to the uses of the new gas tax in the STAA-82 and projected future of Section 18 in Montana we submit the following:

The one-cent portion of the new fuel tax designated for the Mass Transit Trust Account can only be used for capital grants and possibly some program administration. It cannot be used for operating expenses under the Section 18 or other transit programs. This fund is predominately designated for urbanized areas over 200,000 in population and will have a very small impact on the rural transit program in Montana.

The Section 18 program will only receive funds from the Mass Transit Trust Account in Fiscal Year 1983. For subsequent years its funds will be appropriated from the general fund as they have been in the past.

We hope this answers your questions adequately. If we can be of further assistance, please feel free to contact this office.

Sincerely yours,

for Volmer K. Jensen
Division Administrator

SENATE COMMITTEE LOCAL GOVERNMENT

Date 2/18/83 SB Bill No. 21 Time 3:49

NAME	YES	NO
OCHSNER, J. Donald, Vice-Chairman		✓
CRIPPEN, Bruce	✓	
HAMMOND, H.W.		✓
STORY, Pete		✓
MARBUT, Reed	✓	
CONOVER, Max	✓	
FULLER, David	✓	
THOMAS, Bill		✓
VAN VALKENBURG, Fred	✓	
BOYLAN, Paul		
McCallum, George		✓

Louise Sullivan
Secretary

Sen. George McCallum
Chairman

Motion: 69-11 21

Do Pass As Amended Motion Failed 5-5

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

STANDING COMMITTEE REPORT

February 18 19 83

MR. **PRESIDENT**

We, your committee on **LOCAL GOVERNMENT**

having had under consideration **SENATE** Bill No. **428**

Respectfully report as follows: That **SENATE** Bill No. **428**,
introduced copy,

DO PASS

STANDING COMMITTEE REPORT

February 18 19 83

MR. **PRESIDENT**

We, your committee on **LOCAL GOVERNMENT**

having had under consideration **SENATE** Bill No. **173**

Respectfully report as follows: That **SENATE** Bill No. **173,**
introduced copy,

DO PASS

GEORGE McCallum

Chairman.