

MINUTES OF THE MEETING  
BUSINESS AND LABOR COMMITTEE  
MONTANA STATE  
HOUSE OF REPRESENTATIVES

January 22, 1985

The meeting of the Business and Labor Committee was called to order by Chairman Bob Pavlovich on January 22, 1985 at 9:00 a.m. in Room 312-2 of the State Capitol.

ROLL CALL: All members were present.

HOUSE BILL NO. 226: Hearing commenced on House Bill No. 226. Representative Walter Sales, District #76, sponsor of the bill, stated that the purpose of this bill is to repeal in its entirety chapter 57 of Title 15 which is the law requiring store licenses in Montana. Rep. Sales explained that this law was enacted in the mid 1930's during the depression and he feels that there are more honest ways to get revenue.

Proponent Janelle Fallan, representing the Montana Chamber of Commerce stated that 90 to 95% of their membership is small business owners. These people get nothing in return for this license. It is a small license that is a nuisance, added Ms. Fallan.

Proponent Dave Goss, representing the Billings Chamber of Commerce, stated that with the passage of House Bill 226, it would not remove any restrictions presently on stores. Numerous licenses currently are required by various stores, and this license is not necessary.

Proponent Irvin Dellinger, representing the Montana Building Material Dealers, offered his support.

Representative Pistoria stated that he had no position on this bill.

Dan Bucks, representing the Department of Revenue was present to provide information on the fiscal effect of House Bill 226. If House Bill 226 does pass, a loss of \$590,000 will be felt. The administrative costs for this licensing requirement are less than \$12,000 per year. Mr. Bucks stated that the department does not have a position on House Bill 226.

Representative Jones asked Mr. Bucks how many licenses are issued throughout the state. There are approximately 14,000 licensees, which include both wholesale and retail. Representative Jones then asked how the administrative costs can be only \$12,000 per year. Mr. Bucks explained that the process is a very efficient one and the computer system helps to alleviate the work load.

There being no further discussion by proponents or opponents, all were excused by the chairman and the hearing on House Bill 226 was closed.

HOUSE BILL NO. 121: Hearing commenced on House Bill No. 121. Representative Dennis Nathe, District #19, sponsor of the bill, stated that the purpose of this bill is to provide protection against unusually high electric service charges for consumers in areas where natural gas service is not available. He added that these consumers are paying more than their share and thus being discriminated against. In some areas, electric bills run as high as \$800.00 per month, exceeding most mortgage payments. A considerable increase in the cost per kilowatt hour has been apparent.

Opponent John Alke, representing Montana/Dakota Utilities is opposed to the concept of subsidized rates, as indicated in his oral testimony.

Opponent Bob Nelson, representing the Public Service Commission, explained that the staff considered ten different possible rate designs. House Bill 121 would cause inefficient resource use. Rate increases would result to those that currently have natural gas available, and could reach a 50% increase, added Mr. Nelson.

Opponent Gene Phillips, representing Pacific Power and Light of Kalispell explained that the basic principle of rate making is that the rate should be cost fixed. Mr. Phillips explained that an owner of an all electric house, who is eligible for the subsidy, would lose such eligibility should the power company extend gas lines to the property. The loss of the subsidy would occur, even though it would be impractical to convert the home to use natural gas for heating purposes. Mr. Phillips asked the committee to reject House Bill 121 for the reasons stated.

Opponent Mike Zimmerman, attorney, representing the Montana Power Company, submitted written testimony, which is attached hereto as Exhibit 1.

Opponent Dennis Lopach, representing Mountain Bell, presented testimony as shown on the Witness Statement attached hereto.

Opponent Jim Paine, representing the Montana Consumer Council, explained that they are in favor of a subsidy,

Business and Labor Committee  
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only if said subsidy would reach the people who need it. It is Mr. Paine's assumption that the bill would apply to every rural subscriber, which would result in a very large class being eligible for this subsidy. This bill is not the answer and would not efficiently take care of those who need the subsidy, added Mr. Paine.

In closing, Representative Nathe pointed out to the committee that it may not be correct to call this protection a subsidy. Representative Nathe asked the committee to table this bill rather than kill House Bill 121.

Representative Bachini asked Representative Nathe what the costs are for oil and propane. Representative Nathe referred the question to Mr. Nelson, who explained that the approximate costs are \$10.00 for propane, \$6.00 for gas, \$8.00 for oil and \$22.00 for electricity.

Representative Kadas asked Mr. Allen if MDU encourages conservation and if so, to what extent. He explained that they do urge conservation and that in one instance the commission issued an order to conduct a study to fit all homes with solar water heaters in Plentywood. The cost would have exceeded 6 million dollars and thus was never carried through.

Representative Schultz asked Mr. Alke what rate is charged by MDU to the co-op's. MDU does not sell to the co-op's, stated Mr. Alke.

Representative Kadas asked Mr. Nathe if he has noticed a tendency for builders or lending institutions to strive for more energy efficient homes. Mr. Nathe stated that they do not and it is taken for granted that storm windows and adequate insulation exist.

There being no further discussion by proponents or opponents, all were excused by the chairman and the hearing on House Bill 121 was closed.

HOUSE BILL 263: Hearing commenced on House Bill 263. Representative Paul Pistoria, District #36, sponsor of the bill, stated that this bill provides that local

governments and school districts must pay interest on overdue payments. If an invoice is not paid within 30 days, then .05% interest per day will be assessed. This equals an annual interest rate of approximately 18%. Representative Pistoria explained that this is taxpayer's money that pays these bills and they should be paid in a prompt manner. Exhibit 2 attached hereto was distributed amongst committee members.

Proponent, Riley Johnson, representing the National Federation of Business, stated that local, prompt pay is needed. He feels that the problem revolves around the system of these entities and is not that they don't want to pay the bills.

Opponent Chip Erdmann, representing the Montana School Board Association, does not feel there is a problem with paying bills on time. A contractor may set interest at the time the contract is entered into. A witness statement attached hereto outlines further testimony presented.

In closing, Representative Pistoria stated that he wouldn't have introduced this bill if a problem didn't exist. School boards have too much power and this piece of legislation will not hurt the school districts, stressed Representative Pistoria.

Representative Schultz explained that small school districts meet once a month and at times the 30 days may be a problem.

Representative Bachini asked Mr. Johnson how long it has taken him personally to get paid. Mr. Johnson explained that once the school board meets and approves a bill, it can still take 10-15 days to receive payment.

Representative Brandewie asked Mr. Irvin if the school board is required to look at each bill. He stated that the trustee must personally review every invoice and the trustee will be held liable if an invoice is paid that should not have been.

Representative Glaser asked Mr. Irvin if there are provisions in the contract that allow for interest. Mr. Irvin was not sure and Representative Glaser added that he has never seen such a provision.

Representative Keller asked Mr. Johnson if problems arise due to unsatisfactory work. Mr. Johnson explained

that an intimate relationship is had with most clients and you usually know immediately if a problem exists.

There being no further discussion by proponents or opponents, all were excused by the chairman and the hearing on House Bill 263 was closed.

HOUSE BILL 264: Hearing commenced on House Bill 264. Representative Paul Pistoria, District #36, sponsor of the bill stated that the purpose of this bill is to impose a penalty of  $\frac{1}{2}$  of 1 percent a day, up to a total of 15%, on a contractor who fails to pay his subcontractor within 21 days of himself receiving payment. Representative Pistoria distributed to committee members Exhibit 3, which is attached hereto.

Proponent William Belforte, representing the Sheet Metal Contractors, offered his support of House Bill 264. He stated that this bill wouldn't be offensive to any legitimate contractor. Presently interest is being disguised and added into the initial bid, added Mr. Belforte.

Proponent Riley Johnson, representing the Montana Builders Association, suggested the 21 days be amended to 30 days to coincide with a normal billing period. He feels that House Bill 264 will protect the good subcontractors in Montana.

Proponent Tom Herzig, representing the Montana Chapter of National Electrical Contractors Association and Irvin Dellinger, Executive Secretary of the Montana Building Material dealers, supplied a witness statement attached hereto, which displays their oral testimony.

In closing, Representative Pistoria added that 8 states have passed this type of legislation in 1 year.

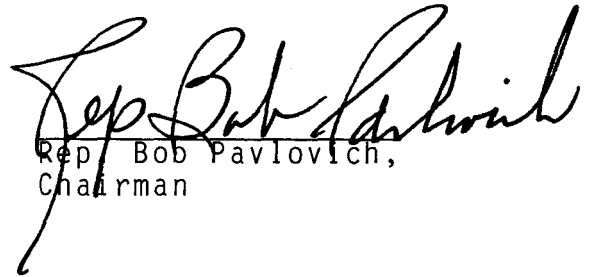
Representative Brown asked Representative Pistoria if he had a problem with changing the 21 to 30 days. Representative Pistoria would be in agreement.

Representative Ellerd asked Mr. Johnson if a contractor is guaranteed payment. Mr. Johnson explained that most are paid through a lending institution.

There being no further discussion by proponents or opponents all were excused by the chairman and the hearing on House Bill 264 was closed.

Business and Labor Committee  
January 22, 1985  
Page 6

ADJOURN: There being no further business before the  
committee, the meeting was adjourned at 10:55 a.m.

  
Rep. Bob Pavlovich,  
Chairman

DAILY ROLL CALL  
BUSINESS AND LABOR COMMITTEE

49th LEGISLATIVE SESSION -- 1985

Date January 22, 1985

NAME	PRESENT	ABSENT	EXCUSED
Bob Pavlovich	✓		
Les Kitselman	✓		
Bob Bachini	✓		
Ray Brandewie	✓		
Jan Brown	✓		
Jerry Driscoll	✓		
Robert Ellerd	✓		
William Glaser	✓		
Stella Jean Hansen	✓		
Marjorie Hart	✓		
Ramona Howe	✓		
Tom Jones	✓		
Mike Kadas	✓		
Vernon Keller	✓		
Lloyd McCormich	✓		
Jerry Nisbet	✓		
James Schultz	✓		
Bruce Simon	✓		
Fred Thomas	✓		
Norm Wallin	✓		

House Bill 121

House Bill 121 would require the Public Service Commission to create a special rate for electric consumers deemed to have no "alternative to electricity for heating and essential home usage." This bill would:

- (1) result in a subsidy that may or may not be needed;
- (2) irrationally and unconstitutionally discriminate between classes of ratepayers; and
- (3) unwisely depart from traditional cost of service ratemaking.

IRRATIONAL DISCRIMINATION/SUBSIDY

Where rates paid by one group of consumers are intentionally "reduced", rates paid by the remaining consumers are intentionally increased to cover the deficit. Discriminatory rates may be created only if there is a rational basis for the discrimination. As seen below, there is no rational basis for the discrimination and subsidization that would result from House Bill 121.

First, the bill incorrectly assumes all consumers in areas not served by natural gas live in "all-electric" homes and require financial assistance. Under this bill an extremely wealthy person living in an "all-electric" home could be subsidized by a low-income person living in an area served by natural gas and electricity.



Second, the bill assumes that natural gas is the only alternative to electricity. It ignores the fact that wood, propane, oil and coal are alternative heating fuels. (The comparative cost of these alternatives is set out on the attached exhibit). Thus, a person living in an area not served by natural gas who uses wood for heat and electricity for lighting could be subsidized by a person using a great deal of electricity but living in an area where natural gas is an alternative fuel.

#### COST OF SERVICE RATEMAKING

A fundamental cornerstone of utility regulation is that "reasonable and just" rates fully reflect the cost of serving the consumer paying the rate. House Bill 121 would weaken this cornerstone by introducing unclear and overly broad factors to be balanced. What, for example, are the "market factors" to be considered? What is meant by "the nature of utility use?" What "methods of reducing wide periodic variations in demand" are appropriate in determining whether a rate is "reasonable and just?"

The setting of rates and the determination of what is "reasonable and just" has long been subjected to the careful scrutiny of legislatures, regulatory agencies and courts. The resulting law carefully defines the concept so that public policy is enhanced and constitutional property rights are preserved. House Bill 121 would adversely disrupt this law by irrationally requiring some (who may not be able to afford it) to pay more to benefit others (who may not need it).

### Conclusion

House Bill 121 is intended to benefit a limited group of utility consumers. The harmful impacts of the bill on other consumers and to regulatory law should prohibit its adoption.

For: The Montana Power Company

By: Michael E. Zimmerman

FUEL USE COMPARISON FOR HEATING RESIDENCE FOR TYPICAL YEAR  
 1,000 sq.ft. house - 35,000 BTU/HR heat loss - 68,000,000 BTU/YEAR

	HEAT CONTENT PER UNIT	ANNUAL HEATING EFFICIENCY FACTOR	NUMBER OF UNITS REQUIRED	UNITS PRICE	ANNUAL COST
Electric Baseboard	3,412 BTU/KWHR	.95	20,979/kwhrs	.07532	\$ 1,580
Electric Furnace	3,412 BTU/KWHR	.80	25,000/kwhrs	.07532	\$ 1,883
Propane	91,600 BTU/GAL	.49	1,515 Gal	.789 Gal	\$ 1,195
Propane Hi Tech	91,600 BTU/GAL	.81	916 Gal	.789 Gal	\$ 723
Fuel Oil #2	140,000 BTU/GAL	.41	1,185 Gal	.929 Gal	\$ 1,101
Coal	9,600 BTU/LB	.36	9.84 Ton	\$75/Ton	\$ 738
Wood	16,700,000 BTU/CORD	.30	13.6 Cord	\$55/Cord	\$ 748

Exhibit 2  
January 22, 1985  
House Bill 263  
Submitted by:  
Rep. Pistoria

POST **kwik**®  
PK100R-3

## REPLY MESSAGE

FORM NO. PK100R-3

AVAILABLE FROM  
BUSINESS ENVELOPE MANUFACTURERS  
DEER PARK, N.Y. • ANAHEIM, CALIF.

TO Paul Pistoria  
2421 Central  
Great Falls MT 59401

*Recd - Sat. Jan. 19, 1985*  
**LEWIS CONSTRUCTION COMPANY**  
P. O. BOX 2669  
GREAT FALLS, MT 59403  
(406) 454-1373

SUBJECT See attached

DATE: 1-14-85

FOLD ▶ Dear Mr. Pistoria:

Mr. Lewis wanted me to send you these copies of our invoices showing  
the date we sent them and the date we received payment from the City.  
If you have any questions, please give me a call.

*USE FOR H.B. 263*

PLEASE REPLY TO ▶

SIGNED: Linda Shumate, Accounts Receivable

DATE:

SIGNED:

DETACH YELLOW COPY — SEND WHITE AND PINK COPIES WITH CARBONS INTACT

FORM NO. PK100R-3  
AVAILABLE FROM BUSINESS ENVELOPE MANUFACTURERS, INC. • DEER PARK, N.Y. • ANAHEIM, CALIF.

Paul

**KAISER  
CEMENT**

①

Inv# 1112 + claim sent 10/25/83

paid 12/30/84 - \$6686.06 - 14 months

paid 1/26/84 - \$1947.73 to pay

3 months

✓ Inv# 1289 + claim sent 2/22/83

paid 4/13/84 - 14 months to pay

✓ Inv# 1395 + claim sent 7/11/84

paid 8/27/84 - 1 1/2 months

to pay

Sorry it took so long to  
get these to you.



# LEWIS CONSTRUCTION COMPANY

INVOICE 1112

BOX 2669

PHONE 454-1373 1025 11TH AVENUE NORTH  
GREAT FALLS, MONTANA 59403

DATE

10/25/83

1 CONSTRUCTION  
2 HIGHWAY CONTRACT

NAME  
CITY OF GREAT FALLS

ADDRESS  
FARMER DET CIVIC CENT

CITY STATE

GREAT FALLS MT 59401

NAME

ADDRESS

CITY STATE

CITY STATE

679

SPECIAL SHIPPING INSTRUCTIONS

1983 PAVEMENT MAINTENANCE PROJECT OF 821

CUSTOMER ORDER NO.

DATE PROMISED

☐ CASH

☐ C.O.D.

F.O.B.

TERMS

BILLING CODE

1 2 3 4

☐ CHARGE

☐ CREDIT

QUANTITY

DESCRIPTION

PRICE

AMOUNT

COST

AMOUNT

1	PAVEMENT MAINTENANCE PROJECT OF 821	\$ 8794.17			
2					
3	PAVEMENT MAINTENANCE PROJECT OF 821				
4	PAVEMENT MAINTENANCE PROJECT OF 821				
5	PAVEMENT MAINTENANCE PROJECT OF 821				
6	PAVEMENT MAINTENANCE PROJECT OF 821				
7	PAVEMENT MAINTENANCE PROJECT OF 821				
8	PAVEMENT MAINTENANCE PROJECT OF 821				
9	PAVEMENT MAINTENANCE PROJECT OF 821				
10	PAVEMENT MAINTENANCE PROJECT OF 821				
11	PAVEMENT MAINTENANCE PROJECT OF 821				
12	PAVEMENT MAINTENANCE PROJECT OF 821				
13	PAVEMENT MAINTENANCE PROJECT OF 821				

FOR:

TOTAL

\$

THIS SLIP MUST ACCOMPANY  
ALL CLAIMS AND RETURNED GOODS

# City of GREAT FALLS Montana

TELEPHONE 406/727-5881  
EXT. 341

CLAIM VOUCHER

SIGN CLAIM BELOW--ATTACH INVOICE--AND RETURN PROMPTLY FOR PAYMENT

TO:

RETURN TO: City of Great Falls  
FINANCE DEPT.  
Civic Center  
Great Falls, MT. 59401

LEWIS CONSTRUCTION  
P.O. Box 2669  
GREAT FALLS, MONTANA 59403

DATE	VENDOR NO.			
4/25/83	OFFICE FILE # 821			
QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	AMOUNT
3500	LF	4" YELLOW THERMOPLASTIC	.60LF	5100.00
730	LF	6" YELLOW THERMOPLASTIC	.80LF	584.00
517	LF	4" WHITE THERMOPLASTIC	.60LF	546.00
2050	LF	6" WHITE THERMOPLASTIC	.80LF	1640.00
		CHANGE ORDER #1 TO REPLACE HYDRO CARBON THERMOPLASTIC WITH ALKYD THERMOPLASTIC	L.5	2000.00
		TOTAL		\$9870.00
		LESS 10%		987.00
		SUB TOTAL		\$8883.00
		PREV PAYMENT		00.00
		SUB TOTAL		\$8883.00
		LESS 10%		88.83
		TOTAL DUE ESTIMATE #1		\$8794.17
ACCOUNT NO.		TOTAL		\$8794.17

NOTICE Under RCM 1947, § 11-1301—Claims must be presented with all necessary and proper vouchers, within one (1) year from the date the same accrued; and any claim or demand not so presented within the time aforesaid is forever barred, and the city commission has no authority to allow any account or demand not so presented.

I CERTIFY THAT THIS CLAIM IS CORRECT AND JUST  
IN ALL RESPECTS AND THAT PAYMENT OR CREDIT  
HAS NOT BEEN RECEIVED

VENDOR SIGNATURE

*Walter Wilman*



# LEWIS CONSTRUCTION COMPANY

INVOICE 1217

BOX 2669

PHONE 454-1373 1025 11TH AVENUE NORTH  
GREAT FALLS, MONTANA 59403

DATE 12/30/83

1 CONSTRUCTION  
2 HIGHWAY CONTRACT

S NAME City of Great Falls  
L ADDRESS  
D  
T CITY STATE  
O

S NAME  
H ADDRESS  
I  
P CITY STATE  
T  
O

SPECIAL SHIPPING INSTRUCTIONS

Cr. Memo - Est # 1

CUSTOMER ORDER NO.	DATE PROMISED	<input type="checkbox"/> CASH <input type="checkbox"/> C.O.D.	F.O.B.	TERMS	BILLING CODE 1 2 3 4
		<input type="checkbox"/> CHARGE <input type="checkbox"/> CREDIT			

QUANTITY	DESCRIPTION	PRICE	AMOUNT	COST	AMOUNT
1	Cash rec'd on Inv # 1112	\$	6686.06		
2					
3					
4					
5					
6	City of G. F.				
7	1983 Pavement Marking Center				
8	7000 14 MILES TO F.C.				
9					
10					
11					
12					
13					
FOR:		TOTAL	\$		

THIS SLIP MUST ACCOMPANY  
ALL CLAIMS AND RETURNED GOODS



CITY OF GREAT FALLS  
CIVIC CENTER  
GREAT FALLS, MONTANA 59401

2004

WARRANT  
NO. 29031

DATE 12/28/83

56,686.06

SIX\*THOUSAND\*SIX\*HUNDRED\*EIGHTY\*SIX\*DOLLARS\*AND\*06\*CENTS

DER  
F  
LEWIS CONSTRUCTION CO  
P O BOX 2669  
GREAT FALLS MT 59403

Shirley A. Kintz  
CITY MANAGER OR FINANCE DIRECTOR

0921001541 5004801212

Rec'd 12/30/83 J. 679



# LEWIS CONSTRUCTION COMPANY

INVOICE 1226

BOX 2669

PHONE 454-1373 1025 11TH AVENUE NORTH  
GREAT FALLS, MONTANA 59403

DATE

1/26/81

1 CONSTRUCTION  
2 HIGHWAY CONTRACT

679-6

S NAME  
L ADDRESS  
D CITY STATE  
T CITY STATE  
O CITY STATE

S NAME  
H ADDRESS  
I ADDRESS  
P CITY STATE  
T CITY STATE  
O CITY STATE

SPECIAL SHIPPING INSTRUCTIONS

Est # 2

CUSTOMER ORDER NO.		DATE PROMISED		<input type="checkbox"/> CASH <input type="checkbox"/> C.O.D.		F.O.B.		TERMS		BILLING CODE	
				<input type="checkbox"/> CHARGE <input type="checkbox"/> CREDIT						1 2 3 4	
QUANTITY		DESCRIPTION				PRICE		AMOUNT		COST AMOUNT	
1	2186.00	Est Eared						9690.00			
2	218.60	Less Retainage						969.00			
3		Bal						8721.00			
4	19.67	Less 1% g. Acc Tax						87.21			
5		Less Prev. Payments						6686.06			
6		Am't Rec'd this Est.						<u>1947.73</u>			
7											
8		① CR. Inv. write off to acct # 5795 - <del>\$87.21</del> - g. acc tax									
9		② CR applied to Inv # 1219 - \$1947.73									
10		③ SJ - (R) Retainage acct # 1125						969.00			
11		(H) ④ SJ - Cr Memo - Inv 1219						969.00		- "adj for retention"	
12		(E) ⑤ SJ Cr Memo - Inv 1219						180.00		- "Corr. Retain g. Inv"	
13											
FOR: Cite 2/12/87 1983 Pavement Marking Center						TOTAL		\$			

THIS SLIP MUST ACCOMPANY  
ALL CLAIMS AND RETURNED GOODS

Took 3 Months to Pay

CITY OF GREAT FALLS  
CIVIC CENTER  
GREAT FALLS, MONTANA 59401

2004

WARRANT  
NO. 29519

DATE ► 1/25/84

\$1,947.

\*\*\*\*\*ONE\*THOUSAND\*NINE\*HUNDRED\*FORTY\*SEVEN\*DOLLARS\*AND\*72\*CENTS\*\*\*\*\*

TO  
THE  
ORDER  
OF  
  
LEWIS CONSTRUCTION CO  
  
P O BOX 2669  
  
GREAT FALLS MT 59403

*[Signature]*  
MAYOR OF GREAT FALLS  
*[Signature]*  
CITY MANAGER OR FINANCE DIRECTOR

⑆092100154⑆ ⑈5004801212⑈

*Rec 1-26-84*  
*679*



# LEWIS CONSTRUCTION COMPANY

INVOICE 1289

NO.

DATE

2/22/91

BOX 2669

PHONE 454-1373

1025 11TH AVENUE NORTH

GREAT FALLS, MONTANA 59403

S NAME  
O City of Great Falls  
L ADDRESS  
D Finance Dept. - Civic Center  
T CITY STATE  
O Great Falls, MT 59401

S NAME  
H  
I ADDRESS  
P  
T CITY STATE  
O

SPECIAL SHIPPING INSTRUCTIONS

1983 Payment Meeting Project O.F. 821

#1305

CUSTOMER ORDER NO.	DATE PROMISED	<input type="checkbox"/> CASH <input type="checkbox"/> C.O.D. <input type="checkbox"/> F.O.B.	TERMS	BILLING CODE
		<input type="checkbox"/> CHARGE <input type="checkbox"/> CREDIT		1 2 3 4

QUANTITY	DESCRIPTION	PRICE	AMOUNT	COST	AMOUNT
1	10971 <sup>00</sup> Estimate Earned		20,590 <sup>00</sup>		
2	1096 <sup>00</sup> Less Retainages - 10%		2059 <sup>00</sup>		
3	Balance		18531 <sup>00</sup>		
4	98 <sup>10</sup> Less 1% gross receipts tax		185 <sup>31</sup>		
5	Less Disbursements		8633 <sup>71</sup>		
6	9711 <sup>00</sup> Amount due this Estimate -		\$ 9,711 <sup>90</sup>		
7					
8					
9					
10					
11					
12					
13					
FOR:		TOTAL	\$		

TOOK 14 MONTHS TO PAY

THIS SLIP MUST ACCOMPANY ALL CLAIMS AND RETURNED GOODS

PO 01 227 = 0

# City of GREAT FALLS Montana

TELEPHONE 406/727-5881  
EXT. 341

CLAIM VOUCHER

SIGN CLAIM BELOW—ATTACH INVOICE—AND RETURN PROMPTLY FOR PAYMENT

TO: Lewis Construction Co.,  
P.O. Box 2669  
Great Falls, MT. 59403

RETURN TO: City of Great Falls  
FINANCE DEPT.  
Civic Center  
Great Falls, MT. 59401

DATE		VENDOR NO.		
2/22/84		Office file #821		
QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	AMOUNT
8200	L.F.	4" yellow Thermoplastic	.60	\$ 4920.00
730	L.F.	6" yellow Thermoplastic	.80	584.00
910	L.F.	4" white Thermoplastic	.60	546.00
250	L.F.	6" white Thermoplastic	.80	1640.00
Change order #1 to replace Hydrocarbon thermoplastic with AIKyd Thermoplastic -			L.S.	2000.00
Change order #2 - expanded inlet replacement work (copy attached) -			L.S.	10,900.00
Total -				20,590.00
Less 10% Retainage				2059.00
Sub-Total -				18,531.00
Less previous payments				5721.00
Sub-Total -				9810.00
Less 1% gross receipts Tax -				98.10
ACCOUNT NO.			TOTAL	\$ 9711.90

NOTICE: Under RCM 1947, § 11-1301—Claims must be presented with all necessary and proper vouchers, within one (1) year from the date the same accrued; and any claim or demand not so presented within the time aforesaid is forever barred, and the city commission has no authority to allow any account or demand not so presented.

I CERTIFY THAT THIS CLAIM IS CORRECT AND JUST IN ALL RESPECTS AND THAT PAYMENT OR CREDIT HAS NOT BEEN RECEIVED.

VENDOR SIGNATURE

*Larry L. Ophus*



# LEWIS CONSTRUCTION COMPANY

INVOICE 1259

BOX 2669

PHONE 454-1373

1025 11TH AVENUE NORTH

GREAT FALLS, MONTANA 59403

DATE 4/13/84

1 CONSTRUCT SIGN  
2 HIGHWAY CONTRACT

S	NAME	S	NAME
C	ADDRESS	H	ADDRESS
L		I	
D		P	
T	CITY	T	CITY
O	STATE	O	STATE

SPECIAL SHIPPING INSTRUCTIONS

Est #3

CUSTOMER ORDER NO.	DATE PROMISED	<input type="checkbox"/> CASH	<input type="checkbox"/> C.O.D.	F.O.B.	TERMS	BILLING CODE
		<input type="checkbox"/> CHARGE	<input type="checkbox"/> CREDIT			1 2 3 4

QUANTITY	DESCRIPTION	PRICE	AMOUNT	COST	AMOUNT
1	10900. <sup>00</sup> Est Earned		20590. <sup>00</sup>		
2	1090. <sup>00</sup> Less Retainage - 10%		2059. <sup>00</sup>		
3	Balance		18531. <sup>00</sup>		
4	98. <sup>10</sup> Less 1% gross tax		185. <sup>31</sup>		
5	Less prev pymts		5433. <sup>79</sup>		
6	Amount paid thru Est		9711. <sup>90</sup>		
7					
8					
9					
10					
11					
12					
13					

FOR: City of Mt Falls	Pavement marking Center	TOTAL \$	
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THIS SLIP MUST ACCOMPANY  
ALL CLAIMS AND RETURNED GOODS

INVOICE NO.	PURCHASE ORDER NO.	AMOUNT	INVOICE NO.	PURCHASE ORDER NO.	AMOUNT	INVOICE NO.	PURCHASE ORDER NO.	AMOUNT
1289		9,711.90						



# LEWIS CONSTRUCTION COMPANY

INVOICE 1395

NO.

DATE 7/11/84

BOX 2669

PHONE 454-1373

1025 11TH AVENUE NORTH

GREAT FALLS, MONTANA 59403

1 CONSTRUCTION SIGN  
2 HIGHWAY CONTRACT

NAME	S	NAME
ADDRESS	H	ADDRESS
CITY	I	CITY
STATE	P	STATE
	T	
	O	

SPECIAL SHIPPING INSTRUCTIONS

K82, Payment on 10/10/84

CUSTOMER ORDER NO.	DATE PROMISED	<input type="checkbox"/> CASH <input type="checkbox"/> C.O.D.	F.O.B.	TERMS	BILLING CODE
		<input type="checkbox"/> CHARGE <input type="checkbox"/> CREDIT			1 2 3 4

QUANTITY	DESCRIPTION	PRICE	AMOUNT	COST	AMOUNT
1	Estimate		4114.01		
2	Less 1 1/2 months		4114.02		
3	Less 1 month		1834.01		
4	Amount in this estimate		2264.01		
5					
6					
7					
8					
9					
10					
11					
12					
13					
FOR:		TOTAL	\$		

THIS SLIP MUST ACCOMPANY  
ALL CLAIMS AND RETURNED GOODS

pd on 8/2 = 2



# City of GREAT FALLS Montana

TELEPHONE 406/727-5881  
EXT. 341

## CLAIM VOUCHER

SIGN CLAIM BELOW—ATTACH INVOICE—AND RETURN PROMPTLY FOR PAYMENT

TO: LCCO

RETURN TO: City of Great Falls  
FINANCE DEPT.  
Civic Center  
Great Falls, MT. 59401

DATE		VENDOR NO.			
7/11/84		office file #821			
QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	AMOUNT	
100	SF	Removal of markings	1.00	100.00	
910	L.F.	4" white thermoplastic, top applied	.60	546.00	
2050	L.F.	6" white thermoplastic, top applied	.80	1640.00	
3234	L.F.	6" white, thermoplastic, inlayed	1.60	5174.40	
265	L.F.	24" white, thermoplastic inlayed	6.50	5622.50	
200	L.F.	4" yellow thermoplastic top applied	.60	4920.00	
730	L.F.	6" yellow, thermoplastic top applied	.80	584.00	
26	EA	Symbols, straight Arrow	65.00	1690.00	
26	EA	Symbols, Turn Arrow	75.00	1950.00	
15	EA	Symbols, Combination Arrows	120.00	1800.00	
27	EA	"Only" Symbol	125.00	3375.00	
1	LS	Curb replacement	1100.00	1100.00	
001	LS	Substitute alkyl for hydrocarbon resin thermoplastic	2000.00	2000.00	
002	LS	expanded inlet replacement	10,900.00	10,900.00	
		TOTAL		41,401.90	
		Less previous payments		18,345.69	
		Less 1% gross rec tax		414.02	
		TOTAL AMOUNT DUE		\$22,642.19	
ACCOUNT NO.			TOTAL		

NOTICE: Under RCM 1947, § 11-1301—Claims must be presented with all necessary and proper vouchers, within one (1) year from the date the same accrued; and any claim or demand not so presented within the time aforesaid is forever barred, and the city commission has no authority to allow any account or demand not so presented.

I CERTIFY THAT THIS CLAIM IS CORRECT AND JUST  
IN ALL RESPECTS AND THAT PAYMENT OR CREDIT  
HAS NOT BEEN RECEIVED

VENDOR SIGNATURE

*B. A. Lewis*



# LEWIS CONSTRUCTION COMPANY

INVOICE 1456

BOX 2669

PHONE 454-1373 1025 11TH AVENUE NORTH  
GREAT FALLS, MONTANA 59403

DATE 8/27/84

1 CONSTRUCTION SIGN  
2 HIGHWAY CONTRACT

NAME City of Mt Falls  
ADDRESS Finance Dept  
CITY STATE

NAME  
ADDRESS  
CITY STATE

SPECIAL SHIPPING INSTRUCTIONS

*Est #4 Final*

CUSTOMER ORDER NO. DATE PROMISED ☐ CASH ☐ C.O.D. F.O.B. TERMS BILLING CODE  
☐ CHARGE ☐ CREDIT 1 2 3 4

QUANTITY	DESCRIPTION	PRICE	AMOUNT	COST	AMOUNT
1 <del>20871</del> <sup>90</sup>	Est Earned		41401 90		
2 <del>205903</del>	Less retainer				
3 228.71	Less 1% ge lic tax		414 02		
4	Less prev pymts		18345 69		
5			22642 51		
6					
7					
8					
9					
10					
11					
12					
13					
FOR:		TOTAL	\$		

THIS SLIP MUST ACCOMPANY  
ALL CLAIMS AND RETURNED GOODS

PAY

DATE ▶ 8/22/84

\$22,642.19

\*\*\*\*\*22,642\* DOLLARS AND 19 CENTS

TO  
THE  
ORDER  
OF

LEWIS CONSTRUCTION CO  
P O BOX 2669

GREAT FALLS MT 59403

*[Signature]*  
CITY MANAGER OR FINANCE DIRECTOR

⑆092100154⑆ ⑆5004801212⑆

WARRANT NUMBER ▶ 32947

VOICE NO.	PURCHASE ORDER NO.	AMOUNT	INVOICE NO.	PURCHASE ORDER NO.	AMOUNT	INVOICE NO.	PURCHASE ORDER NO.	AMOUNT
5	18001	22,642.19						
CITY OF GREAT FALLS					CLAIM WARRANT TOTAL		\$22,642.19	

VENDOR--01464

State Legislature - July 1984

Rec'd - Tues. June 26, 1984

Paula Pistoria

# StateLine

NOTE

Prompt pay laws enacted by eight states this year

FOR  
H.B. 264

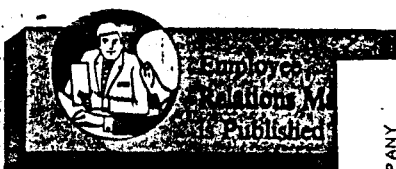
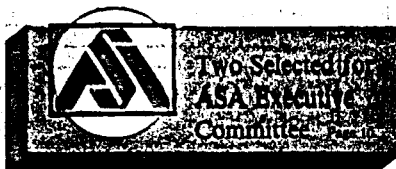
Eight states have adopted prompt pay laws this year, bringing to 35 the total with laws requiring state agencies to pay interest penalties when late paying bills to vendors. According to the Coalition for State Prompt Pay, states enacting prompt pay laws during the first five months of 1984 were Connecticut, Kansas, Kentucky, Maine, Minnesota, New York, South Dakota, and Virginia. According to Kenton Pattie, director of the Virginia-based prompt pay coalition, "Slowly but surely, we are putting a stop to late pay by states. We're doing them a favor by improving their credit rating. And we are helping the cash flow of thousands of small businesses." A federal prompt payment act was passed in 1982 and the Office of Management and Budget reports that in fiscal year 1983 late payments by federal agencies were "all but eliminated."

Attorneys share of post based on session calendar

Two Colorado attorneys have what may be a unique job-sharing arrangement, based on the calendar of the state General Assembly. Ann Duckett of Gunnison, a small town 250 miles southwest of Denver, and Martha Ezzard of a Denver suburb, share a single position in a Denver law firm, each working about half a year. In January, Duckett makes the trip to Denver with her husband, state Senator Mike Callihan, and works in the firm until the session ends, when the couple returns home to Gunnison. State Senator Ezzard then goes back to work in the firm as a full-time attorney, after serving in the legislature. The women find the arrangement congenial, unhampered by the fact that for about six months every year Senator Callihan, a Democrat, and Senator Ezzard, Republican Majority Caucus Chairman, sit on opposite sides of the aisle.

Personal income hikes exceeded '83 inflation rate

Personal income increased 5.2 percent in the U.S. during 1983, according to the U.S. Department of Commerce, exceeding the inflation rate by more than a full percentage point. Led as usual by Alaska, with an average personal income of \$16,820, and Connecticut, \$14,826, next highest states were: New Jersey, \$14,057; California, \$13,329; and New York, \$13,146. Lowest on the list and the only states with average personal incomes below \$9,000 were South Carolina, \$8,954; West Virginia, \$8,937; and Mississippi, \$8,072. Data were compiled by the Commerce Department's Bureau of Economic Analysis.



The Voice of the Subcontracting Industry Published by the American Subcontractors Association

# The Subcontractor

Volume 6 August 1984

CARY LEWIS  
LEWIS CONSTRUCTION COMPANY  
BOX 2667  
GREAT FALLS MT 59403

## Precedent Set For Pay Process

15 Days or 15 Percent

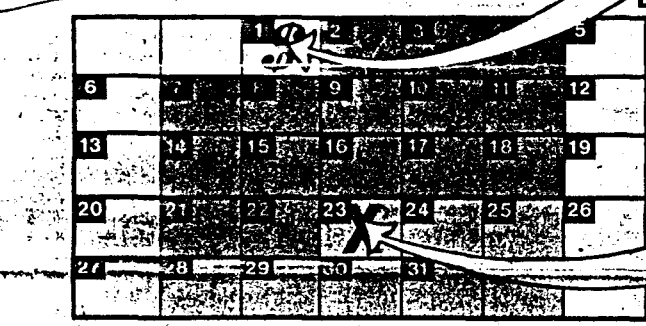
General Contractor Is Paid

Fifteen days or 15 percent. Those are the options facing prime contractors in Louisiana following passage of a bill that hits them with a stiff penalty if they don't pay their subs within about three weeks after they get their paycheck.

And what is even more significant is that the measure covers work in the private sector as well as contracts with government bodies.

Gov. Edwin Edwards on July 13 signed into law House Bill 1721, a "prompt pay" measure that for the first time in the country regulates payment practices between the subcontractor and general contractor on private construction projects.

"We're taking the subcontractors out of the banking business," said Steve Charton, president of the Subcontractors Legislative Action Council, a lobbying arm for 26 state subcontractor organizations.



"No longer will the GC's be able to play the float." Charton, who with SLAC and ASA is credited with spearheading an intense grassroots lobbying effort, explained that the bill calls for subcontractors to be paid within 15

working days or 20 consecutive days after the owner pays the general contractor. If he misses the deadline the general contractor is then liable for a penalty of one half of one percent each day, rising to a level of 15 percent. "It is an onerous penalty," Charton

said. "It means a penalty of \$5,000 per day on a \$1 million payment." The federal government and several other states have similar regulations (Continued on page 2)

## Louisiana Victory Is Viewed as a "Bold Step"

WASHINGTON, D.C. — American Subcontractors Association President Eugene Grieve hailed passage in Louisiana of a precedent-setting measure that requires timely payment to subcontractors as a "bold step toward recognizing and resolving an indefensible and inequitable practice."

Grieve said the measure is significant because it tackles the problem of unjustified delays in payments to subcontractors and for the first time resolves this problem in the private sector.

The "prompt pay" legislation requires that prime contractors pay subcontractors within 15 working days after receipt of their payment or face a steep penalty of .5 percent each day past the deadline. The penalty can amount to a maximum of 15 percent.

Several states have approved or are working on similar measures for contracts with the state governments, but Louisiana's law sets the standard for timely payment in privately-owned and financed construction projects as well.

Prompt pay requirements have applied to federal projects for several years.

Grieve praised the Louisiana Subcontractors Legislative Action Council, which represents some 25 subcontractor organizations, and which played a key role in the hard-fought battle for passage of the bill. He said subcontractors in the state actively participated in a "grass roots network" that assured its success, and noted that some passed up opportunities to bid on work for their own firms so that they could assist.

He also expressed his appreciation to the legislature for its action on the measure and to Gov. Edwin Edwards for signing the bill.

"Passage of this bill sets a sensible standard for other states," Grieve said. "Although we must seek prompt pay by the public sector in some areas, ultimately our goal must be fairness in the private sector as well. Louisiana should be applauded for making this trend-setting move."

Gov. Edwards signed the bill July 13 after it was approved by the house.



ASA 19th Annual Convention  
"The Courage to Change"

March 13-17, 1985 • The Fairmont Hotel • Dallas, Texas

Atty General Testimony FOR  
1-504-  
342-7013  
H.B. 264  
Paul G. Pistoria

# Employer Sanctions Criticized Reaction Varies to Proposed Immigration Law

The immigration reform measure recently approved by the Congress is drawing mixed reviews from subcontractors, many of whom are concerned about stiff employer penalties that they fear will create excessive bookwork and make them responsible for enforcing immigration laws.

A conference committee is scheduled to sit down soon to come up with

a compromise between House and Senate versions of the bill, which is designed to control the flow of illegal aliens to this country. The legislation is known as the Simpson-Mazzoli bill.

Both measures include provisions that require employers to check prospective employees for proof of citizenship and set strict penalties for those

who knowingly hire illegal aliens.

According to Linda Moser, executive director for ASA of Texas, Inc., subcontractors are concerned about being forced to "police the immigration laws of this country."

She said the verification process, which will require that employers keep records of the identification presented, will mean added bookkeeping and paperwork that may be a problem for employers with a big turnover in their work force.

She also said that some subcontractors are concerned about where their responsibility lies in the process of verifying the identification since, as one employer put it, "some of those guys are going to show up the next day with forgeries."

A spokesman for bill sponsor Rep. Romano D. Mazzoli (D-Ky.) said that employers will only need to have "seen some kind of acceptable proof," however, the final requirements will be worked out in the conference committee and in the formulation of regulations.

"It's going to give us fits," said Greg Salyers of the ASA San Antonio Chapter, who also expressed concern about the verification process and said he does not believe the legislators have considered the breadth of the problem.

"I don't think it's enforceable. There will be a big push now, then things will go back to the way they were," he said.

And Mark T. Miles, association manager for the El Paso Subcontractors Association, says that the legislation is "a complete fiasco that will cause more problems than prohibition."

"Frankly, everything we do to regulate that border (with Mexico) turns

out bad," he said, claiming that the employer sanctions "fall in the general area of harassment."

John J. Kennedy, executive director of the Rio Grande Valley Chapter, however, says that although subs are wary of the regulations, they're taking a wait-and-see attitude, and that some are happy that something has been done.

He said the law may help "stabilize wages" and end the practice among some disreputable subs of hiring illegal aliens and "paying them any kind of wage."

Neil Murphy, an ASA member who is vice president of Coastal Engineering, Inc., in San Benito, Tex., agrees. He says the law will "give the jobs back to American citizens where they belong."

He said that the verification process and the filing of some record of it is a small price to pay for limiting the use of illegal aliens.

Jesse M. Pickett Jr., ASA Legislative Committee Chairman, noted that the association opposes the sanctions.

"The association is disappointed in the bill. Although we deplore the hiring of illegal aliens, ASA believes that employer sanctions represent a political response that will be unworkable and not effectively deal with the immigration problem. Thus, we oppose the sanctions as a method of controlling immigration," he said.

Both bills penalize employers who "knowingly" hire illegal aliens, however, criminal penalties are called for in the Senate version for repeat violators and the House bill only allows for civil fines.

Support for the bill has eroded since neither President Reagan nor his challenger, Walter Mondale, is supporting it.

## The Sanctions' Effect:

These are the key points of the employer sanctions in the immigration reform bill approved by the House:

- Prohibits employment of illegal aliens by any employer of four or more persons and provides for a fine of \$1,000 per alien for each violation. A second violation means a fine of \$2,000.
- Allows for the attorney general to seek an injunction or restraining order against any person or business showing a "pattern practice" of employing or recruiting illegal aliens.
- Requires employers of four or more to sign a form attesting, under penalty of perjury, that he has verified that each new worker is eligible for employment in the U.S. The forms must be kept on file for three years after hiring or one year after the worker's termination.

- Sets a fine of \$500 per alien against employers who fail to keep records concerning the verification of employees work eligibility.
- Specifies that to determine eligibility an employer must examine any of the following: U.S. Passport, Social Security Card, birth certificate, alien documentation or registration or registration card, driver's license with photograph, or any other identification permitted by the regulations.
- Requires that federal officials set up a method of validating Social Security account numbers of job applicants and that employers submit the numbers for validation.
- Provides that compliance with validation procedure will constitute complete defense against charges of hiring an illegal alien.

## Precedent-setting Bill Is Passed

Continued from page 1

for work in the public sector, but Louisiana is the first in the nation to pass a law covering private sector construction projects.

Several other states have passed or are studying prompt pay measures as part of a growing trend by state governments to deal with unfair payment practices by general contractors.

The act was authored by state Rep. Jimmy Dimos of Monroe, who noted that introduction of the measure came the last day allowed, and that prospects for passage grew gloomy at several points.

The house bill, which was combined from two measures when one died, moved through several floor and committee votes by tight tallies.

Dimos attributed the success of the bill to "the efforts of subcontractors

to make direct contact with their legislators."

John Bolton, an ASA board member and recent appointee to the association's executive committee, was actively involved in the lobbying effort, and he agrees with Dimos.

"It took persistence, I guess. It was a good grassroots organization, and it took a lot of work."

Passage of the bill came despite "strong opposition with a lot of money," according to Dexter Folse, chairman of SLAC.

"It sort of came as a surprise to me. I guess we're stronger than we realized," he said.

The legislation was introduced the last day allowable for the session and was signed on the last permissible day. Initially separate bills covered

private and public work, but when one died in a House committee, the two were tacked together and sent to the Senate where a close vote, 20-17, sent them back to the House.

And when they came back, one item had been dropped: payment of legal fees by the general contractor. But the House approved the measure to get it on the books.

"If it's not enough penalty, we'll come back to put sharper teeth in the law," Charton said.

Supporters of the bill praised Dimos and state Sen. Ben Bagert, who helped guide it through the senate.

There had been some speculation that Edwards would "pocket veto" the measure by not signing it, but Folse said Edwards had made a commitment to support the measure.

## The Subcontractor

(ISSN 0195-1495)

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Recd - Adm. Nov. 24, 1984 - Sec. of State James H. "Jim" Brown  
Baton Rouge, Louisiana (Capitol)  
Paul A. Pistoria

**ACT 720**

Regular Session, 1984

HOUSE BILL NO. 1721

BY MR. DIMOS

INTRODUCED PURSUANT TO THE AUTHORITY OF H.C.R. NO. 96.

FOR  
H.B. 204

AN ACT

To enact R.S. 9:2784, relative to improvements on immovables, to require the payment of penalties when the contractor without reasonable cause fails to make payment within the specified time to the subcontractors and suppliers, and otherwise to provide with respect thereto.

=====ORIGINATED=====

=====IN THE=====

House of Representatives

Received by Secretary of State  
this 17<sup>th</sup> day of July, 1984

GOVERNOR'S OFFICE

JUL 02 1984

RECEIVED 1:30pm  
J. R. Palermo, III

Jim Brown

James H. "Jim" Brown  
Secretary of State

Clerk of the House of Representatives

ACT 720

Regular Session, 1984

HOUSE BILL NO. 1721

BY MR. DIMOS

INTRODUCED PURSUANT TO THE AUTHORITY OF H.C.R. NO. 96.

AN ACT

To enact R.S. 9:2784, relative to improvements on immovables, to require the payment of penalties when the contractor without reasonable cause fails to make payment within the specified time to the subcontractors and suppliers, and otherwise to provide with respect thereto.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:2784 is hereby enacted to read as follows:

§2784. Late payment by contractors to subcontractors and suppliers;  
penalties


When a contractor receives any payment from the owner for improvements to an immovable, the contractor shall pay such monies received to each subcontractor and supplier in proportion to the percentage of work completed by each subcontractor and supplier at the time of receipt of the payment. If for any reason the contractor receives less than the full payment from the owner, then the contractor shall be obligated to disperse only the funds received on a prorated basis with the contractor, subcontractors, and suppliers each receiving a prorated portion based on the amount due on the payment. If the contractor without reasonable cause fails to make any payment to his subcontractors and suppliers within twenty-one consecutive days of the receipt of payment from

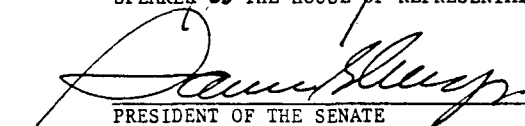
change to  
30 days  
to contractor  
1/28/84



H.B. NO. 1721

the owner for improvements to an immovable, the contractor shall pay to the subcontractor and suppliers, in addition to the payment, a penalty in the amount of ~~one-half of one percent of the amount~~ *ONE PER CENT OF THE AMOUNT* due, per day, from the expiration of the period allowed herein for payment after the receipt of payment from the owner. The total penalty shall not exceed fifteen percent of the outstanding balance due. The provisions of this Section shall not be applicable to improvements to an immovable that is used for residential purposes.

  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

  
PRESIDENT OF THE SENATE

  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED:

7-12-84

WITNESS STATEMENT

Name GENE PHILLIPS Committee On \_\_\_\_\_  
Address KALISPELL Date 1/22/85  
Representing PACIFIC POWER & LIGHT Support \_\_\_\_\_  
Bill No. HB 121 Oppose X  
Amend \_\_\_\_\_

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1.

2.

3.

4.

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

WITNESS STATEMENT

Name Dennis Lopuch Committee On Business & Labor  
 Address PO Box 1716 Helena 59604 Date 1/22/85  
 Representing MTN Bell Support \_\_\_\_\_  
 Bill No. 121 Oppose X  
 Amend \_\_\_\_\_

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1. Section 2 of the bill expands the meaning of the term "just and reasonable" rates. This is the only ~~legislative~~ legislative
2. guidance to the PSC as to the total revenues to be allowed a utility in the ratemaking process.
3. The term "just and reasonable" has been interpreted by the courts and has a clearly understood meaning.
4. The Section 2 expansion of the term, on the other hand, would inject a great deal of uncertainty into the determination of the total revenues to be allowed by the PSC.

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

WITNESS STATEMENT

Name Chip EROMAN Committee On Labor & Industry  
 Address Helena Date 1/22  
 Representing MT School Bd Assoc Support \_\_\_\_\_  
 Bill No. HB 263 Oppose X  
 Amend \_\_\_\_\_

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments: - There doesn't appear to be a problem warranting legislation

1. - We are talking about, first, a contractual matter between the parties to a contract. If a school district and a office supplier agree to sell/buy office furniture
2. There is a provision in the contract - to provide for interest if payment is late
3. - Heavy handed approach to what is not a wide spread problem.
4. - School districts have local legislative powers  
 - if the residents of their district want them to install such a provision they will apply the pressure - and get it - on a district by district basis -
- School Districts are responsible business partners in their communities
- This legislation is not needed.

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

WITNESS STATEMENT

Name Riley Johnson Committee On B&L  
Address 9 N. Last Chance - Helena Date 1-22-85  
Representing NEIB Support X  
Bill No. HB 263 Oppose \_\_\_\_\_  
Amend \_\_\_\_\_

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1.

we need local prompt pay bill

2.

3.

4.

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

# WITNESS STATEMENT

Name Thomas L. Herzog Committee On \_\_\_\_\_  
 Address PO Box 1249 Helena Date 22 Jan 85  
 Representing MT Chap National Elec Contractors Support X  
 Bill No. 264 Oppose \_\_\_\_\_  
 Amend \_\_\_\_\_

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

## Comments:

1. In times of tight money & still relatively high interest rates, general contractors (some) tend to hold on to the money they receive from their customers and not pass on the portion due to sub contractors for the work they completed and the material they used and installed.
2. Our association has developed an amendment to the contract sub-have with generals, but they have little leverage in implementing it because of the extreme competition in the construction market.
3. The final statement is that if a sub-contractor does his job he should get paid for it and not have to wait for it. This is full contract that integrity.
- 4.

The final statement is that if a sub-contractor does his job he should get paid for it and not have to wait for it. This is full contract that integrity.

*Thomas L. Herzog*

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

WITNESS STATEMENT

Name Irvin S Dellinger Committee On \_\_\_\_\_  
 Address 124 Saddle Dr Date Jan 22, 1985  
 Representing Mr. Rely Mtnl Dealers Support X  
Helena, Mt.  
 Bill No. Hse 264 Oppose \_\_\_\_\_  
 Amend \_\_\_\_\_

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1. Payments would be paid for materials more frequently - promptly
2. Help eliminate some lien problems.
3. makes contractors pay a real price per month
4. Would like to include real property used as residence....

Irvin S Dellinger  
Montana Bulldozing Material Dealers  
Helena 442-2420 assn.

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

WITNESS STATEMENT

Name RILEY JOHNSON Committee On BUS. & LABOR  
Address 491 So. PARK Ave., Helena Date 1-22-85  
Representing Montana Homebuilders Ass'n Support \_\_\_\_\_  
Bill No. HB 264 Oppose \_\_\_\_\_  
Amend X

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1. Amend to 30 days after normal billing period.
2. We want to protect good subcontractors in Montana

3.

4.

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



## VISITOR'S REGISTER

HOUSE BUSINESS AND LABOR COMMITTEE

BILL      House Bill 226

DATE January 22, 1985

SPONSOR      Representative Sales

[illegible]

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

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

# VISITOR'S REGISTER

HOUSE BUSINESS AND LABOR

COMMITTEE

BILL House Bill 121

DATE January 22, 1985

SPONSOR Representative Nathe

[illegible]

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

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

# VISITOR'S REGISTER

HOUSE BUSINESS AND LABOR

COMMITTEE

BILL House Bill 263

DATE January 22, 1985

SPONSOR Representative Pistoria

[illegible]

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

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

## VISITORS' REGISTER

HOUSE BUSINESS AND LABOR COMMITTEE

BILL      House Bill 264

Date January 22, 1985

SPONSOR Representative Pistoria

[illegible]

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.