

MINUTES OF THE MEETING  
LOCAL GOVERNMENT COMMITTEE  
MONTANA STATE  
HOUSE OF REPRESENTATIVES

January 29, 1985

The meeting of the Local Government Committee was called to order by Chairman Paula Darko on January 29, 1985 at 3:30 p.m. in Room 312-2 of the State Capitol.

ROLL CALL: All members were present, with the exception of Representative Pistoria, who was excused by the Chairman.

Chairman Darko began the meeting by stating she wanted to go over a few things with the committee. She also thanked those who had attended the Saturday meeting. She said the committee would be working all Saturdays through transmittal deadline, and would be hearing 5 or 6 bills per day, so everyone would have to work hard and expediently. She also called the committee's attention to the status sheets in the front of their books.

CONSIDERATION OF HOUSE BILL NO. 166: Representative Sands, District #90, from Billings, appeared before the committee as sponsor of HB 166. He said this bill makes a simple change of notice of tax sales. Right now the notice has to be posted in the county if there is a newspaper in the county. This bill changes to say that in the county where there is no newspaper, all that is needed is to post a notice of the taxes. The party who is interested in finding out whose taxes are overdue can get it from the courthouse.

PROPOSERS: Charles Graveley, appearing in behalf of the Treasurer's Association, stated this bill simply relieves them of posting a full list of delinquent taxes. They feel this is a good bill and ask for a do pass.

There were no further proponents to HB 166, and no opponents.

DISCUSSION OF HOUSE BILL NO. 166: Representative Fritz asked Representative Sands what the purpose of the bill is. Representative Sands answered that some county treasurers have found it inconvenient to post a complete list of delinquent taxes, and they would like to post only the notice of tax sales. It was asked what the difference is between posting a list and posting a notice. Representative Sands replied that posting a list requires giving a complete delinquent list of all persons and property in the county owing taxes, and posting a notice only requires giving time and place all property on which delinquent taxes are due will be held.

There being no further discussion, House Bill 166 was closed.

CONSIDERATION OF HOUSE BILL NO. 171: Representative Switzer, representing District 28, sponsor of House Bill 171, appeared before the committee to present his bill. This bill increases the base monthly interest rate payable on delinquent property taxes from 5/6 of 1% per month to 1% per month. This would be an inducement to pay taxes instead of putting money out to other investments, like CD's. Delinquent taxes in three rural counties in his district amount to about \$3 million.

PROPONENTS: Charles Graveley, appearing in behalf of the County Treasurer's Association, stated that this bill has the unique approval of the County Treasurers and County Assessor's Association. There are considerable delinquent taxes on the books of most counties in Montana. In Butte there were two taxpayers owing just under \$1 million in property taxes on two pieces of property. They had the money, but did not pay on time. This has increased the amount of taxes to operate local government. We want to give support at this hearing that the interest rate should be increased so that taxes are not allowed to be delinquent. This will eliminate the benefits of those people who do not pay their taxes on time. We urge that this committee give this bill a DO PASS recommendation for increasing the interest rate to 1%.

Martha McGee, treasurer of Lewis and Clark County, stated that the 5/6 of 1% interest rate is not an inducement for taxpayers to come in and pay their taxes. Increasing it would make them come in and pay on time. It is not the senior citizens who are not paying their share, they are carrying their share. She submitted written testimony as Exhibit 1.

Greg Jackson of the Urban Coalition, reported an 8% delinquency rate, and that the average outstanding amount of money has been about \$3.7 million, which does a lot to the cash flow. He endorses this bill to increase the interest rate to 1%.

Mort McBain, representing Yellowstone County, stated that they would like to add their support to this bill.

Gordon Morris, representing the Montana Association of Counties, stated they want to go on record as endorsing this bill. The bill does not penalize responsible taxpayers.

Richard Trerise, of the Montana Association of County Superintendents, wanted also to go on record as supporting this bill. Delinquent taxes do hurt school districts. When revenues don't come in, it hurts all counties. HB 253 is a very similar bill. This has not been heard yet but we would also be in favor of it.

Representative Kitselman made objection to witnesses bringing in possible pending bills.

Alec Hansen, representing the Montana League of Cities and Towns, said they support this bill. They are not trying to penalize law-abiding homeowners who are having problems paying taxes. They are interested in the majority of the property owners who are taking advantage of the low interest taxes, who have the money but are putting them in CD's. The majority of the people who pay taxes on time are subsidizing the others.

Phil Campbell of the Montana Education Association, said they know that money is tight and feel the people who should be paying, should pay. They support the bill.

Bill Anderson, OPI, spoke in support of this bill because this bill is a problem to the schools of Montana.

OPPONENTS: Sydney Smith, stated he represents the poor people, himself, and he said some people need help.

DISCUSSION OF HOUSE BILL NO. 171: Representative Hansen asked Charles Graveley that since the real estate is at a repose, are you sticking it to the person who can't pay their taxes. By increasing the penalty it will make it harder rather than easier for them to pay their taxes. Mr. Graveley replied that there is a difference between penalties and interest. We are not trying to stick it to anyone. We are only trying to get people who own property to pay their fair share. The delinquencies are by large taxpayers who have large cash flows. The lower income people are not the ones who will have to pay.

Representative Sands asked Mr. Graveley what he thinks of having a minimum fee of \$10 for delinquent taxes. Mr. Graveley answered that this was tried in the last session of the Legislature. It did not pass the House.

CONSIDERATION OF HOUSE BILL NO. 173: Representative Sands appeared before the committee as sponsor of HB 173. He stated this bill does one simple thing. It provides that the county clerk may not file the affidavit of annual assessment work on lode and placer claims unless proof is provided that payment has been made of all outstanding

property taxes on the claim. Some people have a problem with this, as they feel the language might apply they will be taxed on property the claim is on. He proposed an amendment on page 4, line 2, following 'against', insert 'improvements on'.

PROPOSERS: Charles Graveley appeared in behalf of the County Assessors, and he has the backing of the Montana Treasurer's Association. He stated there would be some concern in eliminating paying taxes. There is substantial equipment on the claims and in some of the cases the taxes are allowed to become delinquent. The purpose of the bill definitely is not to try to tax property that people do not own. Taxes on unpatented mining claims are generally relatively low. The purpose of this legislation is that in order to maintain that unpatented claim the individual will have to file an annual assessment notice. All that would be required to file the annual assessment is a property paid receipt if there are no improvements. There should be an effective date placed on this bill. Some of the people do come in earlier than the October 1 date of filing for assessment. Mr. Graveley stated the department he represents urges this committee to give a DO PASS recommendation as it is a means to further assure that taxes are paid on property.

Sue Bartlett, Clerk and Recorder for Lewis and Clark County, but appearing on her own behalf, said she would support any legislation that is reasonable and would provide a responsible method for the county to collect taxes. The work involved in varifying that taxes are paid may end up costing more in staff time, than the actual taxes. County assessors, treasurers and clerk and recorders urge a DO PASS of this bill.

OPPOSERS: Art Fredricksen, stated he is a small businessman and part-time miner, appeared before the committee in his own behalf. Unpatented mining claims are located on government lands, and the miner doesn't own the land. He called BLM in Billings to find out how many unpatented mining claims are in Montana, and was told somewhere between 100,000 and 400,000. Only 3% of all recorded claims are worked. 99.9% of all unpatented claims have no buildings, shops, etc. on them, so 99% of all paper work on this is unnecessary and would cost the county money. Montana's property tax base is the second highest in the country, so the small businessmen and small miners don't need more taxes; rather, they need relief. This bill will not benefit the people of Montana. He presented written testimony, as exhibit 1.

Lou Shull of Missoula appeared in his own behalf. He stated that he agreed with the lady from Lewis and Clark County, that more money would be spent down the road in paper work than the claim is worth. When someone goes to the county to tell them they want a cabin on their claim and would like to put it on the tax roll, it has to be determined if it is personal or real property. The county assessor and county treasurer has the power to determine if it is a cabin or not a cabin. He stated he doesn't see any sense in the bill.

Sydney Smith stated this bill amends the 1872 mining laws of the United States as it interferes with mining, and proving that you don't have something that is taxable. This is getting to be an obstacle to the Montana people who are miners and workers. The federal government said you can't take it away with this law.

In closing Representative Sands stated this bill doesn't impose any taxes. If the taxes are excessive in this state it is not because of this bill. Anyone who has a mining claim has to have a dealing with the courthouse when they file their assessment. Representative Sands stated he doesn't think it would be difficult for the assessors to take care of this. Just use a stamp.

DISCUSSION OF HOUSE BILL NO. 173: Representative Kadas asked Representative Sands if he had any idea how much money this would bring in, and Representative Sands replied that he did not know.

Representative Gilbert asked Mr. Graveley if he would classify this bill as a shot in the dark to see what you could get. Mr. Graveley replied no, not at all. It is handled as a delinquency on real property, if taxes go delinquent on improvements to mining claims. There is no way to enforce payment of taxes so in no way is it a shot in the dark. Representative Gilbert also asked Mr. Graveley how prevalent is this invasion. Even if you taxed 100% you don't have too much as most miners have this as only a hobby. Mr. Graveley replied that he didn't believe this is in any way intended to get backs up. The county's hands are tied in collecting taxes, if someone has a mine and has built a cabin on it and doesn't want to pay taxes or declare it. Mr. Graveley said he can't tell how many are unimproved or unpatented but the taxes on these claims probably run from \$3.00 to \$20.00 maximum. The cost to the county to collect costs way too much money. They are trying to put the burden on the people to pay these taxes.

Representative Sales asked Mr. Graveley how long this assessment works--is it every year. Mr. Graveley replied that after the location has been filed, the miner must file an affidavit the first day of October of every year. This goes on forever.

There being no further questions from the committee, the hearing was closed on HB 173. The committee then went into executive session for action on bills.

Representative Brown asked to raise an issue on a potential bill for this committee to consider, to be sponsored by Representative Patterson. This bill (HB 818) would deal with the Huntley Project east of Billings, and they need a change of statutes. This would make an appropriate committee bill for this committee, Exhibit 1.

Representative Patterson appeared before the committee and stated that last week he came to see if this is feasible. Lee Heiman has done research on it, and he also checked with the county commissioners who said to do it. Representative Brown said that an amendment is needed to establish the county to levy a property tax and appropriate money for the sponsorship of a museum not owned by the county. The Huntley Project Experimental Station is state property but the site it sits on is a historic site for that area. They want to build up that museum but under the present statutes they can't use the money set aside.

Representative Brown made a motion for the Council to draft a bill to deal with Representative Patterson's bill. This was seconded by Representative Sales. The motion PASSED UNANIMOUSLY. Representative Brown requested Representative Patterson to carry the bill.

Representative Kitselman made a motion that the committee authorize the drafting of committee bill to report date by substituting "at the first meeting of the council in each month" for "on the date set by the council" and providing an immediate effective date. This is attached as Exhibit 1, HB 813. This was seconded by Representative Sales. Question was called and motion PASSED UNANIMOUSLY. It was suggested to direct Representative Schye to carry this bill.

Chairman Darko stated that HB 171 and HB 253 are similar, but HB 253 is yet to be heard. She said the difference in the bills is the amount of percentage rates that should be charged on delinquent taxes, and also to assess a fee

when taxes due are less than \$10. Chairman Darko said the committee could make an amendment to HB 171 to reflect compromise, or write amendments into HB 253, or act separately on both of them.

DISPOSITION OF HOUSE BILL NO. 171: A motion was called for HB 171. Representative Kadas suggested the committee wait until they heard HB 253 since it is different. Representative Kitselman moved to delay action on HB 171. This was seconded by Representative Fritz. The motion CARRIED UNANIMOUSLY with Representative Brown and Representative Switzer voting "no". HB 253 will be heard on February 7, 1985.

DISPOSITION OF HOUSE BILL NO. 166: Representative Sales moved that HB 166 DO PASS, seconded by Representative Sands. Representative Gilbert asked Representative Sands to briefly run through the bill for him as he came in late. Representative Sands explained that a notice has to be posted on the boards, but they do not have to post all the lists describing the property that comes up. The same notice would be posted in three places as would be required in the paper. The reason is because some counties don't have a newspaper.

Question being called for, HB 166 PASSED with Representative Brown voting "no".

DISPOSITION OF HOUSE BILL NO. 173: Representative Brown moved that House Bill 173 DO NOT PASS, seconded by Representative Brandewie.

Representative Sands stated he is in opposition to this motion for the reason that if people have property, it is a good idea for the county to have some way to get taxes. He doesn't think it will create administrative burdens. Anyone who has mining claims already has to make a trip to the courthouse. It is simply their effective way of collecting taxes.

Chairman Darko asked Representative Sands if he would like to see amendments to HB 173.

Representative Sands moved to amend HB 173 (see attached committee report), and this was seconded by Representative Kadas. Question was called for and the motion PASSED UNANIMOUSLY.

Representative Brown made a substitute motion of DO NOT PASS AS AMENDED, and Representative Brandewie seconded it. Question was called for and the motion carried on a Roll Call Vote, with Representative Sands voting "no".

Representative Sales asked if the committee would consider a bill that would put some kind of exclusion on small claim property, that up to a certain value it would not be taxed in order to encourage people to go out and work claims. It would also make it easier for the people in the courthouse. Representative Sales made a motion to examine alternatives to exclude small claims to encourage people to work the small claims (committee bill). Representative Brown seconded this motion. The motion failed, with four members voting in favor of it, and the rest of the members voting "no".

CONSIDERATION OF HOUSE BILL NO. 75: Representative Hansen stated she had talked with Representative Hannah and came up with a proposal for amendments which she gave to Representative Hannah.

Representative Darko stated she would like to take care of the bill at this meeting.

Representative Sales made a motion that Lee Heiman present the amendments to HB 75. Representative Kadas seconded it. Lee Heiman read Representative Hannah's proposed amendments to the committee (Exhibit 1).

Representative Hansen proposed an indexing system where the county commissioners would pay according to the index system. Representative Brown stated that it was his understanding that only the elected members would be affected.

Representative Gilbert stated that if you give people the right to fix salaries for the people they can't stand, this won't work.

Representative Kadas stated that under the amendments, all the elected officials salaries would be tied together.

DISPOSITION OF HOUSE BILL 75: Representative Fritz moved that HB 75 DO PASS, and this was seconded by Representative Kadas. Representative Kitselman moved to amend HB 75. This was seconded by Representative Kadas. Question was called for and motion carried UNANIMOUSLY.

Representative Kitselman make a substitute motion to table HB 75, and this was seconded by Representative Gilbert. Question was called for and the motion PASSED,

Local Government Committee  
January 29, 1985  
Page 9

with Representatives Fritz, Sands and Sales opposing.

There being no further business before the committee  
the meeting adjourned at 5:30 p.m.

*Rep Paula A. Darko*  
Paula Darko, Chairman

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

DAILY ROLL CALL

LOCAL GOVERNMENT COMMITTEE

49th LEGISLATIVE SESSION -- 1985

Date 1-29-85

NAME	PRESENT	ABSENT	EXCUSED
<u>Paula Darko, Chairman</u>	✓		
<u>Norm Wallin, Vice Chairman</u>	✓		
<u>Ray Brandewie</u>	✓		
<u>Dave Brown</u>	✓		
<u>Harry Fritz</u>	✓		
<u>Stella Jean Hansen</u>	✓		
<u>Bob Gilbert</u>	✓		late
<u>Mike Kadas</u>	✓		
<u>Les Kitselman</u>	✓		
<u>Paul Pistoria</u>	✓		late
<u>Bing Poff</u>	✓		
<u>Walter Sales</u>	✓		
<u>Jack Sands</u>	✓		
<u>Dean Switzer</u>	✓		

# STANDING COMMITTEE REPORT

January 29, 1965

MR. SPEAKER:

We, your committee on LOCAL GOVERNMENT

having had under consideration HOUSE Bill No. 173

FIRST reading copy ( WHITE )  
color

REQUIRING PAYMENT OF TAXES TO PRESERVE LODGE OR  
PLACER CLAIM.

Respectfully report as follows: That HOUSE Bill No. 173

BE AMENDED AS FOLLOWS:

1) Title, line 7.

Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

2) Page 4, line 2.

Following: "against"

Insert: "improvements on"

3) Page 4.

Following: line 2

Insert: "NEW SECTION. Section 2. Effective date.

This act is effective July 1, 1965."

AND AS AMENDED,  
DO NOT PASS

~~XXXXXX~~  
~~DO PASS~~

Jw 1/30

(Type in committee name, committee members' names, and names of secretary and chairman. Have at least 50 printed to start.)

ROLL CALL VOTE

HOUSE COMMITTEE LOCAL GOVERNMENT

DATE 1-29-85 House Bill No. 173 Time \_\_\_\_\_

NAME	YES	NO
Darko, Paula - Chairman	✓	
Wallin, Norm - Vice Chairman	✓	
Brandewie, Ray	✓	
Brown, Dave	✓	
Fritz, Harry	✓	
Hansen, Stella Jean	✓	
Gilbert, Bob	✓	
Kadas, Mike	✓	
Kitselman, Les	✓	
Pistoria, Paul		
Poff, Bing	✓	
Sales, Walter	✓	
Sands, Jack	✓	✓
Switzer, Dean	✓	

Marianne Bagley  
Secretary

Paula Darko  
Chairman

Motion: Do Not Pass As Amended  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

# STANDING COMMITTEE REPORT

.....January 23,..... 1935.....

MR. ....**SPEAKER:**.....

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

having had under consideration .....**HOUSE**..... Bill No. **166**.....

**FIRST** ..... reading copy ( **WHITE** )  
color

**REMOVE REQUIREMENT TO POST LIST OF DELINQUENT  
TAXPAYERS**

Respectfully report as follows: That .....**HOUSE**..... Bill No. **166**.....

DQ PASS.

*11/30*

Exhibit 1

HB 173

HB 173

1-29-85

OPPOSE

Rep. Sands

Helena, Montana  
January 29, 1985

In opposition to HB173

Madam Chairman and members of the committee:

My name is Art Fredriksen. I am a small businessman and part-time miner.

I first would like to state that as a citizen and taxpayer, I do appreciate the financial sacrifice and long hours a State Legislator endures. While I don't always agree with everything that goes on up here, I do commend you for your dedication and service!

I understand after talking with the Montana Mining Association that HB173 has been changed to read "improvements or personal property tax" rather than "property tax". However, please allow me to briefly comment on the original bill. When I first read the bill I became very upset because unpatented mining claims are located on National Forest or BLM land. This is public domain and property of the Federal Government. I could not understand how property tax could be assessed on land belonging to the US Government. The miner does not own the land. He has only the right to remove the valuable minerals.. Also most public domain falls under Public Law 167, the Multiple Surface Act of 1955. This law makes it possible for the government to dispose of the surface resources, except mineral resources, that the miner does not use. According to the government this practice is in the interest of good management and conservation practices. In other words, the way I understand it, it is possible to have mining, grazing, timbering, and recreation all on the same piece of land.

I still oppose the revised bill for several reasons. First only 3% of all recorded mining claims are ever worked. This means that 97% or closer to 99.9% of all unpatented mining claims have no buildings, no shops, no machines, no taxable personal property. This means that 99% of all paper work required by this bill would be totally superfluous. In some western counties recording and filing all this unnecessary paper would add considerably to the work load of the clerk. Obviously this extra work would cost the county money.

Secondly, and more importantly, the small miner doesn't need more harassment, paper work, and expense. The responsible miner must comply with many many State and Federal laws in order to get into production. If and when he produces, 3 or 4 state taxes will be paid.

If encouraged to produce the miner will create taxable wealth, employ Montana people, and contribute to a better Montana economy. If you kick him in the face before he gets started, nobody benefits, including the State of Montana..

As a small Montana businessman I am fed-up with forms, reports, taxes, penalties, interest and bureaucratic harassment. Many basic industries in Montana are in deep trouble. Small farmers are in a real financial bind. The timber industry has been very depressed. The mining industry is in intensive care!

If a small miner spends long hours, risks his capital and is able to make a little profit, he deserves every penny of it. What the small Montana farmer, stockman, builder, businessman, and miner needs is certainly not more forms, taxes, penalties, interest, and harassment. How about some empathy and encouragement. How about some low interest "build Montana" loans. How about tax incentives to encourage production and employment. How about giving us a break. Don't tax our socks off before we are able to get our shoes on and go to work...

Property taxes are outrageously high. Montana property owners pay the 2nd highest in the nation. Many leading Montana businessmen agree that the tax is presently so high it inhibits expansion of present business and impedes efforts to attract new business, and causes unemployment.

In summary:

We small businessmen and small miners don't need additional taxes. We need tax relief. We need a genuine "Build Montana" spirit of help and co-operation from the law makers.

County clerks have more to do than record and file thousands of unnecessary papers.

Bleeding and battered Montana tax payers don't need the added cost of handling this additional paper work.

This bill will provide no significant tax revenue...  
This bill will not benefit the people of Montana...

Arthur M. Fredriksen  
P.O. Box 4607  
Helena, Montana 59604

# DEATH AND TAXES

Tax his cow, tax his goat; tax his  
pants, tax his coat.

Tax his crops, tax his work; tax  
his tie, tax his shirt.

Tax his chew, tax his smoke;  
teach him taxes are no joke.

Tax his tractor, tax his mule;  
teach him taxes are the rule.

Tax his oil, tax his gas; tax his  
notes, tax his cash.

If he hollers, tax him more; tax  
him 'til he's good and sore.

Tax his coffin, tax his grave; tax  
the sod in which he lays;

Put these words upon his tomb:  
"Taxes drove me to my doom."

After he's gone he can't relax;  
they'll still go after inheritance tax.



*The Big Sky Country*

Exhibit 1  
HB 818  
1-29-85  
Rep. Patterson

## MONTANA HOUSE OF REPRESENTATIVES

REPRESENTATIVE PAULA DARKO

HOUSE DISTRICT 2

HELENA ADDRESS:  
CAPITOL STATION  
HELENA, MONTANA 59620  
HOME ADDRESS:  
P.O. BOX 490  
LIBBY, MONTANA 59923  
PHONE: (406) 293-4838

COMMITTEES:  
LOCAL GOVERNMENT, CHAIRMAN  
JUDICIARY  
HUMAN SERVICES & AGING

January 30, 1985

Diana S. Dowling  
Director, Legislative Council

Dear Ms. Dowling:

This letter constitutes a request for the drafting of a Committee Bill. The House Local Government Committee, has by a three-fourths vote, on 1/29/85 consented to the request.

The bill would allow a county to levy a property tax and appropriate money for the sponsorship of a museum not owned by the county. The sections to be amended are 7-16-2202 and 7-16-2205, MCA.

Thank you.

Paula Darko, Chair  
Paula Darko

House Local Government Committee

eg:DianaI:Dowling

Exh. Dir 1  
HB 813  
1-29-85



*The Big Sky Country*

## MONTANA HOUSE OF REPRESENTATIVES

REPRESENTATIVE PAULA DARKO

HOUSE DISTRICT 2

HELENA ADDRESS:  
CAPITOL STATION  
HELENA, MONTANA 59620  
HOME ADDRESS:  
P.O. BOX 490  
LIBBY, MONTANA 59923  
PHONE: (406) 293-4838

COMMITTEES:  
LOCAL GOVERNMENT, CHAIRMAN  
JUDICIARY  
HUMAN SERVICES & AGING

January 30, 1985

Diana S. Dowling  
Director, Legislative Council

Dear Ms. Dowling:

This letter constitutes a request for the drafting of a Committee Bill. The House Local Government Committee, has by a three-fourths vote, on 1/29/85 consented to the request.

The bill would amend 7-6-4241, MCA, to conform it to the spirit of the amendments made by House Bill 72, 1983 Session by substituting "at the first meeting of the council in each month" for "on a date set by the council" and providing an immediate effective date.

Thank you.

*Paula Darko*, Chair  
Paula Darko

House Local Government Committee

eg:DianaI:Dowling

Exhibit  
HB 75  
1-29-85  
Rep. Hannah

Amendments Proposed by Representative Hannah  
AMEND HOUSE BILL 75, Introduced Copy, AS FOLLOWS:

1. Title, lines 5 and 6.  
Strike: "AND DEPUTY OR ASSISTANT COUNTY OFFICALS"
2. Title, line 8.  
Following: "7-4-2108,"  
Insert: "7-4-2502"
3. Title, line 9.  
Strike: "SECTIONS"  
Insert: "SECTION"  
Strike: "AND 7-4-2505"
4. Page 1, line 15.  
Following: "salaries"  
Insert: "of elected county officers"
5. Page 2, lines 10 and 11.  
Strike: "and each deputy or assistant county official"
6. Page 4, lines 5 and 6.  
Strike: "or a deputy or assistant county official"
7. Page 4, line 13.  
Strike: "and deputy or assistant county officials"
8. Page 4, line 13.  
Strike: "and deputies or assistants"
9. Page 4, line 14.  
Strike: "county"  
Insert: "such"
10. Page 4.  
Following: line 20  
Insert: "Section 2. Section 7-4-2502, MCA, is amended to read:  
"7-4-2502. Payment of salaries of county officials and assistants. (1) Except as provided in subsection (2), the salaries of the county officers and their assistants may be paid monthly, twice monthly, or every 2 weeks out of the general fund of the county and upon the order of the board of county commissioners.  
(2) (a) The salary of the county attorney is payable monthly, with one-half from the general fund of the county and the other one-half from the state treasury upon the warrant of the state auditor. The portion payable from the state treasury may not exceed \$12,000 per year in the case of part-time county attorneys or \$24,000 per year in the case of full-time county attorneys.

(b) The county commissioners of each county shall, within 30 days after the election or appointment to fill a vacancy for any cause in the office of county attorney, certify the election or appointment to the state auditor, who shall thereafter draw warrants for such salary in the same manner as for state officers. In case of a vacancy, the county commissioners shall immediately notify the state auditor, and the auditor shall compute the salary due on the basis of the notification.

(3) The board has jurisdiction and power, under such limitations and restrictions as are prescribed by law, to fix the compensation of all county officers not otherwise fixed by law and to provide for the payment of the same."

Renumber: Subsequent Sections

10. Page 6, lines 2 and 3.

Strike: "and deputy or assistant county officials"

PC5HB75.16

LH

## VISITOR'S REGISTER

HOUSE LOCAL GOVERNMENT COMMITTEE

BILL HB 166

DATE Jan. 29, 1985

SPONSOR Rep. Sands

[illegible]

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

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

WITNESS STATEMENT

Exhibit 1  
HB 171  
1-29-85  
Rep. Switzer

NAME Martha McFee BILL No. 171  
ADDRESS 712 N. Davis DATE 1/29/85  
WHOM DO YOU REPRESENT L & C Co.  
SUPPORT X OPPOSE \_\_\_\_\_ AMEND \_\_\_\_\_

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments: The counties need help to bring  
delinquent property tax payments in  
line with reality of what the current  
interest rates are at

# VISITOR'S REGISTER

HOUSE LOCAL GOVERNMENT COMMITTEE

BILL HB 173

DATE Jan. 29, 1985

SPONSOR Rep. Sands

[illegible]

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

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

# VISITOR'S REGISTER

HOUSE LOCAL GOVERNMENT COMMITTEE

BILL HB 171

DATE Jan. 29, 1985

SPONSOR Rep. Switzer

[illegible]

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

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.