

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

February 23, 1985

The meeting of the Local Government Committee was called to order by Chairman Paula Darko on February 23, 1985 at 12:37 p.m. in Room 312-2 of the State Capitol.

ROLL CALL: All members were present. However, Rep. Brown was late.

CONSIDERATION OF HOUSE BILL NO. 914: Rep. Stella Jean Hansen of District 57, presented the bill to the committee, as sponsor. This bill establishes a sustainable local economic development account to be used for assisting localities or regions of the state in developing and implementing long-term economic development strategies. She said the heart of the bill is on page 1, lines 13, 14, and 15, where they are asking to remove 2 1/2% of severance taxes collected, and change to 4% to go to the state special revenue fund.

PROPONENTS: Dan Kemmis appeared in behalf of the Rural and Community Development Association, and the Community Economic Development Coalition which takes in the three counties of Missoula, Lewis and Clark, and Butte-Silver Bow. They have been trying to figure out effective ways to allocate local participation, and the main result of that effort is HB 914. The funding for the program that is proposed is taking 1/2 of 1% of the coal tax. There has been some discussion of that program already, and he was a firm supporter of the program, and worked in 1975 to have it established. They have to be flexible in using those funds in primarily different ways. Some money will be taken away from the coal tax and will be spent on services. One of the ways is to put it back into the economy and eventual sustainable resource use. There are some areas of need that have emerged from this bill. They have spent a little time with the department of commerce. There are dozens if not hundreds of businesses in the state trying to put together Building Montana packages. The department of commerce has one person trying to service the entire state, and one person can't do this. It would also make money available to provide some business assistance through the vo-tech schools. He further stated he can't think of a better way of promoting a sustainable local economic development account than through this bill. Local business incubators will also give small businesses a good start, and the bill has the advantage of bringing economic development down to the local level.

OPPONENTS: Bob Robinson of the Department of Natural Resources, said they are not in opposition to the concept, but they are in opposition to the funding of HB 914. HB 71 took

all their money and this one they are willing to fight for 5%. Beginning in 1975, it was a grant program. In 1981, the Legislature authorized a program to wean itself from grants and moving towards programs promoting small industry. The 1981 Legislature provided us to provide loans with matching money. Since 1981, this program has landed \$2,653,000 for 19 people. If some of this money is taken, it is being taken from actual businesses and put into advisors.

In closing, Rep. Hansen said economic development has come a long ways in this state. It took a long time to get it moving. As far as taking money away from the renewal energy, she believes in this case it will be a good investment.

DISCUSSION OF HOUSE BILL NO. 914: Rep. Poff asked Mr. Robinson if this would be taking away any of the projects that are in the making now. Mr. Robinson said it would affect requests from fiscal years 1986 and 1987.

Rep. Kadas asked Dan Kemmis what a business incubator is and how it works, and Mr. Kemmis said the idea is that during the early period of life, small businesses have very high mortality rates. Often they are not meant to survive. There are advantages for getting small businesses together, and the idea is to provide pooling of overhead for these businesses, and sometimes they provide a building at an affordable rent. It works extremely well in a number of states.

CONSIDERATION OF HOUSE BILL NO. 885: Rep. Sales, sponsor of this bill, appeared before the committee to present it. He apologized for this bill appearing so late, and said the bill is as a result of the Governor's Task Force on Infrastructure. This bill is to amend and clarify the laws relating to rural special improvement districts and special improvement districts, and amending provisions relating to incidental costs, protests, assessment options, acquisition of improvements, notice, definitions of bonds, redemption of bonds, revolving funds, and refunding bonds. The bill is not quite as lengthy as it seems; thirty of the pages deal with rural improvement districts and the others with special improvement districts. Rep. Sales then went through the bill page by page to explain what the bill is doing.

PROPONENTS: Lieutenant Governor George Turman, who passed out written testimony as exhibit 1, stated this bill indicates it was introduced at his request. However, his office made the request on behalf of the Governor's Task Force on Infrastructure of which he was chairman. He said local needs vary from community to community, so local needs will have to be addressed locally. It is his opinion as well as the opinion of the Governor's Task Force that this bill gives appropriate flexibility to local governments without jeopardizing the rights of local citizens.

Greg Jackson, representing the Urban Coalition, appeared in support of HB 885. He thanked Rep. Darko for extending the hearing from Thursday to today. He handed out an information sheet that summarized what this bill does, and this is attached as exhibit 2. The Urban Coalition wanted to go on record in support of HB 885.

Bill Verwolf, representing the city of Helena and himself as the finance director of the city of Helena, as well as the Montana Municipal Clerks, Treasurers, and Finance Officers, and also by the request of the city of Billings. He said he wanted to bring to the committee's attention why this bill is needed. The special improvement district law was needed some 50 years ago, and it has served pretty well in that time. Buying of bonds has changed in that time. SID bonds are one of the primary methods counties are using to fund infrastructures. People buying bonds will know how long that bond will be out before it is reclaimed. This bill will change the protest requirements, allowing the people paying the bill to get to protest. He stated they feel the additional changes not only provide flexibility for local governments, but also provides a much more saleable bond product.

OPPONENTS: There were no opponents to HB 885.

In closing, Rep. Sales presented amendments which Lee Heiman passed out to the committee. He said the only way he would carry the bill is if those amendments are made. He said this bill simplifies SID and RID statutes and protects property owners, as well as allowing flexibility in assessments. He said he hoped the committee would favor this bill with a Do Pass.

DISCUSSION OF HOUSE BILL NO. 885: Rep. Pistoria said no doubt this is a good bill; however, he wanted to be sure. Chairman Darko said the committee doesn't have time to worry about it as we are pressed for time. We have to act on it or the bill dies.

Rep. Sands asked Rep. Sales why he wanted to change outside the city boundaries, on page 7, and Rep. Sales replied he didn't care one way or the other.

Rep. Sands then said that amortization bonds and serial bonds are required, and you are limiting the way you bond. Mr. Verwolf replied that amortization and serial bonds are the two types of bonds allowed. Coupon bonds are serial bonds, and serial bonds are paid off a bond at a time.

Rep. Sands then asked Rep. Sales if he would promote the methods of assessing the valuation process here, and Rep. Sales said yes, that it is just another option. Actually using the assessed value would not occur often.

Rep. Wallin addressed Rep. Sales on refunding of bonds. The 1 1/2% wouldn't sell bonds very well. Rep. Sales replied that in order to go through the process of refunding, there would have to be a larger dropping of percentages. Rep. Wallin said a person wouldn't want to take money out of savings and buy a bond, and then six months later find out this was not a good idea.

Rep. Switzer had a question concerning city bonds that they have now. Are they allowed a better method of refinancing in this bill? The Mayor of Glendive said he thought it would. Rep. Sales said it is written that if you have the money in hand, you can recall the bonds. He said he was going to amend the bill to either go back to that or open it up to negotiation. Rep. Switzer then asked if the city would have the same flexibility as the county has now, or do they have it already? Rep. Sales replied if you have the money, you can pay it off.

The committee then went into executive session for action on bills.

DISPOSITION OF HOUSE BILL NO. 914: Rep. Pistoria moved that HB 914 DO PASS, and this was seconded by Rep. Hansen. Rep. Kadas stated there is a Statement of Intent. Question being called for, motion FAILED on a 9 to 5 Roll Call Vote, and the vote was reversed to DO NOT PASS.

DISPOSITION OF HOUSE BILL NO. 885: Rep. Sales moved to DO PASS HB 885, and this was seconded by Rep. Fritz. Rep. Sales then moved the amendments, seconded by Rep. Brandewie. Rep. Sales stated the new language is stricken and it is put back to whenever it is feasible to issue bonds and call the others in.

Rep. Wallin said protests are not addressed in this, from 60% to 40%. Rep. Sales replied that in this bill if 40% of the people protest, this stops it in either district.

Question was called for on the amendments, and the motion PASSED UNANIMOUSLY. Greg Jackson of the Urban Coalition said their amendments correspond with Rep. Sales' amendments.

Rep. Wallin asked Rep. Sales if he would have any objections if 50% protested. Rep. Sales responded by saying this would expand the districts, and that the people are used to the 40%.

Rep. Kadas then moved that HB 885 DO PASS AS AMENDED, and this was seconded by Rep. Fritz.

Rep. Sands said they should discuss methods of assessments, as this was very controversial on the floor. Rep. Sales told Rep. Sands if he thinks the rest of the bill is impor-

tant enough, he could take it out, but he would vote against it. He said he would still carry the bill.

Rep. Wallin said his objection to the other bill is that it was a maintenance bill, and it is a special improvement.

Rep. Gilbert stated he objects to the way this bill was brought to us, at the last minute. He felt they should have been given more time, and he said he was going to vote against it.

Rep. Switzer said he wanted to ask Rep. Sands a little more about his objections to the method of assessment. Rep. Sands said that in special improvement districts the problems are that in subdivisions you might not know what the value of different parcels are, and there might be changes. The ones who are there first might have to subsidize the others.

Rep. Brandewie said he still disapproves of the way of assessments. The improvements of streets, etc., will improve the land, not the house on it. For the assessments to be assessed against all the improvements of the lot, he does not agree with and he will not vote for it. Rep. Sales said this will probably not be used very much.

Question was called for, Rep. Kadas' motion of DO PASS AS AMENDED on HB 885 PASSED on a Roll Call Vote of 12 to 2.

DISPOSITION OF HOUSE BILL NO. 75: Rep. Kadas moved to reconsider action on HB 75 and take it OFF THE TABLE, seconded by Rep. Fritz. It was suggested to amend it to apply to only elected officials and not all county officials. Question being called for, motion PASSED, with Rep. Gilbert, and Rep. Switzer voting "no".

Rep. Kadas moved to DO PASS HB 75, and this was seconded by Rep. Brown. Rep. Kadas then moved the amendments, seconded by Rep. Hansen. Rep. Kadas said deputy sheriffs are out, only elected officials are included.

Rep. Pistoria asked if this means giving raises to all elected officials, and Rep. Kadas replied it would be up to the county commissioners, and everyone goes together.

Question was called for, motion PASSED, with Rep. Wallin and Rep. Switzer opposing.

Rep. Brown moved to DO PASS AS AMENDED HB 75, and this was seconded by Rep. Fritz. Rep. Sands asked if this applies only to elected officials, and the answer was "yes".

Rep. Wallin said that the thing that should govern the salary is not the wealth of the county, but the amount of work that is done.

Local Government Committee
February 23, 1985
Page 6

Question being called for, Rep. Brown's motion of DO PASS AS AMENDED HB 75 went out of committee WITHOUT RECOMMENDATION because of a tie vote, with Rep. Pistoria, Rep. Poff, Rep. Switzer, Rep. Gilbert, Rep. Sands, Rep. Kitselman and Rep. Wallin voting "no".

There being no further business before the committee, the meeting was adjourned at 1:40 p.m.


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 Feb. 23, 1985

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

February 22

19 ²⁵

MR. Speaker:

We, your committee on Local Government

having had under consideration House Bill No. 235

first white
reading copy ()
color

GENERAL REVISION OF RURAL SPECIAL AND SPECIAL IMPROVEMENT DISTRICTS

Respectfully report as follows: That House Bill No. 235

BE AMENDED AS FOLLOWS:

1. Title, line 14.
Strike: "7-12-2182,"
2. Title, line 15.
Strike: "7-12-2185,"
3. Title, line 19.
Following: "7-12-4201,"
Insert: "AND"
Strike: "AND 7-12-4222,"
4. Page 17, line 15.
Strike: "22"
Insert: "26"

DO PASS

CONTINUED

February 23

19 85

5. Page 24, lines 14 and 15.

Strike: "after one-half of the term for which they were
issued has expired"

6. Page 25 line 5 through line 10 of page 27.

Strike: Sections 25 and 26 in their entirety

Re-number: subsequent sections

7. Page 44, line 8.

Strike: "44"

Insert: "42"

8. Page 50, line 5.

Strike: "44"

Insert: "42"

9. Page 51, line 16.

Strike: "44"

Insert: "42"

10. Page 54, line 25.

Strike: "61"

Insert: "58"

11. Page 61, lines 4 and 5.

Strike: "after one-half of the term for which they were
issued has expired"

12. Page 61, line 24 through line 14, page 63.

Strike: Section 60 in its entirety

Re-number: subsequent sections

13. Page 66, line 13.

Strike: "27"

Insert: "25"

Strike: "28"

Insert: "26"

14. Page 66, line 16.

Strike: "27"

Insert: "25"

Strike: "28"

Insert: "26"

15. Page 66, line 17.

Strike: "39, 44, 52, 55, 57, and 61"

Insert: "36, 42, 50, 53, 55, and 58"

CONTINUED

February 22, 1935

16. Page 66, lines 20 and 21.
Strike: "38, 44, 52, 55, 57, and 61"
Insert: "36, 42, 50, 53, 55, and 56"

HB885.42
PC5

AND AS AMENDED,
DO PASS

February 23

19 25

Speaker:
MR.

Local Government

We, your committee on

House

having had under consideration Bill No. 75

first white
reading copy ()
color

COUNTY GOVERNING BODY TO SET SALARIES OF CO. ELECTED OFFICIALS AND DEPUTIES

House

Respectfully report as follows: That Bill No. 75

TO BE AMENDED AS FOLLOWS:

1. Title, lines 5 and 6.
Strike: "AND DEPUTY OR ASSISTANT COUNTY OFFICIALS"
Insert: ", EXCEPT THE COUNTY ASSESSOR,"
2. Title, line 8.
Strike: "7-4-2503, 7-4-2504"
Insert: "7-4-2502 through 7-4-2505"
3. Title, line 9.
Strike: "SECTIONER"
Insert: "SECTION"
Strike: "AND 7-4-2503"
4. Page 1, line 15.
Following: "salaries"
Insert: "of certain elected county officers"

DO PASS

CONTINUED

February 23 19 35

5. Page 2, lines 10 and 11.

Strike: "and each deputy or assistant county official"

Insert: ", except the county assessor,"

6. Page 2.

Following: line 12

Insert: "(2)(a) The salaries of the county assessor and the deputy county assessor shall be determined according to the pay matrix which is established for state employees in Title 2, chapter 10, part 3:

(i) the grade of the county assessor is the same grade as the appraisal supervisor of the department of revenue serving in that county, but the salary of a county assessor may not be less than the salary paid to that official on July 1, 1985; and

(ii) the salary of the deputy county assessor may not exceed 90% of the salary of the assessor in the county in which the deputy serves.

(b) The method of determining salaries for the county assessor and the deputy county assessor in subsection (2)(a) may not be construed to mean that those officials are state employees."

Renumber: subsequent subsections

7. Page 4, lines 5 and 6.

Strike: "or a deputy or assistant county official"

8. Page 4, line 9.

Strike: "(4)(c)"

Insert: "(5)"

9. Page 4, lines 11 and 12.

Strike: "and deputy or assistant county officials"

10. Page 4, line 13.

Strike: "and deputies or assistants"

11. Page 4, line 14.

Strike: "county"

Insert: "such"

12. 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 officials 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.

COVERED

February 23

19 85

(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.

Reamend: Subsequent Sections

13. Page 6.

Following: line 7.

Insert: "Section 4. Section 7-4-2505, MCA, is amended to read:

"7-4-2505. Amount of compensation for deputies and assistants. (1) Subject to subsection (2), the boards of county commissioners in the several counties in the state shall have the power to fix the compensation allowed any deputy or assistant of the following officers:

- (a) clerk and recorder;
- (b) clerk of the district court;
- (c) treasurer;
- (d) assessor;
- (e) county attorney;
- (f) auditor.

(2) (a) The salary of a deputy or an assistant listed in subsection (1) may not be more than 90% of the salary of the officer under whom such deputy or assistant is serving.

(b) Where any deputy or assistant is employed for a period of less than 1 year, the compensation of such deputy or assistant shall be for the time so employed, provided the rate of such compensation shall not be in excess of the rates now provided by law for similar deputies and assistants except as provided herein.

(c) Deputy assessors' salaries shall be the same as paid the deputy clerk and recorder as provided in 7-4-2503.

Reamend: subsequent sections

CONTINUED

February 23..... 19 25.....

14. Page 6, lines 2 and 3.

Strike: "and deputy or assistant county officials"

15. Page 8, line 10.

Strike: "Sections"

Insert: "Section"

16. Page 8, line 11.

Strike: "and 7-4-2505"

Strike: "are"

Insert: "is"

HM75.42

PC 5

~~ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED~~

AA 223-85

STANDING COMMITTEE REPORT

February 23, 19 85

MR. SPEAKER:

We, your committee on LOCAL GOVERNMENT

having had under consideration HOUSE Bill No. 914

FIRST reading copy (WHITE)
color

SUSTAINABLE LOCAL ECONOMIC DEVELOPMENT ACCOUNT FOR LONG-RANGE DEVELOPMENT

Respectfully report as follows: That HOUSE Bill No. 914

~~DO NOT PASS~~
~~DO PASS~~

(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 Feb. 23, 1985 HOUSE Bill No. 914 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		✓
	5	9

Marianne Bagley
Secretary

Paula Darko
Chairman

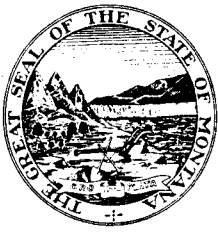
Motion: Do Pass - Reverse Vote to Do Not Pass

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

STATEMENT OF INTENT

 BILL NO. 914

A statement of intent is required for this bill because it delegates rulemaking authority to the department of commerce. The department should adopt rules specifying the criteria it will use to evaluate and approve long-range plans submitted pursuant to [section 4]. The criteria should be specific enough that regions will know what the plans must contain, but flexible enough to allow for innovation and creativity in achieving the goals of long-range plans. The department should also adopt rules delineating the type of direct support for which local business incubators will be eligible, including planning and management assistance, marketing strategies, and other support the department finds appropriate.



State of Montana
Office of The Lieutenant Governor
Helena 59620
(406)444-3111

Exhibit 1
HB 885
2-23-85
Rep. Sales

GEORGE TURMAN
LIEUTENANT GOVERNOR

Testimony of Lt. Governor George Turman Before House
Committee on Local Government Regarding HB 885
Saturday, February 23, 1985

The measure indicates that it has been introduced at my request. Actually, my office made the request on behalf of the Governor's Task Force on Infrastructure of which I was chairman.

You received the report of the Task Force by transmittal letter from Governor Schwinden earlier in the session, and I welcome this opportunity to make brief observations about that panel and HB 885.

The Task Force brought together a group of talented people representing generally the public and the sectors of the economy which have an interest in public facilities. Throughout the stages of investigation, analysis and recommendations, prime consideration was given to financial matters, recognizing that financial management and capability is at the heart of successful efforts to address community needs. In that regard, this measure is significant because the changes proposed, while modest, will improve the marketability of certain municipal and county bonds, presumably lowering their interest burden to the public.

I would also like to make the following point. From my experiences as a member of this committee and before that as mayor, I have observed that the circumstances of communities vary dramatically in this state. It follows that specific legislative prescriptions are not apt to be universally applicable or useful. Put differently: local governments should have flexibility. Local officials are responsible for public improvements and they should have options respecting mechanisms which they may employ to respond to public needs.

In my opinion, HB 885 gives appropriate flexibility to local governments without jeopardizing the property rights of local citizens.

Exhibit 2
HB 885
2-23-85
Rep. Sales

TO: House Local Government Committee
FROM: Urban Coalition
RE: Summary provisions of HB 885

INTENT OF HB 885

1. To correct technical problems in current statute.
2. To comply with the Governor's Task Force on Infrastructure Committees' immediate recommendation to "revise existing statutes on Special and Rural Improvement Districts to allow more effective financing and equalize provisions for both."
3. To correct substantive problems in current statute, i.e., to:
 - improve the ability of local governments to fairly assess property owners.
 - provide for more marketable bonds.
 - improve the security of the bonds.
 - make the authority of County governments compatible with that of city governments regarding SIDs.

SUMMARY OF IMPORTANT REVISIONS IN CURRENT STATUTE

1. Section 7-12-2151 (page 11)- Assessment of costs. The bill allows expanding the methods of assessment to include:
 - by area
 - by part of the whole cost of the improvement based upon the assessed value of the benefited lots or pieces of land within the district
 - by lineal feet
 - by other methods as the Board determines to be equitable in proportion to and not exceeding the benefits received from the improvement by the lot, tract or parcel
 - by a combination of the methods of assessment.

The section also allows for assessment of utility connections.

2. Section 20 (page 19)- Defines forms of bonds including amortized and serial bonds and provides that the bonds be set up on a maturity schedule rather than term bonds resulting in improved marketability of the bonds and lower interests.
3. Section 22 (page 21)- Pooling of bonds. Allows the pooling of SIDs for payment if determined cost-effective.
4. Section 28 (page 27)- Refunding bonds. Allows refinancing of bonds for the purpose of providing money needed to pay principle and interest on outstanding bonds. The rate of interest on the refunded bonds must be $\frac{1}{2}$ of 1% less than the rate of interest on the original bonds.

PROPOSED AMENDMENTS

1. Section 7-12-2167 (page 16) - Term of payment of assessments- line 16- change to read, "in annual installment corresponding to the principle payment due on the bonds."
2. Section 16 (page 17) - Line 3- change the word delinquent to unpaid.
3. Section 7-12-2174 (page 24) - lines 12-15- change to read, "improvement district bonds or warrants may be subject to redemption and prepayment at the time and upon the term provided by the board prior to the sale thereof."
4. Section 7-12-4190 (page 54) line 7- to read the same as number 1 above.
5. Section 25 (page 25) and Section 26 (page 26) reference to 15% in the revolving fund to be reduced or changed back to 5%.

Local Government

DATE Feb. 23, 1985

CS-33

VISITORS' REGISTER

Local Government

COMMITTEE

BILL NO. HB 914

DATE Feb. 23, 1985

SPONSOR

[illegible]

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Amend HB 885 (Sales)

1. Title, line 14.

Strike: "7-12-2182,"

2. Title, line 15.

Strike: "7-12-2186,"

3. Title, line 19.

Following: "7-12-4201,"

Insert: "AND"

Strike: "AND 7-12-4222,"

4. Page 17, line 15.

Strike: "28"

Insert: "26"

5. Page 24, lines 14 and 15.

Strike: "after one-half of the term for which they were
issued has expired"

6. Page 25 line 5 through line 10 of page 27.

Strike: Sections 25 and 26 in their entirety

Renumber: subsequent sections

7. Page 50, line 5.

Strike: "44"

Insert: "42"

8. Page 51, line 16.

Strike: "44"

Insert: "42"

9. Page 54, line 25.

Strike: "61"

Insert: "58"

10. Page 61, lines 4 and 5.

Strike: "after one-half of the term for which they were
issued has expired"

11. Page 61, line 24 through line 14, page 63.

Strike: Section 60 in its entirety

Renumber: subsequent sections

12. Page 66, line 13.

Strike: "27"

Insert: "25"

Strike: "28"

Insert: "26"

13. Page 66, line 16.

Strike: "27"

Insert: "25"

Strike: "28"
Insert: "26"

14. Page 66, line 17.

Strike: "38, 44, 52, 55, 57, and 61"

Insert: "36, 42, 50, 53, 55, and 58"

15. Page 66, lines 20 and 21.

Strike: "38, 44, 52, 55, 57, and 61"

Insert: "36, 42, 50, 53, 55, and 58"

HB885.42

PC5

Amendments Proposed by Representative Kadas (Feb. 23, 1985)
AMEND HOUSE BILL 75, Introduced Copy, AS FOLLOWS:

1. Title, lines 5 and 6.

Strike: "AND DEPUTY OR ASSISTANT COUNTY OFFICIALS"

Insert: ", EXCEPT THE COUNTY ASSESSOR,"

2. Title, line 8.

Following: "7-4-2108,"

Insert: "7-4-2502"

Following: "7-4-2504,"

Insert: "7-4-2505,"

3. Title, line 9.

Strike: "SECTIONS"

Insert: "SECTION"

Strike: "AND 7-4-2505"

4. Page 1, line 15.

Following: "salaries"

Insert: "of certain elected county officers"

5. Page 2, lines 10 and 11.

Strike: "and each deputy or assistant county official"

Insert: "except the county assessor,"

6. Page 2.

Following: line 12

Insert: "(2) (a) The salaries of the county assessor and the deputy county assessor shall be determined according to the pay matrix which is established for state employees in Title 2, chapter 18, part 3:

(i) the grade of the county assessor is the same grade as the appraisal supervisor of the department of revenue serving in that county, but the salary of a county assessor may not be less than the salary paid to that official on July 1, 1985; and

(ii) the salary of the deputy county assessor may not exceed 90% of the salary of the assessor in the county in which the deputy serves.

(b) The method of determining salaries for the county assessor and the deputy county assessor in subsection (2) (a) may not be construed to mean that those officials are state employees."

Renumber: subsequent subsections

7. Page 4, lines 5 and 6.

Strike: "or a deputy or assistant county official"

8. Page 4, line 9.

Strike: "(4)"

Insert: "(5)"

9. Page 4, line 13.

Strike: "and deputy or assistant county officials"

10. Page 4, line 13.

Strike: "and deputies or assistants"

11. Page 4, line 14.

Strike: "county"

Insert: "such"

12. 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

13. Page 6.

Following: line 7.

Insert: "Section 4. Section 7-4-2505, MCA, is amended to read:

"7-4-2505. Amount of compensation for deputies and assistants. (1) Subject to subsection (2), the boards of county commissioners in the several counties in the state shall have the power to fix the compensation allowed any deputy or assistant of the following officers:

- (a) clerk and recorder;
- (b) clerk of the district court;
- (c) treasurer;
- (d) assessor;
- (e) county attorney;
- (f) auditor.

(2) (a) The salary of a deputy or an assistant listed in subsection (1) may not be more than 90% of the salary of the officer under whom such deputy or assistant is serving.

(b) Where any deputy or assistant is employed for a period of less than 1 year, the compensation of such deputy or assistant shall be for the time so employed, provided the rate of such compensation shall not be in excess of the rates now provided by law for similar deputies and assistants except as provided herein.

(c) Deputy assessors' salaries shall be the same as paid ~~the-deputy--clerk-and-recorder~~ as provided in 7-4-2503(2) (a).

Renumber: subsequent sections

14. Page 6, lines 2 and 3.

Strike: "and deputy or assistant county officials"

15. Page 8, line 10.

Strike: "Sections"

Insert: "Section"

16. Page 8, line 11.

Strike: "and 7-4-2505"

Strike: "are"

Insert: "is"

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