

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

April 18, 1985

The meeting of the Local Government Committee was called to order by Chairman Paula Darko on April 18, 1985 at 5:30 p.m. in Room 312-2 of the State Capitol.

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

CONSIDERATION OF HOUSE JOINT RESOLUTION NO. 59: Rep. Fred Thomas of District #62, appeared before the committee as sponsor of the bill. He asked the committee's consideration of this resolution as it is just an interim study dealing with discrepancies of land surveys. He said he wished he had a solution for this problem. However, if one person doesn't agree with a survey, it goes to the district court, and it takes a lot of money to solve the problem. The town of Victor was off one-half a lot, so the whole thing is shifted. Hopefully with an interim study they would be able to come up with an answer.

PROPOSERS: There were no proponents present.

OPPOSERS: There were no opponents present.

Rep. Thomas closed his presentation.

DISCUSSION OF HOUSE JOINT RESOLUTION NO. 59: Rep. Hansen asked how a study resolution can solve this. She felt that as long as there are two parties in a dispute, it will be resolved between the two parties. Study resolutions recommend all sorts of things, but if the two parties aren't so inclined, it will still have to be resolved. Rep. Thomas answered that in many cases it is not just the two people who are involved.

Rep. Switzer told Rep. Thomas that he thinks there is not much that can be done. Rep. Thomas agreed, but they are having more and more problems in their area, and they can't come up with the right answers. Whether or not this resolution passes, this is going to have to be addressed because it is a compounding problem, especially in Western Montana. It is not going to go away.

There being no further discussion, the committee went into executive session for action on bills.

DISPOSITION OF HOUSE JOINT RESOLUTION NO. 59: Rep. Wallin made the motion of DO PASS, seconded by Rep. Kadas.

Rep. Brandewie said he was opposed to it. If it gets down to a shortage of land and if the people can't get along, he felt that a study resolution which takes away the rights to take care of the dispute, should not be used. The mechanics are already in place.

Question was called for and motion FAILED, with Rep. Kadas, Rep. Wallin and Rep. Switzer voting "yes" and all other members voting "no". Rep. Brown moved to reverse the vote to DO NOT PASS.

Rep. Kitselman made a substitute motion TO TABLE HJR 59, seconded by Rep. Brown. Motion CARRIED, with Rep. Fritz opposed.

Rep. Switzer then made a motion to reconsider action on SB 291 by taking it OFF THE TABLE. He said it affects the small towns. Rep. Brown seconded the motion. He said he voted to put it where it is in the first place, but felt it was right to bring it back.

Chairman Darko said she was willing to reconsider the committee's actions, and Rep. Switzer stated after hearing more from Sen. Hammond, he agreed. Rep. Wallin said he was opposed to it.

Rep. Switzer then moved that SB 291 BE CONCURRED IN, seconded by Rep. Brown. Question being called for, motion PASSED UNANIMOUSLY.

Chairman Darko told the committee they might be getting another bill on infrastructure from the Senate.

There being no further business before the committee, the meeting was adjourned at 5:50 p.m.

At that point, Rep. Sands addressed the committee only to let them know he wanted to be sure he had the last word in the meeting.



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 4-18-85

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

STANDING COMMITTEE REPORT

April 18, 1985

MR. **SPEAKER:**

We, your committee on **LOCAL GOVERNMENT**

having had under consideration **SENATE** Bill No. **291**

THIRD reading copy (BLUE)
color

**STATE AUDITS OF MUNICIPALITIES ON FIRST, SECOND,
THIRD CLASS CITIES ONLY.**

Respectfully report as follows: That **SENATE** Bill No. **291**

BE CONCURRED IN
DO PASS