

MINUTES OF THE MEETING
LOCAL GOVERNMENT COMMITTEE
MONTANA STATE SENATE

January 10, 1985

The second meeting of the Local Government Committee was called to order at 1:00 p.m. on January 10, 1985 by Chairman Dave Fuller in Room 405 of the Capitol Building.

ROLL CALL: All members were present.

CONSIDERATION OF SENATE BILL 7: Senator Ted Neuman, District #21, is the sponsor of this bill. The bill was requested by Interim Joint Subcommittee No. 3. It was introduced to authorize securities of the Federal Home Loan Mortgage Corporation to be pledged to secure deposits of public funds.

PROPOSERS

Terry Carmody, representing the Montana Association of Realtors, stated he would like to go on record as being in favor of the bill.

OPPOSERS

There were no opposers to SB 7.

Questions from the Committee were called for.

Chairman Fuller asked what different types of securities Freddie Mac is involved in. Mr. Neuman stated that they are involved in private home loan mortgages and conventional residential mortgages.

The hearing was closed on SB 7.

FURTHER CONSIDERATION OF SENATE BILL 31: Senator McCallum stated that, at the last meeting, he had concerns about SB 31. He talked to Senator Harding and other people and feels comfortable that in no way could the County Commissioners abolish the County Surveyor job during the period of time when an individual has been elected to this position. That was his main concern and, therefore, he withdraws his reservations regarding SB 31.

Senator Eck stated she had also talked with the County Commissioners and the County Surveyor has two functions. One is to certify plats and a surveyor is needed to do that. It doesn't matter if he is an engineer. They also have the responsibility of supervising the construction of county roads and bridges. In that case, they really do need an engineer. Therefore, if they start contracting, it would appear that they would have to contract for the two different functions, but there shouldn't be any problems with doing that.

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ACTION TAKEN ON SENATE BILL 31: Senator McCallum moved that the Committee recommend a DO PASS on SB 31. The motion passed unanimously.

ACTION TAKEN ON SENATE BILL 7: Senator Story moved that the Committee recommend a DO PASS on SB 7. The motion passed unanimously.

CONSIDERATION OF SENATE BILL 20: Senator Dave Fuller, District #22, is the sponsor of this bill. It was introduced to repeal the miscellaneous county licenses on billiard tables and bowling alleys.

PROPONENTS

Clark Pyfer spoke in favor of the bill. His written testimony is attached as Exhibit A to these minutes. A letter of support to Mr. Pyfer from the Montana Bowling Proprietors Association is attached as Exhibit B to these minutes.

OPPONENTS

Gordon Morris, representing the Montana Association of Counties, stated he would like to go on record as being opposed to the bill in principle. It is his opinion that the bill would require counties to issue refunds on the taxes and he would like to not see them put in that position. While the impacts are virtually negligible as far as revenue collection goes, he opposes the principle of reducing county revenues.

Greg Jackson, representing Urban Coalition, stated he has the same concerns as Mr. Morris. While he has no concerns about the dollar amount, he is also opposed to the principle of reducing county revenues.

Questions from the Committee were called for.

Senator Pinsoneault wanted to know where the money goes. Mr. Pyfer stated that it goes to the County general fund.

Senator Fuller said he would have Karen Renne, the legislative researcher, review the bill as it was not the intent of the bill to have the counties do refunds on the taxes already paid.

Senator Eck stated that in this session, the legislature is looking at expanding the options of counties to collect taxes and that this bill would seem to limit that. She also asked how much the tax was. Mr. Pyfer said it was twenty dollars a year per bowling lane.

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Senator Crippen asked if other licenses were purchased for bowling alleys. Mr. Pyfer stated that they purchase a Business License.

Senator Fuller closed by stating that the taxes are nuisance taxes and, given the small amount of money collected, they should be repealed.

The hearing was closed on SB 20.

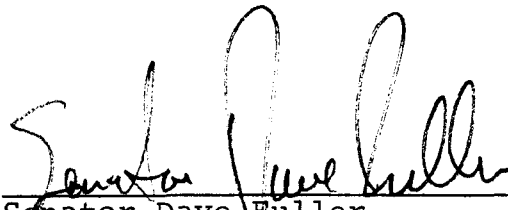
FURTHER CONSIDERATION OF SENATE BILL 1: Senator Christiaens presented the proposed amendment to SB 1 which would clarify that surplus county land funds would be accumulated for a period of two years immediately prior to the budget year. The proposed amendment is attached as Exhibit C to these minutes.

Senator McCallum stated that, because of the way the amendment was written, the surplus funds would actually be accumulated for three years.

Senator Regan proposed that a substitute amendment be written tying the time period to the State biennium so it would be perfectly clear.

Chairman Fuller stated that a substitute amendment would be drafted on SB 1.

The meeting adjourned at 1:40 p.m.



Senator Dave Fuller
Chairman

ROLL CALL

LOCAL GOVERNMENT

COMMITTEE

49th
~~XXXX~~ LEGISLATIVE SESSION -- 1985

1:00 p.m.
Date 01-10-85

SENATE
SEAT
#

NAME	PRESENT	ABSENT	EXCUSED
13 Senator Crippen, Bruce	✓		
18 Senator Eck, Dorothy	✓		
11 Senator Harding, Ethel	✓		
47 Senator Hirsch, Les	✓		
4 Senator McCallum, George	✓		
28 Senator Mohar, John(V.Chair)	✓		
44 Senator Pinsoneault, Dick	✓		
19 Senator Regan, Pat	✓		
21 Senator Story, Pete	✓		
43 Senator Fuller, Dave (Chair)	✓		

Each day attach to minutes.

1-10-85

Sen. Local Govt

VISITORS' REGISTER

[illegible]

(Please leave prepared statement with Secretary)

*SB #10 (FULLER) TO REPEAL the license on pool tables
and bowling lanes (alleys)*

A little history of these companion sections 7-21-2203 (license of \$14.80 per year on pool and billiard tables) and section 7-21-2204 (license of \$20.00 per year on each bowling lane (alley)). They were originally enacted in 1903 with the last amendment 30 years ago in 1953. This was before there were business licenses to which most bowling centers are now subjected in addition to this discriminatory license. No doubt before the new modern automated family oriented bowling facilities there may have been a need for extra police services or even extra court expense. This is no longer the case in the clean well managed modern operations. In almost two full seasons at Sleeping Giant Lanes I do not know of a single police call.

While it is a duplication of license on most of us it is not a particularly significant revenue producer. In Yellowstone, Cascade and Missoula counties both licenses bring in less than \$3,000.00 a year while in Lewis & Clark County it is under \$1,500.00. We respectfully request that you support the repeal of these unfair special taxes on a single industry.

Submitted by Clark PYFER

EXHIBIT B
LOCAL GOVERNMENT COMMITTEE
January 10, 1985

Senator Dave Fuller
Chairman on the Committee
Of Municipal Taxation
Helena, Montana

7

Dear Senator Fuller,

On behalf of the bowling proprietors of Montana, I would like to say "Thank You" for your support of Senate Bill No. 20. In 1903, bowling alleys were just that but today we have Family Fun Centers. We are small businessmen involved in a constant struggle to earn our share of the recreation dollar. 7-21-2204 is a dual cost to the bowling center besides being a discriminatory license on our establishments. Thank you again for your support.

Sincerely Yours,

John H. (Jack) Harrington

John H. (Jack) Harrington
President

Montana Bowling Proprietors
Association

For Committee : 1/10/85

Although I testified as a proponent I neglected to sign in. Please consider this my statement of support together with the summary history passed out at the meeting. Thank you for your consideration.

JCH

CHA OF THE BO & C.E.O.
S.E. 100th Ave.

PROPOSED AMENDMENT TO SB 1

1/
EXHIBIT C
LOCAL GOVERNMENT COMMITTEE
January 10, 1985

1. Page 2, line 7:

Following "commerce."

Insert: "Surplus funds may be accumulated and rebudgeted for
the purposes stated in subsection 2, except that
funds rebudgeted by a local governing body or planning
agency may not exceed the total revenue received
under subsection 1 in the 2 years immediately prior
to the budget year."

2. Page 2, line 7:

Following "Any"

Strike: "surplus"

Insert: "excess"

STANDING COMMITTEE REPORT

January 10

85

19.....

MR. PRESIDENT

LOCAL GOVERNMENT

We, your committee on.....

SENATE BILL

7

having had under consideration..... No.....

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A BILL FOR AN ACT ENTITLED:

"AN ACT TO AUTHORIZE SECURITIES OF THE FEDERAL HOME LOAN
MORTGAGE CORPORATION TO BE PLEDGED TO SECURE DEPOSITS OF
PUBLIC FUNDS; AMENDING SECTION 17-6-103, MCA, AND PROVIDING
AN EFFECTIVE DATE."

SENATE BILL

7

Respectfully report as follows: That..... No.....

~~DO PASS~~

~~DO NOT PASS~~

Dave Fuller

Chairman.

STANDING COMMITTEE REPORT

January 10

19. 85

MR. PRESIDENT

LOCAL GOVERNMENT

We, your committee on.....

SENATE BILL

having had under consideration.....

No. 31

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A BILL FOR AN ACT ENTITLED:

"WAIVER OF COUNTY SURVEYOR QUALIFICATIONS UPON OFFICE
CONSOLIDATION"

Respectfully report as follows: That.....

SENATE BILL

No. 31

~~DO PASS~~

~~XXXXXXXXXX~~
DO NOT PASS

Dave Fuller

Chairman.

(This sheet to be used by those testifying on a bill.)

NAME: Terry Connolly DATE: 1/14/85

ADDRESS: 910 Helena Ave

PHONE: 443-4032

REPRESENTING WHOM? Mont. Assoc. of REALTOR

APPEARING ON WHICH PROPOSAL: SB-7

DO YOU: SUPPORT? X AMEND? _____ OPPOSE? _____

COMMENT: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.