

MINUTES OF THE MEETING
LOCAL GOVERNMENT COMMITTEE
MONTANA STATE SENATE

February 22, 1985

The fifteenth meeting of the Local Government Committee was called to order at 2:30 p.m. on February 22, 1985 by Chairman Dave Fuller in Room 405 of the Capitol Building.

ROLL CALL: Senator Pinsoneault was excused to attend another committee meeting. All other members were present.

FURTHER CONSIDERATION OF SENATE BILL 325: Senator Regan brought up that some co-ops already have a 911 system, but they use the number 511. While it would be no problem for them to convert to 911, they do not want to charge their customers for the service they already provide free of charge. She would like to amend the bill to include this.

FURTHER CONSIDERATION OF SENATE BILL 116: Karen Renne explained the amendments which would totally remove longevity increases from the bill. Also, the State would pay half salary of no more than two deputy attorneys per county. The amendments will also reduce from sixty percent to fifty percent of county attorneys' salaries in determining the pay of part-time deputy attorneys. They would still receive an increase but not as much as in the original bill.

Senator Regan suggested getting a new fiscal note on the bill after the amendments are adopted to show the reduced figures when the bill is on the floor. Karen Renne said she would ask for a new fiscal note.

Senator Hirsch asked how much the increase would be. Karen Renne said it could be as much as five thousand dollars a year in smaller counties depending on both population and county class.

ACTION TAKEN ON SENATE BILL 116: Senator Eck moved all amendments be adopted except numbers eight and nine. The motion passed with Senators Story, Hirsch, and McCallum voting no.

Senator Eck moved the Committee recommend a DO PASS as amended on SB 116. The motion passed with Senator Mohar voting no.

ACTION TAKEN ON SENATE BILL 336: Senator Mohar moved the Committee recommend a DO NOT PASS on SB 336. The motion passed with Senator Fuller voting no. Senator Harding will carry the Adverse Committee Report.

February 22, 1985

ACTION TAKEN ON SENATE BILL 398: Senator Mohar moved the Committee recommend a DO NOT PASS on SB 398. The motion passed with Senators Pinsoneault, Crippen, and McCallum voting no. Senator Mohar will carry the Adverse Committee Report.

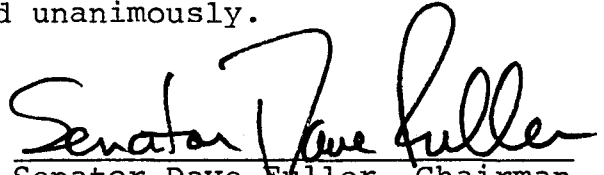
ACTION TAKEN ON SENATE BILL 415: Karen Renne explained the proposed amendments to SB 415.

Senator Mohar moved the Committee adopt the Statement of Intent on SB 415. The motion passed unanimously.

Senator Regan moved the amendments to SB 415 be adopted. The motion passed unanimously.

Senator Mohar moved the Committee recommend a DO PASS on SB 415 as amended. The motion passed unanimously.

The meeting adjourned at 3:15 p.m.


Senator Dave Fuller, Chairman

ROLL CALL

LOCAL GOVERNMENT

COMMITTEE

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

Date 2-22

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)	✓		
4 Senator Pinsoneault, Dick			✓
19 Senator Regan, Pat	✓		
21 Senator Story, Pete	✓		
43 Senator Fuller, Dave (Chair)	✓		

Each day attach to minutes.

STANDING COMMITTEE REPORT

FEBRUARY 22 1985

MR. PRESIDENT

We, your committee on LOCAL GOVERNMENT
having had under consideration SENATE BILL No. 116
FIRST reading copy (WHITE)
color

REVISING PAY STRUCTURE FOR PROSECUTING ATTORNEYS AND PROVIDING FUNDING

Respectfully report as follows: That SENATE BILL No. 116

be amended as follows:

1. Title, lines 4 and 5.
Following: "ENTITLED: "AN ACT" on line 4
Strike: remainder of line 4 through "ATTORNEYS;" in line 5
2. Title, line 7.
Following: "SALARY OF"
Insert: "NO MORE THAN TWO"
3. Title, lines 8 and 9.
Following: "ATTORNEYS;" in line 8
Strike: remainder of line 8 through "DEPUTIES;" in line 9
4. Title, line 11.
Following: "7-4-2502"
Strike: ", "
Insert: "AND"
Following: "7-4-2503,"
Strike: "AND 7-4-2505,"
5. Page 1, line 16.
Following: "attorneys"
Strike: ", "
Insert: "and"
6. Page 1, line 17.
Following: "salary of"
Strike: "the"
Insert: "two"

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CONTINUED

~~SENATE BILL 116~~

Chairman.

7. Page 1, lines 18 through 20.
Following: "7-4-2703" in line 18
Strike: remainder of line 18 through "deputies" in line 20
8. Page 3, line 17.
Following: "with"
Insert: "the salaries of the county attorney and no more than
two deputies payable"
9. Page 3, lines 19 and 20.
Following: "auditor."
Strike: remainder of line 19 and line 20 in its entirety
10. Page 5, lines 21 through 25.
Following: "official" on line 21
Strike: remainder of line 21 through "class" in line 25
11. Page 6, line 19 through line 15, page 7.
Strike: subsection (d) in its entirety
12. Page 8, line 3 through line 1, page 9.
Strike: section 4 in its entirety
Renumber: subsequent sections

AND AS AMENDED

DO PASS

STANDING COMMITTEE REPORT

FEBRUARY 22

35

..... 19.....

MR. PRESIDENT

LOCAL GOVERNMENT

We, your committee on.....

SENATE BILL

336

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

FIRST

WHITE

..... reading copy (.....)
color

**CHANGE FISCAL YEAR FOR COUNTIES AND MUNICIPALITIES TO
OCTOBER 1**

SENATE BILL

336

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

~~XXXXXX~~

DO NOT PASS

.....
Senator Dave Fuller

Chairman.

STANDING COMMITTEE REPORT

FEBRUARY 22

85

..... 19.....

MR. PRESIDENT

LOCAL GOVERNMENT

We, your committee on.....

SENATE BILL

398

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

FIRST

WHITE

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color

CHANGE LOCAL INITIATIVE LAW TO EXCLUDE APPROPRIATIONS
NOT BUDGETS

SENATE BILL

Respectfully report as follows: That..... No..... 398

~~XXXXXX~~

DO NOT PASS

Senator Dave Fuller

Chairman.

STANDING COMMITTEE REPORT

Page 1 of 2 Pages

Senate Bill 415

FEBRUARY 23

1985

MR. PRESIDENT

Page 1 of 2

We, your committee on LOCAL GOVERNMENT

having had under consideration SENATE BILL No. 415

FIRST reading copy (WHITE)
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LOCAL OPTION SUBDIVISION REVIEW AND ADDITIONAL ENFORCEMENT OPTIONS (HARDING)

Respectfully report as follows: That SENATE BILL No. 415

be amended as follows:

1. Title, line 8.
Following: "76-4-121 THROUGH"
Strike: "76-4-128"
Insert: "76-4-127"
2. Page 4, lines 7 and 8.
Following: "connect to" in line 7
Strike: "public or community"
Insert: "existing municipal"
3. Page 6, lines 12 and 13.
Following: "department" on line 12
Strike: remainder of line 12 through "authority" in line 13
Insert: "department"
4. Page 7, line 7.
Following: "76-4-128."
Insert: "The department shall adopt rules to determine the
distribution of fees between the local governing body
and the department as provided in 76-4-128."

(CONTINUED)

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XXXXXXXXXXXX

XXXXXXXXXX
Chairman

Page 2 of 2

5. Page 10, line 19.
Following: line 18
Insert: "(4) When a local reviewing authority exercises the authority delegated to it by this section, the local reviewing authority shall accept legal responsibility for its actions under this part."
6. Page 15, lines 22 and 23.
Following: "Act"
Strike: remainder of line 22 through "authority" in line 23
7. Page 17, line 3 through line 11, page 18.
Strike: section 15 in its entirety
Renumber: subsequent sections
8. Page 19, line 4.
Following: "Section"
Strike: "17"
Insert: "16"
9. Page 19, line 6.
Following: "section"
Strike: "17"
Insert: "16"
10. Page 19, line 7.
Following: line 6
Insert: "NEW SECTION. Section 19. Coordination instruction. If House Bill No. 633, including the section of that bill that appropriates money to the department for subdivision review in fiscal years 1986 and 1987, is not passed and approved, section 3, subsection (3) of this act is amended to provide a fee of \$10 per reviewed lot."

AND AS AMENDED

DO PASS

STATEMENT OF INTENT
ADOPTED AND ATTACHED

Senator Dave Fuller, Chairman

FEBRUARY 23, 1985

MR. PRESIDENT,

WE, YOUR COMMITTEE ON LOCAL GOVERNMENT, HAVING HAD UNDER CONSIDERATION SENATE BILL NO. 415, ATTACH THE FOLLOWING STATEMENT OF INTENT:

STATEMENT OF INTENT

SENATE BILL 415

A statement of intent is needed for this bill because it delegates additional rulemaking authority to the department of health and environmental sciences in section 2. Under the provisions of section 2, the department must adopt rules and standards for certifying and maintaining certification to ensure that local boards of health are competent to review those subdivisions described in section 2. The rules must provide for department delegation to local boards of health of review of those subdivisions if the department certifies that the local reviewing authority is competent to undertake that review and if the local reviewing authority chooses to do the review.