

MINUTES OF THE MEETING
LOCAL GOVERNMENT COMMITTEE
MONTANA STATE SENATE

March 12, 1985

The twenty-first meeting of the Local Government Committee was called to order at 12:30 p.m. on March 12, 1985 by Chairman Dave Fuller in Room 405 of the Capitol Building.

ROLL CALL: All members were present.

CONSIDERATION OF HOUSE BILL 379: Representative Rodney Garcia, District #93, is the sponsor of this bill. The bill was introduced to provide optional publication requirements for minutes of and claims ordered paid by boards of county commissioners, and providing an immediate effective date.

PROPONENTS

Gordon Morris, representing the Montana Association of Counties, spoke in favor of the bill. He said if the claims could be summarized when published, the savings would be at least sixty six percent. The public needs could be served by the county commissioners making this a matter of record and available to the public but not published in full each time. This is a disservice to the taxpayers and a subsidy to the newspapers.

Dwight Mackay, Chairman of the Yellowstone County Commissioners, spoke in favor of the bill. He said they spend six to seven thousand dollars a year to publish these items in the Billings Times. Cities and schools are not required to publish these items. He submitted a copy of a publication which cost the county four hundred and ninety two dollars to publish. It is attached as Exhibit A to these minutes.

Joe Garfield, Toole County Commissioner, said the bill would cut costs for counties.

Carol Kirkland, Secretary for the Lewis and Clark County Commissioners, spoke in favor of the bill. She said in the five years she has worked for the county commissioners, one person has called to ask for information regarding claims.

OPPONENTS

Verle Rademacher, editor of the Meagher County News in White Sulphur Springs, spoke in opposition to the bill. His written testimony is attached as Exhibit B to these minutes.

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Mike Meloy, representing the Montana Press Association, spoke in opposition to the bill. He said the law was originally passed to protect county commissioners. He said these published claims are a particular item of interest, especially in rural counties where there is a real interest to taxpayers as to how their dollars are spent.

Representative Dennis Nathe, District #19, stated his opposition to the bill.

Chairman Fuller opened the hearing for Committee questions.

Senator Harding asked what the statement "or by reference" contained in the bill means. Mr. Morris said it means that county commissioners could publish a statement saying the records are available in the county office for the public to read rather than publishing the actual claims in detail.

Senator Eck asked if some counties already summarize publications. Mr. Morris said two or three counties are already doing this and are in violation of the law but have not been prosecuted.

Senator Fuller asked Mr. Rademacher why these items were not published as regular news items. Mr. Rademacher said many of the small newspapers are far too fiscally strapped to do this.

Senator Fuller asked Mr. Rademacher why they don't provide this service to the counties at a reduced rate. Mr. Rademacher said some larger counties do this but the smaller counties cannot afford to.

The hearing was closed on HB 379.

CONSIDERATION OF HOUSE BILL 431: Representative Dennis Nathe, District #19, is the sponsor of this bill. The bill was introduced to require all sheriff's sales of nonperishable personal property to be publicly posted and advertised in a newspaper at least one week before the sale.

PROPONENTS

There were no proponents to HB 431.

OPPONENTS

There were no opponents to HB 431.

Chairman Fuller opened the hearing for Committee questions. There were no questions from Committee regarding HB 431.

The hearing was closed on HB 431.

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ACTION TAKEN ON HOUSE BILL 431: Senator McCallum moved that HB 431 BE CONCURRED IN. The motion passed with Senators Hirsch and Story voting no. Senator McCallum will carry the bill.

CONSIDERATION OF HOUSE BILL 414: Representative Dennis Iverson, District #12, is the sponsor of this bill. The bill was introduced to revise the salaries, work period, and overtime compensation provisions of employees of a local department of public safety; to provide minimum salaries based on deputy sheriff compensation with exceptions; to provide for a work period designation to replace the work week; and to provide that employees' rate of overtime may be established by the board of county commissioners.

PROPOSAL

Joe Garfield, Toole County Commissioner, spoke in favor of the bill. He distributed a handout regarding sheriffs' salaries and public safety director and employees' salaries. It is attached as Exhibit C to these minutes. He said they are losing trained sheriffs to labor jobs because they pay more.

Senator Gary Aklestad, District #6, stated his support of the bill.

Gordon Morris, representing the Montana Association of Counties, stated his support of the bill.

OPPONENTS

There were no opponents to HB 414.

Chairman Fuller opened the hearing for Committee questions. There were no questions from the Committee regarding HB 414.

The hearing was closed on HB 414.

Senator Regan requested the bill be held by the Committee until we deal with the other county salary bills.

CONSIDERATION OF HOUSE BILL 436: Representative Earl Lory, District #59, is the sponsor of this bill. The bill was introduced to require membership of one conservation district board member on each city-county planning board in the State.

PROPOSAL

Ray Beck, representing the Conservation Districts Division of the Department of Natural Resources and Conservation, spoke in favor of the bill. His written testimony is attached as Exhibit D to these minutes.

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Dave Donaldson, Executive Vice President of the Montana Association of Conservation Districts, spoke in favor of the bill. His written testimony is attached as Exhibit E to these minutes.

OPPONENTS

There were no opponents to HB 436.

Chairman Fuller opened the hearing for Committee questions.

Senator Crippen said he did not see why a new membership had to be added and asked if they would agree to just requiring one of the current memberships to be a conservation district board member. Mr. Beck said they would probably not have a problem with that.

The hearing was closed on HB 436.

CONSIDERATION OF HOUSE BILL 345: Representative Gary Spaeth, District #84, is the sponsor of this bill. The bill was requested by the House State Administration Committee. The purpose of the bill is to authorize the Department of Commerce to administer the federal Community Development Block Grant Program and to adopt rules to implement the program.

PROPOSERS

Dave Cole, representing the Department of Commerce, spoke in favor of the bill. His written testimony is attached as Exhibit F to these minutes.

Gordon Morris, representing the Montana Association of Counties, stated his support of the bill.

OPPONENTS

There were no opponents to HB 345.

Chairman Fuller opened the hearing for Committee questions. There were no questions from the Committee regarding HB 345.

The hearing was closed on HB 345.

ACTION TAKEN ON HOUSE BILL 345: Senator Eck moved that HB 345 BE CONCURRED IN. The motion passed unanimously. Senator Story will carry the bill.

ACTION TAKEN ON HOUSE BILL 248: Senator McCallum moved that HB 248 be TABLED. The motion passed unanimously.

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RECONSIDERATION OF HOUSE BILL 328: HB 328 was CONCURRED IN by the Committee on March 9, 1985. Karen Renne explained the coordinating amendment which makes HB 328 void if SB 416 passes.

Senator McCallum moved the Committee reconsider action taken on HB 328. The motion passed unanimously.

Senator McCallum moved that HB 328 be TABLED. The motion passed unanimously.

FURTHER CONSIDERATION OF HOUSE BILL 277: Senator Eck and other Senators expressed concern about the matter of whose debt it would be if operation or building of jails were let to private entities. Gordon Morris said that the liability cannot be waived in any case. The counties will always hold ultimate liability.

Senator Crippen suggested all language in the bill regarding the "building" of jails be stricken since it is causing so much confusion. Karen Renne will research this.

FURTHER CONSIDERATION OF HOUSE BILL 436: Karen Renne will draft an amendment to designate a conservation district board member as an eligible appointee from the existing categories of appointment to the city-county planning board rather than adding them as an additional member.

ACTION TAKEN ON HOUSE BILL 379: Senator Eck moved that SB 379 BE CONCURRED IN. The motion passed with Senator Pinsoneault voting no. Senators McCallum and Story were absent for the vote. Senator Mohar will carry the bill.

The meeting adjourned at 2:40 p.m.



Senator Dave Fuller, Chairman

ROLL CALL

LOCAL GOVERNMENT

COMMITTEE

49th
XIX LEGISLATIVE SESSION -- 1985

Date 3-12-85

SENATE
SEAT

二

Each day attach to minutes.

STANDING COMMITTEE REPORT

MARCH 12

85

19

MR. PRESIDENT

LOCAL GOVERNMENT

We, your committee on
having had under consideration.....

HOUSE BILL

345

No.....

THIRD

reading copy (BLUE)

color

(STORY WILL CARRY)

COMMERCE TO ADMINISTER COMMUNITY DEVELOPMENT BLOCK GRANT

HOUSE BILL

345

Respectfully report as follows: That.....

No.....

BE CONCURRED IN

XXXXXX
DO PASS

XXXXXX
DO NOT PASS

Senator Dave Fuller
Chairman.

STANDING COMMITTEE REPORT

MARCH 12

85

19.....

MR. PRESIDENT

LOCAL GOVERNMENT

We, your committee on.....
having had under consideration.....

379

No.....

THIRD reading copy (**BLUE**)
(REGAN WILL CARRY) color

OPTIONAL PUBLICATION REQUIREMENTS FOR COUNTY COMMISSIONERS

HOUSE BILL

379

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

BE CONCURRED IN

XXXXXX
DO PASS

XXXXXX
DONOT PASS

Senator Dave Fuller.....
Chairman.

STANDING COMMITTEE REPORT

MARCH 12

85

19

MR. PRESIDENT

LOCAL GOVERNMENT

We, your committee on.....
having had under consideration.....

THIRD

reading copy (_____)

color

431

No.....

(McCALLUM WILL CARRY)

REQUIRE SHERIFF'S SALE TO BE POSTED & PUBLISHED
1 WEEK BEFORE SALE

HOUSE BILL

Respectfully report as follows: That.....

431

No.....

BE CONCURRED IN

XXXX
DO PASS

XXXXXX
DO NOT PASS

..... Senator Dave Fuller

Chairman.

DATE

3-12-85

COMMITTEE ON Local Gov't

VISITORS' REGISTER

LOCAL GOVERNMENT COMMITTEE
MARCH 12, 1985
EXHIBIT A

The Board of County Commissioners of Yellowstone County, Montana, met in regular session September 4, 1984, and held 14 meetings. The Board attended various meetings and conferences in the best interest of Yellowstone County.

The Board executed the following: Certification Form re Revenue Sharing; appl. for approval of bldg., Worden Library; Inv. to Bidders, Custer Disp. Site; Resol. re open burning; Resol. for Gen. Obligation Bond Election; Resol. transferring money to RSID Fund Acct. #2300; Resol. with Billings Sewer Service; Burial Agreement; Software license agreement; Resol. & Notice #D #628; Resol. of Intent to Sell Real Prop & Notice of Intent to Sell; Inv. to Bidders, using the Big & Snow Ditch; agreement with School District #2; Proclamation-Medical Services etc; Resol. of Intent to Amend Zone Change #365,66,67; ltr author. & direct. Finance Dept. to salary increases to employees not included in MPEA bargaining unit; Gen. Status Inquiry on Ind. Indemnity Co. re YE/Horse Barn; documents re Centel Communications System; Proclamation on Prevention Week; Resol. Amending Zone Change #364;

The Board approved the following: Minutes of 8/27,29,30; 9/4,5,6,10,11,12,13,17,18,19,20; pt. of Sydney Olson to Western Heritage Ctr. Bd; Cancel Delinq. 83 per. prop. tax on 2004776; formal offer to purchase prop. by City of Blgs.; partition wall in Judge Holmstrom's office; S #2084; Final Plat, Yurian Sub.; promotion for Paula K. Hoff; DUI Grant Program; additional ones for CC Health; Quiet Title prop. to be sold; promotion of Judy Tuomi; change order for pt. Western Heritage Ctr; HKM proposal for const. engineering on 3 bridges; employment of Kelly services for elections; bid award to Koebbe Const. for Custer Container Disp. Site; waiver of n. & int. on Rimrock Inn for 81-84; assessment error & refund to the Barta's;

The Board approved the following leaves & absences: Robert Henschel to Casper, WO; Sheriff-Ross & S.Damon to Anaconda, MT; Sheriff-Seth Weston Jr. to Valley City, ND; F. Director-Gen. Weisser to Helena, MT; Sheriff-Bill Cummins to Valley City ND; James Kraft to Livingston, Planning-Ron Wenger to Whitefish, MT; Election-denied-P.J.Zielie in Blgs.; Co. Atty. Harold user to Bozeman-denied; N.H.-Mary Jean Duncan to Helena, MT; Schools-H.C.Christiansen to Helena; Sheriff-D.Enger, T.Jessee & B.Cummins to Bozeman, MT; Sheriff-J.Pratt & Marj. DeClark to zeman, MT; Sheriff-Chuck Newell to Los Angeles, CA; Fin. Director-J.Thomas to Great Falls, MT;

The Board approved the following personnel requests; Resignations-Ext. Serv.- S.Howland & Patterson; N.H.-appt Lorretta L.McGarvin; N.H.-Linda.Moberly; Sheriff-temp.change David Janeck; District CT.-William F.Hooks; Judge Barz-D.Camille Thomas;

The Board approved the following request to expend & claims: RSID #621-Jim's Excavating, \$300; appl & ctf for pmt #1, Wagner Mechanical \$8,910 & Misc. Tax Receipts \$90, Make-up Heat Air; Sheriff-Uniform Expense-\$1,800; Surveyor-Survey Instrument, \$2,870; Personnel Director-membership dues, \$20; RSID #627, change order \$780; Make-up heat & air, prof. services by n'ter Engineering, Inc \$624; RSID #588, HKM prof.fees \$8,921.44; RSID's #122 & #79, Jim's excavating, \$145 & \$2,399.98 resp.; Horse Barn, Collaborative Design for architectural services \$203.50; Breakout Rooms, Foss Assoc. for architectural services \$266; Horse Barn, pmt #3 Volk Construction \$58,899.55 & Misc. Tax Receipts of \$594.95; RSID #627-various pmts to ng Const. Co., Misc. Tax Receipts, Moulton Bellingham Longo & Mather, Cashell Engineers & Stone Co. Administrative; RSID #591-Jim's Excavating, \$300; Horse Barn, Volk Const., \$150,322.00. Tax Receipts, \$1,517.51; Breakout Rooms, pmt #5 to Spildie Const. \$25,322.22 & Misc. Tax Receipts \$255.78; Judge Holstrom, Sony handheld micro-cassette dictator \$289; Sheriff-1981 Chevy libu, \$5,100;

The Board took the following action: ltr to Lyle Kimble requesting relocation of 2 trailers st. of joint inspection team in re diversion dam; request & recommendation for providing space for 5th Judge; grant application for funds to improve Harris Park, Land & Conservation Fund to Kraft for completion; appointment of Dave Gorton & G.Todd Baugh as Acting Justice of Peace various times; cancel meeting of 9/27/84.

Board adjourned September 26, 1984.

Complete minutes and description of claims are on file in the Clerk & Recorders Office and be inspected by the public at any time during regular office hours.

Approved: The Board of County Commissioners

Test: Merrill H. Klundt, Clerk & Recorder

**COST OF PUBLICATION
IN BILLINGS TIMES -
\$ 492.00**

Mon. Mat Allen	95.00	28188	Gervathy R. Todd	3,000.00	28073	Lesley Harris	252.00
2/17 IBM	270.91	28060	Montana Billings Times	15.60	28043	Midland Office Equip.	181.03
2/18 Thomas W. VanDyk, MD	300.00	28317	Damon L. Bennett	2,274.00	28045	The Office Center	34.08
2/19 Mental Health Services	45.00	28318	Billiton/AUT	1,000.00	28046	Montana	213.30
2/20 Deerfoot Hospital	1,411.30	28500	Yell Psychological Serv.	360.00	28049	Conoco, Inc.	40.32
2/20 Nelson K. Jamrett, M.S.	4,311.7	28126	Don & Roberta Fried	30.00	28051	Hidas	44.95
2/20 Frau Kunt	45.00	28398	United Travel Service	802.00	28027	Kirk's Upholstery	35.00
2/21 Jones Reporting Service	90.00	28514	Southwest Service	69,385.58	27989	MT Assoc. of Counties	7,000.00
2/21 Kystone Office Supply	59.88	28573	Wisper's Photo Shop	95.30	28065	Montana State Service	178.00
2/22 Kystone Printing	28.91	28607	The Billings Times	15.60	27992	Lou Babovich	460.00
2/22 The Economics Press	16.30	28616	Yell. Co. Resources Dept.	46.76	27988	American Bar Assoc.	22.00
2/23 Health	157.93	28556	Montana Power Co.	509.66	27819	Juror & Witness fees	165.15
2/23 Trustees, Univ. of Penna.	10.00	28578	MCS Office Products	42.95	28026	Witness Fees	3.00
2/23 Advanced Office Services	15.00	28414	Montana Power Co.	204.00	27820	Witness Fees	12.15
2/23 Advanced Office Services	15.00	28620	Yell. Office Supply	96.00	28021	Montana Power Co.	513.00
2/23 Televisions 4 Electronic	468.72	28576	Lytsada, Inc.	433.08	27993	Monte Schain	233.50
2/23 WIC Subscriptions	45.00	28445	Mountain Bell	1,998.57	27975	Ponderosa Inn	140.00
2/23 Super. of Documents	25.00	28405	AT&T Inf. Systems	1,261.09	27965	Billings Sheraton Hotel	86.55
2/23 Nutrition in the M.D.	36.00	28355	Montana Medical Surgical, Inc.	460.81	27978	Project Telephone Co.	21.34
2/24 Environmental Nutrition	24.00	28373	Ricker Pharmacy	455.35	28028	Western Office Equip.	190.00
2/24 Environmental Interactio	7.93	28447	P&M Manufacturing	58.40	27984	Farmer's Supply Co.	1,169.00
2/24 W.B. Saunders Co.	34.00	28353	Luecks Faucet Repair	15.00	27981	Merrill M. Klinedinst	219.45
2/24 American Diabetes Assoc.	28.00	28336	Coast to Coast Stores	75.41	27903	Attorney General's Office	25.00
2/24 Metpath	1,249.60	28287	Montana Health Care	580.00	28022	Davidson, Vester, et al	1,542.55
2/24 AT&T	94.00	28404	Montana Lakeside Utility	524.87	27847	IBM	1,676.44
2/24 AT&T	94.00	28202	Montana Power Co.	832.20	27984	Monte Gutter	1,498.00
2/24 MT Assoc. Health Ctrs.	220.00	28286	Water Disc - Height	393.20	27917	Honeywell, Inc.	59.50
2/24 Mountain Bell	35.00	28286	D & B Sanitation	80.00	28005	Carl Weissman	26.04
2/24 AT&T	10.39	28307	Ricker Pharmacy	162.25	27920	Glacier St. Electric	420.24
2/24 Steve Duganz	41.61	28546	Steiner Corp.	3,145.63	27986	Shipton Supply Co.	42.05
2/24 The Office Center	13.85	28431	Steiner Corp.	86.88	27930	Sound Ideas	57.95
2/24 K&L Chemical Co.	87.25	28422	Xerox Corp.	59.76	27987	St. Vincent Hospital	1,040.00
2/24 K&L Chemical Co.	57.63	28621	Xerox Corp.	46.00	28009	Y. Stone Electric Co.	99.70
2/24 Burlington Utilities	541.00	28619	Yellowstone Paper Co.	114.40	28008	Y. Stone Electric Co.	105.75
2/24 Manfield Library	12.00	28600	Reporter, Inc.	76.82	27844	Carpenter Paper Co.	355.50
2/24 A-1 Rentals	47.00	28397	Spilidin Construction Supply	18.80	27880	Shipston Supply Co.	27.97
2/24 Spilidin Construction	22,642.98	28553	Mid. Sky Linen Supply	322.80	27881	Shipston Supply Co.	64.50
2/24 Billings Gazette	28.50	28574	K-8 Chemical Co.	515.43	27969	Lock Shop	64.50
2/24 Montana Gazette	10.00	28616	Yellowstone Electric	21.00	27933	Wesco	163.76
2/24 Wayne Bumer	100.00	28615	Carl Weissman	12.00	27885	Yellowstone Valley Electric	9.65
2/24 Lueck Construction	1,414.84	28613	United Building Center	69.98	27972	Montana Power Co.	4,552.01
2/24 Dale Couger	78.93	28599	Ted's Electrical Service	19.00	27979	Public Utilities Dept.	841.68
2/24 Durward K. Sobek	340.00	28600	Tele-Communications	458.40	27980	Project Telephone Co.	97.00
2/24 Montana Electric Co.	2,866.50	28602	Shipston Supply Co.	59.47	27862	Montana Bell	121.22
2/24 Foss Associates	266.00	28604	Montana Power Co.	20.00	27879	Selby	328.07
2/24 Sage Advertising	251.72	28590	Montana Motor Supply	361.00	28064	H.C. Christianen	172.93
2/24 Public Utilities	252.00	28589	Mountain Motor Supply	20.00	27882	Sylvia M. Partman	252.24
2/24 MT Dept. of Crime Control	272.00	28572	Montana Safety Supply	42.77	27915	Aircraft Printers	10.76
2/24 Billings Gazette	468.30	28570	Montana Safety Tool	36.90	27970	Montana Office Systems	114.74
2/24 Billings Brothers Coffee	26.40	28567	General Electric Supply	20.71	27887	IBM	105.00
2/24 Darigold, Farm	55.55	28565	Fasteners, Inc.	14.00	27922	IBM	735.31
2/24 O'Donnell Turkey Farm	170.50	28562	Electronic Supply Co.	10.13	27856	Fred Fahrenbruch	109.30
2/24 Interstate Brands Corp.	107.10	28563	El L. Lock	10.00	27804	Dahl Federal Chapel	250.00
2/24 Gamble Robbins Co.	1,394.73	28550	Adams Valley, Inc.	26.11	27894	Material Data Supply	187.13
2/24 Ryans, Inc.	29.26	28564	Frontier Chevrolet	46.00	27813	Direct Mail	218.47
2/24 K&L Chemical Co., Inc.	1,844.00	28593	Petroleum Gas Service	82.30	27911	Lillings Engraving Co.	9.00
2/24 Culligan	110.00	28601	Riackow Tire Co.	150.00	27884	Sheriff's Dept.	91.14
2/24 Robert P. Gilstrap	2,005.01	28611	Travel Shoppe	17.00	27919	Conoco, Inc.	107.24
2/24 Lystads, Inc.	52.40	28613	August Village	97.35	27883	Road Dept.	2,358.58
2/24 Maxine's Cleaning Serv.	3,250.00	28622	Snow City Center	28.40	27887	ANB Freight System	104.10
2/24 Kipp's Engineering Testing	2,202.80	28594	Public Utilities Co.	923.94	27893	St. Vincent Hospital	588.25
2/24 Macrae	32.72	28582	Montana Power Co.	6,121.73	27896	Market Basket Score	30.00
2/24 Carpenter Paper Co.	1,144.00	28583	Montana Power Co.	1,148.97	27897	Montana Power Co.	1,040.00
2/24 Refunds	150.39	28584	Montana Baker Utilities	779.18	27898	City of Billings	15,093.50
2/24 Refunds	204.71	28603	Montana Motor Supply	388.81	27821	K-Mart Store	7.27
2/24 Refunds	60.50	28601	Montana Motor Supply	476.00	27822	Big Horn Co. Clik & Rec.	448.00
2/24 Refunds	52.00	28592	Overhead Door Co.	25.00	27823	Deserted Laboratories	561.16
2/24 Refunds	178.50	28591	Northwest Pipe Fittings	12.72	27824	Montana Bell	1,411.95
2/24 Refunds	120.33	28591	Malon Supply Inc.	576.64	27825	Montana Power Co.	500.00
2/24 Refunds	200.00	28596	Montana Power Co.	72.05	27826	Midland Materials	3,890.47
2/24 Refunds	25.00	28554	Colombia Paint Co.	125.00	27827	Midland Materials	178.26
2/24 Refunds	35.00	28557	Clark Electric Motor	215.00	27877	Public Utilities Dept.	1,329.30
2/24 Montana Power Co.	50.00	28550	Burtness Trans Service	140.97	27898	Wester Tractor	2,638.03
2/24 Tility Insurance	200.00	28587	Montgomery Elevator Co.	198.11	27899	Valley Motor Supply	351.62
2/24 Farmer's Union Oil	486.00	28577	Lystads	254.47	27902	Montana Office Equip.	15.00
2/24 Frank Samson	130.00	28592	D & F Sanitation Service	18.00	27903	Rocky Mountain Machinery	2,161.58
2/24 Frank Samson	350.00				27845	Gomers Inc.	728.71
2/24 John E. Connell	600.00				27838	Wester Tractor	2,638.03
2/24 Public Utilities Dept.	450.00				27890	Valley Motor Supply	351.62
2/24 Spectrum Press	6,337.86				27902	Montana Power Co.	17.47
2/24 Security Equipment	2,354.45				27903	Montana Office Equip.	15.00
2/24 K & L Construction	1,402.50				27904	Brass Engraving	820.00

Carlson	302.50	28332	Birken/AUT	24.00	28142	Justice Court Fees	10.51
Caruso Contracts	5,800.00	28320	Jones L. Kraft	38.13	28261	Jim Nixon	48.38
Carver Ford	1,000.00	28321	Johns Office Equip.	100.00	28160	James Pottorf	36.90
Carson Radfield	498.00	28322	Western Office Equip.	31.50	28139	Jameson Corp.	739.00
Carth Care/Humen	500.00	28341	Eva Alles	250.00	28138	Jameson Corp.	515.07
Carwest	2,250.00	28342	F.A. E. Check Protection	72.50	28258	Jameson Corp.	481.14
Carita Aviation	120.00	28350	Smith Funeral Chapels	250.00	28257	Jameson Corp.	315.00
Cartrite Air	581.25	28324	Carol Fried	250.00	28251	Jameson Corp.	48.00
Carver's Auto Rauden	7,500.	28325	Carol L. Davis	250.00	28250	Jameson Corp.	30.98
Carve Comp. Inc.	12.75	28348	FERS	165.59	28259	Jameson Corp.	435.60
Car D. Ving	30.00	28353	Pengard	25.83	28238	The Billings Times	821.23
Car C. Roan	80.00	28364	Y.stone Valley Personnel	20.00	28237	The Billings Gazette	95.59
Car Coopers	100.00	28351	Becker's Clean Shop	84.00	28089	Law & Psychology Press	232.65
Car Coopers	100.00	28352	Becker's Clean Shop	84.00	28162	Road Dept.	372.45
Car Excavating Service	1,500.00	28303	Spartan's Supply Inc.	29.50	28159	K-B Chemical Co.	80.88
Carillon Valley Elec.	17.	28663	Spartan's Supply Inc.	1,425.98	28147	Office Center	15.86
Carlyle	274.00	28581	Montana Cartridge Co.	181.70	28090	The Lock Shop	4.25
Car Landscaping	3,960.00	28326	Swage Company	474.98	28259	Wagner's Mechanical	169.75
Carling Pipe & Pump	81.8	28396	Swage Company	719.40	28258	Wagner's Mechanical	136.00
Carline Service	10.00	28364	Continental Kali, Inc.	2,400.00	28074	Aldrich & Company	141.25
Car Interstate	175.50	28242	Medical Services	72.81	28146	AT&T	19.27
Carlsbad Markets	57.63	28551	Automotive West	84.21	28159	AT&T	36.05
Car limestone Valley REA	16.00	28585	Montana Power Co.	32.25	28099	Montana Dakota	731.71
Carmer's Automotive	371.48	28555	Burroughs Corp.	1,874.38	28159	Education Week	19.97
Car Service	127.17	28582	Montana Power Co.	400.00	28147	Office Center	15.86
Carson Valley Prop.	1,040.03	28343	Helen Bryan	250.00	28143	State of Montana	4.00
Carsonite	101.00	28399	Volk Construction	150,233.39	28136	Bill & Dick Products	142.00
Carsonite	114.50	28364	Misc. Tax Division	1,517.51	28136	Bill & Dick Products	10.00
Carsonite	204.69	28459	Sunnyvale Library	10,000.00	28180	IBM Corp.	165.00
Carsonite	151.00	28387	Spidie Construction	25,322.23	28146	Donald E. Eide	250.00
Carroll Corp. Assn.	150.00	28401	Westech Tax Co.	2,000.00	28144	Smith-Cashmore Funeral	250.00
Carrollton	567.60	28408	Westech Tax Co.	8,173.00	28172	Smith-Cashmore Funeral	151.20
Carpetolium	8,689.63	28467	Wagners Mechanical	8,910.00	28252	Smith-Cashmore Funeral	150.00
Carson Motor Supply	196.00	28444	Misc. Tax Div.	90.00	28161	Hick Sennel	72.40
Carlight Upholstery	96.00	28437	IBM Corp.	97.00	28085	B.M.Petroleum	493.50
Carland Auto Inc.	111.11	28376	Montana State Office	600.00	28210	North Star Body & Trailer	731.60
Carson Auto Truck	30.00	28316	The Billings Times	344.13	28203	The Animal Hospital	37.00
Carson Products	144.18	28412	City of Billings	5,575.65	28083	Communication Services	2,282.36
Carwest Tire Treads	1,176.41	28443	Montana Power Co.	6.31	28195	Keeps Clean & Supply	5.50
Carwest Truck Parts	95.00	28401	Westech Tax Co.	2,980.00	28120	Stuart's House of Vac.	87.25
Carberial Plating	130.00	28403	Weed Control	35.10	28091	T.H.Pfister	10.00
Carbitor & Starter	595.65	28408	Westech Tax Co.	87.00	28267	Custer Vol. Fire Dept.	3,432.00
Carburetor & Starter	2,257.72	28319	Water Dist. - Heights	46.50	28266	Hunited Vol. Fire Dept.	1,864.00
Carburetor & Starter	105.60	28442	Montana Power	6.65	28265	Hunited Vol. Fire Dept.	2,159.00
Carburetor & Starter	9.62	28427	AT&T	13.76	28264	Shepherd Vol. Fire Dept.	530.00
Carburetor Chevy	2,121.16	28354	The Billings Gazette	93.66	28263	Warden Vol. Fire Dept.	5,000.00
Carburetor Chevy	2,121.16	28354	Montana State Dept.	12.40	28204	Wore Lane Vet. Hospital	56.00
Carburetor Chevy	48.42	28354	Kenco Enterprises	31.50	28207	Smash Funeral Chapel	150.00
Carburetor Chevy	7.02	28360	Mountain Bell	43.24	28191	Smash Funeral Chapel	75.00
Carburetor Chevy	170.80	28321	Extension Services	148.63	28121	The Office Center	75.17
Carburetor Chevy	195.00	28303	Montana Power Co.	8.69	28173	Smash Funeral Chapel	18.56
Carburetor Chevy	195.00	28315	Montana Power Co.	10.00	28279	Smash Funeral Chapel	88.80
Carburetor Chevy	195.00	28329	Big Ditch Co.	10.00	28270	Willis Sales Co.	17.60
Carburetor Chevy	195.00	28340	Karber's	6.95	28262	Viking Office Products	500.63
Carburetor Chevy	195.00	28344	Montana Motor Supply	160.00	28271	Winnipeg	19.13
Carburetor Chevy	195.00	28346	Montana Motor Supply	160.00	28224	Road Dept.	183.15
Carburetor Chevy	195.00	28347	Montana Motor Supply	160.00	28097	Midland Materials	5,294.70
Carburetor Chevy	195.00	28348	Montana Motor Supply	160.00	28097	Midland Materials	37,076.75
Carburetor Chevy	195.00	28349	Montana Motor Supply	160.00	28173	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28350	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28351	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28352	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28353	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28354	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28355	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28356	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28357	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28358	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28359	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28360	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28361	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28362	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28363	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28364	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28365	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28366	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28367	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28368	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28369	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28370	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28371	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28372	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28373	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28374	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28375	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28376	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28377	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28378	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28379	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28380	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28381	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28382	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28383	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28384	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28385	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28386	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28387	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28388	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28389	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28390	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28391	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28392	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28393	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28394	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28395	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28396	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28397	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28398	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28399	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28400	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28401	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28402	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28403	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28404	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28405	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28406	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28407	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28408	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28409	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28410	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28411	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28412	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28413	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28414	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28415	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28416	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28417	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28418	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28419	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28420	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28421	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28422	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28423	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28424	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28425	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28426	Montana Motor Supply	160.00	28270	Smash Funeral Chapel	15.00
Carburetor Chevy	195.00	28427					

HOUSE BILL 379

My name is Verle Rademacher, editor and publisher of the Meagher County News in White Sulphur Springs. I wish to oppose this bill.

In America, the public notice has been an important part of our papers from the beginning of this country. Public notice in newspaper was born because public officials demanded it and it became an accepted part of the American system of government long before newspapers came out of the feeble, struggling age of one-man shops. Without such wide information there can be no democracy.

Every man, woman and child in the United States of America was born with the right to know what our public officials are doing with the responsibility entrusted to them. Custom has now established the rule that every person who receives or expends public moneys should give an accounting of the funds he handles by a published statement at periodic intervals.

Honest public officials heartily acclaim the published statement in a newspaper as the best and most practical way to show their constituents that they have exercised good business acumen in the handling of funds entrusted to them. Taxpayers frequently place the blame for increased rates on public officials when the real reason for higher rates is to be found in improvements and additional expenditures authorized by the voters themselves. In such cases the best proof public officials can use to demonstrate their own integrity and to place the blame for increased expenditures where it belongs is an itemized notice published in a newspaper of general circulation.

The need for a complete copy of the report of public officials is not to be underestimated. Most taxpayers are neither accountants nor politicians; they do not readily understand all of the items in a report and must examine it at their leisure and with repeated attention to the least understood items. Often they must take the report to some friend who has greater knowledge of accounting and of the procedure in public office in order to get a thorough knowledge of how public money is handled.

Any method, therefore, which does not make it easy and convenient for each taxpayer to have a copy of every report of a public official is inadequate in a democratic system of government. The very least to which a man or woman whose money goes to support government is entitled is a simple, complete, clear statement of what was done with it.

I wish to further point out that the State of Montana is derelict in its duty to inform the men and women of our democratic society of the proceedings of all governmental entities, city and school board as well as the county governmental proceedings. All of the states surrounding Montana require this as a part of their governmental proceedings.

I am also concerned with the large fiscal note attached to this bill. Big money figures scare me, as well as they do governmental officials. For this reason, I looked up the figures for publication of the commissioners' proceedings for 1984. The total came to \$873.60. This is out of a total budget of \$1,249,579. This amounts to one-tenth of one percent of the county budget. We are a sixth class county.

For the above-mentioned reasons, I feel that this bill should be killed.

LOCAL GOVERNMENT COMMITTEE
MARCH 12, 1985
EXHIBIT C

LAWS PERTAINING TO SHERIFF'S
SALARIES AND DEPUTIES UNDER
NON-CONSOLIDATED SHERIFF'S
DEPARTMENT

SHERIFF'S SALARIES:

Section 7-4-2503(1)(a), M.C.A. sets the salaries of the county officers based upon class of county and population.

Section 7-4-2503(2)(a), M.C.A. increases the sheriffs base salary by \$2,000.00 per year.

Section 7-4-2504, M.C.A. provides for cost of living increments for sheriff.

DEPUTY SHERIFF'S SALARIES:

Section 7-4-2508, M.C.A. establishes compensation for the undersheriff at 95% of the sheriff's salary and also authorizes the sheriff to fix the compensation of a deputy sheriff at a percentage of the sheriff's salary and in Toole County with a population of less than 15,000.00 the deputies salary must be set by the sheriff at 85% to 90% of his salary.

DEPUTY SHERIFF WORK PERIOD:

Section 7-4-2509, M.C.A. provides a deputy sheriffs work period shall not exceed 2080 hours in any year.

DEPUTY SHERIFF'S LONGEVITY OF ITS
EMPLOYEES:

Section 7-4-2510, M.C.A. provides for a 1% of base salary longevity payment for each year of service as a deputy sheriff.

INTERPRETATION:

Section 7-4-2507, M.C.A. provides that in the event of a conflict between the above mentioned Sections 7-4-2508 through 7-4-2510 and any other law that Sections 7-4-2508 through 7-4-2510 shall govern with reference to undersheriffs and sheriff's deputies.

LAWS PERTAINING TO DIRECTOR AND
EMPLOYEES OF CONSOLIDATED
CITY-COUNTY DEPARTMENT OF PUBLIC
SAFETY:

PUBLIC SAFETY DIRECTOR AND EMPLOYEES
SALARIES:

Sect 7-32-104, M.C.A. reads as follows:

"The provisions of Section 7-4-2503, M.C.A. notwithstanding, the salaries of the director and employees of the Department of Public Safety shall be established by the Public Safety Commission and shall be paid by the city or town with the board of county commissioners. Said salaries in any event shall not be less than those specified in 7-4-2503."

STATUS OF TOOLE COUNTY CITY OF
SHELBY CONSOLIDATED DEPARTMENT OF
PUBLIC SAFETY:

(a) Created in 1980;

(b) Public Safety Commission established the director's salary at \$22,500.00;

(c) Public Safety Commission established salaries of its employees at more than 85% of the salary the Toole County Sheriff would have received as a non-consolidated sheriff under Section 7-4-2503 but less than 85% of the salary of the director of Public Safety Commission:

(d) Public Safety Commission established the salary of each based upon experience, training and dedication rather than a straight fixed percentage of the director's salary as was previously used and is still in use by non-consolidated sheriff's departments.

LAW SUIT:

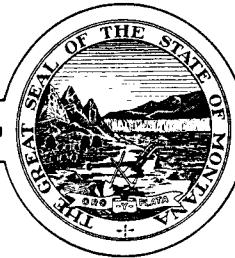
In 1983, certain employees of the Department of Public Safety filed a law suit against the Director of Public Safety, Toole County, the City of Shelby, and the Public Safety Commission to recover longevity, overtime and 85% of the director's salary.

JUDGES RULING:

In July of 1984, the District Judge ruled that the Department of Public Safety employees are in reality deputy sheriffs and although the Department of Public Safety may establish the salaries of the director and its employees, it must pay the department employees 85% of the salary of the director not just 85% of the sheriff's statutory salary under a non-consolidated sheriff's office. The Judge also awarded Plaintiffs longevity payments. The Court found that Sections 7-4-2507 through Section 7-4-2510 apply to employees of the Department of Public Safety but the actual salary is to be determined by the Public Safety Commission.

DEPARTMENT OF NAT
AND CONSI
CONSERVATION DIS

LOCAL GOVERNMENT COMMITTEE
MARCH 12, 1985
EXHIBIT D



TED SCHWINDEN, GOVERNOR

STATE OF MONTANA

(406) 444-6667

HB 436

HELENA, MONTANA 59620

Mr. Chairman, members of the committee, my name is Ray Beck; I represent the Conservation Districts Division of the Department of Natural Resources and Conservation.

We are in support of House Bill 436. Present law, under 76-1-211, states that at least one member of the county planning board shall be a member of conservation district. This language, however, was not included into 76-1-201, which sets by law the membership of city-county planning boards.

Districts are being requested to provide assistance to urban areas at a much greater rate than in the past. Requests are coming from construction engineers for help in anticipating soil related hazards for construction of buildings, highways, and pipelines; from developers and builders, home buyers, land use and recreation planners; for the development of waste disposal sites, and even home gardeners trying to pick the proper site, fertilizer, water rates, etc.

With the increasing demands and stress being placed on our soil and water resources and the emphasis to avoid water pollution, soil erosion, and contamination, we feel that it is essential that conservation district supervisors are a member of the city-county planning boards.

Thank you.

A handwritten signature in black ink that reads "Ray Beck".

AN EQUAL OPPORTUNITY EMPLOYER



Montana Association Of Conservation Districts

LOCAL GOVERNMENT COMMITTEE
MARCH 12, 1985
EXHIBIT E

Ph. 406-443-5711

March 12, 1985

TO: The Honorable Dave Fuller, Chairman
Senate Local Government Committee

TESTIMONY ON HOUSE BILL 436 ON ADDING A CONSERVATION DISTRICT SUPERVISOR TO THE CITY /COUNTY PLANNING BOARD

The Association, at its past annual meeting, expressed a need to have a conservation district supervisor on the City/County Planning Board in each county.

I would like to site a couple examples that came from Cascade County that could apply in many counties. A sub-development was approved on a sandy soil on a flood plain. The area with this type of soil is unstable. The supervisor on the City/County Planning Board would have helped in providing insite and understanding in this situation.

The Conservation District Supervisors administer the Streambank stabilization program. There are some cities and immediate areas that have streams within the jurisdiction of the City/County Planning Board.

The input from the Conservation District Supervisors would be valuable in cases involving streams.

The Montana Association of Conservation Districts asks for your support of HB 436.

Thank you for the opportunity to express our need.

Dave Donaldson
Executive Vice President
Montana Association of
Conservation Districts

HOUSE BILL 345

BACKGROUND

The Community Development Block Grant (CDBG) Program was established by the federal Housing and Community Development Act of 1974 and is administered nationally by the U.S. Department of Housing and Urban Development (HUD). The program is designed to help communities meet their greatest community development needs, with primary emphasis on assisting families of low and moderate income. The program funds three basic types of projects: economic development, housing and neighborhood revitalization, and public facilities.

The national CDBG Program is divided into two major categories:

1. "entitlement" communities which are communities with 50,000 or larger populations. In Montana, only Billings and Great Falls are entitlement communities; they receive CDBG funds on a formula basis and are directly under HUD administration.
2. "non-entitlement" communities are communities with populations under 50,000. Allocations for the non-entitlement program are established for each state on the basis of a statutory formula. The "non-entitlement" CDBG program was commonly referred to as the "Small Cities" Program and has been an important source of funding for Montana communities for dealing with a variety of community development problems. Grants were awarded by HUD through an annual statewide competition which used a national rating system to evaluate applications. In the seven years that HUD administered the program for Montana, 46 cities, towns, and counties competed successfully for over \$23 million in grants.

In recent years, the non-entitlement funding levels for Montana have been as follows:

Federal Fiscal Year 1980	\$ 5,756,000
Federal Fiscal Year 1981	\$ 5,595,000
Federal Fiscal Year 1982	\$ 6,109,000
Federal Fiscal Year 1983	\$ 6,327,000
Federal Fiscal Year 1984	\$ 6,213,000
Federal Fiscal Year 1985	\$ 6,276,000

STATE ADMINISTRATION OF THE CDBG PROGRAM

In 1981, Congress amended the federal Housing and Community Development Act to make the non-entitlement portion of the Community Development Block Grant program available as an optional State-administered program with the State totally responsible for the program. Prior to this time the only State role had been the technical assistance provided to Montana communities in the preparation of their grant applications and participation in HUD's evaluation and ranking of applications.

Comments received from the public at a series of ten regional block grant briefings held in September, 1981, was overwhelmingly supportive of State administration of the CDBG Program. The Montana League of Cities and Towns and the Montana Association of Counties also both endorsed state take-over of the program. As a result, Governor Ted Schwinden sought and received authorization from the November, 1981 special session of the Legislature to assume administration of the program beginning with the fiscal year 1982 funding cycle.

DEVELOPMENT OF THE MONTANA CDBG PROGRAM

In December, 1981, Gary Buchanan, former Director of the Department of Commerce, appointed a task force to advise the Department in the development of Montana's 1982 CDBG Program. Although extensive federal requirements attach to the program, the State does have some flexibility in establishing the criteria that are used to select applications for funding in the State's annual CDBG competition.

Following the 1982 CDBG competition, Gary Buchanan appointed another committee of local officials to evaluate the performance of the first year of the State CDBG program and to recommend any necessary modifications prior to the 1983 grant competition. The current application guidelines reflect the efforts of those committees and the Department of Commerce to respond to the concerns or suggestions that local officials or staff have offered at fifteen regional public hearings held during the three years the State has administered the program.

The guidelines established by the Department are prepared under the federal regulations for the program and are reviewed by HUD prior to each year's grant competition. They are considered binding only upon local government applicants for or recipients of CDBG funds. Local governments are bound by the guidelines through written agreements submitted upon applying for CDBG funds and through a formal contract prior to receiving grant funds.

The Department of Commerce provided copies of its guidelines to the Administrative Code Committee during its survey of State agencies in February and March, 1984. In September, 1984 the Committee suggested, in a letter to Gary Buchanan that he "request legislation authorizing the Department to implement the Community Development Block Grant Program with formal rules adopted pursuant to MAPA."

House Bill 345 would formalize, within the context of the Montana Administrative Procedure Act, the Department's promulgation of policies, guidelines, ranking criteria, and requirements governing the State CDBG Program.

Currently the Department's requirements for the program are contained in the two publications described below:

1. The Montana Community Development Block Grant Program Application Guidelines describe the policies governing the program, the threshold requirements for CDBG applicants, and the procedures and criteria for evaluating applications.

2. The Montana Community Development Block Grant Program -- Grant Administration Manual describes the administrative procedures for local project start up, environmental review of project activities, procurement of goods and services, financial management, protection of civil rights, assuring fair wages for labor, and acquisition of property and relocation of any displaced persons, and project audit and closeout. It also discusses special administrative considerations unique to public facilities, housing rehabilitation, and economic development projects.

Because the conversion of these lengthy publications to a rule format and their inclusion in the Montana Administrative Register of the Administrative Rules of Montana would be unnecessarily expensive, inexpedient, and of questionable value to the general public, the Department proposes to adopt the rules promulgated pursuant to this bill by reference to the publications themselves, as is authorized by section 2-4-307, MCA.