

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.

PROPOSERS

There were no proposers to HB 431.

OPPOSERS

There were no opposers 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.

PROPOSERS

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.

OPPOSERS

There were no opposers 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.

PROPOSERS

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.

PROPONENTS

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.

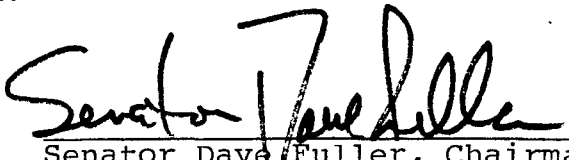
FURTHER CONSIDERATION OF HOUSE BILL 277: Senator Eck and other Senators expressed concern about the matter of whose debt it would be if operation or building of jails were let to private entities. Gordon Morris said that the liability cannot be waived in any case. The counties will always hold ultimate 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
~~XXXX~~ LEGISLATIVE SESSION -- 1985

Date 3-12-85

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.

STANDING COMMITTEE REPORT

MARCH 12

85

19.....

MR. PRESIDENT

LOCAL GOVERNMENT

We, your committee on.....

having had under consideration..... **HOUSE BILL** No. **345**

THIRD

reading copy (

BLUE
REMARK

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

XXXXXXXXXX
DO NOT PASS

Senator Dave Fuller

Chairman.

STANDING COMMITTEE REPORT

MARCH 12

85

..... 19.....

MR. PRESIDENT

We, your committee on **LOCAL GOVERNMENT**

having had under consideration **HOUSE BILL** No. **379**

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

OPTIONAL PUBLICATION REQUIREMENTS FOR COUNTY COMMISSIONERS

Respectfully report as follows: That **HOUSE BILL** No. **379**

BE CONCURRED IN

~~XXXXXX~~
DO PASS

~~XXXXXXXX~~
DO NOT PASS

Senator Dave Fuller
Chairman.

STANDING COMMITTEE REPORT

MARCH 12

85

19.....

MR. PRESIDENT

LOCAL GOVERNMENT

We, your committee on

HOUSE BILL

431

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

THIRD

BLUE

reading copy ()

color

(McCALLUM WILL CARRY)

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

HOUSE BILL

431

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

BE CONCURRED IN

~~XXXXX~~
DO PASS

~~XXXXXXXXX~~
DO NOT PASS

Senator Dave Fuller

Chairman.

DATE 3-12-85

COMMITTEE ON LOCAL Gov't

VISITORS' REGISTER

[illegible]

(Please leave prepared statement with agent)

COMMISSIONER PR
September, 1984

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. relating to Gen. Obligation Bond Election; Resol. transferring money to RSID Fund Acct. #2300; Resol. with Billings Sewer Service; Burial Agreement; Software license agreement; Resol. & Notice of Intent to Sell Real Prop & Notice of Intent to Sell; Inv. to Bidders, Resol. Amending Zone Change #364; agreement with School District #2; Proclamation-Medical Services Week; Resol. of Intent to Amend Zone Change #365,66,67; ltr author. & direct. Finance Dept. to pay 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 for 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; Cancellation of Sydney Olson to Western Heritage Ctr. Bd; Cancel Delinq. 83 per. prop. tax on 2004776; final 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 or, Western Heritage Ctr; HKM proposal for const. engineering on 3 bridges; employment of Kelly rvices 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, WY; Sheriff-Ross & S.Damon to Anaconda, MT; Sheriff-Seth Weston Jr. to Valley City, ND; F. Director-ren 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 nser to Bozeman-denied; N.H.-Mary Jean Duncan to Helena, MT; Schools-H.C.Christiansen to Lena; 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 & Petterson; N.H.-appt Lorretta L.McGarvin; N.H.-Linda.Moberly; Sheriff-temp.change David anek; 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-ship dues, \$20; RSID #627, change order \$780; Make-up heat & air, prof. services by n'eer Engineering, Inc \$624; RSID #588, HKM prof.fees \$8,921.44; RSID's #122 & #79, Jim's avating, \$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.. cc. 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 r 5th Judge; grant application for funds to improve Harris Park, Land & Conservation Fund to m 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 & Records Office and y 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

28000	Don. Nat Allen	95.00
28001	IBM	270.91
28002	Thomas W. VanDyk, MD	300.00
28003	Mental Health Services	45.00
28004	Deaconess Hospital	1,413.30
28005	Nelson K. Jemmett, M.S.	4,311.77
28006	Fran Kunz	45.00
28007	Jones Reporting Service	90.00
28008	Y. Stone Office Supply	59.88
28009	Empire Printing	28.91
28010	The Economics Press	16.30
28011	Health	157.93
28012	Trustees, Univ. of Penna.	15.00
28013	Advanced Office Services	90.72
28014	Ricker Pharmacy	468.40
28015	Televisions & Electronic	45.00
28016	WIC Subscriptions	25.00
28017	Super. of Documents	36.00
28018	Nutrition & the M.D.	24.00
28019	Environmental Nutrition	7.95
28020	Food-Medication Interaction	36.90
28021	W.B. Saunders Co.	28.00
28022	American Diabetes Assoc.	1,259.40
28023	Metaph	94.00
28024	AT&T	94.00
28025	Nat'l Assoc. Health Ctrs.	220.00
28026	Mountain Bell	35.91
28027	AT&T	10.39
28028	Steve Dugan	41.62
28029	The Office Center	11.85
28030	K-B Chemical Co.	87.25
28031	Public Utilities	57.63
28032	Burlington Northern	541.67
28033	Manfield Library	10.00
28034	A-1 Rentals	47.00
28035	Spillide Construction	22,642.98
28036	Billings Gazette	28.50
28037	Montana Dakota	10.00
28038	Wayne Bomar	100.00
28039	Luck Construction	1,414.84
28040	Dale Genger	78.93
28041	Dutward K. Sobek	340.00
28042	General Electric Co.	2,866.50
28043	Poss Associates	286.00
28044	Sage Advertising	351.72
28045	Public Utilities	252.00
28046	MT BD of Crime Control	272.00
28047	Billings Gazette	468.30
28048	Farmer Brothers Coffee	26.40
28049	Darigold Farms	552.85
28050	O'Donnell Turkey Farm	170.50
28051	Interstate Brnsm Corp.	109.10
28052	Gambie Robinson Co.	1,594.73
28053	Ryans, Inc.	29.26
28054	Continental-Kell, Inc.	1,866.45
28055	Culligan	110.00
28056	Robert P. Gilstrap	2,000.01
28057	Lystada, Inc.	52.40
28058	Haxine's Cleaning Serv.	1,250.00
28059	Braun Engineering Testing	2,201.80
28060	Metra	32.72
28061	Carpeting Paper Co.	1,762.40
28062	Refunds	159.39
28063	Refunds	204.71
28064	Refunds	60.50
28065	Refunds	52.00
28066	Refunds	178.50
28067	Refunds	120.33
28068	Refunds	200.00
28069	Refunds	25.00
28070	Refunds	35.00
28071	Refunds	35.00
28072	Montana Power Co.	70.00
28073	Tillitt Insurance	200.00
28074	Farmers' Union Oil	486.00
28075	Frank Samson	130.00
28076	Frank Samson	350.00
28077	John E. Connell	600.00
28078	Public Utilities Dept.	450.00
28079	Spectrum Press	6,337.46
28080	Security Equipment	2,356.45
28081	R & L Construction	1,402.50

28018	Gregory R. Todd	3,000.00
28019	The Billings Times	15.60
28020	Damon L. Gannett	2,274.00
28021	Birken/ADT	33.00
28022	Yell. Psychological Serv.	360.00
28023	Don & Roberta Fried	30.00
28024	United Travel Service	802.00
28025	Soc. & Rehab. Service	69,385.38
28026	Kasper's Photo Shop	95.34
28027	The Billings Times	15.60
28028	Veil. Co. Resource Dpt.	46.74
28029	Montana Power Co.	609.66
28030	HCS Office Products	42.95
28031	Birken/ADT	96.00
28032	Veil. Office Supply	433.08
28033	Lystada, Inc.	47.74
28034	Mountain Bell	1,998.57
28035	AT&T Inf. Systems	1,261.09
28036	Kreiser Surgical, Inc.	460.81
28037	Ricker Pharmacy	425.35
28038	P&M Manufacturing	58.40
28039	Locks Faucet Repair	18.50
28040	Coast to Coast Stores	75.41
28041	Montana Health Care	580.00
28042	Montana Dakota Utility	524.87
28043	Montana Power Co.	395.41
28044	Water Dist. - Haighta	832.40
28045	D & P Sanitation	80.00
28046	Ricker Pharmacy	162.25
28047	Stetiner Corp.	84.58
28048	K-B Chemical Co.	3,145.83
28049	Xerox Corp.	59.76
28050	Xerox Corp.	66.21
28051	Yellowstone Paper Co.	322.26
28052	Reporter, Inc.	76.82
28053	Imperial Data Supply	18.80
28054	Big Sky Linn Supply	515.42
28055	K-B Chemical Co.	21.00
28056	Yellowstone Electric	49.98
28057	Carl Weissman	12.00
28058	United Building Service	19.00
28059	Ted's Electric Service	458.48
28060	State Chemical Mfg.	59.47
28061	Shipton Supply Co.	361.00
28062	Nat'l Temperature	20.00
28063	Johnstone Supply	42.77
28064	Henry's Safety Supply	36.90
28065	Great Northern Tool	20.71
28066	General Electric Supply	146.27
28067	Fasteners, Inc.	38.25
28068	Electronic Supply Co.	10.13
28069	D & L Lock	10.00
28070	ACSD Supply, Inc.	26.11
28071	Frontier Chevrolet	46.00
28072	Petrolina Gas Service	82.30
28073	Rimrock Tire Co.	150.00
28074	Travel Shoppe	17.00
28075	August Mileage	97.35
28076	Xero Copy Center	18.40
28077	Montana Power Co.	923.94
28078	Montana Power Co.	6,137.73
28079	Montana Dakota Utilities	3,148.97
28080	Thermal Supply	779.18
28081	Rimrock Tire Co.	388.81
28082	Petrolina Gas Service	476.00
28083	Overhead Door Co.	54.50
28084	Northwest Pipe Fittings	12.72
28085	Nation Supply Inc.	576.64
28086	W.W. Glatner	25.00
28087	Columbia Paint Co.	125.96
28088	Clark Electric Motor	215.40
28089	Burton's Time Service	430.97
28090	Montgomery Elevator Co.	198.31
28091	Lystada	254.47
28092	D & P Sanitation Service	18.00

28073	Lesley Harris	232.00
28074	Midland Office Equip.	181.03
28075	The Office Center	34.08
28076	Road	273.40
28077	Conoco, Inc.	40.52
28078	Nidea	46.95
28079	Kirk's Upholstery	35.00
28080	Levins & Clark Co.	2,000.00
28081	MT Assoc. of Counties	7,000.00
28082	United Travel Service	176.00
28083	Lou Sabovich	460.00
28084	American Bar Assoc.	22.00
28085	Jurat & Witness Fees	165.15
28086	Witness Fees	3.00
28087	United Travel Service	12.15
28088	Witness Fees	519.00
28089	United Travel Service	233.50
28090	Ponderosa Inn	140.00
28091	Billings Sheraton Hotel	86.55
28092	Project Telephone Co.	21.34
28093	Western Office Equip.	199.00
28094	Farwest Micrographix	1,169.00
28095	Merrill H. Klundt	219.45
28096	Attorney General's Office	25.00
28097	Davidson, Vander, atal	1,542.55
28098	IBM	1,476.44
28099	Solver Bulch	1,498.63
28100	Honeywell, Inc.	59.50
28101	Carl Weissman	26.04
28102	Glaier St. Electric	430.24
28103	Shipton Supply Co.	42.05
28104	Sound Ideas	57.95
28105	Stuart's House of Vacuum	199.50
28106	Y. Stone Electric Co.	99.70
28107	Y. Stone Electric Co.	105.75
28108	Carpenter Paper Co.	355.50
28109	Shipton Supply Co.	27.97
28110	The Lock Shop	35.15
28111	Lystada Past Control	64.50
28112	Veco	163.26
28113	Y. Stone Valley Electric	9.65
28114	Montana Power Co.	4,552.01
28115	Public Utilities Dept.	841.08
28116	Project Telephone Co.	75.00
28117	Mountain Bell	121.32
28118	Selby	328.07
28119	H.C. Christensen	172.93
28120	Sylvia M. Parman	252.40
28121	Artcraft Printers	10.76
28122	Addo Office Systems	118.74
28123	IBM	105.00
28124	IBM	735.31
28125	IBM	109.50
28126	Fred Fahrtenbruch	250.00
28127	Dahl Funeral Chapel	250.00
28128	Imperial Data Supply	187.13
28129	Dixon Paper Co.	238.87
28130	Lillings Engraving Co.	9.00
28131	Sheriff's Dept.	91.14
28132	Conoco, Inc.	107.74
28133	Road Dept.	2,358.58
28134	Kasper's Photo Shop	12.48
28135	St. Vincent Hospital	588.25
28136	Don's Car Wash	94.00
28137	Con Agre	56.45
28138	City of Billings	15,093.50
28139	Footitt & Assoc.	1,325.50
28140	K-Mart Store	7.27
28141	Big Horn Co. Ck & Rec.	448.00
28142	United Laboratories	561.10
28143	Deaconess Hospital	1,416.20
28144	ANN Freight System	104.10
28145	Pine Hills Country Store	75.71
28146	Market Basket Store	30.00
28147	Journal of Civil Defense	118.80
28148	Mountain Bell	242.49
28149	Montana Power Co.	32.25
28150	AT&T	12.50
28151	Helaba	177.00
28152	Pathology Consultants	775.00
28153	Bonar Office Products	54.40
28154	Eastern Coal Counties	7,693.28
28155	Rocky Mountain Machinery	2,361.48
28156	Gomes Inc.	758.71
28157	Westar Tractor	2,618.03
28158	Valley Motor Supply	351.62
28159	Laurel Co-operative	17.04
28160	Burlington Northern	96.41
28161	Joanne Parks	167.37
28162	William B. Vincent	50.00
28163	Midland Materials	5,890.95
28164	Social & Rehab. Services	68,434.04
28165	Public Utilities Dept.	178.36
28166	AT&T	1,329.30
28167	Star Office Machines	39.00
28168	Midland Office Equip.	15.00
28169	Braun Engineering	850.00
28170	Midland Materials	484.00
28171	Western Equip.	207.00
28172	Midland Implement	22.49
28173	Gallea Filter Service	32.21
28174	Frontier Chevrolet	17.47
28175	Big Sky Tire Supply	78.00
28176	Montana Power	7.43
28177	Skaggs Drug Center	29.00
28178	Probation Office	353.76
28179	Non. W. J. Speare	810.00
28180	Star Office Machines	30.00
28181	Terry L. Swift	2,291.40
28182	Gary E. Wilson	7,421.00
28183	John L. Adams	2,274.00
28184	Allen Beck	2,644.35
28185	Lynn T. Jones	69.00
28186	Cumt Associates	4,025.00
28187	Selby's	47.30
28188	Blas. Blue Print Co.	9.80
28189	Highway Dept.	153.10
28190	Soundview Executive Book	59.40
28191	The Office Center	1,378.17
28192	George P. Sheekleton, M.D.	2,081.13
28193	Alan Strange	2,081.13
28194	Pay 'N Save Corp.	37.57
28195	Nat'l Chemicals	51.40
28196	Road Dept.	599.21
28197	Lou Lades	78.75
28198	City of Billings	10,419.00
28199	Health Dept.	1,810.50
28200	Droste's	15.00
28201	Quill Corp.	42.74
28202	George P. Sheekleton, M.D.	557.96
28203	Ricker Pharmacy	119.74
28204	Olga Blanchard	148.37
28205	Sarah Loberk	18.31
28206	Rhys L. Gibbs	469.48
28207	Vetey Repairs	160.00
28208	Intrasearch Engineering	471.00
28209	Merck Sheep & Cattle	132.30
28210	Health Care/Woman	450.00
28211	Debbie Jessup	165.00
28212	OB/CTN Assoc.	450.00

Carlson	302.50	28132 Birken/AUT	24.00	28142 Justice Court Fees	18.51
Carroll contracts	5,800.00	28130 James L. Kraft	38.13	28261 Jim Nixon	48.38
Chas Burford	120.00	28497 IBM Corp.	109.50	28260 James Potter	36.90
Chas Burfield	498.00	28402 Eastern Office Equip.	31.50	28139 Burroughs Corp.	739.00
Chas Care/Munen	500.00	28141 F & E Check Protection	72.50	28171 Big Sky Data System	9,409.17
Chas Care	2,250.00	28548 Eva Allen	250.00	28138 Burroughs Corp.	515.07
Chas Aviation	130.00	28150 Smith Funeral Chapels	250.00	28258 Creatch Tooley	481.14
Chas Air	581.25	28124 Emil Fried	250.00	28257 Harold B. Stevens	315.00
Chas & Mary Kauden	7.50	28325 Carol L. Davis	250.00	28191 K-B Chemical	48.00
Chas Comp. Inc.	12.74	28478 PERB	185.49	28217 Skaggs Drug Center	59.88
Chas D. Vining	30.00	28193 Pongal	23.43	28228 The Billings Times	435.60
Chas C. Roan	80.00	28561 Y-stone Valley Personnel	20.00	28237 The Billings Gazette	151.25
Chas Coopers	135.00	28552 Hecker's Glass Shop	86.00	28089 Law & Psychology Press	95.50
Chas Brewster	550.00	28620 Y-stone Valley Elec.	14.12	28162 Road Dept.	232.65
Chas Excavating Service	1,500.00	28625 Sportsmen's Supply Inc.	279.58	28193 K-B Chemical Co.	372.25
Chas Y-stone Valley Elec.	17.36	28665 Sportsmen's Supply Co.	1,425.98	28128 Wesco	180.48
Chas of Laurel	376.00	28581 Montana Cartridge Co.	181.70	28090 The Lock Shop	24.15
Chas Landscaping	1,940.00	28599 Skaggs Computer	474.58	28269 Wagner's Mechanical	169.75
Chas Pipe & Pump	81.78	28565 Brown Swiss Milk Co.	219.40	28258 Wagner's Mechanical	136.00
Chas Hapening Service	36.00	28564 Continental Kell, Inc.	2,413.80	28074 Aldrich & Company	19.27
Chas Interstate	175.80	28624 Zee Medical Services	72.81	28167 ATAT	36.05
Chas Shore Markers	57.63	28551 Automotive West	84.21	28089 Montana Dakota	733.73
Chas Y-stone Valley REA	16.08	28585 Montana Power Co.	32.25	28159 Education Week	19.97
Chas Automotive	371.48	28555 Burroughs Corp.	1,874.38	28147 Office Center	15.86
Chas Service	127.35	28588 Montgomery Elevator	430.00	28143 State of Montana	4.00
Chas Y-stone Valley Prop.	1,040.35	28614 Helen Bryson	250.00	28137 Bell & Howell	142.00
Chas	103.00	28399 Volk Construction	150,233.29	28136 A & Dick Products	123.05
Chas	118.50	28364 Misc. Tax Division	1,517.51	28190 IBM Corp.	105.00
Chas	120.49	28459 Sunnyside Library	10,000.00	28146 Donald K. Elde	250.00
Chas	152.00	28387 Spindle Construction	25,322.22	28144 Smith-Cashmore Funeral	250.00
Chas Coop. Assn.	19.00	28363 Misc. Tax Div.	255.78	28172 Billings Gazette	151.20
Chas Petroleum	567.40	28408 Montanapetroleum	4,375.00	28228 Conest Publications	40.00
Chas Motor Supply	196.00	28464 Misc. Tax Div.	90.00	28161 Rick Benzel	72.40
Chas Upholstery	96.00	28434 IBM Corp.	97.00	28085 B.M. Petroleum	493.50
Chas Dodge Inc.	111.91	28547 U. S. Post Office	600.00	28210 North Star Body & Trailer	731.60
Chas Auto & Truck	30.00	28412 City of Billings	34.13	28203 The Animal Hospital	37.00
Chas Tire Trade	148.18	28413 Montana Power Co.	5,575.63	28080 Communication Services	2,282.36
Chas and Truck Parts	117.44	28401 Westchem	2,980.00	28195 Keele Coffee & Supply	97.50
Chas Plating	134.75	28403 Weed Control	35.10	28220 Stuart's House of Vac.	97.25
Chas Motor Supply	2,257.72	28299 Midland Implement	87.28	28091 Dr. H. Pfister	330.00
Chas Terry Machinery	57.63	28442 Montana Power	6.65	28267 Custer Vol. Fire Dept.	3,432.00
Chas Chevy	9.62	28277 ATAT	13.76	28266 Hunley Vol. Fire Dept.	1,864.00
Chas Tire	2,116.96	28554 The Billings Gazette	93.68	28265 Natic Vol. Fire Dept.	2,194.00
Chas Chevrolet	48.82	28559 Public Utilities Dept.	12.44	28264 Shepherd Vol. Fire Dept.	3,208.00
Chas	7.02	28574 Kenco Enterprises	32.50	28263 Morden Vol. Fire Dept.	5,000.00
Chas Power Inc.	170.80	28321 Extension Service	148.63	28204 Moore Law Vet. Hospital	56.00
Chas Glass	43.45	28466 High Ditch Co.	10.00	28207 Smith Funeral Chapel	150.00
Chas Machine & Welding	442.00	28329 Big Ditch Co.	10.00	28145 Smith Funeral Chapel	75.00
Chas Pipe & Pump	70.48	28501 Kasper's	6.95	28214 The Office Center	715.17
Chas	150.23	28464 Valley Motor Supply	168.57	28173 Bonar Office Products	194.54
Chas	17.40	28466 Glen Hertz	4.75	28229 Y-stone Office Supply	88.80
Chas	324.34	28362 Montana Radiator	248.45	28270 Willis Sales Co.	17.60
Chas Anderson Tire	150.00	28360 Montana Power Co.	7.97	28262 Viking Office Products	500.63
Chas	46.27	28366 Mountain Bell	43.24	28106 Pettin Oil & Parts	68.43
Chas Industrial Equip.	2,009.44	28303 Montana Power Co.	8.69	28271 Auditor	19.13
Chas Systems	276.04	28281 Battery House	68.47	28224 Road Dept.	183.15
Chas Y-stone Valley Elec.	27.68	28278 ATAT	4.21	28079 Midland Materials	5,294.70
Chas Utilities Opt.	30.32	28279 Harris, Morin & etc.	6.50	28078 Conoco	31,076.75
Chas Montana Dakota Utilities	204.54	28600 West Specialties	178.00	28079 Conoco	15,403.10
Chas Power Co.	315.73	28511 Joy Rettinger	80.00	28205 Montana Dakota	10.00
Chas Bell	32.58	28513 Debra Haines	826.20	28233 Zee Medical Service	59.98
Chas Utilities Opt.	53.82	28512 Joanne Wallace	849.92	28109 Peter Yocum, Jr.	5,186.25
Chas Chemical	19.20	28542 Agnes Crow	502.75	28228 Westchem	750.00
Chas Safety Supply	6.90	28541 Big Horn County	130.23	28227 Western Equip. Co.	32.34
Chas, Inc.	185.40	28546 North Carbon Co.	1.00	28211 Northland Steel	10.50
Chas Printing	65.29	28540 North Carbon Co.	1,805.35	28178 Exxon Co.	122.94
Chas Welding Products	14.00	28539 Russ Libbe	540.67	28175 Communication Services	72.00
Chas Electronics	279.70	28322 Rosemary Shepard	139.43	28130 Road Dept.	33.43
Chas Northern Tool	71.80	28545 Ulla Blanchard	25.54	28179 Don & Roberta Fried	78.26
Chas Vision	25.00	28537 Christine Hunt	1,045.05	28226 United Travel Service	215.00
Chas A Insurance	87.50	28536 Rosemary Shepard	216.45	28209 Mountain View School	48.80
Chas Catering	32.38	28535 Sarah Lubek	198.00	28202 Richard M. Agosco, PhD	140.00
Chas Tool & Repair	299.95	28549 Nat'l Assoc. for Home	275.00	28201 Mental Health Center	50.00
Chas & Assoc.	2,500.00	28537 Lil Bell	407.00	28198 M.C.T., P.C.	243.75
Chas Labor Inc.	45.00	28556 Melvix Institute	168.00	28194 Greyhound Bus Lines	11.90
Chas Printing	56.12	28557 Laura Love	222.30	28086 Greyhound Bus Lines	11.90
Chas Office Center	4.78	28365 Montana State Univ.	8.50	28235 Nat. Nat. Allen	95.00
Chas Printing	38.67	28330 Janet Tobey	189.00	28231 Y-stone Office Supply	65.00
Chas		28528 Burt Kilbourne	847.00	28014 Planned Parenthood	1,612.99
Chas		28438 K-Mart Store	41.91	27999 Laurie Townsend	123.75
Chas Retirement	6,592.48	28333 Black Otter Travel	2,415.00	28001 Paulette Nankivel	123.75
Chas Life Inc.	7,736.13	28469 Hager Brothers Ego	105.00	28000 Alan Strange	507.76
Chas Code Div.	191.00	28464 Y-stone Beef Products	708.57	28063 Sycon	12.20
Chas Printing	178.53	28463 Interstate Brands	378.10	28052 Remarkable Products, Inc.	14.94
Chas Printing	180.07	28462 Gamble Robinson Co.	1,717.62	28022 Midland Office Products	36.00
Chas Billings Times	21.00	28461 K-B Chemical Co.	1,047.15	28068 Wyoming Medical	782.51
Chas Publishing Co.	96.00	28390 William Gaton	100.00	28061 State Medical Supply	102.00
Chas Gen. Opinion	24.00	28468 Willis Aviation	555.00	28049 Oaco Drug	13.55
Chas Truck Printing	15.00	28189 Michael K. Bloom	126.00	28016 American Sharecol	27.77
Chas Office Supply	38.25	28384 Jan Hansen Barry, RPA	147.00	28048 Ricker Pharmacy	1,079.14
Chas House	25.22	28383 Shannon Jo Smith	373.50	28033 Eastern Radiological	1,400.80
Chas State Treasurer	112.50	28408 American Business Mach.	17.50	28032 Health Care/Women	400.00
Chas Printing	42.52	28469 West Publishing Co.	825.00	28037 Orthopedic Assoc.	120.00
Chas Printing	103.80	28322 Professional Education	225.00	28036 Billings Radiology	120.00
Chas Bell	121.32	28289 Empire Printing	47.21	28035 Ronald J. Orman, M.D.	16.00
Chas Services Corp.	33.50	28370 Nat'l Judicial College	22.00	28031 H.L. Redenbus, DDS	93.00
Chas & Spas Cleaners	15.00	28505 Billings Radiology	40.00	28030 Billings Clinic	74.00
Chas Lock Shop	13.00	28555 Pathology Consultants	1,000.00	28029 Deconexa Hospital	208.00
Chas Inc.	18.00	28546 MedLab	177.00	28021 Credit Service Co.	218.00
Chas Wrecker	85.00	28130 Big Sky Beeper	5.70	28019 Billings Workshop	100.00
Chas, Inc.	111.35	28387 Smith Funeral Chapel	75.00	27932 U.S. Water News	258.53
Chas Office	570.00	28468 Dahl Funeral Chapels	9.00	27917 American Dietetic Assoc.	28.00
Chas Photo Lab	81.44	28283 Big Sky Linen Supply	64.35	27960 Property Management	9.00
Chas Photo Shop	105.62	28545 Trout Printing	11.50	27973 Montana Power Co.	315.00
Chas Air	1,385.03	28543 Shipton Supply Co.	47.74	27898 Mental Health Center	11.93
Chas Bell	132.04	28466 Wesco	415.15	27899 Kinross Foundation	2,146.63
Chas Beeper Co.	86.00	28219 Sound Ideas	339.57	28011 Auditor	15,191.49
Chas Motor Service	1,986.36	28282 Berkley Equip.	15.00	27892 Carpenter Paper Co.	40.99
Chas Motor Supply	180.39	28471 Yellowstone Vol. Elec.	9.00	27863 Mountain Bell	40.98
Chas Inc.	147.00	28131 Billings Gazette	31.58	27921 Henry's Safety Supply	22.40
Chas Systems	25.00	28411 The Billings Times	15.60	27840 Gene Abbott & Son	18.00
Chas Chassee Works	140.00	28463 M. G.	258.00	27899 Western Service	805.00
Chas & Country GMC	6.57	28400 Market Basket Store	52.00	27934 Refuse Disposal Board	221.27
Chas Fire Service	22.95	28409 M. W. Granger, Inc.	185.47	27993 Refuse Disposal Board	277.06
Chas House	78.58	28471 ATAT	12.50	27996 Refuse Disposal Board	427.06
Chas Auto Service	32.00	28448 Project Telephone Co.	75.00	27567 Empire Sand & Gravel	217.06
Chas, Inc.	106.35	28158 Probation Office	1,140.00	27793 Fiberglass via West Realty	553.51
Chas Motors	317.54	28255 Health Dept.	947.21	27869 Fiberglass Realtors	66.72
Chas Safety Supply	82.58	28253 Health Dept.	27,468.48	27870 Capitol Insurance Co.	378.66
		28154 Craig Mueller	201.84	27871 Jones & Betty Davidson	14.22
		28163 Metra	2,224.41	28032 Eastern Coal Counties	11.37
		28110 Weed Control	2,058.65	28059 Y-stone Valley Electric	55,583.00
		28234 Steve Simpson	2,108.12	28055 James Van Sickle	30.00
		28192 K-B Chemical	175.20	28057 Carl Damsinger	100.00
		28232 Y-stone Paper Co.	97.12	28058 Carl Damsinger	100.00
		28212 The Office Center	61.48	27874 Y-stone Valley Electric	300.00
		28174 Communication Services	130.00	27875 Montana Power Co.	142.20
				27876 Billings Sewer Service	258.95
				27877 Americ Services	335.00
				27931 J. J. Thorsen	49.00
					12.38

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 newspapers from the beginning of this country. Public notice in newspapers was born because public officials demanded it and it became an accepted part of the American system of government long before newspapers were 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 State 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 fact 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 taxes 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 was 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 in 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 county 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

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

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.

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:

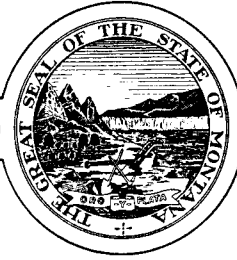
In 1983, certain employees of the Department of Public Safety filed a law suit against the Director of Public Safety, Toole County, the City of Shelby, and the Public Safety Commission to recover longevity, overtime and 85% of the director's salary.

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 gardners 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 contimination, 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 cursive script that reads "Ray Beck".



Montana Association Of

LOCAL GOVERNMENT COMMITTEE
MARCH 12, 1985
EXHIBIT E

Conservation Districts

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 Superisors 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.