MINUTES OF THE MEETING LOCAL GOVERNMENT COMMITTEE MONTANA STATE SENATE

March 14, 1985

The twenty-second meeting of the Local Government Committee was called to order at 12:30 p.m. on March 14, 1985 by Chairman Dave Fuller in Room 325 of the Capitol Building.

ROLL CALL: All members were present.

CONSIDERATION OF HOUSE BILL 75: Representative Tom Hannah, District #86, is the sponsor of this bill. The bill was introduced to change the method of establishing salaries for county elected officials, except the County Assessor, by providing that the salaries be determined by the county governing body.

PROPONENTS

Representative Mike Kadas, District #55, said the setting of county salaries needs to be put in local hands.

John Shontz, representing Richland County, spoke in favor of the bill. He said it should be the responsibility of the county commissioners to set salaries that are paid out of the mill levies they collect.

Reidar Johnson, Wheatland County Assessor, spoke in favor of the bill. His written testimony is attached as Exhibit A to these minutes.

OPPONENTS

Joanne Peres, representing the Montana Association of Clerk and Recorders, spoke in opposition to the bill. She said the State should set the salaries because the State tells the county commissioners what to do. The bill would cause great inequities in the pay system.

Richard Trerise, representing the Montana Association of County Superintendents, spoke in opposition to the bill. He said it would create discrepancies in pay.

John Scully, representing the Montana Sheriffs' and Peace Officers' Association, spoke in opposition to the bill. He said the system would be incomplete and there would be unequal pay for equal work.

Dick Michelotti, representing the Montana Treasurers' Association, spoke in opposition to the bill. He said the bill would make elected officials employees of the county commission.

Susie Spurgem, Fergus County Treasurer, stated her opposition to the bill.

Gary Pringle, Gallatin County Clerk and Recorder, stated his opposition to the bill.

Local Government Committee Page Two

Don Larson, Jefferson County Assessor, stated his opposition to the bill.

June Little, Park County Clerk of Court, stated her opposition to the bill.

Charles Gravely, representing the Montana County Treasurers' Association, spoke in opposition to the bill. He said the bill would create tremendous inequity within the system.

Lorraine Van Austol, Gallatin County Clerk of Court, stated her opposition to the bill. She submitted a letter of opposition from the Gallatin County Commissioners. It is attached as Exhibit B to these minutes.

Mike Stephen, representing the Montana Clerk and Recorders' Association, spoke in opposition to the bill. He said the county commissioners should set all salaries if they set any at all.

Anthony Von Ostheim, a Lake County resident, said the bill would open the door for a lot of political and policy disputes.

Chairman Fuller opened the hearing for Committee questions.

Senator Crippen asked Gordon Morris what the Montana Association of Counties' position on this bill was. Mr. Morris said there were many divided opinions within their Association on the bill and they did not have a position. He personally opposes the bill.

Senator Pinsoneault said he feels this is the type of thing President Reagan is proposing when he talks about establishing local control.

The hearing was closed on HB 75.

CONSIDERATION OF HOUSE BILL 653: Representative Joe Hammond, District #52, is the sponsor of this bill. The bill was introduced to increase the salaries of county commissioners in the smaller counties to sixty dollars a day; to provide a cost-of-living increase formula; and to provide an increase in salary for persons making road inspections.

PROPONENTS

Tom Marvin, part time Commissioner for Mineral County, spoke in favor of the bill. He said if the salary was increased to sixty dollars a day, it would equate to the same salary as other county elected officials make. Local Government Committee Page Three

March 14, 1985

Gordon Morris, representing the Montana Association of Counties, spoke in favor of the bill. He said the county commissioners have not had an increase in salary since 1981. He distributed a handout regarding salary increases for class five, six, and seven county commissioners. It is attached as Exhibit C to these minutes.

Marie Macalear, a Madison County Commissioner, stated her support of the bill.

OPPONENTS

There were no opponents to HB 653.

Chairman Fuller opened the hearing for Committee questions.

Senator Mohar asked if part time county commissioners receive health benefits. Mr. Marvin said they do have the option of receiving health benefits and they would be the same as for other county officials.

The hearing was closed on HB 653.

Senator McCallum moved that HB 653 BE CONCURRED IN but withdrew the motion because other Senators would like time to study the bill.

CONSIDERATION OF HOUSE BILL 470: Representative Gary Spaeth, District #84, is the sponsor of this bill. The bill was introduced to allow a town or third class city to spend twenty-five percent of its' gasoline and vehicle fuels tax allocation on road maintenance and repair, and maintenance equipment and supplies.

PROPONENTS

Don Saville, a Councilman from Boulder, spoke in favor of the bill. He said they have equipment that is so old they cannot find parts for it anymore.

Representative Bob Marks, District #75, spoke in favor of the bill. He said it would allow flexibility for small communities. Local government officials have had difficulty dealing with their equipment needs.

Bill Verwolf, representing the Montana Clerks' and Treasurers' Association, stated his support of the bill.

Alec Hansen, representing the Montana League of Cities and Towns, spoke in favor of the bill. They do not have the financial means to repair equipment. Local Government Committee Page Four

March 14, 1985

OPPONENTS

There were no opponents to HB 470.

Chairman Fuller opened the hearing for Committee questions. There were no Committee questions regarding HB 470.

The hearing was closed on HB 470.

CONSIDERATION OF HOUSE BILL 483: Representative Gary Spaeth, District #84, is the sponsor of this bill. The bill was introduced to provide a procedure for dissolving county water and sewer districts; to provide for a petition to dissolve the district; to provide for a public hearing on the question; and to require a determination that there are no outstanding debts of the district.

PROPONENTS

There were no proponents to HB 483.

OPPONENTS

There were no opponents to HB 483.

Chairman Fuller opened the hearing for Committee questions.

Senator Story expressed concern about current indebtedness becoming a general obligation to people outside of the district. Representative Spaeth assured him this would not happen.

The hearing was closed on HB 483.

CONSIDERATION OF HOUSE BILL 484: Representative Ray Peck, District #15, is the sponsor of this bill. The bill was introduced to provide a method for correcting erroneous property descriptions of a county water and sewer district.

PROPONENTS

There were no proponents to HB 484.

OPPONENTS

There were no opponents to HB 484.

Chairman Fuller opened the hearing for Committee questions. There were no Committee questions regarding HB 484.

Local Government Committee Page Five

March 14, 1985

ACTION TAKEN ON HOUSE BILL 75: Senator Harding moved that HB 75 BE NOT CONCURRED IN. The motion passed with Senators Fuller, McCallum, Story, Crippen, Mohar, Hirsch, and Harding voting yes and Senators Regan, Eck, and Pinsoneault voting no. Senator Harding will carry the Adverse Committee Report.

ACTION TAKEN ON HOUSE BILL 653: Senator McCallum moved that HB 653 BE CONCURRED IN. The motion passed with Senators Regan and Story voting no. Senator McCallum will carry the bill.

ACTION TAKEN ON HOUSE BILL 470: Senator Crippen moved that HB 470 BE CONCURRED IN. The motion passed unanimously. Senator Crippen will carry the bill.

ACTION TAKEN ON HOUSE BILL 484: Senator Hirsch moved that HB 484 BE CONCURRED IN. The motion passed unanimously. Senator Hirsch will carry the bill.

The meeting adjourned at 2:45 p.m.

Chairman

ROLL CALL

SENATE	LOCAL GOVERNMENT 49th XXXXX LEGISLATIVE SESS	COMMITT ION 1985	ΈE	Date 3-14-8
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	1		
28	Senator Mohar, John(V.Chair)			
44	Senator Pinsoneault, Dick	\checkmark		
19	Senator Regan, Pat	/		
21	Senator Story, Pete			
43	Senator Fuller, Dave (Chair)	/		

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Senator Dave Fuller

Chairman.

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Senator Dave Fuller

Chairman.

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Senator Dave Fuller

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VISITORS' REGISTER

SENATE AND HOUSE COMMITTEE

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DATE 3-14-85

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BILL HB-75

SPONSOR_____

NAME	REPRESENTING	RESIDENCE	SUPPORT	OPPOSE
General Pirlo	Clerk and Rocorders	Chouteau Cour	ck.	\square
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aikien Mattheir	Click & Recorder	Holden Valley Cours	nty	X
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Sherow E. Corputer	Treasurer	Golden Valley.		X
- June find	CLERK OF GURT	PARK COUNTY		
Fourse Ammerman	Treasurer	1 *		X
- Jan Jammercy	Club & Recorder	1, 1,		λ
- for tar	ange sode 2m	A. Co.		X
Dany Pringle	Clerk + Recorder 0	Mallatin Co.		X
Richard Transe	Mt assoc Co Supto	Helena		X
Mille Bowman	Msla Co. Supt.	Missoula		\mathbf{X}
Carol Clark	Click & Recarder	Wheatland		
-Patticyeriliska	County (Essesson)	Galden Valley	<u> </u>	
Marilyn Bodill	Country hereson		X	
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IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

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VISITORS' REGISTER

SENATE AND HOUSE COMMITTEE

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DATE 3-14-85

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IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

LOCAL GOVERNMENT COMMITTEE MARCH 14, 1985 EXHIBIT A

Mr. Chairman and members of the committee.

I am Reidar Johnson, assessor of Wheatland County. I strongly support HB 75. I would like to see the County Assessors and their deputies salaries be determined according to the pay matrix established for the state employees.

We are put in the middle by the Department of Revenue on one side and the taxpayers on the other. In our office the State Department of Revenue determines the manuals and schedules, enforces the policies and procedures and handles the payroll. As agents of the Department of Revenue the state pays our wages and funds our complete budget even though we are elected by the taxpayers. There is great pressure put on the assessors with the need of having to get elected every four years and the taxpayers hostility towards taxes usually settling unfairly and illogically against assessors.

The salaries for the clerks in the assessors office are determined by the state matrix. Using the state matrix would also help eliminate the inequality of the salaries in the assessors offices through out the state. There are assessing clerks in the larger counties that are making more than the assessors in the class six and seven counties. They certainly don't have the responsibilities, pressures, workload or stress that the assessor has. Nor do they have to worry about getting elected every four years. Why should the assessor in a smaller county be penalized because our salaries are set by the bases of valuation and population?

Thank you for letting me have this opportunity to express my views on HB 75.

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Reidar Johnson, Assessor Wheatland County

State of Montana



Lormain Ba

Bozeman

March 13, 1985

LOCAL GOVERNMENT COMMITTEE MARCH 14, 1985 EXHIBIT B

Senator Dave Fuller State Capitol Helena, MT 59601

Dear Senator Fuller:

We would like to go on record in opposition to HB 75. We do not want to be given the authority or responsibility for setting the salaries of ourselves or other elected county officials. The process would subject us to a great deal of political pressure from our elected officials and our constituents each year at budget time.

We urge you to vote against HB 75.

Sincerely,

GALLATIN COUNTY COMMISSION

Višser. Chairman

e Jelinsk// Member

White, Member

JJ:vj

LOCAL GOVERNMENT COMMITTEE MARCH 14, 1985 EXHIBIT C

MONTANA ASSOCIATION OF COUNTIES

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11th Avenuea, Montana 59601 (406) 442-5209

HOUSE BILL 653

SALARY INCREASE FOR CLASS 5, 6 & 7 COUNTY COMMISSIONERS

SENATE LOCAL GOVERNMENT

March 14, 1985

MCA 7-4-2107(2) last changed in 1981

			SALARY/EXP	ENSE/YEAR	
CLASS 5	COMMISSIONERS	DAYS/MONTH	\$50/DAY	\$75/DAY	
BROADWATER DEER LODGE McCONE POWELL STILLWATER	3 5 3 3 3	4 2 4 5 6	\$ 7,200 6,000 7,200 9,000 10,800 \$ 40,200	<pre>\$ 10,800 9,000 10,800 13,500 16,200 \$ 60,300</pre>	
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<u>CLASS 7</u> MINERAL PETROLEUM TREASURE	3 3 3	5 1 2	\$ 9,000 1,800 3,600	\$ 13,500 2,700 5,400	
	SUBTOTAL		\$ 14,400 \$123,000	\$ 21,600 \$184,500	
	ROAD INSPECTIONS		14,850	\$ 33,750	
	TOTAL	ΜΔΟο	\$137,850	\$218,250	
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NAME :	ileen T	Mattheis	DATE :	3/14/85
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PHONE :	568-22	31		· · · · · · · · · · · · · · · · · · ·
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NAME: SHARON & CARPENTER DATE: 3/14/85
ADDRESS: RyEgATE MONTANIA 59074
PHONE: 568-2342
REPRESENTING WHOM? Jolden Unlieg County
APPEARING ON WHICH PROPOSAL: H.B 75
DO YOU: SUPPORT? AMEND? OPPOSE?
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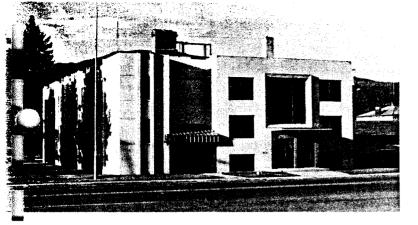
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ADDRESS: Harcouton mt.	· · · · · · · · · · · · · · · · · · ·
PHONE: 623-45621	
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APPEARING ON WHICH PROPOSAL: H.B. 70	, ´
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NAME: L'Mouris	DATE :
ADDRESS: Helena	
PHONE: 442-5209	
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APPEARING ON WHICH PROPOSAL: HB	75
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3) Effection date - Oct 1, 1	985 is inconsistent
with Budget Cycles and	
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Thompson Falls, Montana 59873

OHN MUSTER

NORMAN E. RESLER Commissioner

ROY M. DeLONG Commissioner

DIXIE VAUGHT Clerk & Recorder

UNE M. THAYER Treasurer

PATRICIA N. ELDRIDGE Assessor

BETTE VOLKMANN Supt. of Schools

VRENCE J. McCARTHY Surveyor

CAROL THOMAS

CLAUDE I. BURLINGAME Attorney

AMES B. DOXTATER Sheriff

HANNE K. FRANKE Administrator

MARK A. DENKE Coroner Ladies and Gentlemen,

This letter is to convey to you our opposition of H.B. 75. We have supported pay raises for elected officials in the past through the state legislature . We would continue to do so in the future. Making commissioners set pay scales would cause us an unnecessary amount of problems.

Sincerely,

rils an m. Roy M. DeLong,

Chairman of Commissioners

John Muster,

¢ommissioner

Norman E. Resler, Commissioner

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

NAME: Mike Bowman DATE: 14 MAR 85
ADDRESS: MISSOULA, MT
PHONE: 721-5700
REPRESENTING WHOM? MISSOULA Co. Supt. of Schools
APPEARING ON WHICH PROPOSAL: $HB75$
DO YOU: SUPPORT? AMEND? OPPOSE?
COMMENT: Salavies of County Elected Officials need to be varised. This bill doesn't
appear to solve the problem

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

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BOARD OF COUNTY COMMISSIONERS Missoula County Courthouse • Missoula, Montana 59802 4061721.5700

> BCC-85-112 March 13, 1985

The Honorable Dave Fuller, Chairman Senate Local Government Committee Montana State Senate Capitol Station Helena, MT 59624

Dear Senator Fuller and Other Committee Members:

We are writing in support of HB 75 which would give us the authority to change salaries of County elected officials in a uniform manner. We believe this bill would give us the budget flexibility we need to deal with everincreasing pressures on County budgets.

Rather than have the Legislature set salaries and thereby impose costs upon us, we believe we need the authority to set salaries depending on the financial condition of the County -- the same way we set salaries and wages of all other County employees. With the salaries of so many other County employees pegged to the salaries of officials, if we do not have the authority to set salaries of elected officials, we have lost the authority to control our budget.

Now this bill does not give us the authority to truly set salaries; only to change them in a uniform manner. The ratio of the salaries of different officials will remain the same. Perhaps that is just as well. This bill will not pit one elected official against another, nor enable us to do so. Although we will not have full authority to develop a new salary structure, we will not get into political and personality controversies that might result from trying to do so.

This bill makes a lot of sense. Please vote for it.

Sincerely, BOARD OF COUNTY COMMISSIONERS

Ann Mary Dussault, Chair

Barbara Evans, Commissioner

ann

cc: Missoula Senators

BCC/HS/1s

Palmer, Commissioner

SUBA	ITTED BY TOM HANNAH		
		502 South 19th	Bozeman, Montana 59715
	100:15200.	Phone (4	06) 587-3153
		TESTIMONY BY: 101	Vive exactor
	FARM BUREAU	BILL # HB73	DATE MAR 14, 1985
		SUPPORT	OPPOSE

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_____ FARMERS AND RANCHERS UNITED _____

Gerry M. Higgins

Attorney and Counselor at Law

107 Kemp Street Phone: (406) 568-2272 P. O. Box 14 Ryegate, Montana 59074

To: Senate Local Government Committee

Re: House Bill 75.

Mr. Chairman and members of the Committee. I oppose House Bill 75.

The provision to have the salaries of the County Assessor and Deputy County Assessor determined by the State employees pay matrix creates another undesirable inequality between and among our courthouse offices.

We already have an inequitable situation where the Appraisor's salary, which is determined by the State employees pay matrix, will be on July 1, 1985 approximately <u>Seven Thousand Dollars more</u> than the salaries of the Assessor, Treasurer-Superintendent of Schools, Clerk & Recorder, and Clerk of Court. This is especially unfair when our county's base salaries are among the lowest for the State, being only \$12,000 plus \$220 for population.

In addition, the provision giving the County Commission the authority to set salaries will only create more inequality between and among countys.

Thank you for your attention.

Very truly yours,

Gerry M. Aiggins Golden Valley County Attorney

cc: Senator Galt Representative Holliday