

MINUTES OF THE MEETING  
LOCAL GOVERNMENT COMMITTEE  
MONTANA STATE SENATE

March 16, 1985

The twenty-third meeting of the Local Government Committee was called to order at 12:45 p.m. on March 16, 1985 in Room 405 of the Capitol Building by Chairman Dave Fuller.

ROLL CALL: Senators Crippen, Regan, and McCallum were excused. All other members were present.

CONSIDERATION OF HOUSE BILL 564: Representative Ron Miller, District #34, is the sponsor of this bill. The bill was introduced to allow cities and towns to pay accounts and demands by check.

PROPOSERS

Nathan Tubergen, Finance Director for the City of Great Falls, spoke in favor of the bill. He said this bill is basically an administrative change and the City of Great Falls would save twenty-four to twenty-six thousand dollars a year.

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

Alec Hansen, representing the Montana League of Cities and Towns, 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 564.

Chairman Fuller opened the hearing for Committee questions.

Senator Harding asked if there would be an administrative problem in changing the system. Mr. Verwolf said steps would actually be eliminated.

Senator Fuller asked if this bill would remove the current policy of requiring two signatures on warrants. Mr. Verwolf said the requirement of two signatures would be the same for warrants and checks.

Senator Story asked if State warrants are treated the same as a check. Mr. Verwolf said State warrants are but municipality warrants are not.

March 16, 1985

The hearing was closed on HB 564.

ACTION TAKEN ON HOUSE BILL 564: Senator Eck moved that HB 564 BE CONCURRED IN. The motion passed unanimously with Senators McCallum and Crippen absent. Senator Regan was excused from the meeting after this vote. Senator Pinsoneault will carry the bill.

ACTION TAKEN ON HOUSE BILL 414: Senator Eck moved that HB 414 BE CONCURRED IN. The motion passed with Senator Regan (absentee vote) voting no. Senator Aklestad will carry the bill.

ACTION TAKEN ON HOUSE BILL 436: Karen Renne explained the proposed amendments to the bill. They are attached as Exhibit A to these minutes.

Senator Hirsch moved the amendments be adopted. The motion passed unanimously.

Senator Mohar moved that HB 436 as amended BE CONCURRED IN. The motion passed with Senator Story voting no. Senator Neuman will carry the bill.

ACTION TAKEN ON HOUSE BILL 483: Karen Renne explained the proposed amendments to the bill. They are attached as Exhibit B to these minutes.

Senator Pinsoneault moved the amendments be adopted. The motion passed unanimously.

Senator Hirsch moved that HB 483 as amended BE CONCURRED IN. The motion passed unanimously. Senator Hirsch will carry the bill.

ACTION TAKEN ON HOUSE BILL 239: Karen Renne explained the proposed amendments to the bill. They are attached as Exhibit C to these minutes.

Senator Eck moved the amendments be adopted. The motion passed unanimously.

Senator Mohar moved that HB 239 as amended BE CONCURRED IN. The motion passed with Senator McCallum (absentee vote) voting no. Senator Crippen will carry the bill.

CONSIDERATION OF HOUSE BILL 746: Representative Helen O'Connell, District #40, is the sponsor of this bill. The bill was introduced to authorize an assessment option based upon water meter size to be used in assessing costs in fire hydrant maintenance districts.

#### PROPONENTS

Nathan Tubergen, Finance Director for the City of Great Falls, spoke in favor of the bill. He said when the charges are based on square footage, they are very inequitable. This bill would

March 16, 1985

make the charges much more equitable.

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

Alec Hansen, representing the Montana League of Cities and Towns, stated his support of the bill.

OPPONENTS

There were no opponents to HB 746.

Chairman Fuller opened the hearing for Committee questions. There were no questions from the Committee on HB 746.

The hearing was closed on HB 746.

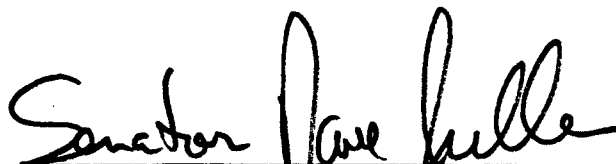
ACTION TAKEN ON HOUSE BILL 746: Senator Story moved that HB 746 BE CONCURRED IN. The motion passed unanimously. Senator Story will carry the bill.

ACTION TAKEN ON HOUSE BILL 277: Karen Renne explained the proposed amendments to the bill. They are attached as Exhibit D to these minutes.

Senator Eck moved the amendments be adopted. The motion passed unanimously.

Senator Eck moved that HB 277 as amended BE CONCURRED IN. The motion passed unanimously. Senator Pinsoneault will carry the bill.

The meeting adjourned at 1:30 p.m.

  
\_\_\_\_\_  
Senator Dave Fuller, Chairman

# ROLL CALL

LOCAL GOVERNMENT

COMMITTEE

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

Date 3-16-85

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	✓		✓ left after meeting started
21 Senator Story, Pete	✓		
43 Senator Fuller, Dave (Chair)	✓		

Each day attach to minutes.

# STANDING COMMITTEE REPORT

MARCH 18

1935

MR. PRESIDENT

## LOCAL GOVERNMENT

We, your committee on.....

## HOUSE BILL

277

having had under consideration.....

No.....

THIRD

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(PINSONNEAULT WILL CARRY) color

## ALLOW PRIVATE PARTIES TO RUN JAILS; EXEMPT JAILS FROM FINANCING LIMITS

## HOUSE BILL

277

Respectfully report as follows: That.....

No.....

be amended as follows:

1. Title, line 12.

Following: "~~7-7-2221,~~"

Insert: "7-7-2101, 7-7-2203"

2. Page 6, line 19.

Following: line 18

Insert: "Section 5. Section 7-7-2201, MCA, is amended to read:

"7-7-2201. Purposes for which general obligation bonds of a county may be issued. The board of county commissioners of every county of the state is hereby vested with the power and authority to issue, negotiate, and sell coupon bonds on the credit of the county, as more specifically provided in this part, for any of the following purposes:

(1) acquiring land for sites and grounds for a public building or buildings of any kind within the county and under its control, which the county has lawful authority to acquire or erect, control, and maintain except that if the bonds are sold to fund a multi-county jail facility, funds so raised may be used in the county in which the multi-county jail facility is located;

(continued)

XXXXX  
DO PASS

XXXXXXXXXX

Chairman.

March 18

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19.....

(2) acquiring land for any other public use or activity within the county, under its control and authorized by law;

(3) constructing, erecting, or acquiring by purchase necessary public buildings within the county, under its control and authorized by law; making additions to and repairing buildings; and furnishing and equipping the same except that if the bonds are sold to fund a multi-county jail facility, funds so raised may be used in the county in which the multi-county jail facility is located;

(4) building, purchasing, constructing, and maintaining devices intended to protect the safety of the public from open ditches carrying irrigation or other water;

(5) enabling a county to liquidate its indebtedness to another county incident to the creation of a new county or the changing of any county boundary line;

(6) funding, paying, and retiring outstanding county warrants lawfully issued against the county general fund, road fund, bridge fund, or poor fund when:

(a) there is not sufficient money in the fund against which such warrants are drawn to pay and retire such warrants; and

(b) the levying of taxes sufficient to pay and retire such warrants within a period of 3 years would, in the judgment of the board, work a hardship and be an undue burden upon the taxpayers of the county."

Section 6. Section 7-7-2203, MCA, is amended to read:

"7-7-2203. Limitation on amount of bonded indebtedness. (1) Except as provided in subsections (2) and (3) through (4), no county may issue general obligation bonds for any purpose which, with all outstanding bonds and warrants except county high school bonds and emergency bonds, will exceed 11.25% of the taxable value of the property therein, to be ascertained by the last assessment for state and county taxes prior to the proposed issuance of bonds.

(continued)

March 18

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(3) A In addition to the bonds allowed by subsection (1), a county may issue bonds which, with all outstanding bonds and warrants, ~~will exceed \$1,250,000 but~~ will not exceed 25.75% of the taxable value of such property, the property in the county subject to taxation, when necessary to do so, for the purpose of acquiring land for a site for county high school buildings and for erecting or acquiring buildings thereon and furnishing and equipping the same for county high school purposes.

(3) In addition to the bonds allowed by subsections (1) and (2), a county may issue bonds for the construction or improvement of a jail which will not exceed 12.5% of the taxable value of the property in the county subject to taxation.

~~(3)~~ (4) The foregoing limitation in subsection (1) shall not apply to refunding bonds issued for the purpose of paying or retiring county bonds lawfully issued prior to January 1, 1932."

Renumber: subsequent sections

1. Page 11, line 12.

Following: "county."

Strike: "and"

Insert: "or"

4. Page 12, line 5.

Following: "county"

Strike: "and"

Insert: "or"

5. Page 13, line 5.

Following: "sheriffs"

Strike: "and"

Insert: "or"

AND AS AMENDED

BE CONCURRED IN

Senator Dave Fuller, Chairman

# STANDING COMMITTEE REPORT

MARCH 12 19 55

MR. PRESIDENT

## LOCAL GOVERNMENT

We, your committee on .....  
HOUSE BILL 239  
having had under consideration..... No.....  
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reading copy ( )  
(CRIPPEN WILL CARRY) color

## LOCAL GOVERNMENT MULTI-JURISDICTIONAL SERVICE DISTRICTS

HOUSE BILL 239  
Respectfully report as follows: That..... No.....

be amended as follows:

1. Page 2, line 6.  
Following: "(E)"  
Strike: "WEED"  
Insert: "dog"
2. Page 2, line 16.  
Following: line 15  
Insert: "(3) An interlocal agreement under [this act] may enlarge an existing service district or city or county library but it may not supercede or void an existing contract or interlocal agreement under which the same service is currently provided to residents of one or more of the participating jurisdictions.  
(4) A library established under [this act] as a multijurisdictional service must be administered according to the provisions of 22-1-305 through 22-1-317."
3. Page 2, line 21.  
Following: "district."  
Insert: "Property taxes levied for a library established under [this act] as a multijurisdictional service must be added to taxes levied under 22-1-304."
4. Page 3, line 10.  
Following: "electors"  
Insert: "resident"  
Following: "PROPERTY"  
Strike: "OWNERS"  
Insert: "taxpayers"

XXXXXX  
DO PASS

XXXXXXXXX  
DO NOT PASS

CONTINUED

Chairman.



5. Page 4, lines 11 through 13.  
Following: "ordinance" in line 11  
Strike: remainder of line 11 through "petition," in line 13
6. Page 4, line 24.  
Following: "electors"  
Insert: "electors or"
7. Page 5, line 2.  
Following: "of"  
Strike: "such"  
Insert: "the electors, or the owners of more than 50% of the  
taxable value of the property, in the affected portion of"  
Following: "electors"  
Strike: "PROPERTY OWNERS IN"
8. Page 5.  
Following: line 4  
Insert: "Section 8. Coordination instruction. If House Bill  
No. 496 is passed and approved, section 2(2)(a) of this  
act is amended to read: 'recreation programs other than  
park and recreation programs in a county park district  
established under [House Bill No. 496] .'"

AND AS AMENDED

BE CONCURRED IN

# STANDING COMMITTEE REPORT

MARCH 18

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19.....

MR. PRESIDENT

LOCAL GOVERNMENT

We, your committee on.....

HOUSE BILL

having had under consideration.....

No. 414

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(AKLESTAD WILL CARRY)

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PUBLIC SAFETY COMMISSION EMPLOYERS - SALARY, WORKPERIOD,  
AND OVERTIME

HOUSE BILL

Respectfully report as follows: That.....

No. 414

BE CONCURRED IN

~~DO NOT PASS~~

~~DO NOT PASS~~

Senator Dave Fuller

Chairman.

# STANDING COMMITTEE REPORT

HOUSE BILL 436  
Page 1 of 2 Pages

MARCH 19

85

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MR. PRESIDENT

## LOCAL GOVERNMENT

We, your committee on.....

## HOUSE BILL

436

having had under consideration.....

No.....

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(NEUMAN WILL CARRY)

## REQUIRE CONSERVATION DISTRICT BOARD MEMBERS ON CITY-COUNTY PLANNING BOARD

## HOUSE BILL

436

Respectfully report as follows: That.....

No.....

be amended as follows:

1. Page 2, line 3.  
Following: "nine"  
Strike: "10"  
Insert: "nine"
2. Page 2, lines 20 through 23.  
Strike: subsection (E) in its entirety  
Renumber: subsequent subsection
3. Page 2, line 24.  
Following: "ninth"  
Strike: "10th"  
Insert: "ninth"
4. Page 2, line 25.  
Following: "eight"  
Strike: "nine"  
Insert: "eight"
5. Page 3, lines 1 and 2.  
Following: "for" in line 1  
Strike: remainder of line 1 through "council" in line 2  
Insert: "from the members of the board of supervisors of a  
conservation district provided for in 76-15-311"
6. Page 3, line 4.  
Following: "MEMBER OF THE"  
Strike: "GOVERNING BOARD OF THE"  
Insert: "Board of supervisors of a"

XXXXXX  
DO NOT PASS

XXXXXX  
DO NOT PASS

CONTINUED

Chairman.

7. Page 3, line 6.  
Following: "THE"  
Insert: "ninth member of the"
8. Page 3, line 7.  
Following: Line 6  
Strike: "CONSIST OF NOT LESS THAN NINE MEMBERS"  
Insert: "be selected by the eight officers and citizen members hereinabove provided for with the consent and approval of the board of county commissioners and the city council"

AND AS AMENDED  
BE CONCURRED IN

# STANDING COMMITTEE REPORT

MARCH 13

85

19.....

MR. PRESIDENT

## LOCAL GOVERNMENT

We, your committee on.....

## HOUSE BILL

having had under consideration.....

No. 483

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(HIRSCH WILL CARRY)

## PROCEDURE TO DISSOLVE COUNTY WATER AND SEWER DISTRICT

Respectfully report as follows: That.....

## HOUSE BILL

No. 483

be amended as follows:

### 1. Page 2, line 10.

Following: line 9

Strike: "boards of"

Following: "commissioners of"

Strike: "all the"

Insert: "the county or"

### 2. Page 2, lines 15 and 16.

Following: "with the" in line 15

Strike: remainder of line 15 through "RECORDERS" in line 16

Insert: "clerk and recorder of the county or counties in which  
- the district is located"

### 3. Page 2, line 22.

Following: line 21.

Insert: "Section 2. Coordination instruction. If Senate Bill  
No. 130, including the section of that bill that provides  
for newspaper publication of notices, is passed and  
approved, the sentence beginning on line 13 on page 1 of  
this act is amended to read: "A notice of the public  
hearing on the dissolution must be published as provided  
in [section 1 of Senate Bill No. 130].""

Renumber: Subsequent section

~~XXXXXX~~  
~~DO PASS~~

AND AS AMENDED

~~XXXXXX~~  
~~DO CONCUR~~

BE CONCURRED IN

Senator Dave Fuller

Chairman.

# STANDING COMMITTEE REPORT

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MARCH 13

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MR. PRESIDENT

## LOCAL GOVERNMENT

We, your committee on.....

## HOUSE BILL

having had under consideration.....

No. 564

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(HARDING WILL CARRY)

color

## ALLOWING CITIES AND TOWNS TO PAY BILLS BY CHECK

## HOUSE BILL

Respectfully report as follows: That.....

No. 564

HE CONCURRED IN

~~DO NOT PASS~~

~~DO NOT PASS~~

Senator Dave Fuller

Chairman.

# STANDING COMMITTEE REPORT

MARCH 18

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MR. PRESIDENT

## LOCAL GOVERNMENT

We, your committee on

## HOUSE BILL

having had under consideration

No.

746

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(STORY WILL CARRY)

## WATER METER SIZE RATIOS AS ASSESSMENT OPTION FOR FIRE HYDRANT DISTRICTS

## HOUSE BILL

Respectfully report as follows: That

No.

746

BE CONCURRED IN

~~XXXXXX~~  
~~DO PAGE~~

~~XXXXXXXXXX~~

Senator Dave Fuller

Chairman.

LOCAL GOVERNMENT COMMITTEE  
MARCH 16, 1985  
EXHIBIT A

*passed 3/16*

PROPOSED AMENDMENTS FOR HOUSE BILL 436  
(requested by the committee)

1. Page 2, lines 20 through 23.  
Strike: subsection (e) in its entirety  
Re-number: subsequent subsections
2. Page 2, line 24.  
Following: "~~ninth~~"  
Strike: "10th"  
Insert: "ninth"
3. Page 2, line 25.  
Following: "~~eight~~"  
Strike: "nine"  
Insert: "eight"
4. Page 3, lines 1 and 2.  
Following: "for" in line 1  
Strike: remainder of line 1 through "council" in line 2  
Insert: "from the members of the board of supervisors of a  
conservation district provided for in 76-15-311"
5. Page 3, line 4.  
Following: "MEMBER OF THE"  
Strike: "GOVERNING BOARD OF THE"  
Insert: "board of supervisors of a"
6. Page 3, line 6.  
Following: "THE"  
Insert: "ninth member of the"
7. Page 3, line 7.  
Following: line 6  
Strike: "CONSIST OF NOT LESS THAN NINE MEMBERS"  
Insert: "be selected by the eight officers and citizen members hereinabove  
provided for with the consent and approval of the board of county  
commissioners and the city council"



*Passed*  
3/16

PROPOSED AMENDMENTS TO HOUSE BILL 483

1. Page 2, line 10.  
Following: line 9  
Strike: "boards of"  
Following: "commissioners of"  
Strike: "all the"  
Insert: "the county or"
2. Page 2, lines 15 and 16.  
Following: "with the" in line 15  
Strike: remainder of line 15 through "RECORDERS" in line 16  
Insert: "clerk and recorder of the county or counties in which  
the district is located"
3. Page 2, line 22.  
Following: line 21.  
Insert: "Section 2. Coordination instruction. If Senate Bill  
No. 130, including the section of that bill that provides  
for newspaper publication of notices, is passed and  
approved, the sentence beginning in line 18 on page 1 of  
this act is amended to read: "A notice of the public  
hearing on the dissolution must be published as provided  
in [section 1 of Senate Bill No. 130].""

*Renumber: subsequent sections*

4591

PROPOSED AMENDMENTS TO HOUSE BILL 239

1. Page 2, line 6.  
Following: "(E)"  
Strike: "WEED"  
Insert: "dog"
2. Page 2, line 16.  
Following: line 15  
Insert: "(3) An interlocal agreement under [this act] may enlarge an existing service district or city or county library but it may not supercede or void an existing contract or interlocal agreement under which the same service is currently provided to residents of one or more of the participating jurisdictions.  
(4) A library established under [this act] as a multijurisdictional service must be administered according to the provisions of 22-1-305 through 22-1-317."
3. Page 2, line 21.  
Following: "district."  
Insert: "Property taxes levied for a library established under [this act] as a multijurisdictional service must be added to taxes levied under 22-1-304."
4. Page 3, line 10.  
Following: "electors"  
Strike: "PROPERTY OWNERS"  
Insert: "resident-property taxpayers"
5. Page 4, lines 11 through 13.  
Following: "ordinance" in line 11  
Strike: remainder of line 11 through "petition," in line 13
6. Page 4, line 24.  
Following: "electors"  
Insert: "electors or"
7. Page 5, line 2.  
Following: "of"  
Strike: "such electors PROPERTY OWNERS IN"  
Insert: "the electors, or the owners of more than 50% of the taxable value of the property, in the affected portion of"
8. Page 5, line ~~5~~.  
Following: line 4  
Insert: "Section 8. Coordination instruction. If House Bill No. 496 is passed by the 49th Legislature and approved, section 2(2)(a) of this act is amended to read: "recreation programs other than park and recreation programs in a county park district established under [House Bill No. 496]"."

PROPOSED AMENDMENTS

1. Page 6, line 19.  
Following: line 18  
Insert: "Section 5. Section 7-7-2201, MCA, is amended to read:

" **7-7-2201. Purposes for which general obligation bonds of a county may be issued.** The board of county commissioners of every county of the state is hereby vested with the power and authority to issue, negotiate, and sell coupon bonds on the credit of the county, as more specifically provided in this part, for any of the following purposes:

(1) acquiring land for sites and grounds for a public building or buildings of any kind within the county and under its control, which the county has lawful authority to acquire or erect, control, and maintain;

except that if the bonds are sold to fund a multi-county jail facility, funds so raised may be used in the county in which the multi-county jail facility is located;

(2) acquiring land for any other public use or activity within the county, under its control and authorized by law;

(3) constructing, erecting, or acquiring by purchase necessary public buildings within the county, under its control and authorized by law; making additions to and repairing buildings; and furnishing and equipping the same;

except that if the bonds are sold to fund a multi-county jail facility, funds so raised may be used in the county in which the multi-county jail facility is located;

(4) building, purchasing, constructing, and maintaining devices intended to protect the safety of the public from open ditches carrying irrigation or other water;

(5) enabling a county to liquidate its indebtedness to another county incident to the creation of a new county or the changing of any county boundary line;

(6) funding, paying, and retiring outstanding county warrants lawfully issued against the county general fund, road fund, bridge fund, or poor fund when:

(a) there is not sufficient money in the fund against which such warrants are drawn to pay and retire such warrants; and

(b) the levying of taxes sufficient to pay and retire such warrants within a period of 3 years would, in the judgment of the board, work a hardship and be an undue burden upon the taxpayers of the county."

Section 6. Section 7-7-2203, MCA, is amended to read:

" **7-7-2203. Limitation on amount of bonded indebtedness.** (1) Except as provided in subsections (2) ~~and (3)~~ <sup>through (4)</sup>, no county may issue general obligation bonds for any purpose which, with all outstanding bonds and warrants except county high school bonds and emergency bonds, will exceed 11.25% of the taxable value of the property therein, to be ascertained by the last assessment for state and county taxes prior to the proposed issuance of bonds.

In addition to the bonds allowed by subsection (1), a

(2) ~~A~~ county may issue bonds which, with all outstanding bonds and warrants, will exceed ~~11.25%~~ but will not exceed ~~27%~~ of the taxable value of such property, when necessary to do so, for the purpose of acquiring land for a site for county high school buildings and for erecting or acquiring buildings thereon and furnishing and equipping the same for county high school purposes. 25.75%

the property in  
the county subject  
to taxation,

(3) In addition to the bonds allowed by subsections (1) and (2), a county may issue bonds for the construction or improvement of a jail which will not exceed 12.5% of the taxable value of the property in the county subject to taxation.

(4) in subsection (1)

~~(3)~~ ~~A~~ The foregoing limitation shall not apply to refunding bonds issued for the purpose of paying or retiring county bonds lawfully issued prior to January 1, 1932.))

, Renumber: subsequent sections

2. Page 11, line 12.  
Following: "county,"  
Strike: "and"  
Insert: "or"
3. Page 12, line 5.  
Following: "county"  
Strike: "and"  
Insert: "or"
4. Page 13, line 5.  
Following: "sheriffs"  
Strike: "and"  
Insert: "or"

Local Gov't

5-16-85

## VISITORS' REGISTER

[illegible]

(Please leave prepared statement with Secretariat)