

MINUTES OF THE MEETING
LOCAL GOVERNMENT COMMITTEE
MONTANA STATE SENATE

February 19, 1987

The thirteenth meeting of the Local Government Committee was called to order by Chairman Bruce Crippen on February 19, 1987 at 12:15 p.m. in Room 405 of the Capitol.

ROLL CALL: All members were present.

FURTHER CONSIDERATION OF SENATE BILL NO. 211: Sen. Story announced to the committee that he had learned that his bill, SB 211, intended to do something that the law already allowed. Therefore, he MOVED that SB 211 BE TABLED. The MOTION PASSED UNANIMOUSLY.

EXECUTIVE SESSION:

ACTION ON SENATE BILL NO. 259: Amendments proposed by Ellen Feaver, (EXHIBIT 1) were distributed and explained by Karen Renne, staff researcher. Discussion was held by the committee and John Wilson of the Montana Promotion Division was called upon to answer any questions and to expand upon the amendments.

Mr. Wilson said the committee should consider the fact that there were no restrictions on the names being resold. The other point was that the Historical Society and his own department felt they should be able to make money on the sale of the lists - it costs quite a bit to compile the lists and they are valuable. Thirdly, he would like clarification on the intent. He showed an advertisement which is currently being used in central and western U.S. and in Alberta, Canada. His office receives about 3,000 inquiries per day, he said, and they collect about 260,000 names annually. Since Alberta is a partner in this endeavor, he would like the flexibility of holding out those names if desired. He also mentioned the Invite-a-Friend to Montana promotion. Those names would also become a part of the list and he felt it would be difficult to contact them for permission to sell their names.

Ken Dunham, lobbyist for the Associated Printers and Publishers, said that all the proponents had attended a meeting and felt that these amendments would make SB 259 much more workable.

Sen. Eck MOVED ADOPTION OF THE AMENDMENTS, adding a further restriction on resale and stipulation that travel promoters could resell at market value. Ms. Renne said the resale restrictions would be difficult to administer, but suggested adding "could be only used by the first buyer."

Chairman Crippen felt the vote had to first be on the written amendments presented to the committee, therefore Sen. Eck

WITHDREW her motion and MOVED TO ADOPT THE AMENDMENTS (Exhibit 1). The motion CARRIED UNANIMOUSLY.

Sen. Eck then MOVED to further amend the bill to restrict the resale and, regarding the price of the lists, stipulate that it be at market value or no less than the cost of producing it. Ms. Renne stated that that was a substantive change, possibly requiring a change in the Statement of Intent. She said a Statement of Intent was required because it now grants rulemaking authority to the Department of Administration.

Ms. Renne restated the amendments. Sen. Eck MOVED to include the Statement of Intent in her motion. The motion to amend CARRIED UNANIMOUSLY.

Sen. Eck MOVED a further amendment to stipulate that the "mailing list under this section may not be resold." The MOTION CARRIED UNANIMOUSLY.

Sen. Eck then MOVED that SB 259 DO PASS AS AMENDED.

Discussion followed Sen. Eck's motion. Sen. Story said the State Constitution provides a right of privacy and shall not be infringed upon without a compelling state interest. Sen. Pinsoneault said there was a way provided to remove names from the list. However, only if the person reads the legal advertising was the comment made by Sen. Story.

Sen. Vaughn asked how a person asking for tourist information could have their name kept off a mailing list. Ms. Renne said a warning could be printed on the card mailed in. Mr. Wilson said it would be a difficult task and rules could be made to have that list unavailable.

The DO PASS AS AMENDED motion failed on a vote of 3-7, the "no" votes being cast by Senators Crippen, Hammond, Harding, Hirsch, Story, Vaughn and Walker.

Sen. Story MOVED that SB 259 DO NOT PASS AS AMENDED. The MOTION CARRIED by a vote of 7-3, the "no" votes being cast by Senators Pinsoneault, Beck and Eck.

ACTION ON SENATE BILL NO. 274: Sen. Hammond MOVED that SB 274 DO PASS. The MOTION CARRIED by a vote of 7-2, with Senators Crippen and Pinsoneault casting the "no" votes. Sen. Walker had to leave the meeting and didn't leave his vote for the record.

ACTION ON SENATE BILL NO. 297: Ms. Renne distributed the amendments (EXHIBIT 2) and said it made a five-member board optional. She said also that there was a fiscal note for

this bill but it would no longer apply due to the changes in the bill. Sen. Harding said she agreed with the amendments and MOVED ADOPTION OF THE AMENDMENTS. The MOTION CARRIED UNANIMOUSLY.

Sen. Harding then MOVED that SB 297 DO PASS AS AMENDED. The motion PASSED UNANIMOUSLY.

ACTION ON SENATE BILL NO. 304: Ms. Renne distributed the amendments (EXHIBIT 3) presented by the proponents which responded to putting the cost statement on the ballot and striking the requirement for "election of 1987", as suggested by George Moore. Sen. Story MOVED that Mr. Moore's amendments be ADOPTED. The MOTION PASSED by a vote of 7-3, the "no" votes being cast by Senators Beck, Hammond and Vaughn.

Sen. Beck, in reviewing the amendments, wondered about stating "expected cost" rather than "most recent cost" and stated that in the form of a MOTION. Mr. Moore said it would be difficult to forecast the cost and opposed the motion on that basis. Sen. Crippen agreed and Sen. Beck WITHDREW HIS MOTION.

Sen. Story MOVED that SB 304 DO PASS AS AMENDED. The MOTION FAILED by a vote of 2-8. The MOTION was REVERSED, DO NOT PASS AS AMENDED and CARRIED by a vote of 8-2, with the dissenting votes being cast by Senators Pinsoneault and Story. Sen. Hirsch offered to carry the Adverse Committee Report on the Senate floor.

CONSIDERATION OF SENATE BILL NO. 367: Sen. Harding of Polson, representing District 25, presented the bill which would classify family and group day-care homes as a residential use of property for the purpose of all local ordinances.

PROPONENTS:

Barbara Archer, representing the Women's Lobbyist Fund, appeared before the committee. (See EXHIBIT 4) She added that day-care owners want to operate within the law and this bill would allow them this option.

Jeanne Doney, said she ran into problems with zoning when she decided to expand. This bill would greatly help her situation. She distributed a "Child Care Fact Sheet" to the committee. (See EXHIBIT 5)

Gary Frederick said he runs two day-care centers but is unable to expand because of zoning. He feels he could alleviate the shortage of day-care centers if this bill was passed.

Mary Nagel, Assistant County Extension Agent from Lewis and Clark County, also representing several other child-related agencies, presented testimony. (See EXHIBIT 6)

Mary Zastro, day-care owner, presented written testimony to the committee. (See EXHIBIT 7) She says she receives from 5 to 20 calls per week and knows there are not enough day-care centers.

Clark Zastrow, day-care owner and husband of Mary Zastrow, spoke and read written testimony into the record. (EXHIBIT 8) He said it costs \$375 to apply for a conditional use permit and there is no guarantee it will be granted.

QUESTIONS FROM THE COMMITTEE:

Sen. Pinsonault asked how the inspections could be enforced. Mrs. Doney said at the present it is handled by self-inspection; by means of a check list, the owner tells the SRS he is complying with the requirements.

Sen. Beck asked if outdoor recreation causes trouble with the neighbors. Mrs. Zastrow said it did at times but this could be worked out.

In closing, Sen. Harding said she felt the exclusion of day-care centers was an oversight in the law and felt the bill would take care of the resultant problems.

ACTION ON SENATE BILL NO. 367: Sen. Beck MOVED that SB 367 DO PASS. The MOTION CARRIED UNANIMOUSLY.

CONSIDERATION OF SENATE BILL NO. 175: Sen. Halligan of Missoula, representing District 29, said this bill requires excess appropriated funds to fund district court expenses in criminal cases be used for district court grants. At present, motor vehicle fees fund criminal district court cases. If there is an excess, this bill would put it into the grant-in-aid program, which was the original intent in 1985.

PROPONENTS:

Gordon Morris, MACo, read written testimony from the Department of Commerce agreeing that the money should be returned to the grants program. (See EXHIBIT 9) The Budget Department or the Legislative Council disagreed that the excess funds should be handled in this manner. This bill would return the fund handling to the way the original legislation intended.

Shaun Egan, representing the Montana League of Cities and Towns, asked to be shown on the record as a proponent.

OPPONENTS: There were no opponents.

QUESTIONS BY THE COMMITTEE:

Sen. Hirsch asked if Sen. Himsl's bill dealt with this subject

and Sen. Halligan said it would send the excess funds to the general fund.

Sen. Halligan closed his presentation on SB 175.

ACTION ON SENATE BILL No. 175: Sen. Eck MOVED that SB 175 DO PASS. The MOTION PASSED on a 9-1 vote with Sen. Hammond dissenting.

CONSIDERATION OF SENATE BILL NO. 368: Sen. Story, of Emigrant, District 41, opened the hearing on SB 368 which would exempt mines and mine buildings from the State Building Codes.

PROPOSERS:

Ward Shanahan, representing Chevron Corporation, read written testimony into the record. See EXHIBIT 10.

John Fitzpatrick, representing Pegasus Gold Corporation, showed the committee photographs of the Montana Tunnels installation so members would have an idea of the type of construction being discussed. He told the committee that his operation was regulated by the Federal Mine Safety Act, which is extremely stringent. He felt that it was unnecessary to add the Montana inspection and asked to be exempted.

Jim Smolik, representing the Golden Sunlight Mines, read written testimony into the record. See EXHIBIT 11.

Gary Langley, Executive Director of the Montana Mining Association, said, because the mining industry is already stringently regulated, that further regulation by the State of Montana, which sometimes conflicts with federal regulations, should not be imposed on the industry.

OPPOSERS:

Jim Kembel, Business Regulation Division of the Department of Commerce, read written testimony. See EXHIBIT 12.

Gene Fenderson, Montana Building Construction Trades Council, said he opposes the bill because of the mining companies who do not have the expertise and willingness to construct safe buildings and installations who will be exempt from the inspections. He hoped there would be some compromise he could accept, but would have to oppose the bill in its present form. County assessors use building permits for basing tax assessments and he thought this should be investigated pertaining to the bill.

Ray Blehm, State Fire Marshall, said that safety is eroded

when building inspection is deregulated.

QUESTIONS FROM THE COMMITTEE:

Sen. Crippen asked the opponents if they felt they could work on amendments with the mining industry in an effort to write a bill that would meet the objectives of the bill. Mr. Fenderson and Mr. Smolik said they would be willing.

Sen. Pinsoneault asked Mr. Fitzpatrick the cost of licensing inspections from the State. Mr. Fitzpatrick said he thought the original cost was about \$9,500.

Sen. Hirsch asked if the same problems occurred when Colstrip 3 and 4 were built. Mr. Shanahan said the Occupational Health and Safety Act (OSHA) would cover industrial facilities not covered by the Mine Safety Act which covers the mining industry, and OSHA covers everything MOSHA doesn't cover. Colstrip was not considered a public place, but under this law, mines are considered public places.

In closing, Sen. Story said the bill had been carefully documented and urged its passage.

ACTION ON SENATE BILL NO. 368: Sen. Story MOVED that SB 368 DO PASS. The MOTION PASSED by a vote of 9-1, with Sen. Walker voting "no".

ACTION ON SENATE BILL NO. 316: Sen. Hammond MOVED that SB 316 DO PASS.

Sen. Hirsch explained to the committee that the bill provides the same criteria for the exchange of state land as if it were a sale and, in particular to state lands within 4 1/2 miles of a municipality. He said there is a so-called "loop-hole" in the law and this bill attempts to close that loophole.

Sen. Beck said he read the bill to require subdividing but, in talking to Rep. Rehberg, was told the intent of the bill was to require appraisal. Sen. Crippen read from the bill: "No exchange may occur unless land is first subdivided." Sen. Eck thought the bill was to provide the argument for not exchanging it, meaning it couldn't be done unless the land had been subdivided in accordance with the county ordinances. Sen. Beck felt the appraisal part of it should be clarified allowing equal values exchanged. Sen. Hirsch said the bill was to prevent a trade of barren land worth less and said it would provide the ability to appraise the land higher. Sen. Harding felt if it was subdivided, then a more accurate appraisal would be reached. Sen. Eck said the best use of the land could be something other than subdividing.

Rep. Jack Ramirez, appearing before the committee, said there is a piece of very beautiful state land close to Billings near which he owns a piece of land. There are some people who are trying to trade the state some very barren land for the two state sections, one of which is beautiful and would make an ideal city park or subdivision within the 4 1/2 mile limit. Because the transaction is to be a trade, the department says it can't appraise the land for anything but its raw land value so they are appraising it for \$800 per acre. He has recently sold land adjacent to it for as much as \$6000 per acre. He objects to the trade of the land at that value. The reason subdivision was written in was to appraise the land for its true value.

Rep. Ramirez said that Rep. Dennis Rehberg is more directly involved because he leases the section that is being traded. Because he is involved, however, he felt he should not testify because of a conflict of interest.

Chairman Crippen wondered why the subdividing provision had been included in the bill. Rep. Ramirez said he wouldn't object to the amendment, saying the intent was to appraise the land for its true value for the purposes of trade.

Sen. Hammond WITHDREW HIS MOTION of DO PASS.

Sen. Story MOVED to AMEND the bill which would limit the trade unless the land is first appraised as if the land were in lots and to strike line 7 in the title. MOTION CARRIED UNANIMOUSLY.

Sen. Hirsch MOVED that SB 317 DO PASS AS AMENDED. The MOTION CARRIED by a vote of 8-1 with Sen. Crippen voting "no" and Sen. Walker absent.

ACTION ON SENATE BILL NO. 284: Chairman Crippen announced that Sen. Beck would like to work further on SB 284.

Sen. Beck MOVED SB 284 BE REMOVED FROM THE TABLE. The MOTION CARRIED UNANIMOUSLY.

Sen. Beck MOVED the AMENDMENTS BE ADOPTED (see EXHIBIT 13). He explained the amendments as requiring the approval of fees by the same method that bids are accepted - at a hearing rather than a public meeting. The hearing would be advertised for three consecutive weeks, testimony would be taken pro and con and the county commissioners would make the final decision. Ms. Renne said that Rural Improvement District language has been used.

The MOTION CARRIED by a vote of 7-2 with Sens. Pinsoneault and Crippen dissenting.


Local Government Committee
February 19, 1987
Page 8

Sen. Beck MOVED that SB 284 DO PASS AS AMENDED.

Sen. Crippen said he was not in agreement with the broadening of the fee system. He felt it should not be totally taken out of the control of the Legislature.

Roll Call Vote was taken and the DO PASS AS AMENDED motion PASSED by a vote of 5-4, with the dissenting votes being cast by Sens. Crippen, Pinsoneault, Harding and Story. (Attached)

The meeting was adjourned at 2:30 p.m.



SEN. BRUCE D. CRIPPEN, CHAIRMAN

ROLL CALL

Senate Local Government COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date Feb 19, 1987

NAME	PRESENT	ABSENT	EXCUSED
BRUCE CRIPPEN	X		
R. J. PINSONEAULT	X		
TOM BECK	X		
DOROTHY ECK	X		
H. "SWEDE" HAMMOND	X		
ETHEL HARDING	X		
LES HIRSCH	X		
PETER STORY	X		
ELEANOR VAUGHN	X		
MIKE WALKER	X		

Each day attach to minutes.

DATE Feb. 19, 1987
Local Government

[illegible]

(Please leave prepared statement with Captain _____)

*Best by
Karen Renne*

SENATE LOCAL GOVERNMENT
EXHIBIT NO. 1. P. 1
DATE 2-19-87
BILL NO. SB 254

Senate Committee on Local Government

February 17, 1987

AMENDMENTS TO SENATE BILL 259
(suggested by the Department of Administration)

1. Title, following line 4.

Insert: "CERTAIN"

2. Title, line 5.

Following: "STATE"

Strike: "AND LOCAL GOVERNMENTS"

Insert: "GOVERNMENT"

3. Title, lines 7 and 8.

Following: "LIST;"

Strike: remainder of line 7 through "AND" on line 8

Insert: "; GRANTING RULE-MAKING AUTHORITY TO THE DEPARTMENT OF ADMINISTRATION;"

4. Title, line 9.

Following: "MCA"

Insert: "; AND PROVIDING EFFECTIVE DATES"

5. Strike everything after the enacting clause and insert:

"Section 1. Section 2-6-109, MCA, is amended to read:

"2-6-109. ~~Prohibition-on-distribution~~ Distribution or sale of mailing lists ---penalty. (1) ~~Except-as-provided-in subsections-(3)-(4)-(5)-and-(6)-in~~ In order to protect the privacy of those who deal with state and local government:

(a) ~~no a state agency may not~~ no a state agency may not distribute or sell for use as a mailing list any list of persons without first ~~securing-the-permission-of~~ providing public notice so that those on the list have a reasonable opportunity to withhold their consent to be included on the list; and

(b) except as provided in subsections (3) through (8), no list of persons prepared by the agency may be used as a mailing list except by the agency or another agency without first securing the permission of those on the list.

(2) As used in this section, "agency" means any board, bureau, commission, department, division, authority, or officer of the state ~~or-a-local~~ government.

(3) Except as provided in 30-9-403, this section does not prevent an individual from compiling a mailing list by examination of original documents or applications which are otherwise open to public inspection.

(4) This section does not apply to the lists of registered electors and the new voter lists provided for in 13-2-115 and 13-38-103, or to lists of the names of employees governed by Title 39, chapter 31.

(5) This section shall not prevent an agency from providing a list to persons providing prelicensing or continuing educational courses subject to Title 20, chapter 30, or specifically exempted therefrom as provided in 20-30-102.

(6) This section does not apply to the right of access either by Montana law enforcement agencies or, by purchase or otherwise, of by private citizens to public records dealing with motor vehicle registration.

(7) A person violating the provisions of subsection (1)(b) is guilty of a misdemeanor. An agency may distribute or sell for use as a mailing list a list of persons in one or more of the following categories:

- (a) subscribers to magazines published by the agency;
- (b) persons who have requested one or more of the agency's publications;
- (c) retirees who are members of the public employees' retirement system established in Title 19, chapter 3, or the teachers' retirement system established in Title 19, chapter 4;
- (d) persons who have purchased or applied for a permit, license, license decal, or registration certificate from the department of fish, wildlife, and parks; and
- (e) persons who have responded to advertisements or other notices published or distributed by the department of commerce for purposes of attracting tourists to the state.

(8) An agency may sell a mailing list for no more than the cost of producing it unless the cost of producing the list was paid from a proprietary fund, in which case the agency may sell a list for its market value or trade it for another list of equivalent value.

(9) Money paid to an agency for a mailing list must be deposited in the fund from which the cost of producing the list was paid.

(10) Nothing in this section allows an agency to distribute or sell a list of persons that is confidential by law or under federal regulations."

SENATE LOCAL GOVERNMENT

EXHIBIT NO. L, p. 3

DATE 2-19-87

BILL NO. SB 359

NEW SECTION. Section 2. Rule-making. The department of administration shall adopt rules necessary to administer the provisions of this act, including rules:

(1) for providing public notice that an agency may sell or distribute a list of persons for use as a mailing list;

(2) prescribing a method for establishing the price of a list; and

(3) prescribing criteria for determining whether a particular list may be sold or distributed for use as a mailing list.

NEW SECTION. Section 3. Effective dates. (1) Section 2 and this section are effective on passage and approval.

(2) Section 1 is effective July 1, 1987."

- end -

NOTE: A statement of intent (for section 2) must accompany this bill when it leaves the Senate Committee on Local Government.

Senate Bill 259

STATEMENT OF INTENT
Senate Committee on Local Government

A statement of intent is required for Senate Bill 259 because section 2 grants rule-making authority to the Department of Administration.

The intent of this act is to allow reputable persons access to lists of persons who have requested information about Montana or expressed an intention to participate in Montana's recreational opportunities, in the expectation that use of such lists will enhance the state's effort to promote tourism and business expansion.

It is intended that in adopting rules to administer this act the department will require agencies either to provide public notice that a list of persons is to be made available for sale or distribution or to include a check-off on new forms that enables an individual to withhold consent to have his name or address on a list. It is further intended that the department will establish methods whereby an agency can recover the full cost of producing a list, and that the department will adopt rules that allow sale or distribution of any list that is consistent with the intent of this act.

Senate Committee on Local Government

February 19, 1987

AMENDMENTS TO SENATE BILL 297
(requested by the committee)

1. Title, line 4.
Following: "ACT"
Strike: "INCREASING"
Insert: "ALLOWING A COUNTY TO INCREASE"
2. Title, line 5.
Following: "BOARDS"
Strike: "FROM THREE TO FIVE MEMBERS"
3. Page 1, line 12.
Following: "~~three-member~~"
Strike: "~~five-member~~"
4. Page 1, line 13.
Following: "board"
Insert: "consisting of at least three but not more than
five members"
5. Page 3, lines 11 through 17.
Following: "(1)"
Strike: remainder of section 2 in its entirety
Insert: "If two new members are appointed to a county
tax appeal board pursuant to the increase in board size
provided for in this act, one shall serve a 4-year term
and the other shall serve a 2-year term. Thereafter,
both positions must be filled for 3-year terms.

(2) If one new member is appointed to a county
tax appeal board pursuant to the increase in board size
provided for in this act, he shall serve a 3-year term.
Thereafter, the position must be filled for a 3-year
term."

Senate Committee on Local Government

February 19, 1987

AMENDMENTS TO SENATE BILL 304
(suggested by George Moore)

1. Page 1, line 17.

Following: "general"

Strike: "elections of 1987 and"

Insert: "election of"

2. Page 2, line 11.

Following: "(2)"

Insert: "The ballot statement shall include the most recent annual cost of publishing the items in 7-5-2123(1) in the newspaper holding the county printing contract for publication of legal advertising."

Renumber: subsequent subsection

3. Page 2, line 25.

Following: "subsection"

Strike: "(2)(a) or (2)(b)"

Insert: "(3)(a) or (3)(b)"

4. Page 3, line 3.

Following: "subsection"

Strike: "(2)(a)"

Insert: "(3)(a)"

5. Page 3, line 6.

Following: "subsection"

Strike: "(2)(b)"

Insert: "(3)(b)"

Senate Committee on Local Government

February 19, 1987

AMENDMENTS TO SENATE BILL 304
(suggested by George Moore)

1. Page 1, line 17.
Following: "general"
Strike: "elections of 1987 and"
Insert: "election of"

2. Page 2, line 11.
Following: "(2)"
Insert: "The ballot statement shall include the most recent
annual cost of publishing the items in 7-5-2123(1) in
the newspaper holding the county printing contract for
publication of legal advertising."

Renumber: subsequent subsection

3. Page 2, line 25.
Following: "subsection"
Strike: "(2)(a) or (2)(b)"
Insert: "(3)(a) or (3)(b)"

4. Page 3, line 3.
Following: "subsection"
Strike: "(2)(a)"
Insert: "(3)(a)"

5. Page 3, line 6.
Following: "subsection"
Strike: "(2)(b)"
Insert: "(3)(b)"

LEWIS & CLARK COUNTY

CHILD CARE TEAM

MISSION:

To promote high-quality child care by establishing a network of concerned individuals who will work together in an effort to:

1. Increase public and parent awareness to the importance of quality child care in the lives of children.
2. Promote a community that is informed and supportive of the child-care system.

GOALS:

1. To increase the quantity and quality of child care available to all income level families.
2. Insure that the child care system offers multiple choices in types of care available to families.
3. Work to eliminate barriers to the establishment and maintenance of child care.
4. Inform parents regarding what constitutes quality child care and how to find it.

FOR FURTHER INFORMATION PLEASE CONTACT:

Kathi Campbell
1610 Floweree
Helena, Mt. 59601

406 - 443-6309

Claire Cantrell
Lewis & Clark County
Health Dept.
Helena, Mt. 59601

406 - 443-1010

Barbara
Archer

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 4 part 1, p. 1

DATE 2-19-87

BILL NO. SB 367
(Wardens)

WLF

CITY OF HELENA PLANNING DEPARTMENT
315 North Park Avenue
Helena, MT 59623

442-9920, Ext. 490

DATE: January 8, 1987

FILE: 2503 Daycare

TO: Kathy Macefield

FROM: Lenore Dizio

SUBJECT: Survey of Zoning of Day Care Facilities in Various Montana Cities

The following is a summary of information on zoning of day care facilities in various Montana cities.

CITY OF BILLINGS ZONING ORDINANCE

DEFINITIONS USED:

Day Care Center II: Seven (7) or more children, either in a private residence or other facility. There is no special definition for day care centers serving thirteen (13) or more children.

PERMITTED DISTRICTS:

A "Day Care Center II" is a permitted use in the Residential/Professional, Neighborhood Commercial, Community Commercial, Highway Commercial, Community Industrial, and Heavy Industrial districts. There are no additional requirements (such as proof of licensing) for day care centers in a permitted district, except issuing a building permit.

DISTRICTS WHERE "SPECIAL REVIEW" (C.U.P.) PUBLIC HEARING PROCESS IS REQUIRED:

Special review of a Day Care Center II is required in all residential districts, with the same requirements as the City of Helena C.U.P. public hearing process (notifying adjacent property owners, posting a sign, publishing legal "Notices of Hearing", and public hearings before the Zoning Commission and the City Commission).

FEE FOR SPECIAL REVIEW: \$330.00

CRITERIA FOR SPECIAL REVIEW: Traffic generation, pick-up and drop-off points, employment of outside personnel (other than family members), and building and fire safety concerns. State licensing of the facility is not required as a condition for approval of the special review.

NOTES: The City Zoning Ordinance was last revised in November, 1985.

City of Helena, Montana

KALISPELL & WHITEFISH ZONING ORDINANCES

DEFINITIONS USED: There are no specific definitions of day care centers pertaining to number of children, type of facility, etc.

PERMITTED DISTRICTS: Day care centers are not a permitted use in any zoning district.

DISTRICTS WHERE CONDITIONAL USE PERMIT PROCESS IS REQUIRED:

Day care centers are a conditional use (which involves the same public hearing process as the Helena C.U.P. process) in all residential zones.

FEE FOR CONDITIONAL USE PERMIT: \$50.00

CRITERIA FOR SPECIAL REVIEW: Traffic generation, pick-up and drop-off points, fencing and screening, compatibility with adjacent land uses, number of off-street parking spaces, neighborhood concerns, and need (especially if there is a similar day care center in the same area). State licensing of the facility is made a condition for approval of the C.U.P.

NOTES: The Kalispell Zoning Ordinance is being revised at this time. The Whitefish Zoning Ordinance was last revised in 1984.

CITY OF MISSOULA

DEFINITIONS USED:

Day Care Home: 6 or fewer children, in a private residence

Group Day Care Home: 7-12 children

Day Care Center: 13 or more children

PERMITTED DISTRICTS: Group Day Care Homes and Day Care centers are permitted uses in the following residential zones: A, B [both single-family], BC [Neighborhood Commercial], R-4 [permits high-rise buildings and offices]; and in the following commercial zones: C, C-1, C-2.

DISTRICTS WHERE "USE VARIANCE" IS REQUIRED: Group Day Care Homes and Day Care Centers are not listed as conditional uses in any other district, but could go through the "Use Variance" process with the Board of Adjustment. This is a standard public hearing process.

FEE FOR USE VARIANCE: \$200.00

CRITERIA FOR USE VARIANCE: These are very general criteria - the use must not be contrary to the public interest; literal enforcement of the zoning ordinance would cause an unnecessary hardship to the applicant for the use of the property; the spirit of the ordinance must be served and "justice done". Staff may also consider compatibility with adjacent land uses. Licensing of the facility is not necessarily tied to approval of the use variance, but the Board of Adjustment may make it a condition of approval.

NOTES: The Missoula Zoning Ordinance was last revised in November, 1984.

BUTTE/SILVER BOW

DEFINITIONS USED:

Group Day Care Home: 7-12 children. There is no specific term for a facility for 13 or more children.

PERMITTED DISTRICTS: Any type of day care center, as long as it is state licensed, is a permitted use in all residential and commercial zones. There are no additional requirements, such as notification of adjacent property owners.

NOTES: The Butte-Silver Bow Zoning Ordinance was last revised in 1978.

CITY OF BOZEMAN

DEFINITIONS USED:

Family Child Care Home: 3 - 6 children, receiving supplemental parental care in a private residence.

Group Child Care Home: 7 - 12 children, with supplemental parental care in a private residence, licensed by the state.

Child Care Center: any day care facility not in a private home, licensed by the state.

PERMITTED DISTRICTS: Day care facilities serving 3-6 children in a private home are permitted uses in all residential districts. Group Child Care Homes and Child Care Centers are not permitted in any district.

DISTRICTS WHERE CONDITIONAL USE PERMIT (C.U.P.) PUBLIC HEARING PROCESS IS REQUIRED:

Group Child Care Homes are a conditional use in all residential districts, as well as the Central Business district. Child Care Centers are a conditional use in the R-3, R-4, R-5, R/O, commercial, and light industrial districts.

FEE FOR CONDITIONAL USE PERMIT: \$220.00

CRITERIA FOR CONDITIONAL USE PERMIT: The criteria are similar to the City of Helena C.U.P. criteria. Off-street parking for Child Care Centers (1 space for each employee, 1 space for loading for each 10 children in addition to any residential parking) is strictly enforced. Licensing of a day care facility is required.

NOTES: The Bozeman Zoning Ordinance was completely revised in 1976. An amendment to the Zoning Ordinance concerning day care centers was adopted in October, 1986.

CITY OF GREAT FALLS

DEFINITIONS USED:

Day Care Center: an institution or place providing supplemental care for 7 or more children, for 5 or more hours per day, for 5 or more consecutive weeks (includes pre-schools, nurseries, child care centers, nursery schools).

PERMITTED DISTRICTS:

A day care center as defined above is a permitted use in the C-Residential district (similar to the R-4 district). Day care centers are also permitted in the business and industrial districts.

DISTRICTS WHERE CONDITIONAL USE PERMIT PROCESS IS REQUIRED:

Day care centers are a conditional use in all other residential zones (Suburban Residential, A-Residential, B-Residential). The C.U.P. public hearing process is identical to the process in Helena.

FEE FOR CONDITIONAL USE PERMIT: \$75.00

CRITERIA FOR CONDITIONAL USE PERMIT: The proposed use may not be detrimental to the safety, health, morals, or general welfare of the area; it may not be injurious to the use and enjoyment of other properties, or impair property values; it may not impede the normal and orderly development of surrounding properties and permitted uses of the area; the exterior may not be at odds with other surrounding properties; adequate utilities, access and drainage must be provided; egress and ingress must be constructed to minimize congestion; the use must comply with all other applicable regulations of the district. State licensing would be made a requirement of the C.U.P.

NOTES: The Zoning Ordinance was most recently amended in September, 1986. Revisions to the Zoning Ordinance on day care were last made in 1991.

WOMEN'S LOBBYIST FUND

Box 1099
Helena, MT 59624
449-7917

SENATE LOCAL GOVERNMENT	
EXHIBIT NO.	4, part I
DATE	2-19-87
BILL NO.	SB 367

p.1

Testimony--Senate Local Government Committee, Feb. 19, 1987, Barbara Archer, WLF

Mr. Chairman and Members of the Committee:

My name is Barbara Archer. I am speaking on behalf of the Women's Lobbyist Fund. The Women's Lobbyist Fund is a coalition of 39 groups and over 6500 individuals across Montana.

The WLF supports this bill which would prohibit undue zoning restrictions on child care providers. Families need to have access to quality child care within their own neighborhoods. In many cases, zoning restrictions have prevented people who provide child care from operating legally in their neighborhoods.

We have in place in Montana a system of two types of day care homes, 1) the registered family day care home which serves 3 to 6 children, and 2) the registered group day care home which serves 7 to 12 children and requires the presence of 2 adults for over 6 children. It is estimated that between 70% to 90% of day-care providers are operating outside the law. Registration insures minimal health and safety which include fire protection and adult supervision. However, zoning restrictions and inconsistencies across the state have encouraged "underground" and unregistered day care.

Why is it difficult for day care providers to operate within the law?

1) Zoning laws vary widely across the state and there may be duplication and overlapping of regulations. e.g. Some of the agencies which supervise day care are Social and Rehabilitative Services, every county health department, city zoning laws, business and fire codes, occupancy fees, etc., which all impinge upon home day care.

2) Some cities require a conditional use permit (C.U.P.) in order to operate in residential areas. Getting C.U.P.'s can be difficult because of, (a) cost, child care is not a high profit business, many are working for minimum wage or less and cannot afford the added expense of obtaining a sometimes very high cost permit, (see survey), (b) time, it can take 8-10 weeks or more to go through the process of obtaining a C.U.P. (c) stress; going to hearings and dealing with powerful individuals can be very stressful.

3) Unfair and arbitrary enforcement encourages "underground" or unregistered day care. Some cities may be very stringent and intrusive in enforcing and inspecting registered facilities, while on the other hand they will not make any attempt to contact or locate unregistered providers.

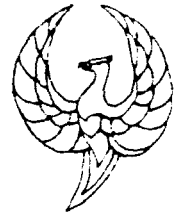
Why is it important to have day care in residential areas?

50% of children under age 5, 60% of children under age 1, and 63% of school age children have mothers who work outside the home. The most important consideration of parents in choosing child care is proximity to their own neighborhood. This is a more important factor than whether a facility is registered.

It is estimated that there are 45,000 children in Montana under the age of five who have working mothers. Of these, there are, at most, 9,381 children served in registered or licensed facilities. Women would like to be operating their facilities

WOMEN'S LOBBYIST FUND

Box 1099
Helena, MT 59624
449-7917



within the bounds of the law. We do not want to lessen the options that parents and children have to seek quality child care. Public schools are in R1, R2, or R3 zones and are considered an asset to a community. Child care providers and parents are a part of the community and need the same accessibility.

We strongly urge you to support this bill. Thank you.

SENATE LOCAL GOVERNMENT Page 1
FILE NO. 5
DATE 5-19-87
BILL NO. SB 367

NAME Jeanne Dancy BILL NO. 367

ADDRESS 14 So Davis DATE _____

WHOM DO YOU REPRESENT Self

SUPPORT ✓ OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Child Care Fact Sheet

Working Mothers and Children

SENATE LOCAL GOVERNMENT

EXHIBIT NO. #5

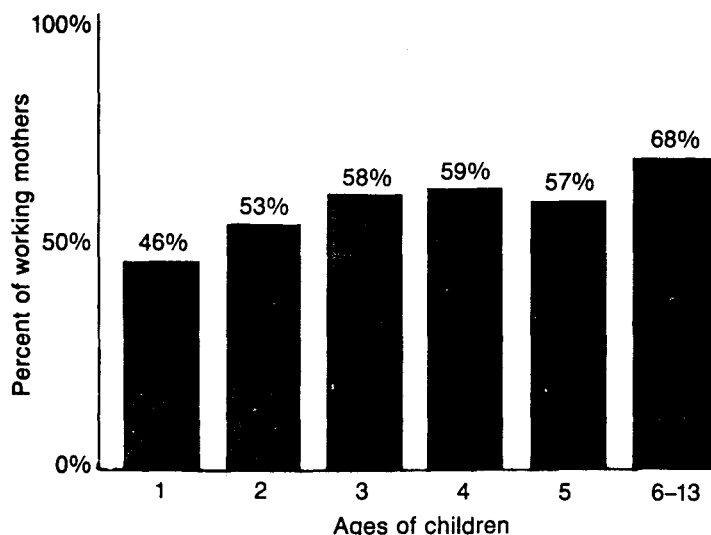
DATE

BILL NO. SB 367

In 1984, 60.5% of all women with children under 18 years old worked outside the home.

The highest increase in the rate of labor force participation was in women with children under 3 years old.

Mothers in the Work Force



Cites: Bureau of Labor Statistics
Conference Board
Children's Defense Fund

In 1984, 1 in every 4 mothers in the work force was maintaining her own family.

Women work out of economic need. In March 1985, over 6.3 million women with children under 18 years old were single, divorced, separated, or widowed.

In 1984, 32.7 million or 56% of all children had mothers in the work force.

Numbers of children	Ages of children
9.34 million	0-5
14.75 million	6-13
8.61 million	14-17

The 24.09 million children age 13 and under were cared for in a variety of ways while their parents worked.

Types of care	Estimated numbers of children
family day care	5.5 million
child care centers	1.5 million
own homes; care by relatives or non-relatives or other arrangements	10.09 million
self care	7.0 million

Affordable, high quality child care is the combined responsibility of parents, providers, employers, and federal and state governments.

Parents, however, must determine what they consider important attributes of a care provider and of a nurturing environment for their child. The following factors are indicators of a high quality environment for children:*

- children are safe and well nourished
- children have adequate space
- ample materials and equipment for learning are provided
- staff are trained in child development and teaching methods
- there is good planning and organization, and
- strong links to parents are maintained

*NAEYC

About the Commission: The National Commission on Working Women was created to focus on the needs and concerns of the approximately 80% of women in the work force who are concentrated in low-paying, low-status jobs in service industries, clerical occupations, retail stores, factories, and plants.

The NCWW encourages broad distribution of this fact sheet. Those interested in reproducing it are simply required to inform our office. Production of this fact sheet was funded by the Ford Foundation and the United Food and Commercial Workers International Union.

EXHIBIT NO. 6, 101
DATE 2-19-87
BILL NO. SB-367

NAME Mary Noyl BILL NO. 367
ADDRESS 916 No. Warren Helena DATE Feb 19, 1987
WHOM DO YOU REPRESENT Child Care Team Lewis & Clark
SUPPORT X OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

February 19, 1987

Senate Local Government Committee
Honorable Chairperson

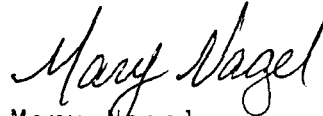
Re: Senate Bill 367

In regards to the above bill, the listed parties below have a dedicated interest in seeing that zoning laws are such that licensed day cares are not restricted by strigent laws that prohibit their existance. Unlicensed day cares exist in residential areas already.

Group homes of 12 children and under in Helena must go through the lengthly costly process of obtaining a Conditional Use Permit to be licensed; therefore, they don't attempt to become licensed.

We are advocating that if the zoning laws are changed so that licensed day care centers are allowed more quality can be regulated and inforced.

Thank you for your consideration of this matter.



Mary Nagel
Assistant County Extention Agent

Peggy Bahls - LaLeche League
Ann Bolstad - SRS Regional Office
Leslie Bracken - CCFR Director
Mona Bracken - Child Care Provider
Kathi Campbell - Early Childhood Project
Jeanne Doney - ICCUW
Elena Fredrick - 3R's Preschool Director/Pete's Place
Deanna Johnson - YMCA Child Development
Rosemary Miller - Work Family Directors
Diane Person - Home Day Care
Nancy Westerbuhr - Health Department
Claire Cantrell - Health Department
Linda Stoll-Anderson - County Commissioner

NAME Mary D. Zastrow BILL NO. 367
ADDRESS 1204 Wilder DATE _____
WHOM DO YOU REPRESENT DayCare (Group Day Care - My Home)
SUPPORT X OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

My concern is that many city/county zoning boards have not allowed for Group Day Care Homes (7-12 children) in their zoning plans. If zoning cannot be altered within a given community to allow for such Day Care Homes, I feel we will have more unlicensed/unregistered day care that will function until a neighbor or parent reports them. We have a growing number of single parent homes, mostly women who require day care for their children and not enough Day Care centers or homes to care for these children. If communities do not allow for Day Care Group Homes within the residential areas, these parents will have to go on welfare or to other agencies for help rather than being more self-sufficient. Also two parents who are working are already suffering an economical pinch without having to struggle to find adequate day care within their neighborhood.

NAME Clark Zastrow BILL NO. 367ADDRESS 1204 Wilber Hokeny, DIT. DATE 2/19/87WHOM DO YOU REPRESENT Group Day CareSUPPORT X OPPOSE AMEND

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

I have a concern for good affordable child care. Example in Helena: No areas set aside for group homes. Therefore one must pay \$375.00 plus the cost of a plat plan approx 200⁰⁰ to approach zoning commission. Then if passed on to city commission. If fails person is out \$575⁰⁰ so the greater number of homes can't afford to apply for permit. If they are forced to apply they must increase their rates, therefore people can't afford day-care, especially the single parent. Helena has in place regulations to close a day-care group home if they don't have a permit. Most group homes are therefore subject to being closed unless they are willing to gamble on \$575⁰⁰ min. & if they win pass the cost on to parents/guardians.

I thank you

Gordon Morris
MACO

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 9

DATE 2-19-87

BILL NO. SB 175

Page 2

That bill, under Section 6. (3) continues as follows:

"(3)In the extent funds are available. the department of commerce shall award a grant if the county's district court expenditures for the previous fiscal year exceeds the sum of:

(a) the product of the maximum mill levy authorized by law for district court purposes, whether or not assessed, multiplied by the previous year's taxable valuation of the county; and

(b) all revenues, except district court grants, required by law to be deposited in the district court fund for the previous fiscal year."

*Writers Note: SB 25 includes only provision for funding and not "court unification" processes.

During the 1985 "Special" legislative session, Senate Bill 1 was introduced by Senator Hager by the request of the Revenue Oversight Committee. The purpose of this bill was to: "reinsert the inflation computation into the light motor vehicle fee system; providing that the inflation computation does not apply to the district court fee; transferring the administration of state funding for district courts from the Supreme Court to the Department of Commerce; appropriating to the Department of Commerce funding for the state funding of district courts; deleting the funding from the Supreme Court Budget"

Additionally, under "Section 11. Appropriation transfer. " of that act it states in the last sentence:

"..... In accordance with such transfer, the spending authority of the Supreme Court is reduced \$3,170,633 for FY 86 and \$3,152,873 in FY 87, and there is appropriated to the Department of Commerce from the general fund \$3,170,633 for FY 86 and \$3,152,873 in FY 87 for certain District Court operations."

The staff and management of the Local Government Assistance Division of the Department of Commerce, that unit which is now managing the subject program, believe that the legislative history of this program does not prohibit, but rather implies an endorsement of the philosophy that any surplus funds from one program for District Court expenses can be transferred to the other program to pay eligible District Court costs. Read

THE PRESENT:

Senate Bills 25 and 142 as passed during the regular session of the 1985 legislature created a new State program for the assumption of certain expenses associated with criminal proceedings in district courts. Amendments to Senate Bill 1 during the June 28, 1985 special session passed administrative and fiscal responsibility for this program from the State Supreme Court to the Montana Department of Commerce. The program is operated from the Community Development Bureau of this department.

Also, within the Department of Commerce, the "old" District Court Grant Program is administered. This program, enacted by the 1977 Legislature, (7-6-2352 MCA) has been funded by subsequent legislatures through FY 86. These funds were appropriated to relieve the excess court costs (mill levy allotment by county size). This program has underfunded those requests in both of the past two years. * It should be noted that these funds are appropriated in one year to make up the balance of the counties court costs for the previous year. The regular legislative session funded this program with \$1,375,000 for FY 86 and \$00- for FY 87. It (the legislature) did not repeal this statute, it only left it unfunded for FY 87. Remember, the FY 86 dollars were applied for and granted to the counties based on their FY 85 expenses. These funds have already been distributed, therefore, any shortfalls the counties may show at the end of FY 86 in district court activities will have no source of state funds from this program as it exists today.

It was anticipated, by the records that we have reviewed, that the void in FY 87 funding for the "old" grant program was balanced by the advent of the "new" district court program. In the process of our Division developing the "procedures" for the administration of this "new" program, we asked the question - "what happens if there is a year end surplus in this account after all counties eligible claims have been paid?" We wanted to establish that should it happen, we would transfer said funds into the "old" grant program to protect any counties who, under the new program, ended up as net losers. From a technical point of view, we found that judgement required further outside of DOC, authorization. It is to that end that this paper is addressed.

E4.9, p.2
2-19-87
SB 175

November 20, 1985

Don Peoples, Chief Executive
Butte-Silver Bow County
155 West Granite
Butte, MT 59701

Fritz Tossberg, Commissioner
Ravalli County
P. O. Box 5002
Hamilton, MT 59840

Gentlemen:

Enclosed is a copy of a memo prepared by the Local Government Assistance Division of the Department of Commerce. The memo supports the application of SB 25 - Motor Vehicle Fee Revenues for District Court Criminal Costs to be used to fund the Grant in Aid programs dependent upon surplus funds,

I would appreciate your review of the memo and a possible letter to Keith Colbo and Dave Hunter in support of the position being proposed. This matter is of particular concern to your county and favorable response will go along way towards alleviating an otherwise major problem.

Sincerely,

Gordon Morris
Executive Director

gm/mrp

cc: Newell Anderson

Keith Colbo, Director
Department of Commerce
1424 9th Avenue
Helena, MT 59620

David L. Hunter, Director
Office of Budget & Program Planning
Capitol Station
Helena, MT 59620

COPY

THE CASE FOR TRANSFERRING SURPLUS FUNDS FROM THE "NEW" DISTRICT COURT PROGRAM TO THE "OLD" DISTRICT COURT GRANT PROGRAM
AT FY 86 YEAR END

Introduction:

During the 1983 Legislative session Senate Bill 440 was introduced to establish a unified court system in Montana. SB 440, sponsored by Senator Reed Marbut, designated: a.) the Chief Justice of the Montana Supreme Court as the administrative head of the unified judicial system; b.) established the Office of Courts Administration under the direction of the Supreme Court Administrator to establish a personnel classification plan for court employees. Furthermore, SB 440 required the state to assume funding for the district courts (excluding the clerks of district court and their staffs) effective July 1, 1985, at an estimated costs of about \$13 million. The intent was to "make the Montana court system a better managed institution" by combining the responsibilities for funding and administering the courts under a single entity. SB 440 was tabled by the Senate Judiciary Committee with a call for an interim committee to study the issue further (SJR25). Joint Interim Subcommittee No 3 was formed and studied this entire issue. The results of that study were:

"Joint Interim Subcommittee No 3 recommends that the 47th Montana Legislature consider enacting:

1. A bill requiring the Supreme Court Administrator to conduct orientation courses and training sessions for district court clerks, their deputies, and persons who perform duties similar to those district court clerks for the justices', municipal and city courts; and
2. A bill requiring the state to assume funding for certain district court expenses and requiring the legislature to provide full funding for the district court grant program."

During the 1985 regular Legislative session, Senate Bill 25 was introduced by Senator Towe, by request of Joint Interim Subcommittee No 3. This Act was to authorize the state to assume funding for certain district court expenses and authorizing the legislature to provide funding for the district court grant program. That bill, passed by the legislature and signed by the Governor, included under Section 6, the following:

" Section 7-6-2352, MCA, is amended to read:
7-6-2352. State grants to district courts --- rules. (1) The Department of Commerce shall make grants, to the extent funds are appropriated for that purpose, to the governing body of a county for the district courts for assistance, as provided in this section.

EX-10
2-19-87
SB 368

NAME: Ward A. Shanahan

BILL NO. SB 368

ADDRESS: 301 First National Bank Building, Helena, MT

WHOM DO YOU REPRESENT: Chevron Corporation

SUPPORT

Dear Chairman and Members of the Committee:

Chevron Resources and Stillwater Mining Company
strongly support SB 368.

The imposition of Montana Building Code standards to
an industrial facility is inappropriate and conflicts with
other existing law.

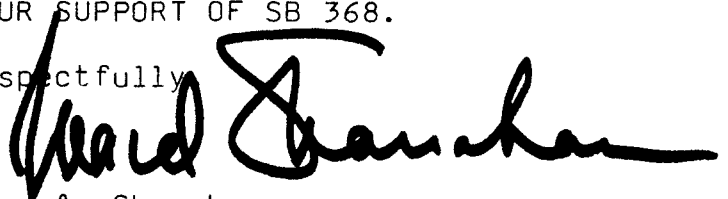
Industrial facilities, and in particular mining
facilities, are regulated by the Mine Safety and Health
Act (MSHA) and the Occupational Safety and Health Act
(OSHA). It is inappropriate to impose upon an industrial
facility "public access concepts which were designed for
buildings into which the public is invited."

The public is not invited into a mining facility on a
day-by-day basis. MSHA and OSHA are designed to provide
worker safety in industrial areas where workers are
required to be given special training to protect
themselves, special equipment to protect their bodies and
the work place is designed to afford health safety and
still get the job done in the facility.

An industrial facility therefore does not require the
additional protection required for members of the public
in various states of health, suspecting and unsuspecting,
who are allowed to wander at will, in and out of public
buildings. To require the industrial owner to provide
those extra precautions necessary to protect the casual
visitor is both unnecessary and burdensome.

WE WOULD APPRECIATE YOUR SUPPORT OF SB 368.

Respectfully



Ward A. Shanahan
Chevron Corporation
301 First National Bank Building
P.O. Box 1715
Helena, MT 59624
Tele: (406)442-8560

4234W

Testimony on Senate Bill 368

Mr. Chairman and Committee Members:

My name is Jim Smolik and I represent Golden Sunlight Mines, Inc., an open pit gold mine located 5 miles east of Whitehall. We support this bill because of the burdensome and expensive aspect of having to deal with multiple layers of regulatory agencies. Evidently, since our initial plant construction in 1982, the State Building Codes Division has been added to our review list in addition to MSHA and the State Department of Labor and Industry.

The Uniform Building Codes relate well to public buildings and are necessary for buildings such as apartment complexes and assembly line manufacturing plants where many employees or members of the public are involved. These codes do not recognize the unique character of complex metallurgical processing equipment generally housed in large buildings. This equipment usually has many access floors and stairways around it for operations and maintenance accessibility. Also, good visibility is a necessity resulting in the standard MSHA approved handrail design. Trained operations personnel make periodic inspections as part of their duties with very few people in or around the buildings at any certain time period.

In 1982, the Building Codes Division gave Golden Sunlight a letter stating that we must get building permits for the buildings where we had the greatest human density, i.e., office, employee changehouse and assay office. They exempted the metallurgical processing buildings from the permitting requirements. This was an acceptable situation.

In 1986, the Building Codes Division said we needed a building permit for our Sand Tailing Retreatment metallurgical processing plant. After paying the \$2800 fee, problems immediately arose

on the classification of our building. It took several meetings between ourselves, legal counsel, and the Building Codes personnel before a classification could be resolved. After construction started, a Building Codes inspector appeared on site and declared our handrails did not meet code although they are standard throughout the mineral processing industry and were used in our initial plant construction. Following many meetings, more legal expense, and a hearing in which the federal MSHA inspector stated that they had no record of any accidents or injuries ever occurring in a processing plant because of this handrail use, we were granted an exemption. Our cost for this exercise was many times the building permit fee.

Subsequently, an electrical inspector appeared and stated that we could not use our electrical personnel for construction because they did not have licenses. This is difficult to comprehend because of the special training and expertise that these individuals have. In fact, these individuals even assisted our corporate Engineering Department with electrical design for this plant. Because of the State restrictions, our personnel are not even allowed to take the examination for licensing! Our corporate personnel were shocked at this treatment knowing the capabilities of all parties involved. These individuals have been involved in the design and construction of 11 similar metallurgical plants in the United States, Canada and Mexico, the Philippines and Australia. Of course, this conflict resulted in more trips to Helena, correspondence, legal work and expense for the project.

In conclusion, the above changes in State building code policy between 1982 and 1986 are not needed for the State of Montana, our employees or for our mineral industry. The duplication and code interpretation differences between MSHA and the State Building Codes Division is unsettling, costly and nonproductive. Please give this bill serious consideration and help remove some of the obstacles for mining in Montana.

TESTIMONY OF W. JAMES KEMBEL
BUSINESS REGULATION DIVISION - DEPARTMENT OF COMMERCE

SB 368

AN ACT TO AMEND THE APPLICABILITY OF THE MONTANA BUILDING CODE TO EXCLUDE MINES AND BUILDINGS ON MINE PROPERTY REGULATED UNDER TITLE 82, CHAPTER 4

As drafted the bill will leave the department with a manageable program.

The department wishes to note that even though the bill is workable there is a need to clarify some points. The intent of the proposed legislation is to eliminate a duplication of effort concerning structures under the regulation of the Federal Mine Safety and Health Act and the states inspection program.

The OSHA inspection program, whether at the state or federal levels, is solely for the protection of the employees from direct work hazards and does not concern itself with the impact the building structure itself has on the safety of the building's occupants.

The code enforcement program of the state is concerned with the adequacy of the building's foundation and structural system, the fire resistance of the building based on the use housed therein and the size of the building, the ventilation of the building to maintain healthy air, adequate restroom facilities, adequate exiting, safe electrical system to prevent fire and shock hazards and a number of other safety concerns.

The OSHA inspection program is concerned with such things as safe ladders, guardrails, slipping hazards, hard hats and other direct work related items.

If anything the two inspection programs are complimentary rather than duplicative. With the passage of this legislation there will be a number of large office and other plant facilities that will go without inspection except for those standards of OSHA. The buildings at mine sites are no different than those type structures at other industrial facilities that we now cover and would continue to cover should this legislation pass.

In closing we would note that Sec. 50-60-203, MCA makes the department the sole state agency for the adoption of standards relating to building construction.

Adapted by committee
2-19-87

SENATE LOCAL GOVERNMENT
EXHIBIT NO. 13, P. 1
DATE 2-19-87
BILL NO. SB 284

Senate Committee on Local Government

February 19, 1987

AMENDMENTS TO SENATE BILL 284
(requested by sponsor)

1. Page 1, line 23.

Following: "may"

Strike: "by resolution passed at a public meeting"

Insert: "pass a resolution of intent to

2. Page 1, following line 25.

Insert: "(3) (a) Upon passing a resolution of intent under subsection (2); the board of county commissioners shall publish notice of the passage of the resolution as provided in 7-1-2121.

(b) At any time within 15 days after the date of the first publication of the notice of the passage of the resolution of intention, any person who would be affected by the proposed fee, penalty, or emolument may make written protest.

(c) At the next regular meeting of the board of county commissioners after the expiration of the time within which protest may be made, the board shall hear and pass upon all protests so made, and its decision shall be final and conclusive. If the board finds the protest to be sufficient, no further proceedings may be taken for a period of 6 months from the date of the meeting at which protests were heard. If the board finds the protest to be insufficient, it may by resolution establish the fee, penalty, or emolument proposed under subsection (2)."

Renumber: subsequent subsection

not adapted

2-19-87

SENATE LOCAL GOVERNMENT

EXHIBIT 13, P. 2

DATE 2-19-87

BILL NO. SB 28

Senate Committee on Local Government

February 17, 1987

AMENDMENT TO SENATE BILL 284
(suggested by Alec Hansen)

1. Page 1, line 25.

Following: "service."

Insert: "Nothing in this subsection authorizes the board of county commissioners to assess a fee for a service to another local government or jurisdiction unless it is specifically allowed by law."

AMENDMENT TO SENATE BILL 211
(sponsor)

1. Title, line 6.

Following: "SECTIONS"

Strike: "50-60-103"

Insert: "50-60-102 THROUGH 50-60-104"

Following: "50-60-106,"

Strike: "AND"

Insert: "50-60-107, 50-60-109,"

Following: "50-60-302,"

Insert: "AND 50-60-303,"

2. Title, line 7.

Following: "REPEALING"

Strike: "SECTION 50-60-104"

Insert: "50-60-205, 50-60-501 THROUGH 50-60-515, AND
50-60-601 THROUGH 50-60-607"

3. Page 1, following line 9.

Insert: "Section 1. Section 50-60-102, MCA, is amended to
read:

"50-60-102. Applicability. (1) The state shall enforce the state building codes do-not-apply-to-residential buildings-containing-less-than-five-dwelling-units-or-their attached-to-structures,-any-farm-or-ranch-building,-and-any private-garage-or-private-storage-structure-used-only-for the-owner's-own-use,-located-within-the-municipality's-or county's-jurisdictional-area,-unless-the-local-legislative body-or-board-of-county-commissioners-by-ordinance-or resolution-makes-the-state-building-code-applicable-to-these structures.-The-state-may-not-enforce-the-state-building code-under-50-60-205-for-the-aforementioned-buildings-local governments-that-have-made-the-state-building-codes-applicable-to-the-aforementioned-buildings-may-enforce-within their-jurisdictional-areas-the-state-building-code-as adopted-by-the-respective-local-government.-The-state-may not-enforce-the-state-building-code-under-50-60-205-for these-buildings-only with respect to the following:

(a) factory-built buildings;

(b) recreational vehicles as defined in 50-60-101;

(c) school buildings as defined in 20-6-622;

(d) tramways; and

(e) passenger elevators and passenger escalators as provided in Title 50, chapter 60, part 7.

~~{2}-Where-good-and-sufficient-cause-exists,-a-written
request-for-limitation-of-the-state-building-code-may-be
filed-with-the-department-for-filing-as-a-permanent-record.
-----{3}-The-department-may-limit-the-application-of-any
rule-or-portion-of-the-state-building-code-to-include-or
exclude:
-----{a}-specified-classes-or-types-of-buildings-according
to-use-or-other-distinctions-as-may-make-differentiation-or
separate-classification-or-regulation-necessary,-proper,-or
desirable;
-----{b}-specified-areas-of-the-state-based-upon-size,
population-density,-special-conditions-prevailing-therein,
or-other-factors-which-make-differentiation-or-separate
classification-or-regulation-necessary,-proper,-or-desir-
able-"~~

Renumber: subsequent sections

4. Page 2, following line 10.

Insert: "Section 3. Section 50-60-104, MCA, is amended to
read:

"50-60-104. Inspection fees. The department shall
establish a schedule of fees and may collect fees for the
inspection of plans and specifications and for the inspec-
tion of school buildings, factory-built buildings,
recreational vehicles, tramways, or any other facility or
structure passenger elevators, and passenger escalators.

Renumber: subsequent sections

5. Page 2, line 12.

Following: "duties of"

Strike: "municipalities"

Insert: "local governments"

6. Page 2, line 17.

Following: "within the"

Strike: "municipal"

7. Page 2, line 18.

Following: "area"

Insert: "of local governments"

8. Page 2, following line 18.

Strike: "municipalities"

Insert: "local governments"

9. Page 2, line 20.

Following: "(2)"

Strike: "Each municipality"

Insert: "Except as provided in subsection (3), each local
government"

10. Page 2, line 24.
Following: "state or"
Strike: "municipal"
Insert: "local government"

11. Page 3, following line 3.
Strike: "municipal"
Insert: "local government"

12. Page 3, line 7.
Following: "state or"
Strike: "municipal"
Insert: "local government"

13. Page 3, line 11.
Following: "state or"
Strike: "municipal"
Insert: "local government"

14. Page 4, line 6.
Following: "state or"
Strike: "municipal"
Insert: "local government"

15. Page 4, following line 7.
Insert: "(3) Local government building codes do not apply to residential buildings containing less than five dwelling units or their attached-to structures, any farm or ranch building, and any private garage or private storage structure used only for the owner's own use, located within the local government's jurisdictional area, unless the local legislative body or board of county commissioners by ordinance or resolution makes the local government building code applicable to these structures.

Section 5. Section 50-60-107, MCA, is amended to read:

"50-60-107. Certificate of occupancy. (1) A certificate of occupancy for a building constructed in accordance with the provisions of the state or ~~municipal~~ local government building code shall certify that the building conforms to the requirements of the building regulations applicable to it.

(2) Every certificate of occupancy, unless and until set aside or vacated by a court of competent jurisdiction, is binding and conclusive upon all ~~municipal~~ local government agencies as to all matters set forth, and no order, directive, or requirement at variance therewith may be made or issued by any other state or ~~municipal~~ local government agency."

Section 6. Section 50-60-109, MCA, is amended to read:

"50-60-109. Injunctions authorized. (1) The construction or use of the building in violation of any provision of the state or ~~municipal~~ local government building code or any lawful order of a state building official or a local building department may be enjoined by a judge of the district court in the judicial district in which the building is located.

(2) This section will be governed by the Montana Rules of Civil Procedure.""

Renumber: subsequent sections

16. Page 4, line 9.

Following: "of"

Strike: "municipal and county"

Insert: "local government"

17. Page 4, line 10.

Following: "A"

Strike: "county or municipality"

Insert: "local government"

18. Page 4, line 14.

Following: "of"

Strike: "municipal and county"

Insert: "local government"

19. Page 4, line 16 through line 2 on page 5.

Strike: subsection (3) in its entirety

20. Page 5, following line 2.

Insert: "Section 8. Section 50-60-303, MCA, is amended to read:

"50-60-303. ~~Municipal~~ Local government appeal procedure. (1) If a ~~municipality~~ local government adopts a ~~municipal~~ local government building code, it shall also establish an appeal procedure by ordinance which is acceptable to the department.

~~{2}-If-a-municipality-does-not-adopt-a-code, appeals-on-the-application-of-the-state-building-code within-the-municipal-jurisdictional-area-shall-be-made to-the-department-"~~

Renumber: subsequent sections

21. Page 5, line 7.

Following: "Repealer."

Strike: "Section 50-60-104"

Insert: "Sections 50-60-205, 50-60-501 through 50-60-515,
and 60-60-601 through 50-60-607"

22. Page 5, line 8.

Following: "MCA,"

Strike: "is"

Insert: "are"

ROLL CALL VOTE

SENATE COMMITTEE

LOCAL GOVERNMENT

Date 2-19-87 SB Bill No. 274 Time _____

NAME	YES	NO
BRUCE CRIPPEN		✓
R. J. PINSONEAULT		✓
TOM BECK	✓	
DOROTHY ECK	✓	
H. "SWEDE" HAMMOND	✓	
ETHEL HARDING	✓	
LES HIRSCH	✓	
PETER STORY	✓	
ELEANOR VAUGHN	✓	
MIKE WALKER		
<i>Passed</i>	<i>7</i>	<i>2</i>

Rosemary Jacoby

Bruce Crippen

Secretary

Chairman

Motion:

Do Pass

ROLL CALL VOTE

SENATE COMMITTEE LOCAL GOVERNMENT

Date 2-19-87 Senate Bill No. 284 Time _____

NAME	YES	NO
BRUCE CRIPPEN		✓
R. J. PINSONEAULT		✓
TOM BECK	✓	
DOROTHY ECK	✓	
H. "SWEDE" HAMMOND	✓	
ETHEL HARDING		✓
LES HIRSCH	✓	
PETER STORY		✓
ELEANOR VAUGHN	✓	
MIKE WALKER		
	5	4

Rosemary Jacoby
Secretary

Bruce Crippen
Chairman

Motion: DPA (Do pass as amended.)

ROLL CALL VOTE

SENATE COMMITTEE

LOCAL GOVERNMENT

Date 2-19-87 Senate Bill No. 259 Time _____

NAME	YES	NO
BRUCE CRIPPEN	✓	
R. J. PINSONEAULT		✓
TOM BECK		✓
DOROTHY ECK		✓
H. "SWEDE" HAMMOND	✓	
ETHEL HARDING	✓	
LES HIRSCH	✓	
PETER STORY	✓	
ELEANOR VAUGHN	✓	
MIKE WALKER	✓	
Motion passed	7	3

Rosemary Jacoby

Bruce Crippen

Secretary

Chairman

Motion:

Do Not Pass as Amended - Story

ROLL CALL VOTE

SENATE COMMITTEE LOCAL GOVERNMENT

Date 2-19-87 Senate Bill No. 259 Time

NAME	YES	NO
BRUCE CRIPPEN		✓
R. J. PINSONEAULT	✓	
TOM BECK	✓	
DOROTHY ECK	✓	
H. "SWEDE" HAMMOND		✓
ETHEL HARDING		✓
LES HIRSCH		✓
PETER STORY		✓
ELEANOR VAUGHN		✓
MIKE WALKER		✓
<i>Motion failed</i>	3	7

Rosemary Jacoby
Secretary

Bruce Crippen
Chairman

Motion: Do Pass as Amended - Eck

ROLL CALL VOTE

SENATE COMMITTEE

LOCAL GOVERNMENT

Date 2-19-87 SENATE Bill No. 304 Time _____

NAME	YES	NO
BRUCE CRIPPEN	✓	
R. J. PINSONEAULT		✓
TOM BECK	✓	
DOROTHY ECK	✓	
H. "SWEDE" HAMMOND	✓	
ETHEL HARDING	✓	
LES HIRSCH	✓	
PETER STORY		✓
ELEANOR VAUGHN	✓	
MIKE WALKER	✓	
	8	2

Rosemary Jacoby

Bruce Crippen

Secretary

Chairman

Motion:

Do Pass as Amended (Failed) 2 to 8
Do Not Pass as Amended ~~Passed 8 to 2~~

(motion and vote reversed)

ROLL CALL VOTE

SENATE COMMITTEE

LOCAL GOVERNMENT

Date 2-19-87 SB Bill No. 304 Time

NAME	YES	NO
BRUCE CRIPPEN	✓	
R. J. PINSONEAULT	✓	
TOM BECK		✓
DOROTHY ECK	✓	
H. "SWEDE" HAMMOND		✓
ETHEL HARDING	✓	
LES HIRSCH	✓	
PETER STORY	✓	
ELEANOR VAUGHN		✓
MIKE WALKER	✓	

Rosemary Jacoby

Bruce Crippen

Secretary

Chairman

Motion:

on Amend. to SB 304

STANDING COMMITTEE REPORT

February 19, 1967

MR. PRESIDENT

We, your committee on Local Government

having had under consideration Senate Bill 175 No. 175

First reading copy (white)
color

USE EXCESS FUNDS APPROPRIATED FOR CRIMINAL EXPENSES FOR DISTRICT COURT GRANTS

Respectfully report as follows: That Senate Bill 175 No. 175

DO PASS

~~DO NOT PASS~~

SENATOR BRUCE CRIPPEN

Chairman.

STANDING COMMITTEE REPORT

SCRSB259

.....February 19,..... 1952.....

MR. PRESIDENT

Local Government

We, your committee on.....

Senate Bill

255

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

first

white

reading copy ()

color

ALLOW SALE OF MAILING LISTS BY STATE OR LOCAL AGENCIES

Respectfully report as follows: That.....Senate Bill..... No.....255.....

BE AMENDED AS FOLLOWS:

1. Title, following line 4.

Insert: "CERTAIN"

2. Title, line 5.

Following: "STATE"

Strike: "AND LOCAL GOVERNMENTS"

Insert: "GOVERNMENT"

3. Title, lines 7 and 8.

Following: "LIST;"

Strike: remainder of line 7 through "AND" on line 8

Insert: "GRANTING RULEMAKING AUTHORITY TO THE DEPARTMENT OF ADMINISTRATION;"

4. Title, line 9.

Following: "MCA"

Insert: "; AND PROVIDING EFFECTIVE DATES"

5. Strike everything after the enacting clause and insert:

"Section 1. Section 2-6-109, MCA, is amended to read:

"2-6-109. ~~Prohibition-on-distribution~~ Distribution or sale of mailing lists --penalty. (1) ~~Except-as-provided-in subsections-137-147-157-and-167-in~~ In order to protect the privacy of those who deal with state and-local government:

DO PASS

DO NOT PASS

CONTINUED

Chairman.

February 19.

87

19.....

(1) no state agency may yet distribute or sell for use as a mailing list any list of persons without first securing the permission of providing public notice so that those on the list have a reasonable opportunity to withhold their consent to be included on the list; and

(2) except as provided in subsections (3) through (7), no list of persons prepared by the agency may be used as a mailing list except by the agency or another agency without first securing the permission of those on the list.

(3) As used in this section, "agency" means any board, bureau, commission, department, division, authority, or officer of the state or a state government.

(4) Except as provided in 30-9-103, this section does not prevent an individual from compiling a mailing list by examination of original documents or applications which are otherwise open to public inspection.

(5) This section does not apply to the lists of registered electors and the new voter lists provided for in 13-1-115 and 13-33-103, or to lists of the names of employees governed by Title 39, chapter 31.

(6) This section shall not prevent an agency from providing a list to persons providing prelicensing or continuing educational courses subject to Title 30, chapter 30, or specifically exempted therefrom as provided in 20-30-102.

(7) This section does not apply to the right of access either by Montana law enforcement agencies or, by purchase or otherwise, or by private citizens to public records dealing with motor vehicle registration.

(8) A person violating the provisions of subsection (1) is guilty of a misdemeanor. An agency may distribute or sell for use as a mailing list a list of persons in one or more of the following categories:

CONTINUED

February 19,

1987

- (a) subscribers to magazines published by the agency;
- (b) persons who have requested one or more of the agency's publications;
- (c) retirees who are members of the public employees' retirement system established in Title 19, chapter 3, or the teachers' retirement system established in Title 19, chapter 4;
- (d) persons who have purchased or applied for a permit, license, license decal, or registration certificate from the department of fish, wildlife, and parks; and
- (e) persons who have responded to advertisements or other notices published or distributed by the department of commerce for purposes of attracting tourists to the state.

(3) No list sold or distributed for use as a mailing list under this section may be resold.

(9) An agency may sell a mailing list for its market value or not less than the cost of producing it.

(10) Money paid to an agency for a mailing list must be deposited in the fund from which the cost of producing the list was paid.

(11) Nothing in this section allows an agency to distribute or sell a list of persons that is confidential by law or under federal regulations.

NEW SECTION. Section 2. Rulemaking. The department of administration shall adopt rules necessary to administer the provisions of this act, including rules:

(1) for providing public notice that an agency may sell or distribute a list of persons for use as a mailing list;

(2) prescribing a method for establishing the price of a list; and

(3) prescribing criteria for determining whether a particular list may be sold or distributed for use as a mailing list.

NEW SECTION. Section 3. Effective dates. (1) Section 2 and this section are effective on passage and approval.

(2) Section 1 is effective July 1, 1987.

AND AS AMENDED
DO NOT PASS

STATEMENT OF INTENT ADOPTED AND ATTACHED

Senator Crippen

February 19, 1967

February 19, 1967

MR. PRESIDENT:

WE, YOUR COMMITTEE ON LOCAL GOVERNMENT HAVING HAD UNDER CONSIDERATION SENATE BILL 259, ATTACH THE FOLLOWING STATEMENT OF INTENT:

50th Legislature

LC1494

STATEMENT OF INTENT

____ Bill No. ____

A statement of intent is required for Senate Bill 259 because section 2 grants rulemaking authority to the department of administration.

The intent of this act is to allow reputable persons access to lists of persons who have requested information about Montana or expressed an intention to participate in Montana's recreational opportunities, in the expectation that use of such lists will enhance the state's effort to promote tourism and business expansion.

It is intended that the rules adopted to administer this act will:

(1) require agencies either to provide public notice that a list of persons is to be made available for sale or distribution or to include a checkoff on any form that enables an individual to withhold consent to have his name or address on a list;

(2) establish methods whereby an agency can recover the full cost of producing a list; and

(3) allow sale or distribution of any list that is consistent with the intent of this act.

STANDING COMMITTEE REPORT

February 19, 1937

MR. PRESIDENT

We, your committee on Local Government

having had under consideration Senate Bill No. 274

First reading copy (white)
color

REMOVING REQUIREMENT THAT LOCAL GOVERNMENT AUDIT REPORTS BE PUBLISHED

Respectfully report as follows: That Senate Bill No. 274

DO PASS

~~DO NOT PASS~~

SENATOR BRUCE CRIPPEN

Chairman.

STANDING COMMITTEE REPORT

SCRSB284

.....February 19,..... 19 67...

MR. PRESIDENT

Local Government

We, your committee on.....

Senate Bill

284

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

First

white

reading copy ()

color

AUTHORIZING COUNTIES TO ESTABLISH FEES FOR SERVICES

Respectfully report as follows: That.....Senate Bill..... No.....284.....

BE AMENDED AS FOLLOWS:

1. Page 1, line 23.

Following: "may"

Strike: "by resolution passed at a public meeting"

Insert: "pass a resolution of intent to"

2. Page 1, following line 25.

Insert: "(3) (a) Upon passing a resolution of intent under subsection (2), the board of county commissioners shall publish notice of the passage of the resolution as provided in 7-1-2121.

(b) At any time within 15 days after the date of the first publication of the notice of the passage of the resolution of intention, any person who would be affected by the proposed fee, penalty, or emolument may make written protest.

(c) At the next regular meeting of the board of county commissioners after the expiration of the time within which protest may be made, the board shall hear and pass upon all protests so made, and its decision shall be final and conclusive. If the board finds the protest to be sufficient, no further proceedings may be taken for a period of 6 months from the date of the meeting at which protests were heard. If the board finds the protest to be insufficient, it may by resolution establish the fee, penalty, or emolument proposed under subsection (2)."

XXXXXX

Reamend: subsequent subsection

XXXXXXXXXX

AND AS AMENDED,
DO PASS

Chairman.

Senator Crippen

STANDING COMMITTEE REPORT

SCRSB297

.....February 13,..... 19..57....

MR. PRESIDENT

Local Government

We, your committee on.....

Senate Bill

297

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

first

white

reading copy ()

color

INCREASE SIZE OF COUNTY TAX APPEAL BOARDS

Respectfully report as follows: That.....Senate Bill..... No.....297.....

BE AMENDED AS FOLLOWS:

1. Title, line 4.

Following: "ACT"

Strike: "INCREASING"

Insert: "ALLOWING A COUNTY TO INCREASE"

2. Title, line 5.

Following: "BOARDS"

Strike: "FROM THREE TO FIVE MEMBERS"

3. Page 1, line 12.

Following: "three-member"

Strike: "five-member"

4. Page 1, line 13.

Following: "board"

Insert: "consisting of at least three but not more than
five members"

5. Page 3, lines 11 through 17.

Following: "(1)"

Strike: remainder of section 2 in its entirety

Insert: "If two new members are appointed to a county
tax appeal board pursuant to the increase in board size
provided for in this act, one shall serve a 4-year term and
the other shall serve a 3-year term. Thereafter, both
positions must be filled for 3-year terms.

(1) If one new member is appointed to a county
tax appeal board pursuant to the increase in board size
provided for in this act, he shall serve a 3-year term.
Thereafter, the position must be filled for a 3-year
term."

XXXXXX

XXXXXXXXXX

AND AS AMENDED,
DO PASS

.....
Chairman.

Senator Crippen

STANDING COMMITTEE REPORT

SCRSB304

.....February 19,..... 1987.....

MR. PRESIDENT

Local Government

We, your committee on.....

Senate Bill

304

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

first reading copy (white)
color

REQUIRING VOTE ON FORM OF PUBLICATION OF COUNTY PROCEEDINGS

Respectfully report as follows: That.....Senate Bill..... No. 304.....

BE AMENDED AS FOLLOWS:

1. Page 1, line 17.

Following: "general"

Strike: "elections of 1987 and"

Insert: "election of"

2. Page 2, following line 10.

Insert: " (2) The ballot statement shall include the most recent annual cost of publishing the items in 7-5-2123(1) in the newspaper holding the county printing contract for publication of legal advertising."

Renumber: subsequent subsection

3. Page 2, line 15.

Following: "subsection"

Strike: " (2) (a) or (2) (b) "

Insert: " (3) (a) or (3) (b) "

4. Page 3, line 3.

Following: "subsection"

Strike: " (2) (a) "

Insert: " (3) (a) "

5. Page 3, line 6.

Following: "subsection"

Strike: " (2) (b) "

Insert: " (3) (b) "

~~XXXXXX~~

AND AS AMENDED,

DO NOT PASS

.....
Chairman.

Senator Crippen

STANDING COMMITTEE REPORT

SCRSB316

.....February 19,..... 1947.....

MR. PRESIDENT

Local Government

We, your committee on.....

Senate Bill

316

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

first

white

reading copy (.....)

color

REVISING REQUIREMENTS FOR SALE OR EXCHANGE OF STATE LAND

Respectfully report as follows: That.....Senate Bill..... No...316.....

BE AMENDED AS FOLLOWS:

1. Title, line 7.

Strike: line 7 in its entirety

1. Page 1, line 23.

Following: "land is"

Strike: "first"

Insert: "appraised as if it were"

AND AS AMENDED,

DO PASS

~~DO NOT PASS~~

.....
Chairman.

Senator Crippen

STANDING COMMITTEE REPORT

..... February 19, 19. 97

MR. PRESIDENT

We, your committee on **Local Government**

having had under consideration..... **Senate Bill** No. **367**

First reading copy (**white**)
color

**TO CLASSIFY FAMILY AND GROUP DAY-CARE HOMES AS A RESIDENTIAL USE OF
PROPERTY FOR THE PURPOSE OF ALL LOCAL ORDINANCES**

Respectfully report as follows: That..... **Senate Bill** No. **367**

DO PASS

~~XXXXXXXXXX~~

STANDING COMMITTEE REPORT

February 19, 19 37

MR. PRESIDENT

We, your committee on Local Government

having had under consideration Senate Bill No. 368

First reading copy (white)
color

EXEMPTING MINES AND MINE BUILDINGS FROM THE STATE BUILDING CODES

Respectfully report as follows: That Senate Bill No. 368

DO PASS

~~XXXXXXXXXX~~

SENATOR BRUCE CRIPPEN
Chairman.