

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 51st LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: By Chairman Darko, on February 28, 1989, at 1:35 p.m.

ROLL CALL

Members Present: All

Members Excused: None

Members Absent: None

Staff Present: Lee Heiman, Legislative Council

Announcements/Discussion: None

HEARING ON SENATE 14

Presentation and Opening Statement by Sponsor:

Senator Tom Beck, District 24, stated that this bill provides counties, cities and towns flexibility in setting dates and allows hearings to be made prior to the current fixed rate. It would allow them to set a levy previous or by the second Monday of August.

Testifying Proponents and Who They Represent:

Gordon Morris, Montana Association of Counties

Proponent Testimony:

Gordon Morris stated that this bill was extensively revised by the Senate Local Government committee and is a much better bill than was originally introduced. The bill provides an option that the budget and/or the levies can be adopted on or before the second Monday in August and retains the requirement that hearings be conducted 3 days prior to the final adoption. It keeps in place all the advantages in current law. Exhibit 1

Testifying Opponents and Who They Represent: None

Opponent Testimony: None

Questions From Committee Members: None

Closing by Sponsor: Sen. Beck closed. Rep. Hoffman will carry the bill in the House for Sen. Beck.

DISPOSITION OF SENATE BILL 14

Motion: Rep. Gould moved SB 14 BE CONCURRED IN. Rep. Wyatt seconded.

Discussion: None

Amendments, Discussion, and Votes: None

Recommendation and Vote: The motion BE CONCURRED IN CARRIED unanimously.

HEARING ON SENATE BILL 37

PRESENTATION AND OPENING STATEMENT BY SPONSOR:

Senator Ethel Harding, District 25, stated that this bill is a housekeeping bill. The last legislative session increased the fee charged by a county for making and acknowledging a deed for property sold for delinquent taxes in one statute but neglected to change it in another. This bill changes the second statute. Most counties are already charging the increased fee.

Testifying Proponents and Who They Represent:

Gordon Morris, Montana Association of Counties
Cort Harrington, Montana Association of County Treasurers

Proponent Testimony:

Gordon Morris stated that this bill is a result of MACO resolution 12-88. It was an oversight from the last session and simply clarifies and makes uniform the statutes relating to this fee.

Cort Harrington stated that the 1987 Legislative Session made major changes in the tax deed process. The fee was increased from \$3 to \$25 in one section and inadvertently neglected in a second section. This bill brings all sections into conformity with existing law.

Testifying Opponents and Who They Represent: None

Opponent Testimony: None

Questions From Committee Members: None

Closing by Sponsor: Senator Harding closed. Rep. Wallin will carry the bill in the House for Sen. Harding.

DISPOSITION OF SENATE 37

Motion: Rep. Wyatt moved SB 37 BE CONCURRED IN. Rep. Gould seconded.

Discussion: None

Amendments, Discussion, and Votes: None

Recommendation and Vote: The motion that SB 37 BE CONCURRED IN CARRIED unanimously.

HEARING ON SENATE BILL 53

Presentation and Opening Statement by Sponsor:

Senator John Harp, District 4, stated that this bill provides that money received by the county treasurer for inheritance will no longer be sent to the State Department of Revenue but to the State Treasurer and changes the date for sending the money.

Testifying Proponents and Who They Represent:

Jeff Miller, Department of Revenue

Proponent Testimony:

Jeff Miller stated that the last legislative session did not go quite far enough in changing the statutes. This bill corrects one final reference in the statute

Testifying Opponents and Who They Represent: None

Opponent Testimony: None

Questions From Committee Members: None

Closing by Sponsor: Senator Harp closed. Rep. Darko will carry the bill on the House floor for Senator Harp.

DISPOSITION OF SENATE BILL 53

Motion: Rep. Dave Brown moved that SB 53 BE CONCURRED IN. Rep. Gould seconded.

Discussion: None

Amendments, Discussion, and Votes: None

Recommendation and Vote: The motion that SB 53 BE CONCURRED IN CARRIED unanimously on a voice vote.

HEARING ON SENATE 24

Presentation and Opening Statement by Sponsor:

Senator Al Bishop, District 46, stated that this bill would bring Montana into the computer age by allowing documents prepared by the county clerk to be recorded with document numbers rather than the book and page numbers. Many county offices are using computers and this bill gives those counties the option of using document numbers.

Testifying Proponents and Who They Represent:

Judy Doggett, Montana Association of Clerks and Recorders

Proponent Testimony: JUDY DOGGETT, DISTRICT 46, STATE CLERK

Judy Doggett stated that this bill would bring the county clerks into the computer age. Instead of having to use book and page number the clerks would now have the option of using document numbers. It is an option so counties that do not have computers yet would not be affected.

Testifying Opponents and Who They Represent: None

Opponent Testimony: None

Questions From Committee Members: None

Closing by Sponsor: Senator Bishop closed. Rep. McDonough will carry the bill on the House floor for Sen. Bishop.

DISPOSITION OF SENATE 24

Motion: Rep. Dave Brown moved BE CONCURRED IN. Rep. Good seconded.

Discussion: None

Amendments, Discussion, and Votes: None

Recommendation and Vote: The motion that SB 24 BE CONCURRED IN CARRIED unanimously by a voice vote.

HEARING ON SENATE BILL 40

Presentation and Opening Statement by Sponsor:

Senator Tom Keating, District 44, stated that this bill deals with the financial reports of the county. Historically, the counties have printed only summaries of their financial report in the local newspaper but a recent Attorney General's opinion ruled that there was not a

provision in the law that they could be done in summary. They must be printed in full. The bill would allow counties to only print the summaries.

Testifying Proponents and Who They Represent:

Cort Harrington, Montana Association of Clerks and Recorders
Gordon Morris, Montana Association of Counties
Judy Doggett, Montana Association of Clerks and Recorders

Proponent Testimony:

Cort Harrington stated that the Attorney General's opinion would force counties to print the entire financial statement which is quite lengthy. This bill would enable counties to print only summaries as they have done for many years. The entire report would be available in the Clerk's office. At the request of newspapers summaries will continue to be printed or by reference. An amendment was added in the Senate at the newspapers association's request.

Gordon Morris stated that this bill would enable counties to do what they had been doing. The bill would enable the counties to print the combined income statements or a summary.

Judy Doggett stated that summaries or combined income statements are generally 5 to 7 pages in length while the entire statement is 150 pages or more. The cost for printing the shorter version was \$241.75 for her county and they do not see a need nor do they have the money for the entire printing.

Testifying Opponents and Who They Represent: None

Opponent Testimony: None

Questions From Committee Members: Rep. Brooke asked Mr. Morris to explain a combined income statement. Mr. Morris responded that such a statement combines the bottom line of all funds to create a total. It includes all funds but not individually. The counties would only publish the combined income statement.

Rep. Hoffman asked Mr. Harrington if he would object to an amendment stating that the entire statement would be available upon request. Mr. Harrington said he would not object but saw no need for it because of Montana's freedom of Information act.

Rep. Wallin asked Mr. Harrington why they counties did not want to simply print a note stating the financial condition. Mr. Harrington stated that initially the counties requested that they not have to print the combined statement but the newspapers protested and the bill was amended in the Senate.

Closing by Sponsor: Senator Keating stated that according to current statute all books, records and accounts are available in the Clerks' office free of charge. Rep. Hansen will carry the bill on the House floor for Sen. Keating.

DISPOSITION OF SENATE BILL 40

Motion: Rep. Brooke moved SB 40 BE CONCURRED IN. Rep. Wyatt seconded.

Discussion: None

Amendments, Discussion, and Votes: None

Recommendation and Vote: SB 14 will be recommended BE CONCURRED IN by a unanimous voice vote.

ADJOURNMENT

Adjournment At: 2:10 p.m.



REP. PAULA DARKO, Chairman

PD/td

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DAILY ROLL CALL

LOCAL GOVERNMENT

COMMITTEE

DATE 2/28/89

NAME	PRESENT	ABSENT	EXCUSED
BROOKE, VIVIAN	X <i>hady</i>		
BROWN, DAVE	X <i>hady</i>		
BROWN, JAN	X		
DARKO, PAULA	X		
GOOD, SUSAN	X <i>hady</i>		
GOULD, BUDD	X		
GUTHRIE, BERT	X		
HANSEN, STELLA JEAN	X <i>hady</i>		
HOFFMAN, ROBERT	X		
JOHNSON, JOHN	X		
MCDONOUGH, MARY	X		
NELSON, THOMAS	X		
REHBERG, DENNIS	X		
STICKNEY, JESSICA	X		
WALLIN, NORM	X		
WYATT, DIANA	X		

STANDING COMMITTEE REPORT

February 28, 1989

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Mr. Speaker: We, the committee on Local Government report that SENATE BILL 14 (blue reference copy) be concurred in.

Signed: _____
Paula Darko, Chairman

Sp. House Bill 14

STANDING COMMITTEE REPORT

February 28, 1989

Page 1 of 1

Mr. Speaker: We, the committee on Local Government report that
SENATE BILL 24 (blue reference copy) be concurred in .

Signed: _____
Paula Darko, Chairman

STANDING COMMITTEE REPORT

February 28, 1989

Page 1 of 1

Mr. Speaker: We, the committee on Local Government report that
SENATE BILL 37 (blue reference copy) be concurred in .

Signed: _____
Paula Darko, Chairman

By [Signature] will say.

STANDING COMMITTEE REPORT

February 28, 1989

Page 1 of 1

Mr. Speaker: We, the committee on Local Government report that
SENATE BILL 40 (blue reference copy) be concurred in .

Signed: _____
Paula Darko, Chairman

Rep. House Bill 1000

STANDING COMMITTEE REPORT

February 28, 1989

Page 1 of 1

Mr. Speaker: We, the committee on Local Government report that
SENATE BILL 53 (blue reference copy) be concurred in.

Signed: _____
Paula Darko, Chairman

Rp. Darko will carry

RESOLUTION 88- 4 .

FIXING TAX LEVY DATA FLEXIBILITY

WHEREAS, 7-6-2321(1) MCA prescribes the second Monday in August as the only day of the year to fix the tax levy; and

WHEREAS, some counties have completed the work necessary to approve and adopt the final budget at an earlier date; and

WHEREAS, the fiscal year begins on July first; and

WHEREAS, it would benefit County Departments to reduce uncertainty about their budgets during the first month of the fiscal year.

NOW THEREFORE BE IT RESOLVED that the Montana Association of Counties support legislation to amend 7-6-2321(1), MCA to state on or before the second Monday in August.

SPONSORED BY: Districts 8-9-12

PRIORITY: MEDIUM

APPROVED: JUNE 15, 1988

Local Government COMMITTEE

DATE 2/28/89

[illegible]

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Local Government

BILL NO. SB 24

DATE 2/28/89

SPONSOR Bishop

[illegible]

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Local Government

BILL NO. SB 37

DATE 2/28/89

SPONSOR Husding

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Local Government COMMITTEE

DATE 2/28/89

[illegible]

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

Local Government COMMITTEEBILL NO. SB 53DATE 2/28/89SPONSOR Thrup

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
Jeff Miller	Dept of Revenue	✓	

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.