

MINUTES

MONTANA SENATE
51st LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: By Chairman Ethel Harding, on February 2, 1989, at 1:00 p.m. in Room 405, Capitol.

ROLL CALL

Members Present: Chairman Ethel Harding, Vice Chairman Bruce D. Crippen, Senator R.J. "Dick" Pinsoneault, Senator Tom Beck; Senator Eleanor Vaughn, Senator H.W. "Swede" Hammond, Senator Mike Walker, Senator Gene Thayer, Senator Paul Boylan

Members Excused: None

Members Absent: None

Staff Present: Lois Menzies, Legislative Council; Dolores Harris, Committee Secretary

Announcements/Discussion: Chairman Harding introduced Lois Menzies, the Legislative Council's staff person who is substituting for Connie Erickson, who is ill today.

HEARING ON SENATE BILL 40

Presentation and Opening Statement by Sponsor: Senator Keating, of Senate District 44, Billings, stated that SB 40 is a county clerks relief bill. It allows them the option of how they want to print their annual financial audit. In the past, the county clerks would print the audit in summary in newspapers. But a recent Attorney General's opinion stated that the law does not provide for a summary report in the newspapers, and it was held that counties would have to print their financial audits verbatim in a public newspaper. This would add considerably to the cost of doing business. This bill will allow counties to decide how they want to report their financial audit to the public. They will have three options; 1. in full and complete detail, 2. in summary form, and 3. notify the public "by reference" in the paper that the audit is available for public review.

List of Testifying Proponents and What Group they Represent:

Cort Harrington, Montana Association of Clerk & Recorders
Alec Hansen, Exec. Director, Mont. League of Cities &
Towns

List of Testifying Opponents and What Group They Represent:

C. W. Walk, Executive Director, Montana Newspaper
Association

Testimony:

Cort Harrington stated that historically the county commissioners have published summaries of the financial condition of the county. Last January the Attorney General issued an opinion 4254 and it indicated that the statute required a publication in full of financial statement of the county. The Department of Commerce has lengthy regulations to counties of what is supposed to be contained in their financial reports. So far, the counties have not published the full financial statements under this Attorney General's opinion. To publish the full financial statement would be a substantial raise in cost. The clerks' position is that there is so much information in the report that would require so many pages in the newspaper that it probably would be less informative than the summary.

Alec Hansen states the two counties he represents, Silver Bow and Deer Lodge, are in favor of this bill. In the fiscal note attached to this bill, runs out the cost in the 3 options we're talking about. He called attention to the Statewide Cost line of the fiscal note for costs of the three different methods of publishing.

Charles Walk stated that he represents all the 11 daily newspapers in the states and 5 of the weeklies. He is in opposition to SB 40 as drafted. For his complete testimony see Exhibit 1. He had collected from the newspapers the actual costs of publication of clerk's annual financial statement. See Exhibit 2. Newspapers received amounts quite different from the amounts assumed in the fiscal note.

Questions From Committee Members: Senator Crippen asked Cort Harrington about the amounts newspapers stated they had received for these publications. Currently counties are publishing the summary. Senator Crippen asked Mr. Walk is his objection was to "publication by reference"? Mr. Walked responded that the summary gives the people a broad statement of what the condition is. He agrees that complete publication of the entire financial statement

would be neither readable or understandable by the large majority. He objects to the "in reference" where the public have to go to the headquarters and read the document themselves.

Senator Crippen asked if the minutes or claims were published? Mr. Walk stated to his knowledge very few are summarizing their reports; most of them are stating "in reference". This legislation came into being in 1985.

Senator Hammond asked when the Attorney General's opinion was given. Cort Harrington stated January 18, 1988. Senator Hammond asked Mr. Walks why he thought it was so difficult to get copies of the report? He stated that mailing those reports out would be more costly than publishing.

Senator Hammond stated newspapers are saying that they defend the public's right to know. He asked if newspapers could write an editorial and not charge if they think something is wrong? Mr. Walks stated that newspapers quite often do that if they see a problem.

Senator Beck asked if we're talking about the audit or the financial statement? The annual financial statement. What exactly is the summary form of the financial statement? Cort Harrington stated that the Department of Commerce has a form for a summary. Basically it's a balance sheet and that's what was being published. All counties use the same forms from the Department of Commerce, so that is standard. Senator Beck questioned the fiscal notes presented with the bill.

Closing by Sponsor: Senator Keating stated it was a good hearing and he closed with no further statement.

DISPOSITION OF SENATE BILL 40

Discussion: None

Amendments and Votes: Senator Walker MOVED that we AMEND as follows: on Page 1, line 25 "detail or in summary form. The VOTE was UNANIMOUS in favor of this AMENDMENT.

Senator Thayer MOVED that we strike Section 2 on Page 2. The VOTE was UNANIMOUS in FAVOR of the MOTION to AMEND SB 40 by striking Section 2, Page 2.

Recommendation and Vote: Senator Walker MOVED that we DO PASS AS AMENDED SB 40. Seven senators voted for this bill and Senator Boylan and Senator Pinsoneault voted NO. MOTION CARRIED.

HEARING ON SENATE BILL 256

Presentation and Opening Statement by Sponsor: Senator McLane, Senate District 42, South Central Montana, stated that SB 256 is an act authorizing the creation of a county road and bridge depreciation reserved fund. The gist of the bill is outlined on page 1, lines 11 through 25. It will allow the counties to establish a road and bridge reserve fund. Presently any money left at the end of the year reverts to the general fund. This bill is brought in behalf of county commissioners of Stillwater County.

List of Testifying Proponents and What Group they Represent:

None

List of Testifying Opponents and What Group They Represent:

None

Testimony: Senator McLane submitted written testimony from Stillwater County Commissioners, see Exhibit 1.

Questions from the Committee:

Senator Beck stated that he understands this is for the bridge depreciation fund but county roads is more a maintenance problem. Bridges are capital outlay items. Senator McLane stated he thought they could buy equipment for maintaining the roads.

Senator Thayer asked what would prevent them from doing this anyway? All money reverts back into the general fund every year, there is no carry-over. Senator Walker asked if there should be a cap put on this fund? Senator Hammond said he could see a real need because you could go several years without much snow removal, then get a snowy winter and you use all your funds. This has been needed for a long time.

Senator Crippen stated that a depreciation reserve fund allows for bonding. Senator Pinsonault stated that we had 18 funds in school statutes. He called these "stash". Is it a fenced fund? Senator McLane stated this just allows counties to start a fund. Senator Beck stated the county would probably have to make an appropriation to the reserved fund. There generally isn't any left over funds in road and bridge. Senator Vaughn asked if this is just the amount that has been budgeted for that year? In

Senator Vaughn's area they have forest reserve money in the road fund and they haven't had a levy since 1950. So they are in good shape. The law says encumbered for a fiscal year.

Closing by Sponsor: Senator McLane stated that this is already done by libraries and fairgrounds. He doesn't think they appropriate ahead of time.

DISPOSITION OF SENATE BILL 256

Discussion: Senator Beck stated he wanted to know the legal ramifications. He states there are a number of rules regarding county budgets in roads and bridges both and he wonders if commissioners can do this legally. The budget laws need investigation. Chairman Harding asked the legislative council researcher to gather information for this committee. We'll hold this bill.

Amendments and Votes: None

Recommendation and Vote: None

Chairman Harding asked Vice Chairman Crippen to chair the next two hearings as she is the sponsor of SB 251 and 252.

HEARING ON SENATE BILL 251

Presentation and Opening Statement by Sponsor: Senator Ethel Harding, Senate District 25, Polson, stated that SB 251 would provide that counties do not charge a license fee for raffles conducted by non-profit veterans organizations. It also states that a veteran's organization seeking exemption from the license fee shall present evidence of that organization's nonprofit status to the board of county commissioners. On page 1, line 16 the law is changed to read "may not exceed the value of \$5,000 for each individual raffle card".

List of Testifying Proponents and What Group they Represent:

Rob Smith, Attorney General's representative
Dick Baumberger, DAV Dept. of Montana
John M. DenHerder, DAV Dept. of MT
George Poston, United Veteran Committee

List of Testifying Opponents and What Group They Represent:

None

Testimony:

John DenHerder stated that a packer had given the veterans a trip in the Bob Marshall Wilderness. They went to the Flathead County Commissioners to apply for a raffle license for the \$2500 trip. They wanted a \$75.00 investigative fee and \$150.00 licenser fee. Some counties do charge fees of this nature, others do not. They are asking for the \$1,000 amount to be raised to \$5000 due to the inflationary economy. In their organization the money from raffles goes to the DAV's travel van transportation program. Last year the VA curbed travel costs to VA hospitals so this volunteer program fills that need.

They have another program termed the "old age benefits assistance program and that is financial help for aged veterans. They also run the "for get me not" program.

Mr. DenHerder asked if they could add on Page 2, line 2 after license "or investigative" fee.

George Poston stated that he represents all the nonprofit veterans organizations and states that these funds are guided very closely by what they do with the money. There as been times when they couldn't have a raffle because of the cost of the item they had, such as a car worth more than \$1,000. Another time they had a boat. It is all used to support needy veterans. The American Legion has the baseball program and the VFW has many civic programs also. I would like to see an exception made for U.S. Savings Bonds. They make really good prizes and there is a lot of people who will donate a U.S.Savings Bonds. The U.S. Veterans Committee wholeheartedly supports this bill.

Questions From Committee Members: Senator Pinsoneault asked if there was a cap on these. Why \$5,000? That would be a pretty good figure. Senator Beck asked why not include all nonprofit organizations and just delete veterans? Mr. DenHerder stated there was a problem because the counties wanted to charge them license fees and investigative fees. That is why they asked to be specified.

Rob Smith from the Attorney General's office stated that the \$5,000 limit is okey. Senator Crippen asked about adding "bonds"; is there a problem with that? Mr. Smith stated that any amendment to that effect should be very specific. Senator Beck asked if there were any ghosts in this bill. Will it create giant gambling in the state of Montana? Mr. Smith said that this bill says you can run a raffle within these limits and then the second section says you can get a license from the county commissioners

SENATE COMMITTEE ON LOCAL GOVERNMENT

February 2, 1989

Page 7 of 10

and meet those requirements, then the restrictions from the first section don't apply. So the 2 sections of the bill operate independently.

Senator Beck asked if we amended to include U.S. Savings Bonds, would there be a problem? Mr. Smith couldn't see any immediate problem with savings bonds exception.

Senator Pinsonneault stated that there is a reporting requirement to the county commissioners. Senator Thayer asked why the first section requires personal property, and not money? Why not cash? Mr. Smith stated this is the difference between a legal raffle and illegal lottery. Mr. Poston stated that cash prizes have to be under \$100.00 according to Montana statutes.

Closing by Sponsor: Senator Harding thanked the committee for a good hearing and stated that the veterans are anxious to help themselves, and help their organizations. They aren't asking for welfare. They are asking for a means to be able to help themselves. I urge you to pass this bill.

DISPOSITION OF SENATE BILL 251

Discussion: None

Amendments and Votes: Senator Vaughn MOVED that on Page 2, line 2 and line 13 insert "investigative fee". The VOTE was UNANIMOUS in FAVOR of the AMENDMENTS.

Recommendation and Vote: Senator Beck MOVED that we DO PASS AS AMENDED SB 251. The VOTE was UNANIMOUS in FAVOR of SB 251 AS AMENDED.

HEARING ON SENATE BILL 252

Presentation and Opening Statement by Sponsor: Senator Harding from Senate District 25, Polson, stated that there are people in Lake County that wish to increase the size of the county fair commission. This bill would allow the county commissioners to appoint up to eleven. The old law allows five responsible persons be appointed to the fair commission. They may appoint a number between 5 and 11 with this bill. They need more people to be responsible for the activities of the fair.

List of Testifying Proponents and What Group they Represent:

None

List of Testifying Opponents and What Group They Represent:

None

Testimony:

None

Questions From Committee Members: Senator Boylan asked about the section regarding the effective date. Senator Thayer suggested we delete Section 2.

Senator Beck stated that it's up to the county commissioners to appoint the number needed and not appoint more than necessary. Senator Harding stated it says "may" not "must".

Closing by Sponsor: Senator Harding closed the hearing on SB 252.

DISPOSITION OF SENATE BILL 252

Discussion: None

Amendments and Votes: Senator Thayer MOVED that Section 2, lines 22 and 23 be DELETED from SB 252. The VOTE was UNANIMOUS in FAVOR of this AMENDMENT.

Recommendation and Vote: Senator Walker MOVED that we DO PASS AS AMENDED SB 252. The VOTE was UNANIMOUS in FAVOR of SB 252 AS AMENDED.

HEARING ON SENATE BILL 249

Presentation and Opening Statement by Sponsor: Senator Harp from Senate District 74, Flathead County stated this an act allowing a board of county commissioners to create a joint fair and civic center commission; clarifying the duties of a county fair commission; authorizing a county fair commission to lease county fairgrounds and buildings.

List of Testifying Proponents and What Group they Represent:

H. S. Hanson, MT. Tech. Council

List of Testifying Opponents and What Group They Represent:

None

Testimony:

Sonny Hanson has been requested by the Fair Committee to testify in support of SB 249 as a past president of the Metra Fair Board. Metra has a joint board, civic center building commission; the fair commission; and the racing commission. Metra's budget is around \$4 million per year and it's divided into 3 budgets, 1 for racing; 1 for Metra entertainment center and the 3rd for the fair and fairgrounds. We had 36 full time employees and we started reducing that number. We now have 18 full time employees. In that process the question of which budget kept the employees. County commissioners felt they should hire all the personnel; the Metra commission wanted to hire the personnel. They have all kinds of activities on the grounds years around. The county commissioners felt they should sign all these contract and the fair board felt it was their duty. The last question that arose, what constituted a quorum among the two commissions? The Attorney General's opinion was that each group had to have a quorum present. This bill addresses all those problems. If a county commission wishes to create a fair commission, then that commission has the authority to manage those facilities. There is not a problem with the county building commission because that authority for hiring and firing is already vested in that commission. MACO supported this bill provided section 6, page 4, line 12 where it says center commission during the, strike "first" and add "third" week of, strike "June" and add "July" is changed because they meet at different times.

Questions From Committee Members: Senator Beck asked about this amendment. Is it the third week of June or July? Mr. Hanson answered July. It can happen in June but July would meet the deadline.

Closing by Sponsor: Senator Harp closed the hearing on SB 249.

DISPOSITION OF SENATE BILL 249

Discussion: None

Amendments and Votes: Senator Beck MOVED that we AMEND SB 249 on Page 4, line 12 as follows: Strike: "During" Insert: "before"; Strike: "first" Insert: "third" Strike:

"June" Insert: "July". The VOTE on the AMENDMENT carried.

Recommendation and Vote: Senator Thayer MOVED that we DO PASS AS AMENDED SB 249. The VOTE in FAVOR of SB 249 was UNANIMOUS.

ADJOURNMENT

Adjournment At: 2:45 p.m.


SENATOR ETHEL HARDING, Chairman

EH/dh

Minutes.202

ROLL CALL

LOCAL GOVERNMENT

COMMITTEE

51th LEGISLATIVE SESSION -- 1989

Date 2-2-89

NAME	PRESENT	ABSENT	EXCUSED
Sen. Ethel Harding	X		
Sen. R.J. "Dick" Pineseault	X		
Sen. Tom Beck	X		
Sen. Eleanor Vaughn	X		
Sen. H.W. "Swede" Hammond	X		
Sen. Mike Walker	X		
Sen. Gene Thayer	X		
Sen. Paul Boylan	X		
Sen. Bruce D. Crippen	X		

Each day attach to minutes.

SENATE STANDING COMMITTEE REPORT

February 3, 1989

MR. PRESIDENT:

We, your committee on Local Government, having had under consideration SB 40 (first reading copy -- white), respectfully report that SB 40 be amended and as so amended do pass:

1. Title, line 6.

Following: ";"

Insert: "AND"

2. Title, line 7.

Strike: ";" through "DATE"

3. Page 1, line 25.

Following: "detail"

Strike: "1"

Insert: "or"

Following: "form"

Strike: "1" through "reference"

4. Page 2, lines 10 and 11.

Strike: section 2 in its entirety

AND AS AMENDED DO PASS

Signed: _____
Ethel M. Harding, Chairman

HE
2/3/89
11:35
G.M.

SENATE STANDING COMMITTEE REPORT

February 3, 1989

MR. PRESIDENT:

We, your committee on Local Government, having had under consideration SB 251 (first reading copy -- white), respectfully report that SB 251 be amended and as so amended do pass:

1. Title, line 7.

Following: "FEE"

Insert: "OR AN INVESTIGATIVE FEE"

2. Page 2, line 2.

Following: "fee"

Insert: "or an investigative fee"

3. Page 2, line 13.

Following: "fee"

Insert: "or an investigative fee"

AND AS AMENDED DO PASS

Signed: _____
Ethel H. Harding, Chairman

Handwritten:
J.C.
2/3/89
11:35
H.A.

SENATE STANDING COMMITTEE REPORT

February 3, 1989

MR. PRESIDENT:

We, your committee on Local Government, having had under consideration SB 252 (first reading copy -- white), respectfully report that SB 252 be amended and as so amended do pass:

1. Title, line 6.

Following: "COMMISSION;"

Insert: "AND"

2. Title, lines 6 and 7.

Following: "MCA" on line 6

Strike: ";" through "DATE" on line 7

3. Page 1, lines 22 and 23.

Strike: section 2 in its entirety

AND AS AMENDED DO PASS

Signed: _____
Ethel M. Harding, Chairman

h.c.
2/3/89
11:35
11:00 a.m.

SENATE STANDING COMMITTEE REPORT

February 3, 1989

MR. PRESIDENT:

We, your committee on Local Government, having had under consideration SB 249 (first reading copy -- white), respectfully report that SB 249 be amended and as so amended do pass:

1. Page 4, line 12.

Strike: "during"

Insert: "before"

Strike: "first"

Insert: "third"

Strike: "June"

Insert: "July"

AND AS AMENDED DO PASS

Signed: _____
Ethel M. Harding, Chairman

SENATE LOCAL GOVERNMENT TIMONY OF CHARLES W. WALK, EXECUTIVE DIRECTOR OF THE
EXHIBIT NO. 1 MONTANA NEWSPAPER ASSOCIATION ON FEB. 2, 1989, BEFORE
DATE 2-2-89 SB 40. THE SENATE LOCAL GOVERNMENT COMMITTEE IN OPPOSITION TO
BILL NO. SB 40

For the record, my name is Charles W. Walk. I am executive director of the Montana Newspaper Association, which includes in its membership all 11 daily newspapers and 65 weekly newspapers in Montana.

I am here today to testify in opposition to SB 40 as drafted.

The MNA opposes SB 40 and the change it makes in 7-5-2123 for several reasons.

First, we believe it is a continuation of the unrelenting strip-mining of the public notice publication schedule in Montana. Therefore, it is an erosion of the public's right to know about public business and the expenditure of public funds.

Over the last 20 years, the newspaper industry has watched as organizations--mostly funded by tax dollars--have torn the heart and substance out of Montana's public notice legislation.

The industry has fought back but it has been outmanned and outfinanced. It has tried to halt the onslaught of some public officials to move the state further and further away from the time-honored concept that the public has the right to know--and government the obligation to provide--what is going on in the public sector.

In the process of fighting this battle, the state's newspapers have been called greedy and have been charged with wanting a subsidy from governments up and down the public sector. Nothing could be further from the truth. To call it a subsidy for a governmental entity to pay for providing the public with a full and unabridged version of what is going on with their money is like saying it is a subsidy for any private sector business to receive full and honest payment for products and services they provide government.

But these charges have become the normal smokescreen behind which some officials have hidden the reluctance to let the public know what is going on.

It will come as no surprise to most of you on this committee that the newspaper industry has not been very successful in its efforts to halt the erosion of public notice publication in Montana. So where are we?

The public has very little information still available to it through the public notice process and if SB 40 is adopted it will have even less. Instead of the public receiving public notices which give it full and unabridged versions of meetings, hearings, financial conditions, budgets and other public considerations, it now gets

abbreviations, condensations, summaries and notification "by reference," all things which probably do not give the complete and accurate picture of what is going on in our courthouses, city halls and schools.

Some of the proponents of SB 40 would like us to believe this all has happened for the sake of economy. They argue that the cost of all these public notices which informed their constituents in the past have become so burdensome that the counties, cities, towns and schools could no longer afford them.

And it doesn't help to have misleading and erroneous fiscal notes tied to legislation, which is the case involving SB 40. The fiscal note tied to this bill indicates that the cost per county for printing the complete financial statement of the county clerk would cost between \$7,140 and \$12,240 per county. Such figures are absurd. Our research shows that in 16 representative counties we contacted the actual costs for printing those statements averaged about \$400 and ran from 0 to \$1,250. The zero indicates that some counties apparently are not printing any of the statements as required by code.

While we can sympathize with the economic problems of the public sector, we cannot buy the argument of economy. The dollars we are talking about simply do not add up to the sums which bear out the contention that we must sacrifice the public's right-to-know for the sake of this kind of economy.

If this is the case, we suggest that the counties find some way to economize within their tax supported associations so that their dues can be reduced by 10 percent which would, in many cases, more than offset the cost of publishing the clerk's financial statements in full.

It seems to us that this is a case more of accountability than accounting. Are these officials really saying that the obligation of government to inform the public ends with telling that public "when" and "where," but very little, if any, of the "what" of their activities? Are they really saying that whatever obligation and responsibility there is for more information than these few sentences rests with the newspapers to provide on their own?

If this is, in fact, what is being said than the proponents of SB 40 and other legislation of its kind have blatantly shifted the obligation for informing the public about public business from government--where it traditionally and properly belongs--to the electorate and the private media.

The shift makes the presumption that everyone is able to get to the courthouse to obtain the information which the officials will maintain there for safe-keeping. There are good and sufficient reasons why people simply will

not get to the courthouse--age, infirmity, distance and weather being a few of those reasons.

There is another presumption that everyone who really "wants" the information will make sure they get it one way or another and that satisfied the officials' obligation of informing the public. Again, we reject that presumption as simply not being the case. But, even if it were, is that the way we want to run an open governmental process in Montana? Do we really want it to be only those people who want to know something about the operation of their government who actually get the information? We don't think so. We believe government has the obligation to provide information to as many people as it possibly can in the most efficient and effective methods. We see the public notice publication process as one of the checks within the entire system of government. The publication puts the information on record in the private sector, a feature of the process that is too often overlooked.

The newspapers of Montana have been--and will continue to be--the backbone of the state's informational process. It appears some officials do not realize what a drain on the resources most of these newspapers--particularly the smaller newspapers--undergo in order to maintain this caliber of information provision. They must not realize it because they are asking these newspapers to stretch their resources still further by taking on even more of the responsibility to keep the public informed.

Montana newspapers have always been willing and able to do their share in the process of keeping the public informed about what is going on in their schools, cities, towns counties and state governmental offices. Let me assure you the will is still there. Whether some of our newspapers will be able to continue this informational process given the deterioration of some officials' commitment to their obligation to be a near-equal partner in this process is, I'm afraid another question.

We see the existing language in 7-5-2123 as providing the kind of information the public needs to have to more clearly understand what is being done with their money at the county level. SB 40 would further erode the potential for that information being provided in its fullest. We urge defeat of the bill.

CHARLES W. WALK

COST OF PUBLICATION OF CLERK'S
ANNUAL FINANCIAL STATEMENT
IN MONTANA NEWSPAPERS

Forsyth:

Rosebud County clerk's financial statement. \$354.

Wibaux:

Wibaux County clerk's financial statement. \$60.

Helena:

Lewis & Clark County clerk's financial statement. \$391.

Columbus:

Stillwater County clerk's financial statement. \$105.

Billings:

Yellowstone County clerk's financial statement. \$777.

Hamilton:

Ravalli County clerk's financial statement. \$178.

Malta:

Phillips County clerk's financial statement. \$272.

Cut Bank:

Glacier County clerk's financial statement. \$1,250.

Roundup:

Musselshell County clerk's financial statement was last printed in 1983. Has not been printed since, clerk says, because of computer problems. cost: \$598.

Big Sandy:

Choteau County clerk's financial statement. \$462.

Livingston:

Park County clerk's financial statement. \$310.

Glasgow:

Valley County clerk's financial statement. \$403.

Wolf Point:

Roosevelt County clerk's financial statement. \$522.

Broadus:

Powder River County clerk's financial statement(87). \$290.

Hysham:

Treasurer County clerk's financial statement('87). \$280.

Circle:

McCone County clerk's financial statement('87). \$420.

Deer Lodge:

Powell County clerk's financial statement.('87). \$550.

Jordan:

Garfield County clerk has not published a financial statement since 1984. Aubrey Larson, publisher of the Jordan Tribune says commissioners know they are in violation of law, but refuse to do anything about it.

WITNESS STATEMENT

NAME: CHARLES W. WALK DATE: 2-2

ADDRESS: HELENA

PHONE: 443-2850

REPRESENTING WHOM? MT. NEWSPAPER ASS.

APPEARING ON WHICH PROPOSAL: SB 40

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE?

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

Amendments to Senate Bill No. 40
First Reading Copy

For the Senate Committee on Local Government

Prepared by Lois Menzies
February 2, 1989

1. Title, line 6.

Following: ";"

Insert: "AND"

2. Title, line 7.

Strike: ";" through "DATE"

3. Page 1, line 25.

Following: "detail"

Strike: ","

Insert: "Or"

Following: "form"

Strike: "," through "reference"

4. Page 2, lines 10 and 11.

Strike: section 2 in its entirety

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 1DATE 2-2BILL NO SB 256

COUNTY OF STILLWATER
State Of Montana
Columbus, Montana



February 1, 1989

Senator Doc McLane
Box 79
Capitol Station
Helena, MT 59620

Re: Stillwater County Support for Senate Bill 256

Dear Doc:

Due to the snow storm and severe cold temperatures we will not be able to attend the hearing on SB 256 before the Senate Local Government Committee. However, we would like to go on record as a proponent of SB 256. Please provide Senate Local Government Committee members with a copy of our comments below.


1. Federal revenue sharing payments to county governments were eliminated in 1986. This amounted to a loss of \$140,000 to \$180,000 per year in Stillwater County alone. These funds were used to purchase road maintenance equipment, bridge materials, and for other capital improvement projects. Without revenue sharing funds, our options are limited for acquisition of property, capital improvements, and equipment necessary to maintain and improve county road and bridges. Senate bill 256 would help us with this problem. We encourage your support of SB 256.

Sincerely,
Stillwater County Commissioners

Karl R. Adams, Chairman


2. I strongly support Senate Bill 256. Stillwater County has 29 major bridge structures and many of them are over 40 years old. Two of our bridges have failed in the last 5 years which resulted in vehicles in the river. This situation is a limiting factor for economic development in our area. In addition, the County owns about 40 pieces of road and bridge equipment. Some of this equipment is over 30 years old and there are no reserve funds to replace old road and bridge equipment. SB 256 would help in our attempt to deal with these problems.

Yours Truly,


Duane E. Christensen
Road Supervisor

3. Senate Bill 256 would provide counties with the funding flexibility they need to allocate road and bridge financial resources for operations and maintenance functions throughout the fiscal year. This is especially important through the winter when the expense of snowplowing is relatively unpredictable. SB 256 also provides a method of financing longer term capital needs. In addition, SB 256 provides an incentive to avoid unnecessary year end spending and deposit money that has not been expended or encumbered into a reserve fund. SB 256 would encourage long term fiscal responsibility. Therefore, I encourage you to support Senate Bill 256.

Best Regards,


John Beaudry
Administrator/Planning Director

Amendments to Senate Bill No. 251
First Reading Copy

For the Senate Committee on Local Government

Prepared by Lois Menzies
February 2, 1989

1. Title, line 7.

Following: "FEE"

Insert: "OR AN INVESTIGATIVE FEE"

2. Page 2, line 2.

Following: "fee"

Insert: "or an investigative fee"

3. Page 2, line 13.

Following: "fee"

Insert: "or an investigative fee"

Amendments to Senate Bill No. 252
First Reading Copy

For the Senate Committee on Local Government

Prepared by Lois Menzies
February 2, 1989

1. Title, line 6.

Following: "COMMISSION;"

Insert: "AND"

2. Title, lines 6 and 7.

Following: "MCA" on line 6

Strike: ";" through "DATE" on line 7

3. Page 1, lines 22 and 23.

Strike: section 2 in its entirety

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 1

DATE 2-2-89

BILL NO. 249

Amend SB 249

1. Page 4, line 12.

Following: "commission"

Strike: "during the first week of June"

Insert: "before the third week of July"

WITNESS STATEMENT

NAME: H.S. Hanson DATE: 2/2/89

ADDRESS: HCN

PHONE: _____

REPRESENTING WHOM? Past Fair Bd MEMBER
~~Metra Technical Council~~

APPEARING ON WHICH PROPOSAL: SR-249

DO YOU: SUPPORT? AMEND? _____ OPPOSE? _____

COMMENTS: _____

- THE STATE ATT GENERAL RULED AGAINST A JOINT MEETING OF BOTH BOARDS.
- THIS RULING HAS CAUSED TROUBLE FOR METRA JOINT BOARDS.
- He ALSO RULED THAT BOARDS CAN ONLY ENTER INTO CONTRACTS A few WEEKS Before THE FAIR & DURING THE FAIR - THE REST OF THE TIME, THE COMMISSIONERS
- ALSO, THERE WERE QUESTIONS AS TO WHO EMPLOYED THE STAFF.
- THIS BILL ADDRESS those problems.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

Amendments to Senate Bill No. 249
First Reading Copy

For the Senate Committee on Local Government

Prepared by Lois Menzies
February 2, 1989

1. Page 4, - line 12.
Strike: "during"
Insert: "before"
Strike: "first"
Insert: "third"
Strike: "June"
Insert: "July"

