

MINUTES

MONTANA SENATE
51st LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: By Chairman Ethel M. Harding, on April 6, 1989, at 1:00 p.m. room 405, State Capitol

ROLL CALL

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

Members Excused: Senator H.W. "Swede" Hammond

Members Absent: None

Staff Present: Connie Erickson, Legislative Council
Dolores Harris, Committee Secretary

Announcements/Discussion: Senator Hammond was subpoenaed to appear in court in another state.

HEARING ON HOUSE BILL 761

Presentation and Opening Statement by Sponsor:

Representative Janet L. Moore, house district 65, East Missoula and east end of Missoula County, stated the House had very little opposition to this bill. HB 761 is an act establishing an income tax voluntary check off to provide funds for search and rescue operations; designating that the Department of Justice use the check off revenue to supplement funding of search and rescue operations conducted under the supervision of County Sheriffs. She stated the Search and Rescue is a voluntary group of people, giving their own time, using their own equipment. She did not want to do anything to disturb the voluntary work they do. This bill is designed, and she was asked to carry it by the Search and Rescue group, for those very large searches, where they have to call in aerial equipment and that really does break the bank. This is a \$1.00 voluntary check off on the income tax. The Sheriff would approve the request to the Department of Justice for extra revenue when they got into a large search. This bill

is \$1,000.00 per search and rescue. The fiscal note is not accurate because the original bill called for a 50 cent check off and they found out it would cost more to administer 50 cents because the system isn't set up to deal with 50 cents. The system is set up to collect \$1.00 amounts, so they went with the \$1.00 even figure, which means that the fiscal impact for administration will be less than originally thought. The fiscal notes estimates 1800 individuals would give the \$1.00, but she believes that figure is very conservative. She talked to the chief justice and he is in full support of this bill. There are 35 recognized Search and Rescue Units in the state that perform approximately 330 missions per year. It costs about \$250.00 per mission. I hope you will pass this bill.

List of Testifying Proponents and What Group they Represent:

Chuck O'Reilly, Sheriff, Lewis & Clark County
representing the Montana Sheriffs and Peace
Officers Association

List of Testifying Opponents and What Group They Represent:

None

Testimony: Sheriff O'Reilly stated the Search and Rescue Units do a fantastic job. When a person is lost, they perform high quality, professional work. They come from all walks of life; they're farmers, business men, housewives, you name it and they're involved in it. They are strictly a volunteer organization. There is only 3 counties in the state that levy the 1 mill permissible levy to fund these organizations. The rest of the counties are funded strictly through donation gathering activities. Without the Search and Rescue, that burden falls on the local sheriff's office. Sheriffs are charged by law to handle all search and rescues within the state and they couldn't do it. The cost to the counties would be enormous. You heard the cost of a search is \$250. That's because there is nothing charged for mileage, there's nothing charged for wages. The only charge is the gasoline. Where local governments handle this, they pick up the costs of personnel and equipment. Most of these units go through local, state and national training. They rappel down cliffs and dive into rivers and lakes to depths of 150 feet. This is not just a local government bill either. It deals with search and rescues on a state wide scale. They were involved in Governor Nutter's plane crash. They were involved in Mr. Waltermire's plane crash. Recently they were

involved in a National Guard Special Forces search in 50 below zero weather. You name it. Floods, storms, fires, they're involved in helping. They go beyond that, when law enforcement needs communications people or set up command posts, they do it. This bill gives the Attorney General a pot of money that should enhance the capabilities of local search and rescue units. They can apply with the sheriff's signature to the A.G. for up to \$1,000 to assist in that search. He stated the Attorney General, Marc Racicot, asked him to let you know of his support of this bill. He is more than willing to administer this program. He asks that you pass this bill and check off on your income tax for the \$1.00 donation.

Questions From Committee Members: Senator Walker asked how far off is this fiscal note? It says it will cost \$17,000 to raise \$900. Rep. Moore answered that the cost should be about half of \$17,000. Since they went from 50 cents to \$1.00 and setting up a 50 cent collection procedure would cost that much.

Senator Crippen stated he carried a check off for Audubon Society and wonders if the estimated cost to collect this really is an expense, since the mechanism is in place. He thinks there should be very little added expense to the state to collect. If it's all on 1 line of the tax form and the forms are printed each year any way, why would it cost that much more?

Senator Boylan stated that he knew of a check off for education and agriculture and the department ate the whole thing up. To have quite a few check offs should bring the cost down.

Senator Thayer said he supposed the cost was with the forms. He asked Rep. Moore if she know how much revenue the other check offs were bringing in? They must have had some reason for stating \$1800. Rep. Moore stated that people who have been involved in getting a loved one out of danger will check off. She thinks there would be more supporting this service than other services. She asked them to give it a chance and lets see what this bill generates.

Senator Thayer stated this bill has an appropriation of \$25,000 in addition to the check off. Is that an annual appropriation to this fund? Rep. Moore thinks this is the start-up cost.

Senator Beck asked if this held up in the Appropriations Committee? Rep. Moore said that it did. Rep.

Bardanoue let it pass, and Rep. Moore was amazed. He asked if it held up in Finance and Claims? Chairman Harding answered that she hadn't seen this item in the budget work in that Committee.

Senator Pineseault asked if all the check offs are \$1.00? Why not \$2.00? Senator Crippen said you can add to your income tax, as well, or give more.

Senator Beck said he understands that check offs don't bring in very much revenue. Senator Harding said that they have to print income tax forms every year, so another check off shouldn't cost that much difference.

Senator Vaughn asked when would they first be eligible to draw on this? After 1991? Rep. Moore said it would become effective the next tax year, because that check off would be there in 1990.

Closing by Sponsor: Rep. Moore thinks that the search and rescue people will get out and ask for people to use the check off when preparing their income tax. This is a good bill and I appreciate your support. She said Senator Van Valkenburg will carry HB 761 to the Senate floor.

DISPOSITION OF HOUSE BILL 761

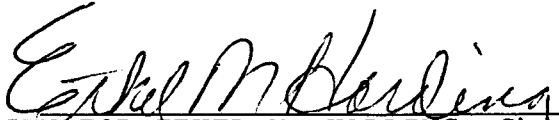
Discussion: Senator Thayer thought Senator Van Valkenburg should be prepared to answer questions, when he presents this bill in the Senate, about the income generated from income tax check offs.

Amendments and Votes: None

Recommendation and Vote: Senator Crippen MOVED that we DO CONCUR in HB 761. The VOTE was UNANIMOUS in FAVOR of concurring in HB 76. Senator Van Valkenburg will carry HB 761 to the senate floor.

ADJOURNMENT

Adjournment At: 1:25 p.m.


SENATOR ETHEL M. HARDING, Chairman

ROLL CALL

LOCAL GOVERNMENT

COMMITTEE

51th LEGISLATIVE SESSION -- 1989

Date April 6, 1989

NAME	PRESENT	ABSENT	EXCUSED
Sen. Ethel Harding	X		
Sen. R.J. "Dick" Pinsoneault	X		
Sen. Tom Beck	X		
Sen. Eleanor Vaughn	X		
Sen. H.W. "Swede" Hammond	<i>excused</i>		
Sen. Mike Walker	X		
Sen. Gene Thayer	X		
Sen. Paul Boylan	X		
Sen. Bruce Crippen	X		

Each day attach to minutes.

SENATE STANDING COMMITTEE REPORT

April 6, 1989

MR. PRESIDENT:

We, your committee on Local Government, having had under consideration HB 761 (third reading copy -- blue), respectfully report that HB 761 be concurred in.

Sponsor: Moore (Van Valkenburg)

BE CONCURRED IN

Signed:

Ethel M. Harding
Ethel M. Harding, Chairman

4/6/89
416/32
J.P.M.