

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 52nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: By DIANA WYATT CHAIR, on January 24, 1991, at 3:00 p.m.

ROLL CALL

Members Present:

Diana Wyatt, Chair (D)
Jessica Stickney, Vice-Chair (D)
Joe Barnett (R)
Arlene Becker (D)
Vivian Brooke (D)
Dave Brown (D)
Paula Darko (D)
Tim Dowell (D)
Budd Gould (R)
Stella Jean Hansen (D)
Harriet Hayne (R)
Ed McCaffree (D)
Tom Nelson (R)
Jim Rice (R)
Sheila Rice (D)
Richard Simpkins (R)
Norm Wallin (R)

Members Absent: REP. CROMLEY (D)

Staff Present: Bart Campbell, Legislative Council
Lois O'Connor, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Announcements/Discussion: CHAIR WYATT asked for comments from the subcommittee on HB 122. REP. STICKNEY said the subcommittee has asked SRS for a new fiscal note. They will be ready to act on the bill with amendments next week.

HEARING ON HB 155

Presentation and Opening Statement by Sponsor:

REP. STRIZICH, House District 41, Great Falls, stated county

professions of a legal nature, (4) provides for a greater percentage of full-time salaries for part-time county attorneys, and (5) deletes a regressive method of salary increase provided under current law.

Proponents' Testimony:

Russel Andrews, Montana County Attorneys Association, said full-time county attorneys have had no base salary increase since 1981. HB 155 will make salaries of full-time county attorneys the same as a district judge, increases the salary of part-time county attorneys, and eliminates the annual cost of living increase. It does not include longevity. Qualifications of a county attorney are the same as a district judge. Part-time county attorneys may engage in private practice; full-time county attorneys may not. County attorneys are prosecutors of criminal actions and play an essential role in the criminal justice system. More time is being devoted to the civil side.

Robert Deschamps, Missoula County Attorney, stated full time county attorneys need a raise. Cost of living has gone up 58% and his salary has gone up 26%. The county commissioners have the power to freeze salaries. Mr. Deschamps provided written testimony. EXHIBITS 1,2

Lee Kerr, Treasure County Attorney, stated he was a part-time county attorney and talked of the hardships in smaller counties which have limited resources. In ten years, there have been four different county attorneys in Treasure County. Recruitment was done out of the county and all were inexperienced. The inexperience and turnover rate were due in part to compensation.

Mike McGrath, Lewis and Clark County Attorney, said they have a problem recruiting and retaining qualified people to serve as county attorneys. They can make more money in private practice. The state and county both pay 50% of the county attorney salaries because they represent both county and state entities.

Questions From Committee Members:

REP. MCCAFFREE asked **Robert Deschamps** how many deputy county attorneys he had and if he practiced in the courthouse. Mr. Deschamps replied he had nine deputies and he did practice in the courthouse. **REP. MCCAFFREE** asked if the county paid for all supplies and equipment. Mr. Deschamps said yes.

REP. GOULD asked **Russ Andrews** if an increase in salary for county attorneys would attract more qualified people. Mr. Andrews replied yes. Experience is extremely important to a county attorney. If they can't retain the competent attorneys, the governmental services are not going to be adequately provided for.

REP. S. RICE asked Mr. Deschamps about county attorney salaries. Mr. Deschamps replied 1981 was the last time county attorney base salaries were adjusted. I-105 gave the commissioners the authority to freeze salaries. Some commissioners froze salaries; others did not. Mr. Deschamps explained his figures. EXHIBIT 2.

REP. DARKO stated that local government officials were absent from the hearing. Since 1/2 of salary increases would be coming from local governments which were frozen under I-105, how could this be solved. REP. STRIZICH replied that another bill has been introduced to cover a broader spectrum of salary changes. REP. SIMPKINS asked Gorden Morris, Montana Association of Counties, the same question. Mr. Morris replied that there was another salary bill being introduced. Salary and cost increases for elected officials will come from existing services or other positions in the courthouse, not tax increases.

REP. WALLIN asked Mr. Deschamps how the figures compared with the district judges. Mr. Deschamps replied the qualification for district judges and county attorneys are the same.

REP. BROOKE asked Mr. Deschamps about the revenue side of the bill. He replied General Fund revenue peaked in 1985. Since I-105 became effective, the total budget in his office has declined. Nontax revenues which come from fees assessed to criminals and surcharges on criminal clients, have become a significant portion of his budget.

REP. SIMPKINS stated that most vacancies are caused by retirement or resignation before the term expires, and this is done for appointment purposes. Is that standard practice? Mr. Andrews said yes, but was unaware of it happening the last election.

REP. WALLIN asked Mr. Andrews what was the discrepancy between the state and county salary shares. Mr. Andrews stated the state's portion contains fringe benefits. When they are deducted, the total is less than the county portion.

REP. J. RICE asked Mr. Deschamps if district judges have a great deal more experience and have served longer than most county attorneys. Mr. Deschamps said that could be the case but not in his.

Closing by Sponsor:

REP. STRIZICH stated the public expects alot from county attorneys. Attaining equity and retaining experienced attorneys is what HB 155 is about. We are unable to retain the best qualified people in these positions.

HEARING ON HB 210Presentation and Opening Statement by Sponsor:

REP. SPRING, House District 77, Belgrade, stated HB 210 is a method for cities to collect unpaid water bills. Cities have a method to collect unpaid garbage and sewer bills but not unpaid water bills.

Proponents' Testimony:

Jim Wysocki, Bozeman City Manager, stated unpaid sewer charges may be applied as a lien on properties after administrative procedures are applied; unpaid water bills cannot be handled this way. Cities need the ability to tie unpaid water bills to the property owners through a deposit on renters. Renters of property are difficult to find if they leave without paying their water bill. Written testimony was submitted. EXHIBIT 3

Alyce Kuehn, Montana Rural Water Association, Ekalaka, provided written testimony. EXHIBIT 4

Alec Hansen, Montana League of Cities and Towns, stated all people on a municipal, county or special system pay for delinquent nonpayers. People who pay their bills should not have to pay for delinquent people.

Tom Kibbe, Administrative Assistant Finance Director, Scobey, said small communities have to pay bonds through water revenues and cannot see why owners of rental property do not have to pay unpaid water bills of renters if their property is receiving the benefit of service.

Robin Sullivan, Mt. Municipal Clerk, Treasures, and Finance Officers Association, stated the water fund is an enterprise fund. It is not supported by city money but free standing and must pay for itself. If they unable to place delinquent water bills as liens against a property, they must pad their costs and rates to those who pay their bills.

Questions From Committee Members:

REP. DOWELL asked Jim Wysocki if he knew how much money Bozeman missed by unpaid water bills. Mr. Wysocki replied he didn't know but any amount of money is too much if other people have to pay for it. REP. S. RICE asked Mr. Wysocki if he had a net write off figure and if there is any way cities can assess unpaid water bills to the property owner. Mr. Wysocki replied no to both questions. Cities can write off sewer, assessments for sidewalks, garbage, and SIDS but cannot for monthly water bills. Rep. Rice asked what the notification procedure to the property owner would be. Mr. Wysocki stated owners must be billed by the

15th of the month along with the notification. Property owners have the ability to work water deposits into their rents. REP. MCCAFFREE asked Mr. Wysocki if he had the authority to require a renter to pay a deposit. Mr. Wysocki replied no.

REP. DARKO asked Alec Hansen if all municipal water systems were publicly or privately owned and if any sewer systems were privately owned. Mr. Hansen stated there were several privately owned water systems in the state but no sewer systems that he was aware of. REP. DARKO was concerned about conflict by allowing cities to assess property with publicly owned systems and not letting privately owned systems do the same thing. Mr. Hansen said billing the property owners was probably legal and solid.

REP. S.J. HANSEN stated that Missoula had a privately owned system; and as a landlord, they pay the bills when the tenant doesn't out of their deposit. Does the landlord have the ability to shut off the water service if the bill is not paid. Mr. Hansen said the water could be shut off but that it was not the best solution. It doesn't do any good to shut off water if the person with the delinquent account is already out of town.

REP. NELSON asked Ramona Towe to define delinquent; bills not paid in 60 days. A notification to shut off water is then sent. Some collections are made at that time but not all.

REP. WALLIN asked REP. SPRING if he classified water as a commodity. REP. SPRING replied that it may not be a commodity but certainly a necessity. REP. WALLIN stated that HB 210 is asking someone other than the consumer to pay delinquent bills. REP. SPRING stated that is what we are addressing. The consumer should pay his share.

Closing by Sponsor:

REP. SPRING said water is becoming more important. Fairness is the issue. It is not fair for people who do pay their bills to pay for someone who doesn't.

HEARING ON HB 184

Presentation and Opening Statement by Sponsor:

REP. COBB, House District 42, Augusta, stated the need to clarify the junk vehicle statutes. Some counties enforce the statutes and some don't because of the vagueness of the law. There is another bill being introduced besides this one. REP. COBB would like this bill held until something happens to the other one. Clarification is needed on the number of vehicles people can own before they are considered junk vehicles. There is a conflict as to whether you can go after those vehicles or not.

Proponents' Testimony:

REP. CODY stated some communities are saying 1, 2, or 3 vehicles are junk vehicles. There is concern by some local governments that they will lose revenue if this bill passes. This is not true. Revenue comes through the junk vehicle funds. The legislatures needs clarification.

Opponents' Testimony:

Jon Dilliard, Montana Dept. of Health, submitted written testimony. EXHIBIT 5

Pete Frazier, City-County Health Dept, Cascade County, submitted written testimony. EXHIBIT 6

Chris Kaufman, Montana Environmental Information Center, stated this bill destroys a good program that was considered innovative because it is the only program of its kind in the nation. Written testimony was submitted. EXHIBIT 7

Dan Powers, Butte-Silver Bow Health Department stated HB 184 will undermine a successful existing program. With the junk vehicle program in place along with new legislation, we can continue to do a good job.

Dan Dennehy, Dir. Butte-Silver Bow Health Department, stated the provisions of this bill will allow three or less junk vehicles on a person's property. It will adversely affect the program. We need to clarify the law.

Questions From Committee Members:

REP. BROOKE asked Pete Frazier what is a vector. Mr. Frazier stated some junk vehicles become health hazards. Vectors are insects and mosquitoes. Junk vehicles become breeding grounds.

REP. BARNETT asked Mr. Frazier what constitutes concealment. Mr. Frazier stated that junk vehicles should be shielded from the center of any public roadway. A fence six feet high should be used. The fence can be trees, chain link with slats, or anything that conceals vehicles from public view.

REP. SIMPKINS asked Dan Dennehy if the junk vehicles his office picked up were over the protest of the owners. Mr. Dennehy said no.

REP. SIMPKINS asked REP. COBB if the bill is directed against the vehicle junk program in existence. REP. COBB said no.

REP. SIMPKINS asked Jon Dilliard to clarify the Department's point on the bill. Mr. Dilliard said the authority to regulate three junk vehicles is there, but the wording is weak and needs to be clarified.

HOUSE LOCAL GOVERNMENT COMMITTEE

January 24, 1991

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REP. STICKNEY asked Cris Kaufman if she preferred the bill to say all junk vehicles are covered by the junk vehicles act. Ms. Kaufman said yes.

Closing by Sponsor:

REP. COBB stated the Legislature needs to clarify the law. There is a fairness issue that isn't being addressed. He requested the committee hold the bill until they see the outcome of the other legislation.

EXECUTIVE ACTION ON HB 123

Motion: REP. DARKO moved the amendments to HB 123. Motion carried unanimously. EXHIBIT 8


Motion/Vote: REP. DARKO moved HB 123 DO PASS AS AMENDED. Motion passed unanimously.

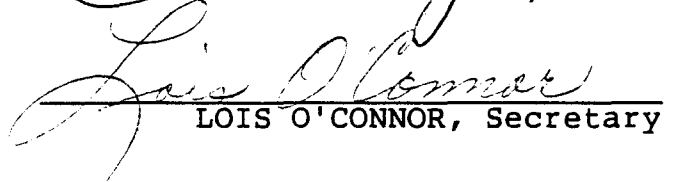
EXECUTIVE ACTION ON HB 184

Motion/Vote: REP. D. BROWN moved to TABLE HB 184. Motion carried 12 to 6 with REPRESENTATIVES GOULD, BARNETT, SIMPKINS, WALLIN, HAYNE, AND NELSON voting no.

ADJOURNMENT

Adjournment: 5:40 p.m.


DIANA WYATT, Chair


LOIS O'CONNOR, Secretary

DW/lo

HOUSE OF REPRESENTATIVES
LOCAL GOVERNMENT COMMITTEE

ROLL CALL

DATE 1-24-91

NAME	PRESENT	ABSENT	EXCUSED
Rep. Paula Darko	X		
Rep. Jessica Stickney, Vice-Chair	X		
Rep. Joe Barnett	X		
Rep. Arlene Becker	X		
Rep. Vivian Brooke	X		
Rep. Dave Brown	X		
Rep. Brent Cromley		X	
Rep. Tim Dowell	X		
Rep. Budd Gould	X		
Rep. Stella Jean Hansen	X		
Rep. Harriet Hayne	X		
Rep. Ed McCaffree	X		
Rep. Tom Nelson	X		
Rep. Jim Rice	X		
Rep. Sheila Rice	X		
Rep. Richard Simpkins	X		
Rep. Norm Wallin	X		
Rep. Diana Wyatt, Chair	X		

HOUSE STANDING COMMITTEE REPORT

January 25, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Local Government report that House Bill 123 (first reading copy -- white) do pass as amended

Signed: _____

Diana Wyatt, Chairman

And, that such amendments read:

1. Title, line 4.
Following: "ALLOWING"
Strike: "LOCAL"
2. Page 2, line 15.
Following: "any"
Strike: "local"
3. Page 2, line 17.
Following: "by"
Strike: "the local"
Insert: "a self insured"

Full-time County Attorneys (as of July 1989)

Date became
full-time

class

Population

County

Yellowstone 118,100 1A
 Cascade 78,100 1A
 Missoula 78,400 1A
 Flathead 58,200 1A
 Gallatin 48,700 1A
 Lewis & Clark 46,800 1A
 Silver Bow 33,700 2

7-4-2706:

Ravalli 25,200 3 July 1979
 Lake 21,000 2 July 1979
 Park 12,300 3 July 1980
 Sanders 8,800 2 July 1979
 Jefferson 8,300 4 Sept. 1981
 Pondera 6,600 4 July 1983
 Teton 6,100 4 July 1984

Roosevelt* 11,200 2 Jan. 1987
 Big Horn 11,000 1B July 1987
 Lincoln 19,000 2 July 1987
 Stillwater 6,200 4 July 1988
 Powell 6,900 5 July 1989
 Valley 8,600 2 July 1989
 Carbon 8,300 3 Nov. 1990

* switched to part-time 7/89

HOUSE BILL NO. 210
PROPOSED LEGISLATIVE CHANGE
WATER/SEWER CHARGES

EXHIBIT 3
DATE 1-24-91
HB 210

PROBLEM STATEMENT:

State law currently states that unpaid sewer charges may be assessed as a tax against the benefitted property. However, a similar provision does not exist for the collection of unpaid water charges. As a result, unpaid water charges must be collected through collection agencies or through court action.

Additionally, an inconsistency exists in the current statutes. Section 7-13-4305 MCA requires consumers to pay for water and sewer services, while Section 7-13-4309 MCA requires unpaid sewer charges to be assessed against the benefitted property. Consequently, the property owner will ultimately be required to pay the sewer bill--not the consumer.

EFFECTS OF CURRENT LEGISLATION:

Listed below are some of the effects of the current legislation which would either be solved or improved through the proposed amendments.

1. Cities normally bill water and sewer services jointly, however, the collection of unpaid water and sewer services must be treated separately.
2. Without the statutory provision to assess unpaid water bills on the benefitted property, many transient residents leave unpaid water bills behind, which are essentially paid by the remaining ratepayers through higher rates.
3. This problem is particularly acute in communities with a university. As an example in Bozeman, four students rented an apartment. The water/sewer bill was placed in the name of one of the students. The bill went unpaid for 90 days then switched to a different student's name. This continued to occur throughout the year and the students were able to receive service for the entire school year at no cost.
4. Many transient residents are difficult to trace once they have left town. Furthermore, legal costs involved do not normally justify court action to recover unpaid utility bills.

The following organizations support this proposed change in legislation:

Montana League of Cities and Towns
Montana Municipal Clerks, Treasurers, & Finance Officers'
Association

January 24, 1991

County Attorney Payroll
 H. B. 155 Analysis

County		FY 1991	FY 1991	Dist. Ct. Filings			
No.	COUNTY	Salary Current Law	Salary Proposed Law	Diff.	Class	89	90
19180	Beaverhead 50%	13,041	22,144	8,503	5	39	66
19220	Big Horn F	27,282	31,635	4,353	1B	45	58
19240	Blaine 60	16,308	25,308	9,000	2	20	12
19430	Broadwater 50	12,392	20,805	8,513	5	20	14
19100	Carbon F	27,282	31,635	4,353	3	33	35
19420	Carter 50	14,331	19,881	5,550	6	1	0
19020	Cascade F	27,282	31,635	4,353	1A	266	328
19190	Chouteau 60	16,312	25,308	8,997	3	20	3
19140	Custer 50	13,641	22,144	8,503	4	86	66
19370	Daniels 50	13,641	18,981	5,340	6	4	1
19160	Dawson 60	17,269	26,208	8,939	3	46	59
19300	Deer Lodge 50	12,878	17,919	5,041	6	29	36
19390	Fallon 60	17,269	26,208	8,939	1B	7	15
19080	Fergus 60	15,889	25,308	9,419	3	43	48
19070	Flathead F	27,283	31,635	4,353	1A	230	296
19060	Gallatin F	26,489	31,635	5,147	1A	172	135
19500	Garfield 50	13,044	18,981	5,937	6	0	2
19380	Glacier 60	15,298	23,892	8,594	2	49	59
19530	Golden Valley 50	13,462	18,981	5,519	7	3	0
19460	Granite 50	13,146	18,981	5,834	6	14	9
19120	Hill 60	15,876	25,308	9,432	2	82	69
19510	Jefferson F	27,282	31,635	4,353	3	46	44
19360	Judith Basin 50	14,541	19,881	5,340	6	7	8
19150	Lake F	27,282	31,635	4,353	2	207	175
19050	Lewis & Clark F	25,497	29,865	4,368	1A	217	289
19480	Liberty 50	13,048	22,144	9,097	5	3	5
19560	Lincoln F	27,009	31,635	4,627	2	128	135
19250	Madison 50	14,541	23,044	8,503	4	8	11
19410	McCone 60	12,827	17,919	5,092	8	15	14
19470	Meagher 60	13,321	18,981	5,660	6	9	14
19540	Mineral 60	13,641	18,981	5,340	6	16	18
19040	Missoula F	26,482	31,635	5,154	1A	516	598
19230	Musselshell 60	12,303	22,144	9,841	5	11	21
19490	Park F	26,764	31,635	4,872	3	62	38
19550	Petroleum 50	5,456	17,919	12,463	7	1	0
19110	Phillips 60	16,205	25,308	9,103	2	12	29
19260	Pondera F	26,741	31,635	4,894	4	9	10
19090	Powder River 50	13,990	23,044	9,054	4	5	7
19280	Powell F	25,998	31,635	5,648	5	63	56
19450	Prairie 50	12,967	18,981	6,014	6	0	2
19130	Ravalli F	26,158	30,705	4,607	3	130	101
19270	Richland 60	16,153	25,308	9,153	1B	46	64
19170	Roosevelt 60	16,369	25,308	8,939	2	6	13
19290	Rosebud 60	16,369	25,308	8,939	1B	42	57
19350	Sanders F	27,856	32,535	4,680	2	32	39
19340	Sheridan 60	16,205	25,308	9,103	2	7	8
19010	Silver Bow F	27,282	31,635	4,353	2	120	100
19320	Stillwater F	27,283	31,635	4,353	4	11	10
19400	Sweet Grass 50	13,521	18,981	5,460	6	8	6
		\$1,050,667	\$1,421,401	\$370,734		3,611	3,7
Y 1992 (4% increase)		\$1,092,693	\$1,478,257	\$385,564			
Y 1993 (4% increase)		\$1,136,401	\$1,537,387	\$400,986			
19310	Teton F	27,282	31,635	4,353	4	9	14
19210	Toole 60	15,889	25,308	9,419	2	23	42
19330	Treasure 50	13,378	18,981	5,603	7	2	3
19200	Valley F	27,198	31,635	4,437	2	19	12
19440	Wheatland 50	13,269	18,981	5,712	6	6	4
19520	Wibaux 50	13,641	22,144	8,503	4	4	4
19030	Yellowstone F	27,105	31,635	4,530	1A	602	52

WITNESS STATEMENT

NAME Alyce Kuehn BILL NO. HB 210

ADDRESS P.O. Box 338

WHOM DO YOU REPRESENT? Town of Ekalaka & MT Rural MT

SUPPORT yes OPPOSE _____ AMEND _____

COMMENTS: This bill is supported
because providing services are continual
rising creating the need for more
responsible fiscal management - Collection
of delinquent charges are part
of responsible management -

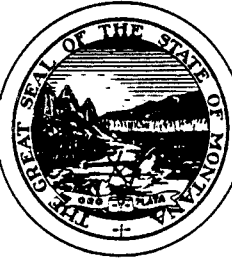
The only recourse to adding
funding to raising the charges
for consumers that do pay
their bill -

Individuals learn how to
work the system and some
will abuse it -

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

DEPARTMENT OF
HEALTH AND ENVIRONMENTAL SCIENCES

EX-101 5
DATE 1-24-91
HB 184



STAN STEPHENS, GOVERNOR

FAX #(406) 444-1499

STATE OF MONTANA

OFFICE 836 Front Street
LOCATION: Helena, Montana

MAILING Cogswell Building
ADDRESS: Helena, MT 59620

Solid and Hazardous Waste Bureau
(406) 444-1430

January 24, 1991

DHES TESTIMONY ON H.B. 184
EXEMPTION OF THREE OR FEWER JUNK VEHICLES

Since the beginning of the Motor Vehicle Recycling and Disposal Act the department has regulated junk vehicles in situations other than motor vehicle wrecking facilities and graveyards. It is our belief that this effort to remove junk vehicles from public view has added considerably to the aesthetic beauty of our state in both the rural and urban settings.

The current Act does not attempt to restrict anyone from possessing three or fewer junk vehicles at a single location. It only requires that the junkers be kept out of public view. When the program contacts a person with a junk vehicle it has been our policy to always advise them of all their options if they wish to keep the vehicle. A person's options include moving the vehicles into or behind a garage or building, moving it to a portion of the property not visible from the area roads, or shielding it from view by use of permanent fencing. A person can also repair the vehicle to make it operable, or simply license it. If they no longer want the junk vehicle, it is our policy to suggest to them that a commercial motor vehicle wrecking facility may pay for the junker or haul it away for free to obtain its part value. As a final option, the county junk vehicle collection program will take it to their graveyard for recycling.

At both the state and county levels of the program only a small percentage of the complaints received have been about commercial motor vehicle wrecking facilities and graveyards. Most of the complaints have concerned the small cluster of junk vehicles in a neighborhood or along a road or highway. The department is concerned that the exemptions offered in this bill may remove any hope for a concerned citizen wanting to improve the appearance of their neighborhood or county and could possibly impact the aesthetics of our state.

TESTIMONY ON HB 184

DATE 1-24-91
184

MADAM CHAIR AND COMMITTEE MEMBERS, MY NAME IS PETE FRAZIER, ENVIRONMENTAL HEALTH DIRECTOR WITH THE CITY-COUNTY HEALTH DEPARTMENT IN CASCADE COUNTY. IN ADDITION, I HAVE SERVED AS THE CASCADE COUNTY JUNK VEHICLE PROGRAM DIRECTOR SINCE THE PASSAGE OF THE STATE MOTOR VEHICLE RECYCLING AND DISPOSAL LAW IN THE 1973 LEGISLATIVE SESSION.

IN OUR OPINION, THIS SIMPLE BILL IS A STEP BACKWARD FOR A PORTION OF MONTANA'S ENVIRONMENTAL PROGRAMS. THE CURRENT STATUTE DEALING WITH JUNK VEHICLES IS QUITE CLEAR AND EFFECTIVE. SECTION 75-10-503 (1) (b) STATES THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES SHALL ADOPT RULES FOR THE CONTROL OF JUNK VEHICLES IN LOCATIONS OTHER THAN MOTOR VEHICLE WRECKING FACILITIES AND GRAVEYARDS. SUBSECTION 1(F) FURTHER STATES THAT THE DEPARTMENT SHALL ADOPT RULES FOR THE SHIELDING OF A JUNK VEHICLE AND MOTOR VEHICLE WRECKING FACILITIES AND GRAVEYARDS FROM PUBLIC VIEW. THE DEPARTMENT ADOPTED ADMINISTRATIVE RULE 16.14.206 FOR THE CONTROL OF JUNK VEHICLES, WHICH STATES

"1) ONE TO THREE VEHICLES AT ONE LOCATION WILL BE HANDLED AS FOLLOWS:

- A) THE JUNK VEHICLE MAY BE DEPOSITED WITH THE FREE MOTOR VEHICLE GRAVEYARD OR,
- B) IF LEFT ON THE PREMISES, THE JUNK VEHICLE IS TO BE SHIELDED FROM PUBLIC VIEW."

IT IS OBVIOUS FROM THE STATUTE AND RULE THAT THE LEGISLATURE INTENDED THAT ALL JUNK VEHICLES SHOULD COME UNDER THE LAW. IT IS ALSO OBVIOUS THAT IF PEOPLE WISH TO HAVE THREE OR FEWER VEHICLES ON THEIR PROPERTY, THEY MAY DO SO, AS LONG AS THEY ARE SHIELDED FROM PUBLIC VIEW, SO YOU AND I DON'T HAVE TO LOOK AT THEM.

IT IS TRUE THAT JUNK VEHICLES ARE NOT A MAJOR PUBLIC HEALTH PROBLEM, BUT THEY CERTAINLY ARE A CONTRIBUTOR TO ENVIRONMENTAL DEGRADATION IN OUR STATE. THEY ARE AN ESTHETICAL NUISANCE TO THE CITIZENS OF OUR STATE AS WELL AS THE THOUSANDS OF TOURISTS WHO VISIT OUR STATE EACH YEAR. IN ADDITION, THEY CREATE HARBORAGES FOR VECTORS AND RODENTS, SAFETY HAZARDS TO CHILDREN, AND ADD TO POTENTIAL SOIL

TESTIMONY ON HB 184
PAGE TWO

AND WATER POLLUTION THROUGH LEAKING GAS TANKS AND OIL LEAKAGE.

HAVING BEEN DIRECTLY INVOLVED IN THIS PROGRAM SINCE ITS' INCEPTION 18 YEARS AGO, I CAN HONESTLY SAY THAT OVER 90% OF THE COMPLAINTS I RECEIVE HAVE TO DO WITH PROPERTY CONTAINING ONE OR TWO JUNK VEHICLES. OVER THE YEARS, CONSIDERABLE PROGRESS HAS BEEN MADE STATEWIDE IN CLEANING UP OR SHIELDING JUNK VEHICLES, YET IT IS A CONSTANT BATTLE. BY PASSING THIS BILL, ALL THE WORK OF MANY PEOPLE STATEWIDE OVER MANY YEARS WILL BE LOST, AND MONTANA WILL RETURN TO THE EARLY DAYS. I HAVE HAD RELATIVES AND FRIENDS FROM OUT-OF-STATE, WHEN THEY LEARN I AM INVOLVED IN A JUNK VEHICLE PROGRAM, EXPRESS A DESIRE FOR A SIMILAR PROGRAM, AND EXPRESS THEIR PLEASURE WITH HOW CLEAN MONTANA IS, COMPARED TO THEIR STATE, WITH REGARD TO JUNK VEHICLES. MONTANA HAS BEEN A LEADER IN THE COUNTRY IN JUNK VEHICLE CLEAN-UP AND, IN FACT, THE STATE PROGRAM JUST RECEIVED A NATIONAL AWARD FOR AN INNOVATIVE AND EFFECTIVE PROGRAM FROM THE COUNCIL OF STATE GOVERNMENTS IN DECEMBER OF 1990. IF THIS BILL IS PASSED, WE MAY AS WELL RETURN THE AWARD.

I URGE YOU TO GIVE HB 184 A "DO NOT PASS" RECOMMENDATION.

THANK YOU.

12/11/90 GFT

Junk auto program honored

The state's Motor Vehicle Recycling and Disposal Program was honored by the Council of State Government Dec. 5 with the council's 1990 Innovations Award.

The award is one of eight given out nationally for innovative and exemplary state programs.

The program, administered by the Solid and Hazardous Waste Bureau of the state Department of Health and Environmental Sciences, involves funding each county to operate a local junk vehicle program and free collection system.

Since its inception in 1973, the program has removed and recycled more than 125,000 unwanted and unsightly junk vehicles from Montana's countryside. The vehicles are crushed and transported to scrap steel markets for remanufacturing into new steel products such as fence posts and concrete reinforcing rebar.

The program is funded through the sale of the scrap metal it generates, a 50 cent vehicle license registration fee, a

\$1.50 motor vehicle title transfer fee, and a \$50 annual license fee for motor vehicle wrecking facilities.

The program was considered innovative because it is the only program of its kind in the nation, and is the only statewide recycling program in Montana.

12/11/90 GFT

EXHIBIT 8
DATE 1-24-91
HB 123

Amendments to House Bill No. 123
First Reading Copy

Requested by Representative Hansen
For the Committee on Local Government

Prepared by Bart Campbell
January 23, 1991

1. Title, line 4.
Following: "ALLOWING"
Strike: "LOCAL"
2. Page 2, line 15.
Following: "any"
Strike: "local"
3. Page 2, line 17.
Following: "by"
Strike: "the local"
Insert: "a self insured"

HOUSE OF REPRESENTATIVES
VISITOR'S REGISTER

Local Govn.

COMMITTEE

BILL NO. 210

DATE 1-24-91

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Jim Wysocki	City of Bozeman	✓	
Robin Sullivan	MMCT & CITY of Bozeman - FCA	✓	
Carlene Bockman	City of Bonan	✓	
Cheryl Kuehn	MT Rural Water Gen Assn of Bozeman	✓	
Theresa Riley	City of Logan	✓	
Tom Kibbe	City of Seelye	✓	
Kathy Wallingford	Town of Browning	✓	
Norm Karpis	LEAGUE of Cities & Towns	✓	
Ramona Tow	City of Glasgow	✓	
Wilmer Zeller	Mayor Glasgow	✓	

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HOUSE OF REPRESENTATIVES
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Local Gov. COMMITTEE BILL NO. 153
DATE 1-24-91 SPONSOR(S) Strizich
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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Robert L. Deschamps III Courthouse, Missoula	Mont. Co. Attys. Assn.	X	
Russell R. Andrews Courthouse, Choteau	" " "	X	
MIKE McGRATH	" - -	X	
JOE ROBERTS	mt. Co. Attys. Assn.	x	
Gordon Morris	MA Co		

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HOUSE OF REPRESENTATIVES
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COMMITTEE

BILL NO.

184

DATE 1-24-91

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
PETE FRAZIER	CITY-CO. Health DEPT 1130 17 Ave 9 - GT Falls 59405		X
DAN POWERS	Butte - Silver Bow Health Dept 25 W. Front Butte 59701		X
DAN DENNEHY	Butte-Silver Bow Health Dept		X
Duane Robertson	Mt Dept of Health		X
Jon Dilliard	Mt. Dept of Health		X
Chas Kaufman	MEIC		X
Tim Wyszocki	CITY of BOZEMAN		X
Gordon Morris	MA Co		
Norman Karpis	MT LEAGUE OF CITIES & TOWNS		X
ROBIN SULLIVAN	CITY OF BOZEMAN		X

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