

**MINUTES**

**MONTANA HOUSE OF REPRESENTATIVES  
52nd LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON LOCAL GOVERNMENT**

**Call to Order:** By DIANA WYATT, CHAIR, on March 20, 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)  
Dave Brown (D)  
Brent Cromley (D)  
Paula Darko (D)  
Tim Dowell (D)  
Budd Gould (R)  
Stella Jean Hansen (D)  
Harriet Hayne (R)  
Ed McCaffree (D)  
Tom Nelson (R)  
Sheila Rice (D)  
Richard Simpkins (R)  
Norm Wallin (R)

**Members Excused:** Rep. Vivian Brooke (D)

**Members Absent:** Rep. J. Rice (R)

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

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

**HEARING ON HR 3**

**Presentation and Opening Statement by Sponsor:**

REP. WYATT, House District 37, Great Falls, stated HR 3 is a resolution to designation of the week of April 7-13, 1991 as Montana County Government week.

**Proponents' Testimony:**

Gordon Morris, Montana Association of Counties, said the National Association of Counties, working with SEN. BURNS, had federal legislation introduced that called for the recognition of a

National County Government Week. HR 3 asks for a Montana County Government Week in conjunction with the National County Government Week to point out to the citizens what the cities and counties do. County government is one of the least understood levels of government in the country. Education is needed to address this problem.

**Mona Nutting, Carbon County Commissioner**, stated HR 3 has been drafted by MACo and their goal is to bring Montana citizens closer to county government. This is the first time county officials have joined in a national celebration that recognizes the accomplishments, traditions, and responsibilities of county government.

Opponents' Testimony: None

Questions From Committee Members:

**REP. WALLIN** asked **REP. WYATT** why the bill isn't a Joint Resolution with the Senate. **REP. WYATT** said MACo brought the bill to the Speaker of the House, and he decided how the bill was to be assigned. **Gordon Morris** said when MACo presented the bill to **Speaker Hal Harper** that was their intent. It had been worked out between **Speaker Harper** and **President Mazurek** that there will be a comparable resolution in the Senate.

**REP. BARNETT** said HR 3 states that 98% of the nation's population resides in the counties, and asked **Mr. Morris** where the remaining 2% resides. **Mr. Morris** said not all of the country is broken up into counties.

Closing by Sponsor:

**REP. WYATT** urged the committee to take positive action on HR 3.

#### HEARING ON HJR 45

Presentation and Opening Statement by Sponsor:

**REP. WYATT, House District 37, Great Falls**, stated HJR 45 is a statement in reference to the acute and complex nature of certain issues impairing the sustainability of Montana counties and communities and recognizing the need for applied research to analyze these issues in support of sound public policy. The Montana Local Government Policy Council is an appropriate agency to sponsor and conduct applied science research.

Proponents' Testimony:

**Ken Weaver, Director, Local Government Center, Montana State University**, stated the Council was born out of a grant funded initiative of MSU and the Local Government Center. In an effort by the Land Grant University to do outreach support of local government, they train local officials. The purpose of this

resolution is to test whether the Legislature thinks this work is worthwhile. If the Legislature believes that it is, it strengthens the Council hand when they go to the Foundation for continued financial support.

**Gordon Morris, Montana Association of Counties**, said the Council should be viewed positively. MACO has been trying to establish an equivalent to the Advisory Commission of Inter-governmental Relations. This is a true objective study group and urged committee support.

**Alec Hansen, League of Cities and Towns**, stated the municipal governments are under pressure. To survive, they must take management to extremes; and must have a way of sharing information, of developing new ideas, and coming up with better answers to old questions. This manual will save thousands of dollars by allowing people to have an easy reference to answer questions. It will make local governments operate more efficiently. It is funded by grants and will not cost the state anything.

**Opponents' Testimony:** None

**Questions From Committee Members:**

REP. STICKNEY said two years ago there was legislation relating to setting up this program. It didn't get anywhere and asked Ken Weaver if they proceeded with the project anyway. Mr. Weaver said yes and appreciated REP. STICKNEY'S recollection.

**Closing by Sponsor:**

REP. WYATT said it has been her pleasure to serve on the Group Policy Council and it is an apolitical group that reviews problems that face local governments within the state and tries to arrive at some solutions. The problems are far greater than the financial solutions. It is nice to have an outside source to do research.

**EXECUTIVE ACTION ON HR 3**

**Motion/Vote:** REP. DARKO MOVED HR 3 DO PASS. Motion carried unanimously.

**EXECUTIVE ACTION ON HJR 45**

**Motion/Vote:** REP. WALLIN MOVED HJR 45 DO PASS. Motion carried unanimously.

**EXECUTIVE ACTION ON SB 221**

**Motion:** REP. HAYNE MOVED TO RECONSIDER ACTION ON SB 221 AND TAKE FROM THE TABLE.

**Discussion:**

REP. HAYNE stated the people should have the right to vote on the type of government they choose. REP. SIMPKINS stated that he opposed the bill because County Commissioners currently have the ability to consolidate two or more offices by statute. The people can vote to change the policy every ten years.

REP. BARNETT asked Bart Campbell if when a county commissioner form of government is adopted by the people, are all the positions spelled out at that time or do they adopt a commission form of government and then have to establish all the offices. Mr. Campbell said that Article 11 of the State Constitution, Section 3 subparagraph 2, states that one option on the forms of government taken is having three County Commissioners and then it states all of the other offices. If it is chosen as an option, it includes those offices as specified. It is all one package.

REP. McCAFFREE said there is no power play among County Commissioners to consolidate offices. They have a mandate to run government in the most efficient way possible. If there is not a need for an elected position, they can combine it with another position. They will do so if needed. There has been some consolidation, but it was done to better local government.

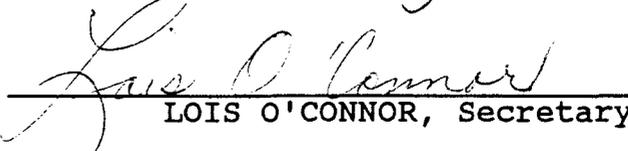
REP. SIMPKINS said to let the County Commissioners carry out the constitutional authority that is granted to them. This bill would limit that and would be detrimental to the constitution.

**Vote:** Motion failed by voice vote.

**ADJOURNMENT**

**Adjournment:** 4:50 p.m.

  
DIANA WYATT, Chair

  
LOIS O'CONNOR, Secretary

DW/lo

**HOUSE OF REPRESENTATIVES  
LOCAL GOVERNMENT COMMITTEE**

ROLL CALL

DATE 3-20-91

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		

4:15 PM  
3-20-91  
1114

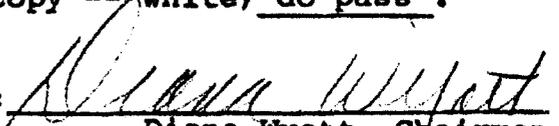
HOUSE STANDING COMMITTEE REPORT

March 20, 1991

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Mr. Speaker: We, the committee on Local Government report that House Resolution 3 (first reading copy -- white) do pass .

Signed:

  
Diana Wyatt, Chairman

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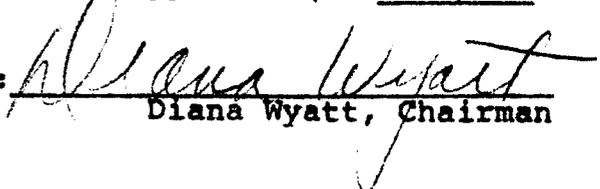
HOUSE STANDING COMMITTEE REPORT

March 20, 1991

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Mr. Speaker: We, the committee on Local Government report that House Joint Resolution 5 (first reading copy -- white) do pass.

Signed:



Diana Wyatt, Chairman



HOUSE OF REPRESENTATIVES

VISITOR'S REGISTER

Local Government COMMITTEE BILL NO. HR-3  
DATE 3-20-91 SPONSOR(S) Wyatt

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	BILL	OPPOSE	SUPPORT
<i>Gordon Morris</i>	<i>MA Co.</i>	<i>HR3</i>		<input checked="" type="checkbox"/>
<i>Alec Hansen</i>	<i>Frazier of Citrus</i>			<input checked="" type="checkbox"/>

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.