

BUSINESS REPORT

**MONTANA SENATE
61st LEGISLATURE - REGULAR SESSION**

SENATE LOCAL GOVERNMENT COMMITTEE

Date: Monday, January 26, 2009
Place: Capitol

Time: 3:00 pm
Room: 405

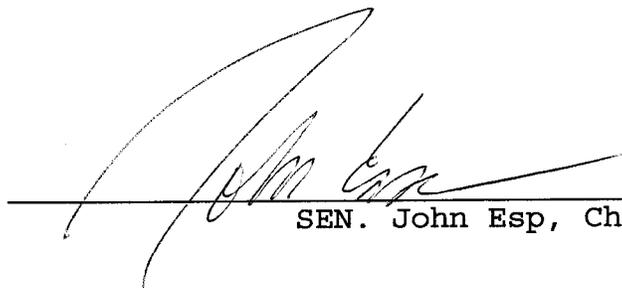
BILLS and RESOLUTIONS HEARD:

SB 56 SB 262

EXECUTIVE ACTION TAKEN:

SB 57 Do pass as amended
SB 58 Do pass as amended
SB 166 Tabled
SB 148 Do pass as amended
SB 172 Amended

COMMENTS:



SEN. John Esp, Chairman

MONTANA STATE SENATE
ROLL CALL
LOCAL GOVERNMENT
COMMITTEE

DATE: January 26, 2009

NAME	PRESENT	ABSENT/ EXCUSED
Chairman John Esp	✓	
Vice Chair Jeff Essmann		✓
Senator Gregory Barkus	✓	
Senator Ron Erickson	✓	
Senator Steve Gallus	✓	
Senator Kim Gillan	✓	
Senator Verdell Jackson	✓	
Senator Jesse Laslovich		✓
Senator Bruce Tutvedt	✓	



SENATE STANDING COMMITTEE REPORT

January 27, 2009

Page 1 of 4

Mr. President:

We, your committee on **Local Government** recommend that **Senate Bill 57** (first reading copy -- white) **do pass as amended.**

Signed: _____

Senator John Esp, Chair

And, that such amendments read:

1. Title, page 1, line 11 through line 12.
Strike: "HOSPITAL" on line 11 through the first "DISTRICTS," on line 12
2. Title, page 1, line 14.
Strike: "RURAL FIRE DISTRICTS,"
3. Title, page 1, line 15.
Following: "TELEVISION DISTRICTS;"
Insert: "GRANTING RULEMAKING AUTHORITY;"
4. Title, page 1, line 16.
Strike: "7-2-4734," through "7-6-2512,"
5. Title, page 1, line 17 through line 18.
Strike: "7-33-2403," on line 17 through "10-3-1103," on line 18
6. Title, page 1, line 18 through line 19.
Strike: "40-6-402," on line 18 through "53-6-106," on line 19
7. Title, page 1, line 19.
Strike: "61-8-102,"
Insert: "AND"
8. Title, page 1, line 20.
Strike: "76-13-104, AND 90-7-104,"

Committee Vote:

Yes 9, No 0

Fiscal Note Required

SB0057001SC.smo

9. Title, page 2, line 13 through line 20.

Strike: "7-33-2101," on line 13 through "7-34-2164," on line 20

10. Page 3, line 9.

Strike: "hospital districts,"

11. Page 3, line 10.

Strike: "rural fire districts," on line 10

12. Page 3, line 15.

Following: the first "districts,"

Insert: "hospital districts,"

13. Page 3, line 16.

Following: "lighting districts,"

Insert: "rural fire districts,"

14. Page 6, line 1.

Following: "property"

Insert: "or the contract buyer on file with the county clerk and recorder"

15. Page 8, line 10 through line 26.

Following: "accessibility." on line 10

Strike: "(1)" on line 10 through "library." on line 26

Insert: " (1) Within 60 days after the creation of a special district or by January 1 of the effective tax year, whichever occurs first, the governing body shall provide to the department of revenue a:

(a) legal description of the special district;

(b) map of its boundaries;

(c) list of the property taxpayers or owners of real property within the special district's boundaries; and

(d) copy of the resolution establishing the special district, including any adopted method of assessment.

(2) The department of revenue shall review the information provided in accordance with subsection (1) and work with the governing body to identify and correct any discrepancies before the information is recorded by the department.

(3) If the governing body intends to submit any digital information to the department of revenue for the purposes of subsection (4)(b), the governing body shall notify the department of revenue as to the expected date of submission and submit the digital information in a manner prescribed by the department of revenue in consultation with the department of administration.

(4) The department of administration, in coordination with the department of revenue, governing bodies, and other appropriate entities, may develop standards, best practices, and procedures for:

(a) collecting and transferring between agencies any digital

information submitted by a governing body for purposes of subsection (4) (b); and

(b) creating digital information to map special districts for land information purposes authorized in Title 90, chapter 1, part 4, that can be accessed through the department's base map service center's website and discovered through the Montana geographical information system portal at the Montana state library."

16. Page 12, line 5.

Strike: "or" through "district"

17. Page 13, line 6 through line 7.

Following: "revenue" on line 6

Strike: "at" on line 6 through "government" on line 7

Insert: "by the third Monday in August or within 45 calendar days after receiving certified taxable values from the department of revenue"

18. Page 18, line 16.

Strike: subsection (4) in its entirety

ReNUMBER: subsequent subsections

19. Page 18, line 22.

Strike: subsection (10) in its entirety

ReNUMBER: subsequent subsections

20. Page 18, line 27 through page 22, line 28.

Strike: section 24 through section 30 in their entirety

ReNUMBER: subsequent sections

21. Page 23, line 19.

Strike: "special districts"

Insert: "a museum, facility for the arts and the humanities, collection of exhibits, or a museum district created under provisions of former Title 7, chapter 16, part 22, or [sections 1 through 20]"

22. Page 27, line 23 through page 33, line 20.

Strike: section 42 through section 49 in their entirety

ReNUMBER: subsequent sections

23. Page 34, line 4 through line 5.

Strike: ", or [sections 1 through 20]"

24. Page 37, line 28 through page 45, line 25.

Strike: section 52 through section 60 in their entirety

ReNUMBER: subsequent sections

25. Page 46, line 15 through page 49, line 1.

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Page 4 of 4

Strike: section 62 in its entirety

Renumber: subsequent sections

26. Page 51, line 28 through page 53, line 17.

Strike: section 64 and section 65 in their entirety

Renumber: subsequent sections

27. Page 54, line 12 through line 19.

Strike: "7-33-2101" through "7-34-2164,"

- END -



SENATE STANDING COMMITTEE REPORT

January 27, 2009

Page 1 of 2

Mr. President:

We, your committee on **Local Government** recommend that **Senate Bill 58** (first reading copy -- white) do pass as amended.

Signed: _____

Senator John Esp, Chair

And, that such amendments read:

1. Title, page 1, line 9.

Following: "MAPPING;"

Insert: "GRANTING RULEMAKING AUTHORITY;"

2. Page 3.

Following: "accessibility." on line 4

Strike: "(1)" on line 4 through "library." on line 19

Insert: " (1) Within 60 days after the creation of a special district or by January 1 of the effective tax year, whichever occurs first, the governing body shall provide to the department of revenue a:

- (a) legal description of the special district;
- (b) map of its boundaries;
- (c) list of the property taxpayers or owners of real property within the special district's boundaries; and
- (d) copy of the resolution establishing the special district, including any adopted method of assessment.

(2) The department of revenue shall review the information provided in accordance with subsection (1) and work with the governing body to identify and correct any discrepancies before the information is recorded by the department.

(3) If the governing body intends to submit any digital information to the department of revenue for the purposes of subsection (4)(b), the governing body shall notify the department of revenue as to the expected date of submission and submit the digital information in a manner prescribed by the department of revenue in consultation with the department of administration.

Committee Vote:

Yes 9, No 0

Fiscal Note Required

(4) The department of administration, in coordination with the department of revenue, governing bodies, and other appropriate entities, may develop standards, best practices, and procedures for:

(a) collecting and transferring between agencies any digital information submitted by a governing body for purposes of subsection (4)(b); and

(b) creating digital information to map special districts for land information purposes authorized in Title 90, chapter 1, part 4, that can be accessed through the department's base map service center's website and discovered through the Montana geographical information system portal at the Montana state library."

END



SENATE STANDING COMMITTEE REPORT

January 27, 2009

Page 1 of 2

Mr. President:

We, your committee on **Local Government** recommend that **Senate Bill 148** (first reading copy -- white) **do pass as amended.**

Signed: _____

Senator John Esp, Chair

And, that such amendments read:

1. Title, line 11.

Following: "7-21-3107,"

Strike: "AND"

Following: "7-21-3212,"

Insert: "81-4-505, AND 81-4-509,"

2. Page 11, line 3.

Following: "bond,"

Insert: "irrevocable"

3. Page 12, line 11.

Following: "bond,"

Insert: "irrevocable"

4. Page 14.

Following: line 25

Insert: "**Section 33.** Section 81-4-505, MCA, is amended to read:

"81-4-505. Roundup foreman supervisor -- duties -- bond.

(1) All roundups ~~shall~~ must be under the control and supervision of the board of county commissioners of the county in which the ~~same shall be~~ roundup is held. Roundup districts ~~shall~~ must be numbered in the order of their creation. Each roundup ~~shall~~ must be conducted by ~~some~~ a person designated or employed by the board of county commissioners, whose official designation ~~shall~~ must be

Committee Vote:

Yes 9, No 0

Fiscal Note Required

"roundup foreman supervisor, roundup district, County, state of Montana".

(2) ~~Such person~~ The roundup supervisor shall maintain his headquarters at the place designated by the board of county commissioners in its order as the headquarters of ~~such the~~ roundup. ~~Such~~ The roundup foreman ~~shall have~~ supervisor has the power to administer oaths and affirmations in all matters coming within the scope of his official duties.

(3) ~~The~~ If the roundup supervisor is not employed by the board of county commissioners, ~~the board of county commissioners~~ shall require from ~~such the~~ roundup foreman supervisor an official bond, in an amount not less than \$2,500 and not to exceed \$5,000, ~~which bond shall~~ that must be conditioned as official bonds of county officers and ~~shall be is~~ subject to all provisions of law applicable to ~~such county officer~~ bonds." "

Insert: "Section 34. Section 81-4-509, MCA, is amended to read:

"81-4-509. Proof of ownership -- payment of taxes and penalties -- decision of commissioners on claim. Any A person claiming ~~any an~~ abandoned horse or horses as provided in 81-4-508 shall, within 5 days after serving the notice provided for in 81-4-508, or within ~~such a~~ further time as ~~that~~ the board of county commissioners ~~shall allow~~ allows, upon good cause shown, submit to ~~such the~~ board proof of his ownership and shall deposit with ~~said the~~ board the amount of any unpaid taxes and penalties ~~which that~~ may be assessed against ~~such the~~ horse or horses, together with ~~the sum of \$5~~ a \$100 roundup fee. The board shall decide all ~~such~~ cases in preference to all other matters coming before it and at the earliest possible moment. If the claim ~~shall be is~~ allowed, the roundup foreman supervisor in charge of ~~such the~~ roundup ~~shall must~~ immediately be notified of ~~such the~~ decision and ~~he the~~ supervisor shall forthwith deliver ~~such the~~ horse or horses as to which ownership shall be so proved to the owner upon payment of any amount due from ~~such the~~ owner for the estimated cost of keeping and feeding ~~such the~~ horse or horses as ~~aforsaid~~. The deposit made by ~~such the~~ owner of taxes, penalties, and ~~the~~ roundup fee ~~shall must~~ be delivered by the board to the county treasurer. If ~~such the~~ board ~~shall deny~~ denies the claim of ownership, it shall forthwith notify the person in charge of ~~such the~~ roundup of its decision and ~~such the~~ horse or horses as to which ~~such the~~ claim ~~shall be is~~ denied ~~shall must~~ be offered for sale at the earliest convenient session of the sales being held under ~~such the~~ roundup, ~~and if~~. If the horses are not sold, the same shall they must be destroyed or otherwise disposed of as though no claim had been presented."

Renumber: subsequent section

- END -

COMMITTEE FILE COPY

TABLED BILL

The **SENATE LOCAL GOVERNMENT COMMITTEE** TABLED **SB 166**, by motion, on **Monday, January 26, 2009**.



(For the Committee)



(Secretary of the Senate)

7:50 , 1/27
(Time) (Date)

January 26, 2009

Debra L. Polhemus, Secretary

Phone: 4685

ROLL CALL VOTE
 LOCAL GOVERNMENT
 COMMITTEE
 MONTANA STATE SENATE

Date: Jan. 26, 2009
 Bill No.: SB57

Motion: be amended.

NAME (9 Members)	AYE	NO	Proxy
Vice Chairman Jeff Essmann		✓	✓
Sen. Kim Gillan	✓		
Sen. Gregory Barkus		✓	
Sen. Ron Erickson	✓		
Sen. Steve Gallus	✓		
Sen. Verdell Jackson		✓	
Sen. Jesse Laslovich	✓		
Sen. Bruce Tutvedt		✓	
Chairman John Esp		✓	

VOTE: 4-5 fails

ROLL CALL VOTE
 LOCAL GOVERNMENT
 COMMITTEE
 MONTANA STATE SENATE

Date: Jan. 26, 2009
 Bill No.: SB172

Motion: be amended

NAME (9 Members)	AYE	NO	Proxy
Vice Chairman Jeff Essmann	✓		✓
Sen. Kim Gillan		✓	
Sen. Gregory Barkus		✓	
Sen. Ron Erickson	✓		
Sen. Steve Gallus	✓		
Sen. Verdell Jackson		✓	
Sen. Jesse Laslovich	✓		
Sen. Bruce Tutvedt	✓		
Chairman John Esp		✓	

VOTE: 5-4 passes

ROLL CALL VOTE
 LOCAL GOVERNMENT
 COMMITTEE
 MONTANA STATE SENATE

Date: Jan 26, 2009
 Bill No.: SB166

Motion: Do Pass

NAME <i>(9 Members)</i>	AYE	NO	Proxy
Vice Chairman Jeff Essmann		✓	✓
Sen. Kim Gillan		✓	
Sen. Gregory Barkus		✓	
Sen. Ron Erickson	✓		
Sen. Steve Gallus		✓	
Sen. Verdell Jackson	✓		
Sen. Jesse Laslovich		✓	
Sen. Bruce Tutvedt		✓	
Chairman John Esp		✓	

VOTE: 2-7 fails
Rev. 1/3 Table

**AUTHORIZED
SENATE COMMITTEE PROXY**

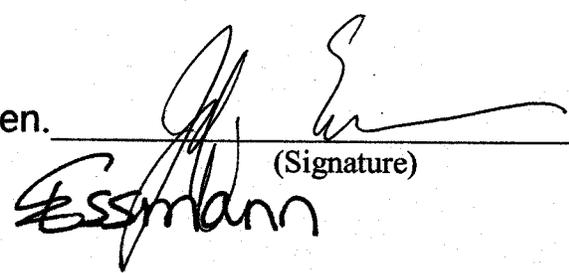
I request to be excused from Local Govt Committee because of other commitments. I desire to leave my proxy vote with:

Chairman Esp

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO
SB 57		
*703-be amended	✓	
SB 57		
*702-be ^{ah} amended		✓
SB 57		
*702.ahs ^{be} amend.	✓	
SB 57		
dopers as amend.	✓	
SB 58		
be amend.* 801	✓	
SB 58		
dopers as amend.	✓	
SB 172		
be amend. 201	✓	

BILL/AMENDMENT	AYE	NO
SB 166 dopers		✓
SB 166 tabled	✓	
SB 148 be amend. ⁸⁰¹	✓	
SB 148 be amend. ⁸⁰²	✓	
SB 148 dopers		
as amended	✓	

Sen. 
(Signature)
Essmann

Date Jan. 26, 2009

1. The first part of the document

is a list of the names of the

members of the committee who

have been appointed to the

position of Secretary of the

organization and the names of

the members of the

executive committee

VISITORS REGISTER

MONTANA SENATE LOCAL GOVERNMENT

Date: January 26, 2009 Bill No: SB 56

Sponsor(s): Sen. Trudi Schmidt

(Extend open meeting rights to members of homeowner & Landowner associations)

Please print ~ Please print ~ Please print

NAME	REPRESENTING	Support	Oppose	Informat'l
BOB WASSON	SELF	✓		
BENNIE C WASSON	SELF	✓		
Christine Sem	Self	✓		
Steve Sem	Self	✓		
Michael Cropper	SELF	✓		
Joan Wallenburn	self	✓		
HAROLD Blattis	Restwood Green Pres Homeowners Ass.		X	
Ronda Wiggers			X	

Please leave prepared testimony with Committee Secretary. Witness Statement forms are available if you prefer to submit written testimony.

