

MINUTES
MONTANA HOUSE OF REPRESENTATIVES
68th LEGISLATURE - REGULAR SESSION
COMMITTEE ON (H) LOCAL GOVERNMENT

Call to Order: Chair Rep. Larry Brewster-R, on February 28, 2023 at 4:55 PM, in 472

ROLL CALL

Members Present:

- Rep. Larry Brewster, Chair (R)
- Rep. Marta Bertoglio, Vice Chair (R)
- Rep. Jill Cohenour, Vice Chair (D)
- Rep. Laurie Bishop (D)
- Rep. Sherry Essman (R)
- Rep. Steven Galloway (R)
- Rep. Steve Gist (R)
- Rep. Steve Gunderson (R)
- Rep. Scot Kerns (R)
- Rep Kelly Kortum (D)
- Rep. Jennifer Lynch (D)
- Rep. Linda Reksten (R)
- Rep. Kerri Seekins-Crowe (D)
- Rep. Courtenay Sprunger (R)
- Rep. Mark Thane (D)
- Rep. Katie Zolnikov (R)

Staff Present:

- LuCinda Blair, Secretary
- Laura Sankey Keip, Research Analyst

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing and Date Posted:

HB 675 2/25/2023

HB 699 2/25/2023

HB 708 2/25/2023

HB 789 2/25/2023

HB 813 2/25/2023

Executive Action:

HB 524 DO PASS AS AMENDED

HB 618 BE TABLED

HB 675 DO PASS

HB 699 BE TABLED

HB 708 BE TABLED
HB 789 BE TABLED
HB 813 BE TABLED

HEARING ON HB 708 – Establish governance requirements for non-profit hospitals

Opening Statement:

16:59:00 Rep. Jane Gillette (R), HD 64, opened the hearing on HB 708, Establish governance requirements for non-profit hospitals.

Proponent Testimony:

None

Opponent Testimony:

17:04:35 Becky Franks, Bozeman Health
17:06:50 Adrienna Hines, Benefis Healthcare
17:07:54 Meg Jacoby, Self
17:10:25 Aidan Myhre, Logan Health
17:12:13 Adam Jespersen, Montana Non-Profit Association (MNPA)
17:14:39 Bob Olson, Montana Hospital Association (MHA)
17:15:48 Jen Alderfer, St. Vincent Healthcare and Intermountain Health
17:18:25 Paul Kanning, Self
17:19:16 Bill Warden, Shodair Children's Hospital

Informational Witness Testimony:

None

Questions from Committee:

17:20:20 Rep. Scot Kerns
17:20:40 Aidan Myhre, Logan Health
17:22:15 Bob Olson, MHA
17:22:43 Rep. Steve Gist
17:23:00 Rep. Jane Gillette
17:24:15 Rep. Mark Thane

Closing Statement:

17:24:35 Rep. Jane Gillette (R), HD 64, closed the hearing on HB 708.

HEARING ON HB 699 – Allow sheriffs to have expenditure control over sheriff’s office budget

Opening Statement:

17:27:35 Rep. Steve Gunderson (R), HD 1, opened the hearing on HB 699, Allow sheriffs to have expenditure control over sheriff’s office budget.

Proponent Testimony:

17:29:16 Brian Heino, Flathead County Sheriff
17:30:03 Darin Short, Lincoln County Sheriff
17:33:32 Brian Thompson, Montana Sheriffs and Peace Officers Association (MSPOA)
EXHIBIT

Opponent Testimony:

17:38:21 Roman Zylawy, Montana Association of Counties (MACo)
17:39:00 Don Jones, Self
17:40:49 Eric Bryson, Montana Association of Counties (MACo)
EXHIBIT
17:45:33 Jason Strouf, Self
17:46:18 Josh Letcher, Lincoln County Commission
17:48:30 Larry Hendrickson, Liberty County Commission
17:48:58 George Real Bird III, Self
17:50:53 Gordon Oelkers, Roosevelt County Commission

Informational Witness Testimony:

None

Questions from Committee:

17:52:48 Rep. Steve Gist
17:53:15 Brian Thompson, MSPOA

17:55:38 Rep. Scot Kerns
17:56:59 Rep. Courtenay Sprunger
17:58:50 Brian Heino, Flathead County
17:59:45 Eric Bryson, MACo

Closing Statement:

18:04:25 Rep. Steve Gunderson (R), HD 1, closed the hearing on HB 699.

HEARING ON HB 789 – Revise laws related to the alteration of county boundaries

Opening Statement:

18:06:00 Rep. Lyn Hellegaard (R), HD 97, opened the hearing on HB 789, Revise laws related to the alteration of county boundaries.

Proponent Testimony:

None

Opponent Testimony:

18:07:30 Eric Bryson, Montana Association of Counties (MACo)

18:09:00 Ron Nye, Madison County Commission

Informational Witness Testimony:

None

Questions from Committee:

None

Closing Statement:

18:10:15 Rep. Lyn Hellegaard (R), HD 97, closed the hearing on HB 789.

18:11:00 **Recessed**

18:14:20 **Reconvened**

HEARING ON HB 813 – Allow for the creation of fire protection authorities

Opening Statement:

18:14:30 Rep. Tony Brockman (R), HD 9, opened the hearing on HB 813, Allow for the creation of fire protection authorities.

Proponent Testimony:

18:18:00 Rich Cowger, Montana Fire Alliance (MFA)
18:22:10 Greg Tryon, Central Valley Fire District, Gallatin County
18:23:33 Frank Dahlquist, West Valley Fire and Rescue (WVFR)
18:25:47 Andy Ekblad, Montana State Council of Professional Firefighters (MSCPF)
18:27:44 Lyn Stimpson, Montana City Volunteer Fire Department, Jefferson County (MCVFD)
18:28:50 BJ Klose, Dillon Volunteer Fire Department (DVFD)
18:30:37 Bruce Suenram, Self

Opponent Testimony:

18:31:54 Julia Altemus, Montana Wood Products Association (MWPA)
18:35:35 Peggy Trenk, Treasure State Resources Association (TSRA)

Informational Witness Testimony:

None

Questions from Committee:

18:37:10 Rep. Steve Gist
18:37:25 BJ Klose, DVFD
18:38:45 Rep. Scot Kerns
18:39:37 Rep. Steve Gunderson
18:40:30 Lyn Stimpson, MCVFD
18:41:50 Julia Altemus, MWPA
18:43:10 Rep. Steven Galloway

Closing Statement:

18:45:30 Rep. Tony Brockman (R), HD 9, closed the hearing on HB 813.

18:47:45 Vice Chair Marta Bertoglio assumes the chair.

HEARING ON HB 675 – Authorize consolidation of county and municipal water and/or sewer districts

Opening Statement:

18:48:10 Rep. Larry Brewster (R), HD 44, opened the hearing on HB 675, Authorize consolidation of county and municipal water and/or sewer districts.

Proponent Testimony:

18:52:22 Steve Turkiewicz, City of Billings

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

18:53:50 Rep. Laurie Bishop
18:54:10 Rep. Larry Brewster
18:54:40 Rep. Steve Gunderson

Closing Statement:

18:56:10 Rep. Larry Brewster (R), HD 44, closed the hearing on HB 675.

18:56:30 Chair Larry Brewster resumes the chair.

18:59:00 **Recessed**

19:18:30 **Reconvened**

EXECUTIVE ACTION ON HB 708 – Establish governance requirements for non-profit hospitals

- 19:18:40 **Motion:** Vice Chair Marta Bertoglio moved that **HB 708 DO PASS.**
- 19:19:00 **Substitute Motion:** Vice Chair Jill Cohenour moved that **HB 708 BE TABLED.**
Vote: Motion carried 10-6 by roll call vote with Rep. Brewster, Rep. Galloway, Rep. Gunderson, Rep. Kerns, Rep. Seekins-Crowe, Rep. Zolnikov, voting no.
Rep. Zolnikov, By Proxy

EXECUTIVE ACTION ON HB 699 – Allow sheriffs to have expenditure control over sheriff's office budget

- 19:21:10 **Motion:** Vice Chair Marta Bertoglio moved that **HB 699 DO PASS.**
Vote: Motion failed 8-8 by roll call vote with Rep. Brewster, Rep. Essman, Rep. Galloway, Rep. Gist, Rep. Gunderson, Rep. Seekins-Crowe, Rep. Sprunger, Rep. Zolnikov, voting yes.
Rep. Zolnikov, By Proxy
- 19:23:44 **Motion:** Vice Chair Jill Cohenour moved that **HB 699 BE TABLED.**
Without objection, so ordered.

EXECUTIVE ACTION ON HB 789 – Revise laws related to the alteration of county boundaries

- 19:24:00 **Motion:** Vice Chair Marta Bertoglio moved that **HB 789 DO PASS.**
- 19:24:15 **Substitute Motion:** Vice Chair Jill Cohenour moved that **HB 789 BE TABLED.**
Vote: Motion carried 14-2 by voice vote with Rep. Gunderson, Rep. Zolnikov, voting no.
Rep. Zolnikov, By Proxy

EXECUTIVE ACTION ON HB 813 – Allow for the creation of fire authorities

- 19:25:07 **Motion:** Vice Chair Marta Bertoglio moved that **HB 813 DO PASS.**
- 19:25:45 **Substitute Motion:** Rep. Steve Gunderson moved that **HB 813 BE TABLED.**
Vote: Motion carried 11-5 by roll call vote with Rep. Bishop, Rep. Cohenour, Rep. Kortum, Rep. Lynch, Rep. Thane, voting no.
Rep. Thane, By Proxy

EXECUTIVE ACTION ON HB 675 – Authorize consolidation of county and municipal water and/or sewer districts

- 19:27:05 **Motion:** Vice Chair Marta Bertoglio moved that **HB 675 DO PASS.**
 Vote: Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 618 – Revise laws related to special districts

- 19:28:20 **Motion:** Vice Chair Marta Bertoglio moved that **HB 618 DO PASS.**
19:28:40 **Substitute Motion:** Vice Chair Jill Cohenour moved that **HB 618 BE TABLED.**
 Vote: Motion carried 13-3 by roll call vote with Rep. Brewster, Rep. Gunderson, Rep. Kerns, voting no.

EXECUTIVE ACTION ON HB 534 – Revise collections limit for actions brought before city court

- 19:30:05 **Motion:** Chair Larry Brewster moved that **HB 534 BE TAKEN FROM THE TABLE.**
 Vote: Motion carried 10-4 by roll call vote with Rep. Galloway, Rep. Gunderson, Rep. Kerns, Rep. Sprunger, voting no.
19:31:50 **Motion:** Vice Chair Marta Bertoglio moved that **HB 534 DO PASS.**
19:32:00 **Motion:** Vice Chair Marta Bertoglio moved that **HB 534 BE AMENDED.**
 Vote: Motion carried 10-6 by roll call vote with Rep. Essman, Rep. Galloway, Rep. Gunderson, Rep. Kerns, Rep. Reksten, Rep. Sprunger, voting no.
19:35:10 **Motion:** Vice Chair Marta Bertoglio moved that **HB 534 DO PASS AS AMENDED.**
19:35:20 **Substitute Motion:** Rep. Steve Gunderson moved that **HB 534 BE TABLED.**
 Vote: Motion failed 10-6 by roll call vote with Rep. Essman, Rep. Galloway, Rep. Gunderson, Rep. Kerns, Rep. Reksten, Rep. Sprunger, voting yes.
19:35:50 **Motion:** Vice Chair Marta Bertoglio moved that **HB 534 DO PASS AS AMENDED.**
 Vote: Motion carried 13-3 by roll call vote with Rep. Essmann, Rep. Gunderson, Rep. Kerns, voting no.

ADJOURNMENT

Adjournment: 19:04:37

LuCinda Blair, Secretary

Additional Documents: EXHIBIT(230228LOH)

House

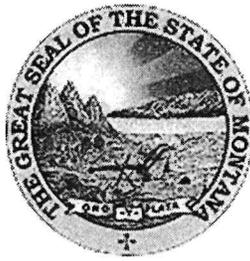
Roll Call

(H) Local Government

DATE: 02/28/2023

TIME: 3:00 PM

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/EXCUSED</u>
Bertoglio, Marta	X	
Cohenour, Jill	X	
Bishop, Laurie	X	
Galloway, Steven	X	
Gist, Steve	X	
Gunderson, Steve	X	
Kortum, Kelly	X	
Sprunger, Courtenay	X	
Zolnikov, Katie	X	
Thane, Mark	X	
Reksten, Linda	X	
Seekins-Crowe, Kerri	X	
Lynch, Jennifer	X	
Essmann, Sherry	X	
Kerns, Scot	X	
Brewster, Larry	X	



House Standing Committee Report

February 28, 2023

page 1 of 1

To the Speaker,

We, your committee on **(H) Local Government** recommend that **House Bill 534** (first reading copy – white) **Do Pass as Amended**. The referenced amendment is HB0534.001.002.

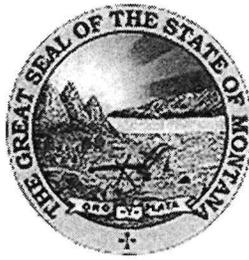
Signed: 

Rep. Larry Brewster-R, Chair

-End-

Committee Vote:

Yes 13, No 3



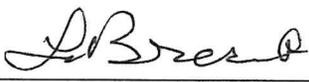
House Standing Committee Report

February 28, 2023

page 1 of 1

To the Speaker,

We, your committee on **(H) Local Government** recommend that **House Bill 675** (first reading copy – white) **Do Pass**.

Signed: 

Rep. Larry Brewster-R, Chair

-End-

Committee Vote:

Yes 16, No 0

2/28

BILL TABLED NOTICE

House (H) Local Government

The House (H) Local Government TABLED

HB618-Revise laws related to special districts- Rep. Lyn Hellegaard

HB534-Revise collections limit for actions brought before city court- Rep. Michael Yakawich

HB699-Allow sheriffs to have expenditure control over sheriff's office budget- Rep. Steve Gunderson

HB708-Establish governance requirements for non-profit hospitals- Rep. Jane Gillette

HB789-Revise laws related to the alteration of county boundaries- Rep. Lyn Hellegaard

HB813-Allow for the creation of fire protection authorities- Rep. Tony Brockman

by motion, on Tuesday February 28, 2023, (PLEASE USE THIS ACTION DATE IN LAWS BILL STATUS).



(For the Committee)



(For the Chief Clerk of the House)
18:10 , 3/3/23
(time) (date)

HOUSE COMMITTEE ON (H) LOCAL GOVERNMENT
February 28, 2023
VOTE TABULATION - HB 534

Rep. Bertoglio made a Motion that HB 534 To Take from the Table
YEAS – 10 NAYS - 4

Y	Bertoglio, Marta
Y	Cohenour, Jill
Y	Bishop, Laurie
N	Galloway, Steven
Y	Gist, Steve
N	Gunderson, Steve
Y	Kortum, Kelly
N	Sprunger, Courtenay
	Zolnikov, Katie
	Thane, Mark
Y	Reksten, Linda
Y	Seekins-Crowe, Kerri
Y	Lynch, Jennifer
Y	Essmann, Sherry
N	Kerns, Scot
Y	Brewster, Larry

HOUSE COMMITTEE ON (H) LOCAL GOVERNMENT
February 28, 2023
VOTE TABULATION - HB 534

Rep. Bertoglio made a Motion that HB0534.001.002 Be Amended
YEAS – 10 NAYS - 6

Y	Bertoglio, Marta
Y	Cohenour, Jill
Y	Bishop, Laurie
N	Galloway, Steven
Y	Gist, Steve
N	Gunderson, Steve
Y	Kortum, Kelly
N	Sprunger, Courtenay
Y	Zolnikov, Katie; by proxy
Y	Thane, Mark; by proxy
N	Reksten, Linda
Y	Seekins-Crowe, Kerri
Y	Lynch, Jennifer
N	Essmann, Sherry
N	Kerns, Scot
Y	Brewster, Larry

HOUSE COMMITTEE ON (H) LOCAL GOVERNMENT
February 28, 2023
VOTE TABULATION - HB 534

Rep. Gunderson made a Motion that HB 534 To Table
YEAS – 6 NAYS - 10

N	Bertoglio, Marta
N	Cohenour, Jill
N	Bishop, Laurie
Y	Galloway, Steven
N	Gist, Steve
Y	Gunderson, Steve
N	Kortum, Kelly
Y	Sprunger, Courtenay
N	Zolnikov, Katie; by proxy
N	Thane, Mark; by proxy
Y	Reksten, Linda
N	Seekins-Crowe, Kerri
N	Lynch, Jennifer
Y	Essmann, Sherry
Y	Kerns, Scot
N	Brewster, Larry

HOUSE COMMITTEE ON (H) LOCAL GOVERNMENT
February 28, 2023
VOTE TABULATION - HB 534

Rep. Bertoglio made a Motion that HB 534 Do Pass as Amended
YEAS – 13 NAYS - 3

Y	Bertoglio, Marta
Y	Cohenour, Jill
Y	Bishop, Laurie
Y	Galloway, Steven
Y	Gist, Steve
N	Gunderson, Steve
Y	Kortum, Kelly
Y	Sprunger, Courtenay
Y	Zolnikov, Katie; by proxy
Y	Thane, Mark; by proxy
Y	Reksten, Linda
Y	Seekins-Crowe, Kerri
Y	Lynch, Jennifer
N	Essmann, Sherry
N	Kerns, Scot
Y	Brewster, Larry

HOUSE COMMITTEE ON (H) LOCAL GOVERNMENT
February 28, 2023
VOTE TABULATION - HB 618

Rep. Cohenour made a Motion that HB 618 To Table
YEAS – 13 NAYS - 3

Y	Bertoglio, Marta
Y	Cohenour, Jill
Y	Bishop, Laurie
Y	Galloway, Steven
Y	Gist, Steve
N	Gunderson, Steve
Y	Kortum, Kelly
Y	Sprunger, Courtenay
Y	Zolnikov, Katie; by proxy
Y	Thane, Mark; by proxy
Y	Reksten, Linda
Y	Seekins-Crowe, Kerri
Y	Lynch, Jennifer
Y	Essmann, Sherry
N	Kerns, Scot
N	Brewster, Larry

HOUSE COMMITTEE ON (H) LOCAL GOVERNMENT
February 28, 2023
VOTE TABULATION - HB 675

Rep. Bertoglio made a Motion that HB 675 Do Pass
YEAS – 16 NAYS - 0

Y	Bertoglio, Marta
Y	Cohenour, Jill
Y	Bishop, Laurie
Y	Galloway, Steven
Y	Gist, Steve
Y	Gunderson, Steve
Y	Kortum, Kelly
Y	Sprunger, Courtenay
Y	Zolnikov, Katie; by proxy
Y	Thane, Mark; by proxy
Y	Reksten, Linda
Y	Seekins-Crowe, Kerri
Y	Lynch, Jennifer
Y	Essmann, Sherry
Y	Kerns, Scot
Y	Brewster, Larry

HOUSE COMMITTEE ON (H) LOCAL GOVERNMENT
February 28, 2023
VOTE TABULATION - HB 699

Rep. Bertoglio made a Motion that HB 699 Do Pass
YEAS – 8 NAYS - 8

N	Bertoglio, Marta
N	Cohenour, Jill
N	Bishop, Laurie
Y	Galloway, Steven
Y	Gist, Steve
Y	Gunderson, Steve
N	Kortum, Kelly
Y	Sprunger, Courtenay
Y	Zolnikov, Katie; by proxy
N	Thane, Mark; by proxy
N	Reksten, Linda
Y	Seekins-Crowe, Kerri
N	Lynch, Jennifer
Y	Essmann, Sherry
N	Kerns, Scot
Y	Brewster, Larry

HOUSE COMMITTEE ON (H) LOCAL GOVERNMENT
February 28, 2023
VOTE TABULATION - HB 699

Rep. Cohenour made a Motion that HB 699 To Table
YEAS – 16 NAYS - 0

Y Bertoglio, Marta
Y Cohenour, Jill
Y Bishop, Laurie
Y Galloway, Steven
Y Gist, Steve
Y Gunderson, Steve
Y Kortum, Kelly
Y Sprunger, Courtenay
Y Zolnikov, Katie
Y Thane, Mark
Y Reksten, Linda
Y Seekins-Crowe, Kerri
Y Lynch, Jennifer
Y Essmann, Sherry
Y Kerns, Scot
Y Brewster, Larry

HOUSE COMMITTEE ON (H) LOCAL GOVERNMENT
February 28, 2023
VOTE TABULATION - HB 708

Rep. Bertoglio made a Motion that HB 708 To Table
YEAS – 10 NAYS - 6

Y	Bertoglio, Marta
Y	Cohenour, Jill
Y	Bishop, Laurie
N	Galloway, Steven
Y	Gist, Steve
N	Gunderson, Steve
Y	Kortum, Kelly
Y	Sprunger, Courtenay
N	Zolnikov, Katie; by proxy
Y	Thane, Mark; by proxy
Y	Reksten, Linda
N	Seekins-Crowe, Kerri
Y	Lynch, Jennifer
Y	Essmann, Sherry
N	Kerns, Scot
N	Brewster, Larry

HOUSE COMMITTEE ON (H) LOCAL GOVERNMENT
February 28, 2023
VOTE TABULATION - HB 789

Rep. Cohenour made a Motion that HB 789 To Table
YEAS – 14 NAYS - 2

Y	Bertoglio, Marta
Y	Cohenour, Jill
Y	Bishop, Laurie
Y	Galloway, Steven
Y	Gist, Steve
N	Gunderson, Steve
Y	Kortum, Kelly
Y	Sprunger, Courtenay
N	Zolnikov, Katie; by proxy
Y	Thane, Mark; by proxy
Y	Reksten, Linda
Y	Seekins-Crowe, Kerri
Y	Lynch, Jennifer
Y	Essmann, Sherry
Y	Kerns, Scot
Y	Brewster, Larry

HOUSE COMMITTEE ON (H) LOCAL GOVERNMENT
February 28, 2023
VOTE TABULATION - HB 813

Rep. Gunderson made a Motion that HB 813 To Table
YEAS – 11 NAYS - 5

Y	Bertoglio, Marta
N	Cohenour, Jill
N	Bishop, Laurie
Y	Galloway, Steven
Y	Gist, Steve
Y	Gunderson, Steve
N	Kortum, Kelly
Y	Sprunger, Courtenay
Y	Zolnikov, Katie; by proxy
N	Thane, Mark; by proxy
Y	Reksten, Linda
Y	Seekins-Crowe, Kerri
N	Lynch, Jennifer
Y	Essmann, Sherry
Y	Kerns, Scot
Y	Brewster, Larry



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES
AUTHORIZED
COMMITTEE PROXY
68TH LEGISLATIVE SESSION

I request to be excused from the Local Government Committee.

I desire to leave my proxy vote with Rep.

PLEASE USE PEN

Table with columns: BILL, MOTION (Include AMENDMENT #), AYE, NO. Contains handwritten entries for bills 708, 699, 699 (tablets without objection), 789, 813, 675, 618, 534 (Amend), 534 (Do pass as Amend.), and 534 (Table).

Empty table with columns: BILL, MOTION (Include AMENDMENT #), AYE, NO.

I authorize my vote to be matched with that of Rep. for any amendments proposed on this date.

Rep. [Signature] Mark Thane [Print Name] [Meeting Date]



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

VISITOR REGISTER

LOCAL GOVERNMENT COMMITTEE

DATE: 2/28/2023

BILL NO: HB 708

SPONSOR(S): Representative Jane Gillette

SHORT TITLE: Establish governance requirements for non-profit hospitals

Please leave prepared testimony with the clerk.

Witness Statement forms are available if you care to submit written testimony.

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

Name	Representing	Support	Oppose	Info Witness
Adam Jensen	MT Nonprofit Assoc.		X	
Betsy Franks	Bozeman Health		X	
Aidan Myhre	Logan Health		X	
Bob Olson	MT Hospital Assoc		X	
Laura Meg Tuschy	SPH Board		X	
Adrianna Hines	Benefis		X	
Bill Warden	Shoemaker		X	

LOH Remote Participant List

		Date		Date		Date		Date		Date	
Date	Committee	H/S	Bill #	Position	Requester Name	Location	Email	Phone	Affiliation		
2/28/23	LOH	HB	699	Opponent	Larry Hendrickson	Chester Mt.			Liberty County Commissioner		
2/28/23	LOH	HB	699	Opponent	Josh Letcher	Eureka, Mt			Lincoln County		
2/28/23	LOH	HB	699	Opponent	George Real Bird III	Lodge Grass, Montana			Big Horn County		
2/28/23	LOH	HB	699	Opponent	William D. Barron	Polson, MT			Lake County		
2/28/23	LOH	HB	699	Opponent	Gordon Celkers	Wolf Point mt			Roosevelt County		
2/28/23	LOH	HB	708	Opponent	Paul Kanning	Flaxville, MT			N/A		
2/28/23	LOH	HB	708	Opponent	Jen Alderfer	Billings, MT			St. Vincent Healthcare, Intermountain Health		
2/28/23	LOH	HB	789	Opponent	Ron Nye	Twin Bridges, MT			Madison County		
2/28/23	LOH	HB	813	Proponent	Bruce Suenram	Hamilton, MT			Hamilton Rural Fire District		
2/28/23	LOH	HB	813	Opponent	Julia Altenuis	Missoula, MT			Montana Wood Products Association		
2/28/23	LOH	HB	813	Opponent	Paul R. McKenzie	Columbia Falls, MT			F.H. Stoltze Land & Lumber Co.		
2/28/23	LOH	HB	813	Opponent	Peggy Trenik	Missoula, MT			Treasure State Resources Association		

Hospital Board Governance

EXHIBIT #1
DATE 2-28-2023
HB 708

- Non-profit hospitals are a community asset. They are one of the largest employers in the counties they serve. They are vitally important to the health and well-being of the community. Competent, local healthcare is essential. The success of a hospital is a function of the competency of the Administration, starting with the CEO.
- A non-profit hospital board likely consists of intelligent people determined to improve healthcare in their community. The challenges they face are tremendous. They typically meet less than ten times a year to listen to presentations curated by the Administration. Boards are often asked to approve important policy and operational plans with little information and time to examine topics in detail. The challenges facing the boards of non-profit hospitals result in weak governance and an Administration that manages with little oversight.
- A well-governed charitable organization is more likely to obey the laws, safeguard charitable assets, and serve charitable interests than one with poor or lax governance. **Good governance requires engaged and unconflicted board members.**

Line 16. Non-profit hospitals are community assets. Board members who are not part of the local community miss a golden opportunity to understand the quality of the hospital operations and quality of care. Local board members are patients of the hospital and experience the hospital first-hand. Local board members have the opportunity to visit with physicians, caregivers, nurses, and hospital employees at community events, school functions, and social events. If a board member does not reside in the county served by the hospital, they have no first-hand experience with the hospital and therefore their entire perspective comes from information curated by the administration.

Line 18. If a hospital employee serves on the board, a major conflict of interest exists. The employee, including employed physicians, report to the CEO outside the board, and the CEO reports to the employee inside the board room. This circular conflict is dangerous and effectively gives the CEO multiple votes on board resolutions.

Line 19. Vendors, consultants, and others who receive payments from the hospital have a conflict of interest. Disclosing a conflict does not remove the conflict. Board members who personally do business with the hospital or are an employee of a company doing business with the hospital, will naturally not want to cross the CEO and Administration of the hospital for fear they will lose the business they are doing with the hospital. This fear will motivate the conflicted board member to vote in lock-step with the CEO.

Line 21. Board members who are contracted physicians do not want to cross the CEO and Administration for fear they will lose their contract. Disclosing a conflict does not remove the conflict.

Line 23. Board members who donate significant amounts to the hospital may have undue influence on the CEO and Administration because they are concerned they will lose future donations if they don't act in a manner agreeable to the donor.

Line 25. Because most of the information a board receives is curated by the CEO and Administration, the CEO has outsized power in influencing board decisions. The CEO should not have the right of voting on resolutions when he or she controls most of the information provided to the board.

Line 27 Non-profit hospitals are community assets and should be transparent in their board membership selection and operation. If open positions are not posted, the public perception of the board is negative as it appears to be a crony, inbred board.

Line 18 (page 2). Without outside, independent counsel, the board depends on internal legal advice that is beholden to the CEO. A non-profit hospital's internal attorneys have outsized influence on board decisions. Internal attorneys are employed at the pleasure of the CEO. Independent counsel will provide impartial advice to the board.

Line 7 (page 2). Severance packages may be used to silence employees who are wrongfully terminated or to reward the cronies of the Administration. To conceal their actions, the Administration may represent that severance packages are confidential and cannot be shared with the board. The board should approve all severance packages.

Line 8 (page 2). The entire board, not a committee of a few board members, must approve the compensation packages of the CEO and his or her direct reports. As a community asset, it is imperative that a non-profit hospital's compensation packages are affordable, appropriate, and competitive with hospitals of similar size and complexity.

Line 10 (page 2). Most non-profit hospital board members are volunteers who meet less than 10 times a year and are appropriately not involved in hospital operations. Hiring an outside firm to perform a 360 evaluation of the CEO and direct reports provides an in-depth view of the administration's performance. Exceptional performance can be celebrated and encouraged, and weaknesses serve as the basis for improvement action plans. 360 reviews are common in the healthcare industry.

Line 13 (page 2). The non-profit hospital is a community asset and the public served by the hospital deserves opportunities to ask questions and share experiences.

Line 19 (page 2). The board of a non-profit hospital should seek input from people working inside the hospital. A board cannot solely depend on information curated by the CEO and Administration. The board must seek input from hospital employees and the community in formal and informal ways.

Total Payment
Montana Medicaid Inpatient Hospital Utilization Fee
Fiscal Year 2022
List of Hospitals and Distributions

Hospital	Distribution Standard MCD	Distribution HELP	Distribution BCC	Total Distribution
DRG HOSPITALS				
Advanced Care Hospital of Montana	1,484,580.88	5,241,176.99	639.08	6,726,396.95
Benefis Hospitals, Inc	7,425,317.71	26,214,404.87	3,196.44	33,642,919.02
Billings Clinic	8,206,422.03	28,972,022.24	3,532.69	37,181,976.96
Bozeman Health Deaconess Hospital	1,744,814.92	6,159,909.45	751.11	7,905,475.47
Community Medical Center	3,436,939.48	12,133,800.42	1,479.53	15,572,219.44
CMSC, LLC	203,119.30	717,094.12	87.44	920,300.86
Logan Health Center	5,227,204.86	18,454,168.55	2,250.20	23,683,623.61
Northern Montana Hospital	592,867.03	2,093,062.82	255.22	2,686,185.07
St. James Healthcare	1,410,170.84	4,978,479.14	607.05	6,389,257.03
Providence Health & SRVC MT	4,158,515.78	14,681,259.52	1,790.15	18,841,565.45
St. Peter's Hospital	2,050,499.41	7,239,100.59	882.70	9,290,482.70
St Vincent Healthcare	5,869,142.30	20,720,469.95	2,526.54	26,592,138.79
Shodair Children's Hospital	2,017,517.66	7,122,661.55	868.50	9,141,047.71
Rehabilitation Hospital Of Montana	381,703.40	1,347,568.94	164.32	1,729,436.66
PRIVATE CRITICAL ACCESS HOSPITALS				
Barrett Hospital and Healthcare	222,846.32	786,738.55	95.93	1,009,680.80
Beartooth Billings Clinic	70,281.77	248,123.37	30.25	318,435.40
Benefis Teton Medical Center	15,568.58	54,963.46	6.70	70,538.75
Big Horn Hospital Association	194,479.30	686,591.37	83.72	881,154.39
Big Sandy Medical Center Inc	3,817.44	13,477.11	1.64	17,296.19
Bozeman Health Big Sky Medical	17,019.50	60,085.78	7.33	77,112.61
Broadwater Health Center	14,936.12	52,730.60	6.43	67,673.15
Central Montana Medical Center	272,668.59	962,631.50	117.38	1,235,417.46
Clark Fork Valley Hospital	252,211.79	890,410.64	108.57	1,142,731.00
Community Hospital of Anaconda	501,347.64	1,769,961.98	215.82	2,271,525.44

Dahl Memorial Healthcare	2,537.18	8,957.28	1.09	11,495.55
Daniels Memorial Hospital	29,272.70	103,344.59	12.60	132,629.89
Powell County Memorial Hospital	136,486.70	481,853.82	58.75	618,399.28
Fallon Medical Complex, Inc.	16,165.79	57,071.83	6.96	73,244.58
Frances Mahon Deaconess Hospital	290,927.38	1,027,092.49	125.24	1,318,145.10
Glendive Medical Center	393,623.55	1,389,651.95	169.45	1,783,444.95
Holy Rosary Healthcare	430,879.48	1,521,180.58	185.48	1,952,245.54
Liberty County Hospital	17,352.90	61,262.81	7.47	78,623.18
Livingston Healthcare	478,842.79	1,690,510.65	206.13	2,169,559.57
Madison Valley Hospital	29,150.02	102,911.50	12.55	132,074.07
Marcus Daly Memorial Hospital	734,112.76	2,591,717.96	316.02	3,326,146.74
McCone County Health Center	1,844.84	6,513.04	0.79	8,358.68
Mineral Community Hospital	38,297.10	135,204.41	16.49	173,517.99
MountainView Medical Center	9,921.84	35,028.14	4.27	44,954.25
Logan Health Whitefish	1,058,508.34	3,736,966.86	455.67	4,795,930.86
Northeast Montana Health Services Community Hospital	218,849.73	772,628.95	94.21	991,572.89
Northeast Montana Health Services Trinity Hospital	360,694.76	1,273,399.85	155.27	1,634,249.88
Logan Health Cut Bank	94,452.01	333,454.17	40.66	427,946.84
Phillips County Hospital	23,920.27	84,448.33	10.30	108,378.90
Pioneer Medical Center	11,289.51	39,856.59	4.86	51,150.96
Logan Health Conrad	47,486.04	167,645.11	20.44	215,151.59
Logan Health Shelby	73,337.29	258,910.58	31.57	332,279.43
Prairie County Hospital District	1,286.70	4,542.58	0.55	5,829.83
Roosevelt Memorial Medical Center	13,049.64	46,070.54	5.62	59,125.80
Rosebud Health Care Center	11,376.55	40,163.87	4.90	51,545.31
Roundup Memorial Hospital	61,689.23	217,788.18	26.56	279,503.97
Ruby Valley Hospital	17,021.53	60,092.94	7.33	77,121.79
St. John's Lutheran Hospital	405,890.23	1,432,958.33	174.73	1,839,023.28
Providence St. Joseph Medical Center	476,259.86	1,681,391.85	205.02	2,157,856.72
St. Luke Community Hospital	602,181.87	2,125,948.01	259.23	2,728,389.11
Sheridan Memorial Hospital	28,792.26	101,648.43	12.39	130,453.08
Sidney Health Center	497,302.88	1,755,682.34	214.08	2,253,199.30
Stillwater Billings Clinic	31,505.84	111,228.49	13.56	142,747.90
Wheatland Memorial Healthcare	18,728.26	66,118.40	8.06	84,854.71
Shodair Hospital Residential Treatment Center	728,901.65	2,573,320.58	313.78	3,302,536.00
Total for Period	53,165,932.10	187,697,459.52	22,886.81	240,886,278.43

Total Payment

**Montana Medicaid Outpatient Hospital Utilization Fee
Fiscal Year 2022
List of Hospitals and Distributions**

Hospital	Distribution Standard MCD	Distribution HELP	Distribution BCC	Total Distribution
DRG HOSPITALS				
Benefis Hospitals, Inc	3,286,044.13	13,641,916.82	53,539.95	16,981,500.90
Billings Clinic	2,370,533.77	9,841,202.12	38,623.42	12,250,359.31
Bozeman Health Deaconess Hospital	1,609,452.51	6,681,595.38	26,223.02	8,317,270.92
Community Medical Center	2,048,288.83	8,503,411.63	33,373.04	10,585,073.50
CMSC, LLC	1,199,530.02	4,979,814.06	19,544.10	6,198,888.18
Logan Health Center	3,324,607.34	13,802,010.84	54,168.26	17,180,786.44
Northern Montana Hospital	742,704.80	3,083,317.44	12,100.99	3,838,123.23
St. James Healthcare	1,646,687.46	6,836,175.19	26,829.70	8,509,692.34
Providence Health & SRVC MT	1,923,606.94	7,985,798.36	31,341.58	9,940,746.88
St. Peter's Hospital	1,356,210.29	5,630,267.65	22,096.91	7,008,574.86
St Vincent Healthcare	2,368,934.50	9,834,562.81	38,597.36	12,242,094.67
Shodair Children's Hospital	32,318.40	134,168.89	526.57	167,013.85
PRIVATE CRITICAL ACCESS HOSPITALS				
Barrett Hospital and Healthcare	206,032.40	855,337.51	3,356.91	1,064,726.82
Beartooth Billings Clinic	67,965.11	282,155.19	1,107.36	351,227.67
Benefis Teton Medical Center	28,435.89	118,050.75	463.31	146,949.95
Big Horn Hospital Association	164,045.13	681,028.61	2,672.81	847,746.55
Big Sandy Medical Center Inc	6,972.51	28,946.18	113.60	36,032.30
Bozeman Health Big Sky Medical	26,372.06	109,482.83	429.68	136,284.57
Broadwater Health Center	23,820.88	98,891.69	388.12	123,100.69
Central Montana Medical Center	224,578.40	932,330.72	3,659.09	1,160,568.21
Clark Fork Valley Hospital	169,772.37	704,805.05	2,766.12	877,343.54
Community Hospital of Anaconda	428,872.21	1,780,450.54	6,987.67	2,216,310.42
Dahl Memorial Healthcare	2,947.17	12,235.09	48.02	15,230.28
Daniels Memorial Hospital	23,924.05	99,319.99	389.80	123,633.83
Powell County Memorial Hospital	182,210.16	756,440.19	2,968.77	941,619.13

Fallon Medical Complex, Inc.	27,816.24	115,478.30	453.21	143,747.75
Frances Mahon Deaconess Hospital	163,166.48	677,380.92	2,658.49	843,205.89
Glendive Medical Center	259,286.32	1,076,419.61	4,224.59	1,339,930.51
Holy Rosary Healthcare	314,225.85	1,304,499.50	5,119.72	1,623,845.08
Liberty County Hospital	29,963.52	124,392.68	488.20	154,844.40
Livingston Healthcare	256,859.16	1,066,343.35	4,185.04	1,327,387.55
Madison Valley Hospital	19,475.20	80,850.74	317.31	100,643.26
Marcus Daly Memorial Hospital	756,680.04	3,141,335.24	12,328.69	3,910,343.97
McCone County Health Center	3,369.59	13,988.74	54.90	17,413.23
Mineral Community Hospital	49,599.18	205,909.55	808.13	256,316.86
MountainView Medical Center	14,163.06	58,797.54	230.76	73,191.37
Logan Health Whitefish	578,543.83	2,401,807.92	9,426.29	2,989,778.04
Northeast Montana Health Services Community Hospital	210,851.16	875,342.47	3,435.43	1,089,629.06
Northeast Montana Health Services Trinity Hospital	248,801.44	1,032,891.96	4,053.75	1,285,747.15
Logan Health Cut Bank	105,998.31	440,048.90	1,727.04	547,774.26
Phillips County Hospital	31,812.11	132,067.05	518.32	164,397.48
Pioneer Medical Center	12,734.30	52,866.08	207.48	65,807.86
Logan Health Conrad	84,259.17	349,799.48	1,372.85	435,431.50
Logan Health Shelby	31,792.41	131,985.28	518.00	164,295.69
Prairie County Hospital District	2,350.15	9,756.57	38.29	12,145.00
Roosevelt Memorial Medical Center	17,581.83	72,990.45	286.46	90,858.74
Rosebud Health Care Center	14,100.30	58,536.97	229.74	72,867.00
Roundup Memorial Hospital	65,055.20	270,074.76	1,059.95	336,189.91
Ruby Valley Hospital	20,118.67	83,522.08	327.80	103,968.54
St. John'S Lutheran Hospital	369,796.97	1,535,201.41	6,025.15	1,911,023.53
Providence St. Joseph Medical Center	333,394.97	1,384,079.54	5,432.05	1,722,906.56
St. Luke Community Hospital	362,078.18	1,503,157.04	5,899.39	1,871,134.61
Sheridan Memorial Hospital	29,524.84	122,571.50	481.05	152,577.39
Sidney Health Center	279,658.21	1,160,992.96	4,556.51	1,445,207.68
Stillwater Billings Clinic	37,370.91	155,144.24	608.89	193,124.04
Wheatland Memorial Healthcare	34,207.00	142,009.36	557.34	176,773.70
Total for Period	28,229,501.92	117,193,957.73	459,946.98	145,883,406.64



EXHIBIT #12
DATE 2-28-2023
HD 699



MT Sheriffs & Peace Officers Association

PO Box 794 • Helena, MT 59624
(406) 443-5669 • www.mspsoa.org

MT Association of Counties

2717 Skyway Dr. • Helena, MT 59602
(406) 442-1178 • www.mtcounties.org

Board of County Commissions and Sheriffs Office Best Practices

Respect Best Practice

Each office should come at the relationship from a place of mutual respect. Each elected official was voted into office by a majority of the constituents in the county. While there may be personality conflicts, respect for the offices and other elected officials, respect for the duty of public service and respect for the constituents should guide all interactions.

Policy Best Practice

The Sheriff's Office should have specific policies pertaining to law enforcement. The Sheriff should ensure there are not discrepancies or conflicts between the Collective Bargaining Agreement (CBA if applicable) or County Policy. The Sheriff's Office Policy should defer to the County Policy when appropriate, but all matters law enforcement specific should be in the Sheriff's Office Policy.

The Board of County Commissioners (BOCC) should ensure policies are followed.

Reason

Law enforcement has unique circumstances and requirements, which require policies pertaining specifically to their duties, hazards, and liability.

Example

It is likely that there is not a need for the county to have a policy on vehicle pursuits. It is absolutely necessary for Sheriff Offices to have a policy and procedures on vehicle pursuits, such as, when to engage, speed restrictions, and prohibitions.

Personnel Best Practice

The onus to manage employees is on each elected official. The Sheriff should manage his/her employees in accordance with Sheriff Office and County Policy. The process of hiring and firing is determined and executed by the Sheriff. Sheriffs' should follow policy and comply with the law regarding all employment decisions.

Reason

An employment claim exposes all parties to liability.

Example

If a deputy lies, they are no longer a credible witness and thus cannot perform their primary function because they cannot testify in court on any case (from DUI to homicide). Termination for a deputy who lies is an appropriate action, at the discretion of the Sheriff after an investigation is complete and the termination policy followed. If a county road person lies, termination is likely not necessary.

Suspension of Elected Officials Best Practice

The BOCC should not attempt to suspend an elected Sheriff.

Reason

MCA 45-7-401 (4) states, "A public servant who has been charged as provided in subsection (3) may be suspended from office without pay pending final judgment." As the code does not specify who issues the suspension, the default is the district court system and a district court judge. There are proper channels for suspension, which is through a district court judge, not the BOCC.

Example

If an elected Sheriff is charged with a crime, the offense of official misconduct should be included, which would allow for the suspension to commence by the court.

Budget Best Practice

The BOCC has the fiduciary responsibility to provide budgetary oversight, performs the audit function for the county, and must review all county expenditures.

Once the Sheriff's Budget is approved, as long as the expenditures do not exceed a single budget fund, and so long as the expenditures are required in order for the Sheriff to perform his/her statutorily mandated duties, the BOCC should not deny payment of an expenditure or a debt incurred by the Sheriff.

Purchases should follow the legal procurement process, be permissible and be ethical.

If individual County Commissioners have questions, they should extend the professional courtesy of asking prior to a public hearing.

Reason

Sheriffs must have the proper funding to perform his/her statutorily mandated duties.

Example

If a Sheriff has a training budget approved for \$5000, the Sheriff has the authority to choose the training and choose the employees who will attend. Sheriff can choose to spend the \$5000 on training in Montana or out of state, so long as the total training expenditures do not exceed the allocated and approved amount.

Contracts Best Practice

The BOCC is the only entity authorized to sign contracts per statute. However, it can delegate limited contractual authority to an elected Sheriff for operation contracts, such as Mutual Aid Agreements and procurement of goods and services that fall within the Sheriff's budget.

Reason

Nearly all incurred expenses should be considered a contract with the county and it is unreasonable to have Boards of County Commissioners sign every contract.

Example

Mutual Aid Agreements and other operational contracts should be delegated. Procurement of goods and services (washing machine in the jail) when budgeted could be delegated by resolution. Unexpected purchases requiring additional resources, activated reserves, or unanticipated expenditures should be authorized in a public forum with a reasonable explanation and providing for meaningful public input, thus submitted to the Board of County Commissioners for consideration in a public meeting.

CBA Best Practice

The best practice is to consult the Sheriff on any proposed changes to the CBA raised during contract negotiations.

Reason

The Sheriff should be consulted regarding negotiations that involve operations. The BOCC should be consulted regarding negotiations that involve the budget.

Example

If there are negotiations taking place to change the length of the shift, the Sheriff must be involved as that impacts the overall operations and coverage options for the office.

EX #3
DATE 2-28-2023
10 699

Supervision Of County And Other Officers

7-4-2110. Supervision of county and other officers. The board of county commissioners has jurisdiction and power, under the limitations and restrictions that are prescribed by law, to:

- (1) supervise the official conduct of all county officers and officers of all districts and other subdivisions of the county charged with assessing, collecting, safekeeping, managing, or disbursing public revenue;
- (2) see that the officers faithfully perform their duties;
- (3) direct prosecutions for delinquencies;
- (4) when necessary, require the officers to renew their official bonds, make reports, and present their books and accounts for inspection; and
- (5) require the officers to supervise staff in a manner that complies with personnel policies and procedures adopted by the county governing body.

General Authority Of County Commissioners

7-5-2101. General authority of county commissioners. (1) The board of county commissioners has jurisdiction and power, under such limitations and restrictions as are prescribed by law, to represent the county and have the care of the county property and the management of the business and concerns of the county in all cases where no other provision is made by law.

(2) The board has jurisdiction and power, under such limitations and restrictions as are prescribed by law, to perform all other acts and things required by law not enumerated in this title or which may be necessary to the full discharge of the duties of the chief executive authority of the county government.

Finding -- Contract Authority

7-1-2105. Finding -- contract authority. (1) Pursuant to Article XI, section 6, of the Montana constitution, a local government unit adopting a self-government charter may exercise any power not prohibited by the constitution, law, or charter.

(2) Article XI, section 4, of the Montana constitution provides that a local government unit without self-government powers has powers provided or implied by law and that the powers of incorporated cities and towns and counties must be liberally construed.

(3) Section **7-1-2101** states that a county has the powers specified in this title or in special statutes and has powers that are necessarily implied from those expressed powers.

(4) Section **7-1-2103** states that a county has the power to make contracts that may be necessary to the exercise of its powers.

(5) Section **7-1-2104** states that a county's powers can only be exercised by the board of county commissioners or by agents and officers acting under their authority or authority of law.

(6) Therefore, the legislature finds that it is within a county's contract authority to enter into any contract necessary for the exercise of its power, including but not limited to a contract for

reimbursement that may require that the county be reimbursed for the cost of basic course training if an employee leaves employment before completing a reasonable period of service.

Duties Of County Clerk Related To Finance

7-6-2202. Duties of county clerk related to finance. (1) The county clerk shall draw warrants on the county treasury in favor of all persons entitled to the warrants in payment:

(a) of all claims and demands chargeable against the county that have been legally examined, allowed, and ordered paid by the board of county commissioners; and

(b) for all debts and demands against the county when the amounts are fixed by law and are not directed to be audited by some other person or tribunal.

(2) The county clerk shall keep accounts current with the treasurer. When any person deposits with the county treasurer any money paid into the treasury, the county clerk must be furnished by the treasurer with a duplicate of the receipt issued to the person. The duplicate receipt must be filed in the office of the county clerk, and the county clerk shall charge the treasurer with the amount of the deposit.

(3) The county clerk shall make the annual statement prescribed by the department of administration.

Exercise Of County Power

7-1-2104. Exercise of county power. A county's powers can only be exercised by the board of county commissioners or by agents and officers acting under their authority or authority of law.

Representative Of Public Employer

39-31-301. Representative of public employer. The chief executive officer of the state, the governing body of a political subdivision, the commissioner of higher education, whether elected or appointed, or the designated authorized representative shall represent the public employer in collective bargaining with an exclusive representative.

Payments For Judgments

7-6-4015. Payments for judgments. (1) Judgments against a local government that are not covered by insurance may be paid:

(a) from the general fund; or

(b) from the fund or funds supporting the local government operation that incurred the judgment.

(2) Judgments that are to be paid from the general fund:

(a) must be paid in the current fiscal year if there is sufficient money in the general fund to pay both the judgment and the general fund appropriations for the current fiscal year; or

(b) must be paid from additional tax levies made in each of the next 3 years if general fund money is insufficient to pay the judgment in the current fiscal year.

Role Of Department Of Administration

7-6-611. Role of department of administration. (1) The department of administration shall prescribe for all local governments:

- (a) general methods and details of accounting as provided in **2-7-504**;
- (b) uniform internal and interim reporting systems as part of the uniform reporting systems provided for in **2-7-503**;
- (c) the form of the annual financial report as provided in **2-7-503**; and
- (d) general methods and details of accounting for the annual financial report as provided in **2-7-513**.

(2) Local governments shall file with the department of administration:

- (a) an annual financial report within 6 months of the fiscal yearend; and
- (b) an audit report within 12 months of the end of the audited period.

(3) The governing body of each county or municipality shall notify the department of administration in writing, on a form prescribed by the department of administration, of the creation, dissolution, combination, or other legal alteration of any special purpose district within the county or municipality.

(4) Each special purpose district shall obtain a permanent mailing address and notify the department of administration of the address and of any subsequent changes of the district's address.

(5) The department shall accept and review claims made pursuant to **2-7-524** and **7-6-4038**.

Capital Improvement Funds

7-6-616. Capital improvement funds. (1) A county, municipal, or special district governing body may establish a capital improvement fund for the replacement, improvement, and acquisition of property, facilities, or equipment that costs in excess of \$5,000 and that has a life expectancy of 5 years or more.

(2) A capital improvement plan for the fund must be formally adopted by the county, municipal, or special district governing body.

(3) The capital improvement fund may receive money from any source, including funds that have been allocated in any year but have not been expended or encumbered by the end of the fiscal year.

(4) Money in the capital improvement fund must be invested as provided by law, and interest and income from the investment of the capital improvement fund must be credited to the fund.

Role And Duties Of County Clerk And Election Administrator

7-4-2611. Role and duties of county clerk and election administrator. (1) The county clerk of a county is also clerk of the county commissioners and ex officio recorder. A duty imposed by law

upon the officer, whether as county clerk, clerk of the county commissioners, or recorder, must be performed by the county clerk, and any official act performed or certified by the county clerk is as valid and effectual as if performed and certified by the clerk of the county commissioners or the recorder.

(2) The county clerk shall:

(a) take charge of and safely keep or dispose of according to law all books, papers, maps, and records that may be filed or deposited in the county clerk's office;

(b) record all the proceedings of the board;

(c) make full entries of all its resolutions and decisions on all questions concerning the raising of money for and the allowance of accounts against the county;

(d) record the vote of each member on a question upon which there is a division or at the request of any member present;

(e) sign all orders made and warrants issued by order of the board for the payment of money and certify the orders and warrants to the county treasurer;

(f) record the reports of the county treasurer of the receipts and disbursements of the county;

(g) preserve and file all accounts acted upon by the board;

(h) preserve and file all petitions and applications for franchises and record the action of the board on the petitions and applications;

(i) record all orders levying taxes;

(j) designate upon each account allowed by the board the amount allowed and deliver to any person who may demand it a certified copy of any record or any account on file in the county clerk's office;

(k) when a new township is organized or the boundaries of a township are altered, immediately make out and transmit to the secretary of state a certified statement of the names and boundaries of the township organized or altered;

(l) keep other records and books and perform other duties that are prescribed by law or by rule or order of the board.

(3) An election administrator shall file, code, and cross-index all reports and statements filed as prescribed by the commissioner of political practices.

(4) An election administrator shall make statements and other information filed under the provisions of Title 13, chapters 35, 36, and 37, available for public inspection and copying during the office hours determined by the governing body by resolution after a public hearing and make copying facilities available free of charge or at a charge not to exceed actual cost.

Duties Of County Treasurer

7-6-2111. Duties of county treasurer. The county treasurer shall:

(1) receive all money belonging to the county and all other money directed to be paid to the treasurer by law, safely keep the money, apply and pay the money out, and account for the money as required by law;

(2) keep an account of the receipt and expenditures of the money in books provided for the purpose, in which must be entered:

- (a) the amount and the time when, from whom, and on what account all money was received;
- (b) the amount and time when, to whom, and on what account all disbursements were made;

(3) keep books so that the amounts received and paid out on account of separate funds or specific appropriations are exhibited in separate and distinct accounts, with the whole receipts and expenditures shown in one general or cash account;

(4) disburse the county money only on county warrants issued by the county clerk, based on orders of the board of county commissioners, or as otherwise provided by law.

Examination And Investigation Of Claims

7-6-2407. Examination and investigation of claims. (1) It is the duty of persons holding claims against any county having a county auditor to present the claims to the county auditor, who shall investigate and examine all claims presented.

(2) (a) Within 30 days of receipt of a claim in the office of the county auditor, the county auditor shall approve the claim, disapprove the claim, or notify the board of county commissioners, the claimant, and any affected county elected officials or department heads in writing that the claim requires further investigation.

(b) Further investigation of a claim must be completed and an approval or disapproval of payment of the claim must be issued within 60 days from the date that the county auditor provides the written notification required in subsection (2)(a).

(3) (a) The county auditor shall report approved claims to the board of county commissioners at its regular meeting after investigations into the claims have been completed.

(b) The county auditor shall keep a complete record of all claims submitted and investigations and examinations of the claims.

(4) In all counties having a county auditor:

(a) all bills, claims, accounts, or charges for materials of any kind or nature that may be purchased by and on behalf of the county by any of the county officers or contracted for by the county commissioners must be investigated, examined, and inspected by the county auditor, who shall approve or disapprove payment of the claims before any warrant for the payment of the claims may be drawn;

(b) a claim against the county may not be paid or a warrant drawn for the claim unless the claim has the approval of the county auditor. If the county auditor disapproves payment of a claim:

(i) the auditor shall, within 5 days of the disapproval, provide written documentation to the board of county commissioners, the claimant, and any affected county elected officials or department heads specifying the reasons for the disapproval;

(ii) the auditor shall, within 15 days of the disapproval, present documentation and testimony in support of the disapproval of the claim to the board of county commissioners in a public hearing at a properly noticed and regularly scheduled meeting of the board of county commissioners; and

(iii) the board of county commissioners may order the payment of the claim by a majority vote at a regular board meeting. If a majority of the board orders payment of the disapproved claim, the county auditor may appeal the decision to the district court within 7 working days. If the board's decision is not appealed within the required 7-day period, the claim must be paid.

Other Duties Of Auditor

7-6-2412. Other duties of auditor. (1) Subject to the requirements of subsection (2), the county auditor shall perform other duties, clerical or otherwise, as directed by the county commissioners.

(2) A reasonable amount of time must be allowed the county auditor for the performance of the duties set forth in this part.

HB 813 - Creation of Fire Authority

Sponsor: Rep Tony Brockman

HB 813 would allow the creation of Regional Fire Protection Authorities, which would allow for two or more fire departments, regardless of their classification, to combine for the benefit of the citizens served, by combining efficiencies, level of service delivery and providing enhanced benefits for the customer.

Current state statute will allow fire districts to consolidate, fire districts and fire service fee areas, towns of the 2nd and third class with fire districts and fire service fee areas. Class 1 cities are left out of the equation. The creation of a fire authority allows for class 1 cities to participate and has extensive steps, to make sure it's right, for the citizens served.

Why would you create a regional fire authority? Our state has experienced rapid growth and the ability to respond to emergencies in many cases has not kept up with the needs, especially in our more urban areas. Providing quality emergency services requires a shared partnership between local, state, and federal partners. A regional fire authority still retains local control, and by using enhanced funding through existing taxing authorities, strives to provide efficient and critical fire and emergency services.

Process:

Section 3: Authorizes a planning committee to create a fire protection authority plan that seeks input from the municipality and county areas served and seeks public input and comment during the development of the plan.

Section 4: The plan includes the services provided by the new authority, a timetable for creation, the name, the boundary map, the method of financing, the estimated financial impact to the taxpayer, the process for dissolving the existing districts/ departments and how those responsibilities will be transferred to the new authority, governance, a list of all equipment/ property transferred to the authority, employees and cost (wages, benefits, insurances), estimated budget to operate the authority, and indebtedness assumed by the authority.

Section 5: The plan is submitted to the County Commissioners who review it, have at least one public hearing and decide to move it to a ballot.

Section 6: The ballot is sent to the voters of each participating district and must pass with a majority vote, of each district, in order for the authority to be established.

Section 8: Financing the Authority by levying the appropriate number of mills, to total the amount that the previous districts levied. This mill levy is subject to the provisions of 15-10-420.

Section 9,10, and 11: Governance and operation, mirror existing state statute regarding fire districts in the board governance.

Section 12: Transfers the responsibilities and employees and issues relating to employees to the new authority.

Section 16: Additional areas can be annexed into the authority with a petition signed by owners of 60% or more of the real property and owners of property representing 60% or more of the taxable valuation of the proposed area. (This was increased from 40%)

Section 17: The fire authority can be dissolved by the county commissioners, with a petition signed by owners of 60% or more of the real property and owners of property representing 60% or more of the taxable value of the property in the area. There is also a detailed dissolution plan, which must be developed.

Section 19: Deals with the detraction of undeveloped land, classified as forest land, from the authority. 40% or more of the owners of real property can submit a petition to have land detracted from the fire authority. The process is detailed in this section.

Sections 20 thru the balance are clean up sections, inserting the fire authority language into current state statutes, which deal with fire and emergency services.

Untitled Map

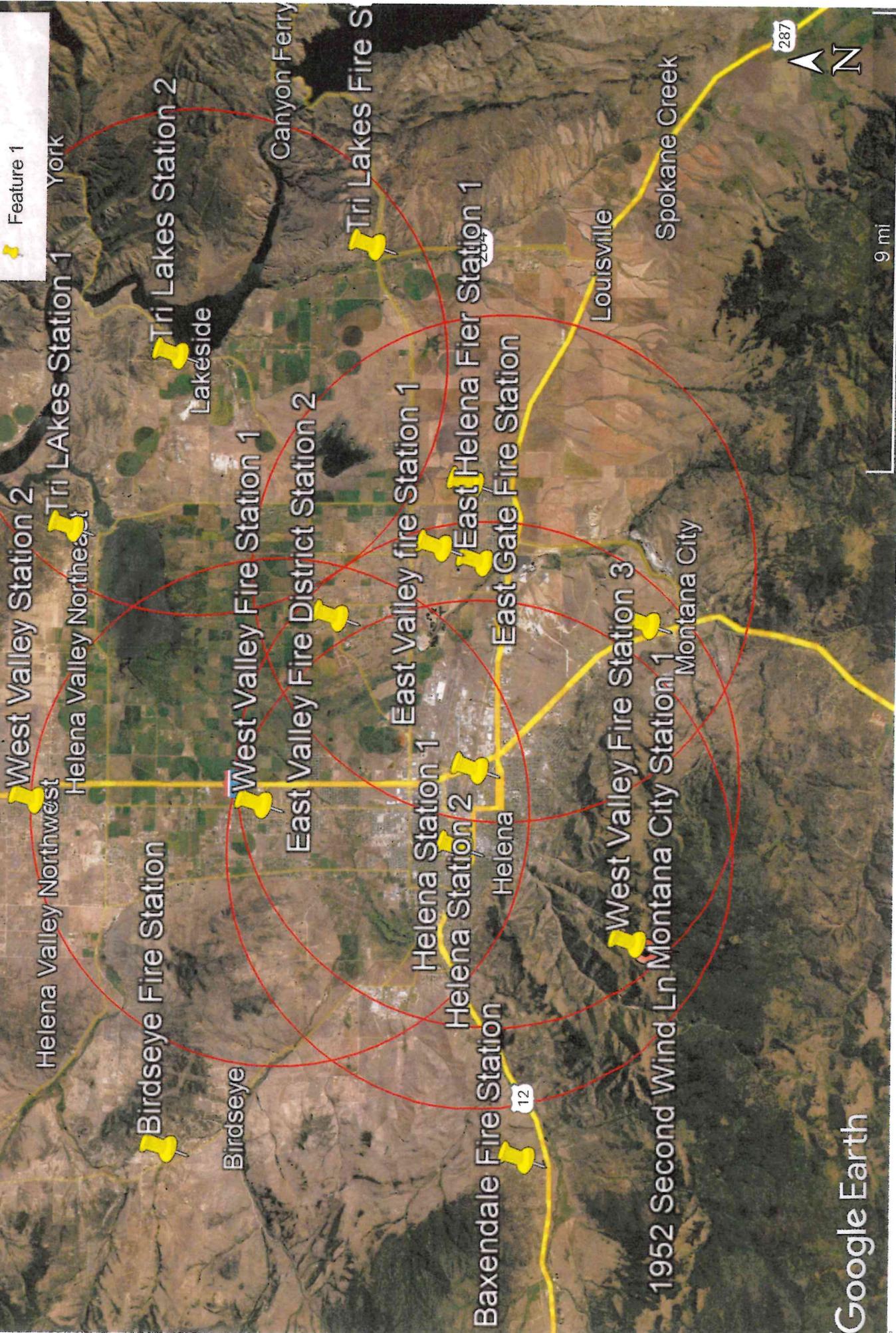
Write a description for your map.

Legend

1952 Second Wind Ln

5

Feature 1



Department and Apparatus Count in Helena Valley:

Departments:

9 Independent Departments, 19 fire stations.

- Helena (2)
- West Valley (3)
- East Valley (2)
- Montana City (2)
- East Helena (1)
- Birdseye (2)
- Baxendale (1)
- East Gate (1)
- Tri Lakes (5)

Apparatus:

81 pieces of apparatus

- Type 6 Engines (21)
- Command Vehicles (7)
- Type 1/2 Engines (20)
- Ladder Trucks (4)
- Rescues (9)
- Tenders (20)

Untitled Map

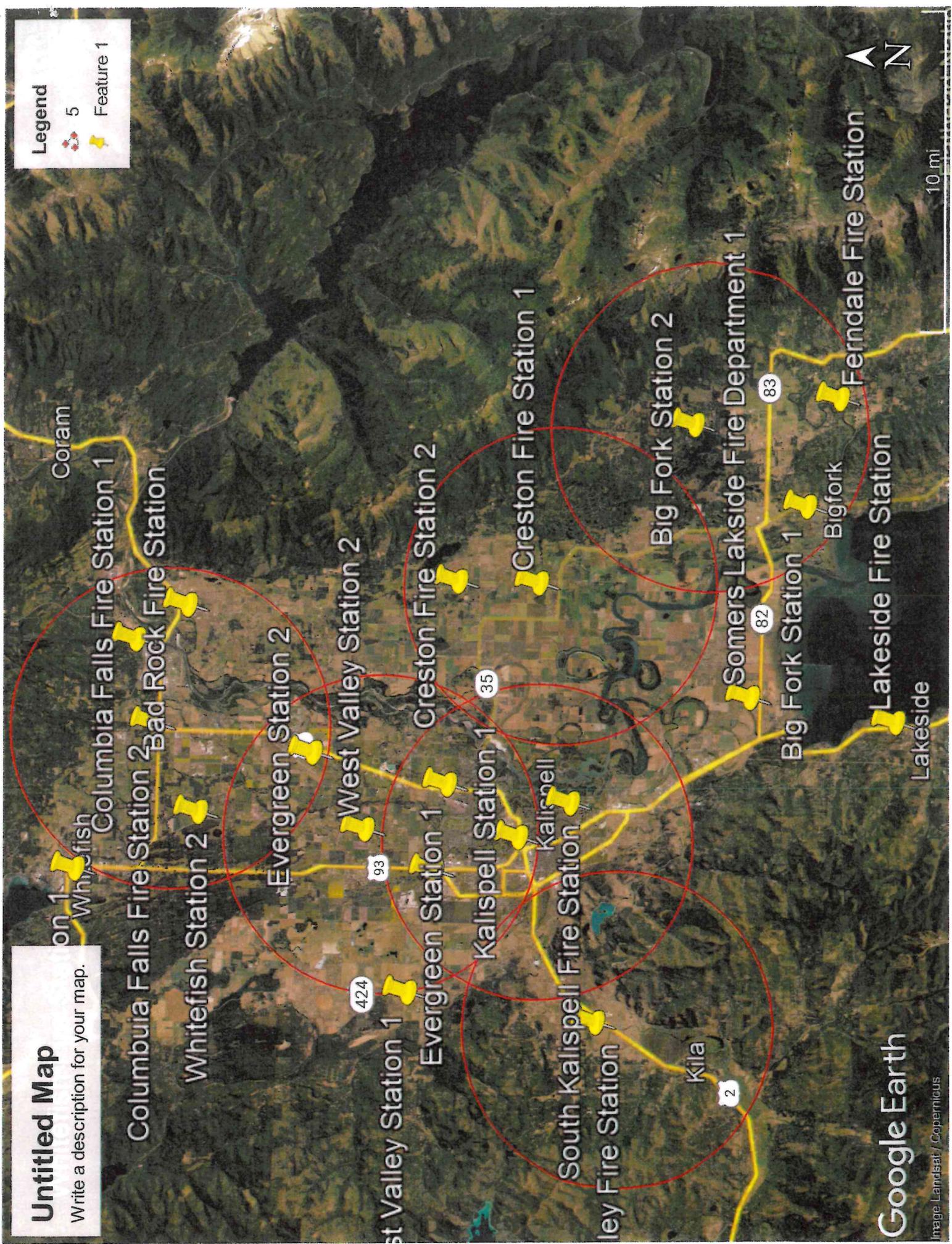
Write a description for your map.

Legend

5



Feature 1



Google Earth

Image Landsat / Copernicus

10 mi



Department and Apparatus Count in the Flathead Valley:

Departments:

12 Independent Departments, 20 fire stations.

- Kalispell (2)
- West Valley (2)
- Evergreen (2)
- Whitefish (2)
- Columbia Falls (2)
- Bad Rock (1)
- Creston (2)
- Big Fork (2)
- South Kalispell (1)
- Smith Valley (1)
- Somers Lakeside (2)
- Ferndale (1)

Apparatus: 162 pieces of apparatus: engines, ladders, tenders, command vehicles, brush trucks plus an additional 28 ambulances.