

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
55th LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: By Chairman Norm Mills, on February 11, 1997, at
3:00 P.M., in Room 104.

ROLL CALL

Members Present:

Rep. Norm Mills, Chairman (R)
Rep. Chris Ahner, Vice Chairman (Majority) (R)
Rep. David Ewer, Vice Chairman (Minority) (D)
Rep. Ellen Bergman (R)
Rep. Sylvia Bookout-Reinicke (R)
Rep. Matt Brainard (R)
Rep. Bill Carey (D)
Rep. Matt Denny (R)
Rep. Charles R. Devaney (R)
Rep. Tim Dowell (D)
Rep. Antoinette R. Hagener (D)
Rep. Sam Kitzenberg (R)
Rep. Deb Kottel (D)
Rep. Bob Lawson (R)
Rep. Linda McCulloch (D)
Rep. Daniel W. McGee (R)
Rep. Wes Prouse (R)
Rep. Liz Smith (R)
Rep. Loren L. Soft (R)

Members Excused: None

Members Absent: Rep. Jon Ellingson (D)

Staff Present: Bart Campbell, Legislative Services Division
Debbie Thompson, Committee Secretary

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 369 - 1/27
HB 373 - 1/28
HB 377 - 1/28
Executive Action: None

HEARING ON HB 377

Sponsor: Rep. William Ryan, HD 44 {Tape: 1; Side: A; Approx. Time
Count: 0-4.4; Comments: people can apply for tax exemption if TV
reception can not be received.}

Proponents: Art Arnold, Valley County Commissioner {Tape: 1; Side: A; Approx. Time Count: 4.7-7.9; Comments: TV districts created at the request of local people; commissioners assess tax; complaints when one pays and one doesn't; discussed affidavits for exemption.}

Gordon Morris, MACO {Tape: 1; Side: A; Approx. Time Count: 8.0-8.4.}

Opponents: Jim Lutischwager, Fibervision {Tape: 1; Side: A; Approx. Time Count: 9.4; Comments: could tax anybody whether they own a TV or not.}

Kathy McGowan, Montana Cable Vision Association {Tape: 1; Side: A; Approx. Time Count: 9.8-11.6; Comments: read letter from Bonnie Hanson, TCI, Havre-forces taxpayer to support technology that is not current; should not be cross subsidized by population at large.}

Questions From Committee Members and Responses: {Tape: 1; Side: A; Approx. Time Count: 11.6-20.7; Comments: TV districts squeaking by, locals voted it in; some areas such as Forsyth would loose their translators and networks if they did not receive this tax money.}

HEARING ON HB 373

Sponsor: Rep. Matt Denny, HD 63 {Tape: 1; Side: B; Approx. Time Count: 24.9-27.2; Comments: **Exhibit 1**-statute, plus amendment.}

Proponents: Barbara Evans, Missoula {Tape: 1; Side: A; Approx. Time Count: 27.4-30.1; Comments: **Exhibit 2**; would be less bills if county could make their own decisions; local government closest to the people.}

Gordon Morris, MACO {Tape: 1; Side: A; Approx. Time Count: 30.2-37.3; Comments: counties always coming to the legislature for enabling legislation; public processes already in place, covered by statutes.}

Bill Rappold, Pondera County, Chairman, Montana Association of County Commissioners {Tape: 1; Side: A; Approx. Time Count: 37.5-37.8.}

Tim Burton, Chief Administrative Officer for Lewis and Clark County {Tape: 1; Side: A; Approx. Time Count: 37.9; Comments: supports.}

Glena Obey, Chairman Jefferson County Commissioners {Tape: 1; Side: A; Approx. Time Count: 38.0-39.1; Comments: duty of county commissioners to protect the health, safety and welfare of the public; legislation not a stretch for more power.}

Art Arnold, Valley County Commissioner {Tape: 1; Side: A; Approx. Time Count: 39.4; Comments: commissioners are close to the people.}

Adam Dahlman, Teton County Commissioner {Tape: 1; Side: A; Approx. Time Count: 39.9-40.2; Comments: support.}

Rep. Toni Hagener, former County Commissioner, former President of MACO {Tape: 1; Side: A; Approx. Time Count: 40.2; Comments: will not change county commissioner authority negatively; responsible to local citizens.}

Opponents: Mike Skinner {Tape: 1; Side: A; Approx. Time Count: 43-Tape: 1; Side B; Comments: **Exhibit 3**-Lewis and Clark County Resource Conservation Performance Standards; 500 people disputed how broad the power was in the guise of interim zoning; county makes up their own rules.}

Andy Skinner, East Helena {Tape: 1; Side: B; Approx. Time Count: 1.9-5.9; Comments: conflict between state and local standards; county does not have the staff, engineers or expertise to make complex decisions; **Exhibit 4**-referenced to vote against people's will.}

John Shontz, Montana Association of Realtors {Tape: 1; Side: B; Approx. Time Count: 6.3-8.7; Comments: counties are administrative bodies of the legislature; 108 year history; this would change 180 degrees; government of limited power-granted by the people if they chose.}

Don Allen, Montana Wood Products Association {Tape: 1; Side: B; Approx. Time Count: 8.8-12.4; Comments: concerned about expanding authority; county should comply with administrative procedures.}

Questions From Committee Members and Responses: {Tape: 1; Side: B; Approx. Time Count: 12.7-34.2; Comments: Kottel-constitutional issues-separation of power; Morris-county rely heavily on technical support from the state.}

Closing by Sponsor: Rep. Denny closed {Tape: 1; Side: B; Approx. Time Count: 36.6-38.0}

HEARING ON HB 369

Sponsor: Rep. Matt Brainard, HD 62 {Tape: 2; Side: A; Approx. Time Count: 0-5.1; Comments: bill extends self determination of the county; deals with contiguous annexation.}

Proponents: Jay Sage, Missoula {Tape: 2; Side: A; Approx. Time Count: 5.4-7.0; Comments: burden door to door for signatures, process difficult, vote fairer; **Exhibit 5, 5a, 5b, 5c, 5d, 5e.**}

Rep. Carolyn Squires {Tape: 2; Side: A; Approx. Time Count: 7.2-9.5; Comments: wholly surround feature, need right to vote.}

Russ Ritter, Montana Rail Link and Burlington Northern {Tape: 2; Side: A; Approx. Time Count: 9.6; Comments: support because of property owners.}

Paul Asay, Missoula {Tape: 2; Side: A; Approx. Time Count: 10.8-16.7; Comments: involved with annexation process for past 23 years; discussed difficulty in process.}

Richard Rossignol, Lolo {Tape: 2; Side: A; Approx. Time Count: 17.3-19.0; Comments: cities force people to become members; citizens no choice in standards for health and safety; question of not being able to vote on choice of how to live; **Exhibit 6** letter.}

Bobby Rossignol, **Exhibit 7a-z, Exhibit 8** {Tape: 2; Side: A; Approx. Time Count: 20.5-23.6; Comments: read letter signed by 250 people.}

Richard Overcast {Tape: 2; Side: A; Approx. Time Count: 23.5; Comments: city should not step outside city limits on citizens who can't vote.}

Rep. Carley Tuss {Tape: 2; Side: A; Approx. Time Count: 23.6-24.1; Comments: rights of county folks to vote about regulations of growth areas.}

Allen Reilly, Fire Chief District 8, Billings {Tape: 2; Side: A; Approx. Time Count: 24.2-24.9; Comments: residents choice.}

Opponents: Mike Kadas, Missoula Mayor {Tape: 2; Side: A; Approx. Time Count: 25.1-38.1; Comments: referred to map of recent annexation; **Exhibit 9**; importance of having control over maintenance contracts with the state; enforcement of city ordinances-access to sewer lines; free services-weakens city financially and infrastructure; another city outside of the city receive the services and are not paying for them.}

Alec Hansen, League of Cities and Towns {Tape: 2; Side: A; Approx. Time Count: 38.2-41; Comments: difficulty delivering services; building codes issue.}

Andy Skinner, East Helena {Tape: 2; Side: B; Approx. Time Count: 0-2.5; Comments: concerned about voters that encumber private property owners; annexation expensive to those on fixed income; most people building outside the city don't have the money to build in the city such as older people and younger people.}

Jim Kembel, Montana Technical Council {Tape: 2; Side: B; Approx. Time Count: 2.9-4.6; Comments: fast growing areas, buildings go without inspections under county enforcement of building codes.}

Brandt Salo, **Exhibit 10** {Tape: 2; Side: B; Approx. Time Count: 4.7-7.6; Comments: code enforcement system; building codes insurance rating rigorous; to deny residents in 4.5 mile area options is shortsighted.}

John Lawton, Great Falls City Manager {Tape: 2; Side: B; Approx. Time Count: 7.7-12.4; Comments: building codes not enforced outside city limits; safety question; safeguards currently Commerce Department, no safeguards if bill passes.}

Mark Watson, City Administrator of Billings {Tape: 2; Side: B; Approx. Time Count: 12.5-17.1; Comments: problems with orderly growth; financial does not offset infrastructure costs.}

Craig Keizeman, Kalispell, **Exhibit 11, 11a, 11b-letters** {Tape: 2; Side: B; Approx. Time Count: 17.3-21.0; Comments: safety concerns; inconsistency with regulation; current system allows building inspections.}

Jerry Quinn, Whitefish {Tape: 2; Side: b; Approx. Time Count: 21.5-22.0.}

Questions From Committee Members and Responses: {Tape: 2; Side: B; Approx. Time Count: 22.0-Tape 3; Side A; 16.7; Comments: block grants discussed; right of property owners vs. electorate.}

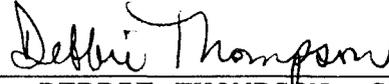
Closing by Sponsor: Rep. Brainard closed {Tape: 3; Side: A; Approx. Time Count: 19.7-28.5; Comments: idea of self determination, wholly surround, street that borders city completely contiguous; boundary issues; building codes-equal application of the law.}

ADJOURNMENT

Adjournment: 6:24 P.M.



REP. NORM MILLS, Chairman



DEBBIE THOMPSON, Secretary

NM/dt