

PROCEEDINGS OF THE
LOCAL GOVERNMENT COMMITTEE
HOUSE OF REPRESENTATIVES
Tuesday, January 30, 1979

The meeting was called to order at 12:30 pm by Chairman Hershel Robbins. The secretary called the roll and found all members present except Rep. Hurwitz.

Chairman Robbins then announced there would only be one hour 45 minutes to hear 5 bills and for witnesses to speak accordingly.

HOUSE BILL 245: Representative Azzara, Sponsor introduced the bill, stating it deals with annexation on fringe areas and this attempts to establish annexing contiguous areas. He then introduced Bill Gregg, Mayor of Missoula to speak as a proponent. Mr. Gregg stated Missoula is having a problem in lack of funds to support all the required services for a fast growing area. He stated there is a tax base for the city for 30,000 people however they are actually serving 50,000 people with those living in close areas that come into the city to use facilities. These include recreational facilities, airport and general use.

Dan Mizner, Montana League of Cities and Towns also spoke in favor of the bill, stating some representatives were present and others would be contacting the representatives.

Virginia Ellison representing SMSA from Missoula also spoke in favor, stating that Missoula with the large population is faced with enforcement problems without funds to properly run the departments. They have a higher crime rate than the other two large cities, higher rate of accidents and traffic problems as well as air quality and need some way to increase the tax base. The annexation would help in this problem.

Mike Crest, Missoula Planning Board member stated that by being able to annex with four dwelling units per acre there would be relief for the city in dealing with the dense population growth it is receiving.

Kent Kinney, Missoula SMSA also spoke in favor, stating he is interested in children and schools and in each resident paying for services received. He supported HB 245.

Ray Blehm, representing Montana State Firemen's Association stated he was representing 13 major cities and they were in favor of this type of annexation because it would also assist in their efforts.

Jim Nugent, city attorney of Missoula explained they had taken a traffic survey and 45% of the people were non resident and that in major subdivisions that are new, most of them want to be annexed. He then referred to the Supreme Court

decision that stated those areas within a rural fire district couldn't be annexed and intent would be for those districts to continue fire protection.

Al Sampson, assistant fire chief of Missoula presented a map of the city showing the three fire stations locations. He then stated that people in the county don't pay anything toward streets or services and yet the tremendous use is a burden. He urged do pass.

Eva Spaulding, League of Women Voters stated this would be of considerable help to the cities.

Chairman Robbins then called for opponents. Dave Fisher, Montana Volunteer Fire Fighters Association of Butte - Silver Bow stated they were opposed, and he didn't fully understand the comments that had been made.

Victor Kelly, chairman of the board of Helena fire department stated he felt that this was a Missoula problem, that cities do now have the necessary means for zoning and annexation. The people involved to pay for services and maybe Missoula should look for county cooperation rather than taking in people that didn't want annexation.

Art Korn of the Volunteer Firemen's Association stated he also felt this was an internal problem between various cities and counties. He gave various examples of where people are moving out of cities, noting that volunteer firemen fight for nothing and their services are not as costly. He also stated that with annexation there would be loss of pension benefits to the volunteers.

Loren Stanfield, chief fireman in Missoula stated the rural firemen have class "A" equipment and five stations are located around the area and felt this was a local problem. He also noted that Missoula had been annexing around certain areas in an attempt to bring them in.

Rep. Gould asked to speak, reading a letter from the country life group into the record and stating this would take away the peoples right to protest.

Rep. Azzara then gave closing remarks, noting that the bill could be amended to make the protest provision optional. There were then questions from the committee members as to when the last annexations were done in Missoula, the mayor stated there hadn't been any since 1973 when the rural fire district portion was enacted. Hearing was then closed on HB 245.

HOUSE BILL 193: Representative Oberg introduced the bill stating there are many candidates that run on a ticket but fail to admit this and the bill is a simple measure to require all campaign material to have the party affiliation shown.

Chairman Robbins then called for proponents, there were none and opponents were called to speak. Angela Romaine of Hill County spoke against the bill stating she didn't feel people ran or were elected because of their party. She felt it was more important to have it shown who the material was paid by.

John Hanson, director of campaign finance stated this might cause problems in enforcement, however if it were enacted then their office would enforce the regulations. He then suggested amendments to clarify enforcement however stated these were minor.

Rep. Oberg then closed, stating people are required to show who has paid for the material and shouldn't be afraid to show which party they are running under. Committee members then stated they had no questions and felt the bill would be good if it didn't violate any current election laws. Hearing was closed on HB 193.

HOUSE BILL 244: Representative Ernst introduced this bill, stating it is requiring local government participation in the major facility siting act, particularly location of power lines. He stated that the utility lines now have the right of eminent domain and the landowners feel they are not having a big enough part in the location. The bill would enable them to enter into choice of locations.

Jim Ennis, landowner from Grass Range stated he felt the local elected body should be an equal board with the power group in selection of the route and requested public meetings for comment and this would provide that the best route for the major lines had been selected.

Pat Smith, Northern Plains Resource Council representative stated they were in support and this would involve the county commissioners in the decisions. He stated he had minor proposed amendments, and these are included in the proposed bill.

Don Macintyre of the department of resources and conservation stated he felt they should be included in the decisions, and had no problem with the language.

Ward Shanahan of Dryer Brothers stated he would propose an amendment to show why the agencies wished to participate on line 14 following participate, add "and listing the reasons for such participation".

HB 244 (cont.)

Bob Gannon of the Montana Power Company stated he did feel it would be good to have the local government units participate. He suggested some short amendments for notification of the governing body, which are attached. He supported the bill with this amendment

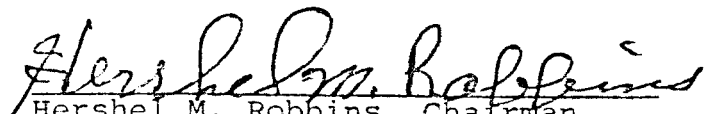
There were no opponents to the bill. Rep. Ernst stated he would have no objection to the proposed amendments. There were then questions from committee members, Rep. Reichert inquired as to why local governments wouldn't be involved earlier in the decisions. Rep. Vinger asked to have a clarification on the size of power lines involved, it was stated these are the major lines. Hearing was then closed on HB 244.

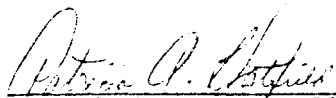
HOUSE BILL 249: Rep. Pistoria introduced the bill as sponsor, stating this was one of the reasons he had been elected was to have changes such as this made. The coroner had previously been an elected office and this would make it so in cities or counties having population of over 10,000.

There were no proponents and Chairman Robbins called for opponents. Dean Zennicker of the Montana Association of Counties stated this should be left to the local governing body to determine. He proposed an amendment that at the end of line 11 would state "unless the office has been consolidated.

Rep. Pistoria then gave closing remarks. There were questions from the committee regarding offices that are consolidated. Hearing was then closed on HB 249.

Chairman Robbins then announced a hearing for Jan. 31 to be held at 5:30 pm or on adjournment. There being no further business the meeting was duly adjourned at 2:15 pm.


Hershel M. Robbins, Chairman
LOCAL GOVERNMENT COMMITTEE


Patricia A. Hatfield
Committee Secretary