

LOCAL GOVERNMENT COMMITTEE MEETING
January 31, 1981

The Local Government Committee met January 31, 1981 at 12:30 p.m. in room 103 of the Capitol. CHAIRMAN BERTELSEN called the meeting to order. All committee members were present with the exception of Representatives Vinger and Hurwitz who were excused and James Azzara who was absent. Staff Researcher Heiman was also present.

CHAIRMAN BERTELSEN opened the hearing on HOUSE BILL 295.

HOUSE BILL 295 SPONSOR PAUL PISTORIA opened the hearing. He said all he is doing is correcting a few discrepancies made in the 1979 session. No words are added or changed. The changes include the following. On page 1, line 23 change the 90 days to 180 days; on page 2, line 4 change from 10 working days to 25 working days; and on page 4, line change the requirement of petition signers from 25% to 15% of the number of registered voters for the last election. The first change states that all petition signatures must be collected within 180 days, rather than 90. Mr. Pistoria feels that due to the size of his community it is hard to get the required number of signatures in 90 days. The next change requires that the county election administrator shall have 25 days instead of 10 days to determine the adequacy of the petition signatures. He feels 10 days is not sufficient time for them to validate the signatures, but that 25 days would be sufficient. The third change will require that only 15% of the registered voters need sign a petition to get an item on the ballot rather than 25%. The 15% corresponds to the figure shown on page 1, line 15. All I'm doing, he said, is making all the dates conform to other legislation on the books. I had a case in my area where I had some 7,000 signatures on a petition and perhaps 6,000 were good. I used the 15% figure, but when the petition was presented to the proper authorities, the attorney general used the old law because it superceded the new section 7-3-4334 of the 25% and declared the petition invalid. These changes will make the laws all the same.

CHAIRMAN BERTELSEN called for proponents to House Bill 295.

PROPOSERS to HOUSE BILL 295

CAROLE BRASS from Butte represented the Citizens Legislative Coalition. Her group asked to go on record as being a proponent of House Bill 295. The changes would make it easier to secure petition signatures, but it would not make it so easy as to allow petitions of little local interest to qualify.

There being no other proponents, CHAIRMAN BERTELSEN asked if there were any opponents.

OPPOSERS TO HOUSE BILL 295

DAN MIZNER of Helena represented the Montana League of Cities and Towns. He said we currently have two sections of law. He was specifically talking about the general section. Rep. Daily had a bill about a week ago which speaks of the same section that the first part of this is addressed to relative to petitions. Local

government does not have a regular procedure as in state operations. The bill has been passed, is now in the Senate and covers the same section. The only difference in this bill is that it gives a longer time for collecting signatures. We object to that because it is just stretching out the whole process. When you want a petition to accomplish something, it should be taken care of at once and not strung out for half a year. We have no objection to the second section giving the election administrator 10 or 25 days to review the petition. The other thing to look at is the specific section that applies to a specific thing and in that section 2, page 4 the 7-3-4334 applies to Montana cities. That is the only section this bill applies to at the present time. They are Bozeman and Great Falls. You are creating a situation whereby you are reducing the number of signatures required. If someone doesn't like what is being done in their city or town, with only 15% of the electors you go through the process of holding an election. If the figure is left at 25%, at least there is some security to what you are doing and you won't be holding a bunch of elections just because somebody doesn't like what is going on. We feel that House Bill 140 answers the questions relative to local government, and we urge that HOUSE BILL 295 DO NOT PASS.

GENE THAYER, Mayor of Great Falls, said he is speaking against HB 295 for the same reasons that Mr. Mizner enumerated. It appears that the sponsors of this bill felt there was some conflict with the 15 and 25 per cent provisions of the bill. That is not true. We're talking about two different processes. In the first section of the bill where 15% of the electors are required, that handles such things as initiatives, referendums, creation of districts, and recall petitions for example. The second section which requires 25% has to do solely with a provision to abandon the city-manager form of government. That is a very important thing. I'm sure that when this bill was first drafted, that is what the Legislature had in mind. There is a vast difference between treating a special SID for example that affects part of the people in the city as opposed to something as important as changing the form of government which has an impact on the whole populus. I'm sure that is the reason it is in there. There is no conflict of language because each section of the bill is pertaining to two separate things.

Changing the time period for getting signatures on a petition from 90 days to 180 days doesn't make much sense for the reason that if there is an important matter which should be changed, the people who want the change will have no problem putting a petition together within the 90-day period. I feel that the bill as written is fine the way it is, and urge a DO NOT PASS for H.B. 295.

CY JAMISON from Billings was the next opponent and stated he was representing himself. He said he carried a couple of petitions in Billings and feels 90 days is adequate. If you can't get the signatures in that length of time, you are not going to get them. I don't feel the voters should be pestered for a half a year on the same issue.

AL JOHNSON said he is the newly appointed City Manager of Great Falls. The bill is supposed to be a clarification, but he can't understand that that is all that is being done. The intent of the Legislature in adopting the law in the first place was something totally different than what is in the first section. It's the difference between legislation that effects a particular part of the city, a particular improvement district or something like that, and doesn't effect the entire basic government of the city. Bozeman and Great Falls would be the only two cities effected in what appears to be special interest legislation. Mr. Johnson doesn't feel the 25% figure would create any problems.

GEORGE ROSKIE of Great Falls said he is representing the Great Falls Chamber of Commerce. The points which have been made cover quite adequately the problem of the bill, and it should not pass. There is a provision in our constitution that clearly says that all forms of local government will be reviewed on a 10-year basis. Changing the government is a pretty traumatic thing and I see no reason to make it easier. I'm sure that the 25% figure was designed specifically to prevent harassment and to prevent certain people who are unhappy or dissatisfied from easily causing an election and a serious problem for city government. We feel that Great Falls has an excellent form of government and is being well run. We recommend a DO NOT PASS for HB 295.

REP. BERTELSEN asked if there were any further opponents. As there were none, he asked Rep. Pistoria to close.

REP. PISTORIA closed by saying that the gentleman from Great Falls who calls himself the Mayor never ran for mayor. I want to correct that statement. They say I'm a special interest. It is the special interest people who are here today. Naturally the new city manager wants to keep his job. How do I know that any of us is going to try to change the form of government. If you look at the 1979 legislation, it reads "all or alternate forms of government." I went along with that. The petitions must be signed by at least 15% of the electors. You have two things. Are you going to change this or are you going to change the 25%? I don't think I'm asking for very much regardless of what the opponents say. Just asking to change from 90 days to 180 days isn't much. I feel it is a reasonable amount. Giving the administrators 25 days instead of 10 days isn't too much. You should give them time to carefully check the petitions. All three sections should be the same. It is the right thing to do in our law. Why not have it changed?

QUESTIONS:

REP. SALES: I'd like to ask Lee Heiman why we have these conflicts.

LEE HEIMAN: There are four conflicts regarding the alternative form situation. The conflict between 122 and the portion of the

amended portion, is that the part to be amended is a special feature that literally changes from the manager form to the standard form. The one to be changed offers a position for changing from manager form to the standard form.

REP. SALES: In a case like this, which would prevail?

LEE HEIMAN: The more specific, or the manager form.

REP. SALES to Rep. Pistoria: I notice you have taken care of the section that handles the procedure to abandon the commission-manager form of government, but you ignored the section that allows you to organize the councilman-mayor form of government which also requires 25%. It seems to me if it takes 25% to set one up, it should take 25% to get rid of it.

REP. PISTORIA: When I worked this out with the Legislative Council, all that was necessary was this section 7-3-4334, section 2.

REP. HANNAH for Cy Jamison: When you were collecting signatures, would that have happened when we were changing our form of government in Billings?

CY JAMISON: No.

REP. HANNAH: When you were trying to get the signatures, did you find that it was a burden to get the job done within the 90-day limit?

CY JAMISON: After about the first three weeks, I knew if I was going to make it or not. I didn't see any sense of beating an old horse to death. There are so many petitions going around that voters are becoming concerned on what to sign and what not to sign.

CHAIRMAN BERTELSEN asked if there were further question. As there were none, he closed the hearing on HOUSE BILL 295.

HOUSE BILL 351

CHAIRMAN BERTELSEN opened the hearing on HB 351 by asking Sponsor Kessler to introduce it.

REP. KESSLER: House Bill 351 is drafted to correct some problems that have been occurring throughout Montana in various areas concerning an annexation procedure. What it basically does is provide for the administration of a rural special development district to be administered by a city after the area has been annexed. It merely transfers control of the rural SID to the city and provides for city administration. The contract must be in writing and must be agreed to by both the county and the city. It simplifies the entire process and alleviates some of the problems we've had in the past.

PROPOSERS FOR HOUSE BILL 351

CY JAMISON, representing the City of Billings, said he'd like to point out one additional fact. It is all permissive. Everything in the bill is "may". It is just mechanical and if neither side can agree to do it, then it won't happen.

As there were no further proponents, CHAIRMAN BERTELSEN called for opponents.

There were no opponents, so CHAIRMAN BERTELSEN asked REP. KESSLER to close.

REP. KESSLER: I close.

CHAIRMAN BERTELSEN opened the hearing on HOUSE BILL 352.

REP. KESSLER introduced the bill. House Bill 352 addresses what I consider a basic inequity in our city and county government. It is designed to eliminate what I feel is double taxation on the residents of the city. In many cases, county services are financed by both residents of the county and the city, for the simple fact that residents of the city also live in the county. In many cases these services are not provided for city residents. That is double taxation. What it does is state that the city will accept the responsibility for any services provided in sections 1, subsection 2 of the law on pages 1 and 2 within their own boundaries. In turn, the county will not be able to assess the city people for these services outside of the city. An example of this is the sheriff's office.

Local residents of the City of Billings are assessed and do pay for the sheriff's services in Yellowstone County. However, the sheriff is not by law required to enforce city ordinances and he will not answer a call in the city limits. If you look at the sheriff's budget, you'll see the bulk of it would have to come from the residents in the City of Billings, as opposed to the balance of the residents who live in the county.

I feel you must look at this duplication of services around the state. This bill provides a little leverage for the cities to negotiate with the counties to work out some agreement between both of them. I know there will be a number of opponents, and I'd like to have them address this question and try to justify why a city resident should have to pay for county services they don't receive.

CHAIRMAN BERTELSEN asked if there were any proponents for House Bill 352.

PROPOSERS FOR HOUSE BILL 352

CY JAMISON representing the City of Billings read a prepared statement favoring HB 352. He supports the bill because it will correct inequities which have existed for years. He gave a copy of his remarks to each committee member, and a copy is also attached and made a part of these minutes.

ALEC HANSEN represented the Montana League of Cities and Towns. He emphasized that these inequities face all cities across Montana. City residents are paying for services they do not receive and this is not fair. There is a duplication of services. When there are two program operation in the same area which provide for the same service, that is wasteful. I think we can do a better job through cooperation and get a better return for our investment of tax dollars in local government. The system provides for two law enforcement agencies, two planning boards, two bridge funds, two weed programs, two libraries and soil conservation service which have very little direct relationship to city residents. The objective is to establish a practical reason for the counties to sit down with the cities and negotiate inter-local agreements that will save tax dollars.

There were no further proponents, so CHAIRMAN BERTELSEN called for opponents to House Bill 352.

OPPOSERS TO HOUSE BILL 352

CHUCK O'REILLY, Sheriff of Lewis and Clark County and a member of the Board of Directors of the Sheriff's Association, was the first opponent. He said he'd been listening to remarks stating there is a duplication of services. That is not true. If that were the case, your sheriff's officers would be responding to the same calls at the same time as your police department. The city residents are paying a portion of the sheriff's budget. That is correct, but you are paying for what we do for the city residents. As an example, my department responded 1,556 times within the city limits on calls to us from city citizens in 1980. During 1980 we confiscated \$140,000 worth of narcotics; \$120,000 worth of that being done within the city limits. I'm not suggesting that the city police department is not doing their part. They are overburdened the same as any other agency, but the citizens are getting what they are paying for. There are various aspects of work that have to cross the jurisdictional line. I've heard that the people have to pay \$10 to the county for boarding prisoners. That is not true; it is a negotiable items. We don't charge the city police \$10 a day for prisoners; we negotiate back and forth. They keep some of our female prisoners; we keep some of their male prisoners. If there are county agencies that are not performing requested services within the city which they are required to do by law, the people have the say. Those elected officials can be voted out of office. I respectfully ask that you kill House Bill 352.

DALE DEYE, Sheriff of Ravalli County, said he opposes House Bill 352. He feels that if you had adequately studied the problem of the county not providing services inside the city, you'd find it different in every county of the State. He said he provides many services to the citizens of the various cities and towns within the county. Many times in the county seat when the city police lost their office help, he said they covered entirely for them. He said they cover all dispatch for the city. They have only one jail in the county. He said he is the coroner and investigates all deaths within the city, as well as the county. The city residents vote for me the same as the county residents. They are paying, but they are also receiving more. It is their option. If they want to request less city dollars spent for city law enforcement and let the sheriff take care of it, it is their option. Mr. Deye said that after listening to the testimony, it sounds like we are going to build a fence around the city. City residents aren't going to go outside and use the roads and bridges that are being built outside of the city, and the county residents aren't going to come inside the city. Mr. Deye felt this was a bad bill and urges that it be killed.

GLENN FRAME, Sheriff of Lake County, Polson, and also a director of the Montana Sheriff's Association. He said that like the previous speakers, he furnishes services to the cities in Lake County, Ronan, St. Ignatius and Polson. We do all the dispatching for the City of Polson, answer all of their phone calls the same as we do our own. We charge them nothing additional. We charge no fees for the prisoners that are being held on felony matters and that covers all of the cities. It is true that the cities are basically paying more. But in the area of law enforcement they are getting two law enforcement agencies. There are some things that city police do not handle such as civil process, executions, attachments, etc. We can't be prevented from going in there and doing our statutory duty. City residents won't have any relief in those areas if they bring a lawsuit against someone because that is the sheriff's job. Many times the city's expertise may not be as broad as some of the sheriff's departments. I'm not saying we have the only expertise. We like to cooperate and I know that in most places we do. I think this bill handicaps law enforcement. It will handicap the operations of the cities and the counties and further drive a wedge between the relations. HOUSE BILL 352 should be killed.

JIM FREEMAN represented the Cascade Weed Control Board. He furnished a copy of his testimony for each committee member. He feels HB 352 is a bad bill and it should be killed. (Mr. Freeman's testimony is attached to and made a part of these minutes.)

JOHN SCULLY, representing the Montana Sheriffs & Peace Officers Association, said they'd like to have the city police departments and city officials done away with, as well as all of their taxing authority, and give all the money to the county because without

the cities they wouldn't have any problems. We feel the same kind of issue is involved as with education. We talk about taxing individuals in the entire state and providing education to those outside of the city even though the tax dollars are spread throughout the state. What is the overall service? What is the actual value to both the county and the city? Mr. Hansen suggests that you are providing a small mechanism that will give you a little leverage to discuss and work compatibly with the other local government entities. The bill says the city can do this whenever they want to, but it doesn't say they must enter an agreement. The bill basically says the city may do this. If they want to, they can do it without notice. The real problem with the bill is that they don't have to give notice unless they want to do so. If any county in Montana wishes to centralize their law enforcement services, they have a means available to them now by voting on it. You can combine those agencies as you see fit. The jails and law enforcements in our community don't duplicate services. The sheriff is the chief law enforcement officer in each and every county. If you DO PASS HB 352, you better look at amending many other sections. This bill won't get the job done, so I suggest that HB 352 DO NOT PASS.

RAY BECK represented the Montana Association of Conservation Districts. He said he had a short testimony to read in opposition to HB 352 and urged that HB 352 DO NOT PASS. (A copy of his written testimony is attached to and made a copy of these minutes.)

MIKE STEPHEN represented the Montana Association of Counties. He said they are opposed to HB 352. There is a need to assess what we are actually doing. There is a system. A system is only as good as the people who are working in it and trying to make it work. We've heard from past testimony that in many instances it does work. It works well and gives a lot of latitude and options available to provide flexibility at the local level.

Perhaps there is difficulty with some programs such as noxious weed control, soil conservation and library services that only the city has need of, or only the county has need of. This bill would totally disrupt many of these items. The planning effort has not been touched on. That is one area that should not stop at the city limits. Generally planning is necessary because the cities bring in the people. If the city and county do not get together and cooperate on planning, they are in for bigger troubles in the end and we'll probably see another bill like this one when someone is strapped for money and groping for ways to get it.

There were six more opponents who did not speak, but signified their opposition to HB 352 by signing the visitors register.

CHAIRMAN BERTELSEN asked Rep. Kessler to close as there were no other opponents to HB 352.

REP. KESSLER: It is commendable that the sheriff's departments answer calls for some cities, but I know that is not the case in every community. One thing which should be brought up is that all of this is optional. If the sheriff's departments, or weed control districts or soil conservation districts demonstrate to the city that they are giving the city a fair return on the city's money and taxpayers' city investment, I doubt the city would want to go this route. Nothing says the city must. It may, but I think that judgment should be left up to the city. I don't think the bill will put an end to all cooperation between cities and counties. I think both bodies realize you must have that cooperation. This is not a mandate to stop negotiations. The key thing you have to keep in mind is that it will give the cities some level to negotiate with the counties. Now the cities don't have that leverage. The counties don't have to listen to the city because they can have their own way.

REP. MATSKO for all sheriffs here: Do any of you have figures that would let us know what percentage of the people that you handle each year, both in and out of the city, actually live within the city?

SHERIFF O'REILLY: I don't have any specific figures. The majority of the citizens in this community would be out of the city limits.

REP. MATSKO for Sheriff Hammermeister: Of the people you arrest, how many of them live within the city?

SHERIFF HAMMERMEISTER, Sheriff of Pondera County: I did statistics on that several years ago when the cities and counties were going through this thing for change of government. In our county of which the incorporated cities are Conrad and Valier, (they include about 50% of the total people), those two cities contribute less than 25% of our budget. When I was studying how much service we provided to the city of Conrad (this did not include Valier), the sheriff's department in Conrad provided over 80% of its services strictly to the people of Conrad.

REP. ANDREASON to Rep. Kessler: Aren't you afraid we are creating an artificial boundary and an adversarial relationship between the city and the counties when we have a one way option where the cities can choose and the counties can't?

REP. KESSLER: In my city we already have that boundary. If the city of Conrad is getting adequate service, I can't imagine that city would want to take this particular option.

REP. KITSELMAN for Cy Jamison: Are you familiar with the Metra, the Yellowstone County Fairgrounds and the Seventeen Club? Would you say those two areas are used by some of the residents within Billings as entertainment?

CY JAMISON replies "yes" to all of the above questions.

REP. KITSELMAN: Who is responsible for the protection of those establishments now?

MR. JAMISON: The county.

REP. KITSELMAN: Are you familiar with the City-County Planning Board?

CY JAMISON: Yes.

REP. KITSELMAN: Would you say that about 60% of the work that is done by the Planning Board pertains to the growth in the annexed areas of the city and new urban developments?

CY JAMISON: Yes.

REP. KITSELMAN: Would you say there is a cooperation here between the city and Planning Board?

CY JAMISON: Absolutely.

REP. KITSELMAN: Who owns the jail?

CY JAMISON: The county.

REP. KITSELMAN: Where do most of the people who come from the Seventeen Club who are having social problems spend the evening?

MR. JAMISON: Yes, we use the county jail down there. They can raise the fee to anything they want. We've worked for more than 2 1/2 years to get people to sign a petition to see how we could get cooperation, because it is a very expensive service. The methods to cooperate are there. There could be another bill in the hopper, but if we all agreed this would be the right thing to do in law enforcement countywide, we still wouldn't have the mechanical method to implement it.

REP. MATSKO: Mr. Kessler, from the testimony we've heard, it appears there is a significant problem in Billings. Do you think the proper method is to open up a pandora's box with HB 352 where any municipality can decide to save itself a large chunk of money for services which are getting anyway? Don't you think the proper method would be to recall the people you are having trouble with?

REP. KESSLER: I don't think that is the problem. I don't think there is any violation of their duties. What they are doing is perfectly legal, but I think you have to go back to the option again. If the cities do not have problems and are getting a fair return on their money, they wouldn't do that because it would create a burden on them.

REP. PISTORIA TO MR. KESSLER: Why did you really present this bill? Did you do it on your own or did someone ask you to do it?

REP. KESSLER: It is a problem that came out of Billings and the League of Cities and Towns. It must be addressed. It is very inequitable for the people of my city and district.

REP. BERGENE: It is important to me what kind of decisions I make because I am supportive of both my city and my county. I have to take into account what has the most farreaching impact. I'd like someone to address himself to the problem of the bridges that we use between the city and the county as that is a point my county is very concerned about.

MIKE STEPHEN representing the Montana Association of Counties replied to Rep. Bergene's question. He said there is an assessment countywide for bridges. Bridges should be built using the countywide money in cities. Once again we can tell you of situations where there is not a problem, but the job gets done and there is good cooperation. There are instances where the county does not probably follow through and build the number of bridges or cooperate entirely with the city on getting the bridges done. Then there is a need in the city, and the city builds its own bridge. My answer to that, because we have local government flexibility, is that somebody should not get elected. We should elect people who can cooperate. That is a local problem and I don't think it can be addressed statewide by a bill such as this.

MR. SCULLY said he agrees. If you look at the statutes, you will find that the county has the responsibility for the maintenance of all bridges. You'll also find there is a limitation on the mill levy expenditure for road repairs and bridges. Each county tries to put into priorities the bridges they will do each year. In the event of an emergency situation, it is the duty of the county to either repair or build another bridge.

CHAIRMAN BERTELSEN closed the hearing on House Bill 352. He thanked the witnesses for coming and recessed briefly.

CHAIRMAN BERTELSEN mentioned that each committee member now has a grey copy of HB 191. This is the bill that had so many amendments and Staff Researcher Heiman rewrote. He mentioned the sheet given committee members previously to enable them to bring their status sheets up-to-date. He stated it was up to each committee member to up-date their own calendar, or it wouldn't be done.

The Chairman stated the committee is becoming loaded down with bills, and it will be necessary to handle five to six bills per day from now through the transfer date.

House Bills 33 and 57 will be heard on Tuesday, February 3 at the SRS Auditorium.

EXECUTIVE ACTION ON HOUSE BILL 351

Chairman Bertelsen said we could act on House Bill 351 today.

REP. SALES moved that HOUSE BILL 351 DO PASS. Rep. Switzer said he'd call for the question. The chairman replied: "All in favor say "aye". The motion carried unanimously.

REP. GOULD wondered if perhaps the committee hearing time could be changed to perhaps 11:30 or 12 o'clock instead of 12:30. Chairman Bertelsen didn't think that possible as the Taxation Committee sometimes uses the room almost up to the time of the Local Government Committee meeting.

The meeting was adjourned at 2:00 p.m.

Verner L. Bertelsen
Verner L. Bertelsen, Chairman

hbm

January 31, 1981

TO: The Chairman and Members of the House Local Government Committee

FROM: Lee Heiman, Committee Counsel

RE: SUMMARIES OF HOUSE BILLS 295, 351, and 352.

HOUSE BILL 295

- Pistoria

Changes the general criteria for municipal petitions by increasing from 90 to 180 days the time permitted to gather signatures and lengthening the time permitted for the election administrator to determine the adequacy of a petition from 15 to 25 working days. Also amended is the specific provision for abandoning the commission manager from of municipal government by reducing the signatures required for petitioning for the change from 25% to 15% of the registered electors of the municipality.

HOUSE BILL 351

- London

Provides that when a rural improvement district, or part of it, becomes a part of the municipality, the county and the municipality may by agreement transfer the operation, control and mangament of the district to the municipality.

HOUSE BILL 352

- London

Provides that a municipality, by resolution after a joint hearing with the county, may take over some county functions within the municipality. Those functions are law enforcement, bridges, planning, noxious weed control, soil conservation and library services. Once a municipality provides those services, the county may not tax municipal residents for them.

HOUSE Local Govt COMMITTEE

Date Jan. 31, 1981

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

NAME CAROLE BRASS BILL No. 295
ADDRESS 705 13th St. Butte, Md DATE 1-31-81
WHOM DO YOU REPRESENT CITIZENS LEGISLATIVE COALITION
SUPPORT ✓ OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

The process as it stands is difficult to meet.
These changes would make the process easier.
However, it would not make it so easy as
to allow petitions of little local interest
to qualify.

HOUSE

Local Govt

COMMITTEE

BILL HOUSE BILL 351

Date Jan. 31, 1981

SPONSOR REP. GERALD KESSLER

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

HOUSE

Local Govt

COMMITTEE

HOUSE BILL 352

Date Jan. 31, 1981

SPONSOR REP. GERALD KESSLER

NAME	RESIDENCE	REPRESENTING	SUPPORT	OPPOSE
James S Freeman	571 1st Ave SW Great Falls MT	CASCADE COUNTY WEED BOARD		X
Jim Cole	CHOTEAU MT	TETON COUNTY WEED BOARD VIALEY COUNTY SHERIFF		X
RICHARD BRITZMAN	GLASGOW MT.	SHERIFF ASSOC.		X
John Scully	BOZEMAN	Sheriff's Office		X
John Scully	Helena	MACD		X
Chuck O'Reilly	Helena	Sheriff's Assoc.		X
Wally Schumacher	Big Sky	Gallatin Co Sheriff Dept		X
Walter Hammermeister	Conrad	Sheriff's Office		X
Ernie Pelly	Helena	Montana Sheriffs		X
John Outed	Bozeman	Gallatin Co Sheriff's		X
John & Jane	Butte County	Butte Sheriff		X
John & Jane	Lake County	Butte Sheriff		X
By Jameson	Billings MT	City of Billings	X	
Alce Hansen	Helena	League of Cities	X	
Mike Stephen	Helena	MT Assoc. of Co.		X

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

James S. Freeman

NAME James S. Freeman BILL No. 483 352
ADDRESS 501 1st Ave NW Grand DATE 1/3/81
WHOM DO YOU REPRESENT Cascade County Weed Board
SUPPORT _____ OPPOSE X AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

GLENN FRAME

NAME Glenn Frame BILL No. 252
ADDRESS Room DATE 1-21-21
WHOM DO YOU REPRESENT Franklin D. Roosevelt
SUPPORT _____ OPPOSE X AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

CHUCK O'REILLY

NAME Chuck O'Reilly BILL No. HB35 2
ADDRESS Helena DATE 1-31-81
WHOM DO YOU REPRESENT Montana Sheep Producers Assn
SUPPORT _____ OPPOSE X AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

NAME L John Ostad BILL No. HB-352
ADDRESS Bozeman Mt DATE 1-31
WHOM DO YOU REPRESENT Gallatin County Sheriff Dept
SUPPORT _____ OPPOSE X AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

CS-34

NAME John Scully BILL No. H.B. 302
ADDRESS 3200 Sunnyside Rd DATE 1/31
WHOM DO YOU REPRESENT Street & Home Off.
SUPPORT _____ OPPOSE / AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

TOWN OF FAIRFIELD

Hub of the Great Sun River Irrigation Project - - 100,000 Irrigated Acres

STATE OF MONTANA

February 5, 1968

House Local Government Committee
State Legislature
Capitol Building
Helena, MT. 59601

Dear Sirs:

The city council and I strongly urge the passage of H.B. 352.

As a municipality we should be authorized to assume administrative responsibility for services performed by the county in which we are located, and the county should be prohibited from providing certain services within our corporate limits.

We should have the option of assuming specified county services, including the sheriff's office, soil conservation districts, the bridge fund, planning activities, and noxious weed control. These programs have been funded by city residents but the services have never been provided within our corporate limits.

We urge you to correct these inequities of "double taxation" on the residents of our town.

Sincerely,



Mayor of Fairfield



Montana Association Of Conservation Districts


HB 352

7 Edwards
Helena, Montana 59601
Ph. 406-443-5711

HB 352

The purpose of Montana's Conservation Districts is to develop and carry out long range programs that will result in the conservation and improvement of the soil and water resources, to provide assistance in the planning and application of conservation measures; and to encourage maximum participation of the general public and all local public and private agencies to fulfill this purpose. In doing this, districts make available to individuals technical assistance in planning and supervision in the installation of land use systems, vegetative practices and necessary engineering structures. Along with this, districts carry out broad range community programs where widespread resource problems require group action for their solutions. Districts are managed by local citizens who know the problems in their areas which results in an excellent example of the people being the government.

As of October 1978, 59 cities and towns voted to be included within Conservation Districts. Conservation Districts in urban and developing areas provide soil surveys, water inventories, assistance with waste disposal and other services to builders, contractors, planning commissions, municipal officials, schools, hospitals, industries and small landowners. Last year 430 units of state and local government received assistance from Conservation Districts.


RAY BECK
Executive Vice President

The Mt. Assoc. of Conservation Districts
Strongly recommends a denot pass.

Thank-you

CD ASSISTANCE TO URBAN AREAS & PEOPLE

I. Status - 59 cities and towns in CD's at present

II. Soils Information

A. Construction projects

B. Gardens

C. Property purchases

D. Septic tank drainfield information

E. Examples

1. Flathead CD recently provided detailed information on sedimentation, runoff, windbreaks, etc., for a proposed shopping mall to serve the city of Kalispell.

2. Yellowstone CD - Assisted with the Alkali Creek Diversion for building the METRA in Billings.

3. Rosebud CD has provided soils information to Colstrip on sewage disposal, wells, prime agricultural land, etc.

III. Water Quality Programs

A. Improve water quality

-- 1. Drinking

2. Household

3. Industrial

4. Recreation

a. Fishing

b. Swimming

c. Boating

B. Example - Muddy Creek Water Quality Project, Cascade CD

1. Improve water supply (Missouri River) for Great Falls

2. Improve recreation quality of Missouri

3. Improve water quality of the Sun River so can be utilized for recreation

IV. Environmental Education

- A. Newsletter (mailed to urban people)
- B. Youth speech contests (open to all schools)
- C. TV spots, radio spots, and newsarticles on resource conservation
- D. Examples
 - 1. Cascade CD
 - a. Sponsor Conservation Teacher of the Year Award
 - b. Sponsor prize for the 4-H Conservation Club booth at the State Fair. Last 2 years the winners were from urban schools.
 - c. Judge science fairs at parochial schools in Great Falls
 - d. Lectures and counseling for Great Falls High Schools Vo-Ag classes. Also donated a projector
 - e. Sponsor the Cochran Managed Natural Area along the Missouri River. 100 acres of virgin prairie grassland along the Missouri River has been unchanged since Lewis and Clark first discovered the area. Area visited by Great Falls residents (senior citizens groups, school groups, church groups, FFA school science classes, etc.)
 - f. Provide information to the Great Falls School Environmentalist
 - 2. Rosebud CD
 - a. Sponsor prizes for Plant Identification contests at CD booth, for adults and youth
 - b. Sponsor up to 5 boys for Youth Range Camps, open to all people
 - 3. Custer CD
 - a. Provide conservation booklet to the Miles City schools

V. Flood Control

- A. Examples
 - 1. Flathead CD
 - a. \$5,000 has been set aside to stabilize a streambank along the Stillwater River. At this point along the Stillwater a Kalispell City Park is across the river.
 - b. Worked for several years on the Whitefish Lake (along the City of Whitefish) Stabilization Project. Held public meetings, etc.

2. Cascade CD
 - a. In 1975 secured Federal '216' money for Woodland Estates (Great Falls) for flood control structures (rip-rap etc.)
3. Yellowstone CD
 - a. Assisting with the creation of a flood control district along Blue Creek (Billings)

VI. Planning

- A. CD supervisors are authorized to serve on county planning boards
 1. Examples
 - a. Missoula CD
 1. The CD works with the planning board on weed control in subdivisions
 - b. Lewis and Clark CD
 1. Reviews subdivisions and gives recommendations to the planning board
- B. CDs held public meetings to gather resource information, many CDs used this information in their Long Range and Annual Plans, many urban people attended these meetings
 1. Example - Cascade CD
 - a. Roughly one-half of the people in attendance were urban

VII. Waste Water Control

- A. Examples
 1. Flathead CD
 - a. CD served on 201 Wastewater Committee for the Kalispell-Evergreen area. Also plans to hold public meetings concerning the Evergreen wastewater situation
 2. Yellowstone CD
 - a. Planning to address stormwater runoff from Billings

VIII. Streambank Protection

- A. Through review of 310 permits CD's offer valuable information and experience to urban and rural people alike while protecting streams.
- B. Example - Missoula CD
 1. Holding public meetings to find viable solutions for Missoula on Northern Tier Pipeline's stream crossings

IX. Forestry

A. Examples

1. Cascade CD

- a. The board is working with the State Foresters office on promotion of private forestry management while maintaining a fire wood source for Great Falls

2. Rosebud CD

- a. Provided information to Forsyth on tree plantings around urban homes

X. Food and Fiber Production

A. CD's are assisting with the preservation of Montana's Food and Fiber production base

1. Soil erosion control
2. Water quality maintenance
3. Agricultural land preservation

1. Example - Missoula CD. The board has been working with private consultants to find acceptable methods of agricultural land preservation

* Examples from: Cascade, Flathead, Custer, Rosebud, Missoula, Lewis and Clark and Yellowstone CD's.



Cascade County Conservation District

4930 9th Avenue South - Great Falls, Montana 59405 - Phone 406-454-3446

January 29, 1981

Board of Supervisors

DALE MARXER, Chm.
Millegan Route

JOE HEPP, V-Chm.
Route 1 W, Box 120

EINAR HOVLAND, Treas.
Route 1, Box 207

LOUIS MUNDT
Belt

TED NEUMAN
Vaughn

Associates:

JIM DAWSON
Belt

ROD PRIBYL
Eden Rte

DAVE SHANE
Flowerree

Representative Verner L. Bertelsen
Capitol Station
Helena MT 59620

Dear Representative Bertelsen:

RE: HB-352 (Local Government Committee)

This bill is to "authorize a municipality to assume administrative and financial responsibility for services performed by a county..."

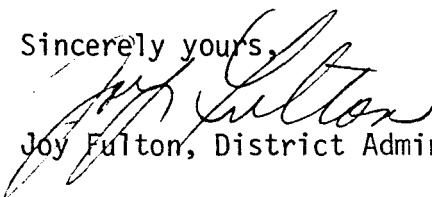
This bill in essence if passed would allow the incorporated areas of conservation districts to take on the job of the conservation districts (as well as the Weed Control Board, the Sheriff's Department, and other county agencies). This certainly would be put a greater workload on the city, take away jobs of the county personnel, and cut the tax base of the county agencies, but how much quality service would be given to the public?

The Cascade County Conservation District established in 1946 has a large area within the city of Great Falls--areas that have been annexed to the city over the years, but annexation does not relieve these areas of being within the conservation districts. Just this year the district and the county assessor worked together to have the proper areas identified and properly and legally assessed for taxation in support of the conservation district. The overall average tax cost to the landowner within the city was about \$1.50--about the amount of two packs of cigarettes, which many people would not blink an eye about in paying--but some including some Great Falls/Cascade County legislators apparently are complaining, because not only HB-352 but HB-126 have been introduced to take the conservation districts out of the urban areas.

Perhaps many people are not aware of what the conservation district does for the city people and for the care of the natural resources of all of the county--not just the rural areas. Therefore, we would appreciate your consideration of the conservation districts in your decision on this bill in favor of the best interests of all of the people. Inclosed is a copy of our annual work plan--it will give you some idea of just a few of the items we set as goals and are trying to accomplish--with limited funding. Our elected supervisors are not paid a salary, but are dedicated men and women to their obligations as caretakers of the resources. Likewise, our annual report is enclosed to show some accomplishments and also, a letter submitted in regards to HB-126, but appropriate for HB-352 to the Taxation Committee on some of the service given to the urban folks. If the city takes over the many jobs now

carried on by county agencies, where will they get the funds and personnel to continue these jobs? Won't the urban people then be taxed even further? So, what is anyone really gaining?

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Joy Fulton". The signature is written in dark ink and is positioned above the printed name.

Joy Fulton, District Administrator

CASCADE COUNTY CONSOLIDATED PESTICIDE PROGRAM

521—1st Avenue N.W.
Great Falls, Montana 59404
Phone 727-2804

BOARD MEMBERS

Richard Gannon, Chairman
Sun River
James Pribyl, Vice Chairman
Great Falls
Joseph R. Von Stein
Cascade
J. Ora Kleffner
Belt
Richard Ewing
N. of Great Falls

Douglas L. Johnson
Administrator

The Cascade County Weed Board wishes to register our opposition to House Bill 352, and strongly urge you to vote against it. The bill implies that residents of cities have no impact upon any areas outside of their own city limits, and, therefore, no responsibilities for any areas beyond those boundaries. It also implies that the larger the city, the less the effect and subsequent responsibility of the residents of that city to any areas outside of their own city limit. In reality, however, the larger a population becomes in an area, the greater the impact becomes, and the further that impact extends beyond their own city walls.

Although this is true in all areas that this bill encompasses, we will address only its effect on noxious weed control.

It is currently estimated that weeds are costing Montanans about \$100,000,000.00 per year. This is about \$150.00 for every man, woman, and child in the State, regardless of where they live. Noxious weed control districts are not geared toward beautification or fire hazard problems. Their responsibility lies in an effort to maintain control of particular weed species that are shown to be very aggressive and difficult to control, and are extremely destructive to agriculture if allowed to go unchecked. Cities developing their own noxious weed program as proposed in this bill would have to set up an entirely new program in order to comply with the State Noxious Weed Law. At present, city weed ordinances are for an entirely different purpose, and no duplication of effort exists as implied by this bill. The tax revenues generated under the current program are used to control noxious weed species on public lands and properties, right-of-ways, accesses, parks, recreation areas, etc., and to keep these areas from becoming a seed source for the infestation of productive lands. These lands lie in both urban and rural areas. Regardless of location, however, the heaviest usage, particularly of the rural recreation areas, is by residents of urban areas.

Economically, all Montanans depend heavily on agriculture. If funding is reduced to control noxious weeds where the worst problem exists, the following chain of events is inevitable:

Control efforts will decrease and weeds will spread rapidly.

Production of agricultural commodities will decrease.

Cost of agricultural production will increase.

This will have two primary effects. First, the cost to consumers of agricultural products will increase. Second, producers will have fewer dollars to spend for goods and services in the urban market areas. Consequently, sales will decrease with obvious effects on the urban economy in general.

Noxious weed control, therefore, is not just a problem of rural areas. We all have the problem, because we all depend on agriculture.

We appreciate this opportunity to testify and again strongly urge you to defeat House Bill 352.

HOUSE BILL 352 AND ITS AFFECT ON THE CASCADE COUNTY BRIDGE
DEPARTMENT

The County is authorized by statute to levy 4 county wide mills for the Bridge department. Each mill has a value of \$92,920.00, for a total revenue of \$371,680.00.

If House Bill 352 passes it will reduce the County Bridge budget to \$133,700.00.

The Cascade County Bridge department maintains 187 bridges and approximately 9,000 culverts.

Background Information: Most all bridges in Cascade County were constructed in the time frame of 1908 to 1914, are less than adequate for todays weight standards and require continual upgrading.

Bridge Mill Levy: The yearly increase of the mill has less than kept pace with the inflationary factors as shown by the following values in the mill from 1977 thru 1981.

1977 - \$90,259.00

1978 - 91,805.00

1979 - 93,033.00

1980 - 92,141.00

1981 - 92,929.00

The number One industry in the State of Montana is agriculture and the bloodline of that industry are the rural roads and bridges. The rural bridge system is underfunded at the present time and is less than able to provide the services that maintain the county bridges in an adequate manner. To further decrease the counties funding to maintain the county bridges is unjustifiable when House Bill 352 does not provide an alternative method to replace lost revenues.

Attachment: Department of Highways partial list of rehabilitation and replacement costs on Cascade County bridges.


Robert L. Batista
Cascade County Surveyor

CASCADE COUNTY

Load Rating, Rehabilitation and Replacement Costs of Local Road Bridges

Bridge No.	Load Rating			Bridge* Markers	Rehabilitation Cost	Replacement Cost
	3	352	373			
(61)L07001-0.3	5	8	11		18,000	80,200
(62)L07001-0.6	18	28	30			310,300
(53)L07002-5.0	25	39	42	X		
(41)L07569-1.8	29	42	57	X		
(45)L07021-0.1	8	13	16			80,300
(93)L07008-0.5	14	22	27			46,800
(49)L07002-0.9	10	16	19	X	5,000	53,500
(44)L07019-4.3	29	45	56	X		
(43)L07019-6.0	10	16	19	X		82,000
(48)L07023-0.5	7	11	14	X	Scheduled to be Rebuilt Winter of 79-80	40,100
(47)L07024-0.7	11	18	22		5,000	40,100
(66)L07011-4.4	12	19	24	X	7,000	46,800
(46)L07025-2.7	8	13	16	X	35,000	53,500
(64)L07008-2.8	13	21	23		30,000	40,000
(63)L07006-0.6	Not Analyzed					
(58)L07596-4.6	21	33	41	X		
(60)L07014-0.3	15	23	30	X	37,600	66,900
(59)L07599-2.9	8	13	16	X	25,000	46,800
(94)L07556-0.1	10	16	20	X	2,000	46,800
(42)L07039-2.6	25	33	37	X		
(57)L07530-7.6	Not Analyzed					
(55)L07502-0.7	Not Analyzed					
(54)L07502-0.5	6	10	19	X	23,500	43,100
(40)L07556-11.6	21	34	41	X		
(67)L07556-1.4	12	18	22	X		93,600
(33)L07410-0.1	Not Analyzed					
(65)L07063-2.5	20	31	37	X	3,000	
(24)L07063-3.8	17	27	33	X	2,000	179,800
(23)L07063-6.7	17	27	33	X	3,000	73,000
(71)L07204-2.4	Not Analyzed				Co-Ownership	
(76)L07311-0.3	15	23	29		2,000	53,800
(81)L07312-0.1	29	44	57	X		
(14)L07308-2.0	24	38	47	X	1,000	
(74)L07222-0.3	26	41	45	X	2,000	
(98)L07222-1.8	64	98	125	X		
(72)L07208-2.6	5	8	11		28,300	193,800
(2) L07224-16.9	Not Analyzed					
(4) L07224-4.1	54	84	105	X		
(29)L07228-4.5	15	22	28	X	4,000	166,000
(75)L07241-4.4	33	48	63	X	5,000	
(100)L07233-10.1	38	58	74	X		
(37)L07231-4.3	22	35	X	X		
(12)M07007-0.02	Not Analyzed					

CASCADE COUNTY

Load Rating, Rehabilitation and Replacement Costs of Local Road Bridges

Bridge No.	Load Rating			Bridge* Markers	Rehabilitation Cost	Replacement Cost
	3	352	373			
(99)L07233-10.4	38	59	74	X		
(3)L07233-11.7	21	31	41	X	2,000	
(56)L07501-0.4	Not Analyzed					
(86)M07052-0.01	7	10	12	X		206,000
(90)L07603-8.1	19	20	35	X		
(36)L07411-11.3	6	10	12	X		161,500
(38)L07415-4.4	21	33	42	X		161,500
(96)L07414-4.0	18	34	34	X		76,900
(34)L07417-1.9	35	54	68	X		
(28)L07248-0.3	42	49	54	X		
(27)L07418-0.2	9	14	18	X		
(26)L07418-3.0	9	15	18	X		100,300
(97)L07421-10.4	15	23	30		15,000	93,600
(15)L07340-0.4	29	42	57	X	4,000	
(77)L0735-0.4	29	46	57	X	2,000	
(102)L07357-0.2	25	39	48		4,000	
(78)L07355-2.1	29	42	42	X	2,000	
(101)L07355-4.3	32	49	63	X	2,000	
(103)L07355-6.6	32	49	63	X	2,000	

* "X" indicates those bridges that have adequate bridge end markers

JS:dk:9C

RECEIVED
CASCADE COUNTY SURVEYOR

JAN 27 1967

GREAT FALLS, MONTANA

January 31, 1981
12:30 P.M.

STATEMENT PRESENTED BY CY JAMISON FOR THE HOUSE COMMITTEE ON LOCAL GOVERNMENT
JANUARY 31, 1981.

My name is Cy Jamison, I am a Councilmember from the City of Billings, Montana, and I represent the City Council today. I am here to support Mr. Kessler's BILL NO. 352 because it will be a step toward equalizing serious inequity in the tax structure which has existed for years. It will also provide an incentive for increased interlocal cooperation among cities and counties.

The Bill would basically give the cities the right to opt out of the mill levies for certain functions that are provided by the county, primary to residents and property owners within the unincorporated areas of the city. If the city elects to opt out of the service, they would be totally Responsible providing that service within their jurisdiction.

In Yellowstone County, the valuation of property within the City of Billings represents 52% of the total valuation. During this current year, the property owners within the City of Billings will be providing \$814,659 for the operation of the Sheriff's Department which primarily provides services to the unincorporated areas and in addition, the City property owners pay approximately \$3,000,000 to provide police protection to the inhabitants and to the property within the city of Billings. This subsidy by the property owners within the city to the property owners in the unincorporated areas simply cannot continue. In addition to providing 52% of the cost to operate the Sheriff's Department, the City of Billings uses the County Jail and is charged \$10 a day for this one area in which we do receive some services from the County Sheriff's Department.

Another area that concerns the City of Billings is the use of Bridge Funds. Over the last eight years, from 1972 through 1979, Billings residents paid \$1,282,125 to the County Bridge Fund. During that period of time, the County has spent \$97,000 within the City of Billings for the benefit of the Billings residents.

Therefore, most of these funds have been spent on bridge maintenance, repairs and reconstruction in the unincorporated areas. At the same time, the City has had to spend hundreds of thousands of dollars for its own bridge maintenance, and this money for the most part came from the City taxpayers.

During this past year, the City property owners within the City of Billings paid \$42,000 to the County for noxious weed control. These funds were spent almost entirely in the unincorporated and rural areas. At the same time, the City spent approximately \$35,000 on its own weed control program within the City.

I want to stress the fact that our concern lies in those areas where city property owners make a significant contribution to the county for providing a service primarily to the unincorporated areas, when the city then has to provide that same function within its corporated limits from its tax base. I am not talking about county-wide levies that are levied for health, operation of the fair-grounds and the operation of the County Attorney's Office because these functions operate on a county-wide basis and the City does not have to levy a separate mill in order to perform the functions within the incorporated limits.

I mentioned at the outset that I felt that the adoption of this bill would encourage interlocal cooperation. The experience of other states has demonstrated that this will happen. The problem today is that there is no incentive for county government to sit down and cooperate with local government in the areas that I have mentioned because they can levy a county-wide levy and spend the money exclusively in the unincorporated areas as it's solely their decision. There needs to be an incentive for both sides to cooperate before we truly have good intergovernmental cooperation.

In the City of Billings, the fact that we would be able to opt out of these services does not allow us to raise our tax levy to support these new expenditures in these functional areas. We have a Charter limitation, unlike other cities in the State, and we are at the maximum amount of that limitation. The only way that

it can be changed is by a vote of the people. What this bill would do is provide some tax relief to property owners within the City that are carrying a disproportionate share of the cost of providing county services to the unincorporated areas. I urge you to support this bill.

STANDING COMMITTEE REPORT

February 10, 1931

MR. SPEAKER

We, your committee on LOCAL GOVERNMENT

having had under consideration HOUSE Bill No. 295

A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THE PETITION REQUIREMENTS FOR ABANDONING THE COMMISSION-MANAGER FORM OF GOVERNMENT; AMENDING SECTIONS 7-1-4130 AND 7-3-4334, MCA."

Respectfully report as follows: That HOUSE Bill No. 295

Amend House Bill 295, introduced copy, as follows:

1. Title, line 5.
Following: "FOR"
Insert: "CREATING OR"
2. Title, line 6.
Following: "7-1-4130"
Insert: ", 7-3-4335,"
3. Page 1, line 23.
Following: "90"
Strike: "180"
Insert: "120"

AS AMENDED

DO PASS

Amendment to House Bill 235, introduced copy, (continued)

4. Page 4.

Following: line 2

Insert: "Section 2. Section 7-3-4305, MCA, is amended to read:

"7-3-4305. Petition to organize under commission-manager form - election required. (1) Upon a petition being filed with the city or town council, signed by not less than 25% 15% of the qualified electors of such municipality registered for the last preceding general municipal election, praying that the question of reorganization under this part and part 44 be submitted to the qualified electors of such municipality, said city or town council shall thereupon and within 30 days thereafter order a special election to be held, at which election the question of reorganization of such municipality under the provisions of this part and part 44 shall be submitted to the qualified electors of such municipality.

(2) Such order of the city or town council shall specify therein the time when such election shall be held, which must be within 90 days from the date of filing of such petition."

Renumber: subsequent section

5. Page 4, line 6.

Following: "than"

Strike: "2"

Insert: "3"

6. Page 5, line 14.

Following: "period of"

Strike: "2"

Insert: "3"

7. Page 5, line 16.

Following: "period of"

Strike: "2"

Insert: "3"

AS AMENDED
DO PASS

STANDING COMMITTEE REPORT

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MR. SPENCER

We, your committee on LOCAL GOVERNMENT

having had under consideration HOUSE Bill No. 351

A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THE
AUTHORITY OF MUNICIPAL AND COUNTY GOVERNING BODIES AND TO
PROVIDE FOR ADMINISTRATION OF RURAL SPECIAL IMPROVEMENT
DISTRICTS WHEN THE PROPERTY HAS BECOME PART OF AN
INCORPORATED CITY OR TOWN."

Respectfully report as follows: That HOUSE Bill No. 351

DO PASS