

MINUTES OF THE MEETING  
SENATE LOCAL GOVERNMENT COMMITTEE  
MARCH 24, 1981

The meeting of the Local Government Committee was called to order by Chairman George McCallum on the above date in Room 405 at 12:30 p.m.

ROLL CALL: All members were present with Senators Thomas and Van Valkenburg coming in late due to other meetings.

CONSIDERATION OF HOUSE BILL 56:

AN ACT DELETING RESTRICTIONS ON ANNEXATION  
OF LAND USED FOR INDUSTRIAL, MANUFACTURING,  
AND OTHER PURPOSES.

Representative Kessler, District No. 66, said this bill eliminates industrial annexation exclusions. It is the result of the interim committee's study on annexation laws. It is a compromise for some cities and industries. The bill is a compromise with HB59 which deals with resident and nonresident freeholder restrictions. Currently, Montana law provides for five methods of annexation, two are contiguous land and one is petition. With both of those you have industrial exclusions for annexation. There are strong protest provisions in a petition annexation. They are trying to change the exclusion of industrial annexations. If the area does not want to be annexed they can block it, they have sole veto power. This bill eliminates the veto power they have. It was amended in the House. It provides for a contractual agreement between the city and the facility to be annexed. Services are outlined on page 2, lines 7 and 8. Lines 16 through 18 provide for the contractual agreement. There are all kinds of protection in the bill. Industries should not be able to block annexation if it is what the people want. In eliminating protest provisions, they will have the same right as individual land-owners.

Ken Peterson, city attorney for Billings, supports the bill. Billings, in the past, has had tremendous growth. There are a lot of areas that want to be annexed. Industrial plants and refineries should not be discriminated against, they should be treated the same as others; they should not get exemptions. He supports the bill.

Gus Byrom, planning director for the city of Helena, supports the bill. It is Helena's policy to cooperate in the area of annexation. They try to work out agreements and this would be an asset to the city. Contractual agreements may be cumbersome in terms of financing but overall it is a good bill and he does realize the political realities.

Dan Mizner, League of Cities and Towns, said annexation is not only a problem in large cities but small ones as well, such as Whitefish and Bainville. They are having problems with annexation. The committee has to bear in mind the other bills in the package of annexation bills.

Margaret Davis, League of Women Voters, supports the bill in its original form, as it was in the House. She is not as enthusiastic about it in the amended form. The opting out of services by contractual agreements leaves no other existing mechanisms to provide services such as fire and water districts. Police services should be municipally controlled, the people should not have the power to pick and choose as they please. Many things could be open through that section, the committee should specify what would be allowed. There is no provision for regular review of the agreement. No other class of property owners have the chance to opt themselves out. The present law is obstructive and puts constraints on orderly growth.

Bill Cregg, mayor of Missoula, supports the bill. He agrees with the League of Cities and Towns that it has been so watered down it is very permissive.

Jim Jensen, Riverfront Neighborhood Association, supports the bill for the same reasons already stated. Their neighborhood is separated from the city by one street and they feel they would like to be annexed.

Senator McCallum then called for opponents of the bill.

Robert Holding, Wood Products Association in Missoula, said with contractual agreements there is no reason for the business to be incorporated in the city. It is only to collect a tax base. The industries were built outside the city limits a long time ago. They are not stopping annexation. If the services are all exempted, he does not know what the tax money would be paying for.

Allen Shumate, representing himself, said there was a no-growth syndrome in Helena but now we have a better system. This may be a bad law.

Don Allen, Montana Petroleum Association, has problems with the language as it is in the bill. There is continually pressure from the cities that they want to annex refineries. It has not been answered as to what would be provided to the refineries if they were annexed. They are not holding up annexation in Billings. A tremendous tax base would be available to the cities. On page 2 it says you must enter into a continuation agreement for services; it does not say what will happen if you cannot agree. There is no provision for mediation if you do not agree. On page

3, line 10 it says services may be revoked by mutual agreement. What happens if one party wants to continue and the other does not. Pollution control, library and road funds would all go to the city instead of the county. There needs to be adjustments there. Facilities are going to have to stand on their own and this bill is not going to solve the problem.

Representative Gould, District No. 98 in Missoula, thinks the bill should be killed. He does not agree that all the bills in a package have to be passed or killed together. It is more normal when only one or two pass.

John Augustine, Conoco Refinery outside Billings, said Billings worked closely with the refinery to decide where the refinery should be built and the city promised they would not annex the refinery. This bill takes away \$50,000 a year in road taxes, air pollution and library funds. They would be getting nothing in return for annexation. He asked the committee to vote against the bill.

Peter Jackson, Western Environmental Trade Association, said some ordinances worry him. His organization is for jobs, orderly growth and development of resources. We need industrial plants to survive. He opposes the bill.

Ben Havdahl, Montana Motor Carriers Association, spoke briefly in opposition of the bill.

Paul Laisy, taxpayer in Missoula outside of the city limits, said services are going to go down and taxes up if his neighborhood is annexed. This affects people and taxpayers as well as industry.

Representative Kessler, in closing, said he was amazed by Mr. Holding, he used to say it was too strong and now he is saying it is too weak. Industries will be getting direct and secondary services from the city. Employees use the services of the city, everyone does. This will equalize the tax base. He does not think they want to annex refineries as Mr. Allen said, that is the last thing he or Billings has in mind. Mr. Jackson is worried about the adverse effect on air quality, the city is only trying to protect the residents. This bill would affect small towns too, we have to get back to what is equal. Industries should not have more rights than individual home owners. This is a companion bill with HB59 which deals with resident and nonresident freeholders. It is not fair to pass one and not the other. We might want to look at the service provision and police matter, it might be worth amending the bill to supply that. Cities have to have releases in this area, they have to be able to grow.

Senator McCallum then called for questions from the committee.

Senator Hammond asked what was being done by the cities to create a climate to invite industries to the community.

Mayor Cregg said there are three different programs in Missoula that are trying to bring in clean industry.

CONSIDERATION OF HOUSE BILL 57:

AN ACT TO DELETE CERTAIN RESTRICTIONS ON  
THE ANNEXATION OF WHOLLY SURROUNDED LAND;  
TO PROHIBIT STRIP ANNEXATION.

Representative Azzara, District No. 96, said this bill deletes the current exemption which prevents wholly surrounded industrial land from being taken into the city. The bill sharpens the definition of what constitutes strip annexation. The bill required an amendment to get it through the House which provided for similar service agreements to House Bill 56. On page 3 it provides that a wholly surrounded industrial piece of land that is taken into the city must have a service agreement drawn up with the municipality. If the industry is providing their own services, they cannot be double taxed. If an agreement cannot be reached, either party may petition the district court for a hearing. This makes every attempt to be fair to industries and in no way puts them at a disadvantage for services they will supply themselves.

Margaret Davis, League of Women Voters, prefers the original bill before the amendments were added. This bill should be considered on its own merits. She would like to see the bill returned to its original language.

Al Sampson, city of Missoula, showed the committee a map of Missoula which showed the industries surrounded by city limits. He does not think the businesses would be hurt by taxes. He does not like the amendments to the bill.

Ken Peterson, city attorney for Billings, said he basically supports the bill but does have problems with the amendments. The amendment provisions are not applicable to wholly surrounded land. These operations get every bit of service and every benefit the cities have to offer. There is no reason they should be exempted. He has a problem with strip annexation. We should not run the risk of someone coming in after annexation and saying it was done improperly so they want out, even if it is a small percentage of landowners wanting that.

Dan Mizner, League of Cities and Towns, thinks the amendments should be reinserted in the bill. He said strip annexation is a way to give services to people who want them. He likes the bill in its original state.

Senator McCallum then called for opponents of the bill.

Bob Holding, Montana Wood Products, said he has the same objections to this bill as in House Bill 56. The proponents do not seem to be in agreement on the amendments and what they mean. There are ample laws today on annexation. This takes away any opportunity for the people to stay out. The cities have a selling job to do to tell the people what benefits they will receive.

Allen Shumate, Helena, concurs with Mr. Holding and has the same views as on House Bill 56.

Representative Gould, District No. 98, said this bill is the same as the last one and the same arguments pertain to this bill as the last one.

Don Allen, Montana Petroleum Association, said the proponents have implied that these people are not paying their way. They all shop inside the towns and spend money there. Some of the employees of the industries live in the towns and pay property taxes. They are paying toward the upkeep of city services.

John Augustine, Conoco Refinery, concurs with Mr. Holding and opposes the bill for the same reasons as with House Bill 56.

Peter Jackson, Western Environmental Trade Association, said it is imperative that jobs are protected. We need to watch ordinances that get carried away and hurt economic situations in the area.

Representative Azzara, in closing, said the opponents' premise is basically flawed because, if reversed, the existing businesses in the cities are being burdened. Industry wholly surrounded by the city is the same and should enjoy the same status as businesses downtown who have been paying their own pay. They have to subsidize the island that has an impact on services the cities must provide. The industries do not want to pay their fair share. They should not be impacting or using city services. This is forcing cities into financial problems. It is bankrupting cities. Wholly surrounded industries within the city should not enjoy any special exemptions. This bill attempts to protect the interest of the industry. This prevents strip annexation from surrounding industrial areas. Nothing in this bill prohibits voluntary agreements.

CONSIDERATION OF HOUSE BILL 33:

AN ACT TO PROVIDE FOR MUNICIPAL ANNEXATION  
OF HIGH-DENSITY LAND UNDER CERTAIN CONDITIONS.

Representative Azzara, District No. 96, said this bill attempts to address another inequity cities have been forced to deal with - the ability to take in high-density fringe. This bill fairly defines high density and defines the concept of what is contiguous. It provides a mechanism whereby cities can annex when the criteria are met. This is a linear mechanism which allows the city to attempt to annex that part that is abutting high-density fringe. There are impacts on the city and city services from high-density fringe surrounding the city. The city has no way of collecting or providing collection for taxes of impacts on the area. This bill provides that when a fringe has reached a certain density, the city may try to annex. There is a provision that allows the residents of rural fire districts to continue rural fire district protection should they so choose. There were strenuous objections in the House from rural fire districts so this was put in. When a municipality moves ahead with annexation plans it is subject to other requirements of annexation laws. The municipality must say how it plans to provide services. It is essential that the city can collect for impact of large urban populations who are continually using streets and downtown facilities. There is little disagreement that the impacts are real but we must have an equitable method to allow fair distribution of the burden. The other alternative is to dissolve the city. That is what will happen if they are unable to collect for the impacts. Cities have been backed into a corner financially to provide services for people they cannot tax.

Representative Marks, District No. 80, is a rural landowner. There is a dilemma with people in rural areas who own small tracts of land that are in agriculture. That is why the land is being subdivided, people have to subdivide prime farmland in order to survive. The bill offers protection against furtherance of subdivision. If the cities can survive it might prevent all of these rapid expansions. His concern is over preservation of farmlands.

Jim Carlson, taxpayer in Missoula, said there are 29,000 or 30,000 taxpayers in the city of Missoula who feel they are subsidizing areas outside the city. He pays \$250 more per year in taxes than people outside the city limits only a block away. Missoula is a community, all citizens should be paying equally for services necessary to the area. They need to equalize taxes throughout the community.

Bill Cregg, mayor of Missoula, said Missoula is going broke. They have to broaden their tax base. They cannot sell Missoula to the people, people are already receiving services so why would they want to pay for them through taxes. The bill was substantially compromised in the House and they didn't oppose the 66% protest. To compromise further would be unacceptable. He read letters from different people in Missoula. (See attached Exhibit A.)

Al Sampson, city of Missoula fire chief, had a map of the fire protection areas in Missoula and pointed them out to the committee. He said they need to have sufficient personnel to protect all areas.

Merle Manis, University Area Homeowners Association, Missoula, resents the fact that some people are being suppressed because other people are not paying their fair share. The people outside the city limits that share in the benefits of the city should pay the same as city residents.

Rosalie Buzzas, alderwoman from Missoula, read a letter to the committee from Mr. and Mrs. Charles Hardy. (See attached Exhibit B.) Missoula's tax base is seriously out of line with urban recipients of services. The issue is a growth issue. This bill will not solve all the problems but it will help. Revenue has not kept pace with growth. They are trying to equalize the tax base. The opponents of the bill do not live in the areas that would be affected.

Donna Shaffer, taxpayer and merchant, said the population has grown but the legal size remains the same. Facilities are sometimes used beyond their comfortable capacity by people outside the city limits. The islands of industry and business being exempted are unfair. They need a wider tax base.

Vern Erickson, Montana State Firemen's Association, supports this legislation.

Gus Byrom, planning director for the city of Helena, supports the bill. Helena will need tools for annexation in about 10 to 15 years.

Ken Peterson, city attorney of Billings, said they are in support of the bill. This is a reasonable approach. People need to pay their fair share of taxes for their services.

Dan Mizner, League of Cities and Towns, thinks this is a fresh approach. It is an equitable approach to annexation.

Art Korn, secretary/treasurer for the Montana Volunteer Firemen's Association, said they generally oppose annexation but with the amendment the volunteer firefighters may remain as volunteer firemen. They were only concerned with protecting their rights. (See attached Exhibit C.)

Jim Jensen, Riverfront Neighborhood Association, spoke briefly in support of the bill.

Margaret Davis, League of Women Voters, supports the bill.

Senator McCallum then called for opponents of the bill.

Representative Gould, District No. 98, said there was an interim committee study on annexation and this bill was not recommended by them, it was a tie vote.

Maxine Lane, Orchard Homes Country Life Club, lives by Hawthorne School outside the city limits. Some people in Orchard Homes have livestock they would not be able to keep if the area was annexed. They do not feel they should have to protest, instead they should require the 66% to say they want to be annexed. The city has not done a good job of selling what they have to offer people outside the city limits. She distributed letters to the committee members from residents of Orchard Homes.

Paul Laisy, taxpayer in Missoula, said in 1974, 1979 and 1981 the mayor has threatened to disincorporate. He does not think Mr. Korn was speaking on behalf of the other firemen. People can petition to get in now, we don't need this bill. Homeowners on fixed incomes cannot afford increased taxes. He does not feel he should have to gather signatures to protect himself. Some land is in greenbelt that is involved in this.

James Lofftus, Missoula County taxpayer, says he is paying taxes through parking meters and traffic tickets. He had an article from 1966 which showed the old city limits, the city has expanded and annexed. This is the same argument they have always been using.

Sandra West, Target Range Homeowners Association in Missoula, opposes the bill. She said two years ago the city was against annexing them but now they are moving their way. Annexation is becoming a threat to people who own agricultural land, animals and horses. The petition process is too short, 30 days is not enough. There are 1500 voters in her area and they have their own school district. They are in a very rural area and do not want to be annexed. (See attached Exhibit D.)

Gary Tokle, taxpayer from Missoula County, spoke in opposition to the bill. (See attached Exhibit E.)

Senator Johnson, District No. 49, is opposed to the bill and to annexation. It is not fair for Missoula to issue a threat to disincorporate.

Representative Harp, District No. 19, represents a community with 7,000 people - Evergreen, which is outside Kalispell. It is impossible to get the required number of signatures in 30 days. They have proof that it is impossible. He submitted petitions from the Evergreen area to the committee. (See attached Exhibit F.) The main argument is that non-city residents do



not pay their way. Their community provides its own services and school system. If Evergreen were annexed, it would raise 7 more mills but they don't need anything so they would receive no benefits for it. That would amount to \$328,000 for nothing. This is special legislation for one community, Missoula.

Tom Tonkinson, representing the Evergreen Water District, has lived in Evergreen for 26 years. The bill will not give them any benefits.

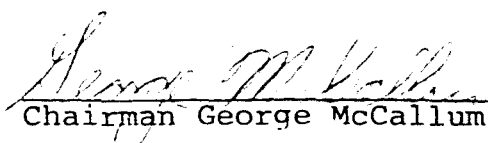
Jack Barrett, Evergreen Volunteer Fire Department, has lived in Evergreen for 30 years. About 95% of the people in Evergreen are against annexation.

Bruce Parkman, Evergreen property owner, said they are a self-supporting area. He does not understand how their community could be affected by a problem that is strictly a city and county problem. The legislature should not be asked to solve a problem for one city in one county. It is an isolated situation. It took them two weeks to get less than 10% of the people in Evergreen on a petition. Thirty days is not a realistic figure.

Cathie Nelson, representing her father who is a property owner in House District 98 in Missoula, opposes the bill because of the 66% required on the petition. It takes time to explain to people what the petitions mean.

Representative Azzara, in closing, said people in the city are paying county and city taxes. The cities cannot afford to pay for the impact of all people in the city endlessly. The alternative is disincorporation. The talk about businessmen and businesses being prospered by the presence of people in the urban areas is ridiculous. If that was true city people should not be paying city taxes. The people from Orchard Homes say the protest provisions are unfair, the bill shouldn't even have a protest provision. We are being forced to subsidize people using our services. The bill will not take in open spaces, only those which average 4 units per acre in contiguous parcels. Missoula has a severe problem in that it does not own its water utility. As far as Evergreen is concerned, Kalispell city officials have no intention of annexing the Evergreen section. The provisions in the bill would prevent that from occurring because they would be forced to dissolve services. Those arguments do not apply to House Bill 33.

There being no further business before the committee, the hearing was adjourned at 3:00 p.m.

  
Chairman George McCallum

ROLL CALL

LOCAL GOVERNMENT COMMITTEE

47th LEGISLATIVE SESSION - - 1981

Date 3/24/81

NAME	PRESENT	ABSENT	EXCUSED
Senator George McCallum	✓		
Senator Jesse O'Hara	✓		
Senator H. W. Hammond	✓		
Senator J. Donald Ochsner	✓		
Senator Bill Thomas	✓		
Senator Max Conover	✓		
Senator Fred Van Valkenburg	✓		

Each day attach to minutes.









DATE

MARCH 24, 1981

COMMITTEE ON

LOCAL GOVERNMENT

BILL NO. HB33

## VISITOR'S REGISTER

NAME	REPRESENTING	Check One	
		Support	Oppose
Tom Shabber	Mayor of Demco Central Comm.	✓	
Don Burkett	Expos & City Resident	✓	
Shirley	MT State Firemans Assoc.	X	
Ed Sampson	City of Missoula	✓	
Margaret Davis	LAW of MT	X	
R. Budd Gould	Dist 98		X
Aul Laissy	Thompson's MSLA Co.		X
Gary Tette	" " "		X
MRS A. LOFFTUS	" " "		X
John Lane	" " "		X
John Lane	" " "		X
John Ray West	Lawyer / T.R. Homeowner Assn		X
Don Byron	City of Helena	✓	
Billie	City of Helena	✓	
Billie	City of MSLA	✓	
Mark Manis	University Area Homeowners Assn	✓	
Ken Peterson	City of Billings	✓	
Jim Carson	Self	✓	
Wally Oriskany	Missoula LHV	✓	
John Augustine	CONOCO Refinery		✓
ART KORN	MT ST Vol Fire Assoc	✓	
R. E. Ellis	MT ST Vol Fire Assoc		
Julie	Star Pt Bonner		X
Thera Carlson	Star Pt "		X
Jim Jensen	Riverfront Neighborhood Assn - MSLA	X	
Bob Holding	MT WOOD PRODUCTS ASSOC		✓

(Please leave prepared statement with Secretary)





NAME: Don Allen DATE: 3/24

ADDRESS: Helena MT.

PHONE: 442-7582

REPRESENTING WHOM? MT. Restoration Assoc.

APPEARING ON WHICH PROPOSAL: H/R 56

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE? ☒

COMMENTS: \_\_\_\_\_

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Don Allen DATE: 3/24/81

ADDRESS: Helena, MT

PHONE: 442-7582

REPRESENTING WHOM? MT. Petroleum Assoc.

APPEARING ON WHICH PROPOSAL: HR 57

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE? ☒

COMMENTS: \_\_\_\_\_

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: John Augustine DATE: 3/24/81

ADDRESS: 10801 W 29th ST Lakewood Colo 80215

PHONE: 303-238-2422

REPRESENTING WHOM? CONOCO INC

APPEARING ON WHICH PROPOSAL: HB 56 & HB 57

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE? X

COMMENTS: These bills allow the annexation of  
industrial lands solely for the purpose of  
additional revenues. In many instances (as in  
the case of Conoco's Billings Refinery) there  
is nothing given in return. By annexing the  
Conoco Refinery into the City limits, the taxes  
the Refinery would increase over \$35,000<sup>00</sup> per yr.  
In addition the County would lose almost  
\$50,000<sup>00</sup> in Road Taxes and Library & Air Pollution  
Dollars.

Thank you for your work and time  
John Augustine

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: ROY Burditt DATE: 3-24

ADDRESS: 1000 WASHBURN Mo/A

PHONE: 549 8530

REPRESENTING WHOM? SELF AS TAXPAYER AND RET FIRE FIGHTER  
+ many friends and relatives 294 yrs

APPEARING ON WHICH PROPOSAL: H.B. 33

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: growth and its benefits

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.



NAME: Gus Byrom DATE: 3-24-81

ADDRESS: 1514 Boulder

PHONE: 443-0677

REPRESENTING WHOM? City of Helena

APPEARING ON WHICH PROPOSAL: HB 33, 56, 57

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: \_\_\_\_\_

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Mrs. Cohen DATE: Mar 24

ADDRESS: Star Pl - Bronx, N.Y.

PHONE: \_\_\_\_\_

REPRESENTING WHOM? \_\_\_\_\_

APPEARING ON WHICH PROPOSAL: H. B. - 33

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE? X

COMMENTS: 66% - too much for protest  
petition and 30 days for the  
start a time and then was  
intended to make it impossible  
to protest  
4 to 1 - since has been changed  
suggest it be kind note.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Tim Carlson

DATE: 3-24-81

ADDRESS: 1015 Taylor, Missoula

PHONE: 7280159

REPRESENTING WHOM? Self.

APPEARING ON WHICH PROPOSAL: H 33-56,57

DO YOU: SUPPORT? ✓ AMEND?            OPPOSE?           

COMMENTS: \_\_\_\_\_

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.



NAME: Jim Carlson DATE: \_\_\_\_\_

ADDRESS: 1015 Taylor

PHONE: 728-0159

REPRESENTING WHOM? Self

APPEARING ON WHICH PROPOSAL: ~~SB~~ H.B. 33

DO YOU: SUPPORT? ✓ AMEND? \_\_\_\_\_ OPPOSE? \_\_\_\_\_

COMMENTS: \_\_\_\_\_

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PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME :

B.11 Cregg

DATE :

$$\frac{3}{24} / \frac{8}{81}$$

ADDRESS :

530 McLeod

PHONE :

721-4700

REPRESENTING WHOM?

City of Ms/2

APPEARING ON WHICH PROPOSAL:

HB # 33

DO YOU:

SUPPORT?

X

AMEND?

OPPOSE?

COMMENTS:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Margaret Davis DATE: 24 Mar 51

ADDRESS: 917 Harrison, Helena

PHONE: 443-3487

REPRESENTING WHOM? LHW of MT

APPEARING ON WHICH PROPOSAL: H.B. 57

DO YOU: SUPPORT? X AMEND? X OPPOSE?

COMMENTS: Original version of H.B. 57 is preferred  
by the League of Women Voters. Amendments  
are cumbersome, complex and confusing.  
"Islands" receive almost all the municipal  
amenities without paying their fair share.  
Compact city jurisdictions ~~are~~ without pockets  
of county land are preferred to urban sprawl  
and jurisdictional overlap.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Harmon Davis DATE: 24 Mar 81

ADDRESS: 917 Harrison Helena

PHONE: 443 3481

REPRESENTING WHOM? LVI of Montana

APPEARING ON WHICH PROPOSAL: HIB 56

DO YOU: SUPPORT? X AMEND? X OPPOSE?       

COMMENTS: This bill should be considered as a  
companion to HB ~~55~~ 59. To allow special  
provisions for "opting out" of municipal ser-  
vices is discriminatory to residents and other  
business activities. List of contractual services  
should be specific and not opened ended  
"not limited to". What if city & industry can't  
or won't agree. Police services should not be sub-  
ject to contract.

We like the original version of H/B 56.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Michael Talbot

DATE: 24 Mar 51

ADDRESS: 917 Harrison

PHONE: 45-3487

REPRESENTING WHOM? LW of Mt

APPEARING ON WHICH PROPOSAL: H12 33

DO YOU: SUPPORT? X AMEND? \_\_\_\_\_ OPPOSE? \_\_\_\_\_

COMMENTS: High density is a proper consideration for  
a different standard of annexation. Highly  
subdivided land directly on city boundaries which  
is not annexed draws heavily on <sup>municipal</sup> ~~city~~ services  
and puts unjustifiable constraints on orderly com-  
munity growth.

The League did not support or oppose H12 33  
in the house, however some of our resolutions  
were covered in the house amendments.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Bill Hand DATE: Mar 24-81

ADDRESS: Helena

PHONE: Montana Mng. Assoc. 443-7297

REPRESENTING WHOM? Montana Mining Assoc.

APPEARING ON WHICH PROPOSAL: HB. 56

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE? ☒

COMMENTS: \_\_\_\_\_

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Bill Hand DATE: Mar. 23-81

ADDRESS: Helena

PHONE: 443-7297

REPRESENTING WHOM? MT. Mng. Assoc.

APPEARING ON WHICH PROPOSAL: HB 57

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE? \_\_\_\_\_

COMMENTS: Mng, Smelter & Refining have not

been excluded

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: BOB HELDING DATE: 3-24-81

ADDRESS: 232x CLOVERDALE MISSOURI, MO

PHONE: 251-2891

REPRESENTING WHOM? 7017 WOOD PRODUCTS ASSOC.

APPEARING ON WHICH PROPOSAL: HR 56

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE? <

COMMENTS: \_\_\_\_\_

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.



NAME: Bob Helting

DATE: 3-29-81

ADDRESS: 2328 CHEVERUS AVE - MISSOULA MT.

PHONE: 251-2891

REPRESENTING WHOM? MT Land Partners Assoc

APPEARING ON WHICH PROPOSAL: 7-12 51

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE?   L  

COMMENTS: \_\_\_\_\_

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Jim Jensen

DATE: 3-24-81

ADDRESS: 301 So. 2nd St. West Missoula

PHONE: 549-2451

REPRESENTING WHOM? Riverfront Neighborhood Assn.

APPEARING ON WHICH PROPOSAL: HB 57

DO YOU: SUPPORT? X

AMEND? \_\_\_\_\_

OPPOSE? \_\_\_\_\_

COMMENTS: \_\_\_\_\_

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Jim Jensen

DATE: 3-24-81

ADDRESS: 301 So 2nd West Missoula

PHONE: 549-2451

REPRESENTING WHOM? Riverfront Neighborhood Ass'n.

APPEARING ON WHICH PROPOSAL: ~~HB 56~~ HB 56

DO YOU: SUPPORT? X AMEND? \_\_\_\_\_ OPPOSE? \_\_\_\_\_

COMMENTS: The special exemption for industrial property  
discriminates against city residents. This bill represents  
a good faith compromise and ought to be supported.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Jim Jensen DATE: 3-24-81

ADDRESS: 301 So. 2nd St. West Missoula

PHONE: 549-2451

REPRESENTING WHOM? Riverfront Neighborhood Ass'n. - Mzla.

APPEARING ON WHICH PROPOSAL: HB 33

DO YOU: SUPPORT? X AMEND? \_\_\_\_\_ OPPOSE? \_\_\_\_\_

COMMENTS: Sick + tired of providing free services and facilities to urban core residents residing beyond the city limits.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: ART KORN DATE: 3-24-81

ADDRESS: 1916 So WASHINGTON ST BUTTE

PHONE: 724 4691

REPRESENTING WHOM? MT STATE VOL FIREMEN'S ASSOC

APPEARING ON WHICH PROPOSAL: H B 33

DO YOU: ☒ TITLE AMENDMENTS ☒ AMEND ☐ OPPOSE

COMMENTS: \_\_\_\_\_

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PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Maxine Lane DATE: 3-24-81

ADDRESS: Box 2457 - Missoula, Mont 59806

PHONE: 549-8687

REPRESENTING WHOM? Oriental Home Country Life Club

APPEARING ON WHICH PROPOSAL: 4B-33

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE? X

COMMENTS: A majority should request

amendment to law

Country residents help support education by

use business credit card

(2) I ~~think~~ If the interest rate is

offer the fee to would like to be a real

estate

(3) ~~Interest~~ should be 5/9

to days

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: JAMES A. LOFTOS DATE: 3-24-81

ADDRESS: MISSOULA COUNTY

PHONE: 258 6806

REPRESENTING WHOM? MY SELF

APPEARING ON WHICH PROPOSAL: HB 33

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE? X

COMMENTS: I FEEL AS A COUNTY RESIDENT  
I PAY MY FAIR SHARE OF TAXES FOR SERVICES  
RECEIVED. WHEN I ENTER THE CITY OF  
MISSOULA I PUT MONEY IN PARKING METERS  
~~SHOP AT BUSINESSES DO MY BANKING~~  
AND PAY FINES IF I OVER PARK. ~~DO~~ I DO BUSINESSES  
WITH BUSINESSES THAT PAY TAXES TO THE  
CITY SUCH AS BANKS, CLOTHING STORES ETC  
I BELIEVE THIS BILL SHOULD BE KILLED &  
I SO URGE THAT THIS BE DONE

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Mele Manis DATE: 3-24-81

ADDRESS: 231 S 5 E Missoula

PHONE: 549 1629

REPRESENTING WHOM? University area Homeowners Association (Mele)

APPEARING ON WHICH PROPOSAL: HB 33, 56, 57

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: \_\_\_\_\_

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.



ADDRESS: Albany

PHONE: 442-8768

REPRESENTING WHOM? Wm. H. Russell of Calif. & Texas

APPEARING ON WHICH PROPOSAL: H.B. 33

DO YOU: SUPPORT? X AMEND? \_\_\_\_\_ OPPOSE? \_\_\_\_\_

COMMENTS: \_\_\_\_\_

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME:

Don K. Wiggins

DATE:

3-24

ADDRESS:

Helena

PHONE:

442-8768

REPRESENTING WHOM?

West Council of cities & towns

APPEARING ON WHICH PROPOSAL:

HB 57

DO YOU:

SUPPORT?

X

AMEND?

OPPOSE?

COMMENTS:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Frank Wagner DATE: 3-24

ADDRESS: Helena

PHONE: 462-8765

REPRESENTING WHOM? West League of Cities Town

APPEARING ON WHICH PROPOSAL: HB 56

DO YOU: SUPPORT? X AMEND?        OPPOSE?       

COMMENTS: Bill should be considered

in package and passed along with

other bills.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: James L. Tamm DATE: March 1968

ADDRESS: 7119 Atwood Ave. Meriden

PHONE: 441-2414

REPRESENTING WHOM? Self

APPEARING ON WHICH PROPOSAL: 100-100000

DO YOU: SUPPORT?        AMEND?        OPPOSE?       

COMMENTS:       

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Peterson, Ken DATE: 24 Mar 1981

ADDRESS: 3145 Ave F, Billings, Mont.

PHONE: 252-6679

REPRESENTING WHOM? City of Billings

APPEARING ON WHICH PROPOSAL: 57, 56, 33

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: \_\_\_\_\_  
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PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Donna Shafer

DATE: 3/24/81

ADDRESS: 800 N. 4<sup>th</sup> Mission, Mt. 5-9801

PHONE: 543-6401

MISSOURI  
REPRESENTING WHOM? myself & Democratic Central comm.

APPEARING ON WHICH PROPOSAL: H. Bill No. 33

DO YOU: SUPPORT? YES AMEND? \_\_\_\_\_ OPPOSE? \_\_\_\_\_

COMMENTS: \_\_\_\_\_

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME :

ADDRESS :

PHONE :

REPRESENTING WHOM?

APPEARING ON WHICH PROPOSAL)

DO YOU:

SUPPORT?

AMEND?

OPPOSE?

COMMENTS:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Bill Stornhagen (By Bill Lund) DATE: 2/23/81

ADDRESS: Helena

PHONE: 442-0230

REPRESENTING WHOM? N.W. Mng. Assoc.

APPEARING ON WHICH PROPOSAL: HB 57

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE? ☒

COMMENTS: \_\_\_\_\_

Mng - Milling - Smelting Refining Facilities  
have not been excluded -

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.



NAME: Sandra Kay West DATE: 3/24/81  
ADDRESS: 106 River Pinos Rd Missoula MT 59801  
PHONE: 549-3982

REPRESENTING WHOM? Target Range Homeowners Association

APPEARING ON WHICH PROPOSAL: HB 33

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE? X

COMMENTS: The WFO protest ratio is too high  
and the bill presents a real threat to the  
area which I represent.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: GARY TOKLE DATE: 3/24/80

ADDRESS: 2766 Ancabide Ln Missoula, MT

PHONE: 251-4766

REPRESENTING WHOM? \_\_\_\_\_

APPEARING ON WHICH PROPOSAL: HB 33

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE? X

COMMENTS: \_\_\_\_\_

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

Exhibit A(1)

March 23, 1981

Senate Committee on Local Government  
State Capitol Building  
Helena, Montana 59601

Dear Committee Members:


Please accept this as our support for HB 33. We live in Lolo, Montana, an unincorporated community a few miles south of Missoula.

We feel that people who live in a densely populated area contiguous to a city should help pay for the problems they are a part of.

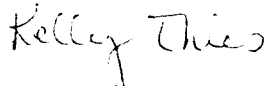
Supporting HB 33 in our opinion is far preferable than disincorporation or consolidation which would force those of us from a more rural setting to pay for other persons urban services.

Thank you for your consideration.

Sincerely,

John Thies  


Kelly Thies



211 Glacier Drive  
Lolo, Montana

March 23, 1981

Senate Local Government  
State Capitol Building  
Helena, Montana 59601

Dear Committee Members:

I, Alice Campbell am immediate past President of the Westside Neighborhood Association. I represent this organization in support of House Bills 33 and 57.

The Westside is one of Missoula's oldest established neighborhoods.

I was born and raised in the City of Missoula, and have been a City taxpayer all of my adult life.

The majority of Missoula's population resides within a four and one-half mile radius of the City center. Yet the City's population pays for the installation and maintenance of roads, parks, etc. The residents of the immediate urban area use these facilities yet do not pay for installation or maintenance.

The time for an equitable distribution of these taxes is long past due. The tools for annexation need to be facilitated to accommodate the needs of Missoula's total urban population.

Thank you,

  
Alice Campbell

# 4B's restaurants, inc.

W. E. HAINLINE, JR.  
President

March 20, 1981

Senator McCallum  
State Capitol Building  
Helena, Montana 59601

Dear Senator McCallum:

We're your constituents in Senate District 12, I at Route I, Big Flat Road, and Gary Mills at 10400 Horseback Ridge above us.

I'm president of 4B's Inc., and Gary is resident manager of Green Tree Acceptance, mortgage bankers. Our friend, Bill Cregg, asked us to write you in support of H.B. 33 (Jim Azzara).

We're inclined to favor for three reasons: 1) the City is in financial trouble because of inflation (aren't we all?) and should be allowed reasonable growth; 2) our rural area will not be affected, four dwellings per acre, in our life time, probably never; and 3) if the City disincorporates as they threaten to do, the rural county taxes are certain to increase for services to those urban urban dwellers.

Thank you for any efforts on our behalf.

Sincerely,

*Bill Hainline Jr.*

Bill Hainline

*Gary Mills*  
Gary Mills



*Bill Cregg*

March 20, 1981

Senator George McCallum  
Chairman, Local Government  
State Capitol Building  
Helena, Montana 59601

Dear Senator McCallum:

I'm comptroller for John R. Daily, Inc., in your District 12, live in the upper Rattlesnake not effected by H. B. 33, and am currently president of the Missoula Area Chamber of Commerce.

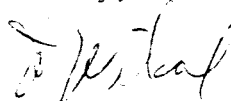
Since you phoned me for input last spring during the interim committees' hearings, Bill Cregg has encouraged my writing you in support of H. B. 33.

Personally my home and business will not be effected, so I didn't have strong feelings about this earlier. Now, however, with disincorporation talk becoming serious, I want to see the City avoid bankruptcy and disincorporation.

It will, I suggest, be more expensive for County people if that happens. Better then, the close-in residents being annexed.

Thanks for your consideration.

Cordially,

  
Warren Wilcox

Charles E. Hardy  
512 Benton  
Missoula, Montana 59801

March 24, 1981

Senate Local Government Committee  
State Legislature  
Helena, Montana

Dear Chairman McCallum and members of the committee:

We strongly favor the passage of H.B. 33, which will enhance the opportunity for cities to annex contiguous high density areas. We have long been sensitive to the tax inequity created for us as city residents, who pay county taxes and city taxes, thus supporting many services which are regularly used by large groups of people who live on the periphery of the city but avoid responsibility for paying their city way.

As President of the "Friends of the Missoula Public Library", Mrs. Hardy is acutely aware of the need for a better budget base for this important service. This year's short fall in county tax income resulted in a \$38,000 cut in the current library budget. Reduction of staff by 3 employees, shortening of hours, and zero funds for purchase of new books resulted. This situation arises at a time when the library has a 15% increase in circulation above last year's.

A second major service use is participation in recreation programs which take place in our fine city parks. It is our feeling that those citizens who have access to these excellent facilities should be helping support them.

We urge that your committee act favorably on this bill.

Sincerely,

*Charles E. Hardy*  
Charles E. Hardy

*Mabelle G. Hardy*  
Mabelle G. Hardy

Gary Gray  
Clem Duaine  
Arthur J. Korn

Belt  
Butte  
Butte

President  
Vice President At Large  
Secretary-Treasurer

Gene Darling  
Ed Tennant  
Joe Moriarity  
Joe Armstrong Nelson  
Frank Frankovich  
Lyle Stortz  
Dennis Garsjo  
Arlin Anderson

Columbia Falls  
Hamilton  
Shelby  
Bozeman  
Stanford  
Roundup  
Glasgow  
Plevna

*Exh. 6.7 C*  
Vice-Pres. Dist. #1  
Vice-Pres. Dist. #2  
Vice-Pres. Dist. #3  
Vice-Pres. Dist. #4  
Vice-Pres. Dist. #5  
Vice-Pres. Dist. #6  
Vice-Pres. Dist. #7  
Vice-Pres. Dist. #8

## Montana State Volunteer Firemen's Association

From the Office of  
ARTHUR J. KORN, Sec'ty-Treas.  
1916 So. Washington St.  
Butte, Montana 59701

March 23, 1981 - Testimony on H. B. 33 Annexation.

Chairman and members of this committee. The name of our association is The Montana State Vol. Firemen's Assoc., and we as lobbyists for this State Wide Assoc., are only interested in matters pertaining to Volunteer Firemen, and have over the last 30 or 40 years appeared on various legislative committee hearings for the good and welfare of our Assoc., and its members, and have appeared as sometimes proponents or opponents, however when it came to annexation we were very seldom proponents and continuously opposed any annexation of any part of a volunteer fire district, primarily those Volunteer Departments around Missoula, Helena, Billings, Great Falls, and of course Butte, which changed a couple of years ago. In the last couple of years I have had certain Third Class Cities with Volunteer Firemen ask why do we always protest annexation. We are members of this association too.

In regards to H.B. 33 with the amendment as proposed, those volunteer firemen have the option if they so desire to continue as volunteer firemen and will not be charged the necessary mill levy of the city paid firemen, which will be exempt by continuing as volunteer firemen, and also continue to obtain their vested rights under the Unincorporated Compensation Pension. As many times as we have testified over the years, and those legislative hearings last summer we have respectfully tried to protect the rights of the volunteer firemen against any move on annexation that would take away the volunteer firemen's pension benefits. This amendment in H.B. 33 at least resolves that problem, and of course the amendment of 66 2/3 protest is helpful, so we must concur and go along with H.B.33 on these two points. However on the remainder of the bill we are neither proponents or opponents, and I believe both those proponents and opponents should appreciate the stand we have taken.

*Dedicated to the Betterment of the Fire Fighting Service*

It is not what this Association is doing for you, but what are you doing for the Association

*Art Korn*



March 23, 1981

Exhibit D

Senator George McCallum

My name is Janice West and I represent the area of Missoula County, referred to as Target Range and the Big Flat area. I am now serving as Vice President of the Target Range Homeowner's Association.

HB 33 has precipitated a lot of big concern in our area which consists of some approximately 1,500 voters.

Those of us who chose to live in this area of Missoula County are very jealous and protective of our land and lifestyle. I think you should understand that a great deal of our County's backyard gardening & small herds of livestock live here, we also have one of the largest numbers of horses per capital population in the state.

Can you even comprehend the city fathers annexing my area & still allow

residents to continue the raising of their cattle,  
horses, sheep, and other livestock, of course not!  
It would radically change the environment and life-  
style they now enjoy.

The History books reveal that the City of Missoula  
has threatened the Legislature with disincorporation  
on 3 different sessions of the Legislatures in the past  
10 years.

HB 33 proposes that we the residents must  
circulate a petition to defeat the measure why?

Sincerely

Sandra Campbell

106 River Pines Rd

Missoula, Mt. 59801

GARY TOKLE  
2766 Anacabide Ln  
Missoula MT 59801

Exhibit E

I am here today to speak in opposition to House Bill 33. I feel its particularly ironic that I must come before you today to protect my rights as a landowner to choose whether I shall live in a city and take advantage of the many services and higher taxes they offer, or to live without some of these benefits and have less governmental interference. I am here today as a private landowner trying to preserve my constitutional right of protest. I am here to defend myself from Mayors, City Council persons, City Managers, Administrative Assistants and others within the maze of city government. I hear Mayor Cregg of Missoula lament about the high costs involved in maintaining streets that non-city residents drive on to go shopping, and the costs to maintain city parks that some non-city child may use while playing on the swings. However, he fails to mention that the state maintains many, many miles of business area streets since they are state highways. He also fails to mention the revenue generated by the cities business taxes that businesses pay.

Now they complain because non-city residents come into the city to conduct business.

The legislative committee that studied proposed annexation changes for the House of Representatives pointed out that the purpose of annexation was to allow for "planned growth" and to provide needed services. The areas the city of Missoula wishes to annex are not newly developing areas. They are areas that have been established for nearly twenty years. They are areas where we, the residents, are satisfied with the services we have available, and do not wish the additional burdens of city costs. These are areas where the residents have vehemently protested continual attempts by land-grabbing city bureaucrats to force annexation. Since they have been unable to sell annexation to us, they now want that state legislature to make it legal for them to force annexation or, at the very least, stack the deck in their favor.

And this comes from city officials who admit they can't effectively manage their present city and will have to disincorporate if not given the right to grab more land.

It seems incredible to me that when the citizens have demonstrated again and again their dislike for annexation by circulating petitions and being forced to fight the cities in court at their own expense, that city representatives would have the nerve to believe that you as legislators would give them such confiscatory power.

One final thought that I would like to leave with you today is in regards to the City of Missoula's oft-cited threat to disincorporate. Almost every time the city has sought greater land-grabbing power, they have related that if they weren't successful, they may have to disincorporate. It sort of reminds me how as a youngster when the kids in my area got together to play baseball, we always had to let this one kid be the pitcher because he owned the only baseball. Well, he really wasn't a very good pitcher but nobody wanted to take the chance that he would take the ball and leave. One day we had a big game with some other kids and we knew if we let this guy pitch, we'd lose. So we decided to take a chance and told him he wasn't going to pitch. Much to our surprise, he didn't take his ball and leave. Gentlemen, I feel the cities have tried this same play on you many times and it's worked. But I feel now is the time when the outcry across the United States is for less government intervention to call their bluff. I don't think you'll be surprised by the results. I think you'll see the cities adopting some of President Reagan's economic policies and making a greater attempt to live within their budgets. I have yet to see a governmental agency that would do away with itself. Gentlemen, the city won't disincorporate.

I ask you to allow the mayors and city council persons an opportunity to demonstrate their abilities to effectively manage their present cities. To show that they can live within the constraints of their budgets because I really don't feel that giving them larger areas to govern will make them more effective.

I also urge you to consider when you vote on this measure how you personally would feel if you woke up some morning and read in the newspaper that some city council had annexed you into the city. The current law allows individuals who wish to be annexed the right to petition into the city. That is the way it should stay.

EXHIBIT F

Due to the volume of the petitions, copies have not been included in this set of minutes. If interested, please see the original set of Senate Local Government Committee minutes.

Representative Kessler's introduction, contiguous - freehold -  
petition - resident freeholders

H.B. 56 - Elimination of Industrial Annexation  
Exclusions.

Introduction

I Request of the annexation interven committee

II. Compromise Bill - esp. with companion HB 59  
(resident del

III Explanation.

A. Currently 5 methods of annexation.

Two are: contiguous land

by petition

Both provide protest provisions whereby a 51%  
of majority of freeholders to be annexed can  
prevent annexation.

Currently, no annexation of an industrial, manufact.  
uring, etc can take place.

They have a VETO power over it.  
This bill eliminates that VETO + puts the  
facilities on an equal basis.

Protest + preventing of annexation still  
remains.

## Amendment

~~for Service Continuation~~

Contractual agreement<sup>1</sup> for facilities providing their own services.

A. reduction in taxes & fees for services not provided by the city

B. Service Continuation Contract shall provide.

a. description of the services

b. amount of fees & taxes excluded

c. release city of liability

d. may be revoked or changed by mutual agreement

Points to Remember.

Eliminates VETO provision, not a protest provision.

City could not annex a single business since it could protest as 100% when it only takes 5%.



Problem would occur all over. Street

Helena

Bazemur

Sidney

Livingston

Massachusetts

Economic reasons for moving out - True -  
something for nothing.

~~the~~

Not anti-business - Smoke screen

Jobs

Questions of service Direct Services!

Secondly, are numerous

snow removal

street maintenance

lighting

building & safety inspection

police while in city

air quality regulation

Thank Committee!