

MINUTES OF THE MEETING
LOCAL GOVERNMENT COMMITTEE
MONTANA STATE
HOUSE OF REPRESENTATIVES

February 14, 1985

The meeting of the Local Government Committee was called to order by Chairman Paula Darko on February 14, 1985 at 3:30 p.m. in Room 312-2 of the State Capitol.

ROLL CALL: All members were present; however, Rep. Brandewie, Rep. Brown, Rep. Pistoria, and Rep. Sands were late.

CONSIDERATION OF HOUSE BILL NO. 813: Rep. Schye of District 18, sponsor of the bill, appeared before the committee to present it. The bill allows a city council to set the date for the monthly report by the clerk on expenditures, liabilities, and appropriations. Rep. Schye said it was brought to his attention about a week after the deadline to put bills in, and that it is a committee bill for Local Government that was drafted by Lee Heiman, Committee Counsel.

PROPOSERS: Bill Verwolf, representing the city of Helena, said this bill is an attempt to clear up something that was mentioned in the last session. The council may set the date for the report, rather than being at the first meeting of the council, which may not give enough time.

OPPOSERS: There were no opposers present.

DISCUSSION OF HOUSE BILL NO. 813: There were no questions by members of the committee.

Rep. Schye closed his presentation of the bill.

CONSIDERATION OF HOUSE BILL NO. 818: Rep. Patterson of District 97 appeared as sponsor of the bill. This bill authorizes a county to contribute money from the mill levy for the support of museums to museums not owned by the county. He said this is another committee bill for Local Government. The only changes to the present law is line 20 on page 1 as well as line 24 on page 1, and line 12 on page 2. This bill will open up the ability for county commissioners to contribute to a museum not owned by the county.

PROPOSERS: There were no proposers present.

OPPOSERS: Grace Edwards, Yellowstone County Commissioner, said the Huntley Project, which sits on the experiment station, has been there since before territorial times. Every county gets a number of requests for contributions to museums, and these museums have to take their chances with any other group who would feel they are qualified under this piece of legislation. They would have to take their turn.

DISCUSSION OF HOUSE BILL NO. 818: Rep. Wallin stated to Rep. Patterson that as he reads the bill, he has the same concerns. It doesn't limit in any way for the county to use the money any way it wants. Rep. Patterson said this was written so that private museums who charge could use the money. The county commissioners wouldn't do that. Rep. Wallin then asked if Rep. Patterson would have any objections if that was worked into the bill as an amendment, to which Rep. Patterson answered that would be okay.

Rep. Patterson then closed his presentation of HB 818.

CONSIDERATION OF HOUSE BILL NO. 496: Rep. Paula Darko of District 2, Libby, appeared as sponsor of this bill. Vice Chairman Wallin took over the chair while Rep. Darko presented her bill. She said this is a piece of legislation that originated as an idea from the people of her community. One of the problems they have is that they have recreational lands within the community, and this bill is a vehicle for the community to be able to create a Recreation District. They also need a swimming pool and have tried many ways to get the money to build the pool. The tax base does not go for it. This bill is a vehicle that they have come to the Legislature with so that they can go ahead with plans to build the pool. It is very narrowly drawn, and she had it purposely drawn that way.

PROPONENTS: Daniel Miller, Personnel Manager at Champion International, Libby, appeared in behalf of the Libby Swimming Pool Task Force. Their efforts have been endorsed by both the Libby City Council and the Lincoln County Commissioners. He presented written testimony in support of HB 496, which is attached as exhibit 1.

Mitzi Smart of Libby stated she is a nurse and a mother, and is appearing here in support of HB 496. She also presented written testimony which is attached as exhibit 2.

Stephen Pray, representing the Lincoln County Parks and Recreation Department, stated they support this bill. He read written testimony, which is also attached, as exhibit 3.

Bayard Stone of Libby stated that Lincoln County Park and Recreation Department of the Libby area is not without water, but they do not have any way of training their children in the proper way to using that water, like for swimming. As a parent, he feels there is a need in the community for a swimming pool, and for this reason he would like for this bill to pass.

Dsve Conklin, representing the Lewis and Clark Park Board, stated he would like to testify in support of this bill.

A week ago he testified on SB 204. That bill was an idea of the Parks Department, and he doesn't see any conflicts between the contents of these two bills. Federal revenue sources such as revenue sharing in counties will need as much help as possible to fund these kinds of programs.

Joan Poston, representing the Lewis and Clark County Park Board, presented written testimony in favor of HB 496, which is attached as exhibit 4.

Harley Paulson, Community Education Director, from Libby, sent a letter to Rep. Darko requesting her support of this bill which would form a county park district and this would provide recreational services for youth and adults. His letter is attached as exhibit 5.

Lenore Goyen, Chairman of the Board of Trustees of Libby School District No. 4, also sent Rep. Darko a letter which stated their position is not one of non-support of the bill, but rather as one of not wishing to own and operate a pool due to funding complications. However, they wanted to go on record as being interested should the pool be built, of being willing to provide swimming programs that would be of benefit for their students. This letter is attached as exhibit 6.

OPPONENTS: There were no opponents present.

In closing, Rep. Darko stated that the thing this stresses is that it is enabling type of legislation. It is put up before the people to see how much they want to spend. This bill will meet a need, and it is a compromise which the board will share.

DISCUSSION OF HOUSE BILL NO. 496: Rep. Switzer asked Chairman Darko if the county will vote separately from the city, or will they vote in one election? She replied that it will be in one election in the area that wants to form the district, which will probably be the city. Rep. Switzer then said he is not entirely clear on it, and Rep. Darko said the county and city will vote at the same time. Rep. Switzer then asked if it wouldn't be necessary to lay out the part of the county that would be included in the district before the election, and Rep. Darko answered yes, that it would be taken care of in Section 3, page 2 of the bill, and also Section 4. Rep. Switzer also asked if there are state statutes that define how to lay out the districts. Lee Heiman answered no there aren't any except it says it can be anywhere in the county. Rep. Darko said it is strictly by the areas that want to participate, and if they don't want to participate, they would not be included in the election. Rep. Switzer said he still hasn't figured out how the people will be allowed to vote, and Rep. Darko said that is explained on Page 3, line 1, which is the boundaries of the proposed

district, to which Rep. Switzer said that is the question -- how do you get the boundaries? Lee Heiman said that the people who pass the district have the say where the boundaries are. The county commissioners hold a hearing. Rep. Darko explained that it is not their intention to include anyone who does not want to be included.

Rep. Wallin addressed Rep. Darko that the bill says that 15% of the voters can create a district; therefore, how many does it take to say they don't want it? Rep. Darko answered that 15% have to come before the commission to say they want it, and a majority of those who participated in the election and voted can say they don't want it.

There being no further discussion, Rep. Darko closed the presentation.

CONSIDERATION OF HOUSE BILL NO. 545: Rep. Cobb, sponsor of the bill, presented it to the committee. This is an act to allow a county treasurer to appoint an investment administrator.

PROPOSERS: Charles Graveley, appearing in behalf of the County Treasurers Association. He stated the purpose of this bill is to provide some additional compensation to the county treasurer for investing the county funds in such a manner that a greater return may be realized, which some may say is their duty now. The county commissioners have certain duties that are outlined for them. The last session has given them an extra \$2,000, and the present session has given them an extra \$200. Superintendents of schools have been provided an extra \$2,000 if they have a master's degree. The county treasurers are very inadequately compensated for the duties that are placed on them, and the money would come from the investment account. Mr. Graveley then read a letter from Virginia W. Plouffe, Roosevelt County Treasurer which is attached as exhibit 1. He also said that school secretaries in Roosevelt county received \$25,300 annual salaries and school custodians received \$25,418, which they don't begrudge them. However, they do not have the responsibilities that are placed on the county treasurers. They feel the treasurers should be adequately compensated. This bill is not mandatory, and it requires the approval of county commissioners before the appointment can be made, before the \$3,000 is given. In closing, he asked the committee to give a Do Pass.

Susan Spurgeon, Fergus County Treasurer, stated that today's attention focuses on investing, and this takes quite a bit of time for the treasurers. A study of the cash flow should be done periodically. One point that can't be stressed enough is the investment program. Fergus County is fortunate they have a total investment program. They have some school districts that are investing on their own through their office.

The smaller districts are not able to invest because of limited funds. Investing is a timely process, but it is important. She stated that the committee's support of this bill would be greatly appreciated. She then read written testimony from Gloria Paladichuk of Sidney, who represents the Montana State Treasurers Association. This is attached as exhibit 2.

OPPONENTS: Gordon Morris, representing the Montana Association of Counties, said they oppose this piece of legislation as it proposes to implement for a yearly increase of \$3,000. He suggested an amendment to line 12, to insert "as determined by the board of county commissioners" after compensation, as these are matters that are best left to the county commissioners. And to impose a \$3,000 increase puts an added burden on the county. In closing, he said he would like to request that if the bill is adopted, it should be amended to leave it to the county commissioners.

In closing, Rep. Cobb told the committee they may wish to give parameters to amending the bill.

CONSIDERATION OF HOUSE BILL NO. 654: Rep. Pavlovich of District 70, Butte, appeared as sponsor of this bill. He said this bill provides that certain motor vehicle operation fines be allocated to the county sheriff fund rather than to the road fund.

PROPOSERS: John Scully, representing the Sheriff and Peace Officers, stated they continue to go through problems of local government with regards to funding. The logic that the money just goes into the road fund doesn't apply any more. They feel it is more appropriate this money should be given back to the sheriffs. It is inappropriate to go to the road fund.

Gordon Morris, representing the Montana Association of Counties, requested line 25 be amended to require the money be credited to the general fund.

OPPONENTS: There were no opponents present.

In closing, Rep. Pavlovich said he has no problem with the proposed amendment. If they want to put it in the general fund, it is okay with him.

DISCUSSION OF HOUSE BILL NO. 654: Rep. Pistoria said they have a problem in his county where they don't have enough money to take care of their county roads. He asked Mr. Morris if other counties wouldn't be in trouble by taking money from the roads and putting it into the sheriff fund. Mr. Morris replied that the general funds in the counties are in more trouble than the road funds. There are fewer at the maximum in the road funds than in the general fund.

CONSIDERATION OF HOUSE BILL NO. 504: Rep. Kadas of District 55, sponsor of the bill, presented it to the committee. This bill deletes the prohibition against annexing certain territories within a fire district.

PROPOSERS: Al Sampson, representing the city of Missoula, stated he would like to make a point. The rest of the fire district should not have anything to say about it if the rest of the district wishes to be included in the district. There is no rationing to the length of time a fire district has been in existence.

Alec Hansen, Montana League of Cities and Towns, stated they support this bill and urge the committee to give a favorable recommendation.

Michael Hunt, representing the Montana State Firemen's Association, stated they urged the committee's support in passing this legislation.

Bill Verwolf, representing the city of Helena, stated they are in support of this bill, to provide for orderly growth of the community.

OPPOSERS: Rep. Gould, District 61, Missoula, stated he is here to oppose HB 504. In 1975 it was HB 246. The bill should have been killed at that time. The Missoula Fire District is the largest, and there has to be a right of protest for areas that have had fire districts for 10 years or more. He urged the committee to do the same as in the past. He also said the good Lord is opposed to annexation bills.

Rich Gebhardt, attorney and representing the Missoula Rural Fire District, stated they wish to go on record as opposing this bill. It would have a severe impact on the Missoula Fire District. He presented written testimony, which is attached as exhibit 1.

Rep. Bernie Swift of District 6, Ravalli county, said this bill creates a considerable financial impact and would raise taxes for individuals in fire districts. This is another bill which the committee is hearing that takes away the rights of people to protest an action governments put upon them. He presented written testimony in opposition to the bill, which is attached as exhibit 2.

R. A. Ellis, representing the West Helena Volunteer Fire District, said he was the first fire chief and spent 24 years out there. During his tenure as trustee, they had the use of this bill both ways. If the people in Helena wished to stay out they could do so. He stated he would like to have this bill killed.

Lyle P. Nagel, representing the Volunteer Firemen's Association, stated they would like to go on record as opposing this bill.

Vern Evans, West Helena Valley Fire Department, said he is opposed to this bill simply for one reason. Volunteer firemen do a duty to the area they serve. After 10 years of service they receive a pension. If the area was to be annexed, those firemen would not be able to participate and they would lose all of their retirement benefits.

Robert Park of the Missoula Rural Fire District #2457, said this threatens because of the fiscal impact.

James Lofftus, Missoula Rural Fire District, said he would like to go on record as opposed to the amendment. They need some protection so that they do not lose their tax base and go to smaller areas where the tax base is smaller.

Jeff Steven, vice president of Wapikiya Home Owners Association, said they wish to go on record as opposing HB 504 and asked the committee to give it a Do Not Pass recommendation.

In closing, Rep. Kadas said that with this bill, the whole rural fire district has the right to protest, and the rural fire district is established to protect rural areas. The bill goes beyond the rural fire district's ability to veto.

DISCUSSION OF HOUSE BILL NO. 504: Rep. Sands asked Mr. Gebhardt if he had a comment about what Rep. Kadas said. Mr. Gebhardt said the rural fire district is not what the statutes said. It says that fire protection can be set up outside the territory, and he said he disagrees with what Rep. Kadas said. It is the method the cities choose as to how they want to annex.

Rep. Hansen asked Mr. Gebhardt how many people live in the city of Missoula that is served by the city of Missoula, and how many live in the urban areas. Mr. Gebhardt replied that the number of residents that they serve is 30,000 in the city and 28,000 in the fire district.

CONSIDERATION OF HOUSE BILL NO. 483: Rep. Spaeth of District 84, appeared as sponsor of the bill. This bill provides a procedure for dissolving county water and sewer districts; providing for a petition to dissolve the district; providing for a public hearing on the question; and requiring a determination that there are no outstanding debts of the district. Rep. Spaeth said this is a non-controversial bill and no one should have any problems with it. He has represented many types of districts over the years as an attorney, and is very familiar with other districts. There are ways of putting districts out of business. One district in his area came to him and said they did not have any reason to exist, that

it is not feasible; thus they want to go out of existence. He found out there is nothing in the statutes in the law books that state how they can go out of existence. They hire themselves an attorney and petition the district court for hearings before the judge, and this is a costly process, from \$2,500 to \$5,000 because they are involved in the legal system and have to hire an attorney. His district opted for the legislative process and that is what this bill is addressed to. As to determine if there are any outstanding debts, upon a hearing when this is taken care of, it goes to the county commissioners. In some instances, there may be some assets left over. His district does not have the money to pay his fees and must stay in existence for one year. He urged the committee to pass this bill, but thought there should be an amendment.

PROPOSERS: Joanne Peres, Montana Association of Clerks and Recorders, recommended that on page 2, line 16, "notice must also be filed with clerks and recorders" be added.

OPPOSERS: There were no opposers present.

Rep. Spaeth closed his presentation of HB 483.

DISCUSSION OF HOUSE BILL NO. 483: Rep. Kadas asked Rep. Spaeth what the amendment is that he was talking about. Rep. Spaeth said it would be to allow the assets of the district, if there are any, to revert back to the county.

Rep. Sands asked Rep. Spaeth if this process for dissolution is similar to other districts, and Rep. Spaeth replied it is to some extent similar to a grazing district, and not as complicated as a conservation district. A sewer district that has never had any work done on it is a little simpler.

CONSIDERATION OF HOUSE BILL NO. 484: Rep. Peck appeared as sponsor of this bill. This bill is an act to provide a method for correcting erroneous property descriptions of a county water and sewer district. He said Hill county asked him to present this bill, and he feels this is a very simple bill. Line 13 will give the current property description, and then a date can be set for a hearing to provide that the property description change is intended only for the purpose of correcting an erroneous land description. The Billings County Water District of Billings Heights sent him a letter and they indicated an election can cost up to \$5,000. They have asked the committee to consider an amendment that would correct erroneous property descriptions. This is attached as exhibit 1.

PROPOSERS: Patricia Schaeffer, Assistant Attorney General, stated she is here to state to the committee that she does not see any legal problems with this bill. There is no provision in the law that will allow the board of directors to

correct erroneous land descriptions. This bill doesn't add or subtract any land from the district.

Ron Smith, Hill County Attorney, said he proposed this legislation to Rep. Peck. The problems that you run into with the proposed law as it stands is that you have to petition for property descriptions. He presented written testimony in support of the bill, which is attached as exhibit 2.

Louis B. Gates, board member of the Evergreen Water District of Kalispell, presented written testimony in favor of this bill, which is attached as exhibit 3.

Bruce Restad, general manager of the County Water District of Billings Heights, presented written testimony in favor of the bill, which is attached as exhibit 4, and he suggested an amendment.

Ray Wadsworth, representing Montana Rural Water Systems of Great Falls, also presented written testimony in favor of the bill and asked for a Do Pass, and also wanted to endorse the amendment to Section 7-13-2341, Subsection 5. His testimony is attached as exhibit 5.

Kenneth Hollar, advisor of the County Water District of Billings Heights, presented written testimony (exhibit 6) in support of the bill, and proposed an amendment.

OPPONENTS: There were no opponents present.

In closing, Rep. Peck stated that Rep. Sands has knowledge on the amendments.

DISCUSSION OF HOUSE BILL NO. 484: Rep. Sands stated that this bill provides that the property description change does not add or subtract land from a district; however, any time you change something, you have to add or subtract. Mr. Smith, Hill County Attorney, told him that the intention of the bill is to correct the description and what was initially in it will still be there. It is the opportunity of the people to come forward in a hearing and say you are not doing what you intended to do. Rep. Sands asked if he would object to this bill being amended to include intent of the party. Rep. Switzer said to Mr. Gates that in his testimony he understood him to mean that the reason he was for this bill was that it would provide a method to expand or add a district where he didn't get 40% of the vote, and Mr. Smith had stated his purpose for supporting the bill was to correct an erroneous description of the land. One is not complementary of the other. Mr. Gates responded he was speaking in favor of the amendment. Rep. Switzer then asked if the bill, with the amendment, adds to the authority to expand without 40% of the vote. Rep. Brandewie said it should have an amendment of

what it is on.

CONSIDERATION OF HOUSE BILL NO. 687: Rep. Fritz of District 56, Missoula, appeared before the committee as sponsor of this bill. This bill allows the adoption of schedules for the retention of finance-related records of the counties and municipalities rather than requiring retention for specific time periods, and requiring the department of commerce's approval of such schedules. Rep. Fritz said this is a house cleaning bill that allows local government to dispose of their finance records. The types of records are listed in the bill. Under the current law, counties and towns must retain the records for 20 years. This bill allows for the adoption of retention schedules which are being worked out, and must specify what types of records must be kept and which kinds can be gotten rid of.

PROPONENTS: James Dopp, records manager of Missoula County, presented written testimony in support of HB 687 (exhibit 1) which asked for the ability to keep government records for as long as they should be kept. He urged a Do Pass for this bill.

Alec Hansen, representing the Montana League of Cities and Towns, stated they have discussed this bill with the Montana Historical Society, and support the bill for the reasons stated by Mr. Dopp.

Joanne Peres, Montana Association of Clerk and Recorders, said she would like to request that this bill include more than fiscal records, as there are more than fiscal records in their county that are more than 100 years old. They have the justice of the peace, sheriff's, superintendent of schools, etc., and their courthouse is jammed with these records.

Bill Verwolf, representing the city of Helena, said they feel that this bill is long overdue, and extremely important for the orderly transit of records. People will know how long records should be kept under this system.

Bruce Harding, representing the Montana Historical Society, read a fact sheet from the Historical Society, which is attached as exhibit 2, and asked for a Do Pass.

OPPONENTS: There were no opponents present.

In closing, Rep. Fritz stated this is just a first step to limiting sets of records.

DISCUSSION OF HOUSE BILL NO. 687: Rep. Sands said this eliminates any requirements whatsoever to retain any kinds of records. Mr. Dopp said it still requires the commission's approval of the retention schedule.

Rep. Sands then said the bill eliminates that the county commissioners may adopt it, and he thinks this is a problem. He suggested changing "may" to "shall", and asked if they have the retention schedule approval by the department of commerce. Mr. Doff answered that every local government in the state has to request through the department of commerce for the destruction of records. At this time the retention schedule is 25 years. Rep. Sands then said that if there aren't retention schedules in existence, then you can't have "shall". Mr. Doff answered that without a retention schedule you would not be able to destroy records. Rep. Sands then asked if there would be any objections to amending that the 25 years limit would remain in effect unless approval is received.

CONSIDERATION OF HOUSE BILL NO. 647: Rep. Fritz, District 56, Missoula, sponsored this bill also, which is an act to authorize a municipality to assume responsibility for certain county services performed within the municipality and to prohibit the county from providing that service within the municipality. He said this avoids duplication of efforts by the cities and counties. The bill mainly provides for the avoidance of double taxing and it is really a tax equity bill.

PROPOSERS: John Toole, Mayor of Missoula, stated this is the greatest financial crisis that the local government has to face. The issue of double taxation is the most troublesome they have to deal with. It is unfair and discriminatory. In their county are the two largest industrial plants in the state, and the county receives \$6 1/2 million from those two plants. The city receives nothing, but the city has to take care of people who are employed outside. The city is sitting on a deteriorating tax base. The people who have been paying taxes over a long period of time bear the burden. The county does help some, and this bill provides for a partial alleviation of this problem.

Dave Wilcox, chief administrative officer of the city of Missoula, passed out written testimony in support of the bill. This is attached as exhibit 1. He said this is an equity measure.

Karma Ruder, assistant city administrator for Billings, also presented written testimony in support of HB 647, which is attached as exhibit 2. On behalf of the Billings city council, she urged the committee to pass this bill.

Alec Hansen, representing the League of Cities and Towns, said this is a controversial issue which has been in the Legislature before and now is back. The reason this issue is so controversial is that the people who live in cities and towns across Montana have two questions they ask. Why are we paying taxes for services we don't receive, and why

are we paying twice for the services we receive. This bill will keep coming back until these questions are answered. 56% of the people in Montana live in incorporated cities and towns and they have serious questions about equity. If this is passed, perhaps county mill levies will have to go up. This is a very important issue, and it is a question of fairness.

Chairman Darko received a letter from Esther L. and Roger P. Warford, Missoula, in support of HB 647, as this bill would solve the problem by allowing cities to opt-out from being taxed for services they do not receive. This letter is attached as exhibit 3. Also attached as exhibit 4 is a letter of support from James W. Bowers, Missoula.

OPPONENTS: Sara Parker, representing the Montana State Library Commission, presented written testimony in opposition to this bill, which is attached as exhibit 5. She stated she believes this bill will have negative effects on library services within Montana.

Deborah Schlesinger, also representing the Montana State Library Association, stated her opposition to the bill.

Brenda Schye of the Montana Arts Advocacy, stated her opposition to the bill. Their organization is committed to the development of Montana's cultural resources. Their concern with HB 647 lies in its potential impact on library services. She presented written testimony in opposition to the bill which is attached as exhibit 6. She also presented written testimony from Jo Brunner, representing the Cattlemen, Cattle-feeders and Grange, (exhibit 7) who felt this bill is an effort to excuse the municipalities from their responsibilities in the control of weeds. Also presented is a letter from Carol Mosher and Lavina Lubinus, representing the Women Involved in Farm Economics, Montana Stockgrowers and Montana Cow Belles. This is attached as exhibit 8.

Gordon Morris of the Montana Association of Counties, said this bill is unfair as it pits local cities and towns against counties. He differs with Karma Ruder, who said this bill has no mandates. Section 2 of Page 2 speaks to the real issue at heart, and the dialogue outlined in this section is what is needed. Missoula is a good case in point. To raise this issue in terms of a mandate is a direct contradiction to work out grievances that may be here. The value of a mill in Missoula is \$125,000. The county only portion is approximately \$75,000. The value of the mill in the city of Missoula is approximately \$50,000. 2.6 mills is against the \$50,000. Legislation like this is not a substitute for dialogue. The severability clause in the current law is all inclusive of the sheriff department. He asked for a do not pass recommendation.

Rep. Walter Sales of District 76, addressed Rep. Fritz and said \$30,000 in town and almost another \$30,000 right next to the town is an unusual situation. When you look at some of the people services (law enforcement for example), if we didn't have the populations in the cities, the other people in the counties would get along with a few sheriffs. Those people-created costs are being carried by the people outside. In county welfare, if they didn't have the cities and towns, they wouldn't have to levy for it. When you start talking about all the services that a county provides, you realize there is just as much property value outside the city. The people living outside the county are paying a lot more than the people living inside are paying. He stated he knows there are inequities, and that the Missoula people do need to solve some annexation problems, but for most of the state it wouldn't work out at all.

Rep. Bing Poff of District 21, stated in a lot of areas the city needs the county more than the county needs the city. In his area they have to work together and have a good relationship. He stated he understands Rep. Fritz's problems in the large cities, but felt they have to leave it intact and work together in the small towns.

In closing, Rep. Fritz stated he is carrying a bill to compensate libraries and they sent opposition, so that is the thanks he gets. It has pitted Gordon Morris and Alec Hansen against each other. He agrees there must be local agreements. Rep. Sales and Rep. Poff are the unkindest of all, as they rejected the bill. The opposition say their taxes must go up if they are incorporated into the city. This is a measure of tax equity -- payment for services rendered.

DISCUSSION OF HOUSE BILL NO. 647: Rep. Pistoria asked Mr. Morris if this could be amended to meet the requirements he was talking about. Mr. Morris replied he would like to think it could be, but it would be very difficult.

Rep. Kadas asked Mr. Morris that when he talks about unilateral authority and good will, how can there be honest communications when the city people are paying for services for the counties. Mr. Morris said it is not a case of the responsibility being totally on the side of the county commissioners or their willingness to work. The subsidies are a two-way street. County people are subsidizing the city in roads, sheriff departments, etc.

The committee then went into executive session for action on bills.

DISPOSITION OF HOUSE BILL NO. 647: Rep. Sales made the motion of DO NOT PASS, and this was seconded by Rep. Brandewie. Rep. Hansen then made a substitute motion of DO PASS, which was seconded by Rep. Kadas.

Rep. Sales said he would like to discuss this. He understands Missoula's problem but this is passing a law that is going to tear apart 90 percent of the state which does not have the problem. To be able to spread those costs out against taxable value of the counties and double all that of the cities will create a war.

Rep. Hansen replied that Rep. Sales may be right, but this Legislature created this problem which they have in Missoula such as the fire district. They are going to come back again and again to solve it. Wapikiya voted against it. People living outside the city are using the city's septic tanks, and sooner or later the septic tanks will penetrate nitrates in the wells. The sewage treatment plant is on probation now and they don't have money for it.

Rep. Wallin said two years ago they had the opportunity to solve the problem. What happened then? Rep. Fritz said there was some opposition in the counties and also some from the city. Consolidation is not the answer in a county like Missoula. Rep. Kitselman, from Billings, said his district was one of the outlying areas. They have worked with the problem of nitrates in the wells, which was mentioned. They have a little bit of a problem with the police and sheriff. In the case of the Heights in the consolidation effort, the county has provided for the protection. The mechanics are currently in place and they do work.

Rep. Gilbert stated, to follow up with what Rep. Poff said, he feels sorry for the people of Missoula also. If this bill is passed, it would be a problem for his city, as their county finances the city. The city does not have the funds and they are relying on the city. He suggested the bill be amended to apply only to Missoula county.

Question being called for, Rep. Hansen's substitute motion of DO PASS FAILED on a Roll Call Vote of 9 to 5. A motion was received to revert the vote, and the original motion of DO NOT PASS CARRIED.

DISPOSITION OF HOUSE BILL NO. 813: Rep. Sales moved a DO PASS for HB 813, seconded by Rep. Wallin. Question being called for, motion PASSED UNANIMOUSLY.

DISPOSITION OF HOUSE BILL NO. 818: Rep. Brown made the motion to DO PASS HB 818, seconded by Rep. Kitselman. Rep. Sales moved to amend, seconded by Rep. Kitselman. Lee Heiman explained the amendments: Subsection 2, line 20, insert "publicly owned"; line 25, following exhibits, insert "as set forth in 7-16-2202". Also, insert "PUBLIC" following TO in the title on line 7.

Rep. Brown moved to DO PASS AS AMENDED HB 818, and this was

seconded by Rep. Kitselman. Question being called for, motion PASSED UNANIMOUSLY.

DISPOSITION OF HOUSE BILL NO. 496: Rep. Brown moved to DO PASS, seconded by Rep. Kadas. Chairman Darko moved the amendments, and Rep. Brown seconded them. Lee Heiman explained the technical amendments. Question was called for and motion PASSED UNANIMOUSLY. Rep. Brown then moved to DO PASS AS AMENDED, seconded by Rep. Kitselman. Question being called for, motion PASSED UNANIMOUSLY.

DISPOSITION OF HOUSE BILL NO. 545: Rep. Sales made the motion of DO NOT PASS, seconded by Rep. Kitselman. Rep. Kadas asked why he was trying to kill it. Rep. Sands asked Rep. Sales what is wrong with adding an amendment to make it discretionary with the commissioners. Rep. Sales answered that it is giving them the right to raise wages of one in the courthouse, but not the rest.

Rep. Brown moved to amend line 12, following compensation, to insert "as determined by the board of county commissioners" and on line 13, strike "is \$3,000" and insert after administrator "shall be fixed at not less than \$500 or no more than \$3,000". Amendment died for lack of a second to the motion. Rep. Brandewie stated he thinks the committee should stick with HB 514 and give everyone raises.

Question being called for, Rep. Sales' motion CARRIED, with Rep. Brown voting no.

DISPOSITION OF HOUSE BILL NO. 654: Rep. Brown moved to DO PASS HB 654, and this was seconded by Rep. Kitselman. Rep. Kadas moved to amend line 25 by striking "sheriff" and inserting "general fund", and also include them in the title. This was seconded by Rep. Sales. Amendment CARRIED. Rep. Brown then moved to DO PASS AS AMENDED, seconded by Rep. Kadas.

Rep. Pistoria said this does not make any sense, and Rep. Switzer said he would have to vote against it.

Question was called for, and Rep. Brown's motion PASSED, with Rep. Pistoria and Rep. Switzer voting no.

DISPOSITION OF HOUSE BILL NO. 483: Rep. Brown moved a DO PASS, seconded by Rep. Kadas. Rep. Kitselman moved to amend and this was seconded by Rep. Kadas. Question being called for, amendment PASSED. Rep. Brown then moved to DO PASS AS AMENDED HB 483, and this was seconded by Rep. Gilbert. Motion PASSED UNANIMOUSLY.

DISPOSITION OF HOUSE BILL NO. 484: Rep. Kitselman moved that HB 484 DO PASS, seconded by Rep. Fritz. Rep. Sands moved to amend, and this was seconded by Rep. Kitselman. Rep.

Switzer stated he objects to the amendment. It is entirely different and not in the scope of the bill. Rep. Kadas said if there is a problem they should ask for a committee bill.

Rep. Fritz moved that HB 484 DO PASS AS AMENDED, and this was seconded by Rep. Kadas. Motion CARRIED UNANIMOUSLY.

DISPOSITION OF HOUSE BILL NO. 504: Rep. Kadas made the motion of DO PASS, seconded by Rep. Fritz. Question being called for, motion FAILED on a 8 to 6 Roll Call Vote. Rep. Kitselman moved to reverse the vote to DO NOT PASS, and this was seconded by Rep. Switzer. Motion PASSED.

DISPOSITION OF HOUSE BILL NO. 687: Rep. Sales moved that HB 687 DO PASS, seconded by Rep. Brown. Rep. Sands moved to amend, and this was seconded by Rep. Sales. Lee Heiman explained the amendments. Question being called for on the amendments, motion PASSED. Rep. Fritz then moved that HB 687 DO PASS AS AMENDED, and this was seconded by Rep. Brown. Question being called for, motion PASSED UNANIMOUSLY.

DISPOSITION OF HOUSE BILL NO. 727: This bill was heard on Tuesday, February 12, 1985. Rep. Kadas moved that HB 727 DO PASS, seconded by Rep. Brown. Rep. Kadas moved to amend page 3, line 15, following "systems", insert "that have service connections from at least five separate parcels of land", and page 4, line 3, strike \$500 and insert \$200. Rep. Kitselman seconded the amendments. Question being called for, motion PASSED.

Rep. Hansen then moved that HB 727 DO PASS AS AMENDED, and this was seconded by Rep. Kadas. Rep. Brandewie stated he didn't think they had addressed all that is says here. Rep. Sands asked Rep. Hansen why the terminology on page 3 line 21, and Rep. Hansen said she did not know.

Rep. Sales moved to amend page 3, line 21, striking "and other sources that could affect the present or future beneficial uses of ground water". This was seconded by Rep. Pistoria. Question being called for, motion PASSED, with Rep. Fritz, Rep. Hansen and Rep. Kadas opposed to the amendment.

Rep. Brandewie then moved to amend by striking the whole Subsection (vi), and this was seconded by Rep. Gilbert. Rep. Brandewie said the state health department has the expertise to do it now, and he suggested leaving it to the state. Rep. Gilbert said he supports this motion. The EPA have very strict laws, and the rules are there. Now we are putting loads on people who are not equipped to take care of the problem. Rep. Hansen replied she would take exception to that statement. They are qualified both in the state and county health department.

Rep. Kadas said that if people had problems with it, they would have testified against it.

Rep. Hansen asked Rep. Gilbert why he wouldn't want to protect his ground water from pollution, and Rep. Gilbert replied that he does want it, but there is a problem with people not being qualified to take care of the problem.

Rep. Brown then offered a substitute motion to put a (.) period after "surface runoff" on line 29, page 3. Rep. Brandewie said he sees a problem with leaving section (vi) in there. Rep. Darko seconded Rep. Brown's substitute motion to amend. Question being called for, motion FAILED.

Question was then called for on Rep. Brandewie's motion to strike Subsection (vi), and motion PASSED on a 9 to 5 vote. Rep. Kadas then moved that HB 727 DO PASS AS AMENDED, and this was seconded by Rep. Hansen. Motion PASSED UNANIMOUSLY.

DISPOSITION OF HOUSE BILL NO. 414: Rep. Brown moved to DO PASS, and this was seconded by Rep. Sales. Rep. Kitselman moved to amend, seconded by Rep. Brown. Rep. Gilbert asked Lee Heiman if this is airtight so that we will not have the same situation as Shelby with the deputy sheriffs. Lee Heiman answered that he felt this accomplishes that.

Rep. Sands asked what it has done by adding 7-4-2510, and Lee Heiman answered this is the longevity. Rep. Sands then asked if 7-4-2508 is a sliding scale for employees of the department of public safety, and Lee Heiman replied no, but it is a sliding scale for sheriff salaries.

Question was called for, and motion CARRIED.

Rep. Brown then moved that HB 414 DO PASS AS AMENDED, which was seconded by Rep. Sales. Question being called for, motion CARRIED, with Rep. Pistoria and Rep. Switzer opposed.

DISPOSITION OF HOUSE BILL NO. 239: Rep. Wallin moved a DO PASS for HB 239, seconded by Rep. Brown. Rep. Sales moved amendments submitted by Sue Bartlett, Lewis and Clark County Clerk and Recorder. Rep. Brown seconded this motion. Question being called for, motion CARRIED. Rep. Sales then moved Rep. Wallin's amendments which were presented at the time of the bill, (front side of Bartlett's amendment), and this was seconded by Rep. Wallin. Rep. Brandewie stated he would like to see it all together, and moved that it be turned into a grey bill which would be drafted with all amendments included.

DISPOSITION OF HOUSE BILL NO. 384: Rep. Switzer moved that HB 384 DO NOT PASS, and this was seconded by Rep. Gilbert. Question being called for, motion CARRIED, with Rep. Kadas, Rep. Hansen, Rep. Fritz, Rep. Sales, and Chairman Darko voting "no". Rep. Sands did not vote.

DISPOSITION OF HOUSE BILL NO. 385: The motion of DO NOT PASS was made by Rep. Brandewie, seconded by Rep. Gilbert. Question being called for, motion CARRIED on a 9 to 5 vote.

DISPOSITION OF HOUSE BILL NO. 616: Rep. Kitselman moved that HB 616 DO PASS, seconded by Rep. Brown. Rep. Kitselman then moved to amend, and this was also seconded by Rep. Brown. Rep. Kitselman said that by striking Subsection 3 it would clear up the problem George Allen has. Assessment is the only way to go. Rep. Pistoria said he has received a lot of calls from people who don't want to be included in a business improvement district. Rep. Gilbert stated he doesn't think there is anything where they would exclude residents.

Question being called for, motion CARRIED.

Rep. Kitselman then moved to amend line 16 and line 22 on page 2 to insert "board of county commissioners" after city-county government. This was seconded by Rep. Brown. Motion PASSED.

Rep. Kitselman moved to DO PASS AS AMENDED HB 616, seconded by Rep. Brown. Rep. Pistoria stated he wanted to make sure we don't take in residential areas, and wondered if there is any way that something could be added to not add residential. Rep. Brandewie said it would take a lot of people to change it.

Rep. Sands stated this business district is going to be a public agency, and will promote all kinds of private things like street maintenance. It says that the local government entity would not have any responsibility. If someone is injured, what kinds of assets do they go after? Rep. Brandewie answered that they have no assets. Rep. Sands then said that section 14, page 8 says that local government is not liable for any obligation or debt if there is a judgment against a district. Rep. Kitselman said that if a board is set up there would have to be a general liability policy to cover this. Lee Heiman stated that he can't find anything to address this kind of problem, even in airports. The powers of the board to purchase liability insurance is stated in section 9, beginning on page 4. If they don't do it, the board members themselves would be liable.

Rep. Sands felt there is a real problem with this bill, as there are a bunch of businessmen operating under a public entity and they escape from any kind of liability. Rep. Gilbert asked if he had any suggestions. Rep. Sands stated he would like to move to table the bill.

Rep. Brandewie said if we pass this, the bill has no substance.

Rep. Brown moved to amend line 2, to strike Subsection (2), and this was seconded by Rep. Kitselman. Question being called for, motion PASSED.

Rep. Sands stated that the way this is written, he can't imagine why any group of businessmen would want to use it.

Rep. Sands then moved TO TABLE HB 616, and this was seconded by Rep. Pistoria. Motion CARRIED, with 4 members voting no.

Rep. Kitselman moved to draft a committee bill in regards to the amendments on HB 484. This was seconded by Rep. Brandewie. Rep. Kitselman said it takes a 3/4 vote of the committee to draft a committee bill. Rep. Switzer suggested to amend to reduce expanding water districts, that sewer boards can expand, but not water boards. The motion to draft a committee bill FAILED.

Rep. Brown told the committee that he had received a call from the sheriff of Glendive regarding an amendment putting a cap on someone leaving the force and is gone for longer than three years. He would have to go back to the academy and train again in order to go back to the force. They have an officer that was gone 3 1/2 years and they can't afford to send him to the academy. They asked the committee to consider limiting from 3 to 5 years for someone to be off the force and then come back on. Rep. Brown asked if there was substantial resistance from the committee.

Rep. Brown then made a motion to draft a committee bill to extend from three years to five years for when you have to go back to the academy after leaving the job. This was seconded by Rep. Brandewie. Rep. Brown stated that there are not very many people out there who are trained for these posts and it is too expensive to retrain them. Rep. Switzer asked if they are required to have a quicky refresher course. He stated they have a lot of trouble with sheriffs and deputy sheriffs in Glendive. The motion to draft a committee bill PASSED UNANIMOUSLY.

Rep. Sands then stated he would like the committee to reconsider their action and to draft a committee bill regarding amendments on HB 484, and moved to draft a committee bill. Motion CARRIED.

Rep. Brown then stated he was sorry he was not on the floor when Rep. Connelly's bill came up.

Chairman Darko thanked the committee for the good work they had done, as they had passed out 15 bills.

There being no further business before the committee, the meeting was adjourned at 8:04 p.m.

Rep. Paula Darko

(Type in committee members' names and have 50 printed to start).

DAILY ROLL CALL

LOCAL GOVERNMENT COMMITTEE

49th LEGISLATIVE SESSION -- 1985

Date Feb. 14, 1985

NAME	PRESENT	ABSENT	EXCUSED
<u>Paula Darko, Chairman</u>	✓		
<u>Norm Wallin, Vice Chairman</u>	✓		
<u>Ray Brandewie</u>	✓ late		
<u>Dave Brown</u>	✓		
<u>Harry Fritz</u>	✓		
<u>Stella Jean Hansen</u>	✓		
<u>Bob Gilbert</u>	✓		
<u>Mike Kadas</u>	✓		
<u>Les Kitselman</u>	✓		
<u>Paul Pistoria</u>	✓ late		
<u>Bing Poff</u>	✓		
<u>Walter Sales</u>	✓		
<u>Jack Sands</u>	✓		
<u>Dean Switzer</u>	✓		

STANDING COMMITTEE REPORT

February 14, 1985

MR. SPEAKER:

We, your committee on LOCAL GOVERNMENT

having had under consideration HOUSE Bill No. 547

FIRST reading copy (WHITE)
color

MUNICIPAL ASSUMPTION OF CERTAIN COUNTY
SERVICES.

Respectfully report as follows: That HOUSE Bill No. 547

~~DO NOT PASS~~
~~XXXXXX~~
DO PASS

PAULA DAXRO, Chairman.

COMMITTEE SECRETARY

STANDING COMMITTEE REPORT

February 11, 1955

MR. SPEAKER:

We, your committee on LOCAL GOVERNMENT

having had under consideration HOUSE Bill No. 313

FIRST reading copy (WHITE color)

CITY COUNCIL TO SET DATE FOR CLERK'S
MONTHLY FINANCIAL REPORT

Respectfully report as follows: That HOUSE Bill No. 313

DO PASS

STANDING COMMITTEE REPORT

February 14, 19 35

MR. SPEAKER:

We, your committee on LOCAL GOVERNMENT

having had under consideration HOUSE Bill No. 818

FIRST reading copy (WHITE color)

COUNTY CONTRIBUTION TO MUSEUM NOT OWNED BY COUNTY.

Respectfully report as follows: That HOUSE Bill No. 818
BE AMENDED AS FOLLOWS:

1. Title, line 7.

Following: "TO"

Insert: "PUBLIC"

2. Page 1, line 20.

Following: "to"

Insert: "publicly owned"

3. Page 1, line 25.

Following: "exhibits"

Insert: "as set forth in 7-16-2202"

AND AS AMENDED,

DQ.PASS.

See 2/10/35

STANDING COMMITTEE REPORT

February 14, 1985

MR. **SPEAKER:**

We, your committee on **LOCAL GOVERNMENT**

having had under consideration **HOUSE** Bill No. **496**

FIRST reading copy (**WHITE** color)

AUTHORIZING FORMATION OF COUNTY PARK DISTRICTS.

HOUSE **496**
Respectfully report as follows: That..... Bill No.....

BE AMENDED AS FOLLOWS:

1. Page 7, line 20.

Strike: "9"

Insert: "10"

2. Page 8, line 19.

Strike: "10"

Insert: "11"

AND AS AMENDED,

DO PASS

STANDING COMMITTEE REPORT

February 14, 1925

MR. **SPEAKER:**

We, your committee on **LOCAL GOVERNMENT**

having had under consideration **HOUSE** Bill No. **545**

FIRST reading copy (**WHITE**)
color

**ALLOW COUNTY TREASURER TO APPOINT AN
INVESTMENT ADMINISTRATOR**

Respectfully report as follows: That **HOUSE** Bill No. **545**

DO NOT PASS

~~DO NOT~~
DO PASS

PAULA JARYO, Chairman.

COMMITTEE SECRETARY

STANDING COMMITTEE REPORT

February 14, 1955

MR. SPEAKER:

We, your committee on LOCAL GOVERNMENT

having had under consideration HOUSE Bill No. 654

FIRST reading copy (WHITE)
color

ALLOCATE CERTAIN MOTOR VEHICLE OPERATION FINES TO
SHERIFF.

Respectfully report as follows: That HOUSE Bill No. 654
BE AMENDED AS FOLLOWS:

1. Title, line 6.
Strike: "SHERIFF"
Insert: "GENERAL FUND"
2. Page 1, line 25.
Strike: "sheriff"
Insert: "general fund"

AND AS AMENDED,

DO-PASS 218

STANDING COMMITTEE REPORT

February 14, 1935

SPEAKER:
MR.

We, your committee on LOCAL GOVERNMENT

having had under consideration HOUSE Bill No. 483

FIRST reading copy (WHITE color)

PROCEDURE TO DISSOLVE COUNTY WATER AND SEWER DISTRICT.

Respectfully report as follows: That HOUSE Bill No. 483

BE AMENDED AS FOLLOWS:

1. Page 2, line 16.

Strike: "clerks,"

Insert: "clerk and recorders, who shall then cause a copy of the instrument to be filed with the secretary of state.

(5) Any assets of the district after dissolution shall be distributed pro rata by taxable valuation to the general funds of the counties in which the district was located."

AND AS AMENDED,

DO PASS

TW 2/15

STANDING COMMITTEE REPORT

February 14, 195

MR. SPEAKER:

We, your committee on LOCAL GOVERNMENT

having had under consideration HOUSE Bill No. 484

FIRST reading copy (WHITE
color)

METHOD TO CORRECT PROPERTY DESCRIPTION IN COUNTY WATER AND SEWER DISTRICT.

Respectfully report as follows: That HOUSE Bill No. 484

BE AMENDED AS FOLLOWS:

1. Page 1, lines 18 and 19.

Strike: "does not add or exclude land from the district but"

Following: "is"

Insert: "intended"

2. Page 1, line 23.

Following: "district"

Insert: "and mailed to the owner or owners of record of the
property described in subsection (2)(a)"

3. Page 1, line 24.

Following: "comments"

Insert: "and receiving written consent by the owner or owners
of the property described in subsection (2)(a)"

AND AS AMENDED,

DO PASS

STANDING COMMITTEE REPORT

February 14, 1985

MR. SPEAKER:

We, your committee on LOCAL GOVERNMENT

having had under consideration HOUSE Bill No. 504

FIRST reading copy (WHITE)
color

DELETE FIRE DISTRICT PROHIBITION ON CERTAIN ANNEXATION

Respectfully report as follows: That HOUSE Bill No. 504

DO NOT PASS

XXXXXX
DO PASS

2/15 12:25

PAULA DANKO,
Chairman.

STANDING COMMITTEE REPORT

Page 1 of 2

February 14. 195

MR. **SPEAKER:**

We, your committee on **LOCAL GOVERNMENT**

having had under consideration **HOUSE** Bill No. **687**

FIRST reading copy (**WHITE** color)

COUNTY AND MUNICIPAL FINANCE RECORDS RETENTION SCHEDULES.

Respectfully report as follows: That **HOUSE** Bill No. **687**

BE AMENDED AS FOLLOWS:

Page 1, line 19.

Following: "(2)"

Insert: "(a)"

2. Page 1, line 25.

Following: "county."

Insert: "The destruction of such records must be done in accordance with the provisions of such schedules. (b) If a schedule has not been adopted and approved under the provisions of subsections (2)(a), such records may be destroyed by any county officer after a period of 15 years."

3. Page 2, line 15.

Following: "(3)"

Insert: "(a)"

~~XXXXXX~~
DO PASS

CONTINUED

.....February 14,..... 19 85.....

4. Page 2, line 21.

Following: "town."

Insert: "The destruction of such records must be done in accordance with the provisions of such schedules.

(b) If a schedule has not been adopted and approved under the provisions of subsections (3)(a), such records may be destroyed by any city or town officer after a period of five years."

AND AS AMENDED,
DO PASS

STANDING COMMITTEE REPORT

Page 1 of 2

February 14, 19 85

MR. SPEAKER

We, your committee on LOCAL GOVERNMENT

having had under consideration HOUSE Bill No. 727

FIRST reading copy (WHITE)
color

**RULEMAKING AUTHORITY OF LOCAL HEALTH BOARDS
RE: SEWER SYSTEMS.**

Respectfully report as follows: That HOUSE Bill No. 727

BE AMENDED AS FOLLOWS:

1. Title, line 7.

Strike: "AND TO PROTECT GROUND WATER FROM CONTAMINATION"

2. Page 3, line 12.

Following: "and"

Insert: "and"

3. Page 3, line 15.

Following: "systems"

Insert: "that have service connections from at least five
separate parcels of land"

4. Page 3, line 18.

Strike: "and"

Insert: "."

~~DO PASS~~

CONTINUED

2/15

Exhibit 5
HB 484
2-14-85
Rep. Peck

WITNESS STATEMENT

Name Ray Wadsworth Committee On _____
Address 1010 - 22 Ave So Great Falls Date Feb 14, 1985
Representing Mt Rural Water Systems Support ✓
Bill No. 484 Oppose _____
Amend ✓

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1.

2.

3.

4.

Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.

COUNTY

WATER

DISTRICT

OF

BILLINGS HEIGHTS

DIRECTORS

OSCAR M. HARMON, Pres.
DEL JONES
ROBERT LINDSEY
GILBERT RHODES
GORDON SLOVARP
DOROTHY TIMMERMAN
VIC REICHENBACH

BRUCE RESTAD
GENERAL MANAGER
JUDY WEIS
SECRETARY
TELEPHONE 252-0539

618 RADFORD SQUARE, BILLINGS, MONTANA 59105

February 14, 1985

My name is Bruce Restad, General Manager of the County Water District of Billings Heights. I am appearing to day with a request that an amendment be added to House Bill 484. The amendment pertains to Section 7-13-2341, Subsection 5. At the present time this Subsection 5 deals only with Sewer Districts, specifically in the procedure involving additions of contiguous land to existing Sewer District boundaries. Currently the Board of Directors of a Sewer District, may by ordinance, expand sewer district boundaries in an unincorporated area.

Whereby if a water district receives a request to extend it's boundaries, the district must undergo the time consuming and very costly steps of holding a public election. This is an awkward situation for the individual, and costly to everyone involved.

As of December, 1984 a vast majority of our Water District was annexed into the Billings City limits. This included some areas which were neither in the Water District nor could be served by the City Water Department. At some point in time the owners of these areas will no doubt wish to be included in our Water District. The amendment to House Bill 484 would simplify District expansion, not only for our Water District, but for the many Water Districts throughout the State of Montana.

On behalf of the Board of Directors of the County Water District of Billings Heights, a district that serves around 10,000 people, we request that Water Districts be allowed to have the same rights that Sewer Districts presently have, and we request that the words in an unincorporated area be deleted, so as not to necessitate elections when these areas want to be served with water.

At this time I will intertain questions from the Committee.

Exhibit 4
HB 484
2-14-85
Rep. Peck

WITNESS STATEMENT

Name Bruce Kestad Committee On _____
Address 2232 Pueblo DR Bkgs. Mt. Date 2-14-85
Representing County Water District of Bkgs Heights Support ✓
Bill No. 484 Oppose _____
Amend ✓

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1.

2.

3.

4.

Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.

Louis B. Gates
Board Member, Evergreen Water District
Kalispell, Montana

I am here to testify in favor of HB484, amending part 22 of the annotated code, County Water and/or Sewer District.

Our District serves some 1000 households within the district and another 600 households outside the district, in contiguous areas. We have attempted to bring those outside into the district on two separate occasions. As it now stands, 40% of the registered voters both within the district and in the proposed annexation area must cast their ballots in order to make the election valid.

Our first attempt was at the 1984 General Election. At that time those electorates within the district approved annexation by 63%, but only 30% of those eligible voted. 69% of those in the proposed contiguous area approved, but only 29% of those eligible voted.

A second attempt at annexation was made at a special election February 5 of this year. After our experience at the general election, we mounted an extensive ad campaign. We hired an advertising agency, flooded the local television, radio and newspapers in the area with ads, and made a direct mail appeal. In one way this was successful, as 88.7% of the electorate that voted in the district, and 88.6% of those that voted in the proposed annexation area, approved. However, only 34.1% of those in the contiguous area and 39.7% of those in the district voted.

Not only are the attempts at annexation time consuming and frustrating, but also expensive. The actual cost of conducting the election during the general election was \$3200. The direct cost of the special election was \$1000, plus another \$1000 for advertising.

It is our belief that we should have the same authority to expand the district as that enjoyed by sewer districts as written in [7-13-2341(5)].

Exhibit 3
HB 484
2-14-85
Rep. Peck

WITNESS STATEMENT

Name Louis B. Gates Committee On _____
Address 352 Helena Flats Rd., Kalispell Date 2/14/85
Representing Evergreen Water District Support ✓
Bill No. 484 Oppose _____
Amend ✓

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1.

2.

3.

4.

Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.

Exhibit 2
#B 484
2-14-85
Rep. Peck

WITNESS STATEMENT

NAME Ronald W Smith BILL NO. 484
ADDRESS 312 3rd St. HARE, mt. DATE 2-14-85
WHOM DO YOU REPRESENT? Hill Co. Water Dist.
SUPPORT ✓ OPPOSE AMEND
PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

I have consulted with:
Bigfork Co. Water Dist.
Paradise Water Users
Swan River Co. Water Dist.

Geraldine Co. Water Dist.
Custer Co. Water & Sewer Dist
Gilford Co. Sewer Dist.
Mont Rural Water Dist.
No HARE County Water Dist
East Kremlin Water Users Assoc

The people I represent support this legislation. I proposed this to Rep. Ray Peck the primary sponsor. I have personally experienced problems with property descriptions in water & sewer districts.

This bill will in essence allow the district to correct an inadvertent error in description in a single manner with proper notice to the people involved with the district or association.

It will allow the Clerk & Recorder to correct the official records of the entity without litigation.

It is basically a house keeping bill.

(5) If the board of directors determines that a district has a water or a sewer facility with a capacity greater than required to meet the needs of the current district, it may by ordinance, upon petition of contiguous property owners, expand the district to include land ~~in-an-unincorporated-area~~, to the extent of excess capacity, without complying with subsections (1) and (2). However, if the board determines that an election should be held or if 40% or more of the members of the district petition for an election, compliance with subsections (1) and (2) is required."

Renumber: subsequent section

5. Page 2, line 5.

Strike: "This act"

Insert: "Section 1"

6. Page 2, line 8.

Strike: "this act"

Insert: "section 1"

HB484.33

PC5

Amend House Bill 484 as follows:

1. Title, line 4.

Following: "AN ACT"

Insert: "RELATING TO BOUNDARIES OF COUNTY WATER AND SEWER DISTRICTS;"

2. Title, line 6.

Following: "DISTRICT"

Insert: "; AND TO PROVIDE THAT IF A DISTRICT HAS EXCESS WATER CAPACITY IT MAY BE EXPANDED IN THE SAME MANNER AS IF IT HAD EXCESS SEWER CAPACITY AND DELETING THE REQUIREMENT THAT SUCH EXPANSION MAY BE MADE ONLY INTO UNINCORPORATED AREAS; AMENDING SECTION 7-13-2341, MCA"

3. Page 1.

Following: line 8

Insert: "NEW SECTION."

4. Page 2.

Following: line 4

Insert: "Section 2. Section 7-13-2341, MCA, is amended to read:

"7-13-2341. Addition of land to district. (1) Except as provided in subsection (5), any portion of any county, any municipality, or both, may be added to any district organized under the provisions of this part and part 22 at any time upon petition presented in the manner provided in this part and part 22 for the organization of such district.

(2) The petition may be granted by ordinance of the board of directors of such district. Such ordinance shall be submitted for adoption or rejection to the vote of the electors in such district and in the proposed addition at a general or special election held, as provided in this part and part 22, within 70 days after the adoption of such ordinance.

(3) If such ordinance is approved, the president and secretary of the board of directors shall certify that fact to the secretary of state and to the county recorder of the county in which such district is located. Upon the receipt of such last-mentioned certificate, the secretary of state shall within 10 days issue his certificate, reciting the passage of said ordinance and the addition of said territory to said district. A copy of such certificate shall be transmitted to and filed with the county clerk of the county in which such district is situated.

(4) From and after the date of such certificate, the territory named therein shall be deemed added to and form a part of said district with all the rights, privileges, and powers set forth in this part and necessarily incident thereto.

Exhibit 2
HB 687
2-14-85
Rep. Fritz

FACT SHEET

HOUSE BILL #687

The Montana State Historical Society, in cooperation with the National Historic Preservation and Records Committee, is conducting a local government records project during the present calendar year. The main goal of this project is the development and implementation of negotiated, State-approved records retention schedules for a large percentage of Montana local government records.

Employing a system of records retention based upon overall schedules guarantees the integrity of local government records. Each record type is retained for a period based upon an assessment of its legal, fiscal and historical value.

"Blanket" retention periods now contained in Sections 7-5-2132 and 7-5-4124 are overly simplistic, illogical and cause undue expenditures for equipment, space and retrieval.

Failure to pass House Bill #687 will cause delays in implementation of a professional approach to the ever increasing burden of information flow and retrieval for local governments.

EXHIBIT C
HB 687
2-14-85
Rep. Fritz

WITNESS STATEMENT

Name Bruce C. Harding Committee On Local Govt
Address 810 1/2 Breckwidge Helena Date 2/14/85
Representing MT Historical Society Support X
Bill No. HB 687 Oppose _____
Amend _____

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1.

2.

3.

4.

Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.

for local officials. Need a system to know what records to keep and what to discard & when to do so. Many useful records have to be
FORM CS-34
1-83 years with those which should be disposed of after months/years

5. To restrict the amount of and guarantee the adequacy of the filing equipment and the space allocated to records storage.
6. To guarantee the proper disposition of records that have served their purpose and are of no further use to the entity.

Failure to adopt House Bill #687 will cause delays in the implementation of a professional approach to the ever increasing burden of information flow and retrieval for local governments.

James E. Doff

Exhibit 1
HB 687
2-14-85
Rep. Fritz

TESTIMONY IN SUPPORT OF PASSAGE OF HOUSE BILL #687
BEFORE THE HOUSE COMMITTEE ON LOCAL GOVERNMENT
FEBRUARY 14, 1985

PRESENTED BY:
JAMES DOPP
RECORDS MANAGER
MISSOULA COUNTY

House Bill #687 is a proposal to change Sections 7-5-2132 and 7-5-4124 of the Montana Codes. The proposal would replace the "Blanket" 25 and 5 year retention periods now authorized with a retention schedule for the individual record types covered by the two statutes.

The Montana Historical Society in conjunction with the National Historic Preservation and Records Commission is conducting a local government records project this year. The main focus of the project will be to develop retention schedules for a large majority of local government records. Passage of this bill will enable local governments to adopt these schedules subject to approval of the Department of Commerce.

We feel it is extremely inappropriate to assign arbitrary retention requirements to very large segments of relatively unlike records as is now the case under the present statutes. This type of "blanket" retention fosters over-expenditures for unneeded storage space, the use of expensive and extremely inadequate storage areas, and wholesale destruction of large volumes of records.

We are asking in this legislation for the ability to ascertain realistic retention periods based on the legal, fiscal and historical value of each record type. This approach guarantees the intent of the law, which is to keep governmental record for as long as they must be kept, while also allowing us to dispose of those records at a time and in a manner conducive to sound business practice.

Passage of House Bill #687 will be a large step towards implementation of a professional approach to the problem of records management for Montana's local governments. The goals of this and all other professional records management programs are as follows:

1. To assure the retention and protection of all vital records of the entity.
2. To assure retention of records for a period satisfying all legal requirements.
3. To assure retention of records needed for the continued normal functioning of the entity.
4. To assure retention of records which are historically valuable to entity, the state and the region.

Exhibit 8
HB 647
2-14-85
Rep. Fritz

WITNESS STATEMENT

Lavina Lubinus

NAME Carol Mosher BILL NO. HB 647

ADDRESS Augusta, Mt. 1501 Chestnut, Helena DATE _____

WHOM DO YOU REPRESENT? Women Involved in Farm Economics
Montana Stockgrowers & Montana Cow Belles

SUPPORT _____ OPPOSE X AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

I approve this bill because the cities are asking
to be free of the responsibility of weed control.
There are no respect of place or person and
must be controlled by all of us.

Women Involved in Farm Economics
Montana Stockgrowers
Montana Cow Belles

Exhibit 7
HB 647
2-14-85
Rep. Fritz

WITNESS STATEMENT

Name J. Brunsen Committee On AB 647
Address 11 B ~~647~~ to 7 Helina Date Feb 14 1985
Representing Cattlemen Cattlemen's Grange Support _____
Bill No. - AB 647 - Oppose X
Amend _____

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments: Cattlemen - Cattlemen's Grange -
X.

Mr. Chairman, members of the committee our organization
wish to protest this effort to remove the municipalities
from their responsibilities in the control of weeds.

page 2 I people in town stayed just, didn't hunt, didn't
line 4. track and didn't spread seeds we might not be
feel as strongly that they should continue to help pay
for weed control. But they do - and you have only to
drive the alley and see vacant lots to recognize that
municipalities do have weeds that need controlling.

The control of weeds is not a problem singular to
agriculture - it is a problem particular to all segments
of our state -

We do not attempt to pass judgment on the rest of
the proposal, but we do ask that you exclude the
words - page 2 line 4, "remove weed control" from
AB 647 - Thank you

Itemize the main argument or points of your testimony. This will
assist the committee secretary with her minutes.

As Mr. Fritz says for weeds, not removed - weed control is
a word that needs to be removed in every body's
town in this state

Exhibit 6
HB 647
2-14-85
Rep. Fritz

WITNESS STATEMENT

NAME

Frenda Schye

BILL NO.

HB647

ADDRESS

North Star Rte, Glasgow

DATE

2-14-85

WHOM DO YOU REPRESENT?

Montana Arts Advocacy

SUPPORT

OPPOSE

X

AMEND

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

I represent the Montana Arts Advocacy, a cross-section of Montanans who are committed to the development of our state's cultural resources. It is through your actions regarding such issues that you, as a Legislature, have a great deal of impact on the quality of life in Montana.

Certainly, among the greatest cultural resources of our state is our system of public libraries. Our concern with HB647 lies in its potential impact on library services.

The rural nature of our state has caused people to have to work together to ensure the most efficient and cost effective use of existing dollars to provide the best library service possible. Clearly, the progress of Montana's libraries is largely due to cooperation among government entities. The pooling of resources and avoidance of duplicated efforts have resulted in savings of tax dollars and the maximum effective use of funds.

We fear that the passage of this bill could cause a step backward for library services. Anything that discourages rather than encourages the continuation of multi-jurisdictional services could jeopardize the progress we have made.

Current Montana law states "It is the policy of the legislature to encourage the most efficient delivery of library services to the people of Montana." (MCA 22-1-401) We feel that the intent of that statute conflicts with the thrust of HB 647.

We urge you to consider the strong potential for negative impact on libraries that is contained in this proposed

SECTIONS OF MONTANA CODE ON LIBRARY FUNDING

WHICH RELATE TO H.B. 647

22-1-304. TAX LEVY - SPECIAL LIBRARY FUND - BONDS. (1) The governing body of any city or county which has established a public library may levy in the same manner and at the same time as other taxes are levied a special tax in the amount necessary to maintain adequate public library service, not to exceed 5 mills on the dollar, upon all property in such county which may be levied by the governing body of such county and not to exceed 7 mills on the dollar upon all property in such city which may be levied by the governing body of such city.

22-1-313. EXISTING TAX-SUPPORTED LIBRARIES - NOTIFICATION - EXEMPTION FROM COUNTY TAXES. After the establishment of a county free library as provided in this part, the governing body of any city which has an existing tax-supported public library may notify the board of county commissioners that such city does not desire to be a part of the county library system. Such notification shall exempt the property in such city from liability for taxes for county library purposes.

22-1-314. CITY LIBRARY MAY ASSUME FUNCTIONS OF COUNTY LIBRARY. (1) Instead of establishing a separate county free library, the board of county commissioners may enter into a contract with the board of library trustees or other authority in charge of the free public library of any incorporated city, and the board of library trustees or other authority in charge of such free public library is hereby authorized to make such a contract.

(2) Such contract may provide that the free public library of such incorporated city shall assume the functions of a county free library within the county with which such contract is made, and the board of county commissioners may agree to pay out of the county free library fund into the library fund of such incorporated city such sum as may be agreed upon.

(3) Either party to such contract may terminate the same by giving 6 months' notice of intention to do so.

22-1-316. JOINT CITY-COUNTY LIBRARY. (1) A county and any city or cities within the county, by action of their respective governing bodies, may join in establishing and maintaining a joint city-county library under the terms of a contract agreed upon by all parties.

(2) The expenses of a joint city-county library shall be apportioned between or among the county and cities on such a basis as shall be agreed upon in the contract.

(3) The governing body of any city or county entering into a contract may levy a special tax as provided in 22-1-304 for the establishment and operation of a joint city-county library.

(4) The treasurer of the county or of a participating city within the county, as shall be provided in the contract, shall have custody of the funds of the joint city-county library, and the other treasurers of the county or cities joining in the contract shall transfer quarterly to him all moneys collected for the joint city-county library.

MONTANA STATE LIBRARY



TED SCHWENDEN, GOVERNOR

1515 E. 6TH AVENUE

STATE OF MONTANA

(406) 444-3115

HELENA, MONTANA 59620

THERE IS A RICH MOSAIC OF COUNTY FUNDING FOR LIBRARY SERVICE IN MONTANA

1. These counties have united with cities in interlocal agreements (MCA 22-1-316). Funding is shared; the common pattern is based on percent of use.
 - A. Havre-Hill County has a county levy which includes the city, and city residents also pay a city levy.
 - B. Dawson, Lewis & Clark, Missoula, Sweet Grass and Valley Counties have a county levy which includes the city, and the city provides additional funding from the city all-purpose levy.
 - C. Yellowstone County has a county levy which excludes Billings and Laurel. Billings provides funding from a library levy and Laurel provides funding from the all-purpose levy.
2. The statutes provide a county may contract for a city library to assume the functions of a county library (MCA 22-1-315). No county currently contracts under MCA 22-1-315.
3. Counties give money to a city library or a school district library to provide county-wide service.
 - A. Cascade, Gallatin, Lake, Pondera, Ravalli, Richland and Teton provide funds to city libraries through a library levy.
 - B. Carbon, Custer, Fergus and Park provide funds to city libraries through county general funds.
 - C. Musselshell and Petroleum have combined school-public libraries for which the county provides funds.
4. The following have county libraries and use a library levy:

Blaine	Glacier	Phillips
Broadwater	Jefferson	Prairie
Carter	Judith Basin	Roosevelt
Chouteau	Liberty	Rosebud
Daniels	Lincoln	Sheridan
Fallon	Madison	Silver Bow
Flathead	Meagher	Stillwater
Garfield	Mineral	Toole
5. The following have county libraries and use county general funds to support them:

Big Horn	McCone
Deer Lodge	Powder River
Golden Valley	Wibaux



MONTANA STATE LIBRARY

TED SCHWINDEN, GOVERNOR

1515 E. 6TH AVENUE

STATE OF MONTANA

(406) 444-3115

HELENA, MONTANA 59620

This testimony is to oppose HB647. I believe this bill would have negative effects on library service within Montana. The current library statutes, MCA22-1-304, establish a principle of funding which is permissive at the local level for both cities and counties. Within MCA22-1-316, a rich mosaic of local funding for library service has developed. The State Library is able to identify nine patterns of funding. Several of these patterns would not be possible under HB647. In disruptive effects on libraries, we are able to pinpoint the arrangements between Havre and Hill County and possibly those between Glendive and Dawson County, Helena and Lewis and Clark County, Glasgow and Valley County, and Big Timber and Sweet Grass County. I am uncertain what to say about the relationships within the Missoula City-County Library, as I believe the interlocal agreement is still not finalized.

A second major concern I have is how this would affect the existing county libraries within Montana. We have a few examples of county libraries within the western part of the state, specifically in Lincoln County and in Flathead County. As one moves east, the pattern becomes more common, and most counties in eastern Montana have a county library as the base. It appears to me this bill would give any municipality within a county library system the right to remove itself from county library service. This often would be a tragedy, both to the departing library and to the remaining county library. It is very difficult for me to think of how few dollars would be further divided by a split within a county.

I traveled recently to the town of Troy, where a most proud community dedicated a small new library building. The pride in that community and the joint efforts of city, county and federal government to provide a new building are resulting in strong library service. What would indeed happen in Lincoln County if the town of Libby decided to remove itself from the county library system. Could Troy and Eureka alone be a county library? I also traveled recently to Colstrip to work with what is, in essence, a volunteer library in an unincorporated community. There is considerable discussion within Colstrip of incorporating as a city. How that would affect the Rosebud County Library in terms of available revenues is one which would, I believe, be of great local concern.

My opposition to HB647 is based upon a belief that local communities make the best decisions regarding library service, that library service is best provided by libraries that are strong enough in resources to adequately meet the information needs of their users, and that the Montana library laws as currently constituted have reinforced local autonomy and resulted in a strength of service which HB647 might compromise.

Sara Parker
Sara Parker

State Librarian

AN EQUAL OPPORTUNITY EMPLOYER

WITNESS STATEMENT

Exhibit 5
HB 647
2-14-85
Rep. Fritz

NAME Sara Parker BILL NO. HB 647
ADDRESS Montana State Library, 1515 E Sixth DATE 2/14/85
WHOM DO YOU REPRESENT? State Library Commission
SUPPORT _____ OPPOSE X AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Handout - actions relating to libraries and 647
consider first - 304
rich mosaic / permissive at local level
careful working out of relationship
based on use -
also - relative revenues produced
by property taxes - city & county
sometimes mosaic results in inter - local
agreements under 22-1-316
can also be done on contract 22-1-314
sometimes more informal -
action of governing bodies through
setting of budgets or motions
or resolutions -
these are reinforced by
history
pattern of county libraries
look now at 22-1-313 - not examined by
lawyers -
question of succeeding from
existing county libraries
don't know what prohibit success -

Exhibit 4
HB 647
2-14-85
Rep. Fritz

February 12, 1985

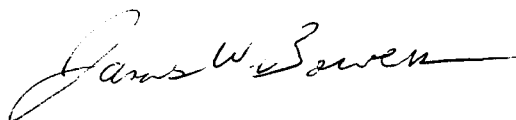
Representative Paula Darko
Capitol Station
Helena, Montana 59620

Dear Chairwoman Darko and Members of the Committee:

I am writing you in support of H.B. 647, which would eliminate the double taxation problem suffered by the city residents under the current law. I pay taxes to the county for services I don't receive, since the city already provides these services.

H.B. 647 would solve this problem by allowing cities to "opt-out" from being taxed for services they do not receive. I think it's only fair that county residents pay the full cost of the services they now receive. I urge your support of this important legislation.

Very truly yours,



James W. Bowers
Missoula City Resident
820 South Sixth West
Missoula, Montana 59801

Exhibit 17 2
HB 647
9 2-14-85
Rep. Fritz

Feb. 10, 1985

Dear Chairwoman Darko and Members of
the House Local Government Committee:

We are writing in support of H.B. 647, which would eliminate the double taxation problem suffered by city residents under current law. We pay taxes to the county for services we don't receive, since the city already provides these services.

H.B. 647 would solve this problem by allowing cities to "opt-out" from being taxed for services they do not receive. We think it is only fair that county residents pay the full cost of services they receive. We urge your support of this important legislation.

Sincerely yours,

Esther L. Warford
Esther L. Warford

Roger P. Warford
Roger P. Warford
3216 Queen St.
P.O. Box 5663
Missoula, MT 59806

February 14, 1985

TESTIMONY ON BEHALF OF THE CITY OF BILLINGS IN SUPPORT OF HOUSE BILL 647.

Exhibit 2
HB 647
2-14-85
Rep. Fritz

MY NAME IS KARMA RUDER. I AM THE ASSISTANT CITY ADMINISTRATOR FOR BILLINGS, MONTANA, AND I AM HERE IN SUPPORT OF HOUSE BILL 647. THE CITY COUNCIL OF BILLINGS HAS VOTED TO SUPPORT THIS BILL. WE BELIEVE THAT ITS PASSAGE WILL ENCOURAGE COOPERATION BETWEEN MUNICIPALITIES AND COUNTIES. RIGHT NOW WE ARE FORTUNATE TO ENJOY A GOOD WORKING RELATIONSHIP WITH OUR COUNTY. HOWEVER, WHEN WE MEET WITH THE COUNTY ON THE TYPES OF PROGRAMS IN THIS BILL, WE MUST RELY ON THEIR GOOD WILL BECAUSE THEY HAVE THE RESPONSIBILITY AND TAX LEVYING AUTHORITY FOR THESE PROGRAMS. THEREFORE, THEY ALSO ARE THE DECISION MAKERS AS TO WHICH SERVICES WILL BE PROVIDED AND HOW MUCH WILL BE LEVIED ON ALL COUNTY RESIDENTS TO PAY FOR THEM. WITH THIS LEGISLATION, EACH PARTY WOULD HAVE SOMETHING TO GAIN IN NEGOTIATING SERVICE LEVELS AND THEIR FUNDING. THE ISSUE OF WHO IS GETTING THE SERVICE AND WHO IS PAYING FOR IT WOULD COME TO THE FOREFRONT. THE ABILITY OF THE CITIES TO PROVIDE THEIR OWN PROGRAMS WOULD ENCOURAGE THE COUNTIES TO LOOK CLOSELY AT EQUITY ISSUES AND TO BE RESPONSIVE TO COUNTY RESIDENTS WHO HAPPEN TO LIVE IN CITIES. THIS LEGISLATION DOES NOT MANDATE ANY ACTION. IT WOULD SIMPLY ENCOURAGE BETTER DISCUSSION AND COOPERATION BETWEEN THE ENTITIES WHO ARE RESPONSIBLE FOR SERVING THE PUBLIC.

ON BEHALF OF THE BILLINGS CITY COUNCIL, I URGE YOUR TO PASS THIS BILL. THANK YOU.

FISCAL CONSEQUENCES OF DOUBLE TAXATION
VARIOUS MISSOURIA COUNTY ACTIVITIES

COUNTY ACTIVITIES INCLUDED IN DRAFT LEGISLATION

DEPARTMENT/ACTIVITY	RELEVANT BUDGET *	plus RELEVANT % OF ENCUMBRANCES & CASH RESERVE	less RELEVANT NON - TAX REVENUES *	less RELEVANT CASH BALANCE *	LEVY REQUIREMENTS	UNFAIR BURDEN ON CITY TAXPAYERS	NUMBER OF MILLS OF UNFAIR BURDEN ON CITY RESIDENTS	INCREASE ON COUNTY ONLY RESIDENTS - NUMBER OF MILLS
SHERIFF								
ADMINISTRATION *	237,945							
PATROL	869,338							
INVESTIGATION	419,645							
AUXILIARY *	38,093							
TOTAL SHERIFF	1,565,021	45,512	117,769	55,705	1,437,059	548,075	11.85	7.31
BRIDGES								
BRIDGE/CULVERT MAINT.	156,460							
BRIDGE CAPITAL EQUIPMENT	1,500							
ACQUISITION & PROJECTS	211,487							
ENGINEERING & SURVEYS	79,893							
SUB-TOTAL BRIDGES	449,340	0	36,329	102,335	310,676	118,487		
less COST OF CITY BRIDGES					-67,240	-67,240		
TOTAL BRIDGES					243,436	51,247	1.11	2.14
WEED CONTROL								
GENERAL ADMINISTRATION	66,831							
COUNTY WEED CONTROL	25,834							
STATE WEED CONTROL	52,753							
INFORMATION	19,701							
COMPLAINTS	19,715							
PRIVATE WEED CONTROL	46,777							
TOTAL WEED CONTROL	231,611	29,354	89,147	66,071	105,747	40,330	0.87	0.54
PARK FUND	165,458	0	35,275	0	130,183	49,650	1.07	0.66
OPEN SPACE *	17,000	0	0	5,275	11,725	4,471	0.10	0.06
RS10								
ZERO IN FY85								
ANIMAL CONTROL	27,000	785	12,650	546	14,569	5,556	0.12	0.07
TOTALS					1,942,719	699,329	15.12	10.78
COUNTY ACTIVITIES NOT INCLUDED IN DRAFT LEGISLATION								
AGING	97,180	0	13,667	-5,319	88,832	33,879	0.73	0.45
CEMETERY	52,650	1,531	0	2,025	52,156	19,892	0.43	0.27
TOTALS					140,988	53,771	1.16	0.72

***** DENOTES THAT ONLY A PORTION OF THE DEPARTMENT/ACTIVITY IS A BURDEN ON CITY TAXPAYERS; THEREFORE ONLY A PORTION OF THE DEPARTMENT/ACTIVITY'S BUDGET IS INCLUDED.

CITY BRIDGE COSTS
FOUR YEAR AVERAGE - FY 81-84

19 City Bridges out of 117 Total or 16.2% of Total

<u>ITEM</u>	<u>YEARLY CITY COST</u>
1. Fertilizer For Bridge Sidewalk De-icing	\$ 200
2. Lights For Higgins, Madison, Russell and VanBuren Bridges	6,000
3. Bridge Snow Removal For Sidewalks (90% of \$3,848)	3,460
4. Capitol Projects See Attachment (\$129,700/4)	32,400
5. Design and Construction Monitor See Attachment (\$12,550 + \$15,600)/4	7,040
6. Bridge Records (16.2% of \$1,182)	190
7. Bridge Inspections (16.2% of \$5,731)	930
8. Debris Removal (67% of \$550)	370
9. Bridge Repair See Attachment (\$15,700/4)	3,900
10. Administration, Leave and Equipment Maintenance (Bridge Fund Cost = 15% of Total Department) (16.2% of 15% of \$524,772)	12,750
TOTAL	<hr/> \$67,240

CITY BRIDGE PROJECTS - FY 81-84

<u>REPAIR PROJECTS</u>	<u>MATERIALS</u>	<u>LABOR</u>	<u>TOTAL</u>	<u>DESIGN AND CONST MONIT</u>
Elm Park Footbridge	700	850	1,550	500
Eighth Street Footbridge	400	1,200	1,600	700
McCormick Park Footbridge				1,800
Pine Street Footbridge				2,100
Turtle Pond Footbridge	150	800	950	300
East Fourth Street	City	7,000	7,000	4,300
Hilda Street Footbridge				1,350
Grant Street Footbridge	1,000	3,600	4,600	1,500
		TOTAL	15,700	12,550

CAPITOL PROJECTS

Van Buren Foot Bridge	70,000	49,700	119,700	14,100
Alley @ Russell/Broadway	3,200	6,800	10,000	1,500
		TOTAL	129,700	15,600



MISSOULA COUNTY

MISSOULA COUNTY SURVEYOR

Missoula County Courthouse

Missoula, Montana 59802

Telephone (406) 721-5700

January 16, 1985
S85-024

City Engineer
201 West Spruce
Missoula, Montana 59802

ATTN: BRUCE BENDER

Gentlemen:

Attached per your request is a computation showing the average yearly amount of money spent on City bridges during the past four years. I selected a four year period in lieu of the five year period you requested because we have fairly good four year cost records. These records don't provide a split between City and County costs. I have estimated these as shown on the attached sheet.

I presume you wish to use these figures for possible legislation to transfer the City bridge function to the City. I have no objections to such legislation. City action on this matter may have some effect on possible funding for the California Street Bridge.

Sincerely,



Richard H. Colvill
County Surveyor

RHC/dcm

cc: Howard Schwartz
Executive Officer

outside the City limits. This unfair tax burden equals 16 mills levied against properties within the City.

IMPACT ON COUNTY BUDGETS would be negligible. The reduction in County taxes levied against properties within the municipality can be made up by transferring the tax to properties outside of the municipality. In Missoula County, properties outside the City would face a relatively small tax increase of 8.23 mills and would for the first time pay fully for the services received.

THE MOST COSTLY SERVICE AFFECTED BY H. B. 647 IS THE SHERIFF DEPARTMENT.

City of Missoula property owners pay approximately \$550,000 in taxes to support County Sheriff operations which are provided primarily to County properties outside the City,. The City Police Department provides protective services within the City. #2 Moreover, the City Police work load in serving City taxpayers is considerably greater than that of the County counterpart. #3 The crime rate per 100,000 people in the City of Missoula was 10,246 in 1983, compared to the County crime rate of 2,565. Of the 7 major crimes included in calculating crime rate, the City suffered the occurrence of 3,292 crimes in 1983, almost three times the number in the County. In fact, the City's crime rate per 100,000 people holds the dubious distinction of being the highest in the State of Montana and higher than New York City. City taxpayer's dollars should go to the law enforcement department that serves them.

(FACT SHEET) HOUSE BILL 647 MUNICIPALITY TO ASSUME CERTAIN
COUNTY SERVICES

Prepared by the City of Missoula

HOUSE BILL 647 would authorize a municipality to assume responsibility for certain county services performed within the municipality and to prohibit the county from providing that service within the municipality.

IN FACT, many of the county services included in H. B. 647 which municipalities may decide to provide for themselves are already provided by municipalities to their citizens; and many of the county services identified by H. B. 647 are not provided by many counties to residents and properties within municipalities. NEVERTHELESS, residents of municipalities pay taxes to counties for services they already receive from their city or town and do not receive from their county.

HOUSE BILL 647 is not mandatory; a municipality may decide to do nothing which will most likely be the case where services, and thus taxes, are not being duplicated. Yet, a municipality may decide to assume exclusive responsibility for certain services it already provides or wishes to provide and exempt its residents and property owners from being taxed by the county for these services. The services include:

Law Enforcement, except jails,
Library,
Noxious Weed Control,
Parks and Recreation,
RSID Revolving Fund,

Bridges,
Planning,
Animal Control,
Open space,

TAX EQUITY is the purpose of House Bill 647. It is estimated
that City of Missoula residents pay approximately \$700,000^{#1} to
the County for the services listed above provided to properties

the law enforcement agency and other services from the County generally.

They can absorb the added tax burden at least as well as the City property taxpayer can afford to subsidize them. In Missoula County HB 647 could result in a reduction of taxes levied against in-City properties of 16 mills. To make up the resulting loss of revenue, the County would need to levy only an additional 8.23 mills upon properties outside the City.

For the first time, people residing outside the City would pay fully for the services they receive.

The City of Missoula urges a DO PASS recommendation from the Committee. Thank you.

Respectfully submitted by:

David W. Wilcox
Chief Administrative Officer

Sheriff required by the City. With that in mind, we submit that it is appropriate for the city to opt-out of all County Sheriff services it sees fit and pay for any services received on a charge back basis, as may be provided by interlocal agreement.

At this point, some statistical comparisons of the City and County law enforcement agencies seems appropriate. They are:

	<u>City Police</u>	<u>County Sheriff</u>
FY 85 Budget	\$1,985,281	\$1,910,537 ⁽¹⁾
(3)		
(Major)		
Crime Rate/100,000	1983 ¹⁹⁸³ \$ 10,246	2,565
No. of Major Crimes	3,292	1,142
Calls through 9-1-1(1984)	28,683	14,820

1. Does not include jail (or 9-1-1 dispatch).
2. Seven major crimes -- homicide, rape, robbery, aggravated assault, burglary, larceny theft, motor vehicle theft.
3. Highest crime rate in the State; higher than New York City.

I do not use these figures to be in any way critical of the fine Missoula County Sheriff Department. I use them to demonstrate the relative burden on our City Police Department in protecting City residents and properties as well as the thousands of daily visitors. It seems incongruous that City property tax dollars should go to support the County law enforcement agency. County residents should pay for the services they receive, from

- (5) City taxpayers also pay for the County Animal Control Program to control dogs in areas outside the City limits -- \$5,556 in FY 85.
- (6) There can be no argument that City taxpayers should not pay to support the County RSID Revolving Fund. *At \$49,000 - 5 of*
- (7) The most significant taxation affected by this bill is for Law Enforcement. The City taxpayer supports a Police Department budget of \$1,985,218. Yet, City property owners also pay approximately \$550,000 in property taxes to support County law enforcement operations which are provided primarily to properties outside the City. This figure does not include jail, dispatch, serving of warrants, or civilian support (search and rescue). It includes only a proportion of administrative costs for uniform patrol and crime investigation, the primary components included in the \$550,000 figure.

Opponents may be able to point to specific services covered in these budget areas and object that it would be impossible to determine the appropriate areas for opt-out. We believe these isolated cost items can be handled through appropriate interlocal agreements, if indeed they are services from the

I would like to account for this \$700,000 figure as follows:

- (1) It does not include Planning or Library; the City and County of Missoula have solved those areas of ~~political~~ double taxation by entering into interlocal agreements. In fact, our library agreement was approved this week following several years of negotiations, short lived agreements, and of course double taxation.
- (2) The City and County of Missoula also have an informal arrangement for certain weed control purposes. However, the service received does not approach the \$40,000 in taxes paid by City residents to the County program.
- (3) Conservatively City taxpayers pay \$49,650 to the County Park Fund doubling up on the \$500,000 in City taxes paid to support parks and recreation programs used by County as well as City residents. Add another \$4,500 for County Open Space.
- (4) Missoula City taxpayers will pay 2.56 mills to the County for Bridges raising about \$120,000. According to Dick Colvill, Missoula County Surveyor, the City will receive \$67,240 in services, consistent with a five year average. Mr. Colvill states in a letter which is attached to my testimony that he has no objection to legislation allowing cities the assumption of the bridge function.

Exhibit 1
HB 647
2-14-85
Rep. Fritz

To: House Local Government Committee
Representative Paula Darko, Chairperson

From: The City of Missoula

Subject: House Bill 647 Municipality to Assume Certain
County Services

Date: February 13, 1985

The City of Missoula supports House Bill 647 as a solution to the unfair property taxation faced by City residents and property owners. We are in favor of HB 647 because it substantially benefits our citizens by reducing their property tax obligation and by moving toward tax equity. HB 647 does not provide additional revenue to municipalities.

Tax equity is a fundamental governmental responsibility. Missoula City Officials have long recognized the failure of the City and County property tax system to deliver equity. Therefore during the last five years the City of Missoula has cultivated a cooperative relationship with a receptive County government. The result has been more than a dozen interlocal agreements which provide more efficiency as well as more tax equity in the provision of services.

Missoula County Commissioners deserve credit for recognizing their responsibility in this touchy area. But, they can go only so far given state law and political reality. We can expect to make little additional progress; and the current situation leaves City property taxpayers with at least a \$700,000 bill in County taxes for services provided primarily or exclusively to areas of the County outside the City.

Re: HB 545

Moved by
Brown

Failed from
House of
second

The following amendment has been agreed to by MACO, the Montana County Treasurers Ass'n and the sponsors:

line 12, after compensation, insert ", as determined by the board of county commissioners, "

line 13, strike " is \$3,000 "

after administrator, insert " shall be fixed at not less than \$500.00 nor more than \$3,000.00. "

Charles Gravelley

Exh. bit 2
HB 545
2-14-85
Rep. Cobb

NAME Gloria Paladichuk BILL NO. HB 545
ADDRESS Sidney, Montana 59220 DATE 2-14-85
WHOM DO YOU REPRESENT MONTANA STATE TREASURERS ASSOCIATION
SUPPORT X OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

I rise in support of HB 545. ~~The present law allows the Commissioners to receive an extra \$2,000.00 per year.~~

I would like to point out that investing the county and school money is no small business. In Richland County, we are on a total investment program. Every dollar is invested every day and we have a zero balance checking account. Time must be spent in order to know the dollar amounts to invest for both short-term and long-term, along with the amounts needed for daily disbursements.

The schools and irrigation district contribute towards the administration of our program, so payment of this amount would not be a burden on the taxpayers. The schools and irrigation districts no longer have to do their own investing. By belonging to the county program, they receive a percentage of the interest revenue according to their fund balances at the end of the month.

Many counties do hire a financial manager to administer such programs, however, many counties do not and this bill would allow compensation to those treasurers, if so permitted by the county commissioners.

Exhibit 1
HB 545
2-14-88
Rep. Cobb

HOUSE BILL NO. 545

SUBJECT: INVESTMENT

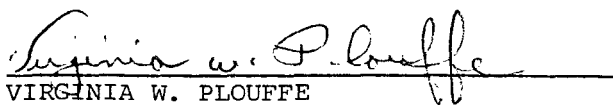
Due to emphasis that has been put on investments the last few years, by both county and school districts, it has become one of the major duties in a County Treasurer's office.

The school districts are investing on a large scale with interest having to be figured on ninety (90) school district funds in this county. Some funds bring in as little as four cents (.04¢) a month interest.

From 1982 to 1984 there was an increase in investment in the approximate amount of six (6) million.

Your help in passing this House Bill No. 545 will be appreciated by the County Treasurers of the State of Montana.

Respectfully submitted by,



VIRGINIA W. PLOUFFE
ROOSEVELT COUNTY TREASURER

Attached Flyer

STANDING COMMITTEE REPORT

February 14, 1935

MR. SPEAKER:

We, your committee on LOCAL GOVERNMENT

having had under consideration HOUSE Bill No. 385

FIRST reading copy (WHITE color)

ANNEXATION - EXPANSION OF LANDS CONSIDERED
CONTIGUOUS TO MUNICIPALITY

Respectfully report as follows: That HOUSE Bill No. 385

DO NOT PASS
XXXXX
DO PASS

STANDING COMMITTEE REPORT

February 14,

1985

MR. SPEAKER:

We, your committee on LOCAL GOVERNMENT

having had under consideration HOUSE Bill No. 384

FIRST reading copy (WHITE)
color

NO ELECTION ON ANNEXATION IF ALL PROPERTY
OWNERS OF AREA SIGN PETITION.

Respectfully report as follows: That HOUSE Bill No. 384

~~DO NOT PASS~~
~~XXXXXX~~
DO PASS

STANDING COMMITTEE REPORT

.....February 14..... 195.....

MR. SPEAKER:.....

We, your committee on LOCAL GOVERNMENT.....

having had under consideration HOUSE..... Bill No. 414.....

FIRST reading copy (WHITE)
color

**PUBLIC SAFETY COMMISSION EMPLOYEES - SALARY, WORKPERIOD,
AND OVERTIME.**

Respectfully report as follows: That.....HOUSE..... Bill No. 414.....

BE AMENDED AS FOLLOWS:

1. Page 1, line 22.
Following: "specified"
Insert: "for the sheriff"

2. Page 1, line 24.
Following: "7-4-2503"
Insert: "and 7-4-2513"

3. Page 2, lines 1 and 2.
Following: "salary"
Strike: the remainder^{of} subsection (1) in its entirety

AND AS AMENDED,

--DO-PASS

See > 105

February 14, 1985

5. Page 3, lines 19 through 23.

Strike: subsection (vi) in its entirety

6. Page 4, line 3.

Strike: "\$500"

Insert: "\$200"

AND AS AMENDED,
DO PASS

See 2/15

HB 484

Montana Rural Water Systems, a non-profit organization of over 420 small communities, water districts and water users associations do support HB 484 and would like to recommend a "do pass" decision on this bill.

MRWS would also like to endorse the amendment to Section - 7-13-234, subsection 5 which deals with Sewer Districts and recommend a "do pass" on this amendment also.

Ray Wadsworth, program manager - MRWS.

Exhibit 6
HB 484
2-14-85
Rep. Peck

WITNESS STATEMENT

Name KENNETH HOLLAR Committee On LOCAL GOV'T.
Address P.O. Box 50339, Billings MT, 59105 Date 2-14-85
Representing ^{Advocate:} County WATER Dist. of Billings Heights Support ✓
Bill No. HB484 Oppose _____
Amend ✓

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1. RE: 7-13-2341, SUBSECTION (5)
IN FAVOR OF ADDING WORD "WATER" AND
DELETING WORDS IN AN "UNINCORPORATED
AREA."
- 2.
- 3.
- 4.

Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.



MISSOULA RURAL FIRE DISTRICT

2521 SOUTH AVENUE WEST MISSOULA, MT 59801 (406) 549-6172

Exhibit 1
HB 504
2-14-85
Rep. Kadas

Geographical Area: 80 square miles

Population: 28,500

Paid Firefighters: 27

Volunteers: 78

Value of Capital Improvements: \$ 3.3 million

Rolling Stock, Fire Engines, Equipment: \$ 2.5 million

Land and Buildings: \$.8 million

Representative Kadas, District 55

Approximately one-half geographical area in Fire District
Contains major industrial, Borden Chemical, Louisiana Pacific, Stockyards,
Wheeler Village, Continental Tank Farm
Three volunteers reside in District

Representative Stella Jean Hanson, District 57

Approximately one-half geographical area in Fire District
30 to 40 percent of her constituency live in the Fire District
Contains major industrial, Intermountain, Champion
Four volunteers reside in District

Effect of Annexation

1. Reduction in revenue to the Fire District, \$350,000
2. Increase in taxes by residential taxpayer
 - a. Fire District estimate 30 percent to individual
 - b. City estimate (Wapikiya) \$183.60 to individual
 - c. Industrial/commercial tax increases greater than 30 percent if annexed into City.
3. Fire District required to maintain level of services
4. Close or reduce protection given by Rattlesnake Station, City would need to build station.

Operating Budget

Fire District, \$ 1.5 million, FY 84-85
City Fire Department, \$ 1.8 million, FY 84-85

Exhibit 2
HB 504
2-14-85
Rep. Kadys

WITNESS STATEMENT

NAME Bernie Swift BILL NO. 504
ADDRESS Hamilton, Mt DATE 2/14/85
WHOM DO YOU REPRESENT? Ravalli Co. Rep. Dist #6
SUPPORT _____ OPPOSE ✓ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

This bill is one of a series of (5) five Bills that
deletes barriers to the ability of cities &
municipalities to unilaterally take away the rights
of resident freeholders to protest being annexed.

I disapprove of this bill, as it along with others
usurps the right of citizens to protest government
action.

Bernie Swift
Rep. Dist #64

Exhibit 1
HB 496
2-14-85
Rep. Darko

WITNESS STATEMENT

Name DANIEL MILLER Committee On _____
Address R2, Box 730, LIBBY, MT Date 2/14/85
Representing _____ Support ✓
Bill No. 496 Oppose _____
Amend _____

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1.

2.

3.

4.

Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.

Statement of Daniel A. Miller to the Local Government Committee
To Representative Paula Darko, Members of the Local Government
Committee:

My name is Daniel Miller. I am the Personnel Manager at Champion International, Libby, Montana. I am appearing before you on behalf of the Libby Swimming Pool Task Force. We are a group of citizens established to research out the feasibility of a swimming pool for the Libby area. Our efforts have been endorsed by both the Libby City Council and the Lincoln County Commissioners. Our research has brought me to you today because it shows a larger problem than building and maintaining a swimming pool.

Before I get into the larger problem a little history is in order: In the fall of 1981, a study group made up of local Libby community leaders distributed a survey throughout the Libby area. Its goal was to find out at the grass roots level exactly what the citizens of our community wanted for the future in the areas of cultural, educational, and recreational facilities and programs.

There were over 1,100 responses to that survey in an area populated with 12,000 citizens. The results showed that our community ranked a swimming pool facility as first priority. Second priority was a Junior College/vocational training program; third, a sports complex at the old Libby airport no longer used as an airport. Fourth, a summer recreation program for all ages; fifth, expansion of the Senior Citizens Center. And sixth, was a community auditorium. With the help of Rep. Darko and the enabling legislation passed by the last legislature, our community now has its Junior College. Last fall we formally dedicated the Libby Center, an extension of Flathead Valley Community College. So the number two item on the community survey is now a reality.

The third item was the airport sports complex. There are four ball diamonds, a horse arena, and part of a jogging trail located on the old airport site. Most of the work was done by volunteer labor. Much work is left to do.

The fourth item, a summer recreation program.-- A program has been presented from year to year for our youth depending on available funding through the school district. There's no long term plan or program. It lacks organization and a steady income base.

The fifth item on the survey -- expansion of our Senior Citizens Center is done. The Senoir Citizens Center has a new addition on it which is being used constantly by that segment of our community. The first ranked item on that survey -- a swimming pool -- and sixth ranked item -- a community auditorium--are both a wish in the community's eye right now. The biggest question is how can they be financed? And second, who is going to run them once they are built? I joined the Libby Swimming Pool Task Force last summer to make the #1 community choice a reality. This group met with the Libby City Council, the School Board, and held three public meetings. As a result of the input from these meetings, the Task Force came to the realization there was no reasonable way in Lincoln County to finance and manage a pool or any other major recreation or parks facility. The larger problem is the Libby community's inability to satisfactorily fund and give solid direction to a comprehensive, long-term Park and Recreation program. The Libby City Council members have told our group they cannot afford to install parks facilities for Greater Libby use due to the small tax base. The County Commissioners in Lincoln County told our group they are sympathetic to what we are trying to do, but a county-wide funding of large parks and recreation facilities and projects is not possible. Citizens of Troy(18 miles away) and Eureka(60 miles away) should not have to fund facilities for Greater Libby's use.

Our Task Force had the Montana Code researched. We concluded from this research the only way under present law to establish and fund a parks and recreation program is either at full county level, or at city level, neither of which is possible with the present county population structure. Maybe we have a unique situation where members of our community are concentrated around Libby but not exclusively in Libby. Because of this, neither the county nor the city is willing to establish and fund a Parks and Recreation program to the extent indicated by the 1981 Libby survey.

So here we are asking you to consider legislation through House Bill 496. This bill, if passed, will allow the citizens in the Greater Libby area to determine if and how they want to better their community through a Parks District. We need this legislation so the leaders of our community can offer to the Greater Libby electorate a means to obtain those high priority items on the community's survey

list, a swimming pool, a well thought out and funded sports complex and development of other park lands and programs.

This can best be offered through a Parks District as outlined in House Bill 496.

EXHIBIT 2
HB 496
2-14-85
Rep. Darko

WITNESS STATEMENT

Name Mitzi Smart Committee On Local Gov't
Address Rt. 2 Box 547A Libby, Mt. 59923 Date 2-14-85
Representing _____ Support ✓
Bill No. 496 Oppose _____
Amend _____

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1.

2.

3.

4.

Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.

Last summer some interested people in Libby got together to investigate the possibility of getting a swimming pool for our town. We went to the City Council and they said they couldn't afford a pool as they were too small and didn't have enough taxpayers to support a pool. Next we went to the County Commissioners and they said they couldn't spend county money to build a pool in one town that the rest of the towns couldn't use. Now we would like to divide the county into a district that would be bigger than the city, but not as big as the entire county. The towns in Lincoln county are far apart and really can't share this kind of a facility. I feel that we need legislation to allow the people to establish park and recreation districts within counties. These districts would be able to levy taxes to support projects like swimming pools, ball fields, and picnic areas that would add to the environment and the quality of life.

Thank You,

Mitzi Smart
Rt. 2 Box 547A
Libby, Montana 59923

TESTIMONY FOR HOUSE BILL 496

LIBBY AREA

POPULATION AND TAX STATISTICS

Libby Population (No. of Registered Voters)	2,748
Libby School District #4 (No. of Registered Voters)	7,600
Greater Libby Area-No. of People	12,000
Tax Notices Sent in Libby	1,221
in Lincoln County	15,000
School District #4 - 1 Mill Yields	\$33,310
Current Total Assessment -	
Libby in Town	290.8 Mills
Libby Out (Fire)	233.14 Mills

Example:

\$60,000 Home in Libby - 1 Mill Levy = \$5.13

Lincoln County now assess .54 mills for parks.

Statement of Daniel A. Miller to the Local Government Committee
To Representative Paula Darko, Members of the Local Government
Committee:

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The third item was the airport sports complex. There are four ball diamonds, a horse arena, and part of a jogging trail located on the old airport site. Most of the work was done by volunteer labor. Much work is left to do.

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The fifth item on the survey -- expansion of our Senior Citizens Center is done. The Senoir Citizens Center has a new addition on it which is being used constantly by that segment of our community. The first ranked item on that survey -- a swimming pool -- and sixth ranked item -- a community auditorium--are both a wish in the community's eye right now. The biggest question is how can they be financed? And second, who is going to run them once they are built? I joined the Libby Swimming Pool Task Force last summer to make the #1 community choice a reality. This group met with the Libby City Council, the School Board, and held three public meetings. As a result of the input from these meetings, the Task Force came to the realization there was no reasonable way in Lincoln County to finance and manage a pool or any other major recreation or parks facility. The larger problem is the Libby community's inability to satisfactorily fund and give solid direction to a comprehensive, long-term Park and Recreation program. The Libby City Council members have told our group they cannot afford to install parks facilities for Greater Libby use due to the small tax base. The County Commissioners in Lincoln County told our group they are sympathetic to what we are trying to do, but a county-wide funding of large parks and recreation facilities and projects is not possible. Citizens of Troy(18 miles away) and Eureka(60 miles away) should not have to fund facilities for Greater Libby's use.

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list, a swimming pool, a well thought out and funded sports complex and development of other park lands and programs.

This can best be offered through a Parks District as outlined in House Bill 496.

1977

Board To Interview Architects For Swimming Pool Proposal

Whether to build or not to build: a community swimming pool under the direction of School District 4.

There seems to be no clear answer to that question, and school trustees haven't made up their collective minds if they are going to go ahead with such a project. But they haven't scrapped the idea, either. They will interview architects Sept. 13, beginning at 7 p.m. They may select one to work on the project shortly thereafter, in time to announce it in the Sept. 15 Western News. Then the architect would meet with the board and members of the public at the regular meeting of school trustees on Sept. 19.

"Up to that point, we won't be committed," one trustee remarked.

There seems to be general agreement from most quarters that a community swimming pool for year round use is needed. Main question is whether it should be a school project or a project of Libby Recreation Association. If the school district proposes it and gets voter approval this fall, matching funds are available

from the U.S. Bureau of Outdoor Recreation. Since there is no recreation district at this time, it appears that it would take at least a year before the recreation district could make a similar proposal.

There is some feeling, vocalized by Terry Schultz, director of the county planning and health department, that if the school district builds a pool then needs of the community will take a back seat to school needs. School officials don't anticipate a great conflict between school and community needs.

Although a recent vote on the matter at a meeting of the Libby Recreation Association board of directors ended in a 3-3 tie, all segments of the recreation association have said they will support the project if the school district goes ahead with the plan.

Trustee Larry Sverdrup, who is also a member of LRA board, is a main booster of the pool project. He said, "Formation of a recreation district is of prime importance, and that will be going on simultaneously with the pool project. Formation of the

recreation district takes signatures on a petition, and funding of the pool project takes a school election."

Near the end of the discussion, Trustee Karl Erhard said, "I think it behooves us to meet with the architects so I move to do so."

The five trustees at the special board meeting Monday approved the motion without opposition. Attending were Erhard, Sverdrup, Marlene Herreid, Chuck Woods and Earl Messick. Absent were Bob Oliverio and Lenore Goyen.

The school board had attempted to sample public opinion on the issue through two surveys, but the results weren't overwhelming, although they show a majority of persons in favor of the pool project by the school district.

"In summary, it appears that those citizens within School District 4 that responded to our random surveys would support the construction of an indoor pool for school and community use given the tentative and incomplete information available to date," reported

Harley Paulson. "We should also keep in mind that this survey data represents a small fraction of the total Libby population."

Only 159 persons responded to the ballot printed in The Western News two weeks ago. There were 91 of the ballots marked in favor of the project and 68 ballots marked against the project. Broken into percentages, that meant 57 percent in favor and 43 percent against.

A little more than 200 persons were contacted by school secretaries in a telephone survey. Of them, 150, or 73 percent, gave an affirmative response, 45, or 22 percent, said no, and 9 were undecided.

Combining the two surveys, there were 343 persons who responded and 241, or 69 percent, said yes, they would favor School District 4 building a community swimming pool.

Architects who have contacted the board about the swimming pool project are Taylor, Thon and Associates of Kalispell; Bierrum Associates of Kalispell, and Eric Hefty and Associates of Missoula.

COMMUNITY SURVEY RANKINGS

October 1981
1100 + Replies

Yes	No	
798	298	Swimming Pool
699	361	Junior College/ Vocational Education
695	355	Sports Complex at Airport
658	368	Summer Recreation for All Ages
640	371	Senior Citizen Center Enlargement
603	439	Auditorium
533	417	Ice Skating Rink
524	462	Downtown Ballpark Refurbishing
509	448	School Volunteer Program Expansion

Priority No. 1 & 2

1. Swimming Pool	553
2. Senior Citizen Center	277
3. Airport Sports Complex	266
Junior College/VoEd	266
4. Auditorium	264
5. Ice Skating Rink	76
6. Summer Recreation	69
7. Downtown Ballpark	57
8. School Volunteer Prog.	23

Priority No. 1 - 5

1. Swimming Pool	610
2. Junior College/VoEd	482
3. Airport Sports Complex	453
4. Auditorium	422
5. Senior Citizen Center	410
6. Summer Recreation	316
7. Ice Skating Rink	300
8. Downtown Ballpark	194
9. School Volunteer Prog.	122

TOP FIVE (All Three) (Two of Three) (One of Three)

Swimming Pool
Junior College/VoEd
Airport Sports Complex
Senior Citizen Center

Auditorium

Summer Recreation

TOP THREE (All Three) (Two of Three) (One of Three)

Swimming Pool
Junior College/VoEd
Sports Complex

Senior Citizen Center

TOP TWO (All Three) (Two of Three) (One of Three)

Swimming Pool

Junior College

Senior Citizen Center

February 5, 1985

Representative Paula Darko
House of Representatives
Capitol Station
Helena, MT 59620

Dear Paula,

I have discussed the creation of the County Parks District with Board Chairman Lenore Goyen as well as an avid supporter of the plan, Dan Miller.

Personally speaking, I would like to endorse the concept of the creation of the Parks district that would allow a group of concerned citizens to band together and to form a taxation district for the welfare of the community. As a typical school administrator, I always have a little twinge of concern whenever I recommend such a position as it does lend, to a certain degree, competition to the school districts when they seek additional levy increases. I do, however, believe that that may be a purely selfish motive wherein, if we look at the whole picture, we must realize that for the betterment of any community, that community must be allowed an option to improve itself whether it be by recreation districts or by park districts.

House Bill 496, as you well know, does not mandate the creation of any district, nor force taxpayers into a taxing situation unless they so approve it. I strongly oppose the argument that further taxing districts should not be allowed to be created in order to save the taxpayer from any additional burden. In our republican form of government, as well as in any democratic society, one of the basic principles is that the majority must be allowed to determine needs of the whole. By restricting the majority by keeping from them an instrument that would allow themselves to better their community, I feel goes against our basic principles.

I strongly urge you to continue your support of House Bill 496.

An example would be the creation of the Flathead Valley Community College branch that we now have in Libby. Without this taxing authority, the community of Libby would not have had this very vital educational institution we now enjoy. The taxpayers saw fit to levy upon themselves a tax to support this institution, and now I feel that the taxpayer should also at least be given the opportunity to determine whether there is a need as great for a swimming pool. The only way to do this is by allowing them to create a district and levy a tax upon themselves.

C
O
P
Y

I do regret I will not be able to attend the hearing as I have previously scheduled district board and committee meetings. Thank you for your time and cooperation!

Sincerely,

ROBERT J. PRATT,
Superintendent

RJP:jh

cc. Lenore Goyen
Dan Miller ✓

P.S. This is not an endorsed position by the Board of Trustees, but a personal opinion that I am giving you as a school superintendent.

C
O
P
Y



PLUMMER COMMUNITY SCHOOL



ROUTE 3, BOX 997
LIBBY, MONTANA 59923
293-6204 EXT. 220

January 15, 1985

Representative Paula Darko
House of Representatives
State Capital
Helena, Montana 59620

Dear Paula:

The Plummer Community School Council is a group of parents and interested adults that meets monthly with school officials to help establish programs which enrich our children's school experience, contribute to community use and understanding of school facilities, and integrate community events and assets with the educational process. To be effective, the council must have a true sense of community and be aware of events, issues, needs and skills present in the area. It is on this basis that we wish to strongly support your efforts for legislation which will allow formation of recreation districts for purposes of more equitably funding needed community projects. As you are aware, the need for a swimming pool in Libby has been well established on the basis of both formal and informal opinion gathering. Because of the population distribution and density in Lincoln County, no single town or group can afford a swimming facility. Organization of a recreation district for purposes of financing a swimming pool appears to be a very workable solution to our problem and an obvious and immediate benefit of such legislation.

If we can provide any assistance to you in your efforts regarding park district legislation, please don't hesitate to contact us.

Sincerely,

Tracy Scussel, Chairman
PLUMMER COMMUNITY SCHOOL COUNCIL

JoAnne Purdy
Joyce Brant, Co-Coordinaors
PLUMMER COMMUNITY SCHOOL



OPEN DAYS NICES AND IDEAS





KOOTENAI COMPOSITE SQUADRON
CIVIL AIR PATROL

Auxiliary of the United States Air Force

BOX 216

LIBBY, MONTANA 59923

4 February 1985



REPLY TO ATTN. OF:

SUBJECT: County Parks & Recreation District Legislation

TO: Representative Paula Darko

We would like to make known our support of this legislation to you and the Local Government Committee. We feel that it would not be granting authority to anyone besides the voters, and that there would be no cost to Montana's General Fund. It would allow individual counties to establish districts so that important recreational improvements for the local involved populations can take place.

Libby, for instance, is currently trying to build a pool for all the county residents to use. The only way it will become a reality is for this legislation to pass. Civil Air Patrol's interest in a pool is tangible. We would be using it for Water Safety Training for our Cadet members (13-21y/o), and for recreational purposes by having an occasional "swim night" for all of our members.

We feel that the State Legislature should allow the counties the right to petition the voters, via a Parks and Recreation District, for funding various projects that will add to the quality of life for all its residents.

Therefore, on behalf of our membership, I urge you and the Local Government Committee to approve this important legislation, and refer it to the main floor with your highest recommendation for passage.

Thanks to you, Paula, and to the Committee for their consideration.

My Best Regards,

James R. Sheffield, CPT, CAP

February 4, 1985

Representative Paula Darko
Local Government Committee
Montana House of Representatives
Capitol Station
Helena, Montana 59620

Dear Paula:

I am in favor of a bill to allow formation of a Recreation District within the Montana counties. The Libby Swimming Pool Task Force is presently working diligently to build a swimming pool for the City of Libby, and this is one course that can be taken if we had a Recreation District.

Sincerely,

Libby, Montana 59923

City	Pop.	# of	Age	Town	Calif.	Head	Type of	Total	Total	Post	No. of	Total	Min	to	'84	'84	Coners
							Plant	Revenue	Access	Exp.	Staff	Payroll	Expense	Net	Profit	Deficit	Deficit
Colby	10,000	1	33		X	X	Gas	\$26,416	—	—	—	\$24,464	\$19,424	50%	—	—	—
Colby	10,000	1	33		X	X	Gas	\$26,416	—	—	—	\$24,464	\$19,424	50%	—	—	—
Helena	55,000	1	—		X	X	Gas	\$16,916	\$180	—	—	\$16,805	\$16,560	37%	—	—	—
Billings	85,000	3	2-17 yrs		X		Gas	\$25,444	\$3,305	—	—	\$20,000	\$14,000	?	—	—	—
Et. Eaton	1800	1	8		X	X	Gas	\$16,882	—	—	—	\$10,233	\$3,170	60%	—	—	—
Deer Lodge	4,500	1	4		X	X	Gas	—	—	—	—	\$42,502	\$24,961	—	—	—	—
Missoula	55,000	2	10-24-5 yrs		X	X	Int. H ₂ O	\$45,000	—	—	—	\$55,000	\$35,300	18-20%	—	—	—
Survivor	—	1	—		X	X	Oil	\$963	—	—	—	\$5071	\$4,900	72%	—	—	—
Hahuldan	2,675	1	25		X	X	Gas	—	—	—	—	\$14,612	\$5,064	100%	—	—	—
Hardin	2,304	1	—		X	X	Gas	\$11,206	—	—	—	\$11,445	\$24,470	90%	—	—	—
Calstrip	1,220	2	8		X	X	Elect	\$7,645	—	—	—	\$15,885	\$5,600	50%	—	—	—
Stevensville	1,220	1	34 built		X	X	Gas	\$6,100	—	—	—	—	\$9,564	50%	—	—	—
Plains	1,200	1	8		X	X	Gas	\$6,100	—	—	—	—	\$16,879	20%	—	—	—
Havre	13,000	1	8 1/2		X	X	Gas	\$28,553	—	—	—	\$16,951	\$34,696	60%	—	—	—
Roundup	3,500	1	—		X	X	—	—	—	—	—	—	—	—	—	—	—
Neotoma, Wn.	11,500	1	5 yrs		X	X	Electric	\$40,555	\$7,620	—	—	\$10,15	\$10,109	48%	\$1900	—	—
Neotoma, Wn.	13,65	1	5 yrs		X	X	Prepaid	\$7,220	—	—	—	\$10,109	\$6,4583	—	—	—	—
Miles City	16,000	1	50 yrs		X	X	Gas	\$5,498	—	—	—	\$10,665	\$21,443	—	—	—	—
Columbia Falls	\$21,000	1	50 improvements		X	X	Gas	—	—	—	—	—	—	—	—	—	—

City - will levy

Lincoln County Parks & Recreation Department

418 Mineral Avenue
Libby, Montana 59923
(406) 293-7781

Statement in Support of House Bill 496

The Lincoln County Parks and Recreation Board support House Bill 496 introduced by Representative Paula Darko. The reasons are as follows:

- House Bill 496 will allow for the creation of separate Recreation Districts within the large Montana counties.
- The creation of Recreation Districts within a county will allow for proper support for recreational projects which could feasibly be used by residents of a small portion of the county.
- The creation of Recreation Districts will allow for better planning, supervision and support of recreational projects for those residents residing within the district. Each district could tailor the directions of their recreation program to suit it's own needs.
- Most counties within Montana are very large with the population of the counties primarily located in towns separated by many miles. The creation of the Recreation District will allow each geographic area to design it's recreation program without placing a burden upon the tax payers throughout the county who would in reality not be able to use or benefit from the program.
- House Bill 496 provides for the creation of the Recreation District through the majority vote of the residents residing within the proposed Recreation District. Each voter will have the opportunity to decide for or against the creation of the Recreation District. Once created the voters will have the opportunity to vote for or against mill levy requests to support the recreation projects within the district. The Recreation District will help to prevent the outlying residents and the residents of the small towns of the county from paying for programs they cannot use nor be rightly called upon to support.

House Bill 496 is a sound step in the direction of supplying Montana's counties with the tools to provide sound and well conceived recreational programs for their residents.

Exhibit 3
HB 496
2-14-85
Rep. Darko

Lincoln County Parks & Recreation Department

418 Mineral Avenue
Libby, Montana 59923
(406) 293-7781

Statement in Support of House Bill 496

The Lincoln County Parks and Recreation Board support House Bill 496 introduced by Representative Paula Darko. The reasons are as follows:

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House Bill 496 is a sound step in the direction of supplying Montana's counties with the tools to provide sound and well conceived recreational programs for their residents.

Exhibit 4
HB 496
2-14-85
Rep. Darko

WITNESS STATEMENT

NAME Joan Poston BILL NO. 496
ADDRESS 1415 Sisilius Hene WA DATE 2/14/85
WHOM DO YOU REPRESENT? Lewis & Clark County Park Board
SUPPORT X OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

This is not just a problem in Lincoln County. There are similar situations and a similar demographic make-up in Lewis & Clark County.

LIBBY COMMUNITY EDUCATION
111 EAST LINCOLN BLVD.
LIBBY, MONTANA 59923

Exhibit 5
HB 496
2-14-85
Rep. Darko
(406) 293-6622

February 12, 1985

Rep. Paula Darko
Local Government Committee
Montana House of Representatives
Capitol Station
Helena, MT 59620

Dear Ms. Darko:

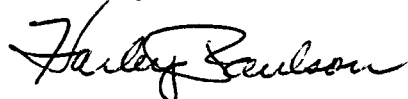
The purpose of this letter is to request your support of HB 496, Formation of County Park District.

The need for youth services, which includes recreation, is well documented in the South Lincoln County area. Following a detailed needs assessment in 1979, a Youth Activities Program was established in the community under the sponsorship of an Aid Association to Lutherans grant. This program has been maintained with funding through School District #4.

In order to serve these youth year around, we need to be able to establish a recreation district and program summer activities. Last year only 103 youth could be served due to funding and personnel limitations as opposed to 2,725 youth served during the school year in school facilities in the Youth Activities Program.

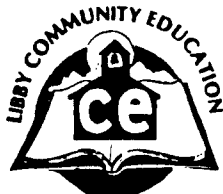
Your support of HB 496 would allow the people of Lincoln County to choose to provide recreational services for youth and adults. Such programs have served a need in the past and, in my opinion, would be supported by the people if a vehicle for organization and funding could be established.

Sincerely,



Harley Paulson
Community Education Director

HP:ck



LIBBY PUBLIC SCHOOLS

111 EAST LINCOLN BLVD.
LIBBY, MONTANA 59923

406-293-6204

Exhibit 6
HB 496
2-14-85
Rep. Darko

February 12, 1985

Representative Paula Darko
Local Government Committee
Montana House of Representatives
Capitol Station
Helena, MT 59620

Dear Paula,

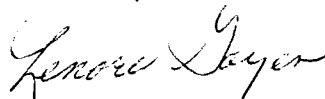
As the hearings are beginning concerning House Bill 496, we feel that the Board of Trustees for the Libby School District needs to make their position clear in the matter.

As you may recall, Libby School District has been involved off and on concerning the building of a swimming pool. At one time the district even sponsored a levy for that purpose and for a variety of reasons, that levy was defeated. At this time with our dwindling finances and declining enrollment, we cannot take a position which would endorse the school sponsoring a swimming pool or even operating and managing it. We do, however, want to go on record that we would be interested should a pool be built, of our willingness to provide swimming programs that would be of benefit for our students.

We ask that you do not take our position as one of non-support of House Bill 496 and what it would allow the community to do; but as one of not wishing to own and operate a pool due to funding complications. As individual members, we may each take our own position, but in order to clarify the matter, we are speaking as the Board of Trustees for the Libby School District on this issue.

Thank you for your time and consideration and do not hesitate to contact us should you wish any additional information.

Sincerely,



Lenore Goyen Chairman
Board of Trustees
Libby School District No. 4

LG:jh

*The Big Sky Country***MONTANA HOUSE OF REPRESENTATIVES**

REPRESENTATIVE PAULA DARKO

HOUSE DISTRICT 2

HELENA ADDRESS:

CAPITOL STATION

HELENA, MONTANA 59620

HOME ADDRESS:

P.O. BOX 490

LIBBY, MONTANA 59923

PHONE: (406) 293-4838

COMMITTEES:

LOCAL GOVERNMENT, CHAIRMAN

JUDICIARY

HUMAN SERVICES & AGING

Diana S. Dowling
Executive Director
Legislative Council

February 15, 1985

Dear Mrs. Dowling,

This letter constitutes a request for the drafting of a committee bill to provide that a person who was a peace officer, but hasn't been employed in that capacity for less than 5 years, need not take the basic peace officer educational course. The bill would increase the time limit in 7-32-303(5)(b), MCA, from 3 to 5 years.

The House Local Government Committee, at its meeting on February 14, 1985, consented by a three-quarters majority to request the bill be drafted.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Paula Darko".

Paula Darko
Chair, House Local
Government Committee



484
The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

REPRESENTATIVE PAULA DARKO

HOUSE DISTRICT 2

HELENA ADDRESS:
CAPITOL STATION
HELENA, MONTANA 59620
HOME ADDRESS:
P.O. BOX 490
LIBBY, MONTANA 59923
PHONE: (406) 293-4838

COMMITTEES:
LOCAL GOVERNMENT, CHAIRMAN
JUDICIARY
HUMAN SERVICES & AGING

Diana S. Dowling
Executive Director
Legislative Council

February 15, 1985

Dear Mrs. Dowling,

This letter constitutes a request for the drafting of a committee bill allowing water districts the same ability to add territory as sewer districts when the district has excess capacity. The bill should also delete the requirement that such an addition must be made into an unincorporated area and should include a requirement for the written consent of a landowner before land can be added to the district.

The House Local Government Committee, at its meeting on February 14, 1985, consented by a three-quarters majority to request the bill be drafted.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Paula Darko".

Paula Darko
Chair, House Local
Government Committee

Malbin

AMENDMENTS TO HOUSE BILL 239

Page 1, Line 23	Strike "but are not limited to:"
Page 2, Line 2	Insert (D) jails (E) law enforcement.
Page 3, Line 1	Strike "electors", substitute "property owners"
Page 3, Line 2	Strike "the", substitute "each"
Page 3, Line 19	Strike "the", substitute "each"
Page 4, Line 3	Strike "the", substitute "each"
Page 4, Line 7	Strike "electors", substitute "property owners"
Page 4, Line 7	Strike "the", substitute "each"
Page 4, Line 9	Strike "electors", substitute "property owners in the area of the jurisdiction proposed for inclusion in the district."

OPTIONAL AMENDMENTS TO HOUSE BILL 239

Page 4, Line 10 Insert "(D) Mill levies for the purpose of
financing the district will be levied on
the principal residence only on all
properties in excess of 10 acres."

AMEND HOUSE BILL 384

1. Page 2, line 14.
Strike: "all"
Following: "owners"
Insert: "or owner"
Following: "of"
Insert: "all the"

*Amend
S. 385*

AMEND HOUSE BILL 385

1. Title, line 4

Strike: "EXPAND THE LIST"

Insert: "PROVIDE UNIFORMITY IN THE LISTS"

2. Page 2, line 3.

Following: "lands"

Insert: ", except lands used for agricultural purposes,"

3. Page 2, line 22.

Following: "lands"

Insert: ", except lands used for agricultural purposes,"

4. Page 3, line 15.

Following: "lands"

Insert: ", except lands used for agricultural purposes,"

*moved by
Kittellman*

AMEND HB 616

1. Page 6, lines 18 and 19.
Strike: "using as a basis one of the methods"
Insert: "the method"
2. Page 6, lines 23 through 25.
Strike: The governing body shall adopt one of the
following methods of assessing costs for"
Insert: "For"
3. Page 7, lines 1 through 7.
Strike: ":" on line 1 through (2) on line 7
4. Page 7, line 7.
Strike: "may"
Insert: "shall"
5. Page 7, lines 13 through 15.
Strike: subsection (3) in its entirety

moved by Kitzelman

AMEND HB 414.

1. Page 1, line 22.

Following: "specified"

Insert: "for the sheriff"

2. Page 1, line 24.

Following: "7-4-2508"

Insert: "and 7-4-2510"

3. Page 2, lines 1 and 2.

Following: "salary"

Strike: "the remainder subsection 1 in its entirety"

VISITORS' REGISTER

Local Governments COMMITTEEBILL NO. HB 647DATE Feb. 14, 1985SPONSOR Rep. Fritz

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
Dave Wilson	City of Missoula	X	
Gordon Morris	MA CO		X
Al Sampson	Missoula	X	
Carol Mosher	Montana Cow Belles		X
M. Korman	Mineral County		X
Eel Jansom	Mineral County		X
Brenda Schye	Mont. Arts Advocacy		X
Carol Mosher	Montana Stockgrowers		X
Kanna Reeder	Billings MT	X	
Jim Campbell	Lewis & Clark County		X
Dwight Mathay	Yellowstone co.		X
Layina Lubinus	WIFE		X
J. Bruner	Mont Ag Soc Work		X
D. Schlenker	mont Lib soc		X
Ann Tucker	State Library		X

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

Local Government COMMITTEEBILL NO. HB 813DATE Feb. 14, 1985SPONSOR Rep. Schye

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FOR

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Local Government COMMITTEE

DATE Feb. 14, 1985

SPONSOR Rep. Patterson

[illegible]

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

Local Government COMMITTEEBILL NO. HB 496DATE Feb. 14, 1985SPONSOR Rep. Darko

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
STEPHEN PRAY	645 OTWORTH RD, REXFORD, MT	✓	
Mitzi Smart	Rt. 2 Box 547A Libby	✓	
DAN MILLER	R2, Box 73C, LIBBY	✓	
Bayard O. Stone	P.O. Box 536 Libby	✓	
Doreen Parmenter	Park Apt #1 Libby	✓	
G. Morin	MACO	✓	
Dave Conklin	Pringley Gulch Helena	✓	
Shetchen Olheiser	Mt. Reservation, Park Apt #1 1616 Cannon #23 Helena	✓	
Mary Noonan	Mineral	✓	
Ed Sanson	Mineral	✓	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FOR

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

Local Government COMMITTEE

BILL NO. *HB 545*

DATE Feb. 14, 1985

SPONSOR Rep. Cobb

[illegible]

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Local Government COMMITTEE

DATE Feb. 14, 1985

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FOR
PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

Local Government

COMMITTEE

BILL NO. HB 483DATE Feb. 14, 1985SPONSOR Rep. Spaeth

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
<i>Spaeth</i>	<i>HD 801</i>	<i>X</i>	

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Local Government COMMITTEE

DATE Feb. 14, 1985

SPONSOR Rep. Peck

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

Local Government

COMMITTEE

BILL NO. HB 504DATE Feb. 14, 1985SPONSOR Rep. Kadas

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
RICH GEBHARDT	MISSOULA RURAL FIRE		XXX
JAMES LOREYUS	MISSOULA RURAL FIRE		XXX
RH Ellis	Helena Valley		X
Lyle P. Nagel	Val Firemen's Assn		X
Ernest Swanson	Missoula Rural Fire Dist		X
Don Williams	City of Missoula	X	
Jeff Steen	Missoula Home Owners 123 S. Canyon Assoc.		X
B. J. Verweil	City of Helena	✓	
Vern Evans	West Hill Valley F.D.		X
Al Sargent	Missoula	X	
Robert Ford	Missoula Rural Fire		X
Bernie Swift	Hamilton - Rep. Dist 64		X
Michael Hunt	Mt. St. Firemen's Assoc	X	

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Local Government COMMITTEE

DATE Feb. 14, 1985

SPONSOR Rep. Fritz

Bruce C. Harding
Lawrence H. Hyslopman
James E. Dopp
John R. -
G. Morris
Don Dooley
Bill Venable
Joanne Pres

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.