

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

February 16, 1985

The meeting of the Local Government Committee was called to order by Chairman Paula Darko on February 16, 1985 at 3:00 p.m. in Room 312-2 of the State Capitol.

ROLL CALL: All members were present, with the exception of Vice Chairman Wallin, who was excused.

Chairman Darko asked that all persons present who were going to testify be sure to sign the witness sheets.

CONSIDERATION OF HOUSE BILL NO. 746: Representative O'Connell of District 40, sponsor of HB 746, presented it to the committee. This bill authorizes an assessment option based upon water meter size to be used in assessing costs in fire hydrant maintenance districts. Rep. O'Connell stated this is a house-keeping bill, and she had the bill in Local Government two years ago. Most cities are affected. However, two years ago they forgot a mechanism as to how fees should be distributed. This bill will correct that situation by establishing the charge based on the meter size. She said Mr. Johnson, city manager of Great Falls, and Alec Hansen, representing the Montana League of Cities and Towns, would truly appreciate it if the committee would pass this bill.

Attached is exhibit 1, which is an inter-office memorandum to Al Johnson, city manager from Nathan Tubergen, finance director of Great Falls, stating his support of this bill.

There were no further proponents and no opponents present.

DISCUSSION OF HOUSE BILL NO. 746: There was no discussion from the committee on this bill.

Rep. O'Connell closed her presentation of the bill.

CONSIDERATION OF HOUSE BILL NO. 564: Rep. Miller of District 34 appeared before the committee as sponsor of HB 564. He explained this bill is at the request of the city of Great Falls, which allows cities and towns to pay accounts and demands by check instead of warrants. Most bills in counties are paid by warrants. This bill will allow for checks to be written out of city funds in a bank, and this is a means to expedite paying of bills.

PROPOSERS: Al Johnson, city manager of Great Falls, stated there would be advantages by changing to paying by checks as it would save money. Right now they pay 35 cents to process each warrant, plus 17 cents each per check. At the

present time the bank has to hand deliver the warrants, so it is a very time-consuming operation. They also pay 13% interest.

Alec Hansen, representing the Montana League of Cities and Towns, stated this bill will simplify finance administration in the state of Montana.

Bill Verwolf, representing the city of Helena, said one of the primary reasons this bill became necessary is that local governments can reduce costs and operate more like a business and invest money in the best way they can.

Greg Jackson, Urban Coalition, presented written testimony in support of HB 564. This is attached as exhibit 1.

There were no further proponents and no opponents to HB 564.

DISCUSSION OF HOUSE BILL NO. 564: Rep. Pistoria asked Mr. Hansen why he didn't think of this before, and Alec Hansen replied he hadn't been here that long.

Rep. Sales asked Al Johnson, city manager, why it is not necessary to specify the purpose and authority for checks when it was necessary for warrants. Mr. Johnson replied that the funds that are expended have to be earmarked and are checked by the auditor. Rep. Sales then asked how it is determined by the treasurer what funds to take the money from. He was answered that by virtue of the legal budget, there would be an audit trail to each check. Bill Verwolf said the system that was established for the state allows for consolidation and the use of one warrant. Rep. Sales said then you are still stuck with having to have a claim for every check. Mr. Verwolf replied that they consolidate into one warrant and it would be consolidated into one check. There is a bill in the legislature that would allow the elimination of a signature.

CONSIDERATION OF HOUSE BILL NO. 776: Rep. Harp of District 7, sponsor of the bill, appeared before the committee to present it. He said the title speaks to the bill itself, which is an act to require overtime compensation to be paid to an undersheriff or deputy sheriff who works in excess of his regularly scheduled work period.

PROPONENTS: John Scully, representing the Montana Sheriff and Peace Officers, said this bill is very simple. There is a problem with deputy sheriffs working overtime hours and not getting paid for these hours. They are asking that it is only fair that they be paid for the hours they work, and they are not elected officers. A deputy in Richland County averages about 20 hours of overtime, and it is safe to say that in every county there is overtime, and they should be paid for it. Those counties who are engaged in collective

bargaining will pay more money.

Chuck O'Reilly, representing the Montana Sheriff and Peace Officers' Association, Helena, stated this doesn't increase the hours of work. Right now approximately \$7,000 to \$8,000 is spent per man for each new man put on the street. Their association stands behind the bill and asks the committee to pass it.

Nadlean Jensen, AFSCME, said they represent certain deputy sheriffs. They do have overtime in their contracts. She believes the bill is a good one, and would urge a DO PASS so that deputies in other areas will have the same rights.

There were no further proponents to HB 776, and no opponents present.

DISCUSSION OF HOUSE BILL NO. 776: Rep. Poff asked Sheriff O'Reilly what he thinks of the deputy sheriff getting more money than he gets. Sheriff O'Reilly answered that if they are putting in more hours, they should be able to get paid more.

Rep. Sands asked Mr. Scully if the labor laws don't require paying overtime when a person works over 40 hours a week, and Mr. Scully replied no.

Rep. Harp closed his presentation of HB 776.

CONSIDERATION OF HOUSE BILL NO. 546: Rep. Miles of District 45, sponsor of the bill, was out of town; therefore, Chairman Darko presented the bill to the committee. This bill is an act to provide longevity pay for certain county officers, and it was introduced at the request of some elected officials. It provides for 1% per year longevity payments. Elected officials receive no sick leave or vacation pay, so there is no incentive for competent people to stay in their positions. In closing, Rep. Darko said she would defer all questions to proponents of the bill.

PROPONENTS: Gloria Paladichuk, president of the Montana State Treasurers' Association, presented written testimony in support of HB 546. This is attached as exhibit 1. She also presented written testimony from Virginia W. Plouffe, Roosevelt County Treasurer, which is attached as exhibit 2.

Susan Spurgeon, Fergus County Treasurer, stated that elected officials are a vital part of county government. HB 546 is dealing with longevity rewards for these persons. Salary increases for elected officials have not been sought for four years. She submitted an example of the longevity issue from Fergus county, which is attached as exhibit 3. She urged the committee's support of this bill.

Charles Graveley, representing the County Treasurers' Association, wished to simply call the committee's attention to the bracketed language. If this bill is passed, the need affected is going to be a savings to the counties. There is a very definite need, and he has talked with numerous people who have left because there is no future in their jobs. He ended by asking the committee's favorable consideration of this bill.

Mike Stephen, representing the Montana Clerk and Records Association, stated they support this bill because they feel local government needs to keep good experienced officials. There needs to be some future in the job and this is one step in that direction.

John Scully, representing the Montana Sheriff and Peace Officers, said they know how much it costs to put someone on the county payroll, and they think the investment is worth it.

Gregg Groepper of the Department of Revenue, presented written testimony, which is attached as exhibit 4, stating he has no position on the bill.

OPPONENTS: Gordon Morris, Executive Director of Montana Association of Counties, stated he has to go on record in opposition to this bill. It is a simple issue of elected officials of local governments, and the issue of longevity need not be brought before the Legislature, but should be taken care of at local levels. This bill has a significant impact in terms of the fiscal note. He asked the committee to amend the bill.

In closing, Chairman Darko stated there was something she forgot to note which Rep. Miles had noted. The fiscal note is incorrect as it says 4% rather than 1%.

DISCUSSION OF HOUSE BILL NO. 546: There was no discussion or questions from the committee.

CONSIDERATION OF HOUSE BILL NO. 653: Rep. Hammond of District 52, appeared before the committee as sponsor of the bill. He explained this bill has to do with county commissioner raises in the fifth, sixth and seventh class districts. In 1981 the salary was set at \$50 per day for county commissioners. All others have had increases in their salaries. A part time commissioner still gets \$50 per day. Once he is elected commissioner, he is a commissioner almost full time with no clerical help. By statute they have the same responsibilities and are just as valuable. Increasing the salaries is not going to have a fiscal impact. It will be only \$4,500 on the average in the #7 districts.

PROPONENTS: Tom Marvin, a part-time commissioner from

Mineral County, stated we are talking about something that is equitable. If you take their salaries, which is \$50 per day and project it for one year, they would be making \$2,000 less than an elected official. There is no initiative. If you look at administrative costs in their county, it goes from 1% to 1 1/2%. Part-timers have an innocuous term. He stated he remembers only one day since 1975 that he hasn't had something to do as a commissioner. It is just fair pay in retaliation to salaries of others in the county.

Gordon Morris, representing the Montana Association of Counties, passed out written testimony which is attached as exhibit 1. This shows salary increase for class 5, 6 and 7 county commissioners. HB 653 represents a resolution of the 52 member counties of the Montana Association of Counties, which was taken at their meeting. There are 34 counties in class 1, 2, 3 and 4 which are full time. The information which he has provided shows the exact counties that will be implemented and this information is provided in their directory. He asked for a DO PASS on this bill.

There were no further proponents to HB 653, and no opponents.

In closing, Rep. Hammond stated that most of us would not like having our incomes fixed so that we would not have any bargaining. He urged support of the bill.

DISCUSSION OF HOUSE BILL NO. 653: Rep. Poff asked Tom Marvin how many days on the average was he in the office. Mr. Marvin replied in his county it would average taking all three commissioners seven days. Rep. Poff then asked Mr. Marvin if he could foresee abuse of this on road inspections at \$75 per day, where a person could just go out and drive around each day and just charge \$75. Mr. Marvin replied that when the situation exists where it is necessary to inspect roads, a person should be compensated for it. As far as abuse goes, he has seen none. Therefore, this is not an issue for him as far as road inspection goes; the abuse lies in under compensation, not over compensation. Rep. Poff said he knows it could happen, but he is not saying it does happen. Mr. Marvin said in his county it would call for a lynching.

Rep. Pistoria asked Mr. Marvin why he calls himself a part-time commissioner, since he is an elected official. Mr. Marvin replied the only real concerning fact is that you get down to counties who cannot afford fulltime commissioners. In his county it seems they are years behind on the work that has to be done. Rep. Pistoria then asked if he did receive expenses, like meals, lodging and mileage for his car, and Mr. Marvin answered yes.

Rep. Kadas asked Gordon Morris that in the current law where it says actually engaged in board duties, does it mean only board meetings. Mr. Morris replied that in reality that is

what it actually means, the days that are scheduled for meetings.

Rep. Sands asked Mr. Morris if in the smaller counties the county commissioners actually made the road inspections, and Mr. Morris replied that in the class 5 and 6 counties, that is what they do, as they don't have a county inspector.

Rep. Sands asked if the resolutions provide that in all the counties where they pay \$50 per day, do the commissioners have to be there 8 hours per day. The answer he received is that the law is such that they do not have to be there a full 8 hours. While it might not be a full 8 hours in the office, they are still working for the constituents. Rep. Sands then asked if he were a commissioner and someone called him on a weekend and he worked for two hours, would he put in for two hours. He was answered no, that he would be compensated only for those days that are meeting days, and for road inspections.

Rep. Gilbert asked Mr. Morris how they can continue to ask for raises, and Mr. Morris responded by saying they are asking this committee to do for those 18 counties the same as they do to other elected officials. It is only an issue of fairness where these county officials have not received any increases since 1981.

CONSIDERATION OF HOUSE BILL NO. 642: Rep. Stella Jean Hansen of District 57, appeared before the committee as sponsor of this bill. She explained this bill is to provide for municipal annexation of contiguous high-density land under certain conditions. Few states have protest provisions as favorable to affected property owners as Montana. No other state protects special districts such as fire districts like Montana. Annexation is necessary to maintain an adequate tax base. It is important to the growth in income in the state. City services are enjoyed but not paid for by residents of contiguous areas. Residents of areas lying adjacent to cities and towns use their facilities, but do not pay for them. This bill gives cities and towns the authority to annex on highly developed property. This provision ends the long-standing unfair subsidizing by city residents.

PROPOSERS: Dave Wilcox, chief administrative officer from the city of Missoula, stated he was here as a representative of the city of Missoula. He passed out written testimony which is attached as exhibit 1, in support of HB 642.

Charles Shields, representing his family from Missoula, stated they are in the process of moving from the city to the county, and they want to be counted as part of the city of Missoula as they will be using the city's facilities.

Lois Herbig, councilperson from Ward I, Missoula, presented written testimony in support of HB 642. This is attached as exhibit 2. She also submitted signed petition from many more people who were unable to attend, which will also be attached to exhibit 2, as well as a letter from Howard and C. W. Reinhardt stating their support of HB 642. This is attached as exhibit 3.

Albert Dabbert of Missoula appeared in support of HB 642, and also presented written testimony as exhibit 4.

Forrest Poe, a resident and taxpayer from Missoula, stated he pays taxes in the city for city services and he also pays taxes in the county for county services. Someone who lives just outside of him pay only county taxes but use city facilities, and he thinks this is unfair.

Donna Shaffer, Missoula county councilperson, presented petitions which were signed in a small neighborhood store for just a few days, showing support of HB 642. It stated this bill would allow cities to annex high density, commercial and industrial adjacent to city boundaries. It also stated the bill is needed to allow cities to grow in an orderly fashion and to provide that all users of city facilities pay their fair share. These petitions are attached as exhibit 5.

Jeanne Y. Ransavage, a homeowner of Missoula for 34 years, read written testimony in support of HB 642. This is attached as exhibit 6.

Emily Lennon, homeowner from the south hills of Missoula, submitted a petition signed by 156 people, which is attached as exhibit 7, in support of this bill. She also represented a retired homeowner, Eugene Fitzpatrick, of Missoula, and read his letter, which is also attached, as exhibit 8.

Jerry Ballas, representing the University Area Homeowners of Missoula, stated there are many areas in Missoula where one side is county and the other side is city. He asked that the committee support equality in taxes for their area by supporting this bill. He presented written testimony which is attached as exhibit 9.

Vern Erickson, representing the Montana State Firemen's Association, said they would like to go on record as supporting this bill and urged the committee to support this legislation.

Alec Hansen, representing the League of Cities and Towns, said they support this bill. It represents no threats to rural areas. It is an issue between urban and suburban areas and has no reference to rural areas. It is a grave inequity in Montana and something must be done to change it. It en-

courages people to abandon cities, but this bill represents progress in the other direction.

Francis Superneau stated he has been a businessman in Missoula for over 45 years, and urged the committee to give their support of HB 642. Attached is a letter from Mr. Superneau which is attached as exhibit 10.

Marilen Trotter of Missoula, read a prepared written statement urging the committee's support of HB 642, which is attached as exhibit 11.

Earl Hall, representing Local 271 Firefighters of Missoula, stated he is also a county resident, and would like to go on record that their organization supports this bill.

There is written testimony from Greg Jackson of the Urban Coalition stating they would like to go on record in support of HB 642. This is attached as exhibit 12.

Also enclosed are letters in support of HB 642, from George H. and Mary J. Millis, James D. Scoville, and Albert and Mary Ann Gasperino, all Missoula residents. These are attached as exhibit 13.

OPPONENTS: Rep. Gould of District 61, stated this is a Missoula bill. There has been a lot of arguments about inequities in taxing, but no one has said anything about the inequities of the beer tax and the gas tax. When this bill was introduced in 1979, the people from the League of Cities and Towns had a fit over it, and he hoped this Legislature would do to this bill what was done to the other one.

Rep. Bernie Swift, District 64, stated he has been here three times and his prophesy came true. On line 12 it says if the land area being annexed contains contiguous parcels having an overall residential density of at least three dwelling units per acre, then a municipality may annex. Line 24 is the most vicious thing of the annexation bill, as it proposes to wipe out any protest of the people. 7-2-4314 (2) says that the people outside a municipality boundary will no longer have any say as to what happens to them. The people of Wapikiya will be annexed in about three months because they have been taken in by a law that the city of Missoula wants. In closing he asked the committee to please not pass legislation of this sort that takes away the rights of the people to say what will happen to them.

R. A. Ellis, Helena Valley stated he rises in opposition to HB 642, and that he is surprised that the taxpayers from the city of Missoula are here. It is a misquote that the city provides services, because it is the people who pay for it. Any improvements go on SIDs and the city does not provide it, and he doesn't understand why the people can't see that.



He hoped the committee would see fit to kill HB 642.

Rich Gebhardt, representing the Missoula Rural Fire District, said this bill would have an impact on their fire departments of \$350,000. They oppose the disability for citizens to protest for higher taxing upon themselves. He would like to point out the ambiguities on line 24, where the protest provisions of 7-2-4314(2) don't apply. Why waste the taxpayer's money by making them go through this by making them protest.

Vera Cahoon, representing the Missoula County Freeholders, said about 1/2 of their members would be affected by this bill. She presented written testimony in opposition to the bill, which is attached as exhibit 14. She also read a letter from Jeff Stevens, vice president of Wapikiya Home Owners Association, (exhibit 15) which expresses their opposition to the bill.

Sheldon Stoner, resident of Helena Valley, stated that 20 years ago he moved away from the city to get away from their rules and regulations. He is also a member of the West Helena fire department and has had to come here before to protest this very same bill. He asked that the committee do not pass this bill.

Vern Evans, resident of Helena Valley, stated that as far as annexation is concerned, the laws allow for people to have the right to annex. He does not feel there needs to be legislation for people for annexation.

John Whittenberg, Missoula, stated he thinks it is unfair to take the protest from a person and put them under another arm of the government.

Ellen Imboden, Missoula, stated she disagrees with this bill entirely, as it is unfair to the people.

There being no further proponents or opponents, Chairman Darko thanked all those who came to testify.

In closing, Rep. Hansen said she wanted to put this into proper perspective. We have heard many hours of testimony and one of the things told is that we need to have good city facilities to attract industry. I think they believe they need to protest this density law we have now. These people live in the city but don't want to pay the taxes. We have more septic tanks and think what the burden of the city is. Now we are in danger of losing our city wells because the septic tanks penetrate the clay. Vera Cahoon lives in the city of Bonner and they never will be annexed.

DISCUSSION OF HOUSE BILL NO. 642: Rep. Pistoria asked Mr. Wilcox if it is true that this bill eliminates the right to

protest, and Mr. Wilson said yes, that is one of the intents of the bill. Rep. Pistoria then asked him if he was familiar with Great Falls' Black Eagle, and he replied no. Rep. Pistoria then asked if by eliminating the right to protest, would Great Falls take over Black Eagle, and the answer was he did not know.

Rep. Kadas asked Mr. Whittenberg where he lives, and Mr. Whittenberg replied in Missoula, within the area that would be part of the city if this bill passes. Rep. Kadas then questioned that when he said Missoula, did he mean the city or county, and Mr. Whittenberg replied that when you say you live near a city, you associate yourself with that town.

Rep. Kadas then asked Vera Cahoon if Missoula requires their own water system, and Vera Cahoon replied she has nothing to say about it.

Rep. Kadas then asked Mr. Gebhardt if he had a pile of gravel at his house, and Rep. Kadas took it away, would Mr. Gebhardt think he had the right to protest to stop him, and Mr. Gebhardt replied of course.

Chairman Darko asked Mr. Wilcox that one of the things that a city provides if it annexes an area is a water and sewer service; therefore, when these costs are assessed, how much would it be to the city of Missoula, or would they have to provide the whole cost. Mr. Wilcox said the city of Missoula does not own the water system. Most of those annexed in the bill would already be on those lines. The cost of placing lines in the ground would be borne by the newly annexed areas. The city residents have already paid for a portion of that but they do not have to pay for the new one. Chairman Darko then asked if the cost to the city residents would then go up, and the answer was no. It is a user related kind of fee.

Rep. Kitselman said the thing that bothers him in this bill is determining who owns property, and Mr. Wilcox said it would neutralize this bill.

Chairman Darko asked if a septic system in a county has contaminated the water, and several new water systems and wells had to be found, would it increase the cost to the city and the county. Mr. Wilcox answered that it would cost both city and county people, and the cost is very high.

Rep. Switzer asked Mr. Wilcox if the river provides water in Missoula, and Mr. Wilcox answered yes.

CONSIDERATION OF HOUSE BILL NO. 558: Rep. Rehberg of District 88, sponsor of this bill, appeared before the committee to present it. He said he is also representing Rep. Hannah's district, which is District 86. This bill is as a result

of an 88 year old man in his district. The city of Billings wanted to expand to this man's subdivision on the other side of his farm and they wanted to expand the SIDs. He protested and took them to court. The reason for the laws are in many cases discriminatory. In this case, the city of Billings wanted to annex the property for the purpose of SID, and because this man was not a resident freeholder, he is discriminated against. Rep. Rehberg felt the right to protest should not be taken away, and he should not have been forced to subdivide and have increased SIDs and increased taxes.

PROPOSERS: Vera Cahoon, representing the Missoula County Freeholders, stated they would like to go on record as being in support of this bill because it gives non-resident freeholders the right of protest. She presented written testimony (exhibit 1) which also suggests amending the bill to change the time limit of 20 days for protest, to 45 days.

There were no further proposers present, and no opponents. However, there is a letter from Jeff Stevens, vice president of the Wapikya Home Owners Association which is attached as exhibit 2, stating their opposition to HB 558.

DISCUSSION OF HOUSE BILL NO. 558: Rep. Brown stated it is nice to see a special piece of legislation for Billings.

Being no further discussion, HB 558 closed.

CONSIDERATION OF HOUSE BILL NO. 569: Rep. Stella Jean Hansen, District 57, presented the bill to the committee, as sponsor. This bill allows a local government to establish and charge a fee for review of a minor subdivision. She stated the county has to review these minor subdivisions and has no way to collect a fee for them. This bill would enable them to collect for the trip it takes to make the review.

PROPOSERS: Bill Verwolf, representing the city of Helena, said they feel that this bill is appropriate and allows municipalities to recover the cost of operation.

There were no further proposers and no opponents present.

DISCUSSION OF HOUSE BILL NO. 569: Rep. Gilbert asked if he could change the fee to \$11,000. Rep. Switzer asked why local government is reviewing this. Rep. Hansen said this is if they have to go out and inspect septic tanks, water supplies and solid waste disposal facilities for a subdivision. Rep. Switzer asked what we have a Health Department in Helena for. Rep. Brandewie said every county sanitation department is equipped for checking subdivisions. If a person has enough experience he is allowed to check minor subdivisions. The only difference between a minor and major subdivision is that the minor does not have to go through a public review. It is checked for all the things

that county subdivisions provide for. He further stated this is a good bill.

CONSIDERATION OF HOUSE BILL NO. 736: Rep. Lory of District 59, Missoula, presented the bill, as sponsor. This bill authorizes the governing body of a municipality or a county to require financial security from an owner of 25% or more of the lots within an improvement district for reimbursement of a revolving fund. The law says you can transfer from the revolving fund to the general fund. If a person owns 25% of a subdivision, the county requires him to pay. It says "may" and so it is purely voluntary. Rep. Lory then suggested two amendments. On page 2, line 9, instead of lot owners, insert "that person", and line 22 should be 7-12-2181(2). It is voluntary to give protest to city or county for security of special improvement districts.

PROPOSERS: Bill Verwolf, representing the city of Helena, stated they started out in opposition to this bill. In order to make it work, they would have to oppose the amendments. He proposed that the lot owners remain in there. The letter of credit concept is to entice bond buyers to buy the bonds. When bonds are secured, the security has to stay with the property. The city of Helena has issued two special improvement districts that were prepaid for five years.

Jim Richard, representing local government and the Montana Association of Planners, stated he has worked with Rep. Lory. His organization supports the bill, and he wanted to point out that the Governor's Task Force has a problem of default and this bill would at least solve a part of that problem.

Rep. Dave Brown of District 72, Butte, stated he does not think we need the first amendment, but we do need the second amendment. A lot of thought went into this bill, and he urged the committee to support it.

There were no further proponents present, and no opponents.

In closing, Rep. Lory said he doesn't see any problem with the bill and the only amendment to make is to strike 7-12-4221(2) and insert 7-12-2181(2).

DISCUSSION OF HOUSE BILL NO. 736: Rep. Wallin addressed Mr. Verwolf and stated he said they have taken in some subdivisions where they prepaid SIDs for five years. Mr. Verwolf answered by saying they have had special improvements districts where the developer provided a letter of credit sufficient to cover payments for the first five years of payments. If the developer doesn't want to provide that kind of security, they would not be provided with special improvement districts.

Rep. Sales asked Mr. Verwolf of Helena if there isn't a deal

where you get 5% up front on special improvement districts. This would require them to post some unknown amount for the owner of the lots. Mr. Verwolf answered that it would be whatever was agreed upon between the city commissioners and the developer, and it has been done as a voluntary commitment by the developer so that he can get the bond.

Rep. Sales then said that by doing this, a large holder is being treated different than the little guy. Isn't there something wrong with that. Mr. Verwolf replied yes, that the way this law is written with the 25% ownership, they are trying to minimize the rest of the municipality as far as possible. This letter of credit allows sufficient time for municipalities that some of these lots will be sold. There is not really anything that we can do today, but it makes it more within the codes for allowing SID bonds. Rep. Sales said we are treating a man who has 25 lots different than the one who has one lot.

Rep. Lory closed his presentation.

The committee then went into executive session for action on bills after a short 15 minute break, at 5:30 p.m.

DISPOSITION OF HOUSE BILL NO. 239: A gray bill was requested for HB 239. Rep. Wallin moved to DO PASS HB 239, and this was seconded by Rep. Brown.

Rep. Kadas moved the amendments, and Rep. Sales seconded the motion. Lee Heiman, Committee Counsel explained that the gray bill has all the amendments that were suggested. The major amendments were Rep. Wallin's .

Rep. Pistoria asked what the purpose of the bill is, and Alec Hansen said it is to allow cities and counties to set up a district to provide special services. It is also a question of equity, to assure that people who use the services should pay for what they get and the people who don't use the services, don't have to pay.

Chairman Darko asked if there is any way to get rid of a district. Rep. Sales said he doesn't see in the protest section where it says 50% of the property owners in either jurisdiction can stop the district from being formed. Alec Hansen said it was their intent with the amendment to clarify this. Lee Heiman explained that each jurisdiction has to have an ordinance, and if you have four districts you would need an ordinance from each.

Rep. Sands said he doesn't understand the portion where it says that if 50% of the property owners sign a petition, they are not bound by the petition. Alec Hansen said that the reason the petition is in there is that there is a need for it.

Rep. Fritz said he had a question on the amendments, on page 2, where property must be levied, and Mr. Hansen said this amendment is intended to deal with the problem where districts are bringing in areas that are far removed. They are to protect agricultural property owners. Rep. Fritz suggested including agriculture. Rep. Brandewie said ten acres doesn't have to be agricultural, but could be ten acres that nothing is done with. He also said that in talking about services, one of the things people are talking about is recreational programs. He is trying to protect the agricultural people. Rep. Sands said he thinks it might be advantageous to make a green belt law that defines what agriculture is, and said he would like Lee Heiman to look into it. Lee Heiman responded that it has basically five acres, but he does not know anything about it.

Rep. Sales suggested just putting in agriculture.

Question being called for, Rep. Kadas' motion to amend HB 239 CARRIED UNANIMOUSLY.

Rep. Fritz moved to DO PASS AS AMENDED HB 239, and this was seconded by Rep. Brown. Question being called for, the motion PASSED, with Rep. Poff and Rep. Gilbert opposing.

DISPOSITION OF HOUSE BILL NO. 160: A sub-committee has been working on this bill and they have an amendment to present.

Rep. Sales moved to DO PASS HB 160, and this was seconded by Rep. Brown. Rep. Brandewie moved the amendments, seconded by Rep. Brown. Lee Heiman explained that the bill was rewritten solely for motor homes, so there would not be any conflicts. People testified that mobile homes have to have license plates. Section 5 is left over from the old bill.

Rep. Fritz moved to DO PASS AS AMENDED HB 160, seconded by Rep. Sands. Rep. Pistoria said it was a good thing Rep. Grady is going to carry the bill instead of him. Question being called for, motion PASSED UNANIMOUSLY.

Rep. Kadas moved the Statement of Intent, and this was seconded by Rep. Sales. Question was called for, and motion PASSED UNANIMOUSLY.

DISPOSITION OF HOUSE BILL NO. 746: Rep. Pistoria moved to DO PASS, and this was seconded by Rep. Kitselman. Question was called for, and motion PASSED UNANIMOUSLY.

DISPOSITION OF HOUSE BILL NO. 564: Rep. Kitselman made the motion of DO PASS HB 564, and this was seconded by Rep. Fritz. Rep. Fritz asked Rep. Sales if he would have a problem with this, and Rep. Sales answered that they have spent a lot of years using claims and warrants, but he

guessed they would rather have checks. Rep. Fritz said it seemed to him it would be a little easier and a little cheaper. Rep. Pistoria stated he thinks it is going to create problems and that Rep. Sales is right. How are they going to keep track of it. Rep. Sales said every check has to be attached to a claim.

Question being called for, Rep. Kitselman's motion of DO PASS HB 564 CARRIED UNANIMOUSLY.

DISPOSITION OF HOUSE BILL NO. 569: Rep. Hansen made the motion to DO PASS, and this was seconded by Rep. Kadas. Rep. Fritz questioned if the intent was that the fee would be the difference between Rep. Gilbert's prohibitive fee and \$15. Rep. Gilbert said that although his suggestion was made in jest, after examining the bill he would suggest they put some type of cap on it before voting. Rep. Hansen replied that would be alright with her.

Rep. Brandewie said this has some real potential for abuse. Not every county is allowed to do the same thing that the state does. In some of the larger areas the Health Department might be loaded up with extra people and the cost would go up.

Rep. Sands said that if the local people do it, then the state wouldn't have to do anything. Rep. Hansen said that her understanding is that this is true. Rep. Sands said that rather than an additional fee to the owner, shouldn't a larger fee be taken from the state. Then why not raise the \$15 fee to \$20 or \$30, and Rep. Hansen said that would be alright with her.

Rep. Sands moved to amend the bill by striking section 4, and on page 2, line 2, strike \$15 and amend to \$30, and amend the title accordingly. This was seconded by Rep. Brandewie.

Rep. Fritz mentioned there is a fiscal note that says there is no fiscal impact to the state, but his amendment would have an impact to the state of \$15. Rep. Hansen said that would be funds that the state would already have appropriated because it would be out of funds already paid to them.

Rep. Gilbert suggested that the fee be capped so that it would not be over \$30. Rep. Brandewie said the fact is the state is keeping more of the money than is needed, and the county is being shorted. Rep. Gilbert said he still thinks his suggestion is the best way of passing this bill. If the state and the county is making enough money, then pass the bill.

Rep. Sands said to reduce the financial impact he would be

willing to change the \$15 to \$22.50. It is appropriate that if the state is delegating someone else to do it, the person who is paying to have the subdivision is paying twice.

Rep. Brown stated that in the last session they spent a lot of time funding subdivisions, and this bill will hurt what was solved in that session. Chairman Darko asked if he wanted to make an amendment. Rep. Hansen asked if it wouldn't be better to put a cap on subsection 4. Rep. Gilbert asked if they were talking \$48 per lot.

Rep. Hansen made a substitute motion to amend by adding \$15 collecting fee to cover the remaining cost of the review, not to exceed \$15. This was seconded by Rep. Fritz. Motion CARRIED, with Rep. Sands opposed.

Rep. Hansen then moved to DO PASS AS AMENDED HB 569, and this was seconded by Rep. Fritz. Question was called for, and motion CARRIED, with 5 members voting no and all the rest yes.

DISPOSITION OF HOUSE BILL NO. 736: Rep. Brown made the motion to DO PASS, seconded by Rep. Sands. Rep. Brown also moved to amend page 2, line 22, and this was seconded by Rep. Kitselman. Rep. Brown then moved to DO PASS AS AMENDED HB 736, seconded by Rep. Kitselman. Question being called for, motion PASSED UNANIMOUSLY.

DISPOSITION OF HOUSE BILL NO. 546: Rep. Kitselman moved to TABLE HB 546, and this was seconded by Rep. Fritz. The non debatable motion CARRIED, with Rep. Brown, Rep. Hansen and Chairman Darko being opposed.

DISPOSITION OF HOUSE BILL NO. 558: The motion of DO PASS was made by Rep. Brandewie, and seconded by Rep. Brown. Rep. Switzer stated it was recommended at 20 days, and Rep. Brandewie suggested leaving it at 20 days. Question was called for, and motion CARRIED, with Rep. Fritz, Rep. Hansen and Chairman Darko voting no.

DISPOSITION OF HOUSE BILL NO. 776: Rep. Sales moved to TABLE HB 776, and this was seconded by Rep. Fritz. The non debatable motion CARRIED, with Rep. Brown and Rep. Kitselman being opposed.

DISPOSITION OF HOUSE BILL NO. 653: Rep. Kadas moved to DO PASS HB 653, and this was seconded by Rep. Switzer.

Rep. Brown said he had a long talk with Gordon Morris, and the reason the county didn't go on 614 is because they thought it was unfair if someone was hired in 1981 and re-signed in 1983, that the new employee would have to start at the base pay of 1981. He said he asked Mr. Morris why he didn't come in with an amendment. Rep. Brown said he is going to vote for it when it comes on the floor, and he



Rep. Kitselman said the system works as it is stated in the law. Billings have voted this for years, and they have grown by 28% within the city of Billings in the past three years. The people have voluntarily said they want to go into the city and pay higher taxes. This bill is giving power to a government entity that is morally and ethically wrong.

Rep. Hansen said they aren't like Billings, and if they continue to come back to the Legislature and we say no we are not going to help you with your problems, you people will have to help us with everyone of our problems.

Rep. Kadas made a substitute amendment to delete subsection (c), as he would like the bill to remain clean. This was seconded by Rep. Fritz. Question being called for, motion FAILED, with 7 opposed, and 6 voting yes. Therefore, Rep. Sales' original motion to amend was voted on, and it PRE-VAILED, with 5 voting no, and 8 voting in favor of it.

Rep. Kadas then moved to DO PASS AS AMENDED HB 642, and stated he would appreciate this going to the floor as it is the fairest way to do it. Rep. Sands said this is a fair issue and deserves to be given a chance. Chairman Darko seconded Rep. Kadas' motion. Motion FAILED on a Roll Call Vote of 7 to 6.

Rep. Gilbert made a substitute motion to TABLE HB 642, seconded by Rep. Poff. The non-debatable motion FAILED on a Roll Call Vote of 7 to 6.

Rep. Kitselman moved to reverse the votes on the Roll Call Vote to DO NOT PASS AS AMENDED, and this was seconded by Rep. Switzer.

DISPOSITION OF HOUSE BILL NO. 277: Rep. Gilbert reported from the Sub-committee, and he and Rep. Sands had met with six people from the Crime Control Board. They are against everything they talked about. Should a crime be committed inside a jail, who is liable. Rep. Sands had some ideas but they haven't had a chance to talk about it. They did some interim studies that sound good, but nothing much is accomplished. Rep. Fritz asked if the expert from New Mexico was present at the meeting, and Rep. Gilbert said no, that they met with the Sheriff from Teton county and four members of the Crime Board. Rep. Gilbert also stated the sheriffs in New Mexico are on tenure for two years. The sheriff of Teton county can't find a private firm that operate jails. Rep. Sands said he thinks we have a real problem with jails, and that the bill has the mechanics for dealing with the problems economically and efficiently. He said he thinks the bill needs to be amended, and that the amendments aren't that difficult. However, they need more than two members to sit on the Sub-committee.

would ask that it go to Appropriations.

Rep. Sales stated that there is something that bothers him about both these bills. By calculating what this bill would be, it came to \$58.50, not \$75. He said they should put \$60 in it and that would catch them up with what they should have gotten.

Rep. Poff said he doesn't have any reservations about the \$75, but he does have reservations about the mileage and road inspections because he knows they can be abused. Rep. Sands said the number he got was \$58.67, so he does not think they should get \$75.

Rep. Kadas moved to amend HB 653 from \$75 to \$60, and this was seconded by Rep. Pistoria. Question being called for, motion CARRIED, with Rep. Hansen opposing.

Rep. Sales then moved to DO PASS AS AMENDED HB 653, and this was seconded by Rep. Kadas. Question being called for, motion PASSED UNANIMOUSLY.

DISPOSITION OF HOUSE BILL NO. 642: Rep. Hansen made the motion to DO PASS, and this was seconded by Rep. Kadas. Rep. Sales moved to amend by striking section (c) on page 1, striking lines 23 and 24, and putting the protest provision back in, changing subsection 1. This was seconded by Rep. Switzer.

Rep. Hansen asked Rep. Sales what he wanted to do that for, as this would put them where they started, and Rep. Sales disagreed.

Rep. Gilbert stated this country was founded on 'of the people, for the people, and by the people'. The people have the rights and it is not their fault that the city has grown. Let us not have the government telling people that they have to be in the city or out of the city. If we have to kill every bill that comes in here to protect the people, we will have to.

Rep. Fritz stated that most municipalities allow annexation without protest. You are applying one small area (Montana) to what is happening.

Rep. Kadas said he is confused about the amendments. By deleting section (c) all together, the city may try to annex, and this isn't any different from what we have now. The whole point of the bill is that high density areas don't have the right to protest.

Rep. Darko stated this problem isn't isolated to Missoula. Last session, Libby and Hamilton came to the Legislature to get help with their problems. It is the responsibility of the Legislators to help them deal with their problems.

Chairman Darko stated that since the committee does not have any bills on Tuesday, she charged the sub-committee to meet at that time and to have something ready for the committee to deal with on Thursday.

DISPOSITION OF HOUSE BILL NO. 118: Rep. Brown stated that at the request of Rep. Hannah he would like to make a motion to take HB 118 OFF THE TABLE, and this was seconded by Rep. Brandewie.

REP. Kadas stated he thinks this bill is hopeless. Rep. Gilbert said people's rights are violated. Question being called for, motion FAILED on a Roll Call Vote of 7 to 5.

Rep. Sands stated he supports the motion to take it off the table because Rep. Hannah should have the opportunity to get it on the floor.

Rep. Sands then moved to leave it on the the table and adopt amendments in a gray bill, to reconsider actions, and this was seconded by Rep. Kitselman. Question being called for, motion PREVAILED, with 4 members opposed.

Rep. Sands moved to DO PASS HB 118, and this was seconded by Rep. Brown. Rep. Sands then moved the sub-committee amendments, seconded by Rep. Brown. Motion CARRIED, with two members voting no.

Rep. Kadas moved to strike all of Section 1 - 5, seconded by Rep. Kitselman. Rep. Sands stated that if the amendments are adopted, the bill that is on the table should be Rep. Kadas' bill.


Rep. Kadas then withdrew his motion.

Rep. Sands then moved to TABLE AS AMENDED HB 118, and this was seconded by Rep. Pistoria. Motion CARRIED, with Rep. Brown and Rep. Hansen voting no.

Chairman Darko then told the committee that there were no bills scheduled for Tuesday, but there were four for Thursday, on adjournment, which would be at 5:00 p.m. There are several other bills, but they do not need to be heard until after transmittal.

Everyone thanked Rep. Brown for the sandwiches and Chairman Darko for the homemade pies.

There being no further business before the committee, the meeting was adjourned at 7:30 p.m.

  
\_\_\_\_\_  
PAULA DARKO, Chairman

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

DAILY ROLL CALL

LOCAL GOVERNMENT COMMITTEE

49th LEGISLATIVE SESSION -- 1985

Date Feb. 16, 1985

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

# STANDING COMMITTEE REPORT

February 16, 1985

MR. **SPEAKER:**

We, your committee on **LOCAL GOVERNMENT**

having had under consideration **HOUSE** Bill No. **653**

**FIRST** reading copy ( **WHITE** )  
color

## INCREASING SALARIES OF COMMISSIONERS IN SMALLER COUNTIES.

Respectfully report as follows: That **HOUSE** Bill No. **653**

### BE AMENDED AS FOLLOWS:

1. Title, line 5.

Strike: "\$75"

Insert: "\$60"

2. Page 1, line 23.

Strike: "\$75"

Insert: "\$60"

3. Page 1, line 25.

Strike: "\$75"

Insert: "\$60"

AND AS AMENDED,

DO PASS



# STANDING COMMITTEE REPORT

Page 1 of 3

February 18

19 85

MR. Speaker:

We, your committee on Local Government

having had under consideration House Bill No. 330

first reading copy ( white )  
color

## LOCAL GOVERNMENT MULTI-JURISDICTIONAL SERVICE DISTRICTS

Respectfully report as follows: That House Bill No. 330

### BE AMENDED AS FOLLOWS:

1. Title, line 6.  
Strike: "ANY SERVICE"  
Insert: "CERTAIN SERVICES"  
1

2. Page 2, line 13.  
Strike: "include but"  
Strike: "not limited to"

3. Page 1, line 25.  
Following: ";"  
Strike: "and"

4. Page 2, line 1.  
Following: "libraries"  
Insert: "; and"  
(3) "and"

DO PASS

CONTINUED

February 18 ..... 19 35

5. Page 1, line 11.  
Following: "Financing."  
Insert: "(1)"

6. Page 2.  
Following: line 16  
Insert: "(2) A property tax levied for the purpose of financing the district must, for all agricultural property having an area greater than 10 acres, be levied only on the principal residential dwelling, if any, on such property."

7. Page 3, line 1.  
Strike: "electors"  
Insert: "property owners"

8. Page 3, line 2.  
Following: "in"  
Strike: "the"  
Insert: "each"

9. Page 3.  
Following: line 2  
Insert: "(3) Prior to determining the boundary of the district, the governing body or persons preparing a petition shall consult with the county election administrator to prepare a description of the boundary of the proposed district. As far as practical, the boundary shall follow precinct, school district, municipal, and county lines. The boundary description must be mapped and clearly described."

10. Page 3, line 19.  
Following: "of"  
Strike: "the"  
Insert: "each"

11. Page 4, line 4.  
Strike: "The"  
Insert: "Each"

12. Page 4, line 7.  
Strike: "electors"  
Insert: "property owners"  
Following: "of"  
Strike: "the"  
Insert: "each"  
Strike: "in the"

CONTINUED

February 18, 1935

13. Page 4, line 8.

Strike: "jurisdiction"

Strike: "file"

Insert: "submit"

Strike: "with"

Insert: "to"

14. Page 4, line 9.

Strike: "electors"

Insert: "property owners in any one of the jurisdictions  
proposed for inclusion in the district"

15. Page 4, line 10.

Following: "ordinance"

Insert: "of that jurisdiction"

98239.37

PC5

AND AS AMENDED,  
DO PASS



# STANDING COMMITTEE REPORT

Page 1 of 2

February 16, 1935

MR. SPEAKER:

We, your committee on LOCAL GOVERNMENT

having had under consideration HOUSE Bill No. 642

FIRST reading copy ( WHITE )  
color

## ANNEXATION OF CONTIGUOUS HIGH-DENSITY LAND.

Respectfully report as follows: That HOUSE Bill No. 642

### BE AMENDED AS FOLLOWS:

1. Page 1, line 14.  
Following: "acre;"  
Insert: "or"

2. Page 1, line 17.  
Following: "acre"  
Strike: "; or"  
Insert: "."

3. Page 1, lines 18 through 20.  
Strike: subsection (c) in its entirety

4. Page 1, line 23.  
Strike: ", except that the protest provisions of  
7-2-4314(2) do not apply"

~~DO PASS~~

CONTINUED

.....February 16..... 19 85.....

5. Page 2, line 1.

Strike: "7-2-4313 and 7-2-4314(1)"

Insert: "7-2-4314"

AND AS AMENDED,  
DO NOT PASS

SL 2/18  
11:05

(Type in committee name, committee members' names, and names of secretary and chairman. Have at least 50 printed to start.)

ROLL CALL VOTE

HOUSE COMMITTEE LOCAL GOVERNMENT

DATE Feb. 16, 1985 House Bill No. 642 Time \_\_\_\_\_

NAME	YES	NO
Darko, Paula - Chairman	✓	
Wallin, Norm - Vice Chairman		
Brandewie, Ray		✓
Brown, Dave	✓	
Fritz, Harry	✓	
Hansen, Stella Jean	✓	
Gilbert, Bob		✓
Kadas, Mike	✓	
Kitselman, Les		✓
Pistoria, Paul		✓
Poff, Bing		✓
Sales, Walter	✓	
Sands, Jack		✓
Switzer, Dean		✓
	6	7

Marianne Bagley  
Secretary

Paula Darko  
Chairman

Motion: Do Pass As Amended - Reverse Votes  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Include enough information on motion -- put with yellow copy of committee report.)



# STANDING COMMITTEE REPORT

February 15, 19 35

MR. **SPEAKER:**

We, your committee on **LOCAL GOVERNMENT**

having had under consideration **HOUSE** Bill No. **736**

**FIRST** reading copy ( **WHITE** )  
color

## SECURITY FOR REVOLVING FUNDS FOR IMPROVEMENT DISTRICTS.

Respectfully report as follows: That **HOUSE** Bill No. **736**

### BE AMENDED AS FOLLOWS:

1. Page 2, line 22.  
Strike: "7-12-4221(2)"  
Insert: "7-12-2131(2)"

AND AS AMENDED,

DO-PASS

SL

# STANDING COMMITTEE REPORT

February 16, 1985

MR. SPEAKER:

We, your committee on LOCAL GOVERNMENT

having had under consideration HOUSE Bill No. 569

FIRST reading copy ( WHITE )  
color

## LOCAL GOVERNMENT FEE FOR SUBDIVISION REVIEW

Respectfully report as follows: That HOUSE Bill No. 569

### BE AMENDED AS FOLLOWS:

1. Page 2, line 1.  
Following: "fee"  
Insert: ", not to exceed \$15,"

AND AS AMENDED,

DO PASS

SL

# STANDING COMMITTEE REPORT

February 16, 1985

MR. SPEAKER:

We, your committee on LOCAL GOVERNMENT

having had under consideration HOUSE Bill No. 564

FIRST reading copy ( WHITE )  
color

**ALLOWING CITIES AND TOWNS TO PAY BILLS BY CHECK.**

Respectfully report as follows: That HOUSE Bill No. 564

~~DO PASS~~

# STANDING COMMITTEE REPORT

February 16, 1935

MR. SPEAKER:

We, your committee on LOCAL GOVERNMENT

having had under consideration HOUSE Bill No. 558

FIRST reading copy (WHITE color)

ANY FREEHOLDER ELIGIBLE TO VOTE ON ANNEXATION.

Respectfully report as follows: That HOUSE Bill No. 558

DO PASS

SL



# STANDING COMMITTEE REPORT

.....February 16,..... 19 35.....

MR. SPEAKER:.....

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

having had under consideration .....HOUSE..... Bill No. 746.....

FIRST reading copy ( WHITE )  
color

**WATER METER SIZE RATIOS AS ASSESSMENT OPTION FOR  
FIRE HYDRANT DISTRICTS**

Respectfully report as follows: That.....HOUSE..... Bill No. 746.....

DO PASS

*SK*

February 18 1905

Speaker: \_\_\_\_\_  
MR. \_\_\_\_\_

We, your committee on \_\_\_\_\_ Local Government \_\_\_\_\_

having had under consideration \_\_\_\_\_ House \_\_\_\_\_ Bill No. 160  
first \_\_\_\_\_ white \_\_\_\_\_  
\_\_\_\_\_ reading copy ( \_\_\_\_\_ )  
\_\_\_\_\_ color \_\_\_\_\_

## FILING OF MOBILE HOME RECORDS IN SAME MANNER AS MOTOR VEHICLES

House 160

Respectfully report as follows: That \_\_\_\_\_ Bill No. \_\_\_\_\_  
as amended as follows:

1. Title, line 5.

Strike: "THE SAME"

Insert: "A SIMILAR"

2. Title, lines 7 and 8.

Strike: "SECTIONS 61-3-101, 61-3-201, and 61-3-317"

Insert: "SECTION 15-24-207"

3. Pages 1 through 14.

Strike: everything following the enacting clause

Insert: NEW SECTION. Section 1. Records mobile homes -- duties of division of motor vehicles. (1) The department of justice, division of motor vehicles shall keep a record as hereinafter specified of all mobile homes and of certificates of registration and ownership thereof.

DO PASS

CONTINUED

February 18, 1985

- (2) The record shall show the following:
- (a) name of owner, residence by town and county, and business address;
  - (b) name and address of conditional sales vendor, mortgagee, or other lienholder, and amount due under contract or lien;
  - (c) manufacturer of the mobile home;
  - (d) identifying number;
  - (e) year of manufacture; and
  - (5) such other information as may from time to time be found desirable.

(3) The division shall file applications for registration received by it from the county treasurers of the state and register the mobile homes therein described and the owners thereof as the division considers suitable.

(4) All records shall be open to inspection during all reasonable business hours, and the division shall furnish any information from the records upon payment by the applicant of the cost of transcribing the information requested.

(5) Within 30 days following the end of each calendar quarter, the division shall send to each county assessor and to the department of revenue a list of the certificates of ownership for mobile homes issued during the preceding calendar quarter to owners within each assessor's respective county. The list must contain the name and address of the owner or the names and addresses of joint owners and a description of the mobile home, including the year built, the title number, and the serial number.

NEW SECTION. Section 2. Transfer of interest of mobile home. (1) Upon a transfer of any interest in a mobile home registered under the provisions of Sections 1 through 51, the person whose interest is to be transferred shall write his signature with pen and ink upon the certificate of ownership issued for such mobile home in the appropriate space provided upon the reverse side of the certificate, and his signature must be acknowledged before a notary public.

(2) Within 20 calendar days thereafter, the transferee shall forward both the endorsed certificate of ownership and the certificate of registration, together with the information required under [section 3], to the county treasurer, who shall forward them to the division. No certificate of ownership or certificate of registration may be issued

CONTINUED

February 13, 1925

by the division until the outstanding certificates are surrendered to that office or their loss is established to its reasonable satisfaction. Failure to make application within the 30-day grace period subjects the transferee to a penalty of \$10. The penalty is to be collected by the county treasurer at the time of registration and is in addition to the fees otherwise provided by law.

(3) In the event of a transfer by operation of law of any interest in a mobile home as upon inheritance, devise or bequest, order in bankruptcy or insolvency, execution sale, repossession upon default in the performance of the terms of a lease or executory sales contract, or otherwise than by voluntary act of the person whose title or interest is transferred, the executor, administrator, receiver, trustee, sheriff, or other representative or successor in interest of the person whose interest is transferred shall forward to the division an application for a certificate of ownership in the form required for an original application for a certificate of ownership, together with a verified or certified statement of the transfer of such interest. The statement shall set forth the reason for the involuntary transfer, the interest so transferred, the name of the person to whom the interest is to be transferred, the process of procedure effecting such transfer, and other information requested by the division. Evidence and instruments otherwise required by law to effect a transfer of legal or equitable title to or an interest in chattels as may be required in such cases shall be furnished with the statement. If the division is satisfied that the transfer is regular and that all formalities required by law have been complied with, it shall send to the owner, conditional sales vendor, lessor, mortgagee, and other lienor, as shown by its records, notice of the intended transfer and thereafter, but not less than 5 days thereafter, shall issue a new certificate of ownership and certificate of registration to the person entitled thereto. The notice herein required is complied with by deposit in the post office in Deer Lodge, Montana, with postage prepaid and addressed to the person at the respective address shown on the division's records.

(4) When the mobile home certificate of ownership that is involuntarily transferred is not registered in this state, the procedure set forth above must be followed in applying for a new certificate of ownership and certificate of registration but the

CONTINUED

February 19

1985

division need not send notice of intended transfer and shall issue a new certificate of ownership and a new certificate of registration to the person entitled thereto.

(5) (a) In the event of the death of the owner of one or more mobile homes registered hereunder and not exceeding a combined value of \$15,000 without leaving other property necessitating the procuring of letters of administration or letters testamentary, then the surviving spouse or other heir, unless such property is by will otherwise bequeathed, may secure transfer of the decedent's certificate of ownership and the certificate of registration for the mobile home.

(b) The person seeking transfer of the certificate of ownership shall file an affidavit with the division setting forth the fact of survivorship and the name and address of any other heirs and such other facts as are hereby made necessary to entitle the affiant to a transfer.

(c) The division is authorized to transfer the certificate of ownership and certificate of registration, subject to all security interests shown by its records, upon receipt of an affidavit showing that the affiant is entitled to a transfer under the provisions of subsection (5)(a) of this section.

(6) Nothing in subsection (5) shall prevent any secured party from assigning his interest in a mobile home registered under the provisions of [sections 1 through 5] to any other person without the consent of and without affecting the interest of the holder of the certificate of ownership and certificate of registration. Upon any assignment by a secured party of his security interest in any mobile home registered under [sections 1 through 5], a copy of such assignment must be filed with the division and record thereof made upon its records.

(7) The certificates of ownership shall remain valid until canceled by the division upon a transfer of any interest shown therein and need not be renewed annually.

NEW SECTION. Section 1. Certificate of ownership -- issuance -- contents -- joint ownership. (1) Upon completion of the application for certificate of ownership on forms furnished by the division, the county treasurer shall forward one copy of the application to the division, which shall enter the information contained in the application upon the corresponding records of its office and shall furnish the

CONTINUED

February 18 1985

applicant a certificate of ownership

(2) The certificate of ownership shall contain upon the face thereof:

- (a) the date issued;
- (b) the name and complete address of the owner or the names and addresses of joint owners;
- (c) the name and complete address of any holder of a perfected security interest in the registered mobile home;
- (d) a description of the registered mobile home, including the year built and serial number;
- (e) the filing date of any lien against such mobile home; and
- (f) such other statement of facts as may be determined by the division.

(3) When the names and addresses of more than one owner who are members of the same immediate family are listed on the certificate of ownership, joint ownership with right of survivorship, and not as tenants in common, is presumed.

(4) Upon receipt of the application, the division shall recheck the application. If there is any error in the application it may be returned to the county treasurer to effectively secure the correction of such error, who shall return the same to the division.

(5) The certificate of ownership shall contain a notice to the division of a transfer of interest of the owner and such other statements as may be determined by the division.

NEW SECTION. Section 4. Registrant as prima facie owner of mobile home. For the purpose of [sections 1 through 5], the person appearing on the public records as the registrant of any mobile home shall prima facie be deemed the owner thereof.

NEW SECTION. Section 5. Notice of intention to transfer title to mobile home. When a mobile home is sold under contract or under conditions so that title is not immediately conveyed, the parties to the transaction shall file immediately with the county clerk and recorder a notice of intention to transfer title. The notice must indicate the name of the party who is thereafter responsible for payment of taxes upon the mobile home. The clerk and recorder shall immediately notify the county assessor of the information in the notice.

CONTINUED

February 12, 1985

Section 6. Section 15-24-207, MCA, is amended to read:

"15-24-207. Department-to-make-rules Rulemaking authority. (1) The department of revenue may make reasonable rules necessary for or as an aid to effectuation of the purposes of this-part sections 15-24-201 through 15-24-208.

(2) The department of justice, motor vehicle division may make reasonable rules necessary for the administration of [sections 1 through 5]."

NEW SECTION. Section 7. Codification. The provisions of this act are intended to be codified as an integral part of Title 15, chapter 24, part 2, and the provisions of Title 15, chapter 24, part 2 apply to this act."

HB160.36  
PC5

36  
2/11  
AND AS AMENDED,  
DO PASS  
STATEMENT OF INTENT ATTACHED

February 18, 1985

STATEMENT OF INTENT  
HOUSE BILL 160

A statement of intent is required because the division of motor vehicles is given rulemaking authority relating to the registration and keeping of records of mobile homes in section 6 of the bill.

It is contemplated that the rules will govern the basic procedures and forms necessary to carry out such registration procedures. The rules should be formulated keeping in mind that the purpose of the bill is primarily to provide a way to ascertain mobile home ownership for the purposes of taxation.





Exhibit 1  
HB 642  
2-16-85  
Rep. Hansen

To: House Local Government Committee  
Representative Paula Darko, Chairperson

From: The City of Missoula

Subject: House Bill 642 Annexation of Contiguous High  
Density Land

Date: February 13, 1985

The City of Missoula supports House Bill 642. We have the following points to make in favor of HB 642.

- (1) Montana annexation laws are among the nations most restrictive, according to a 1980 Legislative Council report, which stated:
  - "Few states have protect provisions as favorable to affected property owners as does Montana."
  - "And significantly, no other states had exclusions for industrial, manufacturing, smelting, etc. purposes."
  - "No other states protected special service districts, such as fire districts as is done in Montana statutes."
- (2) State law protects rural fire districts (particularly the rural fire district in Missoula County) even though fire districts provide only one service and to the detriment of municipalities which provide many services.
- (3) Apparently state law in protecting rural fire districts from having their territory annexed is designed to protect the tax base of those districts. The result of course is detrimental to the tax base of municipalities. Annexation is as necessary to maintaining

an adequate municipal tax base as growth in income by Montana workers is to maintaining the State's tax base.

- (4) Our neighboring states, all somewhat rural like Montana, provide for annexation of contiguous lands without protest by the property owners when certain conditions are met.
- (5) Our neighboring states apparently recognize the value of municipalities to the State's economic growth. Stagnate communities do not attract new investment. It is time we recognize that sustained economic growth and healthy municipal governments and services go hand and hand.
- (6) City services are enjoyed and relied upon but not paid for by residents of contiguous areas. Residents living next to our cities and towns utilize their services by entering them daily. When twice as many people utilize city services as pay for them (as in Missoula) those services become more costly in order to meet the demand. As examples, City taxpayers support increased costs for street repair and maintenance, traffic regulation and accident investigation, law enforcement and the use of parks and recreation. You will notice in my list of examples that law enforcement is prominent. The City of Missoula responds to law enforcement needs far greater than the population

of 33,000 would indicate. This is because of a huge outlying population which creates a larger commercial and business center, more bars and other entertainment facilities, more automobiles, and more people generally. As a result, the City's crime rate is the highest in the state and higher than New York City. This is because the number of crimes is measured against a population of 33,000 instead of the population actually served of 50,000 to 70,000.

Furthermore, 9-1-1 statistics for 1984 show that City police received 28,687 calls compared to 14,820 calls for County law enforcement. As would be expected, the urban core, the hub of business and entertainment is also the area of greatest need for law enforcement. It is also the area of greatest need for other services, all of which are supported exclusively by City property taxpayers even though obviously used by all residents of the urban area.

- (7) It has been said that outlying residents support the City by purchasing goods and services from businesses in the City. This might have some validity if City residents didn't purchase goods and services from the same businesses. If taxation through business trade is a valid argument then it is simply another double taxation problem.

- (8) Furthermore, state law prohibits cities from annexing industries, our biggest business taxpayers.
- (9) Our inability to annex presents environmental health problems. Using the Wapikiya area of Missoula as an example, that highly developed area disposes of its sewage through septic systems. More than 300 septic systems have failed in the last several years. New septic systems are built to inject sewage into soil below a troublesome clay lense. What will be the affect on our groundwater? The Missoula Health Department has discovered septic waste contamination in \_\_\_\_\_wells in Missoula.
- (10) The primary argument we hear against annexation is that taxes will increase. People on fixed incomes can't afford the increase. Yet, people living in the City on low and/or fixed incomes face the same difficulty in paying higher property taxes because so many are exempt form supporting City services.
- (11) Collectively people outside the City are better able to pay and the 1980 census supports this conclusion in a variety of ways.

. Of 8,275 households in Missoula County with incomes of less than \$10,000 per year, 5,025 were in the City. And of 7,294 households with an income exceeding \$25,000 per year, only 2,823 (38%) were located in the City.

. Of 3,680 housing units in the County with relatively low values of from \$10,000 to \$49,999, fifty eight percent (58%) or 2,141 were in the City. Of 5,505 housing units valued between \$60,000 and \$200,000 (or more), only 1,916 (34%) were in the City.

The City of Missoula urges a DO PASS vote for House Bill 642. Thank you.

Respectfully submitted by:



---

David W. Wilcox  
Chief Administrative Officer

Exhibit 2  
HB 642  
2-16-85  
Rep. Hansen

TO: House City Government Committee  
Paula Darco, Chair

RE: HB 642

DATE: ~~Febr.~~ 16, 1985

Once again I come before you to make a desparate plea--

I am Lois Herbig, Councilperson, Ward I, Missoula.

Cities MUST ~~be~~ able to expand in an orderly fashion in order to survive. This bill allows it. Have any of you considered what would be the outcome if a city was not able to make ends meet and therefore be forced to disincorporate? Would the State, in the final analysis, have FULL responsibility for its health and welfare?

Billings has <sup>A</sup> ~~the~~ unique situation in that the outlying areas are requesting annexation.....Billings owns everything they need in the way of services and the areas do not have the Rural Fire Departments. I know from first-hand knowledge inasmuch as I lived there for close to 10 years. *Missoula not the case! + other cities*

While out seeking signatures on this petition this week, I learned that many more signatures could easily have been obtained had there been the time. Many more people would have come with us today to testify except for extenuating circumstances; however, large numbers of my consitutueents have expressed support of this bill because of daily use of the city streets, law enforcement, parks and a host of other city services by those living adjacent to the city.

ALSO 5 major revenue sources being low because of current State laws are as follows:

- 1) gas tax      2) beer tax      3) wine tax      4) State Block Grant money
- 5) Federal revenue sharing

As it is, the City must regulate bars and bar disturbances, serving a population for larger than the city itself, i.e. Rattlesnake has no bars or gas stations; likewise Wapikya area with its 1,000 plus population.

A letter is presented herewith from a Rattlesnake area resident, <sup>many</sup> one who realizes the inequity of the existing situation. There is also one <sup>here</sup> from the Wapikya area to testify. Many others in their areas feel as they do.

It is TIME for a change....we have been more than patient. Let it be this Legislative Body that at last sees the light. Thank you.....This is one bill you have before you that does not cost ~~you~~ a cent.



WITNESS STATEMENT

NAME Lois Herbig BILL No. HB 642  
ADDRESS 1026 Monroe DATE 2/16/85  
WHOM DO YOU REPRESENT City Council Missoula  
SUPPORT ✓ OPPOSE                      AMEND                     

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Attached petition (2 pgs)  
" Letter Reinhardt  
Comment Sheets (2)

PETITION

TO THE MONTANA STATE LEGISLATURE:

We, the undersigned homeowners in the City of Missoula, support H. B. 642, which would allow cities to annex high density, commercial and industrial adjacent to city boundaries. This bill is needed to allow cities to grow in an orderly fashion and to provide that all users of city facilities pay their fair share. We urge your support.

	<u>NAME</u>	<u>ADDRESS</u>
1.	<u>Patricia L. Suley</u>	<u>1010 Monroe St. Missoula, MT</u>
2.	<u>Lois G. Verling</u>	<u>1026 Monroe " "</u>
3.	<u>David H. Wiskie</u>	<u>1026 Monroe Missoula MT</u>
4.	<u>Harold P. Poirier</u>	<u>1026 Monroe Missoula MT</u>
5.	<u>Harry R. Cook</u>	<u>1310 Harrison MS La</u>
6.	<u>Harriett Ranney</u>	<u>1429 Jackson Malak</u>
7.	<u>Leah R. Heath</u>	<u>1601 Jackson Dr. Missoula</u>
8.	<u>Margaret R. Heath</u>	<u>1601 Jackson Dr. Missoula</u>
9.	<u>Evel W. Martell</u>	<u>1250 Monroe, Missoula</u>
10.	<u>Tran C. Wattell</u>	<u>1250 Therman, Missoula</u>
11.	<u>Thaddeus T. Baldry</u>	<u>1034 Therman, Thelan</u>
12.	<u>Herman Q. Baldry</u>	<u>1034 Monroe Mula</u>
13.	<u>Walter Smith</u>	<u>1101 W. Green / Dr</u>
14.		
15.		
16.		
17.		
18.		
19.		
20.		
21.		
22.		
23.		
24.		
25.		
26.		
27.		
28.		
29.		

# PETITION

TO THE MONTANA STATE LEGISLATURE:

We, the undersigned homeowners in the City of Missoula, support H. B. 642, which would allow cities to annex high density, commercial and industrial adjacent to city boundaries. This bill is needed to allow cities to grow in an orderly fashion and to provide that all users of city facilities pay their fair share. We urge your support.

NAME	ADDRESS
1. <u>Forrest H. Poe</u>	<u>714 Locust st.</u>
2. <u>Florie M Poe</u>	<u>714 Locust st.</u>
3. <u>Elaine DUGAS Shea</u>	<u>1025 Briar St.</u>
4. <u>Margaret Archibald</u>	<u>1015 Locust St.</u>
5. <u>Lester S. Archibald</u>	<u>1015 Locust St.</u>
6. <u>Kathleen F. Carlson</u>	<u>1015 Taylor</u>
7. <u>Nancy J. Gault</u>	<u>824 Beverly</u>
8. <u>D. Thomas Gault</u>	<u>824 Beverly</u>
9. <u>P.O. Phillips</u>	<u>855 Beverly</u>
10. <u>Jean Pfeiffer</u> <small>non citizen but property owner</small>	" "
11. <u>Mary K. McKelvey</u>	<u>1740 Madeline</u>
12. <u>Kent McKelvey</u>	<u>1740 Madeline Ave, MSl/2</u>
13. <u>Forrest Jarke</u>	<u>625 Evans Ave</u>
14. <u>Lois Jarke</u>	<u>625 Evans Ave</u>
15. <u>Tom Ray</u>	<u>541 Evans Ave.</u>
16. <u>Susan Ray</u>	<u>541 Evans Ave</u>
17. <u>Suzanne Hampton</u>	<u>525 Evans</u>
18. <u>H. Bruce Hampton</u>	<u>525 Evans</u>
19. <u>Marcell S. Klier</u>	<u>501 Evans Ave.</u>
20. <u>William J. Klier</u>	<u>501 Evans Ave.</u>
21. <u>Gene A. Bertsche</u>	<u>1600 Arthur Ave</u>
22. <u>Jon W. Bertsche</u>	<u>1600 Arthur</u>
23. <u>Don M. Dange</u>	<u>605 Evans</u>
24. <u>Dr. Ann Langer</u>	<u>605 Evans</u>
25. <u>Don Corto</u>	<u>925 Monroe</u>
26. <u>Patrick H. Corto</u>	<u>925 Monroe</u>
27. <u>Julia S. Schuetz</u>	<u>801 Poplar</u>
28. <u>John H. Schuetz</u>	<u>801 Poplar</u>
29. <u>Greg Pennington</u>	<u>1342 Van Buren</u>
30. <u>Allyson L. Pennington</u>	<u>1342 Van Buren</u>

Exhibit 3  
HB 642  
2-16-85  
Rep. Hanser

February 13, 1985

Montana House of Representatives  
Helena, Mt. 59601

Ladies and Gentlemen of the House,

We write to urge you to pass House Bill 642 which will allow cities in Montana to **grow** in planned and orderly manner by annexation of adjacent suburban areas. As residents of such an area in Missoula, we have felt that we have been left out of decision-making in the municipal affairs which affect our lives even while we benefit from the various services and amenities that the city offers without duly paying for them.

Sincerely,

*Howard & C.W. Reinhardt*  
Howard & C.W. Reinhardt

6330 Woods Road  
Missoula, Mt. 59802

Exhibit 4  
HB 642  
2-16-85  
Rep. Hansen

I HAVE LIVED IN THE MISSOULA AREA FOR THE PAST 29 YEARS, AND MY FAMILY AND I HAVE ENJOINED THE MANY BENEFITS WHICH THE CITY OF MISSOULA PROVIDES. AS A FAMILY WE HAVE MADE USE OF THE TENNIS COURTS AND BASEBALL DIAMONDS AND HAVE ENJOYED THE SUMMER BAND CONCERTS, ALL OF WHICH I BELIEVE, THE CITY PROVIDES AND/OR MAINTAINS.

AS MUCH AS I LIKE TO THINK OF MYSELF AS A CITIZEN OF MISSOULA, EVEN AFTER 29 YEARS OF RESIDENCY, I CANNOT REALLY QUALIFY AS A MISSOULIAN BECAUSE I LIVE OUTSIDE THE CITY BORDERS. AS A RESULT IT IS NOT POSSIBLE FOR ME AND MY NEIGHBORS TO TIE INTO THE CITY SEWER SYSTEM. I REGRET THAT THE RURAL FIRE DEPARTMENT IS PROHIBITING MY ACCESS TO THE CITY SEWER SYSTEM, AND I REQUEST THAT HOUSE BILL 642 BE PASSED.

ALBERT M. DABBERT  
4314 LAKE PLACE  
MISSOULA, MONTANA 59803

#642

PETITION

TO THE MONTANA STATE LEGISLATURE:

We, the undersigned homeowners in the City of Missoula, support H. B. 642, which would allow cities to annex high density, commercial and industrial adjacent to city boundaries. This bill is needed to allow cities to grow in an orderly fashion and to provide that all users of city facilities pay their fair share. We urge your support.

	<u>NAME</u>	<u>ADDRESS</u>
1.	<u>Keith R Lewis</u>	<u>1420 Phillips Missoula</u>
2.	<u>Rita C. Lewis</u>	<u>1420 Phillips Missoula</u>
3.	<u>Lucy Emerson</u>	<u>922 Carpenter Missoula</u>
4.	<u>Alva Jacobson</u>	<u>1426 Phillips Missoula</u>
5.	<u>Carlson Hilde</u>	<u>1512 Phillips Missoula</u>
6.	<u>Bond Hilde</u>	<u>1512 Phillips Missoula</u>
7.	<u>Russ Yeager</u>	<u>1526 Phillips Missoula</u>
8.	<u>Shirley Patton</u>	<u>1530 Phillips Missoula</u>
9.	<u>Bob Carr</u>	<u>1608 Phillips Mula.</u>
10.	<u>Laura Gallagher</u>	<u>1620 Phillips Mula.</u>
11.	<u>Art Branner</u>	<u>1002 Burns Mula</u>
12.	<u>Ann Mary Blumauer</u>	<u>1733 Phillips Mula</u>
13.	<u>Richard C. Christensen</u>	<u>1703 Phillips Mula</u>
14.	<u>James Ferguson</u>	<u>1025 Phillips Mula</u>
15.	<u>George A Martel</u>	<u>1533 Phillips St Mula</u>
16.	<u>Mona Audrey Martel</u>	<u>1533 Phillips St Mula</u>
17.	<u>Frank J. Dush</u>	<u>1575 Phillips St Mula</u>
18.	<u>Mahine H. Irish</u>	<u>1525 Phillips St Mula</u>
19.	<u>Everett E. Doney</u>	<u>1571 Phillips Mula</u>
20.	<u>Esther Allen</u>	<u>1337 Phillips Mula</u>
21.	<u>Olafson Lawrence</u>	<u>1331 Phillips Mula</u>
22.	<u>James Mickelson</u>	<u>1323 Phillips Mula</u>
23.	<u>Ray Lynn</u>	<u>1307 Phillips Mula</u>
24.	<u>John Smith</u>	<u>1234 Phillips St. Mula</u>
25.	<u>Betty Kostig</u>	<u>1206 Phillips Mula</u>
26.	<u>Malvin Brandhold</u>	<u>1202 Phillips Mula</u>
27.	<u>Lucille Brandhold</u>	<u>1202 Phillips Mula</u>
28.	<u>James Henry</u>	<u>1134 Phillips Mula</u>
29.	<u>Dorine Archmeyer</u>	<u>1104 Phillips Mula</u>

# PETITION

TO THE MONTANA STATE LEGISLATURE:

We, the undersigned homeowners in the City of Missoula, support  
H. B. 642, which would allow cities to annex high  
density, commercial and industrial adjacent to city boundaries.  
This bill is needed to allow cities to grow in an orderly fashion  
and to provide that all users of city facilities pay their fair  
share. We urge your support.

	<u>NAME</u>	<u>ADDRESS</u>
1.	Vincent E. Miller	620 Fairview, Mda. 59801
2.	Frank Miller	620 Fairview, Missoula 59801
3.	Margaret Schatz	1239 Sherwood - 59802
4.	Marie Marrone	602 Howell St. Missoula 549-537
5.	Donato Marrone	602 Howell St. Missoula " "
6.	Fita D. LaVie	720 West T. near Hwy, Mts 59802
7.	Lynne Martell	573 Tangle Mda. 543-6331
8.	Bunce Kellogg	1134 Jackson - 549-4628
9.	Barbara Zarnik	1430 DeFoe " 549-2238
10.	Billy H. Shaw	936 Cooley " 721-4579
11.	Margaret M. Cody	936 Cooley - 549-1554
12.	Arnel A. Phea	936 Cooley Ph-724579. Missoula
13.	Edna Rostad	1520 Howell Mda. 9-8958
14.	Edna Rostad	1520 Howell " "
15.	Agnes Cook	1004 TAYLOR, Mda. 549-9713
16.	Lois Jones	639 Brooks Mda. 542-2269
17.	John Jones	1537 DeFoe " INSIDE, MT. 54802
18.	William K. Byrne	509 Hastings Missoula, MT. 543-8557
19.	Leslie J. Byrne	509 Hastings Mda. 543-8557
20.	Ingvald E. Holmclaw	519 Hastings 549-7306
21.	Anita Hart	322 W Pine St. 543-7974
22.	George A. Hart	322 W Pine St 543-7974
23.	Shirley G. Gies	1028 Sherwood St 549-5505
24.	Edna W. Gies	1028 Sherwood St. 549-5305
25.	Edward A. Childers	1755 W. Central - BK 3501 Broad St. 728-3751
26.	Georgia S. Walters	1601 Bel Air Place 549-8730
27.	Barbara S. Horton	823 39 <sup>th</sup> St. 251-2278
28.	Maurice Wulff	1821 S. 12 <sup>th</sup> W 721-2127
29.	Joanne J. Farnsworth	1038 Sherwood St. Mda. 543-6186

# PETITION

TO THE MONTANA STATE LEGISLATURE:

We, the undersigned homeowners in the City of Missoula, support H. B. 642, which would allow cities to annex high density, commercial and industrial adjacent to city boundaries. This bill is needed to allow cities to grow in an orderly fashion and to provide that all users of city facilities pay their fair share. We urge your support.

	NAME	ADDRESS
1.	<u>Elizabeth F. Marsh</u>	<u>1704 McDonald - Missoula</u>
2.	<u>Edward L. Stupica</u>	<u>217 Vermont - Missoula</u>
3.	<u>Adeline Zahn</u>	<u>645 Beverly "</u>
4.	<u>Marie Grace Hammond</u>	<u>2411 Beardsley</u>
5.	<u>Ernesta Van Dine</u>	<u>733 Westman</u>
6.	<u>Anna M. Oglesbee</u>	<u>222 Lawrence Missoula</u>
7.	<u>M. K. Willis</u>	<u>723 Hastings Missoula</u>
8.	<u>Mary Elizabeth Hanger</u>	<u>418 Woodford</u>
9.	<u>Georgia Duffy</u>	<u>328 Plymouth</u>
10.	<u>Ursula Kaugh</u>	<u>1117 Rollins #4</u>
11.	<u>Vivian M. Moxie</u>	<u>331 Keesee</u>
12.	<u>John L. Kuyt</u>	<u>170 Burlington</u>
13.		
14.	<u>Jack Fascione</u>	<u>612 Taole Ave</u>
15.	<u>Richard Van Allen</u>	<u>102 Cove Ct. Missoula</u>
16.	<u>John Marcinkowski</u>	<u>322 University Ave. Missoula</u>
17.	<u>Lara Marcinkowski</u>	<u>322 University Missoula</u>
18.		
19.		
20.		
21.		
22.		
23.		
24.		
25.		
26.		
27.		
28.		
29.		



# PETITION

TO THE MONTANA STATE LEGISLATURE:

We, the undersigned <sup>residents</sup> homeowners in the City of Missoula, support H. B. 642, which would allow cities to annex high density, commercial and industrial adjacent to city boundaries. This bill is needed to allow cities to grow in an orderly fashion and to provide that all users of city facilities pay their fair share. We urge your support.

NAME	ADDRESS
1. Donna M. Shaffer	800 N. 4 <sup>th</sup> Missoula
2. Bonnie R. Donahue	1010 Rodgers St.
3. Margaret E. Burdick	1000 Washburn St. Msh.
4. <del>Michael M. Wilson</del>	501 North 2nd West
5. Dennis L. Newman	1003 Caley N. St.
6. <del>Maria Newman</del>	1003 Caley N. St.
7. Harold F. Brown	720 Stoddard Missoula
8. <del>Donna M. Shaffer</del>	<del>800 N. 4<sup>th</sup> Missoula</del>
9. Ken Spencer	828 Howell Missoula
10. Don Johnston	4608 Bailey St.
11. Lee Lutton	121 1/2 W 3rd
12. <del>Jack H. H.</del>	<del>507 Sherman</del>
13. <del>John D. Bimney</del>	501 DeFoe
14. <del>X Burt J. Nichols</del>	935 Palmer
15. <del>Maria M. M.</del>	1200 Caley #11
16. <del>Ken Spencer</del>	639 N 3rd
17. <del>Don H.</del>	1016 1/2 Warden
18. <del>Maria M.</del>	1320 Warden
19. <del>John L.</del>	717 North 5th West
20. <del>W. W. G. B.</del>	616 North 3rd West
21. <del>Don B.</del>	
22. <del>Chas. McLaughlin</del>	107 CHASCO CT #2
23. <del>Chas. Cassidy</del>	911 CHASCO #1
24. <del>Scott Hayward</del>	1300 Holmes (Box 5461, MSA)
25. <del>Jack H.</del>	817 Wolf MSL-2
26. <del>J. R. Martin</del>	817 Wolf MSLA
27. <del>Jim Smith</del>	529 Stoddard
28. <del>Guthrie White</del>	514 Howell, Msh.
29.	

# PETITION

TO THE MONTANA STATE LEGISLATURE:

We, the undersigned <sup>residents</sup> homeowners in the City of Missoula, support H. B. 642, which would allow cities to annex high density, commercial and industrial adjacent to city boundaries. This bill is needed to allow cities to grow in an orderly fashion and to provide that all users of city facilities pay their fair share. We urge your support.

NAME	ADDRESS
1. Margaret Davis	725 9th St
2. Andy Henricks	734 N. 5th
3. Robin Charles	716 W 4th St W.
4. Clarence Cooper	517 Stoddard
5. Robert Lewis	2510 1/2 LARKINWOOD DR. MSLO
6. Phil Meard	702 N 3rd
7. J. Evans	329 E. Front
8. J. J. W. W.	737 C. Bakerwith
9. Clifton Buckels	1019 Stoddard
10. Gary Brown	740 Turner #19
11. John Lee Jr.	812 Palmer
12. Gary Hunter	1801 S 14th
13. Brad N. Shaffer	800 N 4th ST
14. Michael Shephard	615 Ph. H. ps MSLO
15. Daniel L. Bate	6430 Riverside Ln. Florence
16. Della McConnel	60 Stoddard Ave MSLO
17. David Gibson	606 N 3rd W.
18. Bruce Shatto	517 Stoddard
19. Julia E. Hoffman	701 DeFoe
20. Terry Latogus	1024 WORDEN
21. Wallace Pantrell	538 N 4th ST
22. Rick Weldon	1016 1/2 WORDEN
23. Richard Sumner	609 Dakota East MSLO
24. Joan Sharp	1320 Butte Ave Apt #1
25. D. D. Jones	524 S 12th W *E
26. Cecil W. Bannin	919 Rodgers, Tula 59501
27. (JOHN WILLIAMS)	723 DEFOE, MISSOULA 59802
28. John Saldstein	817 N. 6th ST Missoula 59801
29.	

PETITION

TO THE MONTANA STATE LEGISLATURE:

We, the undersigned homeowners in the City of Missoula, support  
H. B. 642, which would allow cities to annex high  
density, commercial and industrial adjacent to city boundaries.  
This bill is needed to allow cities to grow in an orderly fashion  
and to provide that all users of city facilities pay their fair  
share. We urge your support.

	<u>NAME</u>	<u>ADDRESS</u>
1.	<u>Francis J. Jernigan</u>	<u>434 E. Kent, Missoula</u>
2.	<u>Nelson J. Jernigan</u>	<u>434 E. Kent, Missoula</u>
3.	<u>Thomas L. Finck</u>	<u>415 E. Beckwith, Missoula</u>
4.	<u>James D. Finck</u>	<u>415 E. Beckwith</u>
5.	<u>John W. Patton</u>	<u>304 S. 5TH E., MISSOULA</u>
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		
21.		
22.		
23.		
24.		
25.		
26.		
27.		
28.		
29.		

Feb. 16, 1985

Madam Chairman & House local Government  
& Committee Members.

My name is Jeanne Y. Ransavage  
I am homeowner for 34 yrs in Missoula  
at 1038 Sherwood St. Missoula, Mont. 59802.

Member of the City Council for 14 yrs, representing the  
Ward 2. West-side and North Side of the City of  
Missoula.

Many of my constituents are homeowners tax-payers  
are elderly & others, many are on fixed-income,  
or low income, have hard time to make ends meet,  
it is unfair for the people of the City to find  
more taxes; because residents of Urban fringe  
areas receive many City-services and don't pay for  
it - it is very unjust.

Montana, current Annexation laws are out-  
dated and do not allow Communities to grow  
in a logical & orderly fashion. They need to be  
changed to be responsible to changing the needs  
of our Cities; and to reduce the tax from City  
taxpayers.

I am stronger in support of H. B. 642.

Thank you.

Jeanne Y. Ransavage

WITNESS STATEMENT

*(Religious Union)*

NAME JEANNE Y. RANSAYGE BILL NO. <sup>H.B.</sup> 642  
ADDRESS 1038 Sherwood St. DATE Feb. 16, 1985  
WHOM DO YOU REPRESENT City of Missoula Mont. West Side  
SUPPORT X OPPOSE                      AMEND North Side  
of Missoula

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Exhibit 7  
HB 642  
2-16-85  
Rep. Harmon  
15

PETITION

TO THE MONTANA STATE LEGISLATURE:

We, the undersigned homeowners in the City of Missoula, support  
H. B. 642, which would allow cities to annex high  
density, commercial and industrial adjacent to city boundaries.  
This bill is needed to allow cities to grow in an orderly fashion  
and to provide that all users of city facilities pay their fair  
share. We urge your support.

	NAME	ADDRESS
1.	Alison [unclear]	828 Rslb
2.	David H. Nash	5610 Hillview Way
3.	Marilyn Phillips	" "
4.	Juan Jackson	5614 Hillview
5.	Ag. N. Lepton	5722 Hillview Way
6.	Bernie Patterson	5702 Hillview Way
7.	Janelle Patterson	5702 Hillview Way
8.	Cathy Baldwin	5701 Hillview
9.	Mark Hanson	5407 57th
10.	Janice Gaidiga	2408 57th
11.	Thomas M. Hanco	2410 57th
12.	Roger V. Whit	2419 56th
13.	Karen E. White	2419 56th
14.	Thomas G. Gibson	2413 A 56th St.
15.	Dwight M. Robinson	2413 A 56th St.
16.	Debbie Douglas	2413 B - 56th St.
17.	Timothy M. Huxtable	2409 56th St.
18.	Vicki Huxtable	2409 56th St.
19.	Pat Ryan	2407 56th St.
20.	March Johnson	2401 56th St.
21.	Deane McAnderson	2401 56th St.
22.	Donna L. Best	2341 56th St.
23.	Neil Frost	2341 56th St.
24.	Paula LaRogue	2337 56th St.
25.	Paula LaRogue	2337 56th St.
26.	David M. Hanco	5606 Hillview Way
27.	Donna Mc Laren	2335 - 56th
28.	Robert M. Hanco	2335 - 56th
29.	Sam M. Hanco	5606 Hillview Way

# PETITION

TO THE MONTANA STATE LEGISLATURE:

We, the undersigned homeowners in the City of Missoula, support H. B. 642, which would allow cities to annex high density, commercial and industrial adjacent to city boundaries. This bill is needed to allow cities to grow in an orderly fashion and to provide that all users of city facilities pay their fair share. We urge your support.

	<u>NAME</u>	<u>ADDRESS</u>
1.	<u>Nail Blade</u>	<u>5605 Longview</u>
2.	<u>Wynne Blade</u>	<u>5605 Longview</u>
3.	<u>James E. Duanlin</u>	<u>5603 Longview</u>
4.	<u>Marie Duanlin</u>	<u>5603 Longview</u>
5.	<u>Joyce M. McBrink</u>	<u>5609 Longview</u>
6.	<u>Janet McBride</u>	<u>5609 Longview</u>
7.	<u>Karen S. Clement</u>	<u>5701 Longview</u>
8.	<u>Beth Wilk</u>	<u>5705 Longview</u>
9.	<u>Ann Anderson</u>	<u>5705 Longview</u>
10.	<u>Gindy Anderson</u>	<u>5705 Longview</u>
11.	<u>Maria Zehn</u>	<u>5805 Longview</u>
12.	<u>Arthur G. Zehn</u>	<u>5805 Longview</u>
13.	<u>Carol &amp; Paul Rasmussen</u>	<u>6008 Sunview Dr.</u>
14.	<u>Stephen M. Rasmussen</u>	<u>6011 Sunview</u>
15.	<u>Dawn R. Rasmussen</u>	<u>6011 Sunview Dr.</u>
16.	<u>Debra Harding</u>	<u>6014 Sunview Dr.</u>
17.	<u>Arthur S. Riche</u>	<u>6008 Sunview Dr.</u>
18.	<u>Lillian Greene</u>	<u>6008 Sunview Dr.</u>
19.	<u>Robert W. Riche</u>	<u>6002 Sunview</u>
20.	<u>Carol L. Scott</u>	<u>6002 Sunview</u>
21.	<u>Lue W. Klem</u>	<u>5704 Longview</u>
22.	<u>Shirley E. Klem</u>	<u>5704 Longview</u>
23.	<u>Victor Roub</u>	<u>5610 Longview</u>
24.	<u>John Roub</u>	<u>5601 Longview</u>
25.	<u>James E. Rasmussen</u>	<u>5801 Skyview</u>
26.	<u>John M. Rasmussen</u>	<u>5803 Skyview</u>
27.	<u>Wanda M. Rasmussen</u>	<u>5805 Skyview</u>
28.	<u>Kathleen R. Rasmussen</u>	<u>5701 Longview</u>
29.	<u>Robert E. Marshall</u>	<u>5903 Skyview</u>

# PETITION

TO THE MONTANA STATE LEGISLATURE:

We, the undersigned homeowners in the City of Missoula, support H. B. 642, which would allow cities to annex high density, commercial and industrial adjacent to city boundaries. This bill is needed to allow cities to grow in an orderly fashion and to provide that all users of city facilities pay their fair share. We urge your support.

	NAME	ADDRESS
1.	Ellen Marshall	5903 Skyview
2.	Nancy Kozma	6001 Skyview
3.	Bill Kozma	6005 Skyview
4.	James Smith	6107 Skyview
5.	Sara Jones	6113 Skyview
6.	James Bowler	6108 Skyview
7.	Sam Thompson	6104 Skyview
8.	Phil Cole	6102 Skyview
9.	Paul Blair	6102 Skyview
10.	Robert Decker	5800 Skyview
11.	Paul Decker	5104 Skyview
12.	Paul Decker	5310 Skyview
13.	Mark Decker	5200 Skyview
14.	Russ Schaffel	5112 Skyview
15.	James Schaffel	5101 Skyview
16.	Tom T. Tabor	5111 Skyview
17.	Rita Norton	5215 Skyview
18.	Allen Burt	5307 Skyview
19.	James Burt	5315 Skyview
20.	Charles Rose	5315 Skyview
21.	Richard Blagovist	5601 Longview Dr
22.		
23.		
24.		
25.		
26.		
27.		
28.		
29.		



PETITION

TO THE MONTANA STATE LEGISLATURE:

We, the undersigned homeowners in the City of Missoula, support H. B. 642, which would allow cities to annex high density, commercial and industrial adjacent to city boundaries. This bill is needed to allow cities to grow in an orderly fashion and to provide that all users of city facilities pay their fair share. We urge your support.

	<u>NAME</u>	<u>ADDRESS</u>
1.	<u>Sharon Wenzel</u>	<u>5703 Hillview Way</u>
2.	<u>LaVerne Stodtbeck</u>	<u>5705 Hill View Way</u>
3.	<u>Danny &amp; Denny</u>	<u>5707 Hillview Way</u>
4.	<u>Paul Deming</u>	<u>5707 Hillview Way</u>
5.	<u>[Signature]</u>	<u>1055 N. View Way</u>
6.	<u>Sheila Ireland</u>	<u>6005 Hillview Way</u>
7.	<u>Richard L. White</u>	<u>6007 Hillview Way</u>
8.	<u>Sharon Thode</u>	<u>6007 Hillview Way</u>
9.	<u>Bonnie Lee</u>	<u>6011 Hillview Way</u>
10.	<u>[Signature]</u>	<u>6011 Hillview Way</u>
11.	<u>[Signature]</u>	<u>6103 Hillview Way</u>
12.	<u>Elvin Hoffman</u>	<u>6105 Hillview Way</u>
13.	<u>Carol Lynn Hoffman</u>	<u>6105 Hillview Way</u>
14.	<u>Robert L. Hoffman</u>	<u>6107 Hillview Way</u>
15.	<u>[Signature]</u>	<u>6111 Hillview Way</u>
16.	<u>GREG POCAN</u>	<u>6111 Hillview Way</u>
17.	<u>Emile POCAN</u>	<u>6111 Hillview Way</u>
18.	<u>Lori Dixon</u>	<u>6115 Hillview Way</u>
19.	<u>Wayne Hecker</u>	<u>6117 Hillview Way</u>
20.	<u>[Signature]</u>	<u>6123 Hillview Way</u>
21.	_____	_____
22.	_____	_____
23.	_____	_____
24.	_____	_____
25.	_____	_____
26.	_____	_____
27.	_____	_____
28.	_____	_____
29.	_____	_____

# PETITION

TO THE MONTANA STATE LEGISLATURE:

We, the undersigned homeowners in the City of Missoula, support H. B. 642, which would allow cities to annex high density, commercial and industrial adjacent to city boundaries. This bill is needed to allow cities to grow in an orderly fashion and to provide that all users of city facilities pay their fair share. We urge your support.

	NAME	ADDRESS
1.	James David Winkler	2316 W. Crescent Dr. MSLA
2.	Steve W. De Jure	2315 W. Crescent Dr. Mala
3.	Douglas T. Buchman	2315 W. Crescent Dr. Mala
4.	Larry E. Egan	2305 W. Crescent Dr. Mala
5.	Helen L. Kayser	2243 E. Crescent Dr. Mala
6.	Ernest L. Dyer	2243 E. Crescent, MSLA
7.	Verlie S. Jackson	2231 E. Crescent, Mala
8.	G. A. Nordli	2223 E. Crescent Dr.
9.	Anthony C. Marks	2219 E. Crescent Dr.
10.	Brian K. Lerner	2215 E. Crescent Dr.
11.	Jim C. Bruin	2203 E. Crescent Dr.
12.	Charlotte L. Rask	2204 E. Crescent Dr.
13.	Frances M. Rask	2204 E. Crescent Dr.
14.	Frederick E. Simon	2212 E. Crescent Dr.
15.	Stanley W. Nelson	2216 E. Crescent Dr.
16.	Mark Lerner	2216 E. Crescent
17.	Chet A. Kers	2220 E. Crescent
18.		
19.		
20.		
21.		
22.		
23.		
24.		
25.		
26.		
27.		
28.		
29.		

PETITION

TO THE MONTANA STATE LEGISLATURE:

We, the undersigned homeowners in the City of Missoula, support  
H. B. 642, which would allow cities to annex high  
density, commercial and industrial adjacent to city boundaries.  
This bill is needed to allow cities to grow in an orderly fashion  
and to provide that all users of city facilities pay their fair  
share. We urge your support.

	<u>NAME</u>	<u>ADDRESS</u>
1.	<u>John Harland</u>	<u>5809 Longview MSLA</u>
2.	<u>Paul Harland</u>	<u>5809 Longview Missoula</u>
3.	<u>M. J. Jady</u>	<u>5802 N. J. MSLA</u>
4.	<u>Yvonne Jady</u>	<u>5900 Mainview MSLA</u>
5.	<u>Muriel Clark</u>	<u>6102 Mainview, MSLA</u>
6.	<u>Tom J. Wagner</u>	<u>6107 Mainview MSLA</u>
7.	<u>Charles J. Wagner</u>	<u>5907 Mainview MSLA</u>
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		
21.		
22.		
23.		
24.		
25.		
26.		
27.		
28.		
29.		

**PETITION**

TO THE MONTANA STATE LEGISLATURE:

We, the undersigned homeowners in the City of Missoula, support H. B. 642, which would allow cities to annex high density, commercial and industrial adjacent to city boundaries. This bill is needed to allow cities to grow in an orderly fashion and to provide that all users of city facilities pay their fair share. We urge your support.

	<b>NAME</b>	<b>ADDRESS</b>
1.	<u>[Signature]</u>	<u>103 Oakhurst</u>
2.	<u>[Signature]</u>	<u>102 Oakhurst St</u>
3.	<u>[Signature]</u>	<u>102 Oakhurst St</u>
4.	<u>[Signature]</u>	<u>100 Oakhurst Ct.</u>
5.	<u>[Signature]</u>	<u>100 Oakhurst Ct.</u>
6.	<u>[Signature]</u>	<u>102 Pinehurst Ct.</u>
7.	<u>[Signature]</u>	<u>102 Pinehurst Ct.</u>
8.	<u>[Signature]</u>	<u>104 Pinehurst Ct.</u>
9.	<u>[Signature]</u>	<u>104 Pinehurst Ct.</u>
10.	<u>[Signature]</u>	<u>105 Pinehurst Ct.</u>
11.	<u>[Signature]</u>	<u>105 Pinehurst Ct.</u>
12.	<u>[Signature]</u>	<u>101 Pinehurst Ct.</u>
13.	_____	_____
14.	_____	_____
15.	_____	_____
16.	_____	_____
17.	_____	_____
18.	_____	_____
19.	_____	_____
20.	_____	_____
21.	_____	_____
22.	_____	_____
23.	_____	_____
24.	_____	_____
25.	_____	_____
26.	_____	_____
27.	_____	_____
28.	_____	_____
29.	_____	_____

# PETITION

TO THE MONTANA STATE LEGISLATURE:

We, the undersigned homeowners in the City of Missoula, support H. B. 642, which would allow cities to annex high density, commercial and industrial adjacent to city boundaries. This bill is needed to allow cities to grow in an orderly fashion and to provide that all users of city facilities pay their fair share. We urge your support.

	NAME	ADDRESS
1.	<u>Helen Ingram</u>	<u>4906 Clearview</u>
2.	<u>Donnell D. Ingram</u>	<u>4906 Clearview Dr.</u>
3.	<u>Emily Lennon</u>	<u>104 Elmhurst Ct.</u>
4.	<u>Mark J. Lennon</u>	<u>104 Elmhurst Court</u>
5.	<u>Maria B. Chiffen</u>	<u>103 Elmhurst Court</u>
6.	<u>Jay Hall</u>	<u>102 ELMHURST CT.</u>
7.	<u>RITA HALL</u>	<u>102 ELMHURST CT.</u>
8.	<u>Lucinda Froman</u>	<u>101 ELMHURST COURT</u>
9.	<u>Nancy Froman</u>	<u>101 ELMHURST COURT</u>
10.	<u>Ervin Kane</u> <small>COUNTY RESIDENT (ERV KANE)</small>	<u>4318 Shonett</u>
11.	<u>Eugene E. Bengtson</u>	<u>302 NORTH AVE EAST</u>
12.	<u>Mark W. W.</u>	<u>2140 Chickadee MSLA</u>
13.	<u>William E. Thomas</u>	<u>1513 West Kent</u>
14.	<u>Betty Lewis</u>	<u>650 W. Adams</u>
15.	<u>Roy E. Johns</u>	<u>116 Michelle Ct.</u>
16.	<u>Brenda Kramer</u>	<u>2635 Bel Aire</u>
17.	<u>Faye Zimmerman</u>	<u>705 Benton</u>
18.	<u>Shannon C. Slight</u>	<u>4908 Clearview</u>
19.	<u>John Slight</u>	<u>4908 Clearview</u>
20.	<u>Bill George</u>	<u>4910 Clearview</u>
21.	<u>Collins George</u>	<u>4910 Clearview</u>
22.		
23.		
24.		
25.		
26.		
27.		
28.		
29.		

Exhibit 8  
HB 642  
2-16-85  
Rep. Hammer

FEBRUARY 14, 1985

TO WHOM THIS MAY CONCERN:

THIS IS TO SUPPORT THE EFFORT TO ANNEX HIGHLY POPULATED AREAS CONTINGENT TO THE CITY OF MISSOULA. MY WIFE AND I ARE BOTH RETIRED AND HAVE LIVED IN THE CITY OF MISSOULA SINCE AUGUST, 1977. WE ARE THANKFUL THAT WE LIVE WITHIN THE CITY LIMITS AND ARE SURPRISED THAT SOME OF OUR NEIGHBORS ARE RESISTING THE OPPORTUNITY TO TRULY BECOME MISSOULIANS.

WHILE OUR REAL ESTATE TAXES ARE HIGHER THAN THEY WERE IN ILLINOIS (OUR PREVIOUS RESIDENCE), WE FIND THAT THE ABSENCE OF SALES TAX NEARLY BALANCES THE DIFFERENCE.

IT SEEMS STRANGE TO US THAT IN ORDER TO TRAVEL TO OTHER PARTS OF THE CITY, THAT WE MUST LEAVE THE CITY AND TRAVEL THROUGH NON-CITY; ALTHOUGH THE VISIBLE DIFFERENCE BETWEEN CITY AND NON-CITY IS UNRECOGNIZABLE. THE ONLY DIFFERENCE THAT WE HAVE RECOGNIZED, IS THAT SOME OF THE NEIGHBORS IN THE NON-CITY HAVE HAD THEIR SEPTIC TANKS DUG INTO FOR REPAIRS OR REPLACEMENT.

ALTHOUGH, ON OUR RELATIVELY FIXED INCOME, WE RESENT PAYING EXTRA TAXES BECAUSE SOME OF OUR NEIGHBORS ARE UNWILLING TO PAY THEIR FAIR SHARE; WE ARE MORE FEARFUL OF THE POTENTIAL POLLUTION OF OUR WATER SUPPLY BY THE HEAVY CONCENTRATION OF CESS POOLS (EUPHEMISTICALLY CALLED SEPTIC TANKS) SURROUNDING OUR WATER SOURCE.

MOST OF THESE NON-CITY NEIGHBORS, WHEN ASKED ABOUT THEIR RESIDENCE, WILL SAY THEY LIVE IN MISSOULA, ALTHOUGH THE TECHNICALLY DO NOT LIVE IN MISSOULA. EVEN THOUGH THEY NOW RESIST ANNEXATION, SUCH ANNEXATION WILL BE TO THEM A BLESSING IN DISGUISE.

RESPECTFULLY SUBMITTED,

*Eugene D. Fitzpatrick*  
EUGENE D. FITZPATRICK  
102 PINEHURST COURT  
CITY OF MISSOULA, MT. 59803

WITNESS STATEMENT

Exhibit 9  
HB 642  
2-16-85  
Rep. Hansen

NAME JERRELL D. BALLAS BILL No. 642  
ADDRESS 204 So. Ave. E. Missoula DATE 2/16/85  
WHOM DO YOU REPRESENT UNIVERSITY AREA HOMEOWNERS  
SUPPORT ✓ OPPOSE \_\_\_\_\_ AMEND \_\_\_\_\_

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

CITIES AND TOWNS NEED REASONABLE & WORKABLE  
PROCEDURES TO ANNEX NEW AREAS & GROW IF  
THEY ARE TO CONTINUE AS VIABLE GOVERNMENTAL  
ENTITIES. THEREFORE I URGE YOUR SUPPORT  
OF THIS BILL.



OFFICE OF THE MAYOR

201 W. SPRUCE • MISSOULA, MT 59802-4297 • (406) 721-4700

Exhibit 10  
HB 642  
2-16-85  
Rep. Hansen  
HB 642 Support

February 13, 1985

Representative Paula Darko, Chairperson  
House Local Government Committee  
State Capitol  
Helena, MT 59620

Dear Representative Darko:

House Bill 642 should be passed.

I have watched Missoula grow from about 15,000 population to what the cosmopolitan area is now of about 70,000, only half of which is within the city limits. All of these people should be united together as a City for lots of reasons. The advantages the City can give the periphery are many but the City needs the power of legitimate annexation.

Please give House Bill 642 favorable consideration.

Thank you.

Sincerely,

*Francis Superneau*

Francis Superneau  
Ward 4 Alderman  
Missoula, Montana

Attachments



To: House Local Government Committee

from: Maureen Trotter  
2105 Gerald,  
Missoula MT 59801

I urge you to support HB 642. The closely spaced and highly developed urban fringe areas adjoining the city limits use city streets and city services. Montana annexation laws force our towns & cities to grow in a hodge podge with ~~a~~ double taxation paid by city residents.

The adjoining highly developed <sup>urban</sup> fringe area residents use city services and streets not only during the day, but wander our streets at night in search of entertainment and relaxation, thus we city taxpayers must hire more police protection to protect them from each other when they come into the city limits at night.

Please support HB 642 to make Montana's annexation laws fair to all Montanans.

Exhibit 12  
HB 642-  
2-16-85  
Rep. Hansen

WITNESS STATEMENT

NAME Greg Jackson BILL No. 642 + 564  
ADDRESS Box 1704 Helena mt. DATE 2-16-85  
WHOM DO YOU REPRESENT Urban Coalition  
SUPPORT ☒ OPPOSE ☐ AMEND ☐

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

The Urban Coalition would like to go  
on record in support of HB 642 and  
HB 564.

Thank you.

Greg Jackson

James D. Scoville  
420 Dixon  
Missoula, Montana 59801

Exhibit 13  
HB 642  
2-16-85  
Rep. Hansen

February 11, 1985

Representative Paula Darko and  
Local Government Committee  
Capitol Station  
Helena, Montana 59620

Dear Chairwoman Darko and Members of the Committee,

I regret that I am unable to attend the public hearing on H.B. 642, which would permit cities to annex areas of high density adjacent to city boundaries.

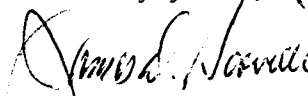
The bill would allow cities to grow in a logical and orderly fashion, based on density and location of population. It would solve the inequity of city residents paying for a whole range of services that out-of-city residents enjoy for free.

Montana's current annexation laws are outdated and do not allow communities to grow in a logical and orderly fashion. They need to be changed to be more responsive to the changing needs of our cities. H.B. 642 would be an important step in that direction.

The most frequent argument against annexation legislation is that cities should persuade those in urban areas to voluntarily annex themselves by offering services. The reason that this doesn't work is that these residents of urban fringe areas already receive many city services without paying their fair share of taxes. In addition city taxpayers pay county taxes to support services to the out-of-city dweller. It is unlikely that cities will be able to convince residents of urban fringe areas to accept increased taxes to pay their share for services they enjoy and to reduce the tax inequity suffered by those of us already in the city.

H.B. 642 would allow reasonable and necessary growth in the state's urban areas while protecting rural areas with the density requirement. I urge your support of this needed legislation.

Sincerely yours,

  
James D. Scoville

JDS:dkw

HB 642  
support

423 Pattee Creek Drive  
Missoula, Montana 59800  
February 13, 1985

Chairwoman Paula Darks  
House Local Government Committee

Dear Chairwoman Darks and Members of  
the Committee:

We regret that we shall be unable  
to attend the public hearing on HB 642,  
which would permit cities to annex  
areas of high density adjacent to city  
boundaries. Present annexation laws are  
outdated because they do not allow  
communities to grow in a logical and  
orderly fashion.

Voluntary annexation just doesn't  
work, nor is it fair to city residents.  
Therefore, it is up to the legislature to  
remedy and rectify the situation. We  
feel that HB 642 would permit the  
establishment of more logical city  
boundaries that recognize the growth  
patterns of the city.

Sincerely yours,  
George H. Millie  
Marc J. Millie

Sorry the  
Paper isn't a  
bit prettier but  
I need new glasses  
+ lens help  
Keep off the hand  
with your face  
M. A  
(over)



315 Cornell Ave  
Missoula, Mont  
59801  
Feb 14-1985

Paula Darks

Capital Station  
Helena, Montana 59620

Re: House 642 + 647

Dear Chairwoman Darks:

"Happy Valentine Day," though  
this will be reaching you a bit late for  
the proper day:

Since I am unable to attend the  
hearing of the House bill 642 + 647 with  
my friends of the City of Missoula who  
will be at the hearing on February 16-1985,  
I am in favor of having permission granted  
which permit cities especially Missoula,  
to annex areas of high density adjacent  
to city boundaries.

When the bells reach the floor of  
the House, I shall be contacted the other  
Representatives for a vote in favor of  
them.

Thank you.

Albert + Mary Ann Gasperino.

WITNESS STATEMENT

Name Kera Cahoon Committee On L. Gent  
Address St. Rte. Bonner Date 2/16/85  
Representing \_\_\_\_\_ Support \_\_\_\_\_  
Bill No. 642 Oppose ✓  
Amend \_\_\_\_\_

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1. Removes right of protest-
2. Allows city to determine where you will live.
3. The city of Missoula trades its tax base at an alarming rate &
4. then looks to county to make it up.

Cities must walk softly & forget the big stick - a positive approach will work much better

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

Exhibit 15  
HB 642  
2-16-85  
Rep. Hansen

The 400 household members of the Wapikiya Home Owners Association of Missoula wish to express their opposition to H.B. 642, which would provide for annexation of contiguous high density land without protest.

This bill would threaten with annexation over 30,000 residents of areas contiguous to the city of Missoula. In the past these areas have consistently and overwhelmingly rejected annexation efforts by the city. The Wapikiya-Bellevue area recently rejected annexation by an 80% margin.

These areas are being served by the county government at a level that is at least equal to that being provided by the city of Missoula.

Any burden, real or imagined, that county residents may impose on city services is more than offset by the economic and social contributions these people make to the community as a whole.

H.B. 642 would deprive county residents of the right of self determination which is guaranteed by the state and U.S. constitutions. It would deprive them of a form of local government that they have actively chosen and supported for decades. It would deprive them of a voice in their future and would grant municipalities unreasonable and oppressive powers.

For these reasons we ask that you give a do not pass recommendation to H.B. 642.

Jeff Stevens  
Vice President  
Wapikiya Home Owners Assoc.

HB 642 oppose

To: House Local Government Committee in care of Paula Darko, Chairperson

From: Jeff Stevens, Vice President, Wapikiya Home Owners Association

Date: Feb. 11, 1985

Re: H.B. 642 "An act to provide for municipal annexation of contiguous high density land under certain conditions."

The 400 member households of the Wapikiya Home Owners Association of Missoula wish to express their opposition to H.B. 642 which would provide for annexation of contiguous high density land without protest.

This bill would threaten with annexation over 30,000 residents of areas contiguous to the city of Missoula. In the past these areas have consistently and overwhelmingly rejected annexation efforts by the city. The Wapikiya-Bellevue area recently rejected annexation by an 80% margin.

These areas are being served by the county government and the rural fire department at a level that is at least equal to that being provided by the city of Missoula.

Any burden, real or imagined, that county residents may impose on city services is more than offset by the economic and social contributions these people make to the community as a whole.

H.B. 642 would deprive county residents of the right of self determination which is guaranteed by the state and U.S. constitution. It would deprive them of a form of local government that they have actively chosen and supported for decades. It would deprive them of a voice in their future and would grant municipalities unreasonable and oppressive powers.

For these reasons we ask that you reject H.B. 642.

Jeff Stevens



SUBCOMMITTEE AMENDMENTS  
February 2, 1985

AMEND HOUSE BILL 118 AS FOLLOWS:

1. Title, line 5.

Following: "PRESERVATION OF"

Insert: "EXISTING"

Following: "PRIVATE"

Insert: "OR RURAL FIRE DISTRICT"

2. Title, line 6.

Strike: "PRIVATE"

Insert: "EXISTING"

Following: "SERVICES"

Insert: "FOR A PERIOD OF THREE YEARS AFTER ANNEXATION"

3. Title, line 13.

Following: "PROTECTION;"

Insert: "DELETING THE RESTRICTION ON ANNEXATION OF TERRITORY  
IN A RURAL FIRE DISTRICT UNDER THE ANNEXATION  
PROCEDURES OF TITLE 7, CHAPTER 2, PART 47; PROVIDING  
THAT THE THE BOARD OF COUNTY COMMISSIONERS, MAY AFTER A  
PUBLIC HEARING, IMPOSE FEES IN LIEU OF PROPERTY TAXES  
FOR THE FUNDING OF A RURAL FIRE DISTRICT;

4. Title, line 14.

Following: "7-2-4506,"

Strike: "AND"

Following "7-2-4610,"

Insert: "7-2-4734, 7-33-2105, AND 7-33-2109,"

5. Page 1, line 18.

Following: "existing"

Strike: "private"

Following: "agreement."

Insert: "(1) As used in this section an "existing fire  
service" means either a private fire service or a rural  
fire district that prior to the commencement of  
annexation proceeding provided fire protection to the  
territory to be annexed."

ReNUMBER: subsequent subsections

6. Page 1, line 19.

Strike: "(2)"

Insert: "(3)"

7. Page 1, line 20.

Strike: "private"

Insert: "existing"

8. Page 1, line 22.

Strike: ". Municipal"

Insert: "for three years after the date of annexation."

During that period of time municipal"

9. Page 1, line 23.

Following: "receiving"

Strike: "private"

Insert: "existing"

10. Page 1. line 24.

Following: "in"

Strike: "the"

Insert: "an"

Following: "area"

Insert: "receiving existing private fire services"

11. Page 2, line 1.

Strike: "A"

Insert: "Prior to the expiration of the three year period a"

12. Page 2, line 2.

Strike: "private"

Insert: "existing"

13. Page 2, line 8.

Strike: "private"

Insert: "existing"

14. Page 2, line 11.

Strike: "private"

Insert: "existing"

15. Page 2, lines 13 through 18.

Following: "area" on line 13

Strike: the remainder of the subsection in its entirety

Insert: "at an election to be held not later than 60 days  
after the date of annexation."

16. Page 2, line 20.

Strike: "private"

Insert: "existing"

17. Page 2, line 21.

Strike: "a private"

Insert: "an existing"

18. Page 2, lines 23 and 24.

Strike: ", whether" on line 23 through "property" on line 24

19. Page 3, line 20.

Strike: "private"

Insert: "existing"

20. Page 4, line 5.

Strike: "a private"

Insert: "an existing"

21. Page 4, line 6.  
Strike: "private"  
Insert: "existing"

22. Page 5.

Following: line 19

Insert: "Section 6. Section 7-2-4734, MCA, is amended to read:

"7-2-4734. Standards to be met before annexation can occur. A municipal governing body may extend the municipal corporate limits to include any area which meets the following standards:

(1) It must be contiguous to the municipality's boundaries at the time the annexation proceeding is begun.

(2) No part of the area may be included within the boundary of another incorporated municipality.

(3) It must be included within and the proposed annexation must conform to a comprehensive plan as prescribed in Title 76, chapter 1.

~~(4) --No part of the area may be included within the boundary, as existing, at the inception of such attempted annexation, of any fire district organized under any of the provisions of part 21, chapter 33, if the fire district was originally organized at least 10 years prior to the inception of such attempted annexation. However, a single ownership piece of land may be transferred from a fire district to a municipality by annexation as provided in 7-33-2127."~~

Section 7. Section 7-33-2105, MCA, is amended to read:

"7-33-2105. Powers and duties of trustees. (1) The trustees shall prepare and adopt suitable bylaws.

(2) The trustees shall have the authority to provide adequate and standard firefighting apparatus, equipment, housing, and facilities for the protection of the district. They shall appoint and form fire companies that shall have the same duties, exemptions, and privileges as other fire companies.

(3) The trustees shall prepare annual budgets and request special levies or fees on improvements therefor. The budget laws relating to county budgets shall, as far as applicable, apply to fire districts.

(4)(a) If requested by the trustees, the board of county commissioners may establish a fee in lieu of property taxes to be assessed on all improvements to real property in the district.

(b) The fee may be a flat fee for all improvements or may be a schedule of fees based upon types of improvements, types of fire hazards, and difficulty in fighting a fire in the improvement. The board of county commissioners shall publish notice of the amount of the fee

or schedule of fees and provide opportunity for public protests of such fees prior to their adoption.

(c) The fee must be placed on the property tax notice pertaining to the improved property to be collected with property taxes owed on the property. If a property owner fails to pay the fee, it becomes a lien upon the property."

Section 8. Section 7-33-2109, MCA, is amended to read:

"7-33-2109. Tax levy or fee authorized. At the time of the annual levy of taxes, the board of county commissioners may levy a special tax upon all property within such districts or assess the fee on improvements if such a fee was established under 7-33-2105, for the purpose of buying or maintaining fire protection facilities and apparatus for such districts or for the purpose of paying to a city, town, or private fire service the consideration provided for in any contract with the council of such city, town, or private fire service for the purpose of furnishing fire protection service to property within such district. Such tax must be collected as are other taxes." "

Renumber: subsequent section

PC5HB118.110

LH/HANNAH

*Amended*

Amend House Bill 160

1. Title, line 5.

Strike: "THE SAME"

Insert: "A SIMILAR"

2. Title, lines 7 and 8.

Strike: "SECTIONS 61-3-101, 61-3-201, AND  
61-3-317, MCA"

Insert: "SECTION 15-24-207"

3. Pages 1 through 14.

Strike: everything following the enacting clause

Insert: "NEW SECTION Section 1. Records mobile homes --  
duties of division of motor vehicles. (1) The department  
of justice, division of motor vehicles shall keep a record  
as hereinafter specified of all mobile homes, and of  
certificates of registration and ownership thereof.

(2) The record shall show the following:

(a) name of owner, residence by town and county, and  
business address;

(b) name and address of conditional sales vendor,  
mortgagee, or other lienholder and amount due under  
contract or lien;

(c) manufacturer of the mobile home;

(d) identifying number;

(e) year of manufacture;

(f) such other information as may from time to time  
be found desirable.

(3) The division shall file applications for  
registration received by it from the county treasurers of  
the state and register the mobile homes therein described  
and the owners thereof as the division considers  
suitable.

(4) All records shall be open to inspection  
during all reasonable business hours, and the  
division shall furnish any information from the records  
upon payment by the applicant of the cost of  
transcribing the information requested.

(5) Within 30 days following the end of each  
calendar quarter, the division shall send to each county  
assessor and to the department of revenue a list of the  
certificates of ownership for mobile homes issued during  
the preceding calendar quarter to owners within each  
assessor's respective county. The list must contain the  
name and address of the owner or the names and addresses  
of joint owners and a description of the mobile home,  
including the year built, the title number, and the serial  
number.

NEW SECTION Section 2. Transfer of interest of mobile home.

(1) Upon a transfer of any interest in a mobile home  
registered under the provisions of [sections 1 through 5],

the person whose interest is to be transferred shall write his signature with pen and ink upon the certificate of ownership issued for such mobile home in the appropriate space provided upon the reverse side of the certificate, and his signature shall be acknowledged before a notary public.

(2) Within 20 calendar days thereafter, the transferee shall forward both the endorsed certificate of ownership and the certificate of registration, together with the information required under [section 3], to the county treasurer, who shall forward them to the division. No certificate of ownership or certificate of registration may be issued by the division until the outstanding certificates are surrendered to that office or their loss is established to its reasonable satisfaction. Failure to make application within the 20-day grace period subjects the transferee to a penalty of \$10. The penalty is to be collected by the county treasurer at the time of registration and is in addition to the fees otherwise provided by law.

(3) In the event of a transfer by operation of law of any interest in a mobile home as upon inheritance, devise, or bequest, order in bankruptcy or insolvency, execution sale, repossession upon default in the performance of the terms of a lease or executory sales contract, or otherwise than by voluntary act of the person whose title or interest is transferred, the executor, administrator, receiver, trustee, sheriff, or other representative or successor in interest of the person whose interest is transferred shall forward to the division an application for a certificate of ownership in the form required for an original application for a certificate of ownership, together with a verified or certified statement of the transfer of such interest. The statement shall set forth the reason for the involuntary transfer, the interest so transferred, the name of the person to whom the interest is to be transferred, the process of procedure effecting such transfer, and other information requested by the division. Evidence and instruments otherwise required by law to effect a transfer of legal or equitable title to or an interest in chattels as may be required in such cases shall be furnished with the statement. If the division is satisfied that the transfer is regular and that all formalities required by law have been complied with, it shall send to the owner, conditional sales vendor, lessor, mortgagee, and other lienor, as shown by its records, notice of the intended transfer and thereafter, but not less than 5 days thereafter, shall issue a new certificate of ownership and certificate of registration to the person entitled thereto. The notice herein required is complied with by deposit in the post office in Deer Lodge, Montana, such notice, postage prepaid, addressed to the person at the respective address shown on its records.

(4) When the mobile home certificate of ownership that is involuntarily transferred is not registered in this state, the procedure set forth above must be followed in applying for a new certificate of ownership and certificate of registration but the division need not send notice of intended transfer and shall issue a new certificate of ownership and a new certificate of registration to the person entitled thereto.

(5) (a) In the event of the death of the owner of one or more mobile homes registered hereunder and not exceeding a combined value of \$15,000 without leaving other property necessitating the procuring of letters of administration or letters testamentary, then the surviving spouse or other heir unless such property is by will otherwise bequeathed may secure transfer of the decedent's certificate of ownership and the certificate of registration for the mobile home.

(b) The person seeking transfer of the certificate of ownership shall file an affidavit with the division setting forth the fact of survivorship and the name and address of any other heirs and such other facts as are hereby made necessary to entitle the affiant to a transfer.

(c) The division is authorized to transfer the certificate of ownership and certificate of registration, subject to all security interests shown by its records, upon receipt of an affidavit showing that the affiant is entitled to a transfer under the provisions of subsection (5)(a) of this section.

(6) Nothing in subsection (5) shall prevent any secured party from assigning his interest in a mobile home registered under the provisions of [sections 1 through 5] to any other person without the consent of and without affecting the interest of the holder of the certificate of ownership and certificate of registration. Upon any assignment by a secured party of his security interest in any mobile home registered under [sections 1 through 5], a copy of such assignment must be filed with the division and record thereof made upon its records.

(7) The certificates of ownership shall remain valid until canceled by the division upon a transfer of any interest shown therein and need not be renewed annually.

NEW SECTION Section 3. Certificate of ownership -- issuance -- contents -- joint ownership. (1) Upon completion of the application for certificate of ownership, on forms furnished by the division, the county treasurer shall forward one copy of the application to the division, which shall enter the information contained in the application upon the corresponding records of its office and shall furnish the applicant a certificate of ownership

(2) The certificate of ownership shall contain upon the face thereof:

- (a) the date issued;
- (b) the name and complete address of the owner or the names and addresses of joint owners;
- (c) the name and complete address of any holder of a perfected security interest in the registered mobile home;
- (d) a description of the registered mobile home, including the year built and serial number;
- (e) the filing date of any lien against such mobile home; and
- (f) such other statement of facts as may be determined by the division.

(3) When the names and addresses of more than one owner who are members of the same immediate family are listed on the certificate of ownership, joint ownership with right of survivorship, and not as tenants in common, is presumed.

(4) Upon receipt of the application, the division shall recheck the application. If there is any error in the application it may be returned to the county treasurer to effectively secure the correction of such error, who shall return the same to the division.

(5) The certificate of ownership shall contain a notice to the division of a transfer of interest of the owner and such other statements as may be determined by the division.

NEW SECTION Section 4. Registrant as prima facie owner of mobile home. For the purpose of [sections 1 through 5], the person appearing on the public records as the registrant of any mobile home shall prima facie be deemed the owner thereof.

NEW SECTION Section 5. Notice of intention to transfer title to mobile home. When a mobile home is sold under contract or under conditions so that title is not immediately conveyed, the parties to the transaction shall file immediately with the county clerk and recorder a notice of intention to transfer title. The notice must indicate the name of the party who is thereafter responsible for payment of taxes upon the mobile home. The clerk and recorder shall immediately notify the county assessor of the information in the notice.

Section 6. Section 15-24-207, MCA, is amended to read:  
"15-24-207. ~~Department-to-make-rules~~ Rulemaking authority. (1). The department of revenue may make reasonable rules necessary for or as an aid to effectuation of the purposes of ~~this-part~~ sections 15-24-201 through 15-24-208..

(2) The department of justice motor vehicle division may make reasonable rules necessary for the administration of [sections 1 through 5]."



NEW SECTION Section 7. Codification. The provisions of this act are intended to be codified as an integral part of Title 15, chapter 24, part 2, and the provisions of Title 15, chapter 24, part 2 apply to this act."

HB160.36  
PC5

## STATEMENT OF INTENT

### HOUSE BILL 160

A statement of intent is required because the division of motor vehicles is given rulemaking authority relating to the registration and keeping of records of mobile homes in section 6 of the bill.

It is contemplated that the rules will govern the basic procedures and forms necessary to carry out such registration procedures. The rules should be formulated keeping in mind the that the purpose of the bill is primarily to provide a way to ascertain mobile home ownership for the purposes of taxation.

Exhibit 1  
HB 564  
2-16-85  
Rep. Miller

WITNESS STATEMENT

NAME Greg Jackson BILL No. 642 + 564  
ADDRESS Box 1704 Helena mt. DATE 2-16-85  
WHOM DO YOU REPRESENT Urban Coalition  
SUPPORT ☒ OPPOSE ☐ AMEND ☐

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

The Urban Coalition would like to go  
on record in support of HB 642 and  
HB 564.

Thank you.

Greg Jackson

Exhibit 1  
HB 558  
2-16-85  
Rep. Rehberg

WITNESS STATEMENT

Name Kesa Cahoon Committee On L. Gant  
Address Star Pte, Bonner Date 2/16/85  
Representing Disla Co. Freeholders Support \_\_\_\_\_  
Bill No. ~~458~~ 558 Oppose \_\_\_\_\_  
Amend ✓

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1. Time limit of 20 days is too short
2. It becomes impossible to protest out if a large no. of absentee landowners have property in proposed area
3. \_\_\_\_\_
4. Amend the bill allowing 45 days for protest period - otherwise you are giving the right to protest & prohibiting it at the same time

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

Exhibit 2  
HB 558  
2-16-85  
Rep. Rehberg

The 400 member households of the Wapikiya Home Owners Association of Missoula wish to express their opposition to House Bill No. 558 "An act making any freeholder eligible to approve or disapprove annexation of property by ~~annex~~ municipality providing services."

Though we are not opposed in theory or principle to the idea of allowing all property owners in a district the right to protest annexation, in practice this bill would have a damaging effect on both resident and non resident property owners.

It would require ~~petition~~ petition organizers to contact out of neighborhood out of town and out of state property owners for signatures in a 20 day protest period that is already too short under present requirements. If this bill is approved, the protest period should be extended to 45 days to allow adequate time for getting signatures from non resident property owners.

In its present form, this bill would increase the annexation powers of cities and actually work against the interests of non resident property owners who oppose annexation.

For these reasons we request that you give H.B. 558 a do not pass recommendation in its present form.

Jeff Stevens  
Vice President  
Wapikiya Home Owners Assoc.

HB 558 oppose

To: House Local Government Committee in care of Paula Darko, Chairperson

From: Jeff Stevens, Vice President, Wapikiya Home Owners Association

Date: Feb. 11, 1985

Re: H.B. 558 "An act making any freeholder eligible to approve or disapprove annexation of property by a municipality providing services."

The 400 member households of the Wapikiya Home Owners Association of Missoula wish to express their opposition to H.B. 558 "An act Making any Freeholder eligible to approve or disapprove annexation of property by a municipality providing services."

Though we are not opposed in theory or principle to the idea of allowing all property owners the right to protest annexation, in practice this bill would have a damaging effect on both resident and non resident property owners.

It would require petition organizers to contact out of neighborhood, out of town and out of state property owners for signatures in a 20 day protest period that is already too short under present requirements. If this bill is approved the protest period should be extended to 45 days to allow adequate time for getting signatures from non resident property owners.

The bill in its present form would increase the annexation powers of municipalities and actually work against the interests of non resident property owners who oppose annexation.

For these reasons, we request that you give H.B. 558 a do not pass recommendation in its present form.

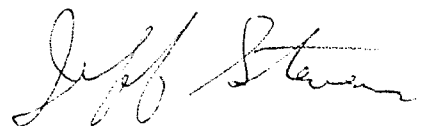


Exhibit 1  
HB 546  
2-16-85  
Rep. Miles

NAME Gloria Paladichuk BILL NO. HB 546  
ADDRESS Sidney, Montana 59270 DATE 2-16-85  
WHOM DO YOU REPRESENT President, Mt. St. Treasurers' Association  
SUPPORT X OPPOSE \_\_\_\_\_ AMEND \_\_\_\_\_

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

I RISE IN SUPPORT OF HB 546 - THE LONGEVITY BILL. IT IS NOT EASY TO ASK FOR A PAY RAISE, HOWEVER, I WOULD LIKE TO POINT OUT THE UNFAIRNESS THE ELECTED OFFICIALS THROUGHOUT THE STATE OF MONTANA ARE UP AGAINST. WE HEAR OF THE INEQUITIES OF SALARY COMPARISONS ALL THE TIME THROUGHOUT THE COUNTIES--SUCH AS SEVERAL CLERKS IN THE ASSESSORS' OFFICES MAKING MORE THAN THE ASSESSORS THEMSELVES -- CLERKS MAKING MORE THAN ELECTED OFFICIALS AND ON AND ON. I AM HERE TO PRESENT SOME FACTS THAT I'M FAMILIAR WITH AS THEY ARE FROM MY COUNTY, RICHLAND. ~~THESE FIGURES ARE ROUNDED OFF TO THE NEAREST DOLLAR.~~ MY SALARY, AS SET BY THE STATE LEGISLATURE IS \$17,680. THIS IS NOW MY SECOND TERM OF OFFICE. THE COUNTY TREASURER IN OFFICE BEFORE ME DECIDED TO ONLY SERVE ONE TERM. SHE INSTEAD WENT TO WORK FOR RICHLAND COUNTY AS A CUSTODIAN HELPER AND MAKES ONLY \$400.00 LESS PER YEAR THAN I, AND SHE RECEIVES SICK PAY, WHICH I DO NOT. SHE WORKS APPROXIMATELY THREE NIGHTS PER WEEK, AND DOES NOT HAVE THE RESPONSIBILITY SHE HAD AS COUNTY TREASURER. SHE AND HER HUSBAND, ALSO WORKING FOR RICHLAND COUNTY AS CUSTODIAN, TOGETHER MAKE \$36,730 PER YEAR. THE COUNTY HAS ALSO HIRED ANOTHER FULLTIME MAN AND ONE PARTTIME WOMAN TO HELP WITH THE JANITORIAL DUTIES. OUR ROAD FOREMAN MAKES \$27,600 AND THE LOWEST PAID MAN ON THE ROAD CREW IS PAID A HIGHER SALARY THAN I AM.

NOW I ASK YOU, MADAM CHAIRMAN, WOULD YOU BE CONTENT IF THE TEACHER'S AIDS WERE PAID A HIGHER WAGE THAN THE TEACHERS? AND I ASK YOU BUSINESSMEN, WITH YOUR MANY RESPONSIBILITIES, WOULD YOU THINK IT FAIR THAT YOUR SECRETARIES RECEIVE A HIGHER SALARY THAN YOU?

I BELIEVE THE REASON FOR THIS DISPARITY THROUGHOUT MONTANA IS THAT THE CUSTODIANS AND ROAD EMPLOYEES ARE MEN AND THE ELECTED COUNTY OFFICIALS ARE PRIMARILY WOMEN. I FIND THIS ~~EMBARRASSING, HUMILIATING AND~~ VERY DISCOURAGING.

I KNOW YOU WILL BE HEARING SOME COUNTY COMMISSIONERS STATING ~~THAT~~ THEY CANNOT AFFORD TO PAY THE COUNTY ELECTED OFFICIALS HIGHER WAGES, BUT I REMIND YOU ~~THAT~~ IT IS THESE SAME COUNTY COMMISSIONERS THAT ARE PAYING THE ROAD CREWS AND CUSTODIANS, IN SOME CASES, NEARLY DOUBLE WHAT THE ELECTED OFFICIALS ARE RECEIVING. IF THERE REALLY IS THE INABILITY TO PAY IN SOME COUNTIES, THERE ARE OTHER ALTERNATIVES, SUCH AS OFFICE CONSOLIDATIONS.

I ASK THAT YOU PLEASE KEEP THESE FACTS IN MIND WHEN MAKING YOUR DECISION REGARDING THIS BILL.



Exhibit 2  
HB 546  
2-16-85  
Rep. Miles

HOUSE BILL NO. 546

SUBJECT: LONGEVITY

Longevity payment seems to be the only way to compensate to the county official for years of service as it is now, an official can be in office one (1) month and draw the same salary as an official who has been in office ten, (10) twenty (20) or thirty (30) years.

Your consideration on House Bill No. 546 will be appreciated by the County Treasurers' Association of the State of Montana.

Respectfully submitted by,



VIRGINIA W. PLOUFFE  
ROOSEVELT COUNTY TREASURER

Attached Flyer

YEAR of 1984 - 1985

YEARLY SALARIES

County Treasurer	\$	17,293.02
Civil Defence Director & Aging Coordinator		16,428.37
Deputy Co. Treasurer		15,563.72
Clerks, in Co. Treas. office		13,834.42
County Commissioners		19,293.02
County Sheriff		19,293.02
Part-time Co. Attorney		18,493.02
County Road Foreman		23,598.00
Road Dept. Employees (BASE)		18,840.00

YEARLY SALARIES FOR FULL TIME SCHOOL CLERKS IN ROOSEVELT COUNTY

\$ 18,000.00  
20,000.00  
27,268.00  
18,700.00

VARIOUS SCHOOL SECRETARIES IN ROOSEVELT COUNTY

\$ 17,680.00		
20,000.00	Working with school grants	\$ 25,043.00
13,873.00	Transportation Supervisor	20,000.00
20,000.00		

VARIOUS SCHOOL CUSTODIANS IN ROOSEVELT COUNTY

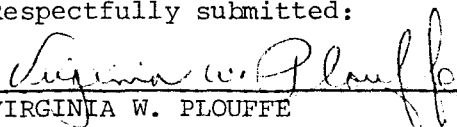
\$ 17,680.00	\$ 18,833.00	\$ 17,000.00
25,418.00	14,560.00	

CITY EMPLOYEES IN ROOSEVELT COUNTY

\$ 20,484.00      \$ 17,880.00      \$ 24,432.00

ALL OF THESE SALARIES ARE OUT OF TAX MONEY.

Respectfully submitted:

  
\_\_\_\_\_  
VIRGINIA W. PLOUFFE  
ROOSEVELT COUNTY TREASURER

# FERGUS COUNTY

## STATE OF MONTANA

Lewistown, Montana 59457

Exhibit 3  
HB 546  
2-16-85  
Rep. Miles

Current Base	\$ 17,496.00
Supt of Schools	17,896.00
Sheriff	19,496.00

1% longevity for annual increase based on 84-85 annual salaries  
as per H. B. 546-

Assessor	\$ 2,449.44
Clerk of Court	874.80
Clerk & Recorder	349.92
Sheriff	2,729.44
Supt. of Schools	357.92
Treasurer	<u>349.92</u>

\$ 7,111.44

As per S. B. 116

Parttime Co. Atty	280.44
Deputies - 2	<u>168.28</u>

448.72

TOTAL RAISES FOR LONGEVITY

\$ 7,560.16 -

[this would not include any additional cost of living increases]

Less the reduction of expenses of S. B. 116

Deputies being paid by the state  
for half of their current salaries  
of \$31,784.76

\$15,892.38

Reducing the cost to the county by \$ 8,332.22. -

Exhibit 4  
HB 546  
2-16-85  
Rep. Miles

WITNESS STATEMENT

NAME Gregg Hopper BILL NO. HB 546  
ADDRESS \_\_\_\_\_ DATE 2/16  
WHOM DO YOU REPRESENT? Dept. of Revenue  
SUPPORT \_\_\_\_\_ OPPOSE \_\_\_\_\_ AMEND \_\_\_\_\_

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

No position on the bill.  
Remind the committee that assessors  
are paid out of the state general fund.  
If the bill were to pass it would require  
an appropriation to pay for the  
increased assessor's salary.

# MONTANA ASSOCIATION OF COUNTIES

1802 11th Avenue  
Helena, Montana 59601  
(406) 442-5209

Exhibit 1  
HB 653  
2-16-85  
Rep. Hammon

## HOUSE BILL 653

### SALARY INCREASE FOR CLASS 5, 6 & 7 COUNTY COMMISSIONERS

#### HOUSE LOCAL GOVERNMENT

FEBRUARY 16, 1985

MCA 7-4-2107(2) last changed in 1981

CLASS 5	COMMISSIONERS	DAYS/MONTH	SALARY/EXPENSE/YEAR	
			\$50/DAY	\$75/DAY
BROADWATER	3	4	\$ 7,200	\$ 10,800
DEER LODGE	5	2	6,000	9,000
McCONE	3	4	7,200	10,800
POWELL	3	5	9,000	13,500
STILLWATER	3	6	10,800	16,200
			\$ 40,200	\$ 60,300
<u>CLASS 6</u>				
CARTER	3	3	\$ 5,400	\$ 8,100
DANIELS	3	4	7,200	10,800
GARFIELD	3	4	7,200	10,800
GOLDEN VALLEY	3	1.5	2,700	4,050
GRANITE	3	4	7,200	10,800
JUDITH BASIN	3	7	12,600	18,900
MEAGHER	3	3	5,400	8,100
PRAIRIE	3	4	7,200	10,800
SWEET GRASS	3	4	7,200	10,800
WHEATLAND	3	3.5	6,300	9,450
			\$ 63,400	\$102,600
<u>CLASS 7</u>				
MINERAL	3	5	\$ 9,000	\$ 13,500
PETROLEUM	3	1	1,800	2,700
TREASURE	3	2	3,600	5,400
			\$ 14,400	\$ 21,600
SUBTOTAL			\$123,000	\$184,500
ROAD INSPECTIONS			14,850	\$ 33,750
TOTAL			\$137,850	\$218,250

**MACo**

INTER-OFFICE MEMORANDUM

CITY OF GREAT FALLS, MONTANA

FILE:

Exhibit 1  
HS 746

2-16-85

Rep. O'Connell

TO: Al Johnson, City Manager

DATE February 15, 1985

FROM: Nathan Tubergen, Finance Director

REPLY REQUESTED ON OR BEFORE:

SUBJECT: Fire Hydrant Charges

This is basically a housekeeping bill which authorizes the charge against the water meters, or something equivalent to the charge based on the water meter size or flat rate size by each local unit of government.

In 1983 the Legislators passed a bill authorizing the Fire Hydrant charge to be placed on the water bill monthly. The problem at that point was that there was no mechanism established that would make it feasible. There is no way that you can do it on a square foot basis because not every piece of property is being serviced by water. It is more equitable to use the water meter size or charge the minimum based on the water meter size, for those that have flat rates, than the square foot that is required under the current law. This will give each local unit of government more flexibility in which method would be more equitable.

NT/kjo

WITNESS STATEMENT

*Charles R. Shields*  
NAME CHARLES R. SHIELDS BILL No. 642  
ADDRESS 1755 W. CENTRAL - MISSOULA, MT DATE 2-16-85  
WHOM DO YOU REPRESENT My Family  
SUPPORT ✓ OPPOSE \_\_\_\_\_ AMEND \_\_\_\_\_

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments: *Ord*

## VISITORS' REGISTER

Loc. Gov't

COMMITTEE

BILL NO. HB 642DATE 2/16/85SPONSOR Rep. STELLA J. Hansen

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
Lois Herbig	Missoula	X	
Forrest Poe	"	X	
Harold Herbig	"	X	
LICH GEBHARDT	MISSOULA		X
Dorothy Byrner	Missoula	X	
J. Marcinkowski	Missoula	X	
John E. Schuler	"	X	
J. Mc. Schuler	"	X	
Janet W. Bowere	"	X	
Minnie Allen	Missoula	X	
JERRELL BALLAS	MISSOULA	X	
Mrs. F.M. Poe	"	X	
RICHARD Seddon	KALISPELL	X	
Vera Carlson	Bonner		X
Dorothy Wittenberg	Missoula		X
Lois R. Wittenberg	Missoula		X
Shirley Carlson	Bonner		X
Ellen Imboden	Missoula		X
B. A. F. H. 115	Helena Valley		X
Bernie Smith	Harvel		

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Rae Lee

Missoula

X

X

Marilyn



Barrie Kirkubag Missoula - support

Butte Manjus Media - support

Anne Anne support

## VISITORS' REGISTER

Local Government COMMITTEEBILL NO. HB 142DATE Feb. 16, 1985SPONSOR Rep. Stella Jean Hansen

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
AL Sampson	Missoula	X	
Emily Lenson	Missoula	X	
Mark Lenson	Missoula	X	
Earl Hall	Missoula County	X	
David Wilson	City of Missoula	X	
Greg Jackson	Urban Coalition	X	
Charles B. Shields	Missoula	X	
Edward A. Childers	Missoula	X	
Ella Shields	Missoula	X	
Ellen Williams	City of Missoula	X	
Burton K. Walsh	Missoula	X	
George H. Millis	Missoula	X	
Mary J. Millis	Missoula	X	
Vern Eickson	Missoula	X	
Jim Nugent	Missoula	X	
Donna Shaffer	Missoula	X	
Mr + Mrs J. M. Superneau	Missoula	X	
Maureen Y. Ransavage	Missoula	X	
Marilen Hart Trotter	Missoula	X	

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

## VISITORS' REGISTER

Local Govt

COMMITTEE

BILL NO.

642

DATE

2-16-85

SPONSOR

S. J. HANSEN

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
JAMES A. LOFFTUS	MISSOULA BOARD FIRE		X
ALBERT M. DABBERT	4344 LAKE P. MISSOULA	X	
OTTO E. BENSON	2418 SO 7th W MISSOULA, MONT		X
Muriel Olson	530 SW Naggin		X
Wanda Alsaker	1308 Jackson, Missoula		X
Vern Evans	705 MONTGOMERY, Helena		X
Norman Evans	705 MONTGOMERY, Helena		X
Bernie Swift	Hamilton, MT Rep. Dist #64		X
Joe Cneeg	MISSOULA, MT.	X	
William	MISSOULA, MT	X	
Vern Imboden	MISSOULA, MT		
Betty Swift	Hamilton		X
Mary Ellen Sampson	828 Rolling, MT	X	
Arvid Benson	2418 SO. 7th W.		X
Bill Verwolf	Helena		

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Local Government COMMITTEE

DATE Feb. 16, 1985

[illegible]

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

## VISITORS' REGISTER

## Local Government

BILL NO. HB 569

DATE Feb. 16, 1985

SPONSOR Rep. Stella Jean Hansen

[illegible]

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Local Government COMMITTEE

DATE Feb. 16, 1984

[illegible]

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

## VISITORS' REGISTER

Local Government COMMITTEE

BILL NO. HB 564

DATE Feb. 16, 1985

SPONSOR Rep. Miller

[illegible]

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 776

DATE Feb. 16, 1985

SPONSOR Rep. Harp

[illegible]

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 653DATE Feb. 16, 1985SPONSOR Rep. Hammond

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
<del>Lots</del> Herbig	<del>1026</del>		
Tom Beck	MACO Buell Co	X	
Tom MARVIN	Miw. Co	X	
Gordon Morris	MACO Helene	X	

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Local Government COMMITTEE

DATE Feb. 16, 1985

[illegible]

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.