

MINUTES OF THE MEETING
LOCAL GOVERNMENT COMMITTEE
MONTANA STATE SENATE

March 26, 1985

The twenty-seventh meeting of the Local Government Committee was called to order at 12:30 p.m. on March 26, 1985 by Chairman Dave Fuller in Room 405 of the Capitol Building.

ROLL CALL: All members were present.

CONSIDERATION OF HOUSE BILL 496: Representative Paula Darko, District #2, is the sponsor of this bill. The bill was introduced to authorize the creation of county park districts for the operation of county or donated park and recreation lands within the district; to provide for the creation, after an election, of such a district; to provide for an elected commission to administer the district; to provide for a property tax mill levy for the operation of the district; to provide that the maximum district mill levy must be approved by the district electorate; to provide for the administration of such a district; to provide bonding authority for such a district; and to provide for the alteration and dissolution of such a district.

PROPONENTS

Mitzi Smart, a Libby resident, spoke in favor of the bill. She submitted a booklet containing information on the bill and written testimony. It is attached as Exhibit A to these minutes.

Robert Ryan, member of the Lewis and Clark County Park Board, spoke in favor of the bill. He said SB 204, which is similar to this bill, is not in conflict with HB 496. He said they are two different means of financing county parks. Larger counties would probably use SB 204 and rural areas would probably use HB 496.

Dave Conklin, member of the Lewis and Clark County Park Board, spoke in favor of the bill. He said they need all the options they can get for funding of county parks.

Gretchen Olheiser, President of the Montana County Parks Association, stated her support of the bill.

OPPONENTS

There were no opponents to HB 496.

Chairman Fuller opened the hearing for Committee questions. There were no questions from the Committee regarding HB 496.

The hearing was closed on HB 496.

March 26, 1985

CONSIDERATION OF HOUSE BILL 612: Representative Kelly Addy, District #94, is the sponsor of this bill. The bill was introduced to provide additional alternatives for the assessment of costs for rural special improvement districts and special improvement districts.

PROPOSERS

John Lawton, Finance Director for the City of Billings, spoke in favor of the bill. He said they are currently limited to assessing SIDs based on square or front footage. This bill would give added flexibility to provide one more method of assessment.

Alec Hansen, representing the Montana League of Cities and Towns, spoke in favor of the bill. He said it provides equity by assessing on an assessed value basis rather than footage.

Gordon Morris, representing the Montana Association of Counties, stated his support of the bill.

A letter of support was submitted by Ken Haag, Director of Public Works for the City of Billings. It is attached as Exhibit B to these minutes.

OPPOSERS

There were no opposers to HB 612.

Chairman Fuller opened the hearing for Committee questions.

Senator Fuller asked if the bill would be consistent with HB 885. Mr. Lawton said it would be.

Senator Eck asked if this bill was included in HB 885 or if it was in addition to it. Mr. Lawton said the language in HB 885 is much more open ended than this bill and that HB 885 stands alone.

Senator Crippen asked if the city council could decide a parcel received seventy percent of benefits and therefore had to pay seventy percent of the costs. Mr. Lawton said no. They would have to pay seventy percent of costs only if they had seventy percent of the assessed value.

Representative Addy used K-Mart as an example of the inequity in assessing based on footage. K-Mart, with a huge parking lot, was assessed seven times as much as Norwest Bank which had a fourteen story building on one lot. Senator Crippen remarked that K-Mart would also have seven times the protest vote.

March 26, 1985

Senator Story asked if "area" meant the lot space or the building space. Mr. Lawton said it is the lot space.

The hearing was closed on HB 612.

CONSIDERATION OF HOUSE BILL 736: Representative Earl Lory, District #59, is the sponsor of this bill. The bill was introduced to authorize the governing body of a municipality or a county to require financial security from an owner of twenty-five percent or more of the lots within an improvement district for reimbursement of a revolving fund.

PROPOSERS

There were no proposers to HB 736.

OPPOSERS

There were no opposers to HB 736.

Chairman Fuller opened the hearing for Committee questions.

Senator Crippen suggested striking the word "may" and inserting "will." He also expressed concern with requiring a fifteen year irrevocable letter of credit. Bill Verwolf said the letter of credit would not necessarily be for fifteen years. The bill requires a letter of credit acceptable to the local government. This could be for as little as four or five years.

Senator Eck asked if this bill would do away with SIDs. Mr. Lawton said there have been some defects in the SID laws that are causing the problems they now have, although he doesn't feel SIDs should be done away with entirely. This bill would make developers take a much harder look at what is being financed by SIDs.

Senators Mohar and Crippen expressed concern about a person who posts this security and then wants to sell part or all of the land. Mr. Lawton said they would be refunded in proportion to the sale.

The hearing was closed on HB 736.

ACTION TAKEN ON HOUSE BILL 496: Senator Eck moved that HB 496 BE CONCURRED IN. The motion passed unanimously. Senator Mohar will carry the bill.

CONSIDERATION OF HOUSE BILL 885: Representative Walter Sales, District #76, is the sponsor of this bill. The bill was introduced at the request of the Lieutenant Governor. The purpose of the bill is to amend and clarify the laws relating to rural special improvement districts and special improvement districts; and to amend provisions relating to incidental costs, protests, assessment options, acquisition of improvements, notice, definitions of bonds, redemption of bonds, revolving funds, and refunding bonds.

March 26, 1985

PROPONENTS

George Turman, Lieutenant Governor, spoke in favor of the bill. He said the bill was introduced on behalf of the Governor's Task Force on Infrastructure and was intended to give appropriate flexibility to SIDs.

Greg Jackson, representing Urban Coalition, spoke in favor of the bill. He said it is a comprehensive bill that deals with SID problems and expands types of assessments.

Alec Hansen, representing the Montana League of Cities and Towns, spoke in favor of the bill. He said they are interested in providing an equitable method of refunding bonds. This bill provides that bonds can be issued in a short period of time and at lower rates.

John Lawton, Finance Director for the City of Billings, spoke in favor of the bill. He said current SID laws result in very high costs for property owners, particularly in the first years of the SID. He said they would like to see the bill amended so that bonds are eligible for refunding at one third of the life of the bonds rather than one half.

Bill Verwolf, representing the City of Helena, spoke in favor of the bill. He said being able to sell the bonds at a discount would lower interest rates. He said the purpose of the bill is to make Montana SID bonds more marketable and competitive.

Gordon Morris, representing the Montana Association of Counties, stated his support of the bill.

OPPONENTS

There were no opponents to HB 885.

Chairman Fuller opened the hearing for Committee questions.

Senator Story asked if this bill could affect bonds that are out now. Representative Sales said it could because the bonds are presently callable, but it depends on the language of the bonds.

Senator Fuller asked if brokerage firms worked on this bill. Lieutenant Governor Turman said yes; they were included on the Governor's Task Force on Infrastructure.

The hearing was closed on HB 885.

March 26, 1985

CONSIDERATION OF HOUSE BILL 894: Representative Jack Sands, District #90, is the sponsor of this bill. The bill was introduced at the request of the House Local Government Committee. The purpose of the bill is to provide that a water district may expand when it has excess water capacity in the same manner as a sewer district may expand when it has excess sewerage capacity; to require consent of affected property owners; and to delete the requirement that such expansion must be in unincorporated areas.

PROPONENTS

Bruce Restad, General Manager of the County Water District of Billings Heights, spoke in favor of the bill. His written testimony is attached as Exhibit C to these minutes.

OPPONENTS

There were no opponents to HB 894.

Chairman Fuller opened the hearing for Committee questions. There were no questions from the Committee regarding HB 894.

The hearing was closed on HB 894.

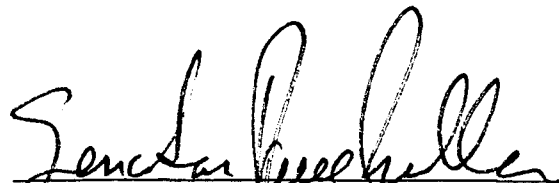
ACTION TAKEN ON HOUSE BILL 894: Senator McCallum moved that HB 894 BE CONCURRED IN. The motion passed unanimously with Senators Regan, Crippen, and Hirsch absent for the vote. Senator Crippen will be asked to carry the bill.

ACTION TAKEN ON HOUSE BILL 900: Karen Renne explained the proposed amendments to the bill. They are attached as Exhibit D to these minutes.

Senator Mohar moved the amendments be adopted. The motion passed unanimously with Senators Crippen and Regan absent for the vote.

Senator Mohar moved that HB 900 as amended BE CONCURRED IN. The motion passed unanimously with Senators Crippen and Regan absent for the vote.

The meeting adjourned at 2:25 p.m.


Senator Dave Fuller, Chairman

ROLL CALL

LOCAL GOVERNMENT

COMMITTEE

49th
~~XXXX~~ LEGISLATIVE SESSION -- 1985

Date 3-26-85

SENATE
SEAT

#

NAME	PRESENT	ABSENT	EXCUSED
13 Senator Crippen, Bruce	✓		
18 Senator Eck, Dorothy	✓		
11 Senator Harding, Ethel	✓		
47 Senator Hirsch, Les	✓		
4 Senator McCallum, George	✓		
28 Senator Mohar, John (V.Chair)	✓		
44 Senator Pinsoneault, Dick	✓		
19 Senator Regan, Pat	✓		
21 Senator Story, Pete	✓		
43 Senator Fuller, Dave (Chair)	✓		

Each day attach to minutes.

STANDING COMMITTEE REPORT

MARCH 26

85

19.....

MR. PRESIDENT

LOCAL GOVERNMENT

We, your committee on.....

HOUSE BILL

496

having had under consideration..... No.....

THIRD

BLUE

reading copy ()

color

(MOHAR WILL CARRY)

AUTHORIZING FORMATION OF COUNTY PARK DISTRICTS

HOUSE BILL

496

Respectfully report as follows: That..... No.....

BE CONCURRED IN

XXXXXX
DO PASS

XXXXXX
DO NOT PASS

Senator Dave Fuller

Chairman.

STANDING COMMITTEE REPORT

MARCH 26 19 85

MR. PRESIDENT

LOCAL GOVERNMENT

We, your committee on.....

HOUSE BILL

894

having had under consideration..... No.....

THIRD

BLUE

reading copy ()

(CRIPPEN WILL CARRY)

color

WATER DISTRICT EXPANSION BASED ON EXCESS WATER FACILITIES

HOUSE BILL

894

Respectfully report as follows: That..... No.....

BE CONCURRED IN

XXXXXX
DO PASS

XXXXXXXXXX
DO NOT PASS

Senator Dave Fuller

Chairman.

STANDING COMMITTEE REPORT

MARCH 26

85

19.....

MR. PRESIDENT

LOCAL GOVERNMENT

We, your committee on.....

HOUSE BILL

900

having had under consideration.....

No.....

THIRD

reading copy (

BLUE

(HIRSCH WILL CARRY)

color

5 YEAR GAP IN EMPLOYMENT AS PEACE OFFICER BEFORE RETAKING BASIC TRAINING

HOUSE BILL

900

Respectfully report as follows: That.....

No.....

be amended as follows:

1. Page 3, line 23.
Following: "control"
Insert: "or has completed a basic peace officer's course
in another state"
2. Page 3, lines 24 and 25.
Following: "was" on line 24
Insert: "36 months or"
Following: "less"
Strike: remainder of line 24 through "months" on line 25
3. Page 4, lines 2 through 7.
Following: "(5)(a)" on line 2
Insert: "."
Strike: remainder of line 2 through line 7
4. Page 4, lines 8 and 9.
Following: "officer" on line 8
Strike: remainder of line 8 through "officer" on line 9
5. Page 4, line 9.
Following: "who has"
Insert: "been issued a basic certificate by the board of
crime control or has"
6. Page 4, line 11.
Following: "less than"
Insert: "60 months but more than"

XXXXXX
DO PASS

XXXXXXXXXX

AND AS AMENDED
BE CONCURRED IN

Senator Dave Fuller

Chairman.

LOCAL GOVERNMENT COMMITTEE
MARCH 26, 1985
EXHIBIT A

TESTIMONY FOR HOUSE BILL 496

LIBBY AREA

POPULATION AND TAX STATISTICS

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

Example:

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

Lincoln County now assess .54 mills for parks.

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

Thank You,

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

February 13, 1985

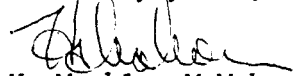
To whom it may concern:

The Western News supports House Bill 496, which, if passed, would make it possible for the people of Libby and vicinity to establish a parks and recreation tax district.

This, in turn, would make it possible for residents to seriously consider financing and constructing a swimming pool.

The need is great. Thank you for your consideration.

Sincerely yours,



H. Markley McMahon
Publisher

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

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

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

There were over 1,100 responses to that survey in an area populated with 12,000 citizens. The results showed that our community ranked a swimming pool facility as first priority. Second priority was a Junior College/vocational training program; third, a sports complex at the old Libby airport no longer used as an airport. Fourth, a summer recreation program for all ages; fifth, expansion of the Senior Citizens Center. And sixth, was a community auditorium.

With the help of Rep. Darko and the enabling legislation passed by the last legislature, our community now has its Junior College. Last fall we formally dedicated the Libby Center, an extension of Flathead Valley Community College. So the number two item on the community survey is now a reality.

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

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

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

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

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

Board To Interview Architects For Swimming Pool Proposal

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Only 150 persons responded to the ballot printed in The Western News two weeks ago. There were 91 of the ballots marked in favor of the project and 68 ballots marked against the project. Broken into percentages, that meant 57 percent in favor and 43 percent against.

A little more than 200 persons were contacted by school secretaries in a telephone survey. Of them, 150, or 73 percent, gave an affirmative response, 45, or 23 percent, said no, and 9 were undecided.

Combining the two surveys, there were 150 persons who responded and 150, or 73 percent, said yes, they would favor School District 4 building a community swimming pool.

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

**COMMUNITY
SURVEY
RANKINGS**

October 1981
1100 + REPLYs

<u>Yes</u>	<u>No</u>	
798	298	Swimming Pool
699	361	Junior College/ Vocational Education
695	355	Sports Complex at Airport
658	368	Summer Recreation for All Ages
640	371	Senior Citizen Center Enlargement
603	489	Auditorium
533	417	Ice Skating Rink
524	462	Downtown Ballpark Refurbishing
509	448	School Volunteer Program Expansion

Priority No. 1 & 2

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

Priority No. 1 - 5

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

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

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

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

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

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

Swimming Pool	Junior College	Senior Citizen Center
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February 5, 1985

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

Dear Paula,

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

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

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

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

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

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

Sincerely,

ROBERT J. PRATT,
Superintendent

RJP:jh

cc. Lenore Goyen
Dan Miller ✓

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

C
O
P
Y



PLUMMER COMMUNITY SCHOOL



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

January 15, 1985

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

Dear Paula:

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

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

Sincerely,

Tracy Scussel, Chairman
PLUMMER COMMUNITY SCHOOL COUNCIL

JoAnne Purdy
Joyce Brant, Co-Coordiators
PLUMMER COMMUNITY SCHOOL



KOOTENAI COMPOSITE SQUADRON
CIVIL AIR PATROL

Auxiliary of the United States Air Force

BOX 216

LIBBY, MONTANA 59923

4 February 1985



REPLY TO ATTN. OF:

SUBJECT: County Parks & Recreation District Legislation

TO: Representative Paula Darko

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

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

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

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

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

My Best Regards,

James R. Sheffield, CPT, CAP

February 4, 1985

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

Dear Paula:

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

Sincerely,

Libby, Montana 59923

Full Part

City	Pop.	#	age	Incom	Coll.	Hdqt	Type of Plant	Total Revenue	Total Excess	Pool	No. of staff	No. of staff	Total Payroll	Main Ex	% to	'84 Profit	'84 deficit	Covers
Greeneville	10,000	1	23		X	X	Gas	\$2,641	—	Plant	—	22	\$4,464	\$19,424	60%	—	—	City
Helen	55,000	1	—		X	X	Gas	\$6,916	\$180	Public	—	15	\$28,205	\$16,580	30%	—	\$9,115	City
Billings	85,000	3	2-14yr 1-3yr		X	X	Gas	\$2,544	\$3,325	Rec. Div.	—	48	\$70,000	\$41,000	?	—	\$45,131	City
Fort Benton	1800	1	8		X	X	Gas	\$6,882	—	Rec. Div.	6	—	\$10,233	\$3,100	60%	—	\$6,000	Gen. Fund
Deer Lodge	4,500	1	4	X		X	Gas	—	—	Superv.	1	4	\$40,500	\$24,961	—	—	—	City
Missoula	55,000	2	24-54yr 24-54yr	X		X	Hot H ₂ O	\$45,000	—	Rec.	1	14-13	\$55,000	\$25,200	18-20%	—	\$5-40%	City
Superior	2675	1	25		X	X	Oil	\$5923	—	City Council	4	—	\$5071	\$4,900	75%	—	\$12,712	Tax
Hamilton	2304	1	25		X	X	Gas	—	—	At. Ass't	5	1	\$14,617	\$5,264	100%	—	\$7,282	City
Hardin	1220	2	8		X	X	Gas	\$11,206	—	City Clerk	—	6	\$11,445	\$21,476	90%	—	\$10,276	City
Clatsop	1220	1	24 built & improvements		X	X	Elect.	\$7,645	—	Rec. Div.	1	12	\$15,885	\$5,600	50%	—	—	Private / Maint. Power Co. / Grants
Stevensville	1200	1	8		X	X	Gas	\$6,100	—	Mayor	4	3	—	\$9,564	50%	—	\$2436	City
Flains	1200	1	8		X	X	Gas	\$6,516	—	Rec. Div.	0	6	—	\$16,299	20%	—	\$10,382	City
Haire	1200	1	8 1/2	X		X	Gas	\$28,553	—	Rec. Div.	—	10	—	\$34,696	60%	—	\$25,603	City
Kiunrup	3500+	1	—		X	X	—	—	—	Rec. Div.	—	11	\$16,951	\$9,014	—	—	—	City
Montreal, Wa.	11,500	1	50+	X	X	X	Elect.	\$40,555	\$7630	Rec. Div.	2	10-15	\$13,109	\$6,4583	48%	\$1900	—	City
Sacbe	1365	1	50+		X	X	Propane	\$7,220	—	Rec. Div.	5	2	\$42,000	\$3,100	1-30%	—	—	City
Miles City	16,000	1	50+		X	X	—	\$11,227	—	Mayor	0	14	\$49,700	\$4,000	—	—	\$3,000	City
Columbia Falls	\$31,000	1	50+	Improvements	X	X	Gas	\$5,298	—	City	7	—	\$10,665	\$2,443	—	—	\$6,000	City - mill levy



CITY OF BILLINGS
PUBLIC WORKS DEPARTMENT

510 N. BROADWAY - 4TH FLOOR

BILLINGS, MT 59101

PHONE (406) 657-8230

46612

March 24, 1985

LOCAL GOVERNMENT COMMITTEE
MARCH 26, 1985
EXHIBIT B

Bruce Crippen, Chairman
Senate Local Government Committee
Capitol Station
Montana State Capitol Building
Helena, Montana 59620

SUBJ: House Bill #612

Dear Mr. Crippen,

I am submitting this as written testimony to support the passage of HB 612 as the bill came out of the House of Representatives. The problem that the City of Billings is continually encountering is that under the existing assessment methods, it is not possible to differentiate between a lot that has a 20 story building on it and a lot that is vacant, even though the 20 story building obviously receives much more benefit from most improvements that would be constructed by a special improvement district.

This bill would allow the local government to recognize the type of development on property as well as the square footage and/or the lineal footage of the property in arriving at an equitable assessment for special improvement districts.

I would point out that the way that protests are counted would preclude the spurious use of this authority. The protests are counted on the basis of the total value assessed against the property and thus, if, for example, a property with high assessed valuation was assessed more than they felt was appropriate, the protest that they would file would, in fact, reflect this fact.

I would recommend that the Committee and the Senate pass this legislation.

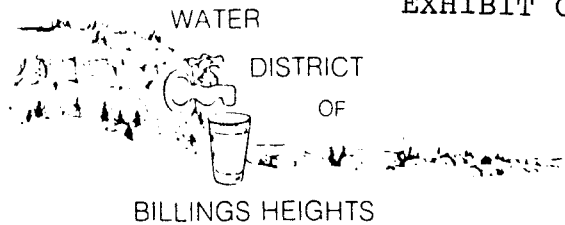
Sincerely,

Ken Haag, P.E.
Director of Public Works

KH/skl

COUNTY

LOCAL GOVERNMENT COMMITTEE
MARCH 26, 1985
EXHIBIT C



DIRECTORS

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

BRUCE RESTAD
GENERAL MANAGER
JUDY WEIS
SECRETARY
TELEPHONE 252-0539

618 RADFORD SQUARE, BILLINGS, MONTANA 59105

March 26, 1985

My name is Bruce Restad, General Manager of the County Water District of Billings Heights. I am appearing here today in support of HB 894. This bill pertains to Section 7-13-2341, Subsection 5. At the present time this Subsection 5 deals only with Sewer Districts, specifically in the procedure involving additions of contiguous land to existing Sewer District boundaries. Currently the Board of Directors of a Sewer District, may by ordinance, expand Sewer District boundaries in an unincorporated area.

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

As of December, 1984 a vast majority of our Water District was annexed into the Billings City limits. This included some areas which were neither in the Water District nor could be served by the City Water Department. At some point in time the owners of these areas will no doubt wish to be included in our Water District. The passing of House Bill 894 would simplify District expansion, not only for our Water District, but for the many Water Districts throughout the State of Montana.

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

LOCAL GOVERNMENT COMMITTEE
MARCH 26, 1985
EXHIBIT D

PROPOSED AMENDMENTS TO HOUSE BILL 900
(Legislative Council with advice from Attorney General's staff)

1. Page 3, line 23.
Following: "control"
Insert: "or has completed a basic peace officer's course
in another state"
2. Page 3, lines 24 and 25.
Following: "was" in line 24
Insert: "36 months or"
Following: "less"
Strike: remainder of line 24 through "months" in line 25
3. Page 4, lines 2 through 7.
Following: "(5)(a)" in line 2
Strike: remainder of line 2 through "(5)(c)" in line 7
4. Page 4, lines 8 and 9.
Following: "officer" in line 8
Strike: remainder of line 8 through "officer" in line 9
5. Page 4, line 9.
Following: "who has"
Insert: "been issued a basic certificate by the board of
crime control or has"
6. Page 4, line 11.
Following: "less than"
Insert: "60 months but more than"

Local Gov't

3-26-85

[illegible]

(Please leave prepared statement with Committee)