

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 54th LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: By VICE CHAIRMAN JACK HERRON, on February 2, 1995, at 3:00 P.M.

ROLL CALL

Members Present:

Rep. William E. Boharski, Chairman (R)
Rep. Jack R. Herron, Vice Chairman (Majority) (R)
Rep. David Ewer, Vice Chairman (Minority) (D)
Rep. Chris Ahner (R)
Rep. Shiell Anderson (R)
Rep. Ellen Bergman (R)
Rep. John C. Bohlinger (R)
Rep. Matt Brainard (R)
Rep. Matt Denny (R)
Rep. Rose Forbes (R)
Rep. Bob Keenan (R)
Rep. Linda McCulloch (D)
Rep. Jeanette S. McKee (R)
Rep. Norm Mills (R)
Rep. Debbie Shea (D)
Rep. Joe Tropila (D)
Rep. Diana E. Wyatt (D)

Members Excused: Rep. Toni Hagener

Members Absent: None

Staff Present: Bart Campbell, Legislative Council
Evelyn Burris, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing: HB 270; HB 308
Executive Action: None

REP. WILLIAM BOHARSKI attended the meeting via speaker phone.

HEARING ON HB 270

Opening Statement by Sponsor:

REP. LINDA MCCULLOCH, HD 70, Western Missoula County, said the proposal to amend Section 7-14-241 would allow a real property owner to petition to be included in a urban transportation

district. The boundaries of any transportation district may be enlarged providing 51% of the qualified electors of the area to be added to the existing district sign a petition requesting addition to such a district; and a majority of the Board approves the addition. This is the only way state law provides to expand urban transportation district boundaries. There is no way to expand the district to include commercial, industrial, or vacant planned residential areas. There are no registered voters present in these situations.

Proponents' Testimony:

Michael E. Kress, Assistant General Manager, Mountain Line, Missoula, submitted handouts and pictures. **EXHIBIT 1** He explained the contents of the handout and said their primary interest is in the change in line 2 stating "a real property owner may petition to have the property included in a district."

Mr. Kress said the other changes were provided by the staff attorney. He included in his exhibit an area map showing the boundary of their present transportation district and the location of the Wal-Mart in relationship to it. He also provided a copy of the Montana Codes Annotated (MCA) of the existing state law of the districts. Mountain Line provides both fixed routes and specialized public transportation for the Missoula urban area. State law does not allow for property owner petition. This effectively prevents transportation districts from doing any planning for the future. The current available method only allows expansion after the demand for service exists.

Opponents' Testimony: None

Informational Testimony: None

Questions From Committee Members and Responses:

REP. MATT BRAINARD said he was aware of some discussion about Mountain Line going South to Lolo. He asked if there were any fees or financing with Wal-Mart. **Mr. Kress** responded the issue is that if included in the district they are subject to the mill levy which was frozen at 9.824 mills. Wal-Mart would be subject to \$3,700 a year. There has been discussion about payment in lieu of taxes in this situation. They can run outside the district, but the Mountain Line board has a concern about being financially responsible to those members inside the district who are paying for the service. Wal-Mart has built a bus passenger shelter on Miller Creek Road.

REP. SHIELL ANDERSON asked how many residents are in the proposed area they want to expand to. **Mr. Kress** responded there are no registered voters or residents on the property. The property owner is called the Wal-Mart Corporation. There are no registered voters since no one lives there.

REP. JOHN BOHLINGER asked **Mr. Kress** if he had any estimations as to what increased revenue would be generated through the traffic. **Mr. Kress** responded they have roughly calculated the amount of property tax that would go to the district based on the 9.84 mill levy which is approximately \$3,700 a year. Mountain Line goes to K-Mart which is very close to Wal-Mart. They ran service to Wal-Mart during the holiday season, then they received a petition from Missoula Manor, a retirement and nursing home, asking Mountain Line to continue that service if they could. They were carrying between twenty and thirty people a day.

REP. BOHLINGER asked when looking at the total cost of running the bus system, how much of the cost of that system is offset by the revenue generated from ridership. **Mr. Kress** said there are several terms used in the transient industry and one is called "fair box recovery ratio" and Missoula is about 15%. **REP. BOHLINGER** asked if this was a typical number. **Mr. Kress** responded it is typical for systems of their size. He told about the peer group analysis the company has done and said they were in the average.

REP. BOHLINGER asked if authority is granted for them to extend their service area, is it anticipated that the fair box revenue would therefore increase, offsetting some of the taxpayer burden to support the system. **Mr. Kress** responded yes, the commercial and industrial property will generate more revenue than the residential, so this will help considerably. If Lolo or Clinton said they wanted to petition into their district they could not be financially responsible to a single property owner.

REP. ANDERSON asked how many qualified electors are in the proposed district. **Mr. Kress** responded there are none. **REP. ANDERSON** said this would not help because Wal-Mart could petition to be included in the district but they couldn't vote to be in the district, therefore they couldn't be in the district. He asked for clarification. **Mr. Kress** explained the current procedure for enlarging the district and creation of a district. It is 51 percent of the registered voters signing a petition.

REP. TONI HAGENER asked if there are other companies that would care to serve this area. **Mr. Kress** said the cab companies serve it and the other bus company is Beach Transportation, a charter operation. Mountain Line is a public transportation.

REP. NORM MILLS asked how near to a Wal-Mart area do they now have bus service. **Mr. Kress** responded they are near K-Mart, about four city blocks.

Closing by Sponsor:

The sponsor closed and said the only reason for this bill is to make it easier for people to get from one place to another and she urged a do pass vote.

{Tape: 1; Side: A; Approx. Counter: 20.9;}

HEARING ON HB 308

Opening Statement by Sponsor:

REP. DAVID EWER, HD 63, Helena said HB 308 is an effort to try and clarify the statutes in Montana law that deal with county, water and sewer districts and there is a pressing need for this. REP. EWER explained what county, water and sewer districts do and how they are empowered to do so and what the bill does to clarify the powers. Montana is going to have a growth and this should be developed as officially and environmentally sound as possible. County water and sewer districts have the same standing as rural fire districts, municipalities, and counties. The people running these districts are elected and the people in the district have to want it. This bill will clean up some of the problems in the water and sewer law. REP. EWER explained the concept of benefited property and what this bill does and what current law says. Without clarifying the code it's difficult to plan for growth and is hard to oversize the lines.

{Tape: 1; Side: A; Approx. Counter: 44.2}

Proponents' Testimony:

Arnold Peterson, representing Montana Rural Water Systems, Inc. and North Havre County Water District said they support HB 308 and it will clear up some of the confusion in the present law and correct some of the problems presently faced by many of the small towns and water districts across the state of Montana. Mr. Peterson submitted written testimony. EXHIBIT 2

Harry Whalen, representing Montana Rural Water Systems, said the North Valley County Water and Sewer District Board officially supports HB 308. He presented their written testimony. EXHIBIT 3 Mr. Whalen said he specializes in rate structuring for all water systems in the state of Montana. There are two components in the rate structure, base rate and variable rate. The base rate includes the bonded indebtedness, the debt service, the required cash reserves that are required and the depreciation. He explained the bonded indebtedness.

{Tape: 1; Side: A; Approx. Counter: 51.5;}

Chip Hamilton, representing Big Sky County Water and Sewer District #363, said this legislation would enable the county, water and sewer district to better carry on the business they have been charged with by the legislature, providing essential services to their customers within the district and with methods that have been legislated to protect and insure that the services and the facilities construed can be financed through debt and the appropriate costs can then be recovered from benefiting parties.

Mr. Hamilton said the amendments add clarification to the existing law. On behalf of his board of directors, members and citizens of Big Sky County Water and Sewer District #363, he urged a do pass of this legislation.

Rob McCracken, Montana Department of Commerce, said he manages state, financial and technical programs which provide assistance to county, water and sewer districts. He also chairs the Montana waste water and solid waste action coordination team for the WASACK. This team includes twenty different agencies and organizations which finance and provide technical assistance for water, waste water and solid waste facilities. They work with county water and sewer districts and their goal is to help them manage their systems and provide greater financial efficiency to be able to get the system improvements made. **Mr. McCracken** offered to provide technical information for anyone interested.

{Tape: 1; Side: A; Approx. Counter: 56.4;}

Gordon Morris, Director, Association of Counties, said he had reviewed HB 308 and recommended it for favorable consideration.

Bobby Broadway, Manager, Sun Prairie Village County Water and Sewer District, stated he also sits on the board of directors for the Montana Association of Water and Sewer Systems. He and his association fully supported HB 308 and recommended the committees' approval and support. **EXHIBIT 4** Mr. Broadway said this bill clearly outlines a list of ten criterion for a board of county commissioners, in the initial formation of a district, and an existing district's board of directors to use in determining whether a property is benefitted.

Under current statutes, districts have no right to file any type of lien for delinquent user fees or debt service charges. The lien proposed in this bill is a step in the right direction and will give districts a means of collecting from property owners who vacate their developed properties owing outstanding charges. The question of due process in applying a tax lien for delinquent charges for services is well spelled out in this bill. He urged support for this bill.

Stan Clothier, President Flathead Water and Sewer District, Evergreen, said his board has authorized him to state they are in support of this bill with amendments. If this law had been in existence at the time the board was preparing for the \$15 million sewer project they are currently engaged in, some of the issues they had to deal with would have been taken care of. **EXHIBIT 5**

Opponents' Testimony:

REP. DOUG WAGNER, HD 83, Hungry Horse, said he spoke with the sponsor, but has not had time to research this bill completely but had many phone calls telling him to vote no. He gave some history saying Hungry Horse was built when the dam was built in

1948. Until recently, they pumped a million gallons of water a day into the ground. They bought out the privately owned system and got a loan grant combination from the Farmers Home Administration. They replaced the entire leaking system with a new system. They did not allow anyone out of the district boundaries, even though they had twenty to thirty wells in town to provide more water. They put new lines down the street and offered those who wanted to hook on to do so. Originally they went to the County Commissioners and borrowed money to get started, a five-year loan, and they taxed the entire district whether they hooked up or not and they all paid it. They hired a knowledgeable engineer and the system is working well.

REP. WAGNER explained how their system works. Each home hooked to the system has a meter on it and they pay for the amount of water they use. There are shut off valves for nonpayment people and they have 1% or less delinquencies they don't collect on. His concern is not wanting to see anything negative come to the possibility of funding water systems or sewer districts. He does not want any more power given to the board of directors that are elected by the people. This would overturn a Supreme Court decision. He didn't believe this is as unfair as the sponsor indicated.

Bill Erwin stated he petitioned to be excluded from a district but was denied. He stated his concerns with various sections in the bill and his concerns with benefited and non-benefited lands. This bill would also create new functions for water and sewer districts being involved in estimating market value increases in property.

Informational Testimony: None

Questions From Committee Members and Responses:

REP. SHIELL ANDERSON referred to Section 5, page 5, and asked **REP. EWER** to comment this. **REP. EWER** said this gets into the essence of this bill and the issue is how to have facilities sized correctly to meet the district and is it based on the current residences who want to be hooked up or not.

REP. ANDERSON said under the bill there would be a vote for bonding for new construction, but no vote for bonding for paying off old bonds and he asked if that was different than current law. **REP. EWER** responded under current law they cannot have refunding bonds for county water and sewer districts. Almost every other political subdivision has the option under current law, to sell bonds to retire old bonds, the philosophy being they have already voted on the current debt. **REP. EWER** cited examples on school and revenue bonds.

REP. ANDERSON asked **REP. EWER** to address the concerns **REP. WAGNER** had about the lien being placed against the property owner when it is the tenant that hasn't paid the water bill. **REP. EWER** said

it is common that landlords bear some risk on what the renters do. He submitted the way to cover that is to have a security deposit and 30 day leases. He said they need to protect themselves as landlords.

REP. BOB KEENAN referred to the housekeeping phrase. REP. EWER responded this was not a housekeeping bill. It was his intention that any statute passed would be clear enough so it doesn't have to be litigated. REP. KEENAN asked what the appeal process would be to alleviate constitutional fears of being forced from their land by having a line go across their property line. REP. EWER said he has some crucial amendments on how charges will be assessed. He proposed that they allow a way to assess charges on rural special improvement districts to be the method used for water and sewer districts. REP. EWER read his amendment. EXHIBIT 6. He explained there is going to be some discretion and ability to protest the assessment methods. There are five different methods of assessments. REP. EWER explained the intention of this bill.

REP. NORM MILLS said if a line is built between two points and pass five farms, what lets them out from having to pay. REP. EWER explained new districts have to petition for service and the charges of the voting process being 60% in favor and due process. REP. MILLS referred to Page 5, Item 2 Sub-G, and asked who does the estimating. REP. EWER offered to amend that out. REP. MILLS referred to Item 2, J, and asked the meaning. REP. EWER responded if it's not clear, it will be cleaned up.

{Tape: 1; Side: B; Comments: Turned tape over.}

REP. MILLS said he has a problem with a lien that could be put against property when a renter doesn't pay his bill. REP. EWER stated he strongly disagrees and said in his opinion the way to cover that is to have security deposit.

REP. LINDA MCCULLOCH asked what impact this bill would have on an area that is starting up a sewer and water district. REP. EWER responded it is his hope this would have a favorable impact and there would be a more viable water and sewer district. Under current law it's not clear if they could get the architecture design fees paid for. REP. MCCULLOCH asked about the concern of overturning a Supreme Court decision. REP. EWER responded the decision he eluded to was the case of Rae v. Trunk. He explained the issue (Exhibit 4) and said with the Trunks not paying and the assessments, they get to "skate and it falls on the all the taxpayers in the district.

REP. JOHN BOHLINGER asked about the definition of benefit of the water line being brought in and if the person elects not to hook up and determines he hasn't benefited from this and if the person were to have a fire and a fire hydrant was available to save his home, is that a benefit. REP. EWER stated that he would consider it to be a benefit.

REP. JOE TROPILA complimented **REP. EWER** for giving a nice brief presentation and said having been involved for twelve years in water/sewer/paving districts, **SID'S**, etc., he made it clearer than he has ever heard it described before.

REP. TROPILA asked **Mr. Clothier** to comment on his trailer court. **Mr. Clothier** attested he is also the state president of the Montana Landlords Association and he owns and operates Spruce Park Mobile Village in Kalispell and has rentals in Kalispell and around the state. The individual units are metered. In Spruce Park they are on their own private wells. His feeling on the landlord being accountable for the bill and as for him, as President of Evergreen Water and Sewer, it's easy, they want their money and for him as a landlord, it's just as easy. He explained the higher profit of renting a house that is on private water and sewer.

REP. TROPILA asked **REP. EWER** if he was in agreement with the amendments offered. **REP. EWER** discussed the three amendments and said he would support them.

{Tape: 1; Side: B; Approx. Counter: 17.5; Comments: .}

REP. WILLIAM BOHARSKI referred to the language in Section 5 to determine if this is benefited and asked if that only deals with Sub-1323-24. **REP. EWER** explained they are clearly benefited, they are getting the water and sewer line. He discussed rates and charges on benefited property and statute in debt. **REP. BOHARSKI** said this would be followed up in executive action. He discussed the wording on the provisions on the term of the bonds and how they are going to be paid off and the way the revenue is collected to retire the bonds. **REP. EWER** responded only to a point he feels it is a legitimate concern. He referred to the language on Page 6, Line 20 2-A, regarding refunding bonds and explained what the section says.

REP. BOHARSKI discussed the scenario of the possibility of the board changing to access fees based on acreage to retire bonds rather than on original value. He said this is not an essential section of the bill and could be amended out. **REP. EWER** responded that under the part of the bill contemplated, that scenario is not possible. He explained once general obligated bonds are used, the issue of benefit is no longer relevant because they are not charging people, all the property taxpayers in the district will be charged. He explained the options, and the amendment handling this.

REP. TROPILA stated there is a person present from the DNRC that can give technical information in response to **REP. BOHARSKI's** question. **Anna Miller, Department of Natural Resources**, explained that the department holds many of the mortgages for the water and sewer districts. By allowing water and sewer districts to use the general obligation of bond option when they are starting up, they can vote that in and approve the debt. She

explained the different provisions and financing mechanisms of paying to get out from under the general obligation and go to rates and charges.

{Tape: 1; Side: B; Approx. Counter: 28.9; Comments: .}

REP. BOHARSKI asked if this gives the board the authority to switch to a revenue type bond and retire those general obligation bonds and decide how the revenue is going to be generated to retire the revenue bonds. **REP. EWER** said yes, if they have general obligation bonds because they have a new district they don't believe there is going to be enough market acceptance for underwriters to run a revenue base, then they could have the issue of general obligation bonds. He explained the advance refunding of general obligation bonds.

Closing by Sponsor:

REP. EWER discussed some of the opponents' concerns and said many of their points do what the bill tries to do. Under current law, taxing the residences cannot be done. He said giving more power to trustees and elected officials, if you don't believe they would do their mission within the law, then they shouldn't have local governments. He explained that the statute has due process of how to petition out before a district is created or when a district is petitioned in.

ADJOURNMENT

Adjournment: 5:15 P.M.



REP. JACK HERRON, Vice Chairman



for EVY BURRIS, Secretary

RJH/eb

HOUSE OF REPRESENTATIVES

Local Government

ROLL CALL

DATE 2-2-95

NAME	PRESENT	ABSENT	EXCUSED
Rep. Bill Boharski, Chairman	✓		
Rep. Jack Herron, Vice Chairman, Majority	✓		
Rep. David Ewer, Vice Chairman, Minority	✓		
Rep. Chris Ahner	✓		
Rep. Shiell Anderson	✓		
Rep. Ellen Bergman	✓		
Rep. John Bohlinger	✓		
Rep. Matt Brainard	✓		
Rep. Matt Denny	✓		
Rep. Rose Forbes	✓		
Rep. Toni Hagener			✓
Rep. Bob Keenan	✓		
Rep. Linda McCulloch	✓		
Rep. Jeanette McKee	✓		
Rep. Norm Mills	✓		
Rep. Debbie Shea	✓		
Rep. Joe Tropila	✓		
Rep. Diana Wyatt	✓		

54th Legislature

EXHIBIT:

DATE _____

HB

LC9747.01

HB BILL NO. 270

INTRODUCED BY

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING AN OWNER OF REAL PROPERTY TO PETITION TO BE INCLUDED IN A TRANSPORTATION DISTRICT; AND AMENDING SECTION 7-14-241, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 7-14-241, MCA, is amended to read:

*7-14-241. Procedure to enlarge district or be included in district. (1) The boundaries of any transportation district may be enlarged if 51% of the qualified electors of the area to be added to the existing district sign a petition requesting addition to ~~such the~~ district.

(2) A real property owner may petition to have the property included in a district.

(2)(3) ~~However, each~~ Each addition must be approved by a majority vote of the transportation board.

(3)(4) The area added to a district pursuant to subsection (1) may be removed if the area does not directly receive transportation services from the district and 51% of the qualified voters in the area sign a petition requesting to be removed from the district. The removal of the area is effective 60 days after submission of the petition to the transportation board unless within that time, it is determined that the petition contains insufficient signatures for removal of territory the area. An insufficient petition must be returned to the petitioners, who may ~~submit it again~~ resubmit a corrected version within 90 days.

(4)(5) (a) All property within any addition to the district shall ~~be~~ is subject to all existing indebtedness of the district.

(b). Property within an area removed from the district is not subject to the district's existing indebtedness if the area was added to the district within 5 years of the date on which the petition for removal was submitted to the transportation board."

-END-

PROPOSAL TO AMEND SECTION 7-14-241, MCA - TO ALLOW A REAL PROPERTY OWNER TO PETITION TO BE INCLUDED IN A URBAN TRANSPORTATION DISTRICT

BACKGROUND:

The Montana Codes Annotated (MCA), Section 7-14-241 (see attachment I, MCA - Urban Transportation Districts), provides that the boundaries of any transportation district may be enlarged under the following conditions:

- (1) 51% of the qualified electors of the area to be added to the existing district sign a petition requesting addition to such a district; and
- (2) a majority of the Board approves the addition.

Following validation of petition signatures by the County Elections office, the Mountain Line Board considers the issue of the addition. Opportunity for public comment is provided at that time and during development of routing and time schedules.

PROBLEM STATEMENT:

This is the *only* way state law provides to expand urban transportation district boundaries. There is no way to expand the district to include commercial, industrial, or vacant planned residential areas. There are no registered voters present in these situations.

PROPOSAL:

Some form of property owner signature or petition should be provided for commercial, industrial, and vacant residential areas where there is a willing applicant and no registered voters. Wal-Mart, which lies just outside the district boundary (see attached map) and wants bus service, is a recent example of the problem that exists when no registered voters reside in an area that wants to be in the district so bus service can be provided.

A variation of this problem occurs where a major development is proposed that is a good candidate for future transit service, but no registered voters live there. In Missoula, this situation occurred in the Lower Miller Creek area where a major development (approximately 700 dwelling units) was proposed, and the developer was willing to petition into the district. Note:

this project was subsequently withdrawn. State law, however, does not allow for property owner petition. This effectively prevents transportation districts from doing any planning for the future. The current available method only allows expansion *after* the demand for service exists.

Thank you for your consideration of this request, and I will be happy to address any questions or comments you may have.

Prepared by: Michael E. Kress, AICP
Assistant General Manager, Mountain Line
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1.406.543.8387 (fax)

ATTACHMENT I

7-14-120

LOCAL GOVERNMENT

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(a) contract with public or private transportation providers for services to senior citizens and handicapped individuals; or

(b) augment or subsidize provisions for the transportation of senior citizens and handicapped individuals provided by public transportation providers.

(3) If the taxing jurisdiction determines that it is not in the best interest of senior citizens and handicapped individuals to use the tax levy as provided for in subsection (2), the taxing jurisdiction may use the proceeds of the levy to establish and operate an independent transportation system for senior citizens and handicapped individuals.

(4) Counties, urban transportation districts, and municipalities are encouraged to enter into interlocal agreements to provide regional transportation services to senior citizens and handicapped persons and may create regional advisory committees to coordinate regional transportation services.

History: En. Sec. 1, Ch. 440, L. 1983; amd. Sec. 1, Ch. 375, L. 1987.

7-14-112 through 7-14-119 reserved.

7-14-120. Transloading facility. (1) The department of transportation is authorized to issue to a local government a grant for construction of a demonstration truck/train transloading facility. The department shall solicit and accept proposals for no less than 2 months following the issuance of requests for proposals and shall award the grant primarily on the basis of simple payback in energy savings. The department shall also consider impact on freight rates, job creation, geographic proximity to raw materials, and access to new markets for Montana producers and shippers.

(2) The department of natural resources and conservation is authorized to administratively transfer funds to the department of transportation for a demonstration truck/train transloading facility as provided in subsection (1).

History: En. Sec. 5, HB 621, L. 1987; amd. Sec. 6, Ch. 512, L. 1991.

Part 2

Urban Transportation Districts

Part Cross-References

Municipal bus services, Title 7, ch. 14, part

44.

7-14-201. Purpose. This part authorizes the establishment of urban transportation districts to supply transportation services and facilities to district residents and other persons.

History: En. 11-4501 by Sec. 1, Ch. 355, L. 1975; R.C.M. 1947, 11-4501.

7-14-202. Definitions. As used in this part, the following definitions apply:

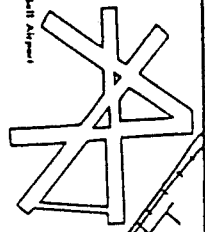
(1) "Board" means the board of transportation of any district created under this part.

(2) "Commissioners" means the board of county commissioners or other governing body of a county.

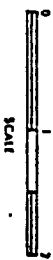
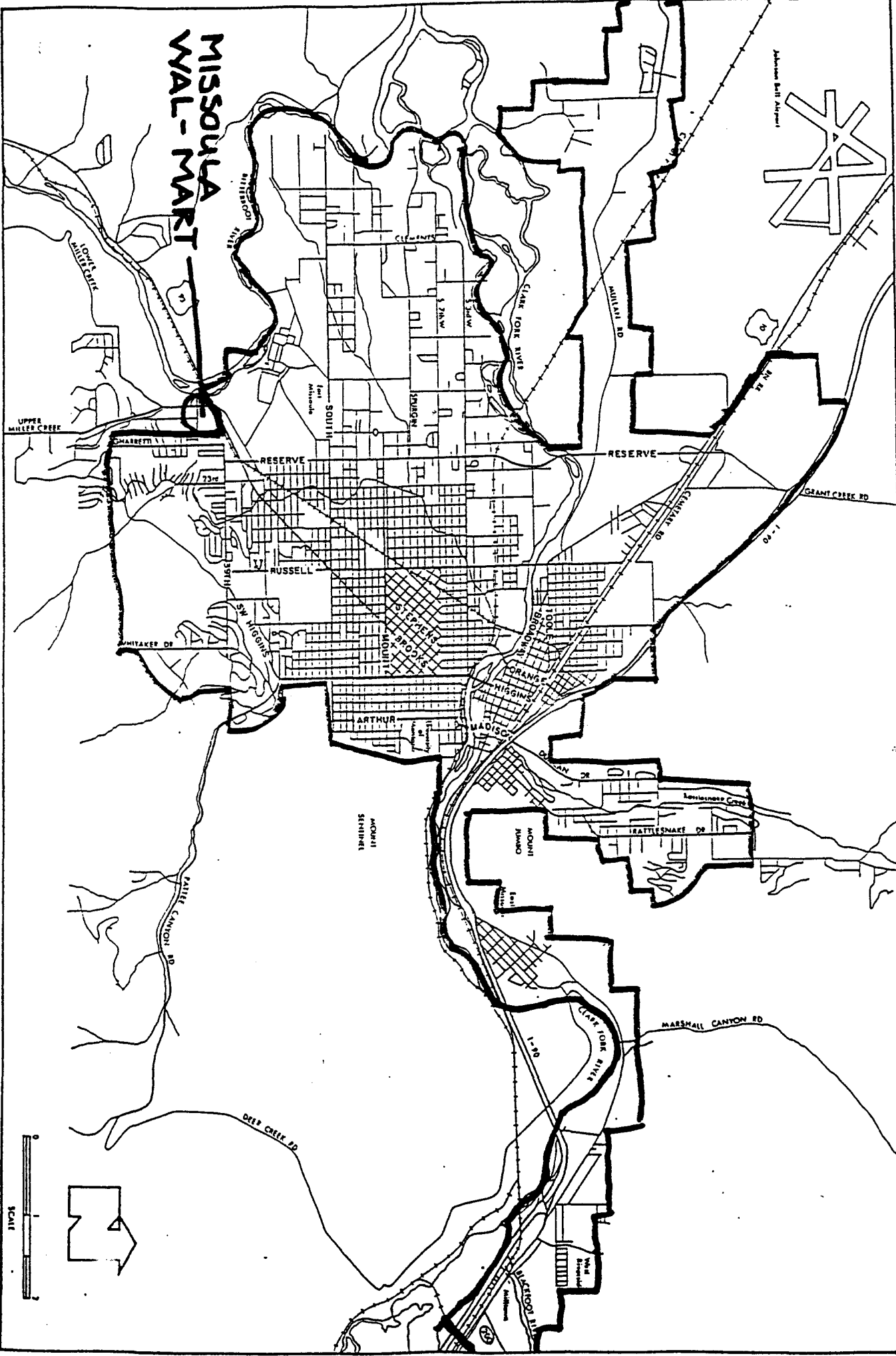
(3) "District" means any transportation district created under this part.

History: En. 11-4502 by Sec. 2, Ch. 355, L. 1975; R.C.M. 1947, 11-4502.

Johnson Ball Airport



MISSOULA VAL-MART



7-14-203. Petition to create urban transportation district. Proceedings for creation of a transportation district may be initiated by a petition signed by not less than 20% of the registered electors who reside within the proposed district.

History: En. 11-4503 by Sec. 3, Ch. 355, L. 1975; R.C.M. 1947, 11-4503(part); amd. Sec. 338, Ch. 571, L. 1979.

7-14-204. Details relating to petition. The petition shall include a map showing the limits of the proposed district and shall be in the form provided in Title 13, chapter 27.

History: En. 11-4503 by Sec. 3, Ch. 355, L. 1975; R.C.M. 1947, 11-4503(part); amd. Sec. 339, Ch. 571, L. 1979.

7-14-205. Petition to be filed with election administrator — certificate. (1) The complete petition shall be filed with the election administrator.

(2) The election administrator shall, within 30 days thereafter, carefully examine the petition and attach to it a certificate under his official signature and the seal of his office. The certificate shall set forth:

(a) the total number of individuals who are registered electors within the proposed transportation district; and

(b) which and how many of the individuals whose names are on the petitions are qualified to sign the petition.

History: En. 11-4503 by Sec. 3, Ch. 355, L. 1975; R.C.M. 1947, 11-4503(part); amd. Sec. 340, Ch. 571, L. 1979.

7-14-206. Effect of insufficient number of signatures. If the petition is found to contain less than 20% of the signatures of the registered electors of the transportation district, the petition shall be declared void.

History: En. 11-4503 by Sec. 3, Ch. 355, L. 1975; R.C.M. 1947, 11-4503(part); amd. Sec. 341, Ch. 571, L. 1979.

7-14-207. Presentation of petition to board of county commissioners — hearing required. (1) Provided the petition contains the signatures of 20% of the qualified electors of the proposed transportation district, the county clerk shall present the petition and his certificate to the commissioners at their first meeting held after he has attached his certificate.

(2) The commissioners shall thereupon examine the petition and shall by resolution call for a public hearing on the creation of such district.

History: En. 11-4503 by Sec. 3, Ch. 355, L. 1975; R.C.M. 1947, 11-4503(2), (3).

7-14-208. Notice of hearing. (1) A notice of the public hearing shall be published in a newspaper having general circulation within the proposed transportation district once each week for at least 2 weeks, the last publication to be at least 2 weeks prior to the hearing. If there is no newspaper having general circulation within the proposed district, the notice of public hearing shall be posted in at least three public places within the proposed district for 2 weeks prior to the hearing.

(2) The notice shall state the time, date, place, and purpose of the hearing and describe the boundaries of the proposed district.

History: En. 11-4504 by Sec. 4, Ch. 355, L. 1975; R.C.M. 1947, 11-4504(2).

7-14-209. Hearing on petition. (1) At the time fixed for the public hearing, the commissioners shall hear all testimony offered in support of and in opposition to any petition and the creation of the district.

(2) The hearings may be adjourned from time to time for the determination of additional information or hearing petitioners or objectors, but no adjournment may exceed 2 weeks after the date originally noticed and published for the hearing.

History: En. 11-4504 by Sec. 4, Ch. 355, L. 1975; R.C.M. 1947, 11-4504(1).

7-14-210. Election on question of creating urban transportation district. (1) The commissioners, upon completion of the public hearing, shall proceed by resolution to refer the creation of such district to the persons qualified to vote on such proposition.

(2) The commissioners may designate in their resolution whether a special election shall be held or whether the matter shall be determined at the next general election. If a special election is ordered, the commissioners shall specify in their order the date for the election and the voting places and shall appoint and designate judges and clerks therefor.

History: En. 11-4505 by Sec. 5, Ch. 355, L. 1975; R.C.M. 1947, 11-4505(part).

7-14-211. Conduct of election on question of creating district. (1) The election shall be held in all respects, as nearly as practicable, in conformity with the general election laws.

(2) At the election, the ballots shall contain the words:

☐ Transportation district — YES

☐ Transportation district — NO

History: En. 11-4505 by Sec. 5, Ch. 355, L. 1975; R.C.M. 1947, 11-4505(part); amd. Sec. 342, Ch. 571, L. 1979.

7-14-212. District to be governed by transportation board. (1) The district must be governed by a transportation board. The commissioners and the governing bodies of each city or town included or partially included in the district shall determine if the board is to be elected or appointed.

(2) The commissioners and the governing body by resolution shall:

(a) determine the number of board members;

(b) set the term of office;

(c) determine the makeup of the board with respect to the number of appointed members that will represent each county, city, or town;

(d) establish a procedure for selecting the initial members of an elected board. The initial members shall serve until the first county general election after their appointment.

(e) determine the number of candidates for an elected board whose names must be placed on the ballot in the county general election, based on the results of the primary election; and

(f) establish a procedure for filling vacancies on the board, including a provision for public notice.

(3) The commissioners and the governing body may, at any time, adopt a resolution changing the method by which the members of the board are

selected. The resolution must contain a provision that the term of office of the current members of the board may not be shortened.

History: En. 11-4506 by Sec. 6, Ch. 355, L. 1975; R.C.M. 1947, 11-4506(part); amd. Sec. 1, Ch. 608, L. 1993.

Compiler's Comments

1993 Amendment: Chapter 608 in (1) substituted second sentence authorizing Commissioners and governing bodies to determine if board is elected or appointed for former second and third sentences that read: "The board shall consist of three members. After expiration of the term of the individuals appointed to the

initial board, the board members shall be elected"; inserted (2) relating to resolution requirements; inserted (3) relating to changing method of board member selection by resolution; and made minor changes in style. Amendment effective May 3, 1993.

7-14-213. Repealed. Sec. 3, Ch. 608, L. 1993.

History: En. 11-4506 by Sec. 6, Ch. 355, L. 1975; R.C.M. 1947, 11-4506(part).

7-14-214. Election of members of transportation board. Any registered elector in the district may file a petition of candidacy with the election administrator of the county where the district is located. A filing fee may not be required. All candidates shall file a nonpartisan petition for candidacy containing the signatures of not less than 25 registered electors of the district. Except for the number of petition signers required, the petition shall be filed as provided in 13-14-113.

History: En. 11-4506 by Sec. 6, Ch. 355, L. 1975; R.C.M. 1947, 11-4506(part); amd. Sec. 343, Ch. 571, L. 1979; amd. Sec. 1, Ch. 117, L. 1981; amd. Sec. 2, Ch. 608, L. 1993.

Compiler's Comments

1993 Amendment: Chapter 608 deleted (2) that read: "(2) The names of six candidates receiving the highest number of votes in the primary election shall be placed on the ballots

in the county general election"; and made minor changes in style. Amendment effective May 3, 1993.

7-14-215. Repealed. Sec. 3, Ch. 608, L. 1993.

History: En. 11-4506 by Sec. 6, Ch. 355, L. 1975; R.C.M. 1947, 11-4506(part).

7-14-216. Repealed. Sec. 3, Ch. 608, L. 1993.

History: En. 11-4506 by Sec. 6, Ch. 355, L. 1975; R.C.M. 1947, 11-4506(part); amd. Sec. 1, Ch. 601, L. 1981.

7-14-217. Repealed. Sec. 3, Ch. 608, L. 1993.

History: En. 11-4506 by Sec. 6, Ch. 355, L. 1975; R.C.M. 1947, 11-4506(part); amd. Sec. 2, Ch. 601, L. 1981.

7-14-218. Compensation of transportation board members. The board members shall serve without pay except for necessary transportation expenses.

History: En. 11-4506 by Sec. 6, Ch. 355, L. 1975; R.C.M. 1947, 11-4506(part).

7-14-219. Powers of transportation board. The board shall have all powers necessary and proper to the establishment, operation, improvement, maintenance, and administration of the transportation district.

History: En. 11-4507 by Sec. 7, Ch. 355, L. 1975; R.C.M. 1947, 11-4507(part).

Cross-References

Municipal bus services, Title 7, ch. 14, part 44.

7-14-220. Employment of administrative officer. The board shall employ a qualified administrative officer for the district. The board shall give

public notice of its solicitation of applications for a qualified administrative officer.

History: En. 11-4507 by Sec. 7, Ch. 355, L. 1975; R.C.M. 1947, 11-4507(2).

7-14-221. Area of service. The district shall primarily serve the residents within the district boundaries but may authorize service outside the district boundaries where deemed appropriate.

History: En. 11-4507 by Sec. 7, Ch. 355, L. 1975; R.C.M. 1947, 11-4507(part).

7-14-222 through 7-14-230 reserved.

7-14-231. Transportation district budget. The board shall annually present its budget to the commissioners at the regular budget meetings as prescribed by law and therewith certify the amount of money necessary and proper for the ensuing year.

History: En. 11-4508 by Sec. 8, Ch. 355, L. 1975; R.C.M. 1947, 11-4508(part).

7-14-232. Mill levy authorized — limitation. (1) The commissioners shall annually, at the time of levying county taxes, fix and levy a tax in mills upon all property within said transportation district clearly sufficient to raise the amount certified by the board.

(2) The tax so levied for all district purposes other than payment of bonded indebtedness shall not in any year exceed 12 mills on each dollar of taxable valuation of property within said district.

History: En. 11-4508 by Sec. 8, Ch. 355, L. 1975; R.C.M. 1947, 11-4508(part).

7-14-233. Collection of tax — role of county treasurer. (1) The procedure for the collection of the tax shall be in accordance with the existing laws of the state of Montana.

(2) The funds collected under the tax levy shall be held by the county treasurer.

(3) The county treasurer shall be, ex officio, the treasurer for the transportation district and shall keep a detailed account of:

- (a) all tax money paid into the fund;
- (b) all other money from any source received by the district; and
- (c) all payments and disbursements from the fund.

History: En. 11-4509 by Sec. 9, Ch. 355, L. 1975; R.C.M. 1947, 11-4509(part).

7-14-234. Warrants to be used for payments. Funds shall be paid out on warrants issued by direction of the board and signed by a majority of its membership.

History: En. 11-4509 by Sec. 9, Ch. 355, L. 1975; R.C.M. 1947, 11-4509(part).

7-14-235. Transportation district bonds authorized. A transportation district may borrow money by the issuance of general obligation or revenue bonds or a combination thereof to provide funds for the district.

History: En. 11-4510 by Sec. 10, Ch. 355, L. 1975; R.C.M. 1947, 11-4510(part).

7-14-236. Limitation on bonded indebtedness. The amount of bonds issued to provide funds for the district and outstanding at any time shall not exceed 28% of the taxable value of taxable property therein as ascertained by the last assessment for state and county taxes previous to the issuance of such bonds.

History: En. 11-4510 by Sec. 10, Ch. 355, L. 1975; R.C.M. 1947, 11-4510(part); amd. Sec. 50, Ch. 614, L. 1981.

7-14-237 through 7-14-240 reserved.

7-14-241. Procedure to enlarge district. (1) The boundaries of any transportation district may be enlarged if 51% of the qualified electors of the area to be added to the existing district sign a petition requesting addition to such district.

(2) However, each addition must be approved by a majority vote of the transportation board.

(3) The area added to a district pursuant to subsection (1) may be removed if the area does not directly receive transportation services from the district and 51% of the qualified voters in the area sign a petition requesting to be removed from the district. The removal of the area is effective 60 days after submission of the petition to the transportation board unless within that time it is determined that the petition contains insufficient signatures for removal of territory. An insufficient petition must be returned to the petitioners, who may submit it again within 90 days.

(4) (a) All property within any addition to the district shall be subject to all existing indebtedness of the district.

(b) Property within an area removed from the district is not subject to the district's existing indebtedness if the area was added to the district within 5 years of the date the petition for removal was submitted to the transportation board.

History: En. 11-4511 by Sec. 11, Ch. 355, L. 1975; R.C.M. 1947, 11-4511; amd. Sec. 1, Ch. 374, L. 1987.

7-14-242. Petition for dissolution of district. Any transportation district may be dissolved upon presentation to the county commissioners of a petition signed by at least 51% of the qualified voters of such district.

History: En. 11-4512 by Sec. 12, Ch. 355, L. 1975; R.C.M. 1947, 11-4512(part).

7-14-243. Examination of petition — hearing. (1) Upon the filing of such petition, the commissioners shall carefully examine the petition.

(2) (a) If it is found that the petition is in proper form and bears the requisite number of signatures of qualified petitioners, the commissioners shall by resolution call for a public hearing on the dissolution of such transportation district.

(b) If such petition is found by the commissioners to be lacking in the number of signatures, the commissioners shall declare the petition void.

History: En. 11-4512 by Sec. 12, Ch. 355, L. 1975; R.C.M. 1947, 11-4512(part).

7-14-244. Notice of hearing on question of dissolution of district.

(1) A notice of the hearing required by 7-14-243(2)(a) shall be published in a newspaper having general circulation in the transportation district once each week for at least 2 weeks, the last publication to be at least 2 weeks before the hearing. If there is no newspaper having general circulation in the district, the notice of the hearing shall be posted in at least three public places in the district for 2 weeks before the hearing.

(2) The notice shall state the time, date, place, and purpose of the hearing.

History: En. 11-4512 by Sec. 12, Ch. 355, L. 1975; R.C.M. 1947, 11-4512(2).

7-14-245. Hearing on question of dissolution of district — decision. (1) If upon such hearing the commissioners find that the district is not indebted beyond funds immediately available to extinguish all of its debts

and obligations and that there is good reason for the dissolution of such district, the commissioners shall enter upon their minutes an order dissolving such district.

(2) Such order shall be filed of record, and the dissolution shall be effective for all purposes 6 months after the date of filing the order of dissolution, provided that at or before such time, the board of said district certifies to the county commissioners that all debts and obligations of the district have been paid, discharged, or irrevocably settled, together with proof thereof.

History: En. 11-4512 by Sec. 12, Ch. 355, L. 1975; R.C.M. 1947, 11-4512(part).

7-14-246. Distribution of district assets after dissolution. Any assets of the district remaining after all debts and obligations of the district have been paid, discharged, or irrevocably settled shall be evenly divided between the county and any cities within or partially within the dissolved district.

History: En. 11-4512 by Sec. 12, Ch. 355, L. 1975; R.C.M. 1947, 11-4512(part).

Part 3

Local Option Motor Fuel Tax

7-14-301. Local option motor fuel excise tax authorized. (1) A motor fuel excise tax, in increments of 1 cent per gallon, not to exceed 2 cents per gallon upon gasoline sold to the ultimate consumer within the county for use in motor vehicles operated upon public highways, streets, and roads may be imposed:

(a) by the people of the county by initiative; or

(b) by the board of county commissioners by adoption of a resolution and referral to the people.

(2) The initiative or referendum must specify the tax is to be collected by the department of transportation.

(3) Such a motor fuel excise tax may not be assessed sooner than 90 days from the date of passage of such an initiative or referendum.

(4) Every distributor shall pay the motor fuel excise tax to the agency specified in the initiative or referendum as provided in subsection (1). When the tax is collected by the department of transportation, each distributor shall render a monthly statement to the department of all gasoline distributed during the preceding calendar month in the county in which it is sold to the ultimate consumer and such other information as the department may reasonably require in order to administer the motor fuel excise tax.

(5) The information, recordkeeping, and examination of records provisions of Title 15, chapter 70, apply to this part.

(6) The department of transportation collecting the tax authorized under subsection (1) shall establish procedures to provide a refund to a person who has paid the excise tax but who can substantiate that the motor fuel was purchased for a use other than on public highways, streets, and roads.

(7) In this part, the terms "distributor", "gasoline", "import", "motor vehicle", "person", and "use" have the meanings ascribed to them in 15-70-201.

History: En. Sec. 1, Ch. 621, L. 1979; amd. Sec. 1, Ch. 572, L. 1981; amd. Sec. 1, Ch. 381, L. 1983.

TESTIMONY FOR HB308

EXHIBIT 2
DATE 8-2-95
HB 308

My Name is Arnold Peterson - Representing Montana Rural Water Systems, Inc. and the North Havre County Water District.

I appear in support of HB308.

This is in reality a house keeping bill and will hopefully clear up some of the confusion in the present law and correct some of the problems presently faced by many of the small towns and Water Districts across the State of Montana.

Cities & Towns can use special improvement Districts to ensure payment of Construction Costs. --

This is not always possible especially for Rural Water Districts.

Many of these systems were made possible with the help of Farmers Home Administration and other governmental agencies.

How ever repayment of these loans has in many cases been very difficult because the laws under which they can recover Costs of Construction and operation are, in many cases not too clear.

House Bill 308 strives to address many of these problems.

Many of the financial problems we have to deal with are beyond our control and come from a people driven agency called the Environmental Protection Agency.

Present laws are very explicit above the quality of Water we produce or the safety of the effluent discharged from our sewer systems but they are not so explicit in telling us how to get the money to pay for the equipment and the testing we are required to do to meet these standards, let alone the cost of construction and operation of these systems.

I would like to call your attention to two Supreme Court decisions RAE#I rendered in 1985 & REA #II rendered in 1991 - With special reference to Justice Webers Comments and ask you. If the Courts & Lawyers are confused by the present law how do you expect lay people to understand it.

I do not see where House Bill 308 renders any new authority it just makes existing laws more understandable.

EXHIBIT 3DATE 2-2-95HB 308

NORTH VALLEY COUNTY WATER & SEWER DISTRICT, INC.
P.O. BOX 119
ST. MARIE, MONTANA 59231
(406)524-3374

MONTANA RURAL WATER SYSTEMS, INC.
925 7TH AVE. SO.
GREAT FALLS, MONTANA 59405

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATING TO COUNTY WATER AND SEWER DISTRICTS; PROVIDING FOR RATES BASED UPON THE AVAILABILITY OF FACILITIES; PROVIDING FOR TERMINATION OF SERVICES AND COLLECTION OF DELINQUENT CHARGES AS A TAX LIEN UPON PROPERTY OR BY FILING SUIT IN ANY COURT WITH JURISDICTION; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS; CLARIFYING THE AUTHORITY TO ISSUE REFUNDING BONDS; AMENDING SECTIONS 7-13-2218, 7-13-2301, 7-13-2321, AND 7-13-2324, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

DEAR SIR:

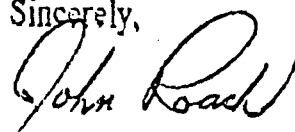
The North Valley County Water and Sewer District Board officially supports and requests the State of Montana to pass this legislation. (LC495)

With the huge water & sewer system already in place (built to support approximately 1,500 customers), and having only a small population of approximately 250 customers, of which only about half of that population being year round residence, and the other half only being part time residence. It is extremely important to charge all home owners the base rate to maintain the availability of the water and sewer facilities. Without the right to charge for maintaining the facilities, the charge to the full time residence would be a financial catastrophic situation, and most likely cause some of the full time residence to relocate from our community, creating a worse financial crisis. We need the ability to charge all home owners the base rate to maintain a water and sewer facility for all.

The ability to collect delinquent charges as a tax lien would be a great assistance in this area. In the past, collecting delinquent charges has proven to be almost non-existent.

The passage of this legislation, would not only help the small non-profit rural water districts, but would be a big help, and eliminate a financial burden on a few, to maintain facilities for many more. The rural citizen of Montana, request and needs this Legislation passed and made law.

Sincerely,



John Roach

Chairman/North Valley County Water & Sewer Dist., Inc.

JR/ps

EXHIBIT 4
DATE 2-2-95
HB 308

TESTIMONY
Before
HOUSE STANDING COMMITTEE ON LOCAL GOVERNMENT

Reference: House Bill 308
"AN ACT REVISING LAWS RELATING TO COUNTY WATER AND SEWER DISTRICTS;..."

February 2, 1995

Mr. Chairman,

Members of the Committee

For the record, my name is Bobby Broadway. I am the manager of the Sun Prairie Village County Water and Sewer District and I also sit on the Board of Directors of the Montana Association of Water and Sewer Systems.

I and my Association, fully support HB 308 and recommend this committee's approval and support.

This bill is essentially a housekeeping effort which clarifies existing statute. It qualifies more specifically the powers of a district and defines those powers so that they are clear and understandable.

The requirement in this bill to review rates at least every two years is a measure to assure that district management and boards of directors are meeting their obligation to their customers to ensure that rates are sufficient to meet operating expenses, bonded debt requirements and to provide for future replacement of failing or aging systems.

The review, so directed, is not at a level requiring a full scale rate structuring study. Should a district find it's rates are not meeting its requirements, it would at that time initiate such a rate setting study. This is not an onerous requirement. It is one which should be being done by district boards when setting their annual budget. Those districts which have bonded debt, especially bonded debt to the State of Montana through Department of Natural Resources' Water Development Loan program are required to maintain revenues equal to 125 percent of the average annual principal and interest requirements on their bonded debt and required reserves. This review is a measure to ensure that at least every two years, boards are looking at this obligation.

There has long been a need for a clear way, other than being connected to a water and sewer system to determine who is benefitted. If a property's value increases by virtue of the availability of a water or sewer main, located in reasonable proximity, that property is benefitted and its owner(s) should share in the cost of construction and maintenance of those services. Current statute does not speak to define benefit as does this bill. This bill clearly outlines a list of ten criterium for a board of County Commissioners, in the initial formation of a district, and an existing district's board of directors to use in determining whether a property is benefitted.

Determination of benefit is a clear issue of equity. I suggest to you that undeveloped property which is benefitted by availability of water and sewer service should share in the cost of construction and maintenance.

I would suggest you look at the case of "Rae vs Trunk" in which, because there is no clear definition of benefit, the Supreme Court of Montana held that even though the water main ran adjacent to the Trunk's property, it was not benefitted because it was not connected to the main. Therefore, Trunk was not obligated to share in the cost of construction of the mains. However, the Court ruled

that "Rae" was obligated to connect Truck's property to the system upon demand. Trunk's property is clearly benefitted by availability.

Under current statutes, districts have no right to file any type of lien for delinquent user fees or debt service charges. The lien proposed in this bill is a step in the right direction and will give district's a means of collecting from property owners who vacate their developed properties owning outstanding charges. The question of due process in applying a tax lien for delinquent charges for services is well spelled out in the bill.

I would also point out that a lien is not the only remedy made available by this bill. It clearly allows districts to pursue delinquent accounts in a court of law.

I would stress that districts have an obligation to pursue all delinquent charges vigorously to provide equity to those users who pay regularly and consistently for the services they receive. It becomes an issue of fairness as well as economics.

My own district has accrued thousands of dollars in bad debts over the years because we have not had a workable and distinctly clear method to ensure collections or define how a property is benefitted.

The new section on issuance of general obligation bonds is needed to provide additional methods for financing capital improvements to water or wastewater systems. Currently the only methods available is for a district to collect for replacement and depreciation, sell revenue bonds or secure grants from outside sources. We are not asking, in this bill, anything which is not approved by the vote of the electorate.

Should any of you on the committee be concerned that there is not a cap on this bonding authority, it is because that most district's taxable value is such that the proceeds from a revenue bond would be insufficient to make any difference in the cost of a major project. As a case in point, I use Sun Prairie Village who's taxable value is \$359,599.00. Applying a total bonded debt cap of 28 percent would only give a total bonding authority of \$89,900.00. The relative small amount of a 28 percent bonding authority is not worth the efforts involved in securing the bond.

Thank you for your time and I again urge your support for this measure.

PAGE NUMBER	DATE
	2 / 2 / 94
PROJECT	

EXHIBIT 5
DATE 2-2-95
HB 308

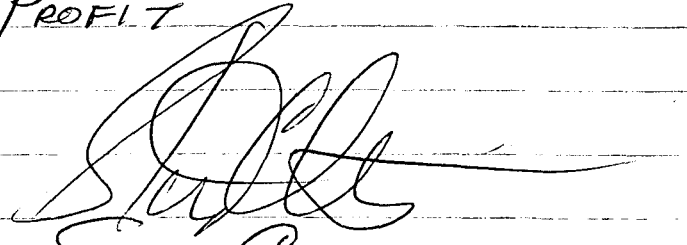
HOUSE BILL 308
COMMITTEE ON LOCAL GOV'T

COMMENTS

DEAR CHAIRMAN & COMMITTEE:

PLEASE ACCEPT THIS WRITTEN TESTIMONY.

THE LANDLORD IS USING AVAILABLE WATER AND
SEWER SERVICES AS A SALES (RENTAL) TOOL FOR HIS
BUSINESS. A HOUSE ON PUBLIC SERVICES IS MORE
DESIRABLE THAN THE SAME HOUSE ON PRIVATE WELL
AND SEWER. THE LANDLORD SHOULD NOT BE SURPRISED
IF HE HAS TO ASSUME THE UTILITY RISK THE
PROVIDES HIM ADDITIONAL PROFIT


STAN CLOTHIER
PRESIDENT EVERGREEN
WATER & SEWER
PRESIDENT MONTANA
LANDLORDS INC.

EXHIBIT

6

DATE

2-2-75

HB

308

Amendments to House Bill No. 308
First Reading Copy

Requested by Rep. Ewer
For the Committee on Business and Industry

Prepared by Bart Campbell
February 2, 1995

1. Page 3, line 13.

Following: "facilities."

Insert: "In establishing and imposing the facilities charge, the board may use any one or a combination of the methods of assessment applicable to rural special improvement districts as provided in 7-12-2151."

2. Page 3, line 18.

Following: "(4)(a)"

Insert: "A district may elect to have its delinquent charges for water or sewer services collected as a tax against the property by following the procedures of this subsection (4)."

Following: "services"

Strike: "incurred"

Insert: "is due and payable"

HOUSE OF REPRESENTATIVES

Local Government SUB-COMMITTEE

WITNESS STATEMENT

PLEASE PRINT

NAME Z.O. "Chip" Hamilton BUDGET _____

ADDRESS P.O. Box 160655 Bis Sky, MT 59716 DATE

WHOM DO YOU REPRESENT? Big Sky County Water & Sewer Dist 363

SUPPORT ~~X~~ OPPOSE AMEND

COMMENTS: _____

HOUSE OF REPRESENTATIVES
VISITORS REGISTER

RURAL GOVERNMENT

COMMITTEE

DATE 2-2-95

BILL NO. 308

SPONSOR(S)

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	Support	Oppose
Arnold Peterson	Mont Rural Water	X	
R F LABBE	North Ham Water	X	
	MONTANA RURAL WATER	X	
HARRY WHAGEN	DEER LODGE MT	X	
STAN CROTHER	MONTANA RURAL WATER	X	
1985 Hwy 35 Ksp 59901	Evergreen Water & Sewer	X	
Dan Keil	Tiber Co Water &	X	
Box 1426 Conrad	M.R.W.S.	X	
Bobby Brodway	Sun Prairie Village W&S	X	
245 Washington Blvd, G.F.	MT ASSOC Water & Sewer Sys	X	
NICK V. CLOS	MT. RURAL	X	
925 7TH AVES GREAT FALLS MT.	M.R.W.S. WATER SYSTEMS	X	
L.O. Chip Hamilton	Bis Sky County Water	X	
P.O. Box 160655 Big Sky, MT. 59716	and Sewer Dist. #363	X	
Jennine S. Bauman	Evergreen water	X	
333 S. Mt N View Dr, Kalispell 59901			
B. J. Britzies	SPV County Water	X	
401 VAN BUREN, Gt. Falls 59404	& Sewer District	X	
Mike Kress	1221 Shakespear	X	
Mountain Line	MISSOULA MT	X	
Box 122	(HB 270)		
THOMAS T. Pic	Bigfork Co. Water & Sewer	X	
Bigfork, MT			
Natlie M. Sheldon	1241 Bighorn Rd	X	
Helena, MT 59601	Treasure State Acres		
	Sewer District		

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

HR:1993

wp:vissbcom.man

CS-14

Douglas T Wagner

Rep HD 83

X

oppose