

VOTE IN FAVOR OF HB 572

EXHIBIT

9

DATE

3.22.05

A BILL TO PROTECT FAIR AND REASONABLE PROPERTY RIGHTS

572

BACKGROUND

- I graduated from MSU in 1968 and married a rancher's daughter from the Paradise Valley.
- In 1989 we invested our life savings in 80 acres of land, 13 miles north of Bozeman, near Springhill.
- In 1991, we divided this parcel into four 20 acre tracts and recorded the subdivision with Gallatin County; a plan designed to invest in our future. See the attached Certificate of Survey.
- Over the years we have viewed this real estate investment as a large component of our retirement nest egg.

HEALTH DEPARTMENT RESTRICTIONS

- When we purchased our property, the health department rules were clear: we could install a sanitation system on our property using a variety of methods. That's one of the key reasons we made the investment.
- Since the time we purchased our land, without notification, involvement or due process, the Montana DEQ and Gallatin County Health Department rules were changed, substantially restricting how and where sanitation systems could be installed.
- These unannounced changes eliminated the possibility of installing a sanitation system under the rules in effect when we purchased our property.

THE FINANCIAL IMPACT

- Because of the sanitation system rule changes, our retirement account has dropped in value by about 55%. Think about that – how would you feel if YOU lost more than half of your retirement assets?

OUR REQUEST

- We understand the complexity of this issue – and we are NOT seeking a handout from the government – nor as taxpayers do we want the state or counties to incur unnecessary liabilities.
- All we ask is that the rules under which we made our investments be maintained during the period we hold the investment, or
- if the government implements rules that devalue the asset, then the government should be obligated to pay the cost resulting from the rules they choose to implement – and without lengthy / costly litigation.
- If our laws and regulations place real estate investments at risk in the manner we have experienced, it sends a huge signal that that property in Montana is subject to the whims of uncontrolled and indifferent government intervention. If we don't curb this abusive practice, then we are all at risk of severe financial losses. What a chilling message this sends to the citizens and businesses of this state!
- Please vote in favor of House Bill 572, it's fair and reasonable.

Respectfully Submitted:

Robert & Shirley Julian
1500 Merrell Lane
Belgrade, MT 59714
406-388-1741