

EXHIBIT 3  
DATE 2-10-2009  
HB HB 406

HB406

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I oppose HB406 because it virtually eliminates any property rights protection for Montana landowners. This bill takes away due process from the citizens.

The wording of this bill allows a local government to zone property virtually without public input and almost totally at the whim of county commissioners. Authority to zone property like this should only be done in an emergency situation and even that is questionable.

This bill talks about enabling county commissioners to implement a resolution to control land uses if it is enacting processes to consider zoning. Because zoning efforts often are not completed in swift time frames, this will result in the landowner being held hostage until the county figures out what it is going to do.

This bill, if allowed to pass, will likely result in numerous "takings" lawsuits. This is an ill thought out bill and amounts to a "land grab" effort by local government. This is a bad bill, this is bad legislation.

I respectfully request that this bill is denied.