

**MINUTES**

**MONTANA HOUSE OF REPRESENTATIVES  
58th LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON LOCAL GOVERNMENT**

**Call to Order:** By **CHAIRMAN MARK NOENNIG**, on February 4, 2003 at 3:00 P.M., in Room 472 Capitol.

**ROLL CALL**

**Members Present:**

Rep. Mark Noennig, Chairman (R)  
Rep. Eileen J. Carney, Vice Chairman (D)  
Rep. Scott Mendenhall, Vice Chairman (R)  
Rep. Arlene Becker (D)  
Rep. Rod Bitney (R)  
Rep. Larry Cyr (D)  
Rep. Ronald Devlin (R)  
Rep. Gary Forrester (D)  
Rep. Ray Hawk (R)  
Rep. Hal Jacobson (D)  
Rep. Jesse Laslovich (D)  
Rep. Bob Lawson (R)  
Rep. Rick Maedje (R)  
Rep. Penny Morgan (R)  
Rep. Alan Olson (R)  
Rep. Holly Raser (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Connie Erickson, Legislative Branch  
Linda Keim, Committee Secretary

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

The time stamp for these minutes appears at the beginning of the content if refers to.

**Committee Business Summary:**

Hearing & Date Posted: HB 335, HB 339, HB 357, 1/30/2003  
Executive Action: HB 264, HB 333, HB 290, HB 324

HEARING ON HB 339

*{Tape: 1; Side: A; Approx. Time Counter: 0 - 5.8}*

Sponsor: REP. JEFF PATTISON, HD 95, GLASGOW

Opening Statement by Sponsor:

REP. PATTISON said that HB 339 would clarify which counties must have county auditors, and which counties may have county auditors, allowing for discretionary authority. He read written testimony from County Commissioner Richard Dunbar, who provided the letter after testifying at a pre-hearing on 2/4/03.

**EXHIBIT** (loh24a01)

Proponents' Testimony:

Harold Blattie, Assistant Director, Montana Association of Counties (MACo), said that HB 339 would simply enable smaller counties to have a county auditor, if they chose. The bill retains the current requirements in statute: that a county with a population over 15,000, that is a first through fourth class county, is currently required to have an auditor.

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

*{Tape: 1; Side: A; Approx. Time Counter: 5.9 - 15}*

REP. MORGAN asked if taxes were going to be raised to pay for this position. Harold Blattie said that they would use existing streams of revenue, and that they would be prevented from raising taxes under the provisions of 15-10-420 of the Montana Code.

REP. MAEDJE asked what the discretionary functions or duties of the auditors are. Harold Blattie said that those are listed in a specific section of Montana law, and that he would be happy to get a copy for review.

REP. MAEDJE asked if MACo would have a problem with a friendly amendment that these be elected positions, not appointed. Harold Blattie said that may be the way the bill is drafted now.

**REP. OLSON** asked if the caps in 15-10-420 could be overridden by a vote of the people. **Harold Blattie** answered that they could, under the provisions of 15-10-425.

**REP. BECKER** asked if there are other part-time elected positions in small counties. **Harold Blattie** gave examples of a part-time Justice of the Peace, Superintendent of Schools, etc.

**CHAIRMAN NOENNIG** asked Mr. Blattie about the bill's history, and why the auditor position wasn't discretionary to start with. **Harold Blattie** said that he did not know the history, just that the position was not enabled. **CHAIRMAN NOENNIG** asked if the discretion may have existed simply because the statute does not say one way or the other. **Harold Blattie** said that argument is possible. He said that instead of the position of auditor, Stillwater County chose to have the position of fiscal officer, which is a hired, appointed position.

**CHAIRMAN NOENNIG** asked if current law allows the auditor position to be either elected or appointed. **Harold Blattie** said that he did not know and would research that question.

**Closing by Sponsor:**

**REP. PATTISON** said that small counties are trying to be as efficient as they can to maximize their dollars. He said that Valley County has combined the position of Clerk and Recorder/ Superintendent of Schools. **REP. PATTISON** asked for a DO PASS.

**HEARING ON HB 335**

*{Tape: 1; Side: A; Approx. Time Counter: 15 - 30}*

**Sponsor:** **REP. HOLLY RASER, HD 70, MISSOULA**

**Opening Statement by Sponsor:**

**REP. RASER** said that HB 335 provides guidelines and standards for newly built playgrounds and playground equipment. HB 335 does not address existing playgrounds. The safety standard that HB 335 will be using is written by the U. S. Consumer Product Safety Commission: "HANDBOOK FOR PUBLIC PLAYGROUND SAFETY."

**EXHIBIT (loh24a02)**

**Proponents' Testimony:**

**Matthew Leow, Montana Public Interest Research Group**, said that his organization has been involved in a national survey of 1,037

playgrounds located in 36 states. They visited 28 playgrounds in Montana, and 100% of those had inadequate surfacing. He said that 64% had inadequate fall zones. There were 36% that had swings less than 24 inches apart. It is recommended that there be only two swings per bay. He said that 87% of playground injuries are caused by falls, so surfacing is very important.

HB 335 will provide an informational resource to schools and local governments that are building new playgrounds. Similar bills have been passed in 15 other states. North Carolina had a 22% reduction in playground injuries after this bill was passed.

**Lance Melton, Montana School Boards Association**, said that they are in favor of the bill, and that they have some proposed amendments that were put into bill draft form for the committee.  
**EXHIBIT (loh24a03)**

Mr. Melton said that they support increasing and improving the standards, but do not want to create "negligence" under the law. The amendment states that a governmental entity is immune from suit, and changes the effective date to July 1, 2003. Without the amendments, school boards would have some concerns.

*{Tape: 1; Side: B; Approx. Time Counter: 0 - 16}*

**Bob Worthington, Montana Municipal Insurance**, spoke as a proponent, and said that they insure 118 cities and towns in Montana. He said that there is a lot of used playground equipment in use right now, and that there is a need for ongoing equipment for existing playgrounds. He said that he would like to see existing playgrounds addressed also.

**Opponents' Testimony:** None

**Informational Testimony:**

**Terry Krantz, Department of Public Health**, said that he is the Bureau Chief with the Communicable Disease Control and Prevention Bureau. He said that he is available to answer questions.

**Questions from Committee Members and Responses:**

**REP. OLSON** asked Mr. Melton why he was testifying today. **Lance Melton** replied that they have recommended compliance with these standards for several years. He said that it might be considered negligence if a district constructs a playground that does not meet federal government standards.

**REP. BITNEY** referred to page two, line nine of the bill, and commented that the federal government was not listed. He asked about having the amendment specify that a government entity would be immune from a suit. **Lance Melton** said that schools are seeking to avoid suits, by the explicit statement in Section 2 of the proposed amendment. This bill does not explicitly say that all playground equipment shall comply, and it does not say that older equipment is immune from meeting these new standards.

**REP. BITNEY** asked what current law and current liability is for a playground accident. **Lance Melton** said that would be based upon common law principles of negligence, and the district would have to be proven to have done something wrong.

**REP. BITNEY** referred to new Section 3 on Page 2 of the proposed amendment, and asked if 7/1/2003 may be too soon to comply if schools have equipment ordered. **Lance Melton** said that the school board wanted that date to be consistent with the deadline already established in the bill.

**REP. MAEDJE** commented about ice occurring on the playground in the winter, and asked if this might put the onus on the school district, and create extra work in trying to make the surfacing safer. **Lance Melton** said that school districts are seeking to avoid those contingencies with the amendment they have offered.

**REP. MAEDJE** referred to Mr. Leow's testimony that stated that 80% of the children are hurt in falls. He proposed removing the liability put in new Section 2 of the proposed amendment, and having the school districts put out an informative pamphlet reminding schools to pay attention to surfacing, etc. **Lance Melton** said that they are comfortable with the bill, if the proposed amendment is added to it.

**REP. MAEDJE** asked if it was true that the bill would prevent local people from building playgrounds with donated funds. **Lance Melton** said that HB 335 only prohibits the use of public funds on playground equipment that does not meet the standard.

**CHAIRMAN NOENNIG** referred to Section 2 of the proposed amendment which says that a government entity would be immune from a suit, if it is based on compliance or non-compliance. "If HB 335 passes, no public funds are expended, but the playground is built with private funds and does not comply with standards, or did not comply with the standard, previously, which was outside the scope of ordinary negligence when it was constructed, there is still absolute immunity." He asked why that was reasonable. **Lance Melton** said that they are trying to keep this to items which they have control over: the conduct of school

staff, staff efficiency in supervising student conduct, ensuring student safety, etc. He said that schools want to keep the same level they currently have, which is that there is no statutory negligence, for either failure to comply, or complying, with this standard, and that it has to be proven that an employee actually did something wrong that was under school control, before they can recover against the district.

**CHAIRMAN NOENNIG** said that there is no obligation in the bill that requires compliance in the past. The bill specifically says that maintenance does not have to comply. He asked: "Is it reasonable to get immunity for something that already happened, when this does not relate to any duty regarding previously-installed playgrounds?" **Lance Melton** said that the bill creates an ambiguity that could be construed to create a standard for the previously-installed equipment. He said that it took the Montana Supreme Court to rule on whether or not the uniform building code is actually negligence, or negligence per se. He stated that he wants to avoid an argument about whether this provision does, or does not, apply to equipment that was installed before 7/1/2003. Another way would be to say that the standards of the United States Consumer Product Safety Commission do not apply to any playground equipment ordered or installed on or before the effective date.

**CHAIRMAN NOENNIG** asked why schools don't just say that this does not create a new standard, and that it may, or may not, apply. **Lance Melton** said that would be okay. School boards want to clearly state that there is no application of this standard to playground equipment that is already in the ground.

**CHAIRMAN NOENNIG** asked if the School Board Association currently has the ability to adopt this for mandatory compliance. **Lance Melton** said that they are a volunteer organization which is available for use by schools. Their organization provides guidance, support, and advice to members. They are an organization of local control. **CHAIRMAN NOENNIG** asked: "Would Board recommendations have to be adopted by the local school board before they would be enforceable, without this Statute?" **Lance Melton** said that was correct.

**Closing by Sponsor:**

**REP. RASER** said that HB 335 would also apply to city parks, and is important as a way to address any public expenditure for new construction of new playgrounds. "If we are expending public money, we have a duty to make sure that the public is safe on the equipment." Standards will reduce the number and severity of injuries, will help prevent law suits, and save money.

HEARING ON HB 357

*{Tape: 1; Side: B; Approx. Time Counter: 16 - 24}*

**Sponsor: REP. CHRISTOPHER HARRIS, HD 30, BOZEMAN**

**Opening Statement by Sponsor:**

**REP. HARRIS** said that HB 357 would require the State Historic Preservation Officer to establish a County Courthouse Restoration program. He pointed out that everyone is very proud of Montana's restored capitol, and counties have courthouses with equally distinctive architectural heritage that need preserving because of normal wear and tear. He said that the bill would provide that the Historical Society have a professional grant-writer on their staff who would provide assistance to the counties if requested. Restoration grants would be put together from both private and public sector funds. He said that a suggested amendment might be to require compliance with accessibility requirements in the Americans with Disabilities Act (ADA).

**Proponents' Testimony:**

*{Tape: 2; Side: A; Approx. Time Counter: 0.9 - 13}*

**Arnie Olsen, Director of the Montana Historical Society,** said that HB 357 recognizes that 1) Forty-eight of the fifty-six county courthouses are historic buildings; 2) The condition of these historic resources is beginning to deteriorate; 3) City and County Governments often lack the knowledge and skills to fully explore the options necessary to deal with restoration.

**EXHIBIT (loh24a04)**

**Mr. Olsen** presented a handout from a workshop that the State Historic Preservation Office in the Montana Historical Society wrote to help counties deal with preservation.

**EXHIBIT (loh24a05)**

**Chere Jiusto, Executive Director, Montana Preservation Alliance,** a non-profit statewide organization that champions the preservation of Montana's historical buildings, places and cultural heritage, said that the back page of her handout focuses on the courthouses represented by the committee. She said that historic courthouses are a wonderful heritage, but they are also a responsibility.

**EXHIBIT (loh24a06)**

**EXHIBIT (loh24a07)**

Historic courthouses from across the state were featured in a powerpoint presentation. The Teton County Courthouse was the subject of a lawsuit based on a lack of access for disabled persons. Accessibility funds were made available by leveraging sources such as Community Transportation Enhancement Program (CTEP) and Rural Utility Funds, and an elevator was added. She said that updating these buildings requires consideration of structural issues, building safety, fire codes, heat systems, ventilation, electricity, plumbing, and telecommunications.

**{Tape: 2; Side: A; Approx. Time Counter: 13 - 23}**

**J. D. Lynch, representing Butte-Silver Bow counties,** testified that this is a good bill and asked for support.

**Alec Hansen, League of Cities and Towns, Deer Lodge and Silver Bow counties,** said that the Silver Bow County Courthouse is a beautiful, historic building that was larger than the state capitol until the wings were added to the capitol. This bill is a step toward preservation of the buildings where a lot of state history took place.

**Anita Roessmann, Attorney, Montana Advocacy Program (MAP),** presented written testimony. In her remarks, she elaborated on the case of Jim Salmond, a person with multiple sclerosis, on whose behalf MAP filed the suit at the Teton County Courthouse.  
**EXHIBIT (loh24a08)**

**Ms. Roessman** said that MAP proposed a friendly amendment which would give priority to accessibility for people with disabilities to county courthouses.  
**EXHIBIT (loh24a09)**

**Harold Blattie, Assistant Director, Montana Association of Cities and Towns (MACO),** said that they support the bill. He said that it is critical that the language on Line 19 remains.

**Opponents' Testimony:** None

**Informational Testimony:**

**Jeff Tiberi, Executive Director of the Montana Heritage Commission,** said that the commission manages over 250 historic buildings. He said that he would be available to answer any questions about historic buildings.

**Questions from Committee Members and Responses:**

**{Tape: 2; Side: A; Approx. Time Counter: 23 - 30}**

**REP. JACOBSON** referred to the Fiscal Note, noting that there is no dollar amount allocated for 2005. He asked if the program would be self-sustained with grants, once it got started. **REP. HARRIS** referred the question to Arnie Olsen. **Mr. Olsen** said that the intent is that the amount would be for a two-year period, and that it would need to be ongoing. The most cost-effective way is to contract out to professionals at a cost of \$4,000 to \$5,000 per courthouse. He said that would not cover the grant-writing, which is almost a full-time job. He said that the Historical Society can provide some assistance with money, but that grant-writing would be more successful if more money is allocated.

**REP. MENDENHALL** said that he understood that these funds would help counties assess their courthouse, identify potential funding, and do some grant-writing. He asked if there are any known sources of grant money available for architectural assessment. **Chere Jiusto** said that the National Trust for Historic Preservation has limited funding for structural assessment under their Preservation Services Fund. Other funds are mostly federal, and are linked to economic and/or rural development. She said that counseling provided by HB 357 would help counties do the creative groundwork necessary to identify and work with those funds.

**REP. MENDENHALL** asked if CTEP funds can be used for structural analysis. **Ms. Jiusto** said that CTEP money is for enhancement. Funds have to go toward actual physical construction and activity such as landscaping, sidewalks, and historic preservation.

*{Tape: 2; Side: B; Approx. Time Counter: 0 - 15}*

**REP. MENDENHALL** asked Mr. Blattie about CTEP. **Mr. Blattie** responded that CTEP is handled through the Department of Commerce and must be used for transportation-related projects. He said that restrictions have been increased on the types of eligible projects, and that he is unable to respond to the changes.

**REP. MENDENHALL** asked Mr. Hansen if the planning identified in this proposal could be paid for with CTEP funds. **Alec Hansen** said that the League of Cities and Towns is putting together a similar program which would involve economic restoration in downtown areas. He said that he specifically asked the Department of Transportation if CTEP funds could be used for administrative and consulting purposes. He said that he was told that the money could only be used for projects such as construction, landscaping and historic preservation.

**REP. MORGAN** referred to the Fiscal Note, and asked whether each courthouse would automatically get \$4,500, or if it would be at

the county's discretion. **REP. HARRIS** said that the assistance triggered by this bill would only take place if requested by county officials. He said that restoration is already completed in Gallatin County, but many others would be eligible.

**REP. MORGAN** asked if there would be money left for evaluation after paying a full-time grant writer. **REP. HARRIS** said that he had no input into the Fiscal Note and did not sign it. He said that there may be a higher cost, but that the budget director said that \$72,000 would implement the bill. **REP. HARRIS** said that there will be an evaluation stage. Then, if counties want to go forward, the grant writer will assist with the application. He said that the funding source on the Fiscal Note is HB 2, but that it also is his obligation to get an amendment added to HB 2 to provide that funding.

**REP. OLSON** asked why the counties couldn't do the restoration on their own. **Ms. Jiusto** said that there is already an agency set up in state government that can begin the process with the counties. She said that the State Historic Preservation Office has professionals within their state agency that understand the issues, and can provide backup from a centralized location. She stated that counties have limited staffing and don't have time to keep track of everything.

**REP. OLSON** commented that Arnie Olsen had stated that most of the work would be contracted out. **Ms. Jiusto** agreed. **REP. OLSON** asked if there are other agencies in the state that might be able to handle grant-writing. **Ms. Jiusto** said that they have information about the grants, but that it does not necessarily cross-pollinate with historic preservation expertise. She deferred to Mark Baumler, State Historic Preservation Officer.

**REP. OLSON** asked: "If the restoration planning was handled by an already existing agency, and through the grant writing process they contracted with an engineering or an architectural firm, would they be able to work with the Historical Preservation Office?" **Mark Baumler** said that **REP. HARRIS** thought that some things would be better coordinated through the Historical Preservation Office. He said that it might be a question of skills, finding the correct types of architects, and determining the Secretary of the Interior's standards for historic preservation.

**REP. MAEDJE** asked if there is a restoration architect that is employed by the state. **Ms. Jiusto** said that the State Historic Preservation Office has a Historic Building Specialist, but they do not have an architect on staff.

**REP. MAEDJE** asked whether the money was intended to go toward a grant-writer, or toward a restoration architect that would go around and assess what needed to be done, so that the assessment could be given to a grant-writer. **REP. HARRIS** said that both functions could probably be combined into one person. He said that if combining is not possible, that there could be a contracted-out restoration evaluation by the historic architect. Then the grant-writer would take over, and put the cover application on the historical evaluation.

**CHAIRMAN NOENNIG** asked if the restoration had to comply with the Americans with Disabilities Act (ADA), regardless of whether or not it is included in the bill. **Mr. Baumler** said that meeting ADA accessibility would be a requirement for most federal grants.

**CHAIRMAN NOENNIG** asked if the ADA accessibility requirement was because of federal funding, or because of the law. **Mr. Baumler** said that he did not know.

**CHAIRMAN NOENNIG** asked Anita Roessmann if restorations would have to comply with ADA accessibility, regardless. **Ms. Roessmann** said, "Considering what is at stake, and that you want it considered in the earliest conversations and estimates, it is worth putting that language in the bill." **CHAIRMAN NOENNIG** asked if an expert architect would be remiss if the architect did not comply. **Ms. Roessmann** stated, "Yes, the requirements are there."

**Closing by Sponsor:**

**REP. HARRIS** thanked the committee and said that he would be glad to work with anyone that wants to see this bill passed. He said that preservation can be done with a relatively small amount of money that can leverage federal and private sector funds.

**EXECUTIVE ACTION ON HB 264**

*{Tape: 2; Side: B; Approx. Time Counter: 16.4 - 29}*

**Motion:** **REP. CARNEY** moved that **HB 264 DO PASS.**

**Motion:** **REP. CARNEY** moved that **HB 264 BE AMENDED.**

**Discussion:**

**Legislative Staffer Connie Erickson** said that the amendment clarifies that County Commissioners would have to supervise their staff in compliance with personnel procedures.

**EXHIBIT (loh24a10)**

**Motion/Vote:** REP. CARNEY moved AMENDMENT HB026401. Motion carried 16-0, by voice vote.

**Motion/Vote:** REP. LAWSON moved that HB 264 DO PASS AS AMENDED. Motion carried 16-0, by voice vote.

**EXECUTIVE ACTION ON HB 333**

**Motion:** REP. JACOBSON moved that HB 333 DO PASS.

**Discussion:**

REP. DEVLIN explained that the bill would allow local governments to return interest from investments to a specified fund, rather than to the general fund.

REP. MORGAN asked Harold Blattie if HB 333 would involve extra clerical work. Mr. Blattie said that he did not think that this would require any additional work. He said that the county treasurer simply enters into the software the different funds that are eligible for interest, and when a receipt comes in for that interest money, the software makes the distribution.

REP. MENDENHALL pointed out to REP. MORGAN that permissive language is used, and that retaining the interest is optional.

**Vote:** Motion carried 16-0, on a voice vote.

**EXECUTIVE ACTION ON HB 290**

**Motion:** REP. MAEDJE moved that HB 290 DO PASS.

**Discussion:**

Connie Erickson said that several amendments had been offered, but that REP. RIPLEY wanted to leave the bill as it is.

REP. CARNEY said that this bill would cripple most anything that city government wanted to do. She said that she opposed the bill and it would be very difficult to build a road or improve the infrastructure. She urged a DO NOT PASS.

**Substitute Motion/Vote:** REP. OLSON made a substitute motion that HB 290 BE TABLED. Substitute motion carried 15-1 with REP. MAEDJE voting no, on a voice vote.

**EXECUTIVE ACTION ON HB 324**

**Motion:** REP. CARNEY moved that HB 324 DO PASS.

**Motion:** REP. CARNEY moved that AMENDMENT HB032401 DO PASS.

**Discussion:**

REP. CARNEY said that the amendment states that the subdivision cannot be denied based solely on housing affordability.

**EXHIBIT (loh24a11)**

**Vote:** Motion carried 16-0, on a voice vote.

*{Tape: 3; Side: A; Approx. Time Counter: 0 - 11.3}*

**Discussion:**

REP. MORGAN said that it seems that there is no point in having this bill, with the amendment added on it. She said that she would not vote for it.

REP. BECKER said that she was on the City-County Planning Board, and that they never used criteria like agriculture or wildlife habitat to disallow a subdivision. They did use criteria for overall planning and information, so that they could get a figure on what was happening in the overall picture. She said that is how she sees housing affordability, and does not think that it would be used to deny a subdivision.

REP. MAEDJE said that the amendment is not going to accomplish anything. He said that he opposes HB 324. He pointed to previous testimony stating that housing affordability has more to do with the market than anything else. He said that funding is available from the federal government, and that the City of Missoula has taken advantage of that. He was opposed to putting the onus on the builder.

REP. BITNEY said that he also would oppose the bill. He said that Flathead County has many subdivisions that are specifically oriented toward more affordable housing, and others that are not. He said that it is a waste of time to look at affordable housing in a mid- or upper-class subdivision. Another concern is that it is costly to government planners and to the builders, and that ultimately it is more expensive to the consumer.

REP. LASLOVICH said that he agreed with REP. BECKER, and that he felt that HB 324 is a good start toward affordable housing.

**REP. OLSON** said that he opposes the bill because this just adds another thing to the list of requirements. He said that the amendment took the "meat" out of the bill.

**REP. CARNEY** said that it would not add much time and cost to planning a subdivision, but that it will add a lot to the statistics that are available. "For example, all that is necessary, is to say that these houses cost \$200,000 and the average local wage is \$24,000. Can the people afford these houses? No."

**REP. JACOBSON** said that having affordable housing in the bill raises the level of consciousness and makes people more aware. He said that he was in favor of HB 324.

**REP. FORRESTER** said that the function of a bill is to make money. He stated: "Every time another fee is added to the development, the cost of doing business goes up. If housing affordability doesn't do anything, why put it in there?"

**REP. MENDENHALL** said that a growth management plan is just a vision of where a county wants to go, and that it is not intended to be prescriptive. Housing affordability language would fit best in a county's growth management plan. Subdivision review is prescriptive, and requires an assessment, increased staff time, and ultimately additional costs.

**CHAIRMAN NOENNIG** said that affordable housing is important, but that affordability needs to be addressed in growth plans or zoning ordinances. He said that it is hard to analyze the adverse impact on affordable housing of a subdivision, because a subdivision is either one kind of housing or another.

**Motion/Vote:** **REP. CARNEY** moved that **HB 324 DO PASS AS AMENDED**. **Motion failed 4-12 with REPS. BECKER, CARNEY, JACOBSON, and LASLOVICH voting yes**, by voice vote.

**Motion/Vote:** **REP. OLSON** moved that **HB 324 BE TABLED**. **Motion carried 12-4 with REPS. BECKER, CARNEY, JACOBSON, and LASLOVICH voting no**, by voice vote.

**ADJOURNMENT**

Adjournment: 5:05 P.M.

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REP. MARK NOENNIG, Chairman

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LINDA KEIM, Secretary

MN/LK

**EXHIBIT (loh24aad)**