

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
59th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: By **CHAIRMAN MARK E. NOENNIG**, on February 15, 2005
at 3:00 P.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Mark E. Noennig, Chairman (R)
Rep. Hal Jacobson, Vice Chairman (D)
Rep. Wayne Stahl, Vice Chairman (R)
Rep. Debby Barrett (R)
Rep. Margaret H. Campbell (D)
Rep. Sue Dickenson (D)
Rep. Emelie Eaton (D)
Rep. Christopher Harris (D)
Rep. Gordon R. Hendrick (R)
Rep. Teresa K. Henry (D)
Rep. Mike Jopek (D)
Rep. Gary MacLaren (R)
Rep. Rick Maedje (R)
Rep. Dave McAlpin (D)
Rep. Tom McGillvray (R)
Rep. Bernie Olson (R)

Members Excused:

Rep. Elsie Arntzen (R)
Rep. Mary Caferro (D)

Members Absent: None.

Staff Present: Susan Fox, Legislative Branch
Kyanne Kelly, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 479, 2/10/2005; HB 480,
2/10/2005; HB 503, 2/10/2005; HB
594, 2/10/2005; HB 626, 2/10/2005
Executive Action: HB 442

HEARING ON HB 479

Opening Statement by Sponsor:

REP. RAY HAWK (R), HD 90, opened the hearing on **HB 479**, Authorize county road permitting processes to preserve the road and environment.

00:01:46

[EXHIBIT \(loh37a01\)](#)

Proponents' Testimony:

00:04:17 Alan Thompson, Ravalli County Commissioner

Opponents' Testimony:

00:08:31 Spook Stang, Montana Motor Carriers Association

00:10:33 Cary Hegreberg, Montana Contractors Association

00:13:06 Jason Todhunter, Montana Logging Association

00:14:40 Jake Cummins, Farm Bureau

Informational Testimony:

00:16:13 John Arrigo, Montana Department of Environmental
Quality

00:18:01 Loren Frazier, Department of Transportation

[EXHIBIT \(loh37a02\)](#)

Questions from Committee Members and Responses:

00:18:42

Closing by Sponsor:

00:20:13

HEARING ON HB 480

Opening Statement by Sponsor:

REP. DAVID WANZENRIED (D), HD 97, opened the hearing on **HB 480**, Revise law governing annexation.

00:21:45

[EXHIBIT \(loh37a03\)](#)

Proponents' Testimony: None

Opponents' Testimony:

00:26:37 Chuck Tooley, Mayor of Billings
00:28:48 Mike Kadas, Mayor of Missoula
00:32:40 Dave Nielson, Attorney for City of Helena
00:34:09 Linda Stoll, Montana Association of Planners
00:34:33 Joe Muzurek, City of Great Falls
00:35:00 Alec Hansen, League of Cities and Towns

Informational Testimony: None

Questions from Committee Members and Responses:

00:37:58

Closing by Sponsor:

00:47:55

HEARING ON HB 503

Opening Statement by Sponsor:

REP. DAVID WANZENRIED (D), HD 97, opened the hearing on **HB 503,**
Revise law concerning establishing new city or town.

00:50:29

Proponents' Testimony:

00:53:09 Gerard Berrons, Target Range Home Owners
Association
01:00:02 David McCuen, Target Range Home Owners Associatin

Opponents' Testimony:

01:01:16 Mike Kadas, Mayor of Missoula
01:05:15 Chuck Tooley, Mayor of Billings
01:06:18 Joe Mazurek, City of Great Falls
01:08:30 Alec Hansen, League of Cities and Towns
01:11:25 Linda Stoll, Association of Planners
01:12:21 Tim Burton, City Manager Helena

Informational Testimony: None

Questions from Committee Members and Responses:

01:12:38

Closing by Sponsor:

01:28:30

REP. ARNTZEN entered the room.

HEARING ON HB 594

Opening Statement by Sponsor:

REP. ROGER KOOPMAN (R), HD 70, opened the hearing on **HB 594**,
Compensation for reduction in value of property use restriction.
01:31:49

EXHIBIT (loh37a04)

Proponents' Testimony:

01:44:11 Dick Green, Self

01:45:16 Phil Olson, Self

EXHIBIT (loh37a05)

01:48:35 Marc Seifert, Self

01:49:27 Russell Crowder, American Dream Montana

01:50:48 Gary Marbut, Missoula Citizens for Proper Planning

01:52:12 Rick Jore, From Ronan

EXHIBIT (loh37a06)

01:54:32 Jake Cummins, Farm Bureau

01:55:03 Bob Julian, Self

01:57:38 Scott Kerr, Self

01:58:25 Gary Hall, Flathead County Commissioner

Opponents' Testimony:

01:58:41 Chris Tweeten, Attorney Generals Office

02:03:24 Tim Davis, Smart Growth Coalition

02:05:31 Dave Nielson, Attorney City of Helena

02:07:01 Alec Hansen, League of Cities and Towns

02:09:06 Janie McCall, City of Billings

02:09:43 Gordon Morris, Montana Association of Counties

02:10:09 Linda Stoll, Montana Association of Planners

02:10:54 Janet Ellis, Montana Audubon

Informational Testimony: None

Questions from Committee Members and Responses:

02:12:02

Closing by Sponsor:

02:25:17

HEARING ON HB 626

Opening Statement by Sponsor:

REP. DIANE RICE (R), HD 71, opened the hearing on HB 626, Increase percentage of freeholders needed to petition for zoning district.

02:29:53

Proponents' Testimony:

02:33:32 Marc Siefert, Gallatin Valley

02:34:27 Bob Julian, Belgrade

02:37:37 Ted Coffman, Madison County Commissioner

Opponents' Testimony:

02:38:24 Linda Stoll, Association of Planners

Informational Testimony: None

Questions from Committee Members and Responses:

02:40:19

Closing by Sponsor:

02:43:54

EXECUTIVE ACTION ON HB 442

Motion: REP. MAEDJE moved that HB 442 DO PASS.

Discussion:

02:57:38

Motion: REP. MAEDJE moved that HB 442 BE AMENDED.

Discussion:

02:58:24

[EXHIBIT \(loh37a07\)](#)

Vote: Motion carried unanimously by voice vote. REP. CAFERRO voted by proxy.

Motion: REP. MAEDJE moved that HB 442 DO PASS AS AMENDED.

Discussion:

03:11:03

Motion/Vote: REP. HARRIS moved that HB 442 BE further AMENDED.
Motion carried unanimously by voice vote. REP. CAFERRO voted by proxy.

Motion: REP. HARRIS moved that HB 442 DO PASS AS AMENDED.

Discussion:
03:16:34

Motion/Vote: REP. HARRIS moved that HB 442 BE further AMENDED.
Motion carried unanimously by voice vote. REP. CAFERRO voted by proxy.

Motion: REP. HARRIS moved that HB 442 DO PASS AS AMENDED.

Discussion:
03:19:37

Motion: REP. MAEDJE moved that HB 442 BE further AMENDED.

Discussion:
03:21:46

Vote: Motion carried unanimously by voice vote. REP. CAFERRO voted by proxy.

Motion: REP. MAEDJE moved that HB 442 DO PASS AS AMENDED.

Discussion:
03:22:44

Vote: Motion carried 13-5 by roll call vote with REPS. CAMPBELL, DICKENSON, EATON, NOENNIG, and OLSON voting no. REP. CAFERRO voted by proxy.

ADJOURNMENT

Adjournment: 6:40 P.M.

REP. MARK E. NOENNIG, Chairman

KYANNE KELLY, Secretary

MN/kk

Additional Exhibits:

EXHIBIT ([loh37aad0.PDF](#))