

MINUTES

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

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: By **CHAIRMAN MARK E. NOENNIG**, on April 7, 2005 at 3:30 P.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Mark E. Noennig, Chairman (R)
Rep. Hal Jacobson, Vice Chairman (D)
Rep. Elsie Arntzen (R)
Rep. Debby Barrett (R)
Rep. Mary Caferro (D)
Rep. Margaret H. Campbell (D)
Rep. Sue Dickenson (D)
Rep. Emelie Eaton (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. Christopher Harris (D)
Rep. Wayne Stahl, Vice Chairman (R)

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: SB 255, 4/4/2005
Executive Action: SJ 11, SB 245, SB 255, SB 301, SB
409, SB 431

HEARING ON SB 255

Opening Statement by Sponsor:

SEN. KELLY GEBHARDT (R), SD 23, opened the hearing on **SB 255**,
Revise airport zoning laws.
00:00:34

Proponents' Testimony:

00:02:04 Harold Blattie, Montana Association of Counties

00:05:18 Myra Schults, Pilot and Land Use Attorney

EXHIBIT (loh74a01)

00:08:41 Michael Kakuk, Montana Association of Realtors

00:09:44 Doug Kaekaer, Hill County Commissioner

00:10:49 Debbie Alke, Department of Transportation

00:11:43 Bill Burkland, Civil Engineer from Helena

00:12:53 Don Allen, Granite and Powell Counties

00:13:22 Bob Gilbert, Aviation Trades Association

00:13:52 Ted Coffman, Madison County Commissioner

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:15:04

Closing by Sponsor:

00:36:12

REP. STAHL entered the room.

EXECUTIVE ACTION ON SJ 11

Motion: REP. JACOBSON moved that SJ 11 BE CONCURRED IN.

Discussion:

00:41:37

Motion: REP. HENDRICK moved that SJ 11 BE AMENDED.

Discussion:

00:42:00

[EXHIBIT](#) (loh74a02)

Vote: Motion carried unanimously by voice vote. REPS. CAMPBELL, DICKENSON, HARRIS and MAEDJE voted by proxy.

Motion/Vote: REP. BARRETT moved that SJ 11 BE CONCURRED IN AS AMENDED. Motion carried unanimously by voice vote. REPS. CAMPBELL, DICKENSON, HARRIS and MAEDJE voted by proxy. REP. JOPEK to carry.

EXECUTIVE ACTION ON SB 245

Motion: REP. HENDRICK moved that SB 245 BE CONCURRED IN.

Discussion:

00:50:07

Vote: Motion carried 17-1 by voice vote with REP. BARRETT voting no. REPS. CAMPBELL, DICKENSON, HARRIS and MAEDJE voted by proxy. REP. HENDRICK to carry.

EXECUTIVE ACTION ON SB 255

Motion: REP. OLSON moved that SB 255 BE CONCURRED IN.

Discussion:

00:53:54

Vote: Motion carried unanimously by voice vote. REPS. CAMPBELL, DICKENSON, HARRIS and MAEDJE voted by proxy. REP. MCNUTT to carry.

EXECUTIVE ACTION ON SB 301

Motion: REP. HENDRICK moved that SB 301 BE CONCURRED IN.

Discussion:

00:56:29

Vote: Motion carried 16-2 by voice vote with REP. MAEDJE and REP. MCGILLVRAY voting no. REPS. CAMPBELL and HARRIS voted by proxy. REP. STAHL to carry.

EXECUTIVE ACTION ON SB 409

Motion: REP. JACOBSON moved that SB 409 BE CONCURRED IN.

Discussion:

01:04:38

Substitute Motion/Vote: REP. MCALPIN made a substitute motion that SB 409 BE TABLED. Substitute motion carried 13-5 by roll call vote with REP. BARRETT, REP. HENDRICK, REP. JOPEK, REP. MCGILLVRAY, and REP. NOENNIG voting no. REPS. CAMPBELL and HARRIS voted by proxy.

EXECUTIVE ACTION ON SB 431

Motion: REP. JACOBSON moved that SB 431 BE CONCURRED IN.

Discussion:

01:25:22

Vote: Motion failed 5-13 by roll call vote with REP. ARNTZEN, REP. MACLAREN, REP. MCGILLVRAY, REP. NOENNIG, and REP. OLSON voting aye. REPS. CAMPBELL and HARRIS voted by proxy.

Motion/Vote: REP. HENDRICK moved that SB 431 BE TABLED AND THE VOTE REVERSED. Motion carried by voice vote. REPS. CAMPBELL and HARRIS voted by proxy.

ADJOURNMENT

Adjournment: 5:10 P.M.

REP. MARK E. NOENNIG, Chairman

KYANNE KELLY, Secretary

MN/kk

Additional Exhibits:

EXHIBIT ([loh74aad0.PDF](#))