

**BUSINESS REPORT**

**MONTANA SENATE  
61st LEGISLATURE - REGULAR SESSION**

**SENATE LOCAL GOVERNMENT COMMITTEE**

**Date:** Monday, February 16, 2009  
**Place:** Capitol

**Time:** 3:00 pm  
**Room:** 405

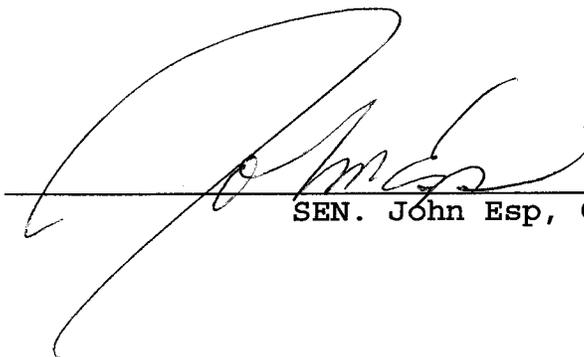
**BILLS and RESOLUTIONS HEARD:**

SB 369, SB 390, SB 392

**EXECUTIVE ACTION TAKEN:**

SB 365 ~ Tabled  
SB 390 ~ Do Pass  
SB 392 ~ Do Pass  
SB 345 ~ Do Pass As Amended

**COMMENTS:**



---

SEN. John Esp, Chairman

MONTANA STATE SENATE  
ROLL CALL  
LOCAL GOVERNMENT  
COMMITTEE

DATE: February 16, 2009

NAME	PRESENT	ABSENT/ EXCUSED
Chairman John Esp	✓	
Vice Chair Jeff Essmann		✓
Senator Gregory Barkus	✓	
Senator Ron Erickson	✓	
Senator Steve Gallus	✓	
Senator Kim Gillan	✓	
Senator Verdell Jackson	✓	
Senator Jesse Laslovich	✓	
Senator Bruce Tutvedt	✓	

**COMMITTEE FILE COPY**

**TABLED BILL**

The **SENATE LOCAL GOVERNMENT COMMITTEE** TABLED **SB 365**, by motion, on **Monday, February 16, 2009**.

  
\_\_\_\_\_  
(For the Committee)

  
\_\_\_\_\_  
(Secretary of the Senate)

10:10 2/17  
(Time) (Date)

February 17, 2009

Debra L. Polhemus, Secretary

Phone: 4685

---



**SENATE STANDING COMMITTEE REPORT**

**February 17, 2009**

**Page 1 of 1**

Mr. President:

We, your committee on **Local Government** recommend that **Senate Bill 390** (first reading copy -- white) **do pass**.

Signed: \_\_\_\_\_

*John Esp*  
Senator John Esp, Chair

- END -

**Committee Vote:**

**Yes 9, No 0**

Fiscal Note Required

SB0390001SC.smo

*ME*



**SENATE STANDING COMMITTEE REPORT**

**February 17, 2009**

**Page 1 of 1**

Mr. President:

We, your committee on **Local Government** recommend that **Senate Bill 392** (first reading copy -- white) **do pass**.

Signed: \_\_\_\_\_

*Senator John Esp, Chair*

- END -

**Committee Vote:**

**Yes 9, No 0**

Fiscal Note Required

SB0392001SC.smo

MD



**SENATE STANDING COMMITTEE REPORT**

February 17, 2009

Page 1 of 3

Mr. President:

We, your committee on **Local Government** recommend that **Senate Bill 345** (first reading copy -- white) **do pass as amended.**

Signed: \_\_\_\_\_

*Senator John Esp, Chair*

**And, that such amendments read:**

1. Page 2, lines 25 and 26.

**Strike:** "who" on line 25 through "regulations" on line 26

**Insert:** "within the proposed district"

2. Page 2, lines 27 and 28.

**Strike:** "area" on line 27 through "regulations" on line 28

**Insert:** "proposed district"

3. Page 3, line 16.

**Strike:** "(a)"

4. Page 3, line 24 through line 25.

**Strike:** subsection (6) (b) in its entirety

5. Page 4, line 10.

**Strike:** "1 year"

**Insert:** "6 months"

6. Page 4, line 11.

**Strike:** "The"

**Insert:** "Subject to the provisions of subsections (3) (c) and (3) (d), the"

**Committee Vote:**

Yes 7, No 2

Fiscal Note Required

SB0345001SC.smo

MD

7. Page 4, lines 22 through 24.

**Strike:** subsections (3)(a)(iv) and (3)(a)(v) in their entirety

**Renumber:** subsequent subsections

8. Page 4, lines 28 and 29.

**Strike:** ":" on line 28 through "(i)" on line 29

9. Page 4, line 30 through page 5, line 2.

**Strike:** "; and" on page 4, line 30 through "discretion" on page 5, line 2

10. Page 5, line 3.

**Following:** "(c)"

**Insert:** "(i)"

11. Page 5, lines 4 through 6.

**Strike:** "The" on line 4 through "adoption." on line 6

12. Page 5.

**Following:** line 6

**Insert:** "(ii) The interim zoning district or interim regulation remains in effect for 6 months from the date of adoption of the resolution under subsection (3)(c)(i). The board of county commissioners may adopt a resolution to extend the duration of the interim zoning district or interim regulation for an additional 1-year period if:

(A) not less than 60 days before conclusion of the 6-month period, the board holds a public hearing for which notice is provided as required in subsection (3)(a);

(B) at the public hearing the board gives the public an opportunity to be heard regarding extending the duration of the interim zoning district or interim regulation;

(C) for 30 days after the public hearing, the board accepts written protests to extending the duration of the interim zoning district or interim regulation as provided in subsection (3)(d); and

(D) protest is not sufficient to prevent extending the duration of the interim zoning district or interim regulation."

13. Page 5, line 7.

**Strike:** "adoption of the resolution to establish"

**Insert:** "the public hearing on extending the duration of"

14. Page 5, line 8.

**Strike:** "the creation"

**Insert:** "extending the duration"

15. Page 5, line 10.

**Strike:** "(A)"

16. Page 5, line 13.

**Strike:** "the establishment"

**Insert:** "extending the duration"

17. Page 5, line 14.

**Strike:** "resolution" through "void"

**Insert:** "board may not adopt a resolution to extend the duration of the interim zoning district or interim regulation and may not consider the area for inclusion in an interim zoning district or to be subject to an interim regulation for a period of 1 year"

18. Page 5, line 15 through line 19.

**Strike:** "(B)" on line 15 through "year." on line 19

- END -

ROLL CALL VOTE  
 LOCAL GOVERNMENT  
 COMMITTEE  
 MONTANA STATE SENATE

Date: 2/16/09

Bill No.: SB345

Motion: amend SB345

NAME <i>( 9 Members )</i>	AYE	NO	Proxy
Vice Chairman Jeff Essmann	✓		
Sen. Kim Gillan		✓	
Sen. Gregory Barkus	✓		
Sen. Ron Erickson		✓	
Sen. Steve Gallus		✓	
Sen. Verdell Jackson	✓		
Sen. Jesse Laslovich	✓		
Sen. Bruce Tutvedt	✓		
Chairman John Esp	✓		

VOTE: 6-3

# VISITORS REGISTER

## MONTANA SENATE LOCAL GOVERNMENT

Date: February 16, 2009 Bill No: SB 390

Sponsor(s): Sen. Dan McGee

*(Allow local government assistance from state)*

*Please print ~ Please print ~ Please print*

<b>NAME</b>	<b>REPRESENTING</b>	<i>Support</i>	<i>Oppose</i>	<i>Informt'l</i>
Alec Hansen	MLCT	✓		

*Please leave prepared testimony with Committee Secretary. Witness Statement forms are available if you prefer to submit written testimony.*



# VISITORS REGISTER

## MONTANA SENATE LOCAL GOVERNMENT

Date: February 16, 2009 Bill No: SB 369

Sponsor(s): Sen. John Esp

*(Revise county process and penalties for violations of noxious weed laws)*

*Please print ~ Please print ~ Please print*

NAME	REPRESENTING	Support	Oppose	Informat'l
Donna Rise	MT. DEPT. of AG			+
Mike McBirby	Beaverhead Co. # MACO	✓		
Pam Converse	Broadwater Co. Weed Dist.	✓		
Anne Grouse	BNSF		✓	
Rose Lloyd	self	✓		
Tim RAVNAAL	Self		✓	
Harold Blattes	MACO	✓		
Michael Backer	LEC County			✓
Mike Murphy	MT WATER RES. ASSN		X	

*Please leave prepared testimony with Committee Secretary. Witness Statement forms are available if you prefer to submit written testimony.*