

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: Chairwoman Elsie Arntzen, on February 19, 2009 at 3:00 P.M., in Room 172 Capitol

ROLL CALL

Members Present:

Rep. Elsie Arntzen, Chairwoman (R)
Rep. Betsy Hands, Vice Chairwoman (D)
Rep. Gary MacLaren, Vice Chairman (R)
Rep. Arlene Becker (D)
Rep. Gerald Bennett (R)
Rep. Tom Berry (R)
Rep. Robyn Driscoll (D)
Rep. Bob Ebinger (D)
Rep. Wanda Grinde (D)
Rep. Robin Hamilton (D)
Rep. Pat Ingraham (R)
Rep. Michael More (R)
Rep. Scott Reichner (R)
Rep. Michele Reinhart (D)
Rep. Diane Sands (D)
Rep. Wayne Stahl (R)
Rep. Gordon Vance (R)

Members Excused: Rep. Mike Menahan (D)

Members Absent: None

Staff Present: Katie Butcher, Committee Secretary
Joe Kolman, Legislative Branch

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 606, HB 455, HB 449, HB 466,
HB 524, HB 486, HB 620, HB 623,
HB 564
Executive Action: HB 606

00:00:05 Call to order

HEARING ON HB 606

Opening Statement by Sponsor:

00:03:13 Rep. Scott Mendenhall (R), HD 77, opened the hearing on HB 606, Prohibit zoning of land subject to conservation easement.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:04:14 Rep. Mendenhall

EXECUTIVE ACTION ON HB 606

00:04:31 **Motion/Vote:** Rep. Driscoll moved that **HB 606 BE TABLED.**
Motion carried 17-0 by voice vote.

HEARING ON HB 486

Opening Statement by Sponsor:

00:05:00 Rep. Gary MacLaren (R), HD 89, opened the hearing on HB 486, Generally revise land use and planning laws.

Proponents' Testimony:

00:06:35 Tim Davis, Montana Smart Growth Coalition

EXHIBIT(loh39a01)

00:12:43 Glenn Oppel, Montana Association of Realtors

EXHIBIT(loh39a02)

00:13:24 Denise Alexander, Missoula City Planning Office

00:14:21 Linda Stoll, Montana Association of Planners

00:14:50 Greg Sullivan, Planning Director, Gallatin County

00:15:24 Rick Hill, Montana Building Industry Association

00:15:49 Myra Shults, Montana Association of Counties

Opponents' Testimony:

00:17:06 Russell Crowder, American Dream Montana

Informational Testimony: None

Questions from Committee Members and Responses:

00:19:17 Rep. Ingraham
00:19:36 Ms. Shults
00:20:44 Chairwoman Arntzen
00:20:53 Mr. Davis
00:21:48 Rep. Ingraham
00:22:02 Mr. Davis

Closing by Sponsor:

00:22:54 Rep. MacLaren

HEARING ON HB 466

Opening Statement by Sponsor:

00:25:30 Rep. Paul Beck (D), HD 59, opened the hearing on
HB 466, Providing paid military leave for all public
employees.

EXHIBIT (loh39a03)

Proponents' Testimony:

00:29:12 Mark Ferro, Manufacturing and Mechanical Engineering
Technology
00:30:10 Alec Hansen, League of Cities and Towns

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:31:56 Rep. Ingraham
00:32:28 Mr. Hansen

Closing by Sponsor:

00:32:47 Rep. Beck

HEARING ON HB 455**Opening Statement by Sponsor:**

00:34:17 Rep. Michele Reinhart (D), HD 97, opened the hearing on
HB 455, Big sky rivers act.

EXHIBIT(loh39a04)

Proponents' Testimony:

00:39:43 Janet Ellis, Montana Audubon

00:44:39 Robert Lubbers, Billings, Montana Yellowstone River
Conservation Forum, Yellowstone Valley Audubon

EXHIBIT(loh39a05)

00:49:16 Hal Harper, Chief Policy Advisor, Office of the
Governor

00:53:38 Jim Rokosch, Ravalli County Commissioner

00:59:02 Carlotta Grandstaff, Ravalli County Commissioner

01:01:43 Carter Kruse, Montana Chapter, American Fisheries
Society

EXHIBIT(loh39a06)

01:07:47 Jeffrey Crouch

01:09:17 Rich Morrisey

01:10:35 Jack Mauer, Bitterroot Chapter, Trout Unlimited;
Ravalli County Fishing Outfitter

01:12:11 Linda Stoll, Montana Association of Planners

01:13:07 Brianna Randall, Clark Fork Coalition

EXHIBIT(loh39a07)

01:14:06 Scott Bossy, Greater Yellowstone Coalition

EXHIBIT(loh39a08)

01:14:51 Harry Murphy

01:15:15 Mark Aagenes, Montana Trout Unlimited

01:15:47 Chris Hunter, Administrator, Fisheries Division
Department of Fish, Wildlife and Parks (FWP)

EXHIBIT(loh39a09)

01:16:13 Daniel Viehland, University of Montana, Montana Public
Interest Group

01:16:45 Joe Gutkoski, President, Montana Rivers

01:17:41 Jacquelyn Corday, Montana Conservation Voters

01:18:17 Lynda Saul, Governor's Task Force for Riparian
Protection

01:18:56 Art Compton, Flathead Basin Commission

01:19:11 Susan Lubbers, Northern Plains Resource Council,
Billings, Montana

01:19:50 George Mathieus, Montana Department of Environmental
Quality

Opponents' Testimony:

01:20:21 Hertha Lund, Attorney, Whittich Law Firm; Bozeman, Montana

01:24:17 Liane Taylor, Helena Association of Realtors

01:25:30 Jim Greil

EXHIBIT (loh39a10)

01:29:01 Jean Williams

01:31:19 Tom Greil

01:33:08 Daniel Cox

01:36:41 Kevin Kelleher

EXHIBIT (loh39a11)

01:42:43 Greg Duncan

01:43:52 Rep. Dee Brown, HD 3, Hungry Horse, Montana

01:44:26 Charles Lapp

01:47:39 Greg Chilcott, Ravalli County Commissioner

01:51:14 Russell Crowder, American Dream Montana

01:55:02 Bill Gallagher, Clark Fork River Land Owner

01:56:59 J.R. Iman, Ravalli County Commissioner

02:01:34 Christopher Greil

02:02:46 Terri Daniel

02:03:51 Bill Myers, Bay Side Park and Marine Center

02:09:33 Niki Sardot, Ravalli County, Citizens for Property Rights

02:10:22 Jan Newman

02:11:24 Fred Hodgeboom, Montanans for Multiple Use

EXHIBIT (loh39a12)

02:13:48 Jan Wisniewski, Darby, Ravalli County Planning Board

02:15:22 Rex Svoboda, Missoula, Montana

EXHIBIT (loh39a13)

02:16:18 Glenn Oppel, Montana Realtors Association

EXHIBIT (loh39a14)

02:17:13 Dewey Baker

02:19:33 Jeff Patterson, Truro, Montana

02:22:54 Rep. Driscoll

02:24:00 Mr. Patterson

02:24:20 Bill Richter

02:25:43 Ken Donovan

EXHIBIT (loh39a15)

02:26:14 John Youngberg, Montana Farm Bureau, Montana Water Resources, Montana Agribusiness Association

02:26:33 Rick Hill, Montana Building Industry Association

02:27:07 Art Baker

02:27:43 Allen Right, Montana Multiple Use Association

02:28:39 Susanna Pyron, Florence, Montana

02:30:07 Robert Johnson, Montana American Federation of Labor -
Congress of Industrial Organizations (AFL-CIO); United
Steel Workers; Smurfit Stone Container; International
Brotherhood of Electrical Workers (IBEW) Local 233

EXHIBIT (loh39a16)

02:30:27 Jack Walsh, Helena Building Industry Association
02:31:49 John Swanson
02:32:51 Don Nicholson, Missoula, Montana
02:34:03 Joe Brenneman, Flathead County Commissioner
02:34:18 Jay Bodner, Montana Stockgrowers Association
02:34:38 Don Allen, Western Environmental Trade Association
02:35:25 Chuck Denowh, Terry Ryan, Flathead Business Industry
Association, Citizens for Balanced Use, United Property
Owners of Montana

EXHIBIT (loh39a17)

02:36:56 Dave Skinner, Kalispell, Montana

EXHIBIT (loh39a18)

02:37:41 Jimmy Canton
02:40:11 Mike Kvasnick, Bozeman, Montana
02:41:07 Toby Malsam, Great Falls Home Builders Association

Informational Testimony:

02:41:33 Kelly Casillas, Community Technical Assistance Program,
Chamber of Commerce

02:45:35 Break
02:55:54 Reconvene

Questions from Committee Members and Responses:

02:56:26 Rep. Ingraham
02:56:49 Ms. Ellis
02:59:29 Rep. Ingraham
02:59:50 Rep. Reinhart
03:00:58 Rep. Berry
03:01:28 Ms. Casillas
03:01:43 Ms. Ellis
03:02:36 Rep. Hands
03:03:31 Ms. Ellis
03:06:21 Rep. Hands
03:06:47 Rep. Reinhart

Closing by Sponsor:

03:09:59 Rep. Reinhart
03:13:41 Rep. Ingraham
03:13:52 Mr. Kolman

HEARING ON HB 449

Opening Statement by Sponsor:

03:14:34 Rep. Bill McChesney (D), HD 40, opened the hearing on
HB 449, Revise state and local government finance laws.

Proponents' Testimony:

03:16:34 Anna Miller, Financial Advisor, Department of Natural
Resources and Conservation

[EXHIBIT \(loh39a19\)](#)

[EXHIBIT \(loh39a20\)](#)

03:29:49 Walt Hill, Seeley Lake Water District

03:33:27 Steve Wade, Montana Rural Water Systems

03:33:52 Gary Forrester, Lockwood Water and Sewer District

Opponents' Testimony:

03:34:36 John Flink, Montana Hospital Association

Informational Testimony:

03:35:20 Dan Semmens, Missoula Office of Dorsey and Whitney

Questions from Committee Members and Responses:

03:38:47 Rep. Stahl

03:40:10 Mr. Semmens

03:45:53 Rep. Stahl

03:47:31 Mr. Semmens

Closing by Sponsor:

03:51:35 Rep. McChesney

HEARING ON HB 620

Opening Statement by Sponsor:

03:53:17 Rep. Mike Jopek (D), HD 4, opened the hearing on
HB 620, Authorize unincorporated areas to organize for
planning and providing services.

Proponents' Testimony:

03:57:43 Joe Brenneman, Flathead County Commissioner

[EXHIBIT \(loh39a21\)](#)

Opponents' Testimony:

04:05:15 Russell Crowder, American Dream Montana
04:07:27 Tim Davis, Montana Smart Growth Coalition
04:08:12 Charles Lapp
04:10:40 Rep. Scott Reichner, HD 9, Bigfork, Montana
04:12:21 Dave Skinner, Kalispell, Montana
04:14:52 Linda Stoll, Missoula County, Montana Association of
Planners
04:15:14 Bill Myers, Bigfork, Montana
04:15:55 John MacDonald, City of Missoula
04:16:05 Dustin Stewart, Montana Building Industry Association

Informational Testimony:

04:16:20 Debbie Jurcich, Property Assessment, Montana Department
of Revenue

Questions from Committee Members and Responses: None

Closing by Sponsor:

04:18:14 Rep. Jopek

HEARING ON HB 524

Opening Statement by Sponsor:

04:20:53 Rep. Michele Reinhart (D), HD 97, opened the hearing on
HB 524, Establish procedures and requirements for
county privatization of services.

Proponents' Testimony:

04:22:11 Terry Minow, MEA-MFT

Opponents' Testimony:

04:24:53 Greg Robertson, Public Works Director, Missoula County
04:34:31 Gary Spaeth, Montana Solid Waste Contractors
Association
04:35:15 Harold Blattie, Montana Association of Counties

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

04:35:44 Rep. Reinhart

HEARING ON HB 623

Opening Statement by Sponsor:

04:36:28 Rep. Mike Milburn (R), HD 19, opened the hearing on HB 623, Revise laws governing disposal of county and city land.

Proponents' Testimony:

04:37:17 Joe Briggs, Cascade County Commissioner
04:37:54 Harold Blattie, Montana Association Of Counties
04:38:10 Susan Jensen, Neighbor Works Great Falls
04:38:33 Dustin Stewart, Montana Building Industry Association
04:38:40 Mick Olson, Aware Montana Choice Coalition
04:39:06 Greg Chilcott, Ravalli County Commissioner
04:39:20 Joe Brenneman, Flathead County Commissioner
04:39:31 Alec Hansen, League of Cities and Towns

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

04:40:23 Rep. Milburn

HEARING ON HB 564

Opening Statement by Sponsor:

04:42:26 Rep. Bob Wagner (R), HD 71, opened the hearing on HB 564, Prohibit local government competition with private sector.

EXHIBIT (loh39a22)

Proponents' Testimony:

04:51:05 Greg Chilcott, Ravalli County Commissioner

Opponents' Testimony:

04:52:17 Gary Keiler, Butte/Silver Bow Public Works

04:55:43 Alec Hansen, League of Cities and Towns

04:57:47 John MacDonald, City of Missoula

04:59:20 Rep. Jon Sesso, HD 76, Butte, Montana

Informational Testimony: None

Questions from Committee Members and Responses:

05:01:57 Rep. More

Closing by Sponsor:

05:02:14 Rep. Wagner

05:06:49 Rep. Sands

05:07:02 Chairwoman Arntzen

ADJOURNMENT

05:07:08 Adjournment

Katie Butcher, Secretary

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Additional Documents:

EXHIBIT (loh39a23) Letters sent in regards to HB 455.

EXHIBIT (loh39a24) Now You Know - Production by FWP.

Additional Documents:

EXHIBIT (loh39aad.pdf)