

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: Chair Jon Sonju, on January 31, 2011 at 3:00 PM, in Room 405 Capitol

ROLL CALL

Members Present:

Sen. Jon Sonju, Chair (R)
Sen. Art Wittich, Vice Chair (R)
Sen. Shannon Augare (D)
Sen. Edward Buttrey (R)
Sen. Steven Gallus (D)
Sen. Lynda Moss (D)
Sen. Alan Olson (R)
Sen. Bruce Tutvedt (R)
Sen. Gene Vuckovich (D)

Members Excused: None

Members Absent: None

Staff Present:

Leanne Kurtz, Legislative Branch
Kirk Lundby, 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 191, 1/25/2011
Executive Action: SB 117 Do Pass As Amended
SB 155 Tabled
SB 162 Tabled
SB 163 Tabled
SB 164 Tabled
SB 180 Do Pass As Amended

HEARING ON SB 191

Opening Statement by Sponsor:

00:01:34 Sen. Ron Erickson (D), SD 47, opened the hearing on SB 191, Require septic system disclosure on property sale.

Proponents' Testimony:

00:05:22 Brianna Randall, representing the Clark Fork Coalition (CFC)

[EXHIBIT\(los24a01\)](#)

00:08:26 Steve Kilbreath, Subdivision Section Supervisor, Department of Environmental Quality (DEQ)

00:09:47 Sen. Gallus entered the committee room

00:10:50 Harold Blattie, representing the Montana Association of Counties (MACo)

00:12:55 Linda Stoll, representing the Association of Montana Public Health Officials and Missoula County

[EXHIBIT\(los24a02\)](#)

00:14:09 Larry Van Rinsum, representing himself

Opponents' Testimony:

00:15:17 Glenn Oppel, representing the Montana Association of Realtors (MAR)

[EXHIBIT\(los24a03\)](#)

[EXHIBIT\(los24a04\)](#)

[EXHIBIT\(los24a05\)](#)

Informational Testimony:

None

Questions from Committee Members and Responses:

00:24:22 Sen. Buttrey

00:25:36 Sen. Erickson

00:27:09 Sen. Buttrey

00:27:43 Sen. Erickson

00:28:37 Chairman Sonju

00:28:59 Sen. Erickson

00:29:24 Chairman Sonju

00:29:35 Sen. Erickson

00:30:33 Brianna Randall, (CFC)

00:31:38 Vice Chair Wittich

00:34:19 Sen. Erickson

00:35:24 Vice Chair Wittich

00:37:35 Sen. Erickson

Closing by Sponsor:

00:38:13 Sen. Erickson

EXECUTIVE ACTION ON SB 117

00:39:13 **Motion:** Sen. Olson moved that **SB 117 DO PASS.**

00:39:27 **Motion:** Sen. Olson moved that **SB 117 BE AMENDED.**
EXHIBIT(los24a06)

Discussion:

00:40:17 Leanne Kurtz, Legislative Services Division (LSD)

00:43:17 Sen. Gallus

00:43:54 Leanne Kurtz, (LSD)

00:44:14 Sen. Olson

00:44:47 Vice Chair Wittich

00:45:10 Sen. Olson

00:46:12 Vice Chair Wittich

00:46:21 Sen. Olson

00:46:34 Sen. Vuckovich

00:47:32 **Vote:** Motion carried 7-2 by voice vote with Sen. Moss and Sen. Vuckovich voting no.

00:47:55 **Motion:** Sen. Olson moved that **SB 117 DO PASS AS AMENDED.**

Discussion:

00:48:13 Sen. Moss

EXHIBIT(los24a07)

00:50:46 Sen. Vuckovich

00:52:19 Chairman Sonju

00:52:28 Sen. Augare

00:52:58 Sen. Olson

00:53:35 Leanne Kurtz

00:53:40 Sen. Olson

00:54:08 Vice Chair Wittich

00:55:35 Sen. Vuckovich

00:55:52 Sen. Olson

00:56:31 Sen. Vuckovich

00:57:28 Vice Chair Wittich

00:58:22 **Vote:** Motion carried 5-4 by roll call vote with Sen. Augare, Sen. Gallus, Sen. Moss and Sen. Vuckovich voting no.

EXECUTIVE ACTION ON SB 155

00:58:53 **Motion:** Sen. Olson moved that **SB 155 DO PASS.**

00:59:12 **Motion:** Sen. Moss moved that **SB 155 BE AMENDED.**
EXHIBIT(los24a08)

Discussion:

00:59:28 Sen. Moss
00:59:55 Leanne Kurtz
01:00:29 Sen. Moss

01:01:02 **Vote:** Motion carried unanimously by voice vote.

01:01:06 **Motion:** Sen. Moss moved that **SB 155 DO PASS AS AMENDED.**

Discussion:

01:01:15 Sen. Moss
01:01:37 Sen. Olson
01:01:47 Leanne Kurtz
01:01:53 Sen. Olson
01:02:50 Sen. Moss
01:03:26 Sen. Tutvedt
01:03:50 Sen. Gallus

01:04:32 **Vote:** Motion failed 4-5 by roll call vote with Sen. Augare, Sen. Gallus, Sen. Moss and Sen. Vuckovich voting aye.

01:05:22 **Motion/Vote:** Sen. Olson moved that **SB 155 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 162

01:05:43 **Motion/Vote:** Sen. Wittich moved that **SB 162 DO PASS.** Motion failed 3-6 by roll call vote with Sen. Augare, Sen. Moss and Sen. Vuckovich voting aye.

01:06:59 **Motion/Vote:** Sen. Tutvedt moved that **SB 162 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 163

01:07:13 **Motion:** Sen. Wittich moved that **SB 163 DO PASS.**

01:07:27 **Substitute Motion/Vote:** Sen. Tutvedt made a substitute motion that **SB 163 BE TABLED.** Substitute Motion failed 4-5 by roll call vote with Sen. Olson, Sen. Sonju, Sen. Tutvedt and Sen. Wittich voting aye.

Discussion:

01:09:01 Chairman Sonju

01:09:12 Sen. Olson

01:10:26 **Vote:** Motion failed 4-5 by roll call vote with Sen. Augare, Sen. Gallus, Sen. Moss and Sen. Vuckovich voting aye.

01:11:01 **Motion/Vote:** Sen. Tutvedt moved that **SB 163 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 164

01:11:20 **Motion:** Sen. Olson moved that **SB 164 DO PASS.**

01:11:47 **Motion:** Sen. Moss moved that **SB 164 BE AMENDED.**
[EXHIBIT\(los24a09\)](#)

Discussion:

01:12:15 Sen. Moss

[EXHIBIT\(los24a10\)](#)

01:15:00 **Vote:** Motion carried unanimously by voice vote.

01:15:12 **Motion:** Sen. Moss moved that **SB 164 DO PASS AS AMENDED.**

Discussion:

01:15:42 Sen. Tutvedt

01:16:02 Vice Chair Wittich

01:17:17 Sen. Olson

01:17:50 Sen. Gallus

01:18:06 Sen. Moss

01:18:32 Sen. Gallus

01:18:37 Sen. Moss

01:18:43 Sen. Vuckovich

01:19:44 **Vote:** Motion failed 3-6 by roll call vote with Sen. Augare, Sen. Gallus and Sen. Moss voting aye.

01:20:30 **Motion/Vote:** Sen. Olson moved that **SB 164 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 180

01:20:45 **Motion:** Sen. Olson moved that **SB 180 DO PASS.**

01:20:59 **Motion:** Sen. Wittich moved that **SB 180 BE AMENDED.**
EXHIBIT(los24a11)

Discussion:

01:21:12 _____ Chairman Sonju

01:22:38 Sen. Gallus

01:23:45 Chairman Sonju

01:24:19 Sen. Gallus

01:24:38 Leanne Kurtz

01:24:52 Vice Chair Wittich **WITHDRAWS MOTION TO AMEND.**

01:25:38 **Motion/Vote:** Sen. Gallus moved that **SB 180 BE AMENDED.** Motion carried
unanimously by voice vote.

EXHIBIT(los24a12)

01:25:49 **Motion/Vote:** Sen. Gallus moved that **SB 180 DO PASS AS AMENDED.** Motion
carried unanimously by voice vote.

01:26:14 Chairman Sonju

EXHIBIT(los24a13)

ADJOURNMENT

Adjournment:
01:27:45

Kirk Lundby, Secretary

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Additional Documents:

EXHIBIT([los24aad.pdf](#))