

## MINUTES

### MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION COMMITTEE ON LOCAL GOVERNMENT

**Call to Order:** Chair Jon Sonju, on March 2, 2011 at 3:00 PM, in Room 405 Capitol

#### ROLL CALL

##### **Members Present:**

Sen. Jon Sonju, Chairman (R)  
Sen. Art Wittich, Vice Chairman (R)  
Sen. Shannon Augare (D)  
Sen. Edward Buttrey (R)  
Sen. Lynda Moss (D)  
Sen. Alan Olson (R)  
Sen. Gene Vuckovich (D)

##### **Members Excused:**

Sen. Steven Gallus (D)  
Sen. Bruce Tutvedt (R)

##### **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: HB 39, 2/21/2011; HB 61, 2/21/2011; HB 62, 2/21/2011; SB 263, 2/24/2011  
Executive Action: HB 39 Do Concur  
HB 263 Do Concur

**HEARING ON HB 263**

**Opening Statement by Sponsor:**

00:01:23 Rep. Gordon Vance (R), HD 67, opened the hearing on HB 263, Revise county water and sewer district assessment law.

**Proponents' Testimony:**

00:02:43 Susan Swimley, representing the Four Corners County Water and Sewage District (FCCWSD)  
00:04:33 Nancy Flikkema, (FCCWSD)  
00:06:06 Harold Blattie, Executive Director, Montana Association of Counties (MACo)  
00:06:56 Steve Wade, representing Montana Rural Water Systems (MRWS)

**Opponents' Testimony:**

None

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

00:07:29 Vice Chair Wittich  
00:08:38 Susan Swimley, (FCCWSD)

**Closing by Sponsor:**

00:10:42 Rep. Vance

**HEARING ON HB 39**

**Opening Statement by Sponsor:**

00:11:07 Rep. Galen Hollenbaugh (D), HD 81, opened the hearing on HB 39, Revise statutes relating to military affairs.

**[EXHIBIT\(los47a01\)](#)**

**Proponents' Testimony:**

00:11:57 Brigadier General Brad Livingston, Assistant Adjutant General, Montana Air National Guard (MANG)  
00:13:06 Chief Master Sergeant (Ret.) Roger Hagan, representing the Enlisted Association of the Montana National Guard

**Opponents' Testimony:**

None

**Informational Testimony:**

00:14:38 Colonel James Moran, Legal Counsel, Montana National Guard (MTNG)

**Questions from Committee Members and Responses:**

None

**Closing by Sponsor:**

00:18:38 Rep. Hollenbaugh

**HEARING ON HB 61**

**Opening Statement by Sponsor:**

00:18:58 Rep. Gary MacLaren (R), HD 89, opened the hearing on HB 61, Allow local jurisdictions to set lower speed limits on unpaved roads.

**Proponents' Testimony:**

None

**Opponents' Testimony:**

00:20:21 Patrick Heffernan, representing the Montana Wood Products Association (MWPA)

00:23:20 Barry Stang, representing the Motor Carriers of Montana (MCM)

00:24:11 Cary Hegreberg, representing the Montana Contractors Association (MCA)

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

00:25:09 Sen. Olson

00:25:30 Rep. MacLaren

00:26:23 Vice Chair Wittich

00:27:11 Harold Blattie, (MACo)

00:27:57 Vice Chair Wittich

00:28:18 Rep. MacLaren

**Closing by Sponsor:**

00:28:34 Rep. MacLaren

**HEARING ON HB 62**

**Opening Statement by Sponsor:**

00:29:15 Rep. Gary MacLaren (R), HD 89, opened the hearing on HB 62, Repeal procedures to challenge municipal sewer system rates.

**Proponents' Testimony:**

00:30:05 Bill Gallagher, Chairman, Public Service Commission (PSC)

**EXHIBIT(los47a02)**

00:33:18 Steve Wade, representing the Montana Rural Water Systems (MRWS)

00:33:56 Alec Hansen, representing the Montana League of Cities and Towns (MLCT)

**Opponents' Testimony:**

None

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

00:35:25 Vice Chair Wittich

00:37:07 Bill Gallagher, (PSC)

00:39:12 Vice Chair Wittich

00:40:05 Bill Gallagher

00:40:10 Alec Hansen, (MLCT)

00:41:13 Vice Chair Wittich

**Closing by Sponsor:**

00:41:25 Rep. MacLaren

**EXECUTIVE ACTION ON HB 39**

00:42:04 **Motion/Vote:** Sen. Buttrey moved that **HB 39 BE CONCURRED IN**. Motion carried 8-0 by voice vote. Sen. Gallus voted by proxy. Sen. Buttrey will carry the bill.

**EXECUTIVE ACTION ON HB 263**

00:42:49 **Motion/Vote:** Sen. Olson moved that **HB 263 BE CONCURRED IN**. Motion carried 8-0 by voice vote. Sen. Gallus voted by proxy. Sen. Olson will carry the bill.

**Discussion:**

00:43:42 Sen. Olson

00:44:13 Leanne Kurtz, Legislative Services Division (LSD)  
00:44:29 Sen. Olson  
00:44:50 Sen. Buttrey  
00:46:03 Sen. Sonju

**ADJOURNMENT**

Adjournment:  
00:46:56

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Kirk Lundby, Secretary

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Additional Documents:

**EXHIBIT([los47aad.pdf](#))**