

## MINUTES

### MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON LOCAL GOVERNMENT

**Call to Order:** Chair Jon Sonju, on March 14, 2011 at 3:00 PM, in Room 317 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: HB 181, 3/7/2011; HB 338, 3/7/2011 HB 516, 3/7/2011;  
HB 542, 3/7/2011  
Executive Action: HB 181 Do Concur

**HEARING ON HB 181**

**Opening Statement by Sponsor:**

00:01:40 Rep. Elsie Arntzen (R), HD 53, opened the hearing on HB 181, Allow condo unit to be individually counted towards municipal zoning protest.

**Proponents' Testimony:**

00:04:37 John MacDonald, representing City of Missoula

**Opponents' Testimony:**

None

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

00:05:29 Sen. Tutvedt

00:06:01 Rep. Arntzen

**Closing by Sponsor:**

00:06:57 Rep. Arntzen

**EXECUTIVE ACTION ON HB 181**

00:07:50 **Motion/Vote:** Sen. Wittich moved that **HB 181 BE CONCURRED IN**. Motion carried unanimously by voice vote. Sen. Buttrey will carry the bill.

00:09:51 recess

00:14:45 reconvene

**HEARING ON HB 516**

**Opening Statement by Sponsor:**

00:15:38 Rep. Kris Hansen (R), HD 33, opened the hearing on HB 516, Limiting local ordinances to state protected classes.

**EXHIBIT(los57a01)**

**Proponents' Testimony:**

**EXHIBIT(los57a02)**

00:39:32 Written testimony of Brad Tschida presented to the committee  
Jeff Laszloffy, representing Montana Family Foundation (MFF)

00:43:50 Patti Kanduch, State Director, Concerned Women for America (CWA)

[\*\*EXHIBIT\(los57a03\)\*\*](#)

00:45:14 Jeanette Zentgraf, CWA

[\*\*EXHIBIT\(los57a04\)\*\*](#)

00:48:14 Sen. Augare objected

00:48:19 Sen. Sonju

00:48:32 Jeanette Zentgraf

00:49:31 Nancy Engebretson

[\*\*EXHIBIT\(los57a05\)\*\*](#)

00:52:43 Margaret Mullaly

00:53:48 John Meyer

00:55:51 Tom Baird, representing Lewis and Clark County Tea Party (LCCTP)

00:56:21 Sonja Quackenbush

00:59:58 Harris Himes, representing Montana Eagle Forum (MEF)

[\*\*EXHIBIT\(los57a06\)\*\*](#)

01:03:18 Donald Morton

01:03:29 Dallas Erickson, President, Montana Citizens for Decency through Law (MCDL)

[\*\*EXHIBIT\(los57a07\)\*\*](#)

01:06:01 Becky Stockton

01:06:46 Sen. Rowlie Hutton, SD 17

**Opponents' Testimony:**

[\*\*EXHIBIT\(los57a08\)\*\*](#)

Written testimony of Bryher Herak submitted to the committee

[\*\*EXHIBIT\(los57a09\)\*\*](#)

Written testimony of Melissa Kwasny submitted to the committee

[\*\*EXHIBIT\(los57a10\)\*\*](#)

Written testimony of Mary McKittrick submitted to the committee

[\*\*EXHIBIT\(los57a11\)\*\*](#)

Written testimony of Amy Ophus submitted to the committee

[\*\*EXHIBIT\(los57a12\)\*\*](#)

Written testimony of Nancy Daniels submitted to the committee

[\*\*EXHIBIT\(los57a13\)\*\*](#)

Packet from Transgender Legal Defense and Education Fund submitted to the committee

01:07:19 Rep. Ellie Hill, HD 94

01:11:51 Rep. Bryce Bennett, HD 92

01:13:11 John MacDonald, City of Missoula

[\*\*EXHIBIT\(los57a14\)\*\*](#)

01:14:20 Alec Hansen, representing Montana League of Cities and Towns (MLCT)

01:16:41 Niki Zupanic, representing American Civil Liberties Union (ACLU)

[\*\*EXHIBIT\(los57a15\)\*\*](#)

01:20:12 Pam Walzer, representing Missoula City Council

[\*\*EXHIBIT\(los57a16\)\*\*](#)

01:24:10 Jeffery Edmunds

[\*\*EXHIBIT\(los57a17\)\*\*](#)

01:26:07 Gregory Smith

[\*\*EXHIBIT\(los57a18\)\*\*](#)

01:27:24 Roberta Zenker

**EXHIBIT(los57a19)**

01:32:04 Stacy Ryan

01:34:24 Katherine Kountz, Bureau Chief, Montana Human Rights Bureau (MHRB)

01:35:32 Gary Stallings

01:36:06 Richard Wagner

01:37:05 Josh Crismore

**EXHIBIT(los57a20)**

01:37:44 Kim Leighton

**EXHIBIT(los57a21)**

01:38:16 Susan Reahard

**EXHIBIT(los57a22)**

01:38:36 Erin Scot

01:38:54 Acton Seibel

01:39:05 Yvonne Sorovacu

**EXHIBIT(los57a23)**

01:39:34 Tom Gocksch

01:39:53 Jennifer Sweten

**EXHIBIT(los57a24)**

01:40:06 Caitlin Copple

**EXHIBIT(los57a25)**

01:41:00 Sarah Olafson

01:41:13 Kourtney Demont

01:41:29 Ryan Morton

01:41:54 Daniel Viehland, Chairman, Montana Equality Now

**EXHIBIT(los57a26)**

01:42:19 Katherine Beckley

**EXHIBIT(los57a27)**

01:42:36 Molly Severtson

01:43:04 Melissa Fisher

**EXHIBIT(los57a28)**

01:43:36 Dustin Hankinson

01:44:31 Sam Grassy

01:44:45 Dustin Satterfield

01:44:59 Shan Mason

01:45:17 Page Cohn

01:45:25 Tess Dufrechou

01:45:40 Aneso Tihjita

01:45:58 Aaron Schaefer

01:46:40 Michael Gengler

01:47:25 Megan Wilkie

01:47:34 Kelsen Young, representing Montana Coalition Against Sexual and Domestic Violence (MCASDV)

01:48:36 Sen. Ron Erickson, SD 47

01:48:51 Alex Corcoran, representing Montana National Abortion and Reproductive Rights Action League (NARAL)

01:49:07 Kevin Hamm

01:49:20 Mija

01:49:31 Pete Shea, representing Parents Friends and Families of Lesbians and Gays (PFFLG)

**EXHIBIT(los57a29)**

01:49:50 Jamie Greer, representing Montana Human Rights Network (MHRN)

**EXHIBIT(los57a30)**

01:50:17 Kye Wever

01:50:43 Sen. Carol Williams, SD 46

**Informational Testimony:**

01:51:17 Linda Gryczan

**Questions from Committee Members and Responses:**

01:51:58 Sen. Moss  
 01:52:57 Pam Walzer, City of Missoula Council  
 01:53:58 Sen. Moss  
 01:54:18 Katherine Kountz, MHRB  
 01:55:38 Sen. Moss  
 01:55:51 Sen. Augare  
 01:56:42 Rep. Hansen  
 01:56:49 Sen. Augare  
 01:57:12 Niki Zupanic, ACLU  
 01:58:36 Sen. Vuckovich  
 01:59:28 Rep. Hansen  
 02:01:31 Sen. Vuckovich  
 02:02:11 Rep. Hansen  
 02:03:26 Vice Chair Wittich  
 02:04:28 Niki Zupanic  
 02:09:38 Vice Chair Wittich  
 02:10:23 Niki Zupanic  
 02:13:42 Sen. Tutvedt  
 02:14:11 Niki Zupanic  
 02:16:08 Sen. Tutvedt  
 02:17:37 Sen. Augare  
 02:18:14 Rep. Hansen  
 02:18:36 Sen. Augare  
 02:19:58 Rep. Hansen  
 02:20:35 Sen. Moss  
 02:21:12 Alec Hansen, MLCT  
 02:22:44 Vice Chair Wittich

**Closing by Sponsor:**

02:24:28 Rep. Hansen  
 02:33:17 Sen. Sonju  
  
 02:33:52 recess  
 02:45:16 reconvene

**HEARING ON HB 338**

**Opening Statement by Sponsor:**

02:45:23 Rep. John Esp (R), HD 61, opened the hearing on HB 338, Revise the document standards law.

**Proponents' Testimony:**

02:45:51 William Gowen, representing Montana Land Title Association (MLTA)

02:46:48 Linda Stoll, representing Montana Association of Clerks and Recorders (MACR)

**Opponents' Testimony:**

None

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

02:47:12 Sen. Olson

**Closing by Sponsor:**

02:47:40 Rep. Esp

**HEARING ON HB 542**

**Opening Statement by Sponsor:**

02:47:56 Rep. John Esp (R), HD 61, opened the hearing on HB 542, Revise subdivision and platting act.

**[EXHIBIT\(los57a31\)](#)**

**Proponents' Testimony:**

02:55:12 Glenn Oppel, representing Montana Association of Realtors (MAR)

03:02:38 Bill VanCanagan, MAR

03:04:28 Jason Joost

03:06:55 Jeanette Joost

03:08:03 Donald Morton

03:10:41 Paul Wilson

03:12:43 Niki Sardot

03:14:10 Ruth Link

**[EXHIBIT\(los57a32\)](#)**

03:16:59 Ken Jenkins

03:19:10 Jason Rice, representing Territorial Land Works

03:20:40 John Richards  
**EXHIBIT(los57a33)**  
 03:25:57 Shawn Avril  
 03:26:27 Mark Staples, representing Plum Creek Timber Company (PCTC)  
 03:26:50 Dustin Stewart, representing Montana Building Industry Association (MBIA)  
 03:27:28 Chuck Denowh, representing United Property Owners of Montana (UPOM)  
 03:27:50 Joe Roberts, Montana Association of Registered Land Surveyors (MARLS)  
 03:28:12 John Youngberg, representing Montana Farm Bureau Federation (MFBF)

**Opponents' Testimony:**

**EXHIBIT(los57a34)**

Written testimony of Gallatin County Commission presented to the committee  
 03:29:04 Maureen Conner, Commissioner, Granite County Commission  
 03:34:40 Ryan Morton

**EXHIBIT(los57a35)**

03:41:28 Jim Hart, Commissioner, Madison County Commission  
 03:43:19 Gail Vennes, Commissioner, Broadwater County Commission  
 03:44:38 Tara DePuy, representing Montana Association of Counties (MACo)  
 03:49:46 Bob Lane, Chief Legal Council, Fish Wildlife and Parks (FWP)  
 03:53:52 Jim Cusker  
 03:59:11 Paul Hubbard  
 04:02:58 Linda Stoll, representing Missoula County and Montana Association of Planners (MAP)  
 04:03:20 John MacDonald, representing City of Missoula  
 04:04:23 Derf Johnson, Montana Environmental Information Center (MEIA)  
 04:05:24 Harold Stepper, Planner, Jefferson County  
 04:07:27 Cliff Christiaens, Montana Farmers Union

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

04:08:45 Sen. Tutvedt  
 04:08:48 Linda Stoll, Missoula County and MAP  
 04:09:11 Sen. Tutvedt  
 04:09:59 Bob Lane, FWP  
 04:10:29 Sen. Tutvedt  
 04:11:02 Bob Lane  
 04:11:36 Chairman Sonju  
 04:11:49 Bob Lane  
 04:12:03 Sen. Moss  
 04:13:06 Bob Lane  
 04:14:17 Sen. Vuckovich  
 04:15:39 Rep. Esp  
 04:16:01 Sen. Vuckovich  
 04:18:17 Rep. Esp  
 04:18:47 Sen. Tutvedt

04:19:09 Vice Chair Wittich  
04:19:54 Ryan Morton  
04:20:32 Vice Chair Wittich  
04:20:38 Ryan Morton  
04:20:46 Vice Chair Wittich  
04:22:17 Rep. Esp  
04:23:46 Vice Chair Wittich  
04:24:41 Sen. Moss  
04:25:23 Linda Stoll

**Closing by Sponsor:**

04:27:40 Rep. Esp

**ADJOURNMENT**

Adjournment:  
04:31:27

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Kirk Lundby, Secretary

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Additional Documents:

**EXHIBIT([los57aad.pdf](#))**