

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: Chair Gary MacLaren, on March 29, 2011 at 3:00 PM, in Room 172
Capitol

ROLL CALL

Members Present:

Rep. Gary MacLaren, Chair (R)
Rep. Michael (Mike) More, Vice Chair (R)
Rep. Michele Reinhart, Vice Chair (D)
Rep. Liz Bangerter (R)
Rep. Dick Barrett (D)
Rep. Bryce Bennett (D)
Rep. Tom Berry (R)
Rep. Edward Greef (R)
Rep. Kris Hansen (R)
Rep. Pat Ingraham (R)
Rep. James Knox (R)
Rep. Steve Lavin (R)
Rep. Sue Malek (D)
Rep. Mary McNally (D)
Rep. Jerry O'Neil (R)
Rep. Matthew M. Rosendale Sr (R)
Rep. Derek Skees (R)
Rep. Wayne Stahl (R)
Rep. Kathy Swanson (D)
Rep. Gordon Vance (R)

Members Excused: None

Members Absent: None

Staff Present: Helen Thigpen, Legislative Branch
Phoebe Williams, 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 357, 3/24/2011; SB 359, 3/24/2011
Executive Action: SB 234, SB 298, SB 340, and SB 357

HEARING ON SB 357

Opening Statement by Sponsor:

00:01:35 Sen. Bradley Hamlett (D), SD 10, opened the hearing on SB 357, Revise laws for appointment and election of a resigning county commissioner.

Proponents' Testimony:

00:03:54 Sheryl Wood, Montana Association of Counties (MACo)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:05:05 Sen. Hamlett

HEARING ON SB 379

Opening Statement by Sponsor:

00:05:46 Sen. Alan Olson (R), SD 23, opened the hearing on SB 379, Generally revise county zoning laws.

Proponents' Testimony:

00:08:01 Mark Baker, Plumb Creek Timber Company

[EXHIBIT\(loh70a01\)](#)

[EXHIBIT\(loh70a02\)](#)

00:18:23 Dustin Stewart, Montana Building Industry Association

00:19:16 John Youngberg, Montana Farm Bureau Federation

00:20:39 Jerry Rice, Gallatin County

00:21:19 Scott Olson, Helena Sand and Gravel

00:23:00 Steve Wade, Montana Contractors Association

00:23:50 Chuck Denowh, United Property Owners Association

00:24:17 Bill VanCanagan, Plumb Creek Timber Co

Opponents' Testimony:

00:24:54 Linda Stoll, Montana Association of Planners, Missoula County

00:31:31 Dick Thweatt, Montana Smart Growth Association

[EXHIBIT\(loh70a03\)](#)

00:36:22 Jean Riley Eastgate Water and Sewer Board

00:38:21 Ann Hedges, Montana Environmental Information Center

Informational Testimony: None

Questions from Committee Members and Responses:

00:45:30 Rep. Moore

00:46:29 Dick Thweatt

00:46:41 Rep. Hansen
00:47:00 Mark Baker
00:47:49 Rep. Hansen
00:47:58 Mark Baker
00:48:30 Rep. Hansen
00:48:43 Mark Baker
00:48:47 Rep. Reinhart
00:49:11 Dick Thweatt
00:49:19 Rep. Reinhart
00:49:39 Rep. Reinhart
00:50:04 John Youngberg
00:50:26 Rep. Reinhart
00:50:49 Scott Olson
00:51:09 Rep. Reinhart
00:51:17 Scott Olson
00:51:30 Rep. Malek
00:52:04 Linda Stoll
00:52:44 Rep. Malek
00:52:52 Linda Stoll
00:54:29 Rep. Malek
00:54:52 Rep. MacLaren

Closing by Sponsor:

00:55:19 Sen. Olson

00:56:27 Recess
00:56:29 Reconvene

EXECUTIVE ACTION ON SB 298

00:56:30 Rep. MacLaren
00:57:38 Helen Thigpen

00:58:34 **Motion:** Rep. More moved that **SB 298 BE CONCURRED IN.**

Discussion:

00:58:40 Rep Reinhart

00:59:28 **Vote:** Motion carried unanimously by voice vote. Rep. Malek and Rep. Vance voted by proxy. Rep. Knox will carry the bill.

EXECUTIVE ACTION ON SB 340

0:59:57 Helen Thigpen

01:00:49 **Motion:** Rep. More moved that **SB 340 BE CONCURRED IN.**

01:01:00 **Motion:** Rep. Ingraham moved that **SB 340 BE AMENDED.**
[EXHIBIT\(loh70a04\)](#)

Discussion:

01:01:11 Helen Thigpen

01:01:38 **Vote:** Motion carried unanimously by voice vote. Rep. Malek and Rep. Vance voted by proxy.

01:01:56 **Motion/Vote:** Rep. More moved that **SB 340 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Rep. Malek and Rep. Vance voted by proxy. Rep. Knox will carry the bill.

EXECUTIVE ACTION ON SB 357

01:02:37 **Motion:** Rep. More moved that **SB 357 BE CONCURRED IN.**

Discussion:

01:02:50 Rep. Knox

01:03:17 Rep. Swanson

01:03:40 Helen Thigpen

01:03:53 Rep. Swanson

01:03:58 Rep. MacLaren

01:04:06 Rep. Moore

01:04:35 **Vote:** Motion carried unanimously by voice vote. Rep. Malek and Rep. Vance voted by proxy. Rep. Ingraham will carry the bill.

EXECUTIVE ACTION ON SB 234

01:05:12 Helen Thigpen

01:06:41 **Motion:** Rep. More moved that **SB 234 BE CONCURRED IN.**

01:06:47 **Motion:** Rep. More moved that **SB 234 BE AMENDED.**
[EXHIBIT\(loh70a05\)](#)

Discussion:

01:07:04 Helen Thigpen

01:07:18 Rep. Knox

01:07:37 Rep. Reinhart

01:07:44 Rep. Rosendale

01:07:52 Rep. Hansen

01:08:07 Helen Thigpen

01:09:28 Rep. Skees

01:09:40 Helen Thigpen

01:09:47 Rep. Stahl

01:09:50 Heln Thigpen

01:10:00 Rep. MacNally
01:10:26 Helen Thigpen
01:10:39 Rep. Stahl
01:10:46 Helen Thigpen
01:11:05 Rep. Stahl
01:12:43 Rep. Hansen
01:14:27 Rep. Berry
01:15:15 Helen Thigpen
01:15:34 Rep. Skees
01:16:17 Rep. MacLaren
01:16:24 Alec Hansen
01:18:02 Rep. Knox
01:18:17 Alec Hansen
01:18:56 Rep. Skees
01:19:09 Alec Hansen
01:20:10 Rep. Hansen
01:21:00 Rep. MacLaren
01:21:19 Gary Spaeth
01:22:23 Rep. Reinhart
01:22:49 Alec Hansen
01:23:12 Rep. Knox

01:23:30 **Motion:** Rep. Knox moved that **NUMBER 7 OF THE AMENDMENT BE SEGREGATED AND VOTED ON SEPARATELY.**

Discussion:

01:23:52 Rep. O'Neil
01:24:04 Rep. MacLaren
01:24:17 Rep Knox

01:24:30 **Vote:** Motion failed 4-14 by voice vote of those present and voting with Rep. Knox, Rep. Lavin, Rep. O'Neil and Rep. Stahl voting aye.

01:24:50 Rep. Stahl
01:25:16 Rep. MacLaren
01:26:10 Rep Berry

01:26:21 **Vote:** Motion carried 19-1 by roll call vote with Rep. Stahl voting no. Rep. Malek and Rep. Vance voted by proxy.

01:27:32 **Motion:** Rep. More moved that **SB 234 BE CONCURRED IN AS AMENDED.**

Discussion:

01:27:42 Rep. Hansen
01:28:03 Rep. Reinhart
01:28:42 Rep. MacLaren

01:28:49 **Vote:** Motion carried 18-2 by voice vote with Rep. Reinhart and Rep. Stahl voting no. Rep. Malek and Rep. Vance voted by proxy. Rep. Hansen will carry the bill.

ADJOURNMENT

Adjournment: 01:29:49

Phoebe Williams, Secretary

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Additional Documents:

EXHIBIT([loh70aad.pdf](#))