

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: Chair Liz Bangerter, on January 22, 2013 at 3:00 PM, in Room 172
Capitol

ROLL CALL

Members Present:

Rep. Liz Bangerter, Chair (R)
Rep. Steve Fitzpatrick, Vice Chair (R)
Rep. Kathy Swanson, Vice Chair (D)
Rep. Tom Berry (R)
Rep. Clarena Brockie (D)
Rep. Amanda Curtis (D)
Rep. Roger A. Hagan (R)
Rep. Steve Lavin (R)
Rep. Mary McNally (D)
Rep. Jonathan McNiven (R)
Rep. David (Doc) Moore (R)
Rep. Jerry O'Neil (R)
Rep. Casey Schreiner (D)
Rep. Tom Steenberg (D)
Rep. Daniel Zolnikov (R)

Members Excused: Rep. Pat Ingraham (R)
Rep. Nicholas Schwaderer (R)
Rep. Nancy Wilson (D)

Members Absent: None

Staff Present: Ginger Aldrich, Legislative Branch
Sally Speer, 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 154, 1/11/2013; HB 156, 1/17/2013; HB 194, 1/17/2013

00:19:02 Rep Bangerter
[EXHIBIT\(loh13a01\)](#)
00:19:24 Rep. O' Neil
00:19:34 Chair Bangerter
00:19:39 Rep. O'Neil
00:20:07 Chair Bangerter

EXECUTIVE ACTION ON HB 193

00:20:24 Chair Bangerter

00:20:29 **Motion/Vote:** Rep. Fitzpatrick moved that **HB 193 DO PASS**. Motion carried unanimously by voice vote. Rep. Ingraham, Rep. Schwaderer and Rep. Wilson voted by proxy.

EXECUTIVE ACTION ON HB 202

00:22:07 **Motion:** Rep. Fitzpatrick moved that **HB 202 DO PASS**.

Discussion:

00:22:22 Rep Berry
00:22:27 Rep. Hagan
00:23:07 Rep. Berry

00:23:14 **Vote:** Motion carried unanimously by voice vote. Rep. Ingraham, Rep. Schwaderer and Rep. Zolnikov voted by proxy.

EXECUTIVE ACTION ON HB 169

00:23:40 Chair Bangerter

00:23:48 **Motion:** Rep. Fitzpatrick moved that **HB 169 DO PASS**.

Discussion:

00:23:50 Chair Bangerter
[EXHIBIT\(loh13a02\)](#)

00:24:39 **Motion:** Rep. Berry moved that **HB 169 BE AMENDED**.

Discussion:

00:25:09 Chair Bangerter
00:25:14 Rep. Berry
00:25:44 Ginger Aldrich, Legislative Services Division,(LSD)
00:25:47 Rep. Berry
00:25:50 Ms. Aldrich, (LSD)
00:25:56 Rep. O'Neil
00:26:10 Chair Bangerter
00:26:15 Rep. O'Neil

- 00:27:14 **Vote:** Motion carried 17-1 by voice vote with Rep. O'Neil voting no. Rep. Ingraham, Rep. Schwaderer and Rep. Zolnikov voted by proxy.
- 00:27:22 **Motion/Vote:** Rep. Fitzpatrick moved that **HB 169 DO PASS AS AMENDED**. Motion carried unanimously by voice vote. Rep. Ingraham, Rep. Schwaderer and Rep. Zolnikov voted by proxy.
- 00:28:22 Rep. Bangerter
- 00:28:46 Rep. Moore
- 00:29:16 Rep. Ingraham entered the meeting.

HEARING ON HB 154

Opening Statement by Sponsor:

- 00:29:31 Rep. David (Doc) Moore (R), HD 91, opened the hearing on HB 154, Enable county attorney to act as legal advisor to irrigation board if requested.

EXHIBIT(loh13a03)

- 00:33:07 Chair Bangerter
- 00:33:19 Rep Moore

Proponents' Testimony:

- 00:33:27 Mike Murphy, Montana Water Resources Association (MWRA)
- 00:34:39 Chair Bangerter

Opponents' Testimony:

- 00:34:48 Larry Epstein, Montana County Attorneys Association (MCAA)

EXHIBIT(loh13a04)

- 00:37:54 Chair Bangerter

Informational Testimony: None

Questions from Committee Members and Responses:

- 00:38:14 Rep. Bangerter
- 00:38:18 Rep. McNally
- 00:38:28 Mr. Epstein, MCAA
- 00:38:45 Rep. McNally
- 00:38:56 Mr. Epstein, MCAA
- 00:39:20 Chair Bangerter
- 00:39:27 Rep. Ingraham
- 00:39:32 Rep. Moore
- 00:39:37 Rep. Ingraham
- 00:39:41 Rep. Moore
- 00:40:07 Rep. Ingraham
- 00:40:49 Rep. Moore
- 00:41:54 Chair Bangerter
- 00:42:01 Rep. Lavin
- 00:42:15 Rep. Bangerter
- 00:42:34 Rep. Zolnikov entered the meeting.
- 00:42:51 Chair Bangerter

00:44:55 Maureen Connor, Montana Association of Counties, (MACo)
00:46:42 Chair Bangerter
00:46:52 Rep. Berry
00:47:13 Chair Bangerter

Closing by Sponsor:

00:47:19 Rep. Moore

HEARING ON HB 156

Opening Statement by Sponsor:

00:47:41 Rep. David (Doc) Moore (R), HD 91, opened the hearing on HB 156, Revise local government laws related to municipal zoning.

[EXHIBIT\(loh13a05\)](#)

[EXHIBIT\(loh13a06\)](#)

[EXHIBIT\(loh13a07\)](#)

00:50:23 Chair Bangerter

Proponents' Testimony:

00:52:34 John Wilkins, Member, Missoula City Council
00:57:51 Chair Bangerter
00:57:55 Paul Sopko, Self
01:01:14 Lyn Hellegaard, Self
01:04:36 Chair Bangerter
01:04:57 Marcia Frey, Self
01:06:13 Chair Bangerter
01:06:17 Linda Frey, Self
01:10:01 Chair Bangerter

Opponents' Testimony:

01:10:19 Casey Perkins, Montana Smart Growth Coalition (MSGC)
01:14:35 Kate Choleva, City of Missoula
01:16:03 Rep. Brockie left the meeting.
01:16:16 Ms. Choleva, City of Missoula

[EXHIBIT\(loh13a08\)](#)

01:18:31 Alec Hansen, Montana League of Cities and Towns (MLCT).
01:21:13 Chair Bangerter
01:21:18 Amy Fisher, Montana Association of Realtors (MAR)
01:22:03 Jim Smith, Montana Association of Planners (MAP)

[EXHIBIT\(loh13a09\)](#)

01:24:08 Chair Bangerter

Informational Testimony: None

Questions from Committee Members and Responses:

01:24:36 Rep Swanson
01:24:40 Ms. Hellegaard, Self
01:24:47 Rep. Swanson
01:25:00 Ms. Hellegaard, Self
01:25:31 Rep. Swanson

01:25:33 Ms. Hellegaard, Self
 01:25:42 Rep. Ingraham
 01:25:46 Rep. Moore
 01:25:52 Rep. Ingraham
 01:26:19 Rep. Moore
 01:26:22 Rep. Wilson
 01:26:50 Rep. Moore
 01:26:53 Rep. Wilson
 01:26:56 Rep. Moore
 01:28:57 Chair Bangerter
 01:29:01 Rep. Schreiner
 01:29:07 Rep. Moore
 01:29:17 Rep. Schreiner
 01:29:44 Rep. Moore
 01:30:18 Chair Bangerter
 01:30:22 Rep. McNally
 01:30:34 Mr. Smith, MAP
 01:31:10 Rep. McNally
 01:31:17 Mr. Smith, MAP
 01:32:30 Rep. McNally

Closing by Sponsor:

01:32:40 Rep. Moore

HEARING ON HB 194**Opening Statement by Sponsor:**

01:33:06 Rep. Pat Ingraham (R), HD 13, opened the hearing on HB 194, Revise gasoline and vehicle fuel tax fund laws.

EXHIBIT(loh13a10)**Proponents' Testimony:**

01:35:18 Bob Gilbert, Representing Glendive, Dawson County, Rosebud County, and Musselshell County.
 01:36:32 Chair Bangerter
 01:36:37 Greg Chilcott, Ravalli County Commissioner, Montana Association of Counties (MACo)

EXHIBIT(loh13a11)

01:39:19 Alec Hansen, MLCT
 01:42:26 Gordon Morris, Public Works Director, Lewis and Clark County
 01:43:04 Ed Bartlett, City of Billings
 01:43:48 Kate Choleva, City of Missoula

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:44:35 Chair Bangerter
 01:44:41 Rep. Ingraham

01:44:46 Chair Bangerter

01:44:53 Rep. Ingraham

01:47:17 Chair Bangerter

Closing by Sponsor:

01:47:23 Rep. Ingraham

01:47:39 Chair Bangerter

01:48:34 Rep. Ingraham

01:49:05 Chair Bangerter

ADJOURNMENT

Adjournment: 01:49:05

Sally Speer, Secretary

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Additional Documents:

EXHIBIT([loh13aad.pdf](#))