

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: Chair Liz Bangerter, on January 24, 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. Amanda Curtis (D)
Rep. Roger A. Hagan (R)
Rep. Pat Ingraham (R)
Rep. Steve Lavin (R)
Rep. David (Doc) Moore (R)
Rep. Jerry O'Neil (R)
Rep. Casey Schreiner (D)
Rep. Nicholas Schwaderer (R)
Rep. Tom Steenberg (D)
Rep. Nancy Wilson (D)
Rep. Daniel Zolnikov (R)

Members Excused: Rep. Tom Berry (R)
Rep. Clarena Brockie (D)
Rep. Mary McNally (D)
Rep. Jonathan McNiven (R)

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 208, 1/17/2013; HB 231, 1/17/2013; HB 245 1/21/2013
Executive Action: HB 154; HB 194

00:00:01 Chair Bangerter

EXECUTIVE ACTION ON HB 154

00:03:24 **Motion:** Rep. Fitzpatrick moved that **HB 154 DO PASS.**

00:03:43 Chair Bangerter

00:03:48 **Motion:** Rep. D. Moore moved that **HB 154 BE AMENDED.**
EXHIBIT(loh15a01)

Discussion:

00:05:20 Chair Bangerter
00:05:35 Rep. Fitzpatrick
00:05:55 Rep Brockie entered the meeting.
00:06:27 Chair Bangerter
00:06:30 Rep. Brockie
00:06:36 Rep. Moore
00:06:40 Rep. Brockie
00:07:01 Rep. Moore
00:07:23 Rep. McNally entered the meeting.
00:07:44 Rep. Brockie
00:07:47 Chair Bangerter
00:07:55 Rep. Wilson
00:08:15 Rep. Moore
00:08:30 Chair Bangerter
00:08:51 Rep. Swanson
00:08:57 Chair Bangerter
00:08:59 Rep. Lavin
00:09:08 Chair Bangerter
00:09:16 Rep. Curtis
00:10:00 Rep. Moore
00:10:05 Chair Bangerter
00:10:13 Rep. Ingraham
00:11:28 Chair Bangerter
00:11:32 Rep. Schreiner
00:11:34 Rep. McNiven entered the meeting.
00:11:53 Rep. Ingraham
00:12:19 Chair Bangerter
00:12:21 Rep. Brockie
00:14:47 Rep. O'Neil
00:14:51 Chair Bangerter
00:14:54 Rep. McNally
00:15:09 Rep. Moore
00:15:12 Rep. McNally
00:15:26 Rep. Moore
00:15:47 Rep. McNally
00:15:57 Chair Bangerter

00:16:17 **Vote:** Motion carried 16-2 by roll call vote with Rep. Brockie and Rep. Swanson voting no. Rep. Berry voted by proxy.

00:16:48 Chair Bangerter

00:17:52 **Motion:** Rep. Fitzpatrick moved that **HB 154 DO PASS AS AMENDED.**

Discussion:

00:18:05 Chair Bangerter

00:18:12 Rep. Wilson

00:18:44 Harold Blattie, Montana Association of Counties (MACo)

00:21:50 Chair Bangerter

00:21:55 Rep. Schwaderer

00:22:24 Mr. Blattie, MACo

00:22:36 Chair Bangerter

00:23:52 **Vote:** Motion carried 16-2 by roll call vote with Rep. Swanson and Rep. Zolnikov voting no. Rep. Berry voted by proxy.

00:24:00 Chair Bangerter

EXECUTIVE ACTION ON HB 194

00:24:10 Chair Bangerter

00:24:19 **Motion:** Rep. Ingraham moved that **HB 194 DO PASS.**

Discussion:

00:25:07 Chair Bangerter

EXHIBIT(loh15a02)

00:25:57 Rep. Ingraham

00:26:00 Mr. Blattie, MACo

00:26:04 Rep. Ingraham

00:26:16 Mr. Blattie, MACo

00:27:25 Rep. Ingrham

00:27:38 Chair Bangerter

00:27:47 **Vote:** Motion carried 14-4 by roll call vote with Rep. Bangerter, Rep. Fitzpatrick, Rep. Lavin and Rep. Schwaderer voting no. Rep. Berry voted by proxy.

00:29:32 Chair Bangerter

Discussion on HB 156

00:30:02 Chair Bangerter

00:29:52 Ginger Aldrich, Legislative Services Division (LEG)

00:36:07 Chair Bangerter

00:36:39 Rep. Moore

00:36:58 Chair Bangerter

00:37:07 Ms. Aldrich, LEG

00:37:14 Rep. Moore
EXHIBIT(lah15a03)
00:37:51 Chair Bangerter
00:37:57 Rep. O'Neil
00:38:20 Chair Bangerter
00:39:45 Rep. Wilson
00:39:17 Chair Bangerter
00:39:21 Rep. Wilson
00:39:57 Ms. Aldrich, LEG
00:40:25 Rep. Moore
00:40:49 Chair Bangerter
00:40:53 Rep. Schwaderer
00:41:25 Chair Bangerter
00:41:42 Rep. O'Neil
00:41:45 Ms. Aldrich, LEG
00:41:49 Rep. O'Neil
00:42:01 Ms. Aldrich, LEG
00:42:40 Chair Bangerter
00:42:43 Rep. Wilson
00:43:40 Chair Bangerter
00:43:44 Ms. Aldrich, LEG
00:44:04 Chair Bangerter
00:44:08 Rep. O'Neil
00:44:30 Ms. Aldrich, LEG
00:44:50 Rep. O'Neil
00:44:59 Chair Bangerter
00:45:03 Rep. McNiven
00:46:23 Chair Bangerter
00:46:28 Rep. Steenberg
00:46:46 Rep. Moore
00:47:22 Rep. Steenberg
00:47:26 Chair Bangerter
00:47:33 Rep. Steenberg
00:47:54 Rep. Moore
00:48:03 Chair Bangerter
00:48:06 Rep. Zolnikov
00:48:50 Chair Bangerter

00:49:07 Recessed.
00:55:56 Reconvened.

HEARING ON HB 245

Opening Statement by Sponsor:

00:56:36 Rep. Champ Edmunds (R), HD 100, opened the hearing on HB 245, Authorize counties to dedicate park land.
00:57:16 Chair Bangerter

Proponents' Testimony:

00:57:21 Barbara Howell, Missoula Horsemen Council

EXHIBIT(loh15a04)

00:58:29 Mr. Blattie, MACo
00:59:58 Chair Bangerter
01:00:02 Linda Stoll, Missoula County

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:00:54 Chair Bangerter
01:01:00 Rep. McNiven
01:01:04 Mr. Blattie, MACo
01:01:11 Rep. McNiven
01:01:27 Mr. Blattie, MACo
01:02:17 Rep. McNiven
01:03:20 Mr. Blattie, MACo
01:03:39 Rep. McNiven
01:03:43 Mr. Blattie, MACo
01:03:46 Rep. Zolnikov
01:03:52 Mr. Blattie, MACo
01:05:19 Rep. Zolnikov
01:05:23 Chair Bangerter
01:05:25 Rep. Zolniko
01:05:33 Mr. Blattie, MACo
01:05:58 Rep. Zolnikov
01:06:03 Mr. Blattie, MACo
01:06:17 Chair Bangerter
01:06:29 Rep. Moore
01:06:31 Rep. Edmonds

Closing by Sponsor:

01:06:47 Rep. Edmonds
01:07:37 Chair Bangerter

HEARING ON HB 208**Opening Statement by Sponsor:**

01:07:52 Rep. Jerry O'Neil (R), HD 3, opened the hearing on HB 208, Providing immunity for solid waste management system.

Proponents' Testimony:

01:12:14 Mr. Blattie, MACo
01:13:49 Chair Bangerter

Opponents' Testimony:

01:14:05 Al Smith, Montana Trail Lawyers Association (MTLA)

EXHIBIT(loh15a05)

01:18:58 Chair Bangerter

Informational Testimony: None

Questions from Committee Members and Responses:

01:19:11 Chair Bangerter
01:19:14 Rep. Moore
01:19:43 Rep. O'Neil
01:19:58 Chair Bangerter
01:20:02 Rep. Moore
01:20:16 Rep. O'Neil
01:20:35 Chair Bangerter
01:20:51 Rep. O'Neil
01:20:55 Rep. Berry entered the meeting.

Closing by Sponsor:

01:21:05 Rep. O'Neil

01:23:01 Recessed.
01:24:03 Reconvened.

HEARING ON HB 231

Opening Statement by Sponsor:

01:24:29 Rep. Brian Hoven (R), HD 24, opened the hearing on HB 231, Revise local government compensation laws related to county sheriff deputies.

EXHIBIT(loh15a06)

01:25:50 Chair Bangerter

Proponents' Testimony:

01:29:43 Mr. Blattie, MACo
01:32:09 Chair Bangerter

Opponents' Testimony:

01:32:17 Jim Smith, Montana Sheriffs and Peace Officers Association (MSPOA)
EXHIBIT(loh15a07)
01:36:53 Vern Burdick, MSPOA
01:38:53 John Forkan, American Federation of State and County Municipal Employees (AFSCME)
01:40:32 Chris Hoffman, Ravalli County Sheriff, MSPOA
01:43:43 Chair Bangerter
01:43:48 Quint Nyman, Montana Public Employees Association (MPEA)
01:45:09 J. D. Lynch, Teamsters Union, #2
01:46:40 Perry Johnson, Ravalli County Sheriff, MSPOA
01:57:10 Chair Bangerter
01:57:22 Leo Dutton, Lewis and Clark County Sheriff
01:58:08 Chair Bangerter

Informational Testimony: None

Questions from Committee Members and Responses:

01:58:31 Chair Bangerter

01:58:37 Rep. Moore
01:58:44 Chair Bangerter
01:58:53 Rep. Moore
01:58:55 Sheriff Hoffman, MSPOA
01:59:02 Rep. Bangerter
01:59:05 Rep. Berry
01:59:13 Rep. Hoven
01:59:18 Rep. Berry
01:59:43 Rep. Hoven
02:01:38 Rep. Berry
02:01:41 Rep. Bangerter
02:01:44 Rep. Berry
02:01:54 Rep. Hoven
02:02:00 Rep. Steenberg
02:02:05 Mr. Nyman, MPEA
02:02:19 Rep. Steenberg
02:02:25 Mr. Nyman, MPEA
02:02:53 Rep. Berry
02:03:00 Chair Bangerter
02:03:04 Rep. Berry
02:03:12 Mr. Nyman, MPEA
02:03:45 Rep. Berry
02:03:49 Mr. Nyman, MPEA
02:04:00 Rep. Berry
02:04:02 Mr. Nyman, MPEA
02:04:14 Rep. Berry
02:04:22 Rep. Lavin
02:04:24 Rep. Hoven
02:04:36 Rep. Lavin
02:04:46 Rep. Hoven
02:05:03 Rep. Lavin
02:05:08 Mr. Blattie, MACo
02:05:53 Rep Lavin
02:06:10 Mr. Blattie, MACo
02:06:40 Rep. Lavin
02:06:51 Mr. Blattie, MACo
02:07:53 Chair Bangerter
02:08:03 Mr. Burdick, MSPOA
02:08:10 Chair Bangerter
02:08:21 Mr. Burdick, MSPOA
02:08:32 Mr. Burdick, MSPOA
02:08:36 Chair Bangerter
02:08:40 Mr. Burdick, MSPOA
02:08:56 Chair Bangerter

Closing by Sponsor:

02:09:04 Rep. Hoven

EXHIBIT(loh15a08)

02:10:10 Chair Bangerter

ADJOURNMENT

Adjournment: 02:12:47

Sally Speer, Secretary

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Additional Documents:

EXHIBIT([loh15aad.pdf](#))