

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: Chair Liz Bangerter, on January 29, 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. Pat Ingraham (R)
Rep. Steve Lavin (R)
Rep. Jonathan McNiven (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. Mary McNally (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 246, 1/22/2013; HB 258, 1/22/2013
Executive Action: HB 245, HB 208, HB 156

EXECUTIVE ACTION ON HB 245

00:03:12 Chair Bangerter

00:03:30 **Motion:** Rep. Fitzpatrick moved that **HB 245 DO PASS.**

00:03:36 Chair Bangerter

00:03:42 **Motion/Vote:** Rep. Fitzpatrick moved that **HB 245 BE AMENDED.** Motion carried unanimously by voice vote. Rep. McNally voted by proxy.

EXHIBIT(loh19a01)

00:04:44 **Motion/Vote:** Rep. Fitzpatrick moved that **HB 245 DO PASS AS AMENDED.** Motion carried unanimously by voice vote. Rep. McNally voted by proxy.

00:04:57 Rep. McNally entered the meeting.

EXECUTIVE ACTION ON HB 208

00:05:22 **Motion:** Rep. Fitzpatrick moved that **HB 208 DO PASS.**

00:05:34 **Motion/Vote:** Rep. O'Neil moved that **HB 208 BE AMENDED.** Motion carried 17-1 by voice vote with Rep. Schwaderer voting no.

EXHIBIT(loh19a02)

00:07:18 **Motion/Vote:** Rep. Fitzpatrick moved that **HB 208 DO PASS AS AMENDED.** Motion carried unanimously by roll call vote.

EXECUTIVE ACTION ON HB 156

00:08:49 **Motion:** Rep. Fitzpatrick moved that **HB 156 DO PASS.**

00:09:45 **Motion:** Rep. D. Moore moved that **HB 156 BE AMENDED.**

EXHIBIT(loh19a03)**Discussion:**

00:13:19 Rep. O'Neil

00:13:23 Rep. Wilson

00:13:48 Chair Bangerter

00:13:52 **Vote:** Motion failed 9-9 by roll call vote with Rep. Bangerter, Rep. Berry, Rep. Fitzpatrick, Rep. Hagan, Rep. Ingraham, Rep. Lavin, Rep. McNiven, Rep. Moore and Rep. Zolnikov voting aye.

00:15:42 **Motion:** Rep. O'Neil moved that **HB 156 BE AMENDED.**

EXHIBIT(loh19a04)

Discussion:

00:16:51 Chair Bangerter
00:16:55 Rep. Wilson
00:17:02 Rep. O'Neil
00:17:53 Rep. Wilson
00:18:12 Rep. O'Neil
00:18:18 Chair Bangerter
00:18:53 Rep. O'Neil
00:18:58 Chair Bangerter
00:19:07 Rep. Swanson
00:19:36 Chair Bangerter
00:19:40 Rep. McNally
00:20:08 Rep. Fitzpatrick
00:20:13 Rep. Moore

00:22:17 **Vote:** Motion failed 3-15 by roll call vote with Rep. O'Neil, Rep. Schwaderer and Rep. Zolnikov voting aye.

00:22:22 Rep. Curtis
00:23:00 Rep. O'Neil
00:23:12 Chair Bangerter

00:23:17 **Vote:** Motion failed 5-13 by roll call vote with Rep. Fitzpatrick, Rep. Ingraham, Rep. Lavin, Rep. McNiven and Rep. Moore voting aye.

00:24:35 **Motion/Vote:** Rep. Fitzpatrick moved that **HB 156 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote.

00:25:09 Chair Bangerter

HEARING ON HB 258**Opening Statement by Sponsor:**

00:25:48 Rep. Bridget Smith (D), HD 31, opened the hearing on HB 258, Revise local government laws related to public notice.

Proponents' Testimony:

00:27:49 Shantil Siaperas, Legislative Coordinator, Montana Association of Counties (MACo)
00:29:55 John Barrows, Government Affairs, Montana Newspaper Association (MNA)
00:31:30 Jim Smith, Montana Association of Planners (MAP)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:32:59 Chair Bangerter
00:33:06 Rep. O'Neil
00:33:53 Rep. Smith

00:34:02 Rep. O'Neil
00:34:05 Rep. Smith
00:34:09 Ms. Siaperas, MACo
00:34:18 Rep. O'Neil
00:34:27 Ms. Siaperas, MACo
00:35:16 Rep. O'Neil
00:35:20 Ms. Siaperas, MACo
00:35:43 Rep. O'Neil
00:35:48 Chair Bangerter
00:35:51 Rep. McNiven
00:35:59 Mr. Narrows, MNA
00:36:13 Rep. McNiven
00:36:18 Mr. Barrows, MNA
00:39:26 Rep. McNiven
00:39:44 Mr. Barrows, MNA
00:40:21 Rep. McNiven
00:40:35 Mr. Barrows, MNA

Closing by Sponsor:

00:40:43 Rep. Smith
00:41:16 Chair Bangerter

HEARING ON HB 246

Opening Statement by Sponsor:

00:42:33 Rep. Kerry White (R), HD 70, opened the hearing on HB 246, Revise conservation easement laws.

EXHIBIT(loh19a05)

Proponents' Testimony:

00:48:27 Tom DePuydt, Self

EXHIBIT(loh19a06)

01:00:35 Chair Bangerter

Opponents' Testimony:

01:00:56 Randy Newberg, Self
01:02:56 Rep. Schwaderer and Rep. Schreiner left the meeting.
01:03:35 Mr. Newberg, Self
01:04:00 Glen Marx, Montana Association of Land Trust (MALT)
01:08:42 Joe Perry, Self and Montana Sportsman Alliance (MSA)
01:12:06 Greg Chilcott, Commissioner, Ravalli County, MACo
01:13:45 Rep. Schreiner returned to the meeting.
01:16:02 Michael Harris, Conservation and Parks Director and Legislative Liaison, Gallatin County

EXHIBIT(loh19a07)

01:18:29 Kate Cholewa, City of Missoula
01:18:50 David Mannix, Self
01:20:56 Andrew Dana, Self

EXHIBIT(loh19a08)

01:30:14 Danny Iverson, Self
01:31:15 Lisa Bay, Self

01:32:14 Mike Anderson, Self
 01:33:59 Dusty Crary, Self
 01:35:48 George Olsen, Montana Land Reliance (MLR)
 01:38:03 Rick Berg, Self
 01:39:54 Andy Hunthausen, Commissioner, Lewis and Clark County
 01:40:29 Jim Smith, MAP

EXHIBIT(loh19a09)

01:41:06 Dwayne Kailey, Chief Engineer, Montana Department of Transportation (MDOT)
 01:41:53 Lloyd Straits, Ducks Unlimited (DU)

EXHIBIT(loh19a10)

01:42:39 Linda Stoll, Missoula County
 01:42:44 Andy Baur, Montana Association of Land Trust (MALT) and Prickley Pear Land Trust (PPLT)
 01:43:39 Jerry Townsend, MLR and member, Choteau County Planning Board
 01:46:00 Jamie Doggett, Self
 01:46:18 Phil Rostad, Self
 01:46:32 Roy Jacobs, Self
 01:47:04 Amy Fisher, Montana Association of Realtors (MAR)
 01:47:15 Jeff Bauber, Montana Chapter of Nature Conservancy (MCNC)
 01:47:26 Penelope Pierce, Executive Director, Gallatin Valley Land Trust (GVLT)

EXHIBIT(loh19a11)

01:47:47 Grant Kier, Self

EXHIBIT(loh19a12)**EXHIBIT(loh19a13)**

Informational Testimony: None

Questions from Committee Members and Responses:

01:49:12 Rep. Zolnikov
 01:49:32 Mr. DePuydt, Self
 01:50:13 Rep. Zolnikov
 01:50:19 Mr. DePuydt, Self
 01:53:49 Rep. Zolnikov
 01:54:01 Rep. White
 01:56:44 Rep. Berry
 01:56:58 Rep. McNiven
 01:57:08 Mr. Dana, Self
 01:57:40 Rep. McNiven
 01:57:45 Mr. Dana, Self
 01:59:36 Rep. McNiven
 01:59:53 Mr. Dana, Self
 02:00:46 Rep. O'Neil
 02:00:50 Mr. Dana, Self
 02:01:32 Rep. O'Neil
 02:01:36 Mr. Dana, Self
 02:02:28 Rep. O'Neil
 02:02:31 Mr Dana, Self
 02:02:52 Rep. O'Neil
 02:02:58 Mr. Dana, Self
 02:03:15 Rep. Zolnikov

02:03:20 Mr. Iverson, Self
02:04:10 Rep. Zolnikov
02:04:17 Mr. Iverson, Self
02:04:44 Rep. Zolnikov
02:04:53 Mr. Olsen, MLR
02:05:03 Rep. Zolnikov
02:05:08 Mr. Olsen, MLR
02:05:32 Rep. Curtis left the meeting.
02:05:51 Rep. Zolnikov
02:05:56 Mr. Olsen, MLR
02:06:42 Rep. Zolnikov
02:06:48 Mr. Mannix, Self
02:07:01 Rep. Zolnikov
02:07:05 Mr. Mannix, Self

Closing by Sponsor:

02:07:22 Rep. White

02:11:11 Chair Bangerter

ADJOURNMENT

Adjournment:
02:11:25

Sally Speer, Secretary

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Additional Documents:

EXHIBIT([loh19aad.pdf](#))