

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: Chair Liz Bangerter, on March 7, 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. Roger A. Hagan (R)
Rep. Pat Ingraham (R)
Rep. David (Doc) Moore (R)
Rep. Jerry O'Neil (R)
Rep. Casey Schreiner (D)
Rep. Tom Steenberg (D)
Rep. Nancy Wilson (D)
Rep. Daniel Zolnikov (R)

Members Excused: Rep. Amanda Curtis (D)
Rep. Steve Lavin (R)
Rep. Mary McNally (D)
Rep. Jonathan McNiven (R)
Rep. Nicholas Schwaderer (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: SB 77, 2/26/2013; SB 146, SB 316 3/5/2013;
Executive Action: SB 23; SB 40

00:09:38 Chair Bangerter
00:09:45 Rep. Curtis entered.

EXECUTIVE ACTION ON SB 40

00:10:04 Chair Bangerter

00:10:08 **Motion:** Rep. Fitzpatrick moved that **SB 40 BE CONCURRED IN.**

Discussion:

00:10:34 Chair Bangerter

EXHIBIT(loh49a01)

00:10:36 **Motion:** Rep. Fitzpatrick moved that **SB 40 BE AMENDED.**

Discussion:

00:10:40 Chair Bangerter

00:10:48 Ginger Aldrich, Legislative Services Division (LSD)

00:11:35 **Motion/Vote:** Rep. Bangerter moved that **SB 40 BE AMENDED.** Motion carried unanimously by voice vote. Rep. Lavin, Rep. McNally, Rep. McNiven and Rep. Schwaderer voted by proxy.

00:12:05 **Motion:** Rep. Fitzpatrick moved that **SB 40 BE CONCURRED IN AS AMENDED.**

00:12:14 **Vote:** Motion carried unanimously by voice vote. Rep. Lavin, Rep. McNally, Rep. McNiven and Rep. Schwaderer voted by proxy.

EXECUTIVE ACTION ON SB 23

00:12:12 Chair Bangerter

00:12:45 **Motion:** Rep. Fitzpatrick moved that **SB 23 BE CONCURRED IN.**

Discussion:

00:13:01 Chair Bangerter

00:12:52 Rep. Swanson

00:13:24 **Vote:** Motion carried 11-7 by roll call vote with Rep. Brockie, Rep. Curtis, Rep. McNally, Rep. Schreiner, Rep. Steenberg, Rep. Swanson and Rep. Wilson voting no. Rep. Lavin, Rep. McNally, Rep. McNiven and Rep. Schwaderer voted by proxy. Rep. Fitzpatrick will carry the bill.

00:15:42 Chair Bangerter

HEARING ON SB 77**Opening Statement by Sponsor:**

00:15:32 Sen. John Brenden (R), SD 18, opened the hearing on SB 77, Revise public contract competitive bidding law - no bid required up to \$80K.

Proponents' Testimony:

00:17:56 Chair Bangerter
00:18:16 Alec Hansen, Montana League of Cities and Towns (MLCT)
00:18:57 Chair Bangerter
00:19:16 Rod Audet, Mayor, City of Scobey
00:24:01 Chair Bangerter
00:24:07 Dan Carney, Mayor, City of Glasgow
00:25:12 Brad Matteson, Mayor, City of Forsyth
00:26:52 Bob Vogel, Montana School Boards Association (MTSBA)
00:27:46 Bob Gilbert, City of Glendive, Dawson, Rosebud, and Musselshell Counties, Montana Association of Oil and Gas Counties (MAOGC)
00:28:29 Harold Blattie, Montana Association of Counties (MACo)
00:29:34 Gordon Morris, Lewis and Clark County, Montana Association of County Road Supervisors (MACRS)
00:30:05 Kirk Miller, School Administrators of Montana (SAM)
00:31:23 Kate Cholewa, City of Missoula
00:31:38 Steve Wade, Montana Contractors Association (MCA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:32:35 Chair Bangerter
00:32:38 Rep. Berry
00:32:41 Sen. Brenden

Closing by Sponsor:

00:33:07 Sen. Brenden

[EXHIBIT\(loh49a02\)](#)

HEARING ON SB 146**Opening Statement by Sponsor:**

00:35:00 Sen. Edward Buttrey (R), SD 13, opened the hearing on SB 146, Generally revise subdivision review criteria laws regarding agency comment.
00:36:14 Chair Bangerter

Proponents' Testimony:

00:36:36 Janet Ellis Montana Audubon Society
00:36:57 Amy Fisher, Montana Association of Realtors (MAR)
00:38:02 Dustin Stewart, Montana Building Industry Association (MBIA)

00:38:47 Casey Perkins, Montana Smart Growth Coalition (MSGC)
00:39:05 Tera DePuy, MACo, and Joint Powers Insurance Authority (JPIA)
00:39:34 Shelby DeMars, United Property Owners of Montana (UPOM)

Opponents' Testimony: None

Informational Testimony:

00:40:00 Becky Dockter, Montana Department of Fish, Wildlife and Parks (FWP)

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:40:58 Sen. Buttrey
00:41:42 Chair Bangerter

HEARING ON SB 316

Opening Statement by Sponsor:

00:42:28 Sen. Jennifer Fielder (R), SD 7, opened the hearing on SB 316, Generally revise subdivision laws regarding encroachment onto private property.
00:46:30 Chair Bangerter

Proponents' Testimony:

00:46:38 Dustin Stewart, MBIA
00:49:01 Shelby Demars, UPOM
00:49:32 Tera DePuy, JPIA, MACo
00:49:58 Ann Hedges, Montana Environmental Information Center (MEIC)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:50:30 Rep. Ingraham
00:50:37 Sen. Fielder
00:50:49 Rep. Ingraham
00:51:07 Sen. Fielder
00:51:21 Rep. Berry
00:51:27 Tera DePuy, JPIA, MACo
00:51:37 Rep. Berry
00:51:44 Ms. DePuy, JPIA, MACo
00:53:02 Chair Bangerter

Closing by Sponsor:

00:53:09 Sen. Fielder
00:53:20 Chair Bangerter

ADJOURNMENT

Adjournment: 00:54:13

Sally Speer, Secretary

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Additional Documents:

EXHIBIT([loh49aad.pdf](#))