

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: Chair Liz Bangerter, on March 12, 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. 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. Steve Lavin (R)
Rep. Mary McNally (D)
Rep. Jonathan McNiven (R)

Members Absent: None

Staff Present: Leanne Kurtz, 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 105, 3/7/2013; SB 132, 3/8/2013; SB 293, 3/8/2013
Executive Action: SB 77; SB 146; SB 316

00:09:10 Chair Bangerter
00:09:15 Rep. Lavin entered.

EXECUTIVE ACTION ON SB 77

00:09:30 **Motion/Vote:** Rep. Fitzpatrick moved that **SB 77 BE CONCURRED IN**. Motion carried 17-1 by voice vote with Rep. Schwaderer voting no. Rep. McNally and Rep. McNiven voted by proxy. Rep. Ingraham will carry the bill.

00:09:34 Rep. McNiven entered.

EXECUTIVE ACTION ON SB 146

00:10:30 **Motion/Vote:** Rep. Fitzpatrick moved that **SB 146 BE CONCURRED IN**. Motion carried unanimously by voice vote. Rep. McNally voted by proxy. Rep. Hagan will carry the bill.

EXECUTIVE ACTION ON SB 316

00:11:00 **Motion:** Rep. Fitzpatrick moved that **SB 316 BE CONCURRED IN**.

Discussion:

00:11:15 Rep. Berry

00:11:35 Chair Bangerter

00:11:55 **Motion:** Rep. Berry moved that **SB 316 BE AMENDED**.
EXHIBIT(loh53a01)

00:11:59 Rep. Berry

00:12:07 Chair Bangerter

00:12:14 Rep. Schwaderer

00:12:24 Rep. Berry

00:12:38 **Vote:** Motion carried unanimously by voice vote. Rep. McNally voted by proxy.

00:12:58 Chair Bangerter

00:13:07 **Vote:** Motion carried unanimously by voice vote. Rep. McNally voted by proxy. Rep. Moore will carry the bill.

00:13:45 Recessed.

00:22:25 Reconvened.

00:22:39 Chair Bangerter

HEARING ON SB 293**Opening Statement by Sponsor:**

00:22:47 Sen. Bruce Tutvedt (R), SD 3, opened the hearing on SB 293, Require certain water and sanitation information at subdivision preapplication.

Proponents' Testimony:

00:23:47 Bill Gallagher, Public Service Commission (PSC)
00:24:23 Rep. McNally entered.
00:27:28 Chair Bangerter
00:27:37 Dustin Stewart, Montana Building Industry Association (MBIA).

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:28:33 Sen Tutvedt

HEARING ON SB 105**Opening Statement by Sponsor:**

00:29:15 Sen. Taylor Brown (R), SD 22, opened the hearing on SB 105, Revise interim zoning laws.

00:32:23 Chair Bangerter

Proponents' Testimony:

00:32:30 John Ostlund, Commissioner, Yellowstone County
[EXHIBIT\(loh53a02\)](#)
[EXHIBIT\(loh53a03\)](#)
00:33:53 Dave Galt, Montana Petroleum Association (MPA)
00:34:36 Jessie Luther, Montana Contractor Association (MCA)
00:35:38 Jackie Flikkema, Knife River Corporation (KRC)
00:37:07 Tom Hopgood, Montana Mining Association (MMA)
00:37:36 Dustin Stewart, MBIA

Opponents' Testimony:

00:38:06 Kelly Lynch, Community Development Division (DOC)
00:43:32 Jean Riley, Self
00:46:35 Gordon Morris, Lewis and Clark County (L&CC)
00:48:34 Janet Ellis, Montana Audubon Society (MAS)
[EXHIBIT\(loh53a04\)](#)
00:51:12 Casey Perkins, Montanan Smart Growth Coalition (MSGC)
00:51:56 Anne Hedges, Montana Environmental Informational Center (MEIC)
00:54:11 Sarah Rubick, Self

Informational Testimony: None

Questions from Committee Members and Responses:

00:55:18 Rep. O'Neil
00:55:37 Mr. Ostlund Commissioner, Yellowstone County
00:56:17 Rep. O'Neil
00:56:24 Ms. Ostlund, Commissioner, Yellowstone County
00:56:31 Rep. O'Neil
00:56:38 Mr. Ostlund, Commissioner, Yellowstone County
00:56:57 Rep. Hagan
00:57:32 Ms. Lynch, MDOC
00:58:01 Rep. Hagan
00:58:07 Ms. Lynch, MDOC
00:58:13 Rep. Wilson
00:58:43 Ms. Rubick, Self
00:59:12 Rep. Wilson
00:59:26 Ms. Rubick, Self
00:59:49 Rep. Fitzpatrick
01:00:23 Sen. Brown
01:02:30 Rep. Fitzpatrick
01:02:51 Mr. Galt, MPA
01:03:29 Rep. McNally
01:04:17 Mr. Morris, L&CC
01:05:22 Rep. McNally
01:06:08 Sen. Brown
01:08:20 Rep. McNally
01:09:15 Sen. Brown
01:10:22 Rep. Schwaderer
01:10:42 Sen Brown
01:10:59 Rep. Schwaderer
01:11:32 Sen. Brown
01:11:46 Rep. Steenberg
01:12:29 Ms. Riley, Self
01:14:51 Rep. McNiven
01:15:35 Mr. Ostland, Commissioner, Yellowstone County
01:16:48 Rep. McNiven
01:17:00 Mr. Ostlund, Commissioner, Yellowstone County
01:17:15 Rep. McNiven
01:17:22 Mr. Ostlund, Commissioner, Yellowstone County
01:18:24 Rep. McNiven
01:18:31 Mr. Ostlund, Commissioner, Yellowstone County
01:18:42 Rep. Moore
01:19:11 Ms. Flikkema, KRC
01:19:27 Rep. Moore
01:19:39 Ms. Flikkema, KRC
01:19:47 Rep. Moore
01:19:56 Ms. Flikkema, KRC

Closing by Sponsor:

01:20:10 Sen. Brown

01:24:24 Chair Bangerter

HEARING ON SB 132

Opening Statement by Sponsor:

01:24:32 Sen. Greg Jergeson (D), SD 17, opened the hearing on SB 132, Revise statutory dates related to filling mid-term county elected office.

Proponents' Testimony:

01:27:49 Harold Blattie, MACo

[EXHIBIT\(loh53a05\)](#)

01:30:41 Allan Miller, Office of Secretary of State (SOS)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:33:06 Sen. Jergeson

01:33:45 Chair Bangerter

01:34:30 Rep. Wilson

01:34:50 Chair Bangerter

ADJOURNMENT:

Adjournment: 01:35:16

Sally Speer, Secretary

ss

Additional Documents:

EXHIBIT([loh53aad.pdf](#))