

MINUTES

MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: Chair Edward Buttrey, on February 22, 2013 at 3:00 PM, in Room 405 Capitol

ROLL CALL

Members Present:

Sen. Edward Buttrey, Chair (R)
Sen. Janna Taylor, Vice Chair (R)
Sen. Shannon Augare (D)
Sen. Dick Barrett (D)
Sen. Scott Boulanger (R)
Sen. Sue Malek (D)
Sen. Alan Olson (R)
Sen. Gene Vuckovich (D)

Members Excused: Sen. Bruce Tutvedt (R)

Members Absent: None

Staff Present: Charlene Devine, Committee Secretary
Leanne Kurtz, Legislative Branch

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 293, 2/14/2013; SB 322, 2/15/2013; SB 253, 2/15/2013

Executive Action: SB 293 Do Pass As Amended; SB 324 Do Pass As Amended; SB 271 Do Pass As Amended; SB 290 Do Pass As Amended; SB 253 Tabled; SB 284 Tabled; SB 322 Tabled.

01:36:40 Sen. Tutvedt entered the hearing

HEARING ON SB 322

Opening Statement by Sponsor:

01:36:44 Sen. Fred Thomas (R), SD 45, opened the hearing on SB 322, Revise justice court laws.

Proponents' Testimony:

01:39:14 Anthony J. Berget, Lincoln County Commission (LCC)
 01:40:55 Dave Schulz, Madison County Commission (MCC), Montana Association of Counties (MACo)
 01:42:40 Howard Recht, Ravalli County Commission (RCC)
 01:46:40 Ron Stoltz, Ravalli County Commission (RCC)
 01:47:41 Dan Happel, Madison County Commission (MCC)
 01:48:47 Leonard Wortman, Jefferson County Commission (JCC)
 01:49:03 Harold Blattie, Montana Association of Counties (MACo)

Opponents' Testimony:

01:53:28 Larry Carver, Montana Magistrates Association (MMA)
[EXHIBIT\(los40a01\)](#)
 01:55:14 Sen. Olson left the hearing.
 01:55:16 Sen. Buttrey left the hearing and Vice Chair Taylor took over responsibilities as chair.
 02:03:33 Gregory P. Mohr, Montana Magistrates Association (MMA)
 02:05:03 Jerry Williams, representing self
 02:06:45 Perry Miller, Blaine County Justice of Peace
 02:08:54 Sen. Buttrey entered the hearing and resumed responsibilities as Chair.

Informational Testimony: None

Questions from Committee Members and Responses:

02:09:55 Sen. Barrett
 02:12:17 Harold Blattie, Montana Association of Counties (MACo)
 02:13:31 Sen. Tutvedt
 02:15:03 Harold Blattie, MACo
 02:15:10 Sen. Vuckovich

Closing by Sponsor:

02:16:47 Howard Recht, Ravalli County Commission (closed for sponsor).

HEARING ON SB 293

Opening Statement by Sponsor:

02:18:23 Sen. Bruce Tutvedt (R), SD 3, opened the hearing on SB 293, Require certain water and sanitation information at subdivision preapplication.

Proponents' Testimony:

02:19:22 Kate Whitney, Public Service Commission (PSC)

02:21:56 Jack Walsh, Montana Building Industry Association (MBIA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

02:23:02 Sen. Tutvedt

HEARING ON SB 253

Opening Statement by Sponsor:

02:23:48 Sen. Janna Taylor (R), SD 6, opened the hearing on SB 253, Require public employee unions to file annual report & recertify every 3 years.

[EXHIBIT\(los40a02\)](#)

[EXHIBIT\(los40a03\)](#)

Proponents' Testimony: None

Opponents' Testimony:

02:27:07 Diana Ferriter, Department of Labor and Industry (DLI)

02:31:18 Jay Reardon, Laborers Local 1686

02:34:35 Sen. Olson entered the hearing.

02:36:08 Chair Buttrey announced that Sen. Augare would take over responsibilities as chair.

02:36:22 Chris Cavazos, Montana American Federation of Labor-Congress of Industrial Organizations (AFL-CIO)

02:36:37 Sen. Buttrey and Sen. Olson left hearing.

02:37:15 Quint Nyman, Montana Public Employees Association (MPEA)

02:38:18 Keith Allen, International Brotherhood of Electrical Workers Local 233 (IBEW)

02:39:18 Joseph Sands, Montana State Council of Professional Fire Fighters (MSCOPFF)

02:40:44 Eric Feaver, Montana Education Association and the Montana Federation of Teachers (MEA-MFT)

02:42:38 John Forkan, American Federation of State, County and Municipal Employees (AFSCME)

02:43:20 JD Lynch, Teamster Local #2

Informational Testimony: None

Questions from Committee Members and Responses:

02:44:25 Sen. Barrett
 02:45:07 Eric Feaver, MEA-MFT
 02:45:44 Sen. Vuckovich
 02:47:47 Sen. Taylor
 02:48:22 Sen. Augare
 02:48:31 Sen. Taylor
 02:48:47 Leanne Kurtz, Legislative Services Division (LSD)
 02:49:00 Sen. Augare
 02:49:14 Sen. Taylor

Closing by Sponsor:

02:49:21 Sen. Taylor

EXECUTIVE ACTION ON SB 293

02:51:46 **Motion:** Sen. Tutvedt moved that **SB 293 DO PASS.**

Discussion:

02:52:25 Leanne Kurtz, Legislative Services Division (LSD)

02:53:06 **Motion:** Sen. Tutvedt moved that **SB 293 BE AMENDED.**
EXHIBIT(los40a04)

02:53:38 **Vote:** Motion carried unanimously by those present and voting.

02:53:40 **Motion/Vote:** Sen. Tutvedt moved that **SB 293 DO PASS AS AMENDED.**
 Motion carried 7-0 by voice vote of those present and voting.

EXECUTIVE ACTION ON SB 324

02:54:00 **Motion:** Sen. Tutvedt moved that **SB 324 DO PASS.**

02:54:42 **Motion:** Sen. Boulanger moved that **SB 324 BE AMENDED.**
EXHIBIT(los40a05)

Discussion:

02:54:55 Leanne Kurtz, Legislative Services Division (LSD)
 02:58:51 Sen. Barrett
 02:59:21 Sen. Taylor
 02:59:32 Leanne Kurtz, LSD

02:59:48 **Vote:** Motion carried unanimously by those present and voting.

Discussion:

03:00:24 Sen. Taylor

03:00:35 **Motion:** Sen. Boulanger moved that **SB 324 BE AMENDED.**
EXHIBIT(los40a06)

03:01:30 **Vote:** Motion carried unanimously by those present and voting.

03:01:28 Sen. Vuckovich left hearing.

03:02:20 **Motion/Vote:** Sen. Boulanger moved that **SB 324 DO PASS AS AMENDED.**
Motion carried 7-0 by voice vote. Sen. Vuckovich voted by proxy.

EXECUTIVE ACTION ON SB 284

03:02:51 **Motion:** Sen. Tutvedt moved that **SB 284 DO PASS.**

Discussion:

03:03:17 Sen. Barrett

03:03:25 Sen. Vuckovich entered the hearing.

03:05:55 Sen. Taylor

03:06:23 **Substitute Motion/Vote:** Sen. Augare made a substitute motion that **SB 284 BE TABLED.** Motion carried by voice vote with Sen. Boulanger and Sen. Buttrey voting nay.

EXECUTIVE ACTION ON SB 253

03:07:28 **Motion:** Sen. Taylor moved that **SB 253 DO PASS.**

03:07:45 **Substitute Motion/Vote:** Sen. Augare made a substitute motion that **SB 253 BE TABLED.** Motion carried unanimously by voice vote by those present and voting.

EXECUTIVE ACTION ON SB 322

03:08:28 **Motion:** Sen. Tutvedt moved that **SB 322 DO PASS.**

Discussion:

03:08:40 Sen. Barrett

03:09:51 **Motion/Vote:** Sen. Vuckovich moved that **SB 322 BE TABLED**. Motion carried 5-4 by roll call vote with Sen. Boulanger, Sen. Olson, Sen. Taylor and Sen. Buttrey voting no. Sen. Olson and Sen. Buttrey voted by proxy.

EXECUTIVE ACTION ON SB 271

03:11:36 **Motion:** Sen. Augare moved that **SB 271 DO PASS**.

03:11:57 **Motion:** Sen. Augare moved that **SB 271 BE AMENDED**.
[EXHIBIT\(los40a07\)](#)

Discussion:

03:12:10 Leanne Kurtz, Legislative Services Division (LSD)

03:12:36 **Vote:** Motion carried by voice vote by those present and voting.

03:12:45 **Motion/Vote:** Sen. Augare moved that **SB 271 DO PASS AS AMENDED**. Motion carried 7-0 by voice vote of those present and voting.

EXECUTIVE ACTION ON SB 290

03:13:25 **Motion:** Sen. Augare moved that **SB 290 DO PASS**.

Discussion:

03:13:37 Leanne Kurtz, Legislative Services Division (LSD)

03:13:49 **Motion/Vote:** Sen. Tutvedt moved that **SB 290 BE AMENDED**. Motion carried unanimously by those present and voting.

Discussion:

03:14:43 Sen. Tutvedt

03:14:45 Sen. Buttrey and Sen. Olson entered the hearing.

03:14:45 **Motion/Vote:** Sen. Tutvedt moved to **RECONSIDER THE ACTION ON THE AMENDMENT FOR SB 290**. (Motion/vote was on the wrong amendment). Motion carried unanimously by voice vote of those present and voting.

Discussion:

03:15:11 Sen. Barrett

03:15:17 Sen. Tutvedt

03:16:06 **Motion/Vote:** Sen. Tutvedt moved that **SB 290 BE AMENDED**. Motion carried unanimously by voice vote of those present and voting.

[EXHIBIT\(los40a08\)](#)

Discussion:

03:16:10 Sen. Tutvedt

03:16:16 Sen. Taylor

03:16:49 **Motion/Vote:** Sen. Tutvedt moved that **SB 290 DO PASS AS AMENDED.**
Motion carried unanimously 9-0 by voice vote.

EXECUTIVE ACTION ON SB 322

03:18:03 **Motion/Vote:** Sen. Taylor moved to **RECONSIDER THE ACTION** on **SB 322.**
Motion carried 5-4 by roll call vote with Sens. Augare, Barrett, Malek and
Vuckovich voting no.

Discussion:

03:19:07 Sen. Tutvedt

03:19:35 Sen. Olson

03:20:22 **Motion:** Sen. Tutvedt moved that **SB 322 DO PASS.**

Discussion:

03:20:33 Sen. Boulanger

03:21:07 Sen Taylor

03:21:34 Sen. Barrett

03:22:44 Sen. Vuckovich

03:23:30 Sen. Olson

03:24:18 **Vote:** Motion failed 2-7 by roll call vote with Sens. Taylor and Boulanger voting
aye.

03:25:07 Without objection from the committee, Sen. Tutvedt requested that the vote be
reversed and the bill tabled.

ADJOURNMENT

Adjournment: 6:25 P.M.

Charlene Devine, Secretary

cd

Additional Documents:

EXHIBIT([los40aad.pdf](#))