

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: Chair Edward Greef, on February 12, 2015 at 3:00 PM, in Room 172
Capitol

ROLL CALL

Members Present:

Rep. Edward Greef, Chair (R)
Rep. Steve Fitzpatrick, Vice Chair (R)
Rep. Kathy Swanson, Vice Chair (D)
Rep. Geraldine Custer (R)
Rep. Moffie Funk (D)
Rep. Frank Garner (R)
Rep. Denise Hayman (D)
Rep. Kathy Kelker (D)
Rep. Steve Lavin (R)
Rep. Forrest Mandeville (R)
Rep. Nate McConnell (D)
Rep. Christopher Pope (D)
Rep. Vince Ricci (R)
Rep. Tom Richmond (R)
Rep. Tom Steenberg (D)
Rep. Nancy Wilson (D)
Rep. Daniel Zolnikov (R)

Members Excused: Rep. Tom Berry (R)
Rep. Debra Lamm (R)
Rep. Nicholas Schwaderer (R)

Members Absent: None

Staff Present: Ginger Aldrich, Legislative Branch
Noah Horan, 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 334, 2/12/2015; HB 366, 2/12/2015; HB 385, 2/12/2015
Executive Action on: HB 308, HB 357, HB 367, HB 380

HEARING ON HB 334

Opening Statement by Sponsor:

00:02:24 Rep. Rob Cook (R), HD 18, opened the hearing on HB 334, Generally revise laws applicable to county government.

Proponents' Testimony:

00:03:25 Harold Blattie, Montana Association of Counties (MACo)

[EXHIBIT\(loh32a01\)](#)

[EXHIBIT\(loh32a02\)](#)

00:11:15 Ronda Wiggers, Montana County Treasurers Association (MCTA)

Opponents' Testimony:

00:12:33 David Nielsen, Montana League of Cities and Towns (MLCT)

Informational Testimony: None

Questions from Committee Members and Responses:

00:14:08 Rep. Kelker
00:14:44 Harold Blattie, MACo
00:15:16 Rep. Mandeville
00:15:59 Ronda Wiggers, MCTA
00:16:06 Rep. Mandeville
00:16:14 Ronda Wiggers, MCTA
00:16:29 Rep. Wilson
00:16:57 Harold Blattie, MACo
00:18:04 Rep. Garner
00:18:29 Harold Blattie, MACo
00:19:11 Rep. Garner
00:19:29 Harold Blattie, MACo
00:20:31 Rep. Kelker
00:20:54 Harold Blattie, MACo
00:22:19 Chair Greef
00:22:57 Harold Blattie, MACo
00:23:46 Chair Greef

Closing by Sponsor:

00:24:05 Rep. Cook

HEARING ON HB 366

Opening Statement by Sponsor:

00:25:43 Rep. Geraldine Custer (R), HD 39, opened the hearing on HB 366, Revise county district court clerk and justice of peace compensation laws.

Proponents' Testimony:

00:27:57 Shirley Faust, Missoula County Clerk of District Court
EXHIBIT(loh32a03)

00:34:02 Jessie Connolly, Montana Magistrates Association
 00:35:11 Nancy Sweeney, Lewis and Clark County Clerk of District Court
 00:35:39 Rick Cook, Montana Association of Clerks of District Court
 00:36:25 Laurie Maloney, Butte-Silver Bow Clerk of District Court
 00:37:07 Jennifer Brandon, Gallatin County Clerk of District Court
 00:37:30 Elizabeth T. Ball-Mavity, Rosebud County Clerk of District Court
 00:38:13 Sandra Fox, Stillwater County Clerk of District Court
 00:38:31 Susie Krueger, Anaconda-Deer Lodge Clerk of District Court
 00:38:47 Faye McWilliams, Cascade County Clerk of District Court
 00:39:06 Carol Bohrsen, Granite County Clerk of District Court
 00:39:25 June Little, Park County Clerk of District Court
 00:39:46 Rochelle Loyning, Carbon County Clerk of District Court
 00:40:07 Ruth Baker, Treasure County Clerk of District Court
 00:40:22 Mary Phippen, Montana Association of Clerks of District Court; Montana Magistrates Association
 00:41:00 Larry Epstein, Montana County Attorneys Association (MCAA)
 00:41:46 Harold Blattie, Montana Association of Counties (MACo)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:44:14 Rep. Hayman
 00:44:45 Harold Blattie, MACo
 00:48:08 Rep. Ricci
 00:48:24 Harold Blattie, MACo
 00:48:40 Rep. Funk
 00:49:15 Nancy Sweeney, Lewis and Clark County Clerk of District Court
 00:50:15 Rep. McConnell
 00:50:54 Rep. Custer

Closing by Sponsor:

00:51:29 Rep. Custer

HEARING ON HB 385**Opening Statement by Sponsor:**

00:54:01 Rep. Zach Brown (D), HD 63, opened the hearing on HB 385, Revise cash donation in lieu of land for park dedication requirement.

Proponents' Testimony:

00:58:09 Chris Saunders, City of Bozeman
EXHIBIT(loh32a04)

01:01:40 Mitch Overton, City of Bozeman

01:04:15 Chris Kukulski, City of Bozeman

EXHIBIT(loh32a05)

01:07:04 David Nielsen, Montana League of Cities and Towns (MLCT)

01:08:13 Hollie Lund, Montana Association of Planners (MAP)

01:09:02 Erin Farris-Olsen, Montana Smart Growth Coalition (MSGC)

Opponents' Testimony:

01:10:40 Dustin Stewart, Montana Building Industry Association (MBIA)

EXHIBIT(loh32a06)

Informational Testimony: None

Questions from Committee Members and Responses:

01:16:19 Rep. Garner

01:16:38 Dustin Stewart, MBIA

01:16:52 Rep. Garner

01:17:06 Dustin Stewart, MBIA

01:17:24 Rep. Garner

01:17:40 Rep. Wilson

01:19:06 Dustin Stewart, MBIA

01:19:42 Rep. Wilson

01:20:38 Chris Saunders, City of Bozeman

01:21:23 Rep. Wilson

01:21:56 Chris Saunders, City of Bozeman

01:23:11 Rep. Mandeville

01:24:08 Rep. Brown

01:26:00 Rep. Mandeville

01:27:15 Rep. Brown

01:28:22 Chris Kukulski, City of Bozeman

01:29:36 Rep. Pope

01:29:57 Dustin Stewart, MBIA

01:30:05 Rep. Pope

01:30:20 Dustin Stewart, MBIA

01:30:59 Rep. Pope

01:31:46 Dustin Stewart, MBIA

01:33:33 Rep. Kelker

01:34:31 Mitch Overton, City of Bozeman

Closing by Sponsor:

01:37:30 Rep. Brown

01:38:21 Chair Greef

01:39:01 Recess

01:46:59 Reconvened

EXECUTIVE ACTION ON HB 308

01:47:31 **Motion:** Rep. Fitzpatrick moved that **HB 308 DO PASS.**

01:47:50 **Motion:** Rep. Fitzpatrick moved that **HB 308 BE AMENDED.**
EXHIBIT(lch32a07)

Discussion:

01:48:10 Chair Greef

01:48:18 Rep. Berry

01:49:04 Chair Greef

01:49:17 Ginger Aldrich, Legislative Services Division (LSD)

01:49:57 **Vote:** Motion failed 2-16 by voice vote with Rep. Wilson and Rep. Zolnikov voting aye. Rep. Lamm and Rep. Schwaderer were excused.

01:50:56 Rep. Berry

01:52:50 Rep. Swanson

01:53:49 Rep. Pope

01:55:00 Rep. Custer

01:55:48 Chair Greef

01:57:03 **Vote:** Motion failed 4-16 by roll call vote with Rep. Lamm, Rep. Lavin, Rep. McConnell and Rep. Richmond voting aye. Rep. Hayman, Rep. Lamm and Rep. Schwaderer voted by proxy.

01:59:15 **Motion/Vote:** Rep. Fitzpatrick moved that **HB 308 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 357

01:59:00 **Motion:** Rep. Fitzpatrick moved that **HB 357 DO PASS.**

Discussion:

01:59:18 Rep. Swanson

02:00:38 **Vote:** Motion failed 8-12 by roll call vote with Rep. Greef, Rep. Lamm, Rep. Lavin, Rep. Mandeville, Rep. Ricci, Rep. Richmond, Rep. Schwaderer and Rep. Zolnikov voting aye. Rep. Hayman and Rep. Schwaderer voted by proxy.

02:02:09 **Motion/Vote:** Rep. Fitzpatrick moved that **HB 357 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 367

02:02:40 **Motion:** Rep. Fitzpatrick moved that **HB 367 DO PASS.**

Discussion:

02:02:48 Ginger Aldrich, LSD
02:03:15 Rep. Kelker
02:04:00 Rep. Mandeville
02:04:24 Rep. Pope
02:05:04 Rep. Custer
02:06:16 Chair Greef

02:06:44 **Vote:** Motion carried 15-5 by roll call vote with Rep. Lamm, Rep. Lavin, Rep. Mandeville, Rep. Schwaderer and Rep. Zolnikov voting no. Rep. Hayman, Rep. Lamm, Rep. Schwaderer and Rep. Zolnikov voted by proxy.

EXECUTIVE ACTION ON HB 380

02:08:51 **Motion:** Rep. Fitzpatrick moved that **HB 380 DO PASS.**

02:09:07 **Motion/Vote:** Rep. Fitzpatrick moved that **HB 380 BE AMENDED.** Motion carried 12-8 by voice vote with Rep. Custer, Rep. Funk, Rep. Hayman, Rep. McConnell, Rep. Pope, Rep. Steenberg, Rep. Swanson and Rep. Wilson voting no. Rep. Hayman and Rep. Schwaderer voted by proxy.

EXHIBIT(loh32a08)

02:10:57 **Motion:** Rep. Fitzpatrick moved that **HB 380 DO PASS AS AMENDED.**

Discussion:

02:12:05 Rep. Zolnikov
02:12:50 Rep. Mandeville
02:13:51 Rep. Kelker
02:14:24 Rep. Lamm
02:15:14 Rep. Custer
02:17:29 Rep. Pope

02:17:52 **Substitute Motion/Vote:** Rep. Garner made a substitute motion that **HB 380 BE TABLED.** Substitute Motion carried 18-2 by roll call vote with Rep. Lavin and Rep. Schwaderer voting no. Rep. Hayman and Rep. Schwaderer voted by proxy.

02:20:30 Chair Greef

ADJOURNMENT

Adjournment: 02:23:28

Noah Horan, Secretary

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Additional Documents:

EXHIBIT([loh32aad.pdf](#))