

**MINUTES**

**MONTANA HOUSE OF REPRESENTATIVES  
56th LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON LOCAL GOVERNMENT**

**Call to Order:** By **CHAIRMAN CHRIS AHNER**, on February 2, 1999 at 3:00 P.M., in Room 104 Capitol.

**ROLL CALL**

**Members Present:**

Rep. Chris Ahner, Chairman (R)  
Rep. Rod Bitney, Vice Chairman (R)  
Rep. David Ewer, Vice Chairman (D)  
Rep. Joan Andersen (R)  
Rep. Sylvia Bookout-Reinicke (R)  
Rep. Roy Brown (R)  
Rep. Edith Clark (R)  
Rep. Tom Dell (D)  
Rep. Toni Hagener (D)  
Rep. Sam Kitzenberg (R)  
Rep. Bob Lawson (R)  
Rep. Mark Noennig (R)  
Rep. Trudi Schmidt (D)  
Rep. Carley Tuss (D)  
Rep. Cindy Younkin (R)

**Members Excused:** Rep. Steven Gallus (D)  
Rep. Jeff Mangan (D)  
Rep. Scott J. Orr (R)

**Members Absent:** None.

**Staff Present:** Bart Campbell, Legislative Branch  
Kimberly Walkenhorst, Committee Secretary

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: HB338, 2/2/1999  
Executive Action: HB296, HB223, HB288, HB289

**HEARING ON HB338**

**Opening Statement by Sponsor:** Rep. Gay Ann Masolo, HD40  
{Tape : 1; Side : A; Approx. Time Counter : 0.5}

Rep. Masolo presented a conceptual amendment.  
{Tape : 1; Side : A; Approx. Time Counter : 1.5}

**Proponents' Testimony:**

Eric Griffin, Public Works Director of Lewis and Clark County  
**EXHIBIT (loh26a01) EXHIBIT (loh26a02)**  
{Tape : 1; Side : A; Approx. Time Counter : 1.7}

Jane Jelinski, Montana Association of Counties  
{Tape : 1; Side : A; Approx. Time Counter : 3.7}

Jim Johnston, Butte Silverbow Local Government  
{Tape : 1; Side : A; Approx. Time Counter : 4.5}

Mike Foster, Montana Contractors Association  
{Tape : 1; Side : A; Approx. Time Counter : 5.8}

Rick Felstet, Jefferson County  
{Tape : 1; Side : A; Approx. Time Counter : 7.8}

**Opponents' Testimony:** None

**Questions from Committee Members and Responses:**  
{Tape : 1; Side : A; Approx. Time Counter : 9}

**Closing Statement by Sponsor:** Rep. Masolo  
{Tape : 1; Side : A; Approx. Time Counter : 17.3}

**EXECUTIVE ACTION ON HB296**

**Motion:** REP. Noennig moved that HB296 DO PASS.  
{Tape : 1; Side : A; Approx. Time Counter : 18.4}

**Discussion:**  
{Tape : 1; Side : A; Approx. Time Counter : 18.8}

**Vote:** Motion carried 16-0. Reps. Mangan and Orr voted aye by proxy. Reps. Gallus and Ahner were not present for voting.  
{Tape : 1; Side : A; Approx. Time Counter : 19.9}

EXECUTIVE ACTION ON HB223

Motion/Vote: REP. LAWSON moved that HB223 BE TABLED. Motion carried 14-0.

*{Tape : 1; Side : A; Approx. Time Counter : 21.3}*

EXECUTIVE ACTION ON HB288

Motion: REP. YOUNKIN moved that HB288 DO PASS.

*{Tape : 1; Side : A; Approx. Time Counter : 21.6}*

Discussion:

*{Tape : 1; Side : A; Approx. Time Counter : 22.2}*

Motion: REP. YOUNKIN moved that AMENDMENT PER EXHIBIT(1oh26a03) DO PASS.

*{Tape : 1; Side : A; Approx. Time Counter : 23.4}*

Vote: Motion carried 15-0.

*{Tape : 1; Side : A; Approx. Time Counter : 23.6}*

Motion: REP. YOUNKIN moved that HB288 DO PASS AS AMENDED.

*{Tape : 1; Side : A; Approx. Time Counter : 23.8}*

Discussion:

*{Tape : 1; Side : A; Approx. Time Counter : 24}*

Substitute Motion/Vote: REP. EWER made a substitute motion that HB288 BE TABLED. Substitute motion carried 15-0.

*{Tape : 1; Side : B; Approx. Time Counter : 0.8}*

EXECUTIVE ACTION ON HB289

Motion: REP. YOUNKIN moved that HB289 DO PASS.

*{Tape : 1; Side : B; Approx. Time Counter : 1.1}*

Discussion:

*{Tape : 1; Side : B; Approx. Time Counter : 1.7}*

Motion: REP. EWER moved that AMENDMENTS PER EXHIBIT(1oh26a04) DO PASS.

*{Tape : 1; Side : B; Approx. Time Counter : 3.2}*

Discussion:

*{Tape : 1; Side : B; Approx. Time Counter : 3.5}*

**Vote:** Motion carried 15-0.

***{Tape : 1; Side : B; Approx. Time Counter : 5.6}***

**Motion:** REP. EWER moved that HB289 DO NOT PASS AS AMENDED.

***{Tape : 1; Side : B; Approx. Time Counter : 6.2}***

**Discussion:**

Rep. Ewer gave a handout to each representative.

**EXHIBIT**(loh26a05)

***{Tape : 1; Side : B; Approx. Time Counter : 6.4}***

**Substitute Motion/Vote:** REP. EWER made a substitute motion that HB289 BE TABLED. Substitute motion carried 15-0.

***{Tape : 1; Side : B; Approx. Time Counter : 8.6}***

**ADJOURNMENT**

Adjournment: 3:45 P.M.

---

REP. CHRIS AHNER, Chairman

---

KIMBERLY WALKENHORST, Secretary

CA/KW

**EXHIBIT (loh26aad)**