

MINUTES

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

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: By **CHAIRMAN CHRIS AHNER**, on February 9, 1999 at 3:00 P.M., in Room 104 Capitol.

ROLL CALL

Members Present:

Rep. Chris Ahner, Chairman (R)
Rep. David Ewer, Vice Chairman (D)
Rep. Joan Andersen (R)
Rep. Roy Brown (R)
Rep. Edith Clark (R)
Rep. Tom Dell (D)
Rep. Steven Gallus (D)
Rep. Toni Hagener (D)
Rep. Sam Kitzenberg (R)
Rep. Bob Lawson (R)
Rep. Jeff Mangan (D)
Rep. Mark Noennig (R)
Rep. Trudi Schmidt (D)
Rep. Carley Tuss (D)

Members Excused: Rep. Rod Bitney, Vice Chairman (R)
Rep. Sylvia Bookout-Reinicke (R)
Rep. Scott J. Orr (R)
Rep. Cindy Younkin (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: HB363, 2/9/1999; HB375,
2/9/1999; HB441, 2/9/1999
Executive Action: HB338; HB326

HEARING ON HB363

Opening Statement by Sponsor: Rep. Diana Wyatt
{Tape : 1; Side : A; Approx. Time Counter : 0.5}

Proponents' Testimony:

Alec Hansen, League of Cities and Towns
{Tape : 1; Side : A; Approx. Time Counter : 2.3}

Mike Hink, Billings Recreation and Parks
{Tape : 1; Side : A; Approx. Time Counter : 6.1}

Mike Kadas, Mayor of Missoula
{Tape : 1; Side : A; Approx. Time Counter : 9.4}

Peggy Bourne, City Clerk of Great Falls, MT
{Tape : 1; Side : A; Approx. Time Counter : 10.4}

Opponents' Testimony:

Steve Snezek, Montana Association of Realtors
{Tape : 1; Side : A; Approx. Time Counter : 11.3}

Questions from Committee Members and Responses:
{Tape : 1; Side : A; Approx. Time Counter : 12.4}

Closing Statement by Sponsor: Rep. Diana Wyatt
{Tape : 1; Side : A; Approx. Time Counter : 21.6}

EXECUTIVE ACTION ON HB338

Motion: REP. HAGENER moved that HB338 DO PASS.
{Tape : 1; Side : A; Approx. Time Counter : 23.4}

Discussion: Amendments were passed out. EXHIBIT(loh32a01)
{Tape : 1; Side : A; Approx. Time Counter : 23.7}

Motion: REP. GALLUS moved that AMENDMENTS DO PASS.
{Tape : 1; Side : A; Approx. Time Counter : 24.5}

Discussion:
{Tape : 1; Side : A; Approx. Time Counter : 24.8}

Vote: Motion carried 13-0.
{Tape : 1; Side : A; Approx. Time Counter : 27.8}

Motion: REP. HAGENER moved that HB338 DO PASS AS AMENDED.

{Tape : 1; Side : A; Approx. Time Counter : 28}

Discussion:

{Tape : 1; Side : A; Approx. Time Counter : 28.1}

Vote: Motion carried 15-1. Reps. Bitney, Younkin, and Bookout-Reinicke voted aye by proxy. Rep. Mangan was absent for vote.

{Tape : 1; Side : A; Approx. Time Counter : 28.1}

EXECUTIVE ACTION ON HB326

Motion: REP. DELL moved that HB326 DO PASS.

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

Discussion:

{Tape : 1; Side : B; Approx. Time Counter : 1.4}

Motion: REP. NOENNIG moved that AMENDMENTS PER EXHIBIT (loh32a02) DO PASS.

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

Discussion:

{Tape : 1; Side : B; Approx. Time Counter : 7.3}

Vote: Motion carried 14-0.

{Tape : 1; Side : B; Approx. Time Counter : 21.9}

Motion: REP. MANGAN moved that HB326 DO PASS AS AMENDED.

{Tape : 1; Side : B; Approx. Time Counter : 22.1}

Discussion:

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

Vote: Roll call vote. Motion carried 9-6 with Andersen, Clark, Hagener, Kitzenberg, Mangan, and Schmidt voting no. Rep. Younkin votes aye by proxy.

{Tape : 1; Side : B; Approx. Time Counter : 22.3}

HEARING ON HB375

Opening Statement by Sponsor: Rep. Matt Brainard, HD62

EXHIBIT (loh32a03)

{Tape : 1; Side : B; Approx. Time Counter : 24.7}

Proponents' Testimony:

Mark Langdorf, Montana Fire District Association
{Tape : 1; Side : B; Approx. Time Counter : 27.5}

Dave Mason, Baxondale Volunteer Fire
{Tape : 2; Side : A; Approx. Time Counter : 3.1}

Leonard Lundby, Vaughn Volunteer Fire Department
{Tape : 2; Side : A; Approx. Time Counter : 4.5}

Nick Brown, Chief of Fire Department
{Tape : 2; Side : A; Approx. Time Counter : 6.5}

Don Petrini, Black Eagle Fire Department
{Tape : 2; Side : A; Approx. Time Counter : 8.3}

Tom Leonard, West Helena Fire Department
{Tape : 2; Side : A; Approx. Time Counter : 10.1}

Dean Mack, East Valley Fire Department
{Tape : 2; Side : A; Approx. Time Counter : 11.5}

Jim Johnson, Evergreen Volunteer Fire Department
{Tape : 2; Side : A; Approx. Time Counter : 19.8}

Jim Dusenbury, R and B Truck Repair
{Tape : 2; Side : A; Approx. Time Counter : 23.2}

Opponents' Testimony:

Mike Kadas, Mayor of Missoula
{Tape : 2; Side : A; Approx. Time Counter : 26.6}

Alec Hansen, League of Cities and Towns
{Tape : 2; Side : B; Approx. Time Counter : 2}

Pat Clinch, Montana Fire Fighters Association
{Tape : 2; Side : B; Approx. Time Counter : 8.9}

Doug Neil, Montana State Firemen Association
{Tape : 2; Side : B; Approx. Time Counter : 9.8}

Terrie Casey, City of East Helena
{Tape : 2; Side : B; Approx. Time Counter : 10.5}

Written Testimony given to Rep. Ahner prior to hearing.

EXHIBIT(loh32a04)

Questions from Committee Members and Responses:

{Tape : 2; Side :B; Approx. Time Counter : 12.5}

Closing Statement by Sponsor: Rep. Matt Brainard

{Tape : 3; Side : A; Approx. Time Counter : 9.9}

HEARING ON HB441

Opening Statement by Sponsor: Rep. Matt Brainard, HD62

{Tape : 3; Side : A; Approx. Time Counter : 14.5}

Proponents' Testimony:

Tom Leonard, Fire Chief West Helena Fire District

{Tape : 3; Side : A; Approx. Time Counter : 27.5}

Dean Mack, East Valley Fire District

{Tape : 3; Side : A; Approx. Time Counter : 30}

Jim Dusenbury, J and D Truck Repair

{Tape : 3; Side : B; Approx. Time Counter : 1.6}

Don Hulett, Helena

{Tape : 3; Side : B; Approx. Time Counter : 6.8}

Bill Wagner, Fire Chief East Valley Fire District

{Tape : 3; Side : B; Approx. Time Counter : 8.6}

Opponents' Testimony:

Mike Kadas, Mayor of Missoula

{Tape : 3; Side : B; Approx. Time Counter : 9.3}

Alec Hansen, League of Cities and Towns

{Tape : 3; Side : B; Approx. Time Counter : 18.9}

Carl Schweitzer, Plumbers Association and Montana Subcontractors

{Tape : 3; Side : B; Approx. Time Counter : 26.3}

Jani McCall, City of Billings

{Tape : 4; Side : A; Approx. Time Counter : 0.1}

Lucy Gallus, Montana Rural water Systems Incorporated

{Tape : 4; Side : A; Approx. Time Counter : 3.2}

Janet Ellis, Montana Audubon

{Tape : 4; Side : A; Approx. Time Counter : 5}

Steve Schmitz, Department of Natural Resources and Conservation

{Tape : 4; Side : A; Approx. Time Counter : 8}

Doug Neill, Montana State Firemen Association

{Tape : 4; Side : A; Approx. Time Counter : 11.3}

Terrie Casey, City of East Helena

{Tape : 4; Side : A; Approx. Time Counter : 13.6}

Questions from Committee Members and Responses:

{Tape : 4; Side : A; Approx. Time Counter : 14.7}1

Closing Statement by Sponsor: Rep. Matt Brainard

{Tape : 4; Side : A; Approx. Time Counter : 15}

Discussion regarding a committee bill.

{Tape : 4; Side : A; Approx. Time Counter : 20.7}

ADJOURNMENT

Adjournment: 6:30 A.M.

EXHIBIT (loh32a05) EXHIBIT (loh32a06) EXHIBIT (loh32a07) EXHIBIT (loh32a08) were given to the secretary after the meeting.

REP. CHRIS AHNER, Chairman

KIMBERLY WALKENHORST, Secretary

CA/KW

EXHIBIT (loh32aad)