MINUTES LOG
July 13, 2021
137
Helena, Montana

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MEMBERS PRESENT:
Sen. John Esp, Acting Chair (R)
Sen. Kenneth Bogner, (R)
Sen. Ellie Boldman, (D)
Sen. Mark Sweeney, (D)
Rep. Larry Brewster, (R)
Rep. Geraldine Custer, (R)
Rep. Mary Ann Dunwell, (D)
Rep. Dave Fern, (D)
Rep. Steve Gist, (R)
Rep. Kathy Kelker, (D)

MEMBERS EXCUSED:
STAFF PRESENT:
Toni Henneman, Research Analyst
Julie Johnson, Attorney
Bri Nordhagen, Secretary

AGENDA (Attachment 1)
VISITOR’S LIST (Attachment 2)

COMMITTEE ACTION

- Adopted committee rules, procedures, and guidelines.
- Elected Rep. Geraldine Custer Chair and Sen. Mark Sweeney Vice Chair.
- Adopted draft work plan and decision matrix.

CALL TO ORDER/ROLL CALL
09:33:38 Sen. Esp called the Local Government Interim Committee to order at 9:33 a.m.; the committee secretary took the roll.

Administrative matters
09:46:36 Toni Henneman, Research Analyst, Legislative Services Division (LSD), began her overview of the staff roles and responsibilities.
09:46:36 Julie Johnson, Attorney LSD, gave an overview of her duties.
09:51:23 Ms. Henneman continued her review of administrative matters with the committee budget and website overview the “ORPA Summary of Local Government Legislation” handout. (Exhibit 1)

Questions from the committee
10:00:34 Rep. Dunwell asked Ms. Henneman if she could track the implications or conduct an evaluation of the results of the bill.

Administrative matters (continued)
10:02:11 Ms. Henneman began an overview of the “Rules. Procedures, and Guidelines for interim committees’ handout. (Exhibit 2)

Motion
10:02:52 Rep. Fern made a motion the Local Government Interim Committee adopt the rules and to accept proxies.

Vote
10:03:17 The motion to accept the rules and proxies passed unanimously on a voice vote.

Committee discussion
The motion to elect Rep. Custer as Chair of the Local Government Interim Committee passed unanimously on a voice vote.

Rep. Kelker asked if in order for leadership to be bi-partisan the Vice Chair would have to be a Senator and Democrat.


Sen. Bogner nominated Sen. Sweeney as Vice Chair of the Local Government Interim Committee.

Sen. Boldman asked Sen. Sweeney if he wanted to be Vice Chair and deferred her nomination to him as he accepted.

Rep. Dunwell withdrew her nomination.

The motion to accept Sen. Sweeney as Vice Chair of the Local Government Interim Committee passed unanimously on a voice vote.

BREAK (Reconvened at 10:24:07)


Rep. Dunwell asked Ms. Henneman what criteria the committee would use to either determine yes or no for the language of a ballot initiative.

Rep. Kelker asked Ms. Henneman what entity decides whether something goes to Local Government and how does that happen.

Ms. Henneman continued her review on page 7 of the work plan.

The committee members discussed their individual bills/topics.

Sam Sill, Montana Association of Realtors
Peggy Trank, Montana Housing Coalition
Abigail St. Lawrence, Montana Building Industry Association
Tim Burton, Executive Director, began his discussion with members regarding committee role, function, and study topics.
Kelly Lynch, Deputy Director and General Counsel for Montana League of Cities and Towns gave an overview of her division.
Questions from the committee
11:20:07 Sen. Esp asked Ms. Lynch if she could give an overview of the 2021 bills that affected local control. (see Exhibit 1)
11:28:27 Rep. Fern asked Ms. Lynch if she could review the state constitution and home rule issue.
11:33:14 Rep. Kelker asked Ms. Lynch if there was a difference between public and private places regarding gun regulations.
11:35:10 Rep. Dunwell asked Ms. Lynch if the bills passed affecting local government affected local governments with self-governing or general governing powers.

Public comment
11:42:43 None

LUNCH (Reconvened at 13:02:10)
11:42:47

Introduction of the Work Plan (continued)
13:02:20 Ms. Henneman continued discussion with the three work plan agenda items.

Questions from the committee
13:08:17 Rep. Brewster stated it would be helpful to get the links to those meetings for the committee.

HJ 30: Study of County Water and/or Sewer Districts
13:11:11 Rep. Brewster began his overview of the “HJ 30 – A joint resolution of the Senate and House of Representatives of the state of Montana requesting an interim study to review and assess the current governance structure of county water and/or sewer districts” handout (Exhibit 5)
13:18:14 Julie Spencer, Montana Rural Water Systems Board, gave comment***
13:22:10 Ms. Henneman continued with the work plan matrix – proposed study plan.

Questions from the committee
13:23:49 Rep. Gist asked Ms. Henneman if there was overlap between agencies, and if there was a way to see what overlaps caused issues in where they were trying to comply.

SJ 13 – Study of prevailing wage laws
13:24:59 Ms. Henneman began her overview of the “SJ 13 – A joint resolution of the Senate and House of Representatives of the state of Montana requesting an interim study on public contracts and prevailing wage law” handout (Exhibit 6)
13:27:19 Steve Wade, Montana Contractors Association, gave comment as an interested individual/organization.

Questions from the committee
13:30:14 Rep. Dunwell asked Mr. Burton if being made to pay prevailing wage would put his organization in dire straits.

Introduction of the Work Plan (continued)
13:32:59 Ms. Henneman continued with the work plan matrix – proposed study plan.

SJ 23 – Study allowing public notice via certain electronic publications
13:34:04 Ms. Henneman began her overview of the “SJ 23 – A joint... requesting an interim study on public notice provided electronically” handout. [Exhibit 7]
13:36:09 Rhonda Wiggers, Montana Broadcasters Association, gave comment as an interested individual/organization.
13:39:13 Kelly Lynch, Montana City of Leagues and Towns, gave comment***
13:40:10 Ms. Henneman continued with the work plan matrix – proposed study plan.

Public comment
13:41:56 None

Committee Work Session
13:42:22 Ms. Henneman and committee discussed the work plan decision matrix.

Motion
14:23:05 Sen. Esp made a motion to adopt the assigned studies with .30 FTE for HJ 30, .15 for SJ 13, .20 for SJ 23, .04 for the Homeowners’ Association topic, .005 for the land use planning agenda item, .005 to receive updates on the MARA study, .003 to receive updates on HJ 6.

Vote
14:23:21 The motion to adopt the previously mentioned assigned studies with the correlating FTE passed on a voice vote with Sen. Sweeney voting no.

Motion
14:26:15 Sen. Boldman made a motion to put .1 FTE to the topic of homelessness/affordable housing.

Discussion from the committee
14:26:32 The committee discussed the motion.

Vote
14:31:58 The motion to assign .1 FTE to the topic of homelessness/affordable housing passed with one voting no. (get who this was)

Discussion from the committee
14:32:40 The committee discussed the work plan***

Motion
14:35:08 Rep. Dunwell made a motion to assign .05 for the public health bills.
Discussion from the committee
14:35:27 The committee discussed the motion.

Vote
14:36:09 The motion to assign .05 for the public health passed on a voice vote with Sen. Esp and Rep. Brewster voting no.

Motion
14:37:09 Rep. Gist made a motion to reserve the remaining .147 FTE for the topics still on the work plan or to emerging issues.

Vote

Committee Work Session
14:38:01 Ms. Henneman continued the work session with discussion on future meeting dates and additional instructions to staff.

Public comment* on any item in LGIC’s subject matter jurisdiction
14:51:11 None

ADJOURNMENT
14:51:55 Madam Chair Custer adjourned the Local Government Interim Committee at 2:51 p.m.