

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: By **CHAIRMAN ELSIE ARNTZEN**, on February 8, 2007 at 3:00 P.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Elsie Arntzen, Chairman (R)
Rep. Wayne Stahl, Vice Chairman (R)
Rep. Brady Wiseman, Vice Chairman (D)
Rep. Duane Ankney (R)
Rep. Bob Ebinger (D)
Rep. Wanda Grinde (D)
Rep. Betsy Hands (D)
Rep. Pat Ingraham (R)
Rep. Hal Jacobson (D)
Rep. William J. Jones (R)
Rep. Deborah Kottel (D)
Rep. Gary MacLaren (R)
Rep. Bill Nooney (R)
Rep. Jesse O'Hara (R)
Rep. Diane Sands (D)

Members Excused: None.

Members Absent: Rep. Mark Blasdel (R)

Staff Present: Sonja Lee, Legislative Branch
Pam Schindler, 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 524, HB 535, 1/31/2007
Executive Action: HB 367, HB 535, HB 510, HB 433, HB 235, HB 524, HB 280

HEARING ON HB 524

Opening Statement by Sponsor:

00:02:03 Rep. Robin Hamilton (D), HD 92, opened the hearing on
HB 524 Revise city or town incorporation laws.

Proponents' Testimony:

00:04:13 Walt Hill, self
00:07:55 Alec Hansen, League of Cities and Towns
00:10:29 Rep. Sands
00:11:41 Rep. Ebinger

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:13:00 Rep. Ingraham
00:13:13 Mr. Hill
00:13:47 Rep. Nooney
00:13:54 Mr. Hill
00:15:37 Rep. Ingraham
00:15:52 Mr. Hill

Closing by Sponsor:

00:16:14 Rep. Hamilton

HEARING ON HB 535

Opening Statement by Sponsor:

00:17:17 Rep. Kevin Furey (D), HD 91, opened the hearing on HB
535, County regulation of fireworks.

Proponents' Testimony: None

Opponents' Testimony: none

00:20:03 Michael Mayder, Fireworks Distributor
00:26:29 Jacob Ticknor, self
00:27:15 Dick Mahaffey, TNT Fireworks
00:27:42 John Metscher, Fireworks Distributor
00:30:41 Susan Nelson, Fireworks Distributor
00:31:56 Kitty Krohne, Fireworks Distributor
00:32:17 Todd Reichenbach, Fireworks Distributor/Displays

00:33:35 Bruce Bertalmio, self
00:35:05 Bob Goffena, County Commissioner, Garfield County
00:36:01 Laurie Ryerson, Twister Fireworks,
00:36:11 Angela Bertalmio, self
00:36:36 Greg Ticknor, self

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:37:10 Rep. Furey

00:39:01 Break

00:44:15 Reconvene

(Reps. Hands, Blasdel and MacLaren absent from room.)

EXECUTIVE ACTION ON HB 535

00:45:30 **Motion:** Rep. Wiseman moved that **HB 535 DO PASS.**

00:45:41 **Substitute Motion/Vote:** Rep. O'Hara made a substitute motion that **HB 535 BE TABLED.** Substitute motion that **HB 535 BE TABLED** carried 15-1 by roll call vote with Rep. Sands voting no. Reps. Blasdel, Hands, and MacLaren voted by proxy.

EXECUTIVE ACTION ON HB 367

00:47:29 **Motion:** Rep. Stahl moved that **HB 367 DO PASS.**

00:47:33 **Substitute Motion/Vote:** Rep. O'Hara moved that **HB 367 BE TABLED.** Motion carried 15-1 by voice vote with Rep. Sands voting no. Reps. MacLaren, Blasdel, Hands voted by proxy.

EXECUTIVE ACTION ON HB 235

00:48:55 **Motion/Vote:** Rep. Wiseman moved to **RECONSIDER THE ACTION on HB 235.** Motion carried unanimously by voice vote.

00:49:29 **Motion:** Rep. Stahl moved that **HB 235 DO PASS AS AMENDED** from a previous Executive Action 2/6/07.

00:50:07 **Motion:** Rep. Wiseman moved that **HB 235 BE AMENDED.**
(with amendment from previous hearing 2/6/07)

Discussion:

00:53:41 Rep. Stahl
00:54:12 Rep. Kottel
00:54:36 Rep. Wiseman
00:55:28 Rep. Grinde
00:55:36 Rep. Ebinger

(Rep. Hands returns to room.)

00:59:08 **Vote:** Motion that **HB 235 BE AMENDED** carried unanimously by voice vote. Reps. Ankney, Blasdel and MacLaren voted by proxy.

00:59:46 **Motion/Vote:** Rep. Wiseman moved that **HB 235 DO PASS AS AMENDED.** Motion carried by voice vote 15-1 with Rep. Blasdel voting no. Reps. Ankney, Blasdel and MacLaren voted by proxy.

EXECUTIVE ACTION ON HB 280

01:02:37 **Motion/Vote:** Rep. Stahl moved to **RECONSIDER THE ACTION on HB 280.** Motion carried by voice vote 14-2 with Reps. Grinde and Jones voting no. Reps. Blasdel, MacLaren and Ankney voted by proxy.)

01:04:29 Rep. Ebinger
01:05:25 Sonja Lee, Legislative Staffer
01:05:36 Rep. Kottel
01:05:41 Rep. Stahl
01:06:23 Sheryl Wood, Associate Director, Montana Association of Counties
01:07:33 Rep. Grinde
01:08:00 Rep. Stahl
01:08:19 Rep. Wiseman

01:08:25 **Motion:** Rep. Stahl moved that **HB 280 BE TABLED.**

(A motion to Table is a non-debatable motion; however, Rep. Wiseman was allowed to make the Substitute Motion Do Pass. There was no vote taken on the Motion to Table.)

01:09:05 **Substitute Motion/Vote:** Rep. Wiseman made a substitute motion that **HB 280 DO PASS**. Substitute motion carried 10-6 by roll call vote with Reps. Arntzen, Blasdel, Ingraham, Jones, Nooney, and Stahl voting no. Reps. Blasdel and MacLaren voted by proxy.

(Chairman Arntzen did not release the Committee Report.)

EXECUTIVE ACTION ON HB 524

01:12:27 **Motion:** Rep. Sands moved that **HB 524 DO PASS**.

01:13:15 Rep. Sands withdrew motion on HB 524.

EXECUTIVE ACTION ON HB 433

01:13:20 **Motion:** Rep. Wiseman moved that **HB 433 DO PASS**.

Discussion:

01:14:30 Rep. Ingraham

01:14:50 Rep. Wiseman

01:15:02 Rep. Sands

01:15:12 Ms. Wood

01:15:52 Rep. Wiseman

01:16:48 **Vote:** Motion that **HB 433 DO PASS** carried unanimously by roll call vote. Rep. Hands voted by proxy.

EXECUTIVE ACTION ON HB 510

01:18:21 **Motion:** Rep. Stahl moved that **HB 510 DO PASS**.

01:19:09 **Motion:** Rep. Stahl moved that **HB 510 BE AMENDED**.

EXHIBIT(loh28a01)

Discussion:

01:19:31 Discussion

01:19:37 Rep. Ankney

01:19:41 Ms. Lee

01:20:10 Rep. Ebinger

01:20:15 Ms. Lee

01:20:52 Rep. Wiseman

01:21:40 **Vote:** Motion that **HB 510 BE AMENDED** carried unanimously by voice vote. Rep. Hands voted by proxy.

01:22:01 **Motion/Vote:** Rep. Stahl moved that **HB 510 DO PASS AS AMENDED**. Motion carried unanimously by roll call vote. Rep. Hands voted by proxy vote.

Committee Business:

01:23:52 Rep. Ebinger re: HB 265

01:24:37 Rep. Stahl

ADJOURNMENT

Adjournment: 4:25 P.M.

REP. ELSIE ARNTZEN, Chairman

PAM SCHINDLER, Secretary

EA/ps

Additional Exhibits:

EXHIBIT ([loh28aad.pdf](#))