

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: By Chairman Elsie Arntzen on February 15, 2007 at 3:13 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. Mark Blasdel (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: None

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 425, HB 588, HB 589, HB 551, 2/8/2007
Executive Action:	HB 265, HB 252, HB 524, HB 596, HB 582, HB 489, HB 295

HEARING ON HB 551

Opening Statement by Sponsor:

00:01:49 Rep. Arlene Becker (D), HD 52, opened the hearing on HB 551, County costs for pre-commitment evaluation for mental illness.

Proponents' Testimony:

00:05:50 Bill Kennedy, Yellowstone County Commissioners
00:09:57 Cindy Peterson, Hill County Attorney, Montana County Attorneys Association
00:15:49 Doug Kaercher, Hill County Commissioners, Montana Association of Countys
00:17:11 Kevin Gillen, Yellowstone County Commissioners
00:19:16 Michael Harris, Legislative Liaison, Gallatin County Commissioners
00:19:39 Brent Linneweber, Park County Attorneys, Park County Commissioners, Montana County Attorneys Association
00:24:04 Leo Gallagher, Lewis and Clark County Attorneys, Montana County Attorneys Association, Montana Association of Countys
00:29:26 Carl Seilstad, Fergus County Commissioners
00:32:13 Don Rieger, Fallon County Commissioner

Opponents' Testimony:

00:33:28 Bob Olson, Vice-President, Montana Hospital Association
[EXHIBIT\(loh34a01\)](#)
00:39:09 Jani McCall, Billings Clinic
00:44:09 Anita Rossman, Attorney, Montana Advocacy Program

Informational Testimony:

00:51:55 Ed Amberg, Director, Montana State Hospital, Warm Springs, Montana

Questions from Committee Members and Responses:

00:52:28 Rep. Kottel
00:53:13 Rep. Becker
00:58:44 Rep. O'Hara
00:59:06 Ms. Rossman
01:02:17 Rep. Wiseman
01:02:47 Ms. Peterson
01:04:02 Rep. Hands
01:04:46 Ms. McCall
01:06:33 Mr. Gillen

Closing by Sponsor:

01:09:54 Rep. Becker

HEARING ON HB 588

Opening Statement by Sponsor:

01:12:31 Rep. George Everett (R), HD 5, opened the hearing on HB 588, Add exempt sale provision to subdivisions exempt from review.

[EXHIBIT\(loh34a02\)](#)

Proponents' Testimony:

01:13:51 Jeff Larson, Former Chairman, Flathead County Planning Board, Civil Engineer

01:18:28 Rick Breckenridge, Registered Land Surveyor

01:21:19 Russ Crowder, Executive Director, American Dream Montana, Former Board Chair, Flathead County Planners

01:27:16 Charles Lapp, Flathead County Planning Board

01:29:56 Joe Roberts, Montana Association of Registered Landowners

01:30:59 Dustin Stewart, Montana Home Builders Association

Opponents' Testimony:

01:31:21 Myra Shultz, Land Use Attorney

[EXHIBIT\(loh34a03\)](#)

01:34:33 Janet Kempff, Licensed Land Surveyor

[EXHIBIT\(loh34a04\)](#)

[EXHIBIT\(loh34a05\)](#)

[EXHIBIT\(loh34a06\)](#)

01:36:56 Tammy Magill, Montana Association of Planners

Informational Testimony: None

Questions from Committee Members and Responses:

01:40:28 Rep. Ankney

01:41:21 Mr. Larson

01:43:17 Rep. Everett

01:44:10 Rep. Nooney

01:44:28 Mr. Larson

01:47:04 Rep. Everett

01:48:38 Rep. McLaren

01:48:48 Rep. Everett

01:49:29 Rep. Lapp

01:50:22 Rep. Ebinger

01:50:58 Rep. Everett

Closing by Sponsor:

01:51:35 Rep. Everett

01:52:08 Break

03:38:00 Reconvene

The Audacity Program started over due to the length of time between Break and Reconvene. The House Local Government Committee reconvened at 6:53 P.M.

HEARING ON HB 589

Opening Statement by Sponsor:

00:00:27 Rep. George Everett (R), HD 5, opened the hearing on HB 589, Revise criteria for first minor subdivision.

[EXHIBIT](#)(loh34a07)

Proponents' Testimony:

00:01:38 Jeff Larson, Flathead County Planning Board

00:03:12 Russ Crowder, American Dream Montana

00:03:29 Michael Harris, Gallatin County Liaison

00:03:36 Justin Stewart, Montana Building Association

00:04:42 Glen Oppel, Montana Association of Realtors

00:04:58 Joe Roberts, Montana Association Real Estate Landowners

00:05:21 Rick Breckenridge, Registered Land Surveyor

Opponents' Testimony:

00:07:43 Myra Shultz, Land Use Attorney

[EXHIBIT](#)(loh34a08)

00:10:13 Tammi Magill, Montana Association of Planners

Informational Testimony: None

Questions from Committee Members and Responses:

00:12:41 Rep. Nooney

00:13:07 Rep. Everett

Closing by Sponsor:

00:13:47 Rep. Everett

Exhibit for HB 589 received through the mail.

[EXHIBIT\(loh34a09\)](#)

HEARING ON HB 425

Opening Statement by Sponsor:

00:15:56 Rep. Jon Sesso (D), HD 76, opened the hearing on HB 425, Revise subdivision and platting act.

Proponents' Testimony:

00:28:36 Tammi Magill, Montana Association of Planners
00:35:19 Michael Kakuk, Montana Association of Realtors
00:38:58 Janet Kempff, Licensed Land Surveyor
00:39:25 Myra Schultz, Montana Association of Counties

Opponents' Testimony:

00:39:45 Rick Breckenridge, Registered Land Surveyor
00:43:41 Jeff Larson, Flathead County Planning Board
00:45:22 Russ Crowder, American Dream Montana
00:45:49 Joe Roberts, Montana Association of Registered Land Surveyors

Informational Testimony: None

Questions from Committee Members and Responses:

00:49:46 Rep. Hands
00:50:51 Mr. Kakuk
00:52:29 Mr. Larson
00:53:08 Rep. Ingraham
00:54:21 Mr. Kakuk
00:55:41 Ms. Schultz
00:56:23 Rep. Sesso
00:57:21 Rep. Wiseman
00:57:41 Rep. Hands
00:58:16 Mr. Kakuk
00:59:49 Rep. MacLaren
01:00:09 Mr. Kakuk
01:01:27 Rep. Stahl
01:02:27 Mr. Kakuk
01:09:33 Rep. Nooney
01:10:25 Mr. Breckenridge
01:12:58 Rep. Stahl
01:13:28 Ms. Magill

Closing by Sponsor:

01:17:13 Rep. Sesso

EXECUTIVE ACTION ON HB 265

01:21:59 **Motion:** Rep. Jacobson moved that **HB 265 DO PASS.**

Discussion:

01:22:13 Rep. Stahl

01:22:53 Rep. Ebinger

01:24:19 Rep. Wiseman

01:24:45 Rep. Arntzen

01:25:16 Rep. Ebinger

01:26:29 **Vote:** Motion that **HB 265 DO PASS** carried 12-4 by roll call vote with Reps. Stahl, Blasdel, Ingraham, and Jones voting no.

EXECUTIVE ACTION ON HB 252

01:27:27 **Motion/Vote:** Rep. Stahl moved that **HB 252 BE TABLED.** Motion carried unanimously by roll call vote.

EXECUTIVE ACTION ON HB 524

01:29:44 **Motion:** Rep. Stahl moved that **HB 524 DO PASS.**

01:29:50 **Motion:** Rep. Ingraham moved that **HB 524 BE AMENDED.**
EXHIBIT(loh34a10)

Discussion:

01:31:35 Rep. Stahl

01:32:02 Sonja Lee, Legislative Services

01:32:06 **Vote:** Motion that **HB 524 BE AMENDED** carried unanimously by voice vote.

01:32:24 **Motion/Vote:** Rep. Jacobson moved that **HB 524 DO PASS AS AMENDED.** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 596

01:33:18 **Motion/Vote:** Rep. Sands moved that **HB 596 DO PASS.**
Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 582

01:34:10 **Motion:** Rep. Wiseman moved that **HB 582 DO PASS.**

Discussion:

01:34:28 Ms. Lee

01:35:40 **Substitute Motion/Vote:** Rep. Stahl moved that **HB 582 BE TABLED.** Motion carried 10-6 by roll call vote with Reps. Wiseman, Ebinger, Hands, Jacobson, Kottel, and Sands voting no.

EXECUTIVE ACTION ON HB 489

01:37:25 **Motion:** Rep. Hands moved that **HB 489 DO PASS.**

Discussion:

01:37:37 Rep. Hands

01:38:38 **Motion:** Rep. Sands moved that **HB 489 BE AMENDED.**
EXHIBIT(loh34a11)

Discussion:

01:39:44 Ms. Lee

01:40:18 Rep. Nooney

01:41:08 **Vote:** Motion that **HB 489 BE AMENDED** carried
unanimously by voice vote.

01:41:30 **Motion:** Rep. Wiseman moved that **HB 489 DO PASS AS AMENDED.**

Discussion:

01:41:43 Rep. Wiseman

01:43:36 Rep. Ankney

01:44:17 Rep. Ebinger

01:45:11 **Substitute Motion/Vote:** Rep. Stahl moved that **HB 489 BE TABLED**. Motion carried 9-7 by roll call vote with Reps. Wiseman, Ebinger, Grinde, Hands, Jacobson, Kottel, and Sands voting no.

EXECUTIVE ACTION ON HB 295

01:48:18 **Motion/Vote:** Rep. MacLaren moved that **HB 295 BE TABLED**. Motion carried 14-2 by roll call vote with Reps. Ebinger and Hands voting no.

ADJOURNMENT

Adjournment: 8:42 P.M.

REP. ELSIE ARNTZEN, Chairman

PAM SCHINDLER, Secretary

EA/ps

Additional Exhibits:

EXHIBIT ([loh34aad.pdf](#))