

MINUTES

**MONTANA SENATE
60th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: By **SEN. LYNDA MOSS**, on March 27, 2007 at 3:20 P.M., in Room 303 Capitol.

ROLL CALL

Members Present:

Sen. John Esp (R)
Sen. Kelly Gebhardt (R)
Sen. Bob Hawks (D)
Sen. Carol C. Juneau (D)
Sen. Rick Laible (R)
Sen. Lynda Moss (D)
Sen. Terry Murphy (R)
Sen. Jerry O'Neil (R)
Sen. Mitch Tropila (D)
Sen. Carol Williams (D)

Members Excused:

Sen. Kim Gillan, Chairman (D)

Members Absent: None.

Staff Present: Sue O'Connell, Legislative Branch
Marigail Schreiner, 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 112, HB 265, HB 426, 3/14/2007
Executive Action: SB 345, HB 415, HB 265, HB 112,
HB 426

00:00:00 Opening comments by Vice-Chair Moss

EXECUTIVE ACTION ON SB 345

00:02:33 Sen. Hawks

00:16:08 Vice Chair Moss

00:16:14 **Motion: SEN. HAWKS moved that SB 345 DO PASS.**

00:16:30 **Motion: SEN. HAWKS moved that SB 345 BE AMENDED.**

Discussion:

00:16:54 Sen. O'Neil to Sen. Hawks

00:18:17 Janet Ellis, Montana Audubon

00:19:43 Sen. O'Neil to Janet Ellis

00:23:46 Sen. Juneau to Sen. Hawks

00:24:02 Sen. Tropila left

00:26:31 Sen. Laible to Sen. Hawks

00:27:21 Sen. Hawks

00:28:25 **Vote: Motion carried 9-1 by voice vote with SEN. ESP voting no and SEN. GILLAN and SEN. TROPILA voting aye by proxy.**

00:28:40 **Motion: SEN. LAIBLE moved that SB 345 BE AMENDED.**

Discussion;

00:29:47 Sen. Hawks

00:29:59 Sen. Juneau to Sen. Laible

00:30:25 Sen. Hawks to Sen. Laible

00:31:50 Sen. Hawks to Sue O'Connell

00:32:03 Sen. Laible

EXHIBIT (los65a01)

00:32:12 Sen. O'Neil to Sen. Laible

00:33:36 **Vote:** Motion carried unanimously by voice vote with
SEN. GILLAN and SEN. TROPILA voting aye by proxy.

00:33:51 **Motion:** SEN. HAWKS moved that SB 345 DO PASS AS
AMENDED.

Discussion:

00:34:06 Sen. O'Neil

00:34:52 Sen. Williams to Sen. Hawk

00:37:03 Sen. Esp

00:38:13 Sen. Laible

00:42:40 Sen. Gebhardt

00:45:13 Sen. Murphy

00:46:14 Vice-Chair Moss

00:48:04 Sen. Esp

00:48:52 Sen. Hawks

00:51:01 **Vote:** Motion carried 7-4 by roll call vote with SEN.
ESP, SEN. GEBHARDT, SEN. MURPHY, and SEN. O'NEIL voting
no and SEN. TROPILA and SEN. WILLIAMS voting aye by
proxy.

EXECUTIVE ACTION ON HB 415

00:52:30 **Motion:** SEN. LAIBLE moved that HB 425 BE CONCURRED IN.

EXHIBIT (los65a02)

00:52:44 **Motion:** SEN. MOSS moved that HB 415 BE AMENDED.

00:53:29 Sue O'Connell, LSD

Discussion:

00:54:13 Sen. Laible to Sue O'Connell

00:55:00 Sen. Murphy to Sue O'Connell

00:55:29 Sen. Laible

00:56:08 Linda Stoll, representing Missoula County

00:57:03 Sen. Murphy to Linda Stoll

00:58:05 **Vote: Motion carried unanimously by voice vote with SEN. GILLAN and SEN. TROPILA voting aye by proxy.**

00:58:15 **Motion: SEN. MOSS moved that HB 415 BE CONCURRED IN AS AMENDED.**

Discussion:

00:58:26 Sen. Laible

00:59:48 Sen. Gebhardt

01:01:10 Sen. Hawks

01:03:01 Sen. O'Neil

01:03:15 Vice-Chair Moss

01:04:12 **Vote: Motion carried 6-5 by roll call vote with SEN. ESP, SEN. GEBHARDT, SEN. LAIBLE, SEN. MURPHY, and SEN. O'NEIL voting no with SEN. TROPILA and SEN. GILLAN voting aye by proxy. SEN. MOSS will carry HB 415 on the Senate Floor.**

01:05:13 Sen. Williams left

HEARING ON HB 112

Opening Statement by Sponsor:

01:05:35 **REP. ELSIE ARNTZEN (R), HD 53, opened the hearing on HB 112, Prescribe duties and authority of fire chiefs.**

EXHIBIT (los65a03)

Proponents' Testimony:

01:09:21 Scott Waldron, Frenchtown Rural Fire District and a Member of HJ 10 Committee

01:11:17 Brett Waters, Central Valley Fire District, Belgrade City Fire Department and Member of HJ 10 Committee

01:12:48 Leonard Lundby, Montana State Volunteer Firefighters

01:13:24 Gordon Morris, on behalf of the Lewis and Clark County Commissioners

01:14:45 Sheryl Wood, Associate Director, Montana Association of Counties

Opponents' Testimony:

01:15:11 None

Informational Testimony:

01:15:14 None

Questions from Committee Members and Responses:

01:15:22 Sen. Hawks to Gordon Morris

01:16:10 Sen. Laible to Gordon Morris

01:17:09 Sen. Laible to Rep. Arntzen

01:17:21 Sen. Laible to Chief Waldron

Closing by Sponsor:

01:19:43 Rep. Arntzen

HEARING ON HB 265

Opening Statement by Sponsor:

01:20:39 **REP. BOB EBINGER (D), HD 62**, opened the hearing on **HB 265**, Clarify vote requirements for planning board.

Proponents' Testimony:

01:22:23 Tara DePuy, Civil Attorney for Park County

01:26:35 Leonard Lundby, Cascade County Planning Board and Cascade County Zoning Board

01:27:09 Linda Stoll, on behalf of the Montana Association of Planners

01:27:46 John Prinky, Carbon County Commissioners and on behalf
of the Montana Association of Counties

Opponents' Testimony:

01:28:12 None

Informational Testimony:

01:28:01 None

Questions from Committee Members and Responses:

01:28:22 Sen. Laible to Linda Stoll

01:29:07 Sen. Laible to Tara DePuy

Closing by Sponsor:

01:29:59 Rep. Ebinger

HEARING ON HB 426

Opening Statement by Sponsor:

01:30:50 **REP. JOHN (JACK) ROSS (R), HD 60**, opened the hearing on
HB 426, Eliminate limit on county road and bridge
depreciation reserve funds.

Proponents' Testimony:

01:32:35 Sheryl Wood, Associate Director, Montana Association of
Counties

EXHIBIT (los65a04)

01:34:25 Gordon Morris, on behalf of the Lewis and Clark County
Commissioners, and Montana County Road Supervisors

Opponents' Testimony:

01:36:24 None

Informational Testimony:

01:36:30 None

Questions from Committee Members and Responses:

01:36:36 Sen. Laible to Gordon Morris

01:38:55 Sen. O'Neil to Gordon Morris

Closing by Sponsor:

01:40:36 Rep. Ross

EXECUTIVE ACTION ON HB 265

01:41:13 **Motion/Vote:** SEN. ESP moved that HB 265 BE CONCURRED IN. Motion carried unanimously by voice vote. SEN. WILLIAMS voted aye by proxy. SEN. ESP will carry HB 265 on the Senate Floor.

EXECUTIVE ACTION ON HB 112

01:42:00 **Motion:** SEN. LAIBLE moved that HB 112 BE CONCURRED IN.

Discussion:

01:42:08 Sen. O'Neil

01:42:36 Sen. Hawks

01:43:03 Sen. O'Neil to Sen. Hawks

01:43:36 Sen. O'Neil to Sen. Gebhardt

01:44:42 Sen. O'Neil to Sen. Gebhardt

01:45:57 Sen. Laible to Sen. O'Neil

01:47:19 Sen. Laible to Sheryl Wood

01:47:41 Sen. Juneau

01:48:20 **Vote:** Motion carried unanimously by voice vote. SEN. WILLIAMS voted aye by proxy. SEN. GEBHARDT will carry HB 112 on the Senate Floor.

INFORMATION on HB 235

01:48:49 Sen. Esp on HB 235

[EXHIBIT](#) (los65a05)

EXECUTIVE ACTION ON HB 426

01:49:33 Motion/Vote: SEN. GEBHARDT moved that HB 426 BE CONCURRED IN. Motion carried unanimously by voice vote. SEN. WILLIAMS voted aye by proxy. SEN. HAWKS will carry HB 426 on the Senate Floor.

ADJOURNMENT

Adjournment: 5:10 P.M.

SEN. LYNDA MOSS, Chairman

MARIGAIL SCHREINER, Secretary

KG/ms

Additional Exhibits:

EXHIBIT ([los65aad.pdf](#))