

MINUTES

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

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: By **CHAIRMAN KIM GILLAN**, on March 29, 2007 at 4:52 P.M., in Room 303 Capitol.

ROLL CALL

Members Present:

Sen. Kim Gillan, Chairman (D)
President, Mike Cooney (D)
Sen. Bob Hawks (D)
Sen. Carol C. Juneau (D)
Sen. Lynda Moss (D)
Sen. Jerry O'Neil (R))

Members Excused:

Sen. John Esp (R)
Sen. Kelly Gebhardt (R)
Sen. Rick Laible (R)
Sen. Terry Murphy (R)
Sen. Mitch Tropila (D)
Sen. Carol Williams (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 590, 3/28/2007
Executive Action: HB 415, HB 235, HB 425, HB 590

00:00:00 Opening comments by Chairman Gillan

HEARING ON HB 590

Opening Statement by Sponsor:

00:00:16 **REP. GEORGE EVERETT (R), HD 5**, opened the hearing on **HB 590**, Revise requirements for growth policy.

00:01:26 Sen. Esp arrived

Proponents' Testimony:

00:01:59 Russ Crowder, American Dream Montana

00:02:38 Sen. Laible arrived

00:06:43 Charles Lapp, Columbia Falls

00:11:00 Sen. Gebhardt arrived

00:14:15 Rick Breckenridge, Kalispell, representing self

Opponents' Testimony:

00:19:47 Linda Stoll, on behalf of the Montana Association of Planners and Missoula County

00:21:55 Sen. Tropila arrived

00:24:14 Gordon Morris, on behalf of Lewis and Clark County

00:25:35 Sen. Murphy arrived

00:26:26 Harold Blattie, Montana Association of Counties

00:29:00 Joe Brenneman, Flathead County Commissioner and Diary Farmer

00:32:40 Tim Davis, Montana Smart Growth Coalition

00:34:39 Mike Kaddis, Mayor, City of Missoula

Informational Testimony:

00:35:55 None

Questions from Committee Members and Responses:

00:36:21 Sen. Esp to Linda Stoll
00:37:21 Sen. Esp to Tim Davis
00:38:19 Sen. Esp to Rep. Everett
00:40:58 Sen. O'Neil to Linda Stoll
00:42:58 Sen. O'Neil to Mr. Crowder
00:45:39 Sen. O'Neil to Joe Brenneman
00:47:51 Chairman Gillan to Joe Brenneman
00:48:57 Sen. Laible in response to Sen. Esp's question.

Closing by Sponsor:

00:49:54 Rep. Everett
00:53:11 Chairman Gillan

EXECUTIVE ACTION ON HB 415

00:53:54 **Motion:** SEN. MOSS moved that HB 415 BE CONCURRED IN.

Discussion:

00:54:06 Sue O'Connell
00:54:19 SEN. MOSS withdrew her motion to do concur in HB 415.
00:54:22 **Motion:** SEN. MOSS moved that HB 415 BE CONCURRED IN AS
AMENDED.

Discussion:

00:54:38 Sen. Laible
00:55:24 Sen. Esp
00:56:16 Sen. Hawks
00:56:48 Sen. O'Neil

00:57:40 **Vote:** Motion carried 6-5 by roll call vote with SEN.
ESP, SEN. GEBHARDT, SEN. LAIBLE, SEN. MURPHY, and SEN.

O'NEIL voting no. SEN. MOSS will carry HB 415 on the Senate Floor.

EXECUTIVE ACTION ON HB 235

00:58:58 **Motion:** SEN. GEBHARDT moved that HB 235 BE CONCURRED IN.

Discussion:

00:59:15 Chairman Gillan

00:59:23 **Motion:** SEN. ESP moved that HB 235 BE AMENDED.

00:59:43 **Motion:** SEN. ESP moved to segregate amendment 2 of Amendment HB023501.aso.

01:00:03 **Motion:** SEN. ESP moved that AMENDMENT 1, 3, 4, 5, 6 of Amendment HB023501.aso BE ADOPTED.

Discussion:

01:00:15 Sen. Laible

01:00:22 Sue O'Connell

01:01:44 **Vote:** Motion carried unanimously by voice vote.

01:01:56 **Motion:** SEN. ESP moved that HB 235 BE CONCURRED IN AS AMENDED.

Discussion:

01:02:06 Sen. Esp

01:03:27 Sen. O'Neil

01:05:12 **Motion:** SEN. O'NEIL moved that HB 235 BE AMENDED.

Discussion:

01:05:24 Sen. Esp

01:06:03 Sen. O'Neil to Sen. Esp

01:07:50 Sen. Moss to Sen. Esp

01:08:39 Chairman Gillan

01:08:45 Sen. Hawks

01:09:09 Vote: Motion failed 9-2 with SEN. O'NEIL and SEN. TROPILA voting aye.

01:09:53 Motion: SEN. MOSS moved that HB 235 BE CONCURRED IN AS AMENDED.

Discussion:

01:10:04 Sen. O'Neil

01:10:34 Vote: Motion carried 10-1 with SEN. O'NEIL voting no. SEN. GILLAN will carry HB 235 on the Senate Floor.

EXECUTIVE ACTION ON HB 425

01:14:29 Motion: SEN. ESP moved that HB 425 BE CONCURRED IN.

[EXHIBIT \(los67a01\)](#)

01:14:41 Motion: SEN. ESP moved that HB 425 BE AMENDED.

Discussion:

01:15:13 Chairman Gillan

01:15:53 Vote: Motion carried unanimously by voice vote.

01:16:25 Motion: SEN. ESP moved that HB 425 BE AMENDED.

[EXHIBIT \(los67a02\)](#)

01:16:50 Sue O'Connell, LSD

Discussion:

01:17:15 Sen. Hawks to Linda Stoll

01:21:00 Chairman Gillan

01:21:07 Vote: Motion carried unanimously by voice vote.

01:21:15 Motion: SEN. MOSS moved that HB 425 BE CONCURRED IN AS AMENDED.

Discussion:

01:21:33 Sen. Esp
01:22:07 Sen. Tropila
01:22:45 Sen. Hawks
01:23:11 Sen. Laible
01:23:58 **Vote:** Motion failed 5-6 with SEN. GILLAN, SEN. HAWKS, SEN. JUNEAU, SEN. MOSS, and SEN. WILLIAMS voting aye.
01:24:45 **Motion/Vote:** SEN. ESP moved that HB 425 BE TABLED AND THE VOTE REVERSED. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 590

01:25:10 **Motion:** SEN. ESP moved that HB 590 BE CONCURRED IN.

Discussion:

01:25:29 **Motion/Vote:** SEN. O'NEIL moved that HB 590 BE CONCEPTUALLY AMENDED. Motion carried unanimously by voice vote.

01:26:37 **Motion:** SEN. ESP moved that HB 590 BE CONCURRED IN AS AMENDED.

Discussion:

01:26:49 **Motion/Vote:** SEN. JUNEAU moved that HB 590 BE TABLED. Motion carried 9-2 with SEN. ESP and SEN. O'NEIL voting no.

ADJOURNMENT

Adjournment: 6:21 P.M.

SEN. KIM GILLAN, Chairman

MARIGAIL SCHREINER, Secretary

KG/ms

Additional Exhibits:

EXHIBIT ([los67aad.pdf](#))