

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: Chairwoman Elsie Arntzen, on February 10, 2009 at 3:00 P.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Elsie Arntzen, Chairwoman (R)
Rep. Gary MacLaren, Vice Chairman (R)
Rep. Arlene Becker (D)
Rep. Gerald Bennett (R)
Rep. Tom Berry (R)
Rep. Robyn Driscoll (D)
Rep. Bob Ebinger (D)
Rep. Robin Hamilton (D)
Rep. Pat Ingraham (R)
Rep. Mike Menahan (D)
Rep. Michael More (R)
Rep. Scott Reichner (R)
Rep. Michele Reinhart (D)
Rep. Diane Sands (D)
Rep. Wayne Stahl (R)
Rep. Gordon Vance (R)

Members Excused: Rep. Betsy Hands, Vice Chairwoman (D)
Rep. Wanda Grinde (D)

Members Absent: None

Staff Present: Katie Butcher, Committee Secretary
Joe Kolman, Legislative Branch

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: HB 406, HB 420, HB 426, HB 436
Executive Action: None

00:00:00 Call to order
(Rep. Hands arrived)

HEARING ON HB 406

Opening Statement by Sponsor:

00:03:19 Rep. Michele Reinhart (D), HD 97, opened the hearing on
HB 406, Revise county interim zoning law.

00:09:43 Rep. Ebinger
00:10:00 Rep. Reinhart

Proponents' Testimony:

00:10:37 Myra Shults, Montana Association of Counties
00:18:13 Linda Stoll, Montana Association of Planners
00:20:01 Gordon Morris, Lewis and Clark Commission

Opponents' Testimony:

(Rep. Grinde arrived)

00:20:50 Steve White, Commissioner, Gallatin County
00:24:57 Daniel Cox, Connor, Montana
00:26:57 Greg Chilcott, Commissioner, Ravalli County
00:28:08 Bill Gallagher, Helena, Montana

EXHIBIT (loh31a01)

00:30:13 Glenn Oppel, Montana Association of Realtors

EXHIBIT (loh31a02)

00:33:29 Dustin Stewart, Montana Building Industry Association
00:34:37 Liane Taylor, Helena Association of Realtors
00:37:31 Dave Galt, Montana Petroleum Association
00:38:33 Jan Wisniewski, Ravalli County Planning Board, Darby
Community Planning Committee (CPC)
00:40:56 Ryan Morton, Missoula Building Industry Association
00:41:41 Paul Wilson, Victor, Montana

EXHIBIT (loh31a03)

00:42:43 Steve Wade, Montana Contractors Association

Informational Testimony: None

Questions from Committee Members and Responses:

00:43:20 Rep. Ingraham
00:43:52 Mr. White
00:44:43 Rep. Ingraham
00:45:20 Mr. Wilson
00:46:13 Rep. Hands
00:46:56 Mr. Morris

00:47:38 Mr. White
00:47:41 Rep. Hands
00:48:05 Mr. White
00:49:29 Rep. Reichner
00:49:55 Dale Lauman, Commissioner, Flathead County

Closing by Sponsor:

00:51:08 Rep. Reinhart

00:54:13 Break
01:02:08 Reconvene

HEARING ON HB 426

Opening Statement by Sponsor:

01:02:30 Rep. Mike Milburn (R), HD 19, opened the hearing on HB 426, Clarify appointment of commissioners for regional airport authority.

[EXHIBIT \(loh31a04\)](#)

Proponents' Testimony:

01:07:40 Rep. Deborah Kottel, HD 20, Great Falls
01:10:54 Joe Briggs, Commissioner, Cascade County, Montana
Association of County Officials
01:11:54 Loren Smith, General Aviation, Montana Pilots
Association - Great Falls Division

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:12:46 Rep. More
01:13:23 Rep. Ebinger
01:13:47 Rep. Milburn
01:14:38 Chairwoman Arntzen
01:14:48 Rep. Milburn
01:14:55 Rep. Kottel

Closing by Sponsor:

01:15:30 Rep. Milburn

HEARING ON HB 420

Opening Statement by Sponsor:

01:16:15 Rep. Michele Reinhart (D), HD 97, opened the hearing on HB 420, Allow local government to adopt energy conservation building codes.

Proponents' Testimony:

1:21:00 David Warner, Helena, Montana
1:23:07 Mauren Weiland, Associated Students of Montana State University
1:23:47 Tyler Evilsizer, Student Advocates for Valuing the Environment (SAVE)
(Chairwoman Arntzen asked Rep. Becker to serve as temporary chair)
1:25:09 Alec Hanson, League of Cities and Towns
1:28:15 Gordon Morris, Lewis and Clark Commission
1:29:04 Allison Savage
1:29:56 Kyla Weins, Montana Environmental Information Center

Opponents' Testimony:

01:31:02 Dustin Stewart, Montana Building Industry Association
EXHIBIT (loh31a05)
01:36:24 Ryan Morton, Missoula Building Industry Association
01:40:02 Ron Bartsch, Helena Building Industry Association (HBIA), Montana Building Industry Association (MBIA)
01:44:00 Jack Walsh, Helena Building Industry Association (HBIA)

Informational Testimony:

01:45:52 David Cook, Building Codes, Department of Labor and Industry

Questions from Committee Members and Responses:

01:46:12 Rep. Reichner
01:47:23 Rep. Reinhart

Closing by Sponsor:

01:50:04 Rep. Reinhart

01:51:26 Break
(Vice Chairman MacLaren returned, and Rep. Becker relinquished the gavel.)
01:58:37 Reconvene

HEARING ON HB 436

Opening Statement by Sponsor:

01:58:58 Rep. Mike Phillips (D), HD 66, opened the hearing on HB 436, Qualifications for office of sheriff--required training certification.

Proponents' Testimony:

02:03:48 Jim Cashell, Gallatin County Sheriff; Board Member, Montana Sheriffs and Peace Officer Association
02:08:03 Daryl Anderson, Lincoln County Sheriff; President, Montana Sheriffs and Peace Officer Association
02:09:32 Tony Harbaugh, Custer County Sheriff; Secretary/Treasurer, Montana Sheriffs and Peace Officer Association
02:11:45 John Walsh, Butte/Silver Bow County Sheriff
02:13:13 Leo Dutton, Sheriff, Lewis and Clark County; First Vice President, Montana Sheriffs and Peace Officer Association
02:14:46 Jim Dupont, Flathead County Sheriff
02:15:43 Pam Bucy, Montana Police Protective Association, Montana Association of Chiefs of Police
02:16:36 Kevin Olson, Administrator, Montana Law Enforcement Academy; Department of Justice
02:17:09 Gordon Morris, Helena, Montana
02:19:55 Jim Smith, Montana Sheriffs and Peace Officer Association, Montana County Attorneys

Opponents' Testimony: None

Informational Testimony:

02:24:26 Wayne Ternes, Executive Director, Post-Council; Montana Public Safety Officers Standards and Training Council

Questions from Committee Members and Responses:

02:26:07 Rep. Ebinger
02:26:43 Mr. Cashell
02:27:02 Mr. Ternes
02:27:05 Rep. Ebinger
02:27:25 Mr. Ternes
02:28:27 Rep. Bennett
02:29:12 Mr. Cashell
02:30:51 Rep. Ingraham
02:31:28 Mr. Cashell
02:32:53 Rep. Berry

02:34:28 Mr. Ternes
02:37:08 Rep. Sands
02:37:55 Mr. Ternes
02:38:48 Rep. Menahan
02:39:36 Mr. Olson
02:41:11 Vice Chairman MacLaren
02:41:31 Mr. Olson
02:42:09 Rep. More
02:42:44 Rep. Phillips

Closing by Sponsor:

02:43:26 Rep. Phillips
02:46:14 Chairwoman Arntzen
02:47:08 Rep. More
02:47:39 Chairwoman Arntzen

ADJOURNMENT

02:47:57 Adjournment

Katie Butcher, Secretary

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Additional Documents:

Testimony in support of HB 406.

Additional Documents:

EXHIBIT ([loh31aad.pdf](#))