

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: Chairwoman Elsie Arntzen, on February 12, 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. Robyn Driscoll (D)
Rep. Bob Ebinger (D)
Rep. Robin Hamilton (D)
Rep. Pat Ingraham (R)
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. Arlene Becker (D)
Rep. Gerald Bennett (R)
Rep. Tom Berry (R)
Rep. Wanda Grinde (D)
Rep. Mike Menahan (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 405, HB 404, HB 439, HB 410,
HB 505
Executive Action: HB 439, HB 406

00:00:00 Call to order

HEARING ON HB 439

Opening Statement by Sponsor:

00:02:08 Rep. Diane Sands (D), HD 95, opened the hearing on HB 439, Process for citizen complaints to police commissions.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:03:05 Rep. Sands
(Rep. Becker and Rep. Grinde arrived.)

EXECUTIVE ACTION ON HB 439

00:03:11 **Motion/Vote:** Rep. Sands moved that **HB 439 BE TABLED**.
Motion carried 12-0 by voice vote.

HEARING ON HB 404

Opening Statement by Sponsor:

00:03:38 Rep. Michele Reinhart (D), HD 97, opened the hearing on HB 404, Uniform standards for certificates of survey and final subdivision plats.

Proponents' Testimony:

00:04:40 Sen. Daniel McGee, SD 29, Laurel, Montana
00:05:14 Myra Shults, Montana Association of Counties
00:05:44 Joe Roberts, Montana Association of Registered
Land Surveyors (MARLS)
00:06:10 Tim Davis, Montana Smart Growth Coalition
00:06:28 Rick Hill, Montana Building Industry Association
00:06:38 Glenn Oppel, Montana Realtors

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:07:01 Rep. Reinhart

HEARING ON HB 405

Opening Statement by Sponsor:

00:07:39 Rep. Michele Reinhart (D), HD 97, opened the hearing on HB 405, Criteria for local subdivision review.

(Chairwoman Arntzen asked Rep. Vance to serve as temporary chairman.)

Proponents' Testimony:

00:12:02 Tim Davis, Montana Smart Growth Coalition
00:14:35 Jeff Sealey, Deputy County Attorney, Lewis and Clark County
00:17:17 Myra Shults, Montana Association of Counties
00:18:20 James Rokosch, Commissioner, Ravalli County
00:21:41 Daniel Watson, Commissioner, Rosebud County
00:23:55 Patricia Bik, Clark Fork Coalition

Opponents' Testimony:

00:25:14 Glenn Oppel, Montana Association of Realtors
[**EXHIBIT \(loh33a01\)**](#)
00:29:46 Rick Hill, Montana Building Industry Association
00:32:25 Chip Pigman, Ravalli County
00:33:12 Richard Smith, Gallatin County

Informational Testimony: None

Questions from Committee Members and Responses:

00:35:08 Rep. Sands
00:35:42 Rep. Reinhart
00:40:44 Rep. Stahl
00:41:05 Mr. Sealey

Closing by Sponsor:

00:42:28 Rep. Reinhart

HEARING ON HB 410

Opening Statement by Sponsor:

00:43:43 Rep. JP Pomnichowski (D), HD 63, opened the hearing on HB 410, Revise calculation of cash in lieu of park dedication for subdivisions.

Proponents' Testimony:

00:49:40 Ron Dingman, Parks and Recreation, City of Bozeman
[EXHIBIT](#)(loh33a02)

00:54:25 James Rokosch, Ravalli County Commissioner

00:56:07 Susie Browning, Granite County Commissioner

Opponents' Testimony:

00:56:36 Rick Hill, Montana Building Industry Association

01:00:26 Glenn Oppel, Montana Realtors

01:00:45 John Harding, Great Falls Home Builders Association

01:02:33 Chip Pigman, Ravalli County

01:03:20 Richard Smith, Gallatin County

01:05:10 Kimberly Chambers, Developer, Missoula, Montana

01:07:45 Jack Walsh, Helena Building Industry Association

01:08:51 Joe Roberts, Montana Association of Registered Land Surveyors (MARLS)

01:11:37 Bob Olson, Realtor, Missoula, Montana

Informational Testimony: None

Questions from Committee Members and Responses:

01:13:02 Rep. Stahl

01:13:46 Mr. Dingman

Closing by Sponsor:

01:14:50 Rep. Pomnichowski

01:20:22 Break

01:29:50 Reconvene

HEARING ON HB 505

Opening Statement by Sponsor:

01:30:22 Rep. Michele Reinhart (D), HD 97, opened the hearing on HB 505, Revise lake shore laws.

Proponents' Testimony:

01:34:30 Todd Klietz, Shore Line Administrator, Missoula County

Opponents' Testimony:

01:38:37 Dustin Stewart, Montana Building Industry Association

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:42:53 Rep. Reinhart

EXECUTIVE ACTION ON HB 361

01:45:10 **Motion:** Rep. Stahl moved that **HB 361 BE TABLED.**

Discussion:

01:45:31 Rep. Ebinger

01:45:35 Rep. Stahl

01:46:44 Chairwoman Arntzen

EXECUTIVE ACTION ON HB 406

01:46:49 **Motion:** Rep. Stahl moved that **HB 406 BE TABLED.**

01:47:06 **Motion:** Rep. Reinhart moved that **HB 406 DO PASS.**

01:47:17 **Motion:** Rep. Stahl moved that **HB 406 BE TABLED.**

Discussion:

01:48:04 Rep. Reinhart

01:49:26 Mr. Kolman

01:49:50 **Vote:** Motion failed 6-12 by roll call vote with Rep. Arntzen, Rep. Ingraham, Rep. More, Rep. Reichner, Rep. Stahl, and Rep. Vance voting aye. Rep. Hands, Rep. Grinde, Rep. Berry and Rep. Bennett voted by proxy.

01:51:21 Rep. Reinhart withdrew her motion without objection.

ADJOURNMENT

01:51:56 Adjournment

Katie Butcher, Secretary

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Additional Documents:

EXHIBIT ([loh33aad.pdf](#))