

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION COMMITTEE ON LOCAL GOVERNMENT

Call to Order: Senator Steven Gallus on January 28, 2009 at
3:00 P.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. John Esp, Chairman (R)
Sen. Jeff Essmann, Vice Chairman (R)
Sen. Ron Erickson (D)
Sen. Steven Gallus (D)
Sen. Kim Gillan (D)
Sen. Verdell Jackson (R)
Sen. Bruce Tutvedt (R)

Members Excused: Sen. Gregory D. Barkus (R)
Sen. Jesse Laslovich (D)

Members Absent: None

Staff Present: Leanne Heisel, Legislative Branch
Debra Polhemus, 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: SB 220, 1/14/2009; SB 255,
1/20/2009

Executive Action: SB 56 TABLED
SB 172 TABLED
SB 262 DO PASS

HEARING ON SB 255

Opening Statement by Sponsor:

00:01:16 Sen. Bruce Tutvedt (R), SD 3, opened the hearing on SB 255, Include additional forms of indebtedness in annexation of fire districts.

00:01:58 Sen. Barkus arrived at hearing.

Proponents' Testimony:

00:02:54 Rodney Dresbach, Chief, West Valley Fire Rescue
00:04:44 L. Harold Blattie, Executive Director, Montana Association of Counties (MACo)
00:05:25 Leonard Lundby, President, Montana Fire Alliance also member Vaughn Volunteer Fire Department
00:06:33 Ken Mergenthaler, President, Montana State Fire Chiefs Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:09:00 Sen. Gillan
00:10:01 Sen. Tutvedt
00:10:15 L. Harold Blattie (MACo)
00:10:49 Sen. Gillan

00:10:59 Sen. Laslovich arrived at hearing.

00:11:23 L. Harold Blattie
00:13:59 Sen. Barkus
00:14:39 L. Harold Blattie
00:15:38 Sen. Essmann
00:16:11 Rodney Dresbach
00:17:30 Sen. Esp
00:17:47 Leanne Heisel, Legislative Services Division (LSD)
00:18:24 Sen. Esp
00:18:37 L. Harold Blattie

Closing by Sponsor:

00:19:10 Sen. Tutvedt

HEARING ON SB 220

Opening Statement by Sponsor:

00:19:59 Sen. Esp (R), SD 31, on behalf of Sen. Dave Lewis (R), SD 42, opened the hearing on SB 220, Partial salary for detention officer injured in performance of duty.

Proponents' Testimony:

00:21:11 Kathy McGowan, representing Montana Sheriff and Peace Officers Association

00:23:15 Sen. Lewis arrived at hearing.

00:25:47 Brian Gootkin, Gallatin County Sheriff's Office

00:26:36 Carmen Hill, Madison County Sheriff

00:27:28 David Castle, Cascade County Sheriff

00:30:36 Doug Neil, representing Montana State Firemans Association also member Great Falls Fire Rescue

00:33:11 Joseph Sands, representing Montana State Firemans Association also member Billings Fire Department

Opponents' Testimony:

00:34:22 L. Harold Blattie, MACo

[EXHIBIT\(los20a01\)](#)

00:39:22 Keith Stapley, Claims Administrator, MACo

00:41:58 Bill Kennedy, Yellowstone County Commissioner

Informational Testimony: None

Questions from Committee Members and Responses:

00:46:25 Sen. Esp

00:47:03 Kathy McGowan

00:48:44 Sen. Esp

00:49:17 Kathy McGowan

00:49:52 Sen. Esp

00:49:58 L. Harold Blattie

00:51:01 Sen. Barkus

00:51:40 Sheriff David Castle

00:52:18 Sen. Barkus

00:52:31 Sheriff David Castle

Closing by Sponsor:

00:54:29 Sen. Dave Lewis

00:56:36 Sen. Gillan left the hearing.

00:57:26 Sen. Esp assumed responsibilities as Chairman.

EXECUTIVE ACTION ON SB 262

00:58:14 **Motion:** Sen. Laslovich moved that **SB 262 DO PASS.**

Discussion:

00:58:25 Chairman Esp

00:58:33 **Vote:** Motion carried unanimously by voice vote with Sen. Gillan voting by proxy.

CONTINUED EXECUTIVE ACTION ON SB 172

(Previous Executive Action January 26, 2009)

00:59:35 **Motion:** Sen. Barkus moved that **SB 172 DO PASS AS AMENDED.**

01:00:09 **Motion:** Sen. Barkus moved that **SB 172 BE AMENDED.**
EXHIBIT(1os20a02)

Discussion:

01:00:21 Sen. Barkus
01:01:45 Chairman Esp
01:01:56 Sen. Tutvedt
01:02:44 Sen. Barkus

01:04:19 **Vote:** Motion failed 3-6 by roll call vote with Sens. Barkus, Esp, and Jackson voting aye and Sen. Gillan voting by proxy.

Discussion:

01:05:17 Sen. Laslovich
01:06:48 Sen. Erickson
01:07:44 Sen. Barkus
01:08:02 Sen. Laslovich
01:08:31 Sen. Erickson
01:09:00 Sen. Gallus
01:10:03 Sen. Erickson
01:10:12 Sen. Barkus
01:10:52 Sen. Essmann
01:12:00 Sen. Laslovich
01:12:42 Sen. Jackson
01:13:08 Sen. Laslovich

Discussion: (con't)

01:13:32 Sen. Jackson
01:14:35 Sen. Laslovich
01:15:06 Sen. Jackson
01:15:26 Sen. Laslovich
01:16:04 Chairman Esp
01:16:27 Leanne Heisel, LSD
01:16:42 Chairman Esp
01:16:56 Sen. Barkus
01:18:23 Sen. Erickson

01:19:12 **Vote:** Motion failed 4-5 by roll call vote with Sens. Barkus, Erickson, Esp, and Essmann voting aye and Sen. Gillan voting by proxy.

01:20:04 Without objection from the committee, Chairman Esp requested the vote be reversed and the bill tabled.

EXECUTIVE ACTION ON SB 56

01:21:05 **Motion:** Sen. Erickson moved that **SB 56 DO PASS.**

01:21:12 Sen. Gallus left the hearing.

Discussion:

01:21:27 Sen. Erickson
01:21:39 Sen. Jackson

01:22:08 Chairman Esp

01:22:27 **Vote:** Motion failed 3-6 by roll call vote with Sens. Erickson, Gallus, and Gillan voting aye and Sens. Gillan and Gallus voting by proxy.

01:23:36 Without objection from the committee, Chairman Esp requested the vote be reversed and the bill tabled.

ADJOURNMENT

Adjournment: 4:30 P.M.

Debra Polhemus, Secretary

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Additional Documents:

EXHIBIT ([los20aad.pdf](#))