

MINUTES

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

Call to Order: Chairman John Esp, on February 11, 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. Gregory D. Barkus (R)
Sen. Ron Erickson (D)
Sen. Steven Gallus (D)
Sen. Bruce Tutvedt (R)

Members Excused: Sen. Kim Gillan (D)
Sen. Verdell Jackson (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 345, 2/3/2009; SB 352, 2/6/2009

Executive Action: None

HEARING ON SB 352

Opening Statement by Sponsor:

00:01:04 Sen. John Brueggeman (R), SD 6, opened the hearing on
SB 352, Allow city or town authority to impose levy to
fund firefighters' retirement.

Proponents' Testimony:

00:02:27 James Raymond, City Attorney of Polson and Ronan
00:06:37 John Fairchild, Chief, Polson Fire Department

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:08:21 Sen. Essmann
00:08:56 James Raymond
00:10:12 Sen. Tutvedt
00:10:53 John Fairchild
00:12:11 Sen. Barkus
00:12:35 James Raymond
00:13:56 Sen. Barkus
00:14:27 James Raymond
00:17:48 Chairman Esp
00:19:04 Sen. Brueggeman
00:21:01 Sen. Barkus
00:21:52 Sen. Brueggeman
00:22:59 Sen. Erickson
00:24:05 Sen. Brueggeman
00:24:37 James Raymond

Closing by Sponsor:

00:25:33 Sen. Brueggeman

HEARING ON SB 345

Opening Statement by Sponsor:

00:27:41 Sen. Bruce Tutvedt (R), SD 3, opened the hearing on
SB 345, Revise zoning procedures for due process.

Proponents' Testimony:

00:29:32 Glenn Oppel, representing Montana Association of Realtors (MAR)

EXHIBIT(los32a01)

00:37:40 Bill Gallagher, Land Use Attorney, Gallagher and Associates, PLLC, and also speaking for Common Sense

EXHIBIT(los32a02)

00:38:29 Sen. Jackson arrived at hearing.

00:43:06 Former U.S. Representative Rick Hill, representing Montana Building Industry Association (MBIA)

00:44:15 Ken Allen, real estate developer and broker, Missoula

00:45:56 Daniel Cox, Ravalli County resident

00:49:17 Gary Zebrowski

00:50:02 Susanna Pyron, Ravalli County resident

00:51:03 Gene Williams, Ravalli County resident

00:52:47 Liane Taylor, representing Helena Association of Realtors

EXHIBIT(los32a03)

00:53:33 Michael Fasbender, Lewis & Clark County resident

EXHIBIT(los32a04)

Opponents' Testimony:

00:55:57 Jean Curtiss, Missoula County Commissioner

00:57:13 Sens. Gillan and Laslovich arrived at hearing.

01:04:36 Kathleen Driscoll, Ravalli County Commissioner

01:07:14 Myra L. Shults, Consultant Land Use Attorney

EXHIBIT(los32a05)

01:18:38 Jeff Sealey, Deputy County Attorney, representing Lewis & Clark County

EXHIBIT(los32a06)

01:20:50 Richard Thweatt, representing Montana Smart Growth Coalition

Informational Testimony: None

Questions from Committee Members and Responses:

01:23:43 Chairman Esp
01:24:12 Sen. Tutvedt
01:24:25 Bill Gallagher, Gallagher and Associates
01:25:43 Chairman Esp
01:26:19 Myra L. Shults
01:27:11 Chairman Esp
01:27:49 Glenn Oppel, MAR
01:28:17 Chairman Esp
01:28:35 Glenn Oppel
01:29:45 Sen. Erickson
01:31:08 Myra L. Shults
01:34:22 Sen. Essmann
01:34:46 Myra L. Shults
01:36:29 Sen. Essmann
01:37:10 Myra L. Shults
01:38:31 Chairman Esp
01:38:59 Ken Allen
01:40:31 Chairman Esp
01:40:56 Rick Hill, MBIA
01:42:43 Sen. Gillan
01:43:32 Myra Shults

Closing by Sponsor:

01:45:19 Sen. Tutvedt

Committee Business:

01:49:07 Chairman Esp

ADJOURNMENT

Adjournment: 5:00 P.M.

Debra Polhemus, Secretary

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Additional Documents:

EXHIBIT ([los32aad.pdf](#))