

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: Chairman John Esp, on February 13, 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. Kim Gillan (D)
Sen. Verdell Jackson (R)
Sen. Bruce Tutvedt (R)

Members Excused: Sen. Steven Gallus (D)
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 365, 2/5/2009; SB 354, 2/4/2009

Executive Action: SB 8 ~ DO PASS AS AMENDED
SB 61 ~ TABLED
SB 272 ~ TABLED
SB 352 ~ TABLED

HEARING ON SB 354

Opening Statement by Sponsor:

00:01:23 Sen. Dave Lewis (R), SD 42, opened the hearing on
SB 354, Revise law on disposal of airport property.

Proponents' Testimony:

00:03:49 Pat Melby, representing Helena Regional Airport
Authority (HRAA)

EXHIBIT(los34a01)

00:09:31 Dan Ellison, Chair, HRAA

00:11:40 Ron Mercer, Director, Helena Regional Airport

00:14:36 Jeff Wadekamper, President, Montana Airport Managers'
Association

00:15:54 L. Harold Blattie, Executive Director, Montana
Association of Counties (MACo)

00:17:40 Rick Griffith, Butte Airport Manager

00:19:26 Terry Myhre, representing Montana Business Assistant
Connection (MBAC)

00:20:34 Dick Anderson, Dick Anderson Construction, speaking
for Summit Aerospace Industries

00:23:21 Cathy Burwell, President, Helena Area Chamber of
Commerce

00:24:56 Liane Taylor, Realtor, Helena

00:25:17 Tom Ebzery, Attorney, representing Montana Airport
Managers Association

Opponents' Testimony:

00:26:02 Dick Thweatt, member, Plan Helena, Inc.

EXHIBIT(los34a02)

00:31:23 Alan Nicholson, Developer, Helena

EXHIBIT(los34a03)

00:42:26 Steve Netschert, Realtor, Helena

EXHIBIT(los34a04)

00:46:31 Beth Sirr, Nurse

Informational Testimony: None

Questions from Committee Members and Responses:

00:47:49 Sen. Essmann

00:48:02 Ron Mercer

00:48:57 Sen. Essmann

00:49:29 Dan Ellison

00:50:12 Sen. Essmann

Questions from Committee Members and Responses: (Con't)

00:50:31 Dan Ellison
00:50:56 Ron Mercer
00:52:38 Sen. Essmann
00:52:49 Ron Mercer
00:53:19 Sen. Tutvedt
00:53:44 Ron Mercer
00:54:54 Sen. Barkus
00:55:18 Ron Mercer
00:56:56 Sen. Barkus
00:57:19 Ron Mercer
00:59:38 Sen. Gillan
01:00:33 L. Harold Blattie, MACo
01:04:12 Sen. Erickson
01:04:39 Sen. Lewis
01:05:01 Pat Melby, HRAA
01:06:28 Sen. Erickson
01:06:54 Pat Melby
01:08:19 Chairman Esp
01:09:16 Pat Melby
01:10:40 Chairman Esp
01:11:11 Sen. Erickson
01:11:27 Alan Nicholson
01:15:26 Chairman Esp
01:15:34 Pat Melby
01:16:24 Chairman Esp
01:16:40 Steve Netschert
01:17:52 Sen. Essmann
01:18:21 Chairman Esp
01:18:44 Tom Ebzery
01:19:05 Sen. Essmann
01:20:01 Tom Ebzery
01:20:39 Sen. Essmann
01:21:13 Alan Nicholson

Closing by Sponsor:

01:23:09 Sen. Lewis

HEARING ON SB 365

Opening Statement by Sponsor:

01:27:40 Sen. John Brueggeman (R), SD 6, opened the hearing on SB 365, Revise local government law re: wildland fire protection fees.

Proponents' Testimony:

01:30:38 Lee Manick, Polson resident, Trustee of Fish River
Fire Service Area

[EXHIBIT\(los34a05\)](#)

Opponents' Testimony:

01:37:45 Ronald Buentemeier, Columbia Falls resident

[EXHIBIT\(los34a06\)](#)

01:41:48 Tom Ray, Vice President, Plum Creek Timber Operations

01:42:38 Paul MacKenzie, representing Montana Tree Farms

01:44:38 Chuck Rody, F.H. Stoltz Land and Lumber, Columbia
Falls

Informational Testimony: None

Questions from Committee Members and Responses:

01:46:13 Sen. Essmann

01:46:40 Sen. Brueggeman

01:47:07 Sen. Tutvedt

01:47:23 Sen. Brueggeman

Closing by Sponsor:

01:48:52 Sen. Brueggeman

01:49:05 Recess

01:59:21 Reconvene

EXECUTIVE ACTION ON SB 8

01:59:34 **Motion:** Sen. Erickson moved that **SB 8 DO PASS.**

01:59:42 **Motion:** Sen. Erickson moved that **SB 8 BE AMENDED.**

[EXHIBIT\(los34a07\)](#)

[EXHIBIT\(los34a08\)](#)

Discussion:

02:00:39 Leanne Heisel

02:01:56 Sen. Laslovich arrived at meeting.

Discussion: (Con't)

02:07:24 Chairman Esp
02:08:07 Sen. Essmann
02:10:17 Chairman Esp
02:10:41 Leanne Heisel

02:11:01 **Substitute Motion:** Sen. Erickson made a substitute motion that **SB 8 BE AMENDED SEGREGATING OUT SECTION 3B OF SECTION 8 ON PAGE 4.**

Discussion:

02:11:14 Sen. Barkus
02:11:53 Chairman Esp
02:12:15 Sen. Erickson
02:12:28 Sen. Barkus
02:12:58 Chairman Esp
02:13:26 Sen. Gillan
02:13:41 Leanne Heisel
02:14:06 Chairman Esp
02:14:22 Sen. Gillan
02:14:44 Chairman Esp
02:15:03 Sen. Gillan

02:15:44 **Vote:** Motion carried unanimously by voice vote with Sen. Gallus voting by proxy.

02:15:59 **Motion/Vote:** Sen. Erickson moved that **SB 8 DO PASS AS AMENDED.** Motion carried unanimously by voice vote with Sen. Gallus voting by proxy.

EXECUTIVE ACTION ON SB 272

02:17:36 **Motion:** Sen. Barkus moved that **SB 272 DO PASS.**

Discussion:

02:17:44 Sen. Barkus
02:18:08 Chairman Esp
02:19:24 Sen. Erickson
02:19:56 Sen. Tutvedt
02:20:53 Sen. Gillan
02:22:42 Sen. Essmann
02:23:31 Sen. Jackson

02:25:02 **Vote:** Motion failed 3-6 by roll call vote with Sens. Barkus, Jackson, and Tutvedt voting aye and Sen. Gallus voting by proxy.

02:25:36 Without objection from the committee, Sen. Erickson requested that the bill be tabled and the vote reversed.

EXECUTIVE ACTION ON SB 61

02:26:11 **Motion:** Sen. Erickson moved that **SB 61 DO PASS.**

Discussion:

02:26:28 Chairman Esp

02:26:46 **Substitute Motion/Vote:** Sen. Tutvedt made a substitute motion that **SB 61 BE TABLED.** Substitute motion carried unanimously by voice vote with Sen. Gallus voting by proxy.

EXECUTIVE ACTION ON SB 352

02:27:52 **Motion:** Sen. Tutvedt moved that **SB 352 DO PASS.**

Discussion:

02:28:02 Chairman Esp

02:28:39 **Substitute Motion/Vote:** Sen. Essmann made a substitute motion that **SB 352 BE TABLED.** Substitute motion carried 6-3 by voice vote with Sens. Erickson, Gallus, and Laslovich voting no and Sen. Gallus voting by proxy.

02:29:45 Chairman Esp

Additional Exhibits:

[EXHIBIT\(los34a09\)](#)

Relating to SB 345 heard in committee on February 11, 2009

ADJOURNMENT

Adjournment: 5:30 P.M.

Debra Polhemus, Secretary

dp

Additional Documents:

EXHIBIT ([los34aad.pdf](#))