

MINUTES

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

Call to Order: Chairman John Esp, on March 6, 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. Jesse Laslovich (D)
Sen. Bruce Tutvedt (R)

Members Excused: Sen. Steven Gallus (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: HB 244, 2/23/2009; HB 245,
2/23/2009; HB 324, 2/23/2009; HB
426, 2/23/2009

Executive Action: HB 426 ~ DO CONCUR
HB 245 ~ DO CONCUR
HB 244 ~ DO CONCUR AS AMENDED

While Chairman Esp remained at the hearing, the Chair responsibilities were handled by Senator Gillan.

HEARING ON HB 324

Opening Statement by Sponsor:

00:00:33 Rep. Elsie Arntzen (R), HD 53, opened the hearing on HB 324, Optional firearm purchase by retiring law enforcement personnel.

Proponents' Testimony:

00:02:23 Bob Gilbert, representing City of Glendive
00:02:43 Jessie Luther, representing Association of Montana Troopers

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:03:23 Sen. Barkus
00:03:48 Rep. Arntzen
00:05:45 Vice Chair Gillan
00:06:13 Rep. Arntzen

Closing by Sponsor:

00:06:26 Rep. Arntzen

HEARING ON HB 244

Opening Statement by Sponsor:

00:07:49 Rep. Duane Ankney (R), HD 43, opened the hearing on HB 244, Clarify law on absence by county officer.

Proponents' Testimony:

00:10:28 L. Harold Blattie, Executive Director, Montana Association of Counties (MACo), also speaking for County Treasurers' Association

EXHIBIT(los50a01)

Opponents' Testimony:

00:14:10 Daniel O'Fallon, Deputy Cascade County, also speaking
for Sheriff David L. Castle, Cascade County

[EXHIBIT\(los50a02\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

00:16:16 Sen. Essmann
00:17:13 L. Harold Blattie, MACo
00:18:41 Sen. Essmann
00:18:50 L. Harold Blattie
00:18:58 Sen. Esp
00:19:27 Daniel O'Fallon
00:20:24 Sen. Esp
00:21:03 Daniel O'Fallon
00:22:01 Vice Chair Gillan
00:22:25 L. Harold Blattie
00:24:55 Sen. Barkus
00:25:30 L. Harold Blattie
00:27:47 Sen. Esp

Closing by Sponsor:

00:29:11 Rep. Ankney

HEARING ON HB 245

Opening Statement by Sponsor:

00:30:33 Rep. Duane Ankney (R), HD 43, opened the hearing on
HB 245, Authorize counties to create compensated
absence fund.

Proponents' Testimony:

00:32:08 L. Harold Blattie, MACo
[EXHIBIT\(los50a03\)](#)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:35:49 Sen. Esp
00:36:07 L. Harold Blattie
00:36:29 Vice Chair Gillan
00:36:50 L. Harold Blattie

Closing by Sponsor:

00:37:57 Rep. Ankney

HEARING ON HB 426

Opening Statement by Sponsor:

00:38:49 Rep. Mike Milburn (R), HD 19, opened the hearing on
HB 426, Clarify appointment of commissioners for
regional airport authority.

Proponents' Testimony:

00:40:51 Joe Briggs, Chairman, Cascade County Commissioner
00:43:08 L. Harold Blattie, MACo
[EXHIBIT\(los50a04\)](#)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:43:46 Sen. Jackson
00:44:32 Joe Briggs

Closing by Sponsor:

00:45:57 Rep. Milburn
00:46:22 Sen. Esp

EXECUTIVE ACTION ON HB 426

00:47:17 **Motion:** Sen. Laslovich moved that **HB 426 BE
CONCURRED IN.**

Discussion:

00:47:39 Sen. Barkus

00:47:54 **Vote:** Motion carried unanimously by voice vote with Sen. Gallus voting by proxy. Sen. Tutvedt will carry HB 426.

EXECUTIVE ACTION ON HB 245

00:49:10 **Motion/Vote:** Sen. Erickson moved that **HB 245 BE CONCURRED IN**. Motion carried unanimously by voice vote with Sen. Gallus voting by proxy. Sen. Erickson will carry HB 245.

EXECUTIVE ACTION ON HB 324

00:49:54 **Motion:** Sen. Jackson moved that **HB 324 BE CONCURRED IN**.

Discussion:

00:50:03 Sen. Esp

00:50:36 Sen. Barkus

00:50:51 Sen. Jackson withdrew the motion.

EXECUTIVE ACTION ON HB 244

00:51:11 **Motion:** Sen. Erickson moved that **HB 244 BE CONCURRED IN**.

Discussion:

00:51:27 Sen. Erickson

00:52:26 Sen. Esp

00:52:35 **Motion:** Sen. Erickson moved that **HB 244 BE AMENDED WITH A CONCEPTUAL AMENDMENT** to restore language that had been previously stricken.

Discussion:

00:52:48 Leanne Heisel, Legislative Services Division (LSD)

00:53:12 Sen. Erickson

00:54:00 Sen. Barkus

00:54:33 Vice Chair Gillan

00:54:44 Sen. Erickson

00:54:54 Leanne Heisel, LSD

00:55:16 Sen. Erickson

00:55:41 Sen. Jackson

00:56:29 Sen. Esp

00:58:05 Leanne Heisel

Discussion: (Con't)

00:58:48 Sen. Barkus
00:59:24 Sen. Esp
00:59:55 L. Harold Blattie
01:01:50 Sen. Erickson
01:02:53 Vice Chair Gillan
01:03:35 Leanne Heisel
01:04:12 Sen. Esp
01:04:37 Sen. Jackson
01:05:21 Sen. Esp

01:05:38 **Vote:** Motion failed 2-7 by voice vote with Sens. Erickson and Gallus voting aye and Sen. Gallus voting by proxy.

01:06:17 **Motion:** Sen. Barkus moved that **HB 244 BE AMENDED WITH A CONCEPTUAL AMENDMENT** to change the time period to thirty consecutive days.

Discussion:

01:06:36 Sen. Tutvedt left the hearing.

01:06:40 Sen. Barkus
01:07:39 Vice Chair Gillan
01:07:58 Sen. Laslovich

01:08:17 **Vote:** Motion carried 8-1 by voice vote with Sen. Esp voting no and Sens. Gallus and Tutvedt voting by proxy.

01:08:49 **Motion/Vote:** Sen. Barkus moved that **HB 244 BE CONCURRED IN AS AMENDED**. Motion carried unanimously by voice vote with Sens. Gallus and Tutvedt voting by proxy. Sen. Barkus will carry HB 244.

ADJOURNMENT

Adjournment: 4:20 P.M.

Debra Polhemus, Secretary

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Additional Documents:

EXHIBIT ([los50aad.pdf](#))