

MINUTES

**MONTANA SENATE
61st LEGISLATURE - REGULAR SESSION**

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: Chairman John Esp, on March 25, 2009 at 3:10 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. Kim Gillan (D)
Sen. Verdell Jackson (R)
Sen. Bruce Tutvedt (R)

Members Excused: 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: None

Executive Action:

<u>TABLED:</u>	<u>DO CONCUR:</u>	<u>DO CONCUR AS AMENDED:</u>
HB 156	HB 420	HB 546
HB 321	HB 495	HB 563
HB 428		

EXECUTIVE ACTION ON HB 156

00:02:27 **Motion:** Sen. Gallus moved that **HB 156 BE CONCURRED IN.**

00:02:58 **Substitute Motion/Vote:** Sen. Tutvedt made a substitute motion that **HB 156 BE TABLED.** Substitute motion carried 5-4 by roll call vote with Senators Erickson, Gallus, Gillan, and Laslovich voting no and Senator Laslovich voting by proxy.

EXECUTIVE ACTION ON HB 546

00:04:57 **Motion:** Sen. Gallus moved that **HB 546 BE CONCURRED IN.**

00:05:42 **Motion:** Sen. Essmann moved that **HB 546 BE AMENDED.**
EXHIBIT(los66a01)

Discussion:

00:05:51 Chairman Esp
00:06:43 Sen. Gallus
00:07:53 Chairman Esp
00:08:26 Sen. Barkus
00:09:05 Sen. Erickson
00:09:38 Sen. Gillan
00:10:26 Leanne Heisel, Legislative Services Division (LSD)
00:10:49 Sen. Gallus
00:11:32 Sen. Essmann
00:12:15 Sen. Gallus

00:12:32 **Vote:** Motion carried 7-2 by voice vote with Senators Gallus and Gillan voting no and Senator Laslovich voting by proxy.

00:13:13 **Motion:** Sen. Erickson moved that **HB 546 BE CONCURRED IN AS AMENDED.**

00:13:24 **Motion:** Sen. Essmann moved that **HB 546 BE AMENDED.**
EXHIBIT(los66a02)

Discussion:

00:13:37 Sen. Essmann
00:14:55 Sen. Barkus
00:15:03 Sen. Essmann
00:15:29 Sen. Tutvedt
00:15:36 Sen. Gallus
00:15:51 Chairman Esp
00:16:03 Sen. Barkus

Discussion: (Con't)

00:16:32 Sen. Essmann

00:17:08 Sen. Barkus

00:17:36 **Vote:** Motion carried 7-2 by roll call vote with Senators Barkus and Esp voting no and Senator Laslovich voting by proxy.

00:18:25 **Motion/Vote:** Sen. Erickson moved that **HB 546 BE CONCURRED IN AS AMENDED**. Motion carried 5-4 by roll call vote with Senators Barkus, Esp, Gallus, and Tutvedt voting no and Senator Laslovich voting by proxy. Senator Gillan will carry HB 546.

Committee Business:

00:21:24 Chairman Esp

EXECUTIVE ACTION ON HB 321

00:23:19 **Motion:** Sen. Gillan moved that **HB 321 BE CONCURRED IN**.

Discussion:

00:23:50 Chairman Esp

00:24:10 Sen. Tutvedt

00:24:44 Sen. Jackson

00:25:39 Chairman Esp

00:25:47 **Vote:** Motion failed 4-5 by roll call vote with Senators Erickson, Gallus, Gillan, and Laslovich voting aye and Senator Laslovich voting by proxy. Without objection from the committee, Chairman Esp requested that the bill be tabled and the vote reversed.

EXECUTIVE ACTION ON HB 495

00:27:07 **Motion:** Sen. Essmann moved that **HB 495 BE CONCURRED IN**.

Discussion:

00:27:18 Sen. Essmann

00:27:40 **Vote:** Motion carried 7-2 by roll call vote with Senator Barkus and Esp voting no and Senator Laslovich voting by proxy. Senator Essmann will carry HB 495.

EXECUTIVE ACTION ON HB 420

00:28:45 **Motion:** Sen. Erickson moved that **HB 420 BE CONCURRED IN.**

Discussion:

00:28:53 Sen. Essmann
00:29:14 Sen. Erickson
00:29:57 Sen. Tutvedt
00:30:07 Chairman Esp
00:31:19 Sen. Gallus
00:32:17 Sen. Gillan
00:33:06 L. Harold Blattie, Montana Association of Counties
(MACo)
00:33:57 Leanne Heisel, LSD
00:34:26 Chairman Esp
00:35:15 Sen. Barkus
00:36:08 Sen. Gillan
00:36:59 Leanne Heisel
00:37:32 Sen. Jackson
00:37:44 Sen. Gallus
00:38:18 Sen. Jackson
00:38:48 L. Harold Blattie, MACo
00:38:57 Chairman Esp
00:39:13 Sen. Jackson

00:39:30 **Vote:** Motion carried 5-4 by roll call vote with
Senators Barkus, Esp, Essmann, and Tutvedt voting no
and Senator Laslovich voting by proxy. Senator
Erickson will carry HB 420. (Chairman held report for
further action. See minutes of March 27, 2009.)

EXECUTIVE ACTION ON HB 563

00:41:34 **Motion:** Sen. Tutvedt moved that **HB 563 BE CONCURRED IN.**

00:42:45 **Motion:** Sen. Essmann moved that **HB 563 BE AMENDED.**
EXHIBIT(los66a03)

Discussion:

00:43:32 Sen. Gallus left committee meeting
00:43:36 Sen. Gillan
00:43:48 L. Harold Blattie
00:44:35 Sen. Tutvedt

00:44:44 **Vote:** Motion carried unanimously by voice vote with Senators Laslovich and Gallus voting by proxy.

00:45:07 **Motion:** Sen. Essmann moved that **HB 563 BE AMENDED. EXHIBIT(los66a04)**

Discussion:

00:45:18 Sen. Essmann
00:46:13 Leanne Heisel
00:46:21 Sen. Barkus
00:46:32 Leanne Heisel
00:46:44 Sen. Tutvedt
00:47:02 Sen. Essmann

00:47:29 **Vote:** Motion carried unanimously by voice vote with Senators Gallus and Laslovich voting by proxy.

00:47:55 **Motion:** Sen. Essmann moved that **HB 563 BE CONCURRED IN AS AMENDED.**

Discussion:

00:48:23 Chairman Esp
EXHIBIT(los66a05)
00:49:17 L. Harold Blattie

00:50:48 **Motion/Vote:** Sen. Essmann moved that **HB 563 BE AMENDED.** Motion carried unanimously by voice vote with Senators Gallus and Laslovich voting by proxy. (See Exhibit 5)

00:51:23 **Motion:** Sen. Tutvedt moved that **HB 563 BE CONCURRED IN AS AMENDED.**

Discussion:

00:51:33 Sen. Gallus returned to committee meeting
00:51:38 Sen. Gillan
00:52:24 Sen. Essmann

00:52:56 **Vote:** Motion carried 8-1 by voice vote with Senator Jackson voting no and Senator Laslovich voting by proxy. Senator Laslovich will carry HB 563.

EXECUTIVE ACTION ON HB 428

00:54:28 **Motion:** Sen. Erickson moved that **HB 428 BE CONCURRED IN.**

Discussion:

00:54:38 Sen. Tutvedt

00:55:02 Chairman Esp

00:56:27 **Substitute Motion/Vote:** Sen. Tutvedt made a substitute motion that **HB 428 BE TABLED**. Substitute motion carried 8-1 by voice vote with Senator Erickson voting no and Senator Laslovich voting by proxy.

Committee Business:

00:57:19 Sen. Gallus

00:57:33 Chairman Esp

ADJOURNMENT

Adjournment: 5:00 P.M.

Debra Polhemus, Secretary

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Additional Documents:

EXHIBIT ([los66aad.pdf](#))