

## MINUTES

### MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON LOCAL GOVERNMENT

**Call to Order:** Chair Mike Lang, on February 20, 2019 at 3:00 PM, in Room 405 Capitol

#### ROLL CALL

**Members Present:**

Sen. Mike Lang, Chair (R)  
Sen. Terry Gauthier, Vice Chair (R)  
Sen. Gene Vuckovich, Vice Chair (D)  
Sen. Jason W. Ellsworth (R)  
Sen. Steve Fitzpatrick (R)  
Sen. Margaret (Margie) MacDonald (D)  
Sen. Nate McConnell (D)  
Sen. Jon C. Sesso (D)  
Sen. Roger Webb (R)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Toni Henneman, Legislative Branch  
Noah Horan, 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 15, 2/15/2019; HB 236, 2/15/2019

Executive Action: SB 263 TABLED

**HEARING ON HB 15****Opening Statement by Sponsor:**

15:01:26 Rep. Willis Curdy (D), HD 98, opened the hearing on HB 15, Revise laws related to nonmotorized vehicle and mobile home disposal.

15:01:33 Sen. Sesso entered the hearing.

15:02:04 Sen. MacDonald entered the hearing.

15:02:05 Sen. Vuckovich entered the hearing.

**Proponents' Testimony:**

15:04:05 Eric Bryson, Montana Association of Counties (MACo)

15:06:08 Shannon Therriault, Missoula City County Health Department

15:10:11 Bob Gilbert, Montana Tow Truck Association

15:12:05 Jim Dusenberry, Montana Tow Truck Association

15:12:49 Ed Thamke, Department of Environmental Quality (DEQ)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

15:13:36 Chair Lang

15:13:57 Mr. Bryson, MACo

15:14:23 Chair Lang

15:14:42 Mr. Bryson

15:15:11 Chair Lang

15:15:17 Mr. Bryson

15:15:47 Chair Lang

15:16:15 Rep. Curdy

15:17:00 Chair Lang

15:17:07 Sen. Ellsworth

15:17:35 Mr. Bryson

15:18:00 Mr. Thamke, DEQ

15:18:42 Sen. Ellsworth

15:19:00 Mr. Thamke

15:19:04 Sen. Ellsworth

15:19:49 Mr. Bryson

15:20:01 Sen. Ellsworth

15:20:07 Mr. Bryson

15:20:29 Sen. Ellsworth

15:20:45 Mr. Bryson

15:21:17 Sen. Ellsworth

15:21:55 Sen. Fitzpatrick entered the hearing.

15:22:02 Mr. Bryson

15:22:38 Sen. MacDonald

15:23:11 Mr. Bryson  
 15:23:51 Sen. Ellsworth  
 15:24:30 Rep. Curdy  
 15:25:36 Sen. Ellsworth  
 15:25:45 Mr. Bryson  
 15:26:01 Sen. Sesso  
 15:27:36 Mr. Bryson  
 15:28:39 Chair Lang  
 15:29:44 Mr. Bryson

**Closing by Sponsor:**

15:30:25 Rep. Curdy

**HEARING ON HB 236**

**Opening Statement by Sponsor:**

15:32:38 Rep. Dave Fern (D), HD 5, opened the hearing on HB 236, Generally revise building code program laws.

**Proponents' Testimony:**

15:36:25 Kelly Lynch, Montana League of Cities and Towns (MLCT)  
 15:39:00 Aaron Bowman, City of Missoula  
 15:43:43 Craig Raymond, City of Great Falls  
 15:46:53 Greg Dorrington, City of Billings, also speaking on behalf of City of Bozeman

[EXHIBIT\(los36a01\)](#)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

15:48:02 Sen. Ellsworth  
 15:48:40 Mr. Raymond, Great Falls  
 15:48:47 Sen. Ellsworth  
 15:48:56 Mr. Raymond  
 15:49:05 Sen. Ellsworth  
 15:49:19 Mr. Raymond  
 15:50:43 Sen. Ellsworth  
 15:51:10 Mr. Raymond  
 15:51:37 Sen. Ellsworth  
 15:51:47 Mr. Raymond  
 15:52:05 Sen. Gauthier  
 15:52:42 Mr. Raymond  
 15:53:59 Sen. Gauthier  
 15:54:26 Mr. Raymond  
 15:55:05 Sen. Webb  
 15:55:24 Mr. Bowman, Missoula  
 15:56:11 Sen. Webb  
 15:56:26 Mr. Bowman  
 15:57:42 Sen. Webb

15:57:46 Mr. Bowman  
15:58:17 Sen. Webb  
15:58:27 Mr. Bowman  
15:58:40 Sen. Webb  
15:58:49 Mr. Bowman  
15:59:27 Sen. Webb  
15:59:29 Mr. Bowman  
16:00:11 Sen. Webb  
16:00:38 Mr. Bowman  
16:01:20 Sen. McConnell  
16:02:02 Mr. Raymond  
16:02:21 Sen. McConnell  
16:02:29 Mr. Raymond  
16:03:35 Sen. McConnell  
16:03:46 Mr. Raymond  
16:03:53 Sen. McConnell  
16:04:29 Mr. Raymond  
16:05:25 Sen. McConnell  
16:05:46 Mr. Raymond  
16:05:59 Sen. McConnell  
16:06:48 Mr. Dorrington, Billings  
16:07:19 Sen. McConnell  
16:07:33 Mr. Dorrington  
16:07:45 Sen. Fitzpatrick  
16:08:03 Mr. Raymond  
16:08:30 Sen. Fitzpatrick  
16:08:39 Mr. Raymond  
16:08:45 Sen. Sesso  
16:10:08 Ms. Lynch, MLCT

**Closing by Sponsor:**

16:10:33 Rep. Fern

**DISCUSSION ON SB 200**

16:19:12 Gordon Conn, Department of Revenue (DOR)

**[EXHIBIT\(los36a02\)](#)**

16:26:21 Sen. Webb  
16:26:42 Mr. Conn, DOR  
16:27:31 Sen. Webb  
16:27:40 Mr. Conn  
16:28:42 Sen. Webb  
16:29:04 Mr. Conn  
16:29:38 Sen. Webb  
16:30:15 Mr. Conn  
16:30:39 Sen. Webb  
16:30:47 Mr. Conn  
16:30:58 Sen. Webb  
16:31:05 Mr. Conn

16:31:37 Sen. Webb  
16:31:47 Mr. Conn  
16:32:00 Chair Lang  
16:32:14 Mr. Conn  
16:32:41 Sen. Sesso  
16:34:15 Sen. Webb  
16:35:33 Sen. Sesso  
16:36:59 Mr. Conn  
16:37:10 Sen. Sesso  
16:39:09 Mr. Conn  
  
16:40:52 Sen. Fitzpatrick left the meeting.  
  
16:41:03 Chair Lang  
16:41:58 Mr. Conn  
16:42:39 Chair Lang  
16:43:35 Mr. Conn  
16:43:57 Chair Lang  
16:44:14 Sen. Vuckovich  
16:44:57 Sen. Webb  
16:45:30 Sen. MacDonald  
16:46:30 Chair Lang  
16:46:59 Sen. MacDonald  
16:47:07 Chair Lang  
16:47:14 Sen. Webb  
16:47:48 Mr. Conn

**EXECUTIVE ACTION ON SB 263**

16:48:12 **Motion:** Sen. Gauthier moved that **SB 263 DO PASS.**

**Discussion:**

16:48:57 Toni Henneman, Legislative Services Division (LSD)  
  
16:49:52 Sen. Webb left the meeting.  
  
16:51:58 Chair Lang  
16:52:33 Sen. Sesso  
16:53:16 Ms. Henneman, LSD  
16:53:22 Sen. Sesso  
16:53:50 Ms. Henneman  
16:54:08 Sen. Sesso  
16:54:13 Ms. Henneman  
16:54:25 Sen. Ellsworth  
16:54:58 Ms. Henneman  
16:55:05 Sen. Ellsworth  
16:55:30 Chair Lang  
16:55:36 Sen. Ellsworth

16:56:01 **Motion:** Sen. Ellsworth moved that **SB 263 BE AMENDED AND THAT AMENDMENT NO. SB026301.ATH BE CONCEPTUALLY AMENDED.**

[EXHIBIT](#)(los36a03)

**Discussion:**

16:56:42 Ms. Henneman

16:57:19 **Vote:** Motion carried 8-0 by voice vote. Sen. Fitzpatrick voted by proxy. Sen. R. Webb was excused.

16:58:24 **Motion:** Sen. Gauthier moved that **SB 263 DO PASS AS AMENDED.**

**Discussion:**

16:58:34 Sen. Ellsworth

17:01:42 **Vote:** Motion failed 4-5 by roll call vote with Sen. Ellsworth, Sen. Fitzpatrick, Sen. Lang and Sen. R. Webb voting aye. Sen. Fitzpatrick and Sen. R. Webb voted by proxy.

17:02:51 **Motion/Vote:** Sen. Gauthier moved that **SB 263 BE TABLED AND THE VOTE REVERSED.** Motion carried 7-0 by voice vote. Sen. Fitzpatrick and Sen. R. Webb were excused.

**ADJOURNMENT**

Adjournment: 5:03 PM

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Noah Horan, Secretary

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**Additional Documents**

Additional Documents:

**EXHIBIT([los36aad.pdf](#))**