

## MINUTES

### MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION COMMITTEE ON LOCAL GOVERNMENT

**Call to Order:** Chair Mike Lang, on March 27, 2019 at 4:03 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 Services Division  
Linda Keim, 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 359, 3/26/2019

Executive Action: SB 359, Do Pass  
SB 323, Tabled

16:03:45 Chairman Lang

### HEARING ON SB 359

#### Opening Statement by Sponsor:

16:04:25 Sen. Bryce Bennett (D), SD 50, opened the hearing on SB 359. Require supply of reasonable amounts of potable water in residential leases.

#### Proponents' Testimony:

16:06:23 Michael Toppen, Montana Public Interest Research Group  
16:06:53 Brenna Love, advocate, Associated Students of the University of Montana  
16:07:34 Sam Forstag, Montana Associated Students

#### Opponents' Testimony:

16:08:18 John Sinrud, Montana Landlord's Association

[EXHIBIT\(los63a01\)](#)

#### Informational Testimony:

16:14:36 Tim Davis, administrator, Water Quality Division, Department of Environmental Quality

#### Questions from Committee Members and Responses:

16:14:55 Sen. Ellsworth  
16:17:24 Sen. Bennett

#### Closing by Sponsor:

16:17:57 Sen. Bennett  
  
16:20:21 Chairman Lang

### EXECUTIVE ACTION ON SB 359

16:21:15 **Motion/Vote:** Sen. Gauthier moved that **SB 359 BE TABLED**. Motion carried 5-4 by roll call vote with Sen. MacDonald, Sen. McConnell, Sen. Sesso and Sen. Vuckovich voting no. Sen. Fitzpatrick and Sen. McConnell voted by proxy.

### EXECUTIVE ACTION ON SB 323

16:23:03 Sen. Webb  
16:23:30 Chairman Lang  
16:23:49 Toni Henneman, Legislative Services Division (LSD)

16:24:38 **Motion/Vote:** Sen. R. Webb moved to **RECONSIDER THE MOTION ON SB 323**. Motion carried 5-4 by roll call vote with Sen. MacDonald, Sen. McConnell, Sen. Sesso and Sen. Vuckovich voting no. Sen. Fitzpatrick and Sen. McConnell voted by proxy.

16:25:57 **Motion:** Sen. Gauthier moved that **SB 323 DO PASS AS AMENDED**.  
(amended on 03/25/2019)

**Discussion:**

16:26:16 Sen. Webb  
 16:26:30 Chairman Lang  
 16:26:35 Ms. Henneman, LSD  
 16:27:48 Sen. McDonald  
 16:29:16 Sen. Webb  
 16:29:57 Chairman Lang  
 16:30:25 Sen. Webb  
 16:30:40 Sen. Ellsworth  
 16:31:17 Sen. Webb  
 16:31:34 Sen. Sesso  
 16:32:30 Chairman Lang

16:32:46 Recess  
 16:35:45 Reconvene

**Discussion:**

16:35:49 Sen. Sesso  
 16:36:00 Chairman Lang  
 16:36:21 Sen. Webb  
  
 16:36:29 Sen. Fitzpatrick and Sen. McConnell entered the hearing.  
  
 16:36:44 Sen. Sesso  
 16:42:29 Sen. Webb  
 16:43:25 Sen. Sesso  
 16:43:35 Chairman Lang  
 16:43:38 Ms. Henneman  
 16:44:30 Sen. Webb  
 16:45:11 Chairman Lang

16:45:23 **Vote:** Motion failed 4-5 by roll call vote with Sen. Ellsworth, Sen. Fitzpatrick, Sen. Lang and Sen. R. Webb voting aye.

16:46:19 **Substitute Motion/Vote:** Sen. Gauthier made a Substitute Motion that **SB 323 BE TABLED**. Substitute Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SB 359**

16:46:52 **Motion/Vote:** Sen. Fitzpatrick moved that **SB 359 BE REMOVED FROM TABLE**. Motion carried 6-3 by roll call vote with Sen. Ellsworth, Sen. Lang and Sen. R. Webb voting no.

16:48:13 **Motion/Vote:** Sen. Gauthier moved that **SB 359 DO PASS**. Motion carried 5-4 by roll call vote with Sen. Ellsworth, Sen. Gauthier, Sen. Lang and Sen. R. Webb voting no.

16:49:37 Chairman Lang

**ADJOURNMENT**

Adjournment: 4:50 PM

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Linda Keim, Secretary

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Additional Documents:

**EXHIBIT([los63aad.pdf](#))**