

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: Chair Geraldine Custer, on February 2, 2021 at 3:00 PM, in Room 472
Capitol

ROLL CALL

Members Present:

Rep. Geraldine Custer, Chair (R)
Rep. Larry Brewster, Vice Chair (R)
Rep. Mary Ann Dunwell, Vice Chair (D)
Rep. Marta Bertoglio (R)
Rep. Dave Fern (D)
Rep. Frank Fleming (R)
Rep. Steven Galloway (R)
Rep. Steve Gist (R)
Rep. Steve Gunderson (R)
Rep. Derek J. Harvey (D)
Rep. Donavon Hawk (D)
Rep. Scot Kerns (R)
Rep. Kelly Kortum (D)
Rep. Mark Thane (D)
Rep. Jeremy Trebas (R)
Rep. Kathy Whitman (R)
Rep. Katie Zolnikov (R)

Members Excused: None

Members Absent: None

Staff Present:

Cristen Friede, Committee Secretary
Toni Henneman, Legislative Branch
Leigha Bradford, Remote Meeting Coordinator

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 196, 1/14/2021; HB 259, 1/14/2021

15:00:50 Chair Custer

HEARING ON HB 259

Opening Statement by Sponsor:

15:01:32 Rep. Sue Vinton (R), HD 56, opened the hearing on HB 259, Revise property and zoning laws.

Proponents' Testimony:

15:05:07 Abigail St. Lawrence, Montana Building Industry Association (MBIA)
15:11:14 Jessie Walthers, Flathead Building Association (FBIA)
15:18:06 Linda Revenaugh, Southwest Montana Building Industry Association (SWMBIA)
15:21:30 Adam Hertz, self
15:25:35 Patrick Web, Americans for Prosperity Montana
15:26:04 Sam Sill, Montana Association of Relators (MAR)

Opponents' Testimony:

15:29:46 John MacDonald, City of Missoula and Bozeman
[EXHIBIT\(loh22a01\)](#)

15:36:33 Wyeth Friday, City of Billings
15:38:51 Ben Davis, White City Council
15:45:26 Alanna Wulf, Big Sky 55+
15:46:40 Kelly Lynch, Montana League of Cities and Towns (MLCT)
15:50:41 Mayre Flowers, Montana Smart Growth Coalition

Informational Testimony: None

Questions from Committee Members and Responses:

15:54:59 Vice Chair Brewster
15:55:18 Ben Davis, Whitefish City Council

Closing by Sponsor:

15:55:55 Rep. Vinton

15:58:05 Recess
16:02:50 Reconvene

HEARING ON HB 196

Opening Statement by Sponsor:

16:03:03 Rep. Edward Buttrey (R), HD 21, opened the hearing on HB 196, Revise homeowner association laws.

Proponents' Testimony: None

Opponents' Testimony:

16:09:31 Steven Muggli, self
16:16:07 Sen. Bogner
[EXHIBIT\(loh22a02\)](#)

16:18:17 Rep. Dooling
16:20:07 Robin Hogan, self

EXHIBIT(3)

EXHIBIT(4)

16:27:28 Bill Myers, self

EXHIBIT(5)

16:35:58 Andy Skinner, self

EXHIBIT(6)

16:43:37 Sam Sill, MAR
16:45:20 John Bandy, Wheatland Estate Condos
16:51:54 Don Lepinsky, self
16:56:46 Stephanie Baucus, Moulton Bellingham
17:12:02 Rep. Fern
17:12:26 Rhonda Wiggers, TOK HOA
17:16:02 Zoe King, self

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

17:21:14 Rep. Buttrey

17:25:28 Rep. Hawk left the meeting
17:26:45 Chair Custer

17:27:15 Recess
17:40:20 Reconvened

EXECUTIVE ACTION ON HB 86

17:40:37 **Motion:** Rep. Brewster moved that **HB 86 DO PASS.**

17:40:55 **Motion:** Rep. Brewster moved that **HB 86 BE AMENDED.**

EXHIBIT(7)

Discussion:

17:41:26 Toni Henneman, Legislative Service Division (LSD)
17:41:52 Rep. Harvey

17:42:59 **Vote:** Motion carried unanimously by voice vote. Rep. Hawk and Rep. Kerns voted by proxy.

17:43:54 **Motion:** Rep. Brewster moved that **HB 86 BE AMENDED.**

EXHIBIT(8)

Discussion:

- 17:44:12 Toni Henneman, LSD
17:45:44 Vice Chair Dunwell
17:46:22 Rep. Gist
17:46:58 Vice Chair Dunwell
17:47:20 Rep. Galloway
17:47:47 Vice Chair Dunwell
17:48:58 Toni Henneman, LSD
17:49:51 Rep. Galloway
17:50:44 Toni Henneman, LSD
17:51:24 Vice Chair Brewster
- 17:52:11 **Vote:** Motion carried 16-1 by voice vote with Rep. Galloway voting no. Rep. Hawk and Rep. Kerns voted by proxy.
- 17:53:21 **Motion:** Rep. Brewster moved that **HB 86 DO PASS AS AMENDED.**
- 17:53:32 **Substitute Motion/Vote:** Rep. Gunderson made a substitute motion that **HB 86 BE TABLED.** Substitute Motion failed 8-9 by roll call vote with Rep. Brewster, Rep. Fleming, Rep. Galloway, Rep. Gist, Rep. Gunderson, Rep. Kerns, Rep. Whitman and Rep. Zolnikov voting aye. Rep. Hawk and Rep. Kerns voted by proxy.
- 17:55:07 **Vote:** Motion carried 9-8 by roll call vote with Rep. Brewster, Rep. Fleming, Rep. Galloway, Rep. Gist, Rep. Gunderson, Rep. Kerns, Rep. Whitman and Rep. Zolnikov voting no. Rep. Hawk and Rep. Kerns voted by proxy.

EXECUTIVE ACTION ON HB 49

- 17:57:05 **Motion/Vote:** Rep. Brewster moved that **HB 49 DO PASS.** Motion carried 13-4 by roll call vote with Rep. Galloway, Rep. Gunderson, Rep. Kerns and Rep. Whitman voting no. Rep. Hawk and Rep. Kerns voted by proxy.
- 17:58:42 Chair Custer
17:59:05 Toni Henneman, LSD
17:59:28 Vice Chair Dunwell
18:00:23 Rep. Galloway
18:00:57 Rep. Fern
18:01:31 Rep. Gist

ADJOURNMENT

Adjournment: 18:02:28

Cristen Friede, Secretary

cf

Additional Documents:

EXHIBIT([loh22a02.pdf](#))