

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 67th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON LOCAL GOVERNMENT

**Call to Order:** Chair Geraldine Custer, on March 11, 2021 at 3:51 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. Steven Galloway (R)  
Rep. Steve Gist (R)  
Rep. Steve Gunderson (R)  
Rep. Donavon Hawk (D)  
Rep. Scot Kerns (R)  
Rep. Kelly Kortum (D)  
Rep. Mark Thane (D)  
Rep. Kathy Whitman (R)

**Members Excused:**

Rep. Frank Fleming (R)  
Rep. Derek J. Harvey (D)  
Rep. Scot Kerns (R)  
Rep. Jeremy Trebas (R)  
Rep. Katie Zolnikov (R)

**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: SB 135, 3/9/2021; SB 145, 3/9/2021; SB 174, 3/9/2021; SB 211,  
3/9/2021

**HEARING ON SB 174****Opening Statement by Sponsor:**

15:51:28 Sen. Greg Hertz (R), SD 6, opened the hearing on SB 174, Revise laws related to local subdivision review.

**Proponents' Testimony:**

15:54:18 Mark Taylor, Taylor Luther Group

**[EXHIBIT\(loh49a01\)](#)**

15:57:08 Rep. Harvey joined the meeting

15:58:38 Abigail St. Lawrence, Montana Building Industry Association (MBIA)

15:59:23 Dave Galt, Montana Contractors Association (MCA)

15:59:42 Sam Sill, Montana Association of Relators (MAR)

16:00:26 Charles Denowh, United Property Owners of Montana (UPOM)

**Opponents' Testimony:**

16:01:09 Kelly Lynch, Montana League of Cities and Towns (MLCT)

16:04:24 Allison Mouch, Montana Association of Planners (MAP)

16:07:56 Robert Horn, self

**[EXHIBIT\(loh49a02\)](#)**

16:10:30 Tara DePuy, Montana Association of Counties (MACo)

**[EXHIBIT\(loh49a03\)](#)**

16:13:56 Monica Plecker, City of Billings

16:15:51 Mayre Flowers, Montana Smart Growth Coalition (MSGC)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

16:17:07 Rep. Bertoglio

16:17:29 Mark Taylor, Taylor Luther Group

16:18:54 Vice Chair Dunwell

16:20:15 Anne Hedges, Montana Environmental Information Center (MEIC)

16:21:49 Rep. Fern

16:22:33 Kelly Lynch, MLCT

16:24:25 Rep. Fern

16:24:54 Tara DePuy, MACo

16:25:16 Rep. Galloway

16:26:48 Sen. Hertz

16:26:55 Rep. Bertoglio

16:27:28 Sen. Hertz

16:29:03 Vice Chair Brewster

16:29:33 Kelly Lynch, MLCT

16:31:09 Rep. Kerns joined the meeting

16:33:05 Monica Plecker, City of Billings

16:33:56 Rep. Bertoglio

16:34:34 Kelly Lynch, MLCT

16:36:25 Rep. Harvey left the meeting

16:36:37 Rep. Galloway  
 16:37:03 Sam Sill, MAR  
 16:39:34 Rep. Fern  
 16:42:06 Tara DePuy, MACo  
 16:42:19 Rep. Galloway  
 16:42:59 Kelly Lynch, MLCT  
 16:43:53 Chair Custer  
 16:44:05 Sen. Hertz

**Closing by Sponsor:**

16:44:26 Sen. Hertz

**HEARING ON SB 211****Opening Statement by Sponsor:**

16:47:40 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SB 211, Revise local subdivision review criteria regarding agriculture.

**Proponents' Testimony:**

16:49:53 Alan McCormick, Montana Association of Realtors (MAR)  
 16:53:01 Buzz Alexander, self  
 16:56:23 Paul Rossignol, self  
 16:58:48 Paul Forsting, self  
 17:01:07 Heather Wills, self  
 17:03:29 Rachel Cone, Montana Farm Bureau Federation (MFBF)  
 17:04:54 Charles Denowh, United Property Owners of Montana (UPOM)  
 17:05:22 Jay Bodner, Montana Smart Growers Association (MSGA)  
 17:05:58 Abigail St. Lawrence, Montana Building Industry Association (MBIA)  
 17:06:21 Sam Sill, Montana Association of Relators (MAR)

**Opponents' Testimony:**

17:08:22 Rachel Prevost, Montana Farmers Union (MFU)  
 17:08:57 Tara DePuy, Montana Association of Counties (MACo)

**EXHIBIT(loh49a04)**

17:11:08 John Brown, Northern Plains Resource Council (NPRC)  
 17:13:46 Kathleen McMahon, self  
 17:17:50 Marye Flowers, Montana Smart Growth Coalition (MSGC)  
 17:20:06 Richard Liebert, Montana Cattleman's Association (MCA)

**Informational Testimony:** None**Questions from Committee Members and Responses:**

17:22:33 Rep. Fern  
 17:23:35 Tara DePuy, MACo  
 17:24:23 Rep. Bertoglio  
 17:24:39 Alan McCormick, MAR  
 17:25:17 Rep. Gist  
 17:25:45 Sen. Fitzpatrick  
 17:26:29 Rep. Galloway  
 17:27:25 Richard Liebert, MCA

17:30:31 Rep. Galloway  
17:31:58 Richard Liebert, MCA  
17:32:53 Rep. Whitman  
17:34:52 Sam Sill, MAR  
17:35:13 Chair Custer  
17:35:40 Tara DePuy, MACo  
17:36:04 Rep Hawk left the meeting  
17:36:37 Chair Custer  
17:36:42 Sen. Fitzpatrick

**Closing by Sponsor:**

17:36:50 Sen. Fitzpatrick

**HEARING ON SB 135**

**Opening Statement by Sponsor:**

17:38:07 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SB 135, Allow a county commission to hold certain zoning appeal hearings de novo.

**Proponents' Testimony:**

17:40:38 Commissioner Jo Briggs, Cascade County  
17:45:08 Sam Sill, Montana Association of Realtors (MAR)  
17:46:00 Abigail St. Lawrence, Montana Building Industry Association (MBIA)  
17:47:04 Tara DePuy, Montana Association of Counties (MACo)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

17:50:29 Sen. Fitzpatrick

**HEARING ON SB 145**

**Opening Statement by Sponsor:**

17:51:09 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SB 145, Revise homeowners association laws to allow remote meetings by default.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

17:53:19 Rep. Kerns  
17:54:54 Sen. Fitzpatrick

17:55:28 Rep. Thane  
17:55:55 Sen. Fitzpatrick

**Closing by Sponsor:**

17:56:14 Sen. Fitzpatrick

17:56:59 Rep. Galloway  
17:57:15 Rep. Fern  
17:58:04 Toni Henneman, Legislative Service Division (LSD)  
17:58:35 Vice Chair Dunwell  
17:59:56 Chair Custer  
18:00:20 Rep. Kerns  
18:00:57 Chair Custer  
18:01:55 Rep. Whitman  
18:02:16 Rep. Galloway  
18:02:59 Chair Custer

**ADJOURNMENT**

Adjournment: 18:03:23

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Cristen Friede, Secretary

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Additional Documents:

**EXHIBIT**([loh49aad.pdf](#))