

MINUTES
MONTANA HOUSE OF REPRESENTATIVES
68th LEGISLATURE - REGULAR SESSION
COMMITTEE ON (H) LOCAL GOVERNMENT

Call to Order: Chair Rep. Larry Brewster-R, on January 31, 2023 at 3:18 PM, in 472

ROLL CALL

Members Present: Rep. Larry Brewster, Chair (R)
Rep. Marta Bertoglio, Vice Chair (R)
Rep. Jill Cohenour, Vice Chair (D)
Rep. Laurie Bishop (D)
Rep. Sherry Essmann (R)
Rep. Steven Galloway (R)
Rep. Steve Gist (R)
Rep. Kelly Kortum (D)
Rep. Jennifer Lynch (D)
Rep. Linda Reksten (R)
Rep. Kerri Seekins-Crowe (R)
Rep. Courtenay Sprunger (R)
Rep. Mark Thane (D)
Rep. Katie Zolnikov (R)

Excused: Rep. Steve Gunderson (R)
Rep. Scot Kerns (R)

Staff Present: LuCinda Blair, Secretary
Laura Sankey Keip, Research Analyst

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 and Date Posted:

SB 103 1/28/2023

HB 262 1/28/2023

HB 337 1/28/2023

Executive Action:

HEARING ON SB 103 – Revise airport courtesy car insurance requirements

Opening Statement:

15:20:00 Senator Becky Beard (R), SD 40, opened the hearing on SB 103, Revise airport courtesy car insurance requirements.

Proponent Testimony:

15:22:40 Jerome Cain, Lincoln Airport Foundation

Opponent Testimony:

None

Informational Witness Testimony:

15:24:14 Tim Conway, Montana Department of Transportation Aeronautics Division (MDT)

Questions from Committee:

15:24:50 Rep. Linda Reksten

15:25:07 Tim Conway, MDT

Closing Statement:

15:26:20 Senator Becky Beard (R), SD 40, closed the hearing on SB 103.

HEARING ON HB 262 – Revise local government financial reporting and audit requirements

Opening Statement:

15:27:15 Representative Jerry Schillinger (R), HD 37, opened the hearing on HB 262, Revise local government financial reporting and audit requirements.

Proponent Testimony:

15:31:20 Todd Devlin, Prairie County Commission

15:35:30 Jason Rittal, Montana Association of Counties (MACo)

15:49:15 Kelly Lynch, Montana League of Cities and Towns (MTLCT)

- 15:49:45 Dan Ellison, Jefferson County Commission
15:50:01 Bob Gilbert, Cities of Colstrip and Glendive and Rosebud, Musselshell and Phillips Counties
15:50:30 Robin Turner, City of Whitefish

Opponent Testimony:

- 15:51:06 Chet McLean, Governor's Office of Budget and Program Planning (GOV) and Chet McLean, P.C.
15:57:20 Misty Ann Giles, Department of Administration (DOA)
15:58:02 John Iverson, Montana Society of CPAs

Informational Witness Testimony:

- 15:59:20 Barb Quinn, Office of Public Instruction (OPI)
15:59:45 Danielle Vincent, Department of Administration Local Services Bureau (DOA)
16:00:00 Nancy Everson, Montana Association of Counties (MACo)

Questions from Committee:

- 16:00:22 Rep. Scot Kerns
16:00:50 Chet McLean, GOV
16:01:50 Rep. Mark Thane
16:03:02 Rep. Steven Galloway
16:04:35 Rep. Jill Cohenour
16:04:57 Jason Rittal, MACo
16:06:41 Rep. Steve Gist
16:07:05 Misty Ann Giles, DOA
16:09:42 Cheryl Grey, State Financial Services Division (SFSD)

Closing Statement:

- 16:11:42 Representative Jerry Schillinger (R), HD 37, closed the hearing on HB 262.
16:14:15 **Recessed**
16:16:00 **Reconvened**

HEARING ON HB 337 – Revise municipal zoning laws to prohibit certain minimum lot sizes

Opening Statement:

16:16:06 Rep. Katie Zolnikov (R), HD 45, opened the hearing on HB 337, Revise municipal zoning laws to prohibit certain minimum lot sizes.

Proponent Testimony:

16:24:54 Kendal Cotton, Frontier Institute
16:28:10 Nolan Gray, California YIMBY
16:32:05 Jake Brown, Shelter Whitefish
16:34:09 Henry Kriegel, Americans for Prosperity Montana
16:37:24 Jesse Ramos, Self
16:41:00 Mark Egge, Self
16:42:45 Ann Schwend, Montana Environmental Information Center (MEIC)
16:44:13 Stuart Doggett, Montana Manufactured Housing and RV Association
16:45:17 Dan Brooks, Billings Chamber of Commerce
16:47:46 Glenn Fowler, Self
16:48:38 Caterina Colluci, Self
16:49:07 Caelan Milligan, Self
16:50:00 Ethan Hanley, Associates Students of University of Montana (ASUM)
16:50:38 Sandra Vasecka, Missoula City Council
16:51:00 Cody Hubman, Self
16:52:02 Danny Tenenbaum, Self

Opponent Testimony:

16:52:19 Kelly Lynch, Montana League of Cities and Towns (MTLCT)
16:58:09 Chris Hindoien, Mayor of Choteau
17:01:20 Robin Turner, City of Whitefish
17:03:08 Bob Gilbert, City of Colstrip
17:05:19 Ed Meece, City of Polson
17:08:35 Jason Karp, City of Belgrade
17:10:30 Andrew Hagemeyer, Montana Association of Planners
17:14:18 Wyeth Friday, City of Billings

Informational Witness Testimony:

17:17:33 Emily Hamilton, Housing Task Force

Questions from Committee:

17:18:44 Rep. Steve Gist
17:19:05 Kendal Cotton, Frontier Institute
17:21:55 Rep. Kelly Kortum
17:22:20 Ed Meece, Polson
17:22:58 Rep. Kerri Seekins-Crowe
17:25:20 Rep. Steven Galloway
17:26:05 Kelly Lynch, MTLCT
17:27:06 Rep. Courtenay Sprunger
17:28:35 Chair Larry Brewster
17:28:55 Laura Sankey Keip
17:29:26 Rep. Katie Zolnikov
17:30:50 Rep. Mark Thane
17:32:50 Jason Karp, Belgrade

Closing Statement:

17:34:50 Rep. Katie Zolnikov (R), HD 45, closed the hearing on HB 337.

ADJOURNMENT

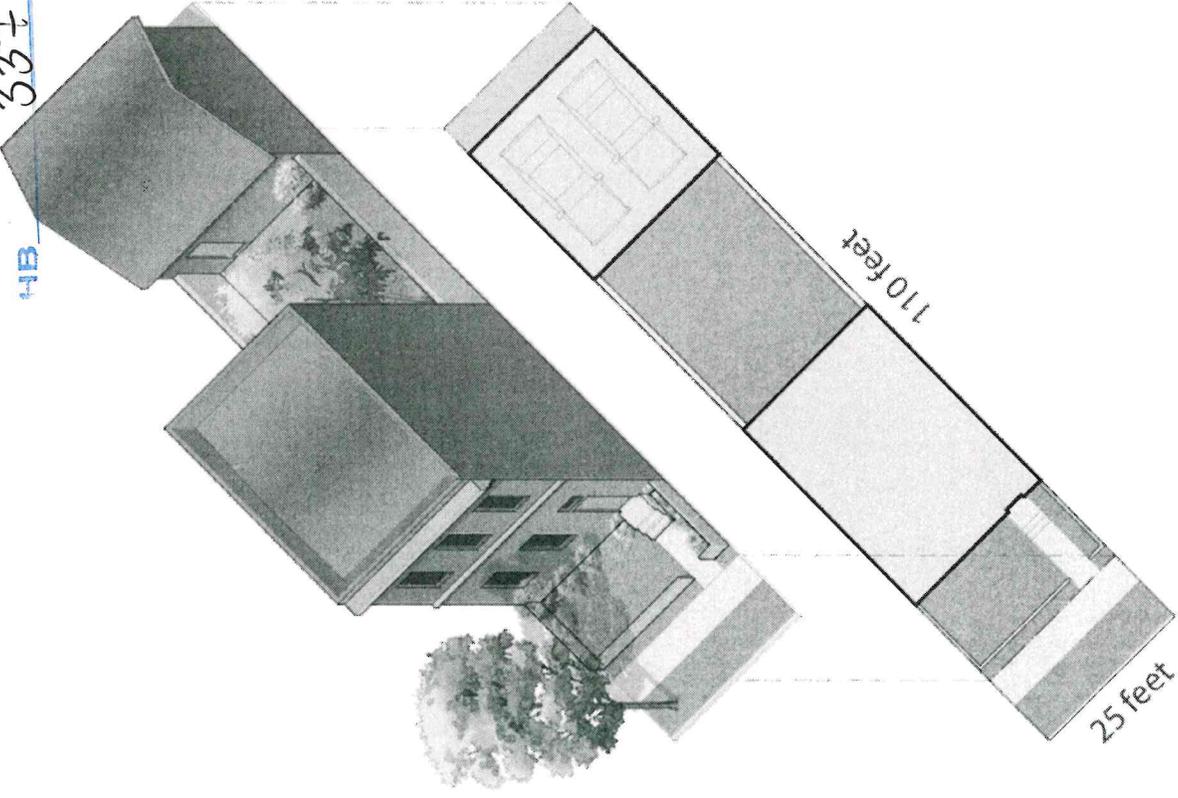
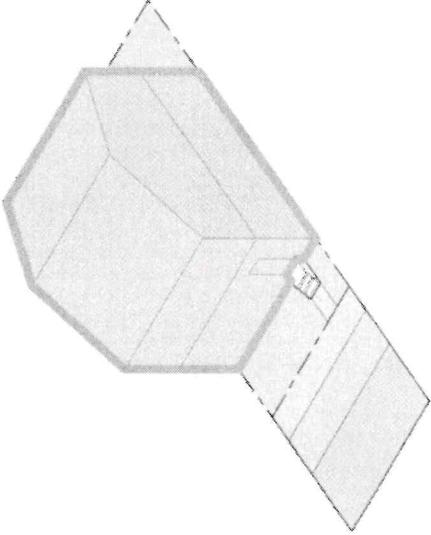
Adjournment: 17:42:14

LuCinda Blair, Secretary

Additional Documents: EXHIBIT(230131LOH)

230131LOH_Hm1.docx

EXHIBIT #1
 DATE 1-31-23
 HB 337



Ideal Specifications

Lot	
Width	25 feet
Depth	110 feet
Area	2,750 sq. ft.
	0.063 acres
Units	
Number of Units	1 unit
Typical Unit Size	1,750 sq. ft
Density	
Net Density	16 du/acre
Gross Density	12 du/acre
Parking	
Parking Ratio	3.0 per unit
On-street Spaces	1
Off-street Spaces	2
Setbacks	
Front	10 feet
Side	0 feet
Building	
Width	25 feet
Depth	35 feet
Height (to eave)	28 feet
Floors	2 stories

REFORM #1: SENSIBLE LOT AREAS



SOLUTION

PROHIBIT EXCESSIVE MINIMUM LOT AREA MANDATES

The Montana legislature should implement Recommendation 2A from the Montana Housing Task Force, which would prohibit residential excessive minimum lot areas in cities:

76-2-302. Zoning districts.

(6) Zoning regulations may not include a requirement to:

- (a) pay a fee for the purpose of providing housing for specified income levels or at specified sale prices; or
- (b) dedicate real property for the purpose of providing housing for specified income levels or at specified sale prices.

(c) comply with dimensional standards that cumulatively result in a minimum lot size of greater than 2,500 square feet for a lot that is currently serviced by both a municipal water system and a municipal sewer system.

FREQUENTLY ASKED QUESTIONS

Q: Does this proposal mandate we all live on denser, smaller lots?

A: No, this proposal gives property owners more freedom to choose what size of lot they want for their house.

Q: Will prohibiting excessive lot size mandates overwhelm municipal utilities with development?

A: No, smaller lots are 40% cheaper to serve with up-front utility needs than excessive lots.

Q: Will this cost taxpayers money?

A: No, prohibiting excessive lot size mandates is a no-cost way Montana government can boost the supply of housing.

REFORM #1: SENSIBLE LOT AREAS



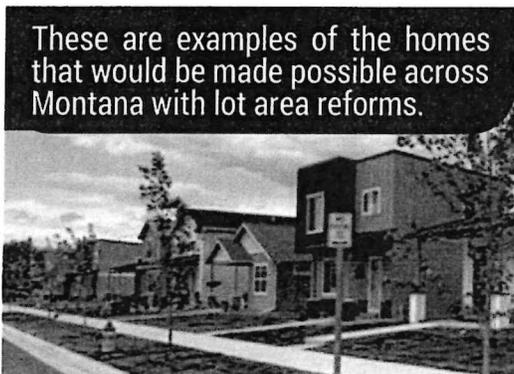
PROBLEM

WHAT ARE MINIMUM LOT AREAS?

Minimum Lot Areas are a common local government regulation which mandate that a certain type of home can only be built on a certain size of lot within a particular zoning district.

DO MONTANA CITIES HAVE EXCESSIVE MINIMUM LOT AREAS?

YES! Over 70% of primary residential areas in Montana's most in-demand cities either outright prohibit or penalize affordable starter homes using a combination of Minimum Lot Areas and Single-Family Zoning.

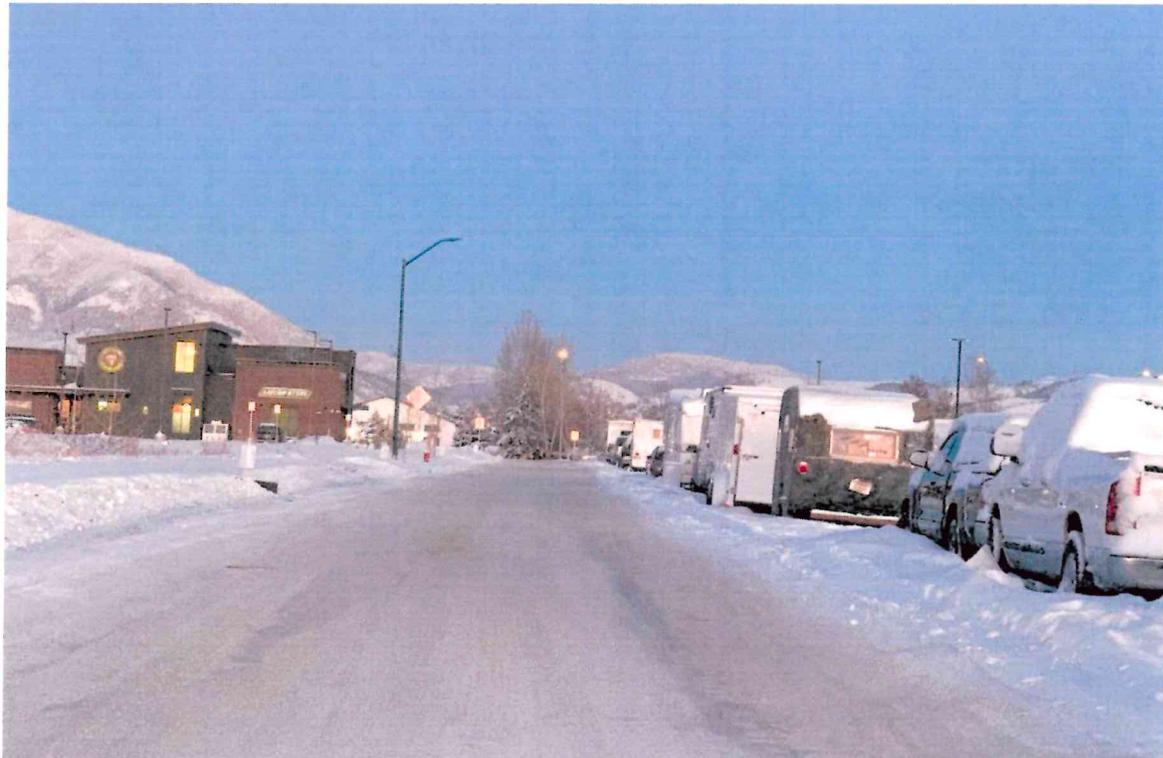


HOW DO EXCESSIVE MINIMUM LOT AREAS HURT MONTANA?

- They contribute to Montana's housing shortage, driving up the cost of housing for everyone.
- They prohibit affordable starter homes like duplexes, townhomes and triplexes when the lot size required exceeds the dimensions of existing lots.
- They penalize affordable starter homes by requiring larger and more expensive lots for each additional unit added to a building, even if the building takes up no additional room.
- They drive urban sprawl, eating up surrounding open space and rural land with development.
- They inflate city infrastructure costs by forcing housing development to spread out, requiring more government spending and higher taxes.
- They rob cities of new sources of revenue by blocking more residents and businesses.

Bozeman, Sunday, January 29, 2023 I drove near Winco on Max Avenue and Kimberwicke Street to where homeless folks live in RVs and other vehicles. I saw a man working outside of his RV. I got out of the car to say hello, shook his hand and asked if he needed anything. He said thanks for the kindness but he was installing a new furnace. It was -8 degrees so he was busy and didn't want to talk much. I left profoundly sad.

Bottom photo is a row of RVs along an adjacent street.





The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

VISITOR REGISTER

LOCAL GOVERNMENT COMMITTEE

DATE 1-31-2023

BILL NO: HB 262

SPONSOR(S): Rep. Schillinger

SHORT TITLE: Revise local government financial reporting and audit requirements

Please leave prepared testimony with the clerk.

Witness Statement forms are available if you care to submit written testimony.

PLEASE PRINT

PLEASE PRINT

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Name	Representing	Support	Oppose	Informt1
Kelly Lynch	MLCT	X		
Chet McLean	OBTP		X	
Chet McLean	Chet McLean CPA PC		X	
Jason R. Hal	MA Co	X		
Todd Deulin	MACo / Prairie Co	X		
Aeng Eversom	MACo			X
Don Harris	Dep. of Admin		X	
Misty Ann Giles	" " "		X	
Cheryl Grey	" " "		X	
Danielle Vincent	" " "		X	
Barb Quinn	GPI			X
John Inversom	MS CPA		X	
DAN ELLISON	JEFFERSON COUNTY	✓		
Rain Turner	Whitford	✓		
Bob Gilbert	Steen div, Co/5th/2 Phillips Russell Holt - Rosebud	✓ AS Aid		



The Big Sky Country

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Table with 5 columns: Name, Representing, Support, Oppose, Informt'l. Rows include names like Kendall Cotton, M. Nolan Gray, Emily Hamilton, etc.