

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

Call to Order: Chair Rep. Larry Brewster-R, on February 23, 2023 at 3:14 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 Essman (R)
Rep. Steven Galloway (R)
Rep. Steve Gist (R)
Rep. Steve Gunderson (R)
Rep. Scot Kerns (R)
Rep. Jennifer Lynch (D)
Rep. Linda Reksten (R)
Rep. Kerri Seekins-Crowe (D)
Rep. Mark Thane (D)

Excused: Rep. Kelly Kortum (D)
Rep. Courtenay Sprunger (R)
Rep. Katie Zolnikov (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:

HB 553 2/20/2023

HB 606 2/20/2023

HB 618 2/20/2023

HB 724 2/20/2023

HB 748 2/20/2023

Executive Action:

HB 324 BE TABLED

HB 337 BE TABLED

HB 360 DO PASS AS AMENDED

HB 465 DO PASS AS AMENDED
HB 483 BE TABLED
HB 534 BE TABLED
HB 553 BE TABLED
HB 606 BE TABLED
HB 724 DO PASS AS AMENDED
HB 748 DO PASS AS AMENDED

HEARING ON HB 724 – Generally revise public notice requirements

Opening Statement:

15:18:00 Rep. Brad Barker (R), HD 58, opened the hearing on HB 724, Generally revise public notice requirements.

Proponent Testimony:

15:19:40 Lance Melton, Coalition of Advocates for Montana’s Public Schools (CAMPS)

Opponent Testimony:

15:21:20 Thomas Jodoin, Montana League of Cities and Towns (MTLCT)

Informational Witness Testimony:

15:23:45 Rebecca Harbage, Montana Department of Environmental Quality (DEQ)

15:24:12 Don Harris, Montana Department of Administration (DOA)

Questions from Committee:

15:24:50 Rep. Linda Reksten

15:25:00 Laura Sankey Keip

Closing Statement:

15:26:13 Rep. Brad Barker (R), HD 58, closed the hearing on HB 724.

15:27:25 Chair Brewster assumes the chair.

HEARING ON HB 618 – Revise laws related to special districts

Opening Statement:

15:27:40 Rep. Lyn Hellegaard (R), HD 97, opened the hearing on HB 618 Revise laws related to special districts.

Proponent Testimony:

15:31:45 Jesse Ramos, Self

Opponent Testimony:

15:36:30 Karen Alley, Montana Association of Counties (MACo)
15:37:40 Jason Strouf, Custer County Commission and Montana Association of Counties (MACo)
15:38:18 Todd Devlin, Self
15:38:45 Kelly Lynch, Montana League of Cities and Towns (MTLCT)
15:41:55 Greg Tryon, Central Valley Fire District, Gallatin County (CVFD)
15:43:05 Neil Cardwell, City of Belgrade
15:45:10 Zach Brown, Gallatin County Commission
15:45:40 Eric Burke, Montana Federation of Public Employees (MFPE)
15:46:32 Steve Turkiewicz, City of Billings

Informational Witness Testimony:

15:47:09 Rick Thompson, Montana Department of Environmental Quality (DEQ)

Questions from Committee:

15:47:45 Rep. Steve Gist
15:48:00 Kelly Lynch, MTLCT
15:49:05 Greg Tryon, CVFD
15:50:00 Rep. Mark Thane
15:50:35 Rep. Lyn Hellegaard

Closing Statement:

15:52:30 Rep. Lyn Hellegaard (R), HD 97, closed the hearing on HB 618.

HEARING ON HB 553 – Housing for Montana Families Act

Opening Statement:

15:53:45 Rep. Alice Buckley (D), HD 63, opened the hearing on HB 553, Housing for Montana Families Act.

Proponent Testimony:

15:58:10 Jake Brown, Shelter Whitefish

16:01:03 Tanner Avery, Frontier Institute
16:02:36 Rep. Kim Abbott, HD 83
16:03:57 Ann Schwend, Montana Environmental Information Center (MEIC)
16:06:05 Patrick Yawakie, Blackfeet Tribe and Red Medicine LLC
16:06:55 Stuart Doggett, Montana Manufactured Housing and RV Association (MMHRVA)
16:10:33 Henry Kriegel, Americans for Prosperity (AFP)
16:12:55 Ethan Hanley, Associated Students of the University of Montana (ASUM)
16:13:18 Stacey Anderson, Montana Primary Care Association (MPCA)
16:14:10 Jim Johanson, Self
16:14:55 Izzy Milch, Forward Montana
16:16:33 Hannah Brew, Foothold Modular Housebuilders
16:17:45 Danny Tennebaum, Self
16:19:14 David Finney, Build Media

Opponent Testimony:

16:20:50 Kelly Lynch, Montana League of Cities and Towns (MTLCT)
16:23:45 Sam Sill, Montana Association of Realtors (MAR) and Montana Building Industry Association (MBIA)
16:26:15 Neil Cardwell, City of Belgrade
16:28:00 Karen Alley, Montana Association of Counties (MACo)
16:28:36 Andrew Hagemeyer, Montana Association of Planners (MAP)
16:33:36 Wyeth Friday, City of Billings

Informational Witness Testimony:

None

Questions from Committee:

16:35:00 Rep. Steve Gunderson
16:36:40 Henry Kriegel, AFP
16:39:45 Rep. Alice Buckley
16:40:25 Jake Brown, Shelter Whitefish
16:43:10 Rep. Kelly Kortum

Closing Statement:

16:44:20 Rep. Alice Buckley (R), HD 63, closed the hearing on HB 553.

HEARING ON HB 748 – Allow zoning for separation of incompatible uses of property

Opening Statement:

16:47:45 Rep. Katie Zolnikov (R), HD 45, opened the hearing on HB 748, Allow zoning for separation of incompatible uses of property.

Proponent Testimony:

None

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

16:52:45 Rep. Steve Gist
16:52:55 Rep. Katie Zolnikov
16:53:20 Rep. Mark Thane
16:54:05 Rep. Jill Cohenour

Closing Statement:

16:55:17 Rep. Katie Zolnikov (R), HD 45, closed the hearing on HB 748.

HEARING ON HB 606 – Revise laws for home-based businesses

Opening Statement:

16:56:00 Rep. Katie Zolnikov (R), HD 45, opened the hearing on HB 606, Revise laws for home-based businesses.

Proponent Testimony:

17:01:17 Tanner Avery, Frontier Institute
17:02:35 Henry Kriegel, Americans for Prosperity

17:05:10 Danny Tennenbaum, Self

Opponent Testimony:

17:06:32 Kelly Lynch, Montana League of Cities and Towns (MTCLT)

17:08:20 Karen Alley, Montana Association of Counties (MACo)

17:11:15 Wyeth Friday, City of Billings

Informational Witness Testimony:

None

Questions from Committee:

17:13:20 Rep. Steve Gunderson

17:13:45 Wyeth Friday, Billings

17:15:10 Rep. Steven Galloway

17:17:00 Rep. Steve Gist

17:18:04 Rep. Marta Bertoglio

17:18:45 Kelly Lynch, MTCLT

17:20:00 Chair Larry Brewster

Closing Statement:

17:21:54 Rep. Katie Zolnikov (R), HD 45, closed the hearing on HB 606.

17:28:00 **Recessed**

18:18:30 **Reconvened**

EXECUTIVE ACTION ON HB 324 – Provide for a local government expenditure limitation

18:19:00 **Motion:** Vice Chair Marta Bertoglio moved that **HB 324 DO PASS.**

18:19:40 **Motion:** Vice Chair Marta Bertoglio moved that **HB 324 BE AMENDED.**

Vote: Motion carried 11-5 by roll call vote with Rep. Bishop, Rep. Cohenour, Rep. Kortum, Rep. Lynch, Rep. Thane, voting no.

18:23:55 **Motion:** Vice Chair Marta Bertoglio moved that **HB 324 DO PASS AS AMENDED.**

18:24:04 **Substitute Motion:** Vice Chair Jill Cohenour moved that **HB 324 BE TABLED.**

Vote: Motion carried 11-5 by roll call vote with Rep. Brewster, Rep. Galloway, Rep. Gunderson, Rep. Seekins-Crowe, Rep. Zolnikov, voting no.
Rep. Gunderson, Rep. Seekins-Crowe, By Proxy

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

- 18:26:00 **Motion:** Vice Chair Marta Bertoglio moved that **HB 337 DO PASS.**
- 18:26:20 **Motion:** Vice Chair Jill Cohenour moved that **HB 337 BE AMENDED.**
Vote: Motion carried unanimously by voice vote.
- 18:28:30 **Motion:** Vice Chair Marta Bertoglio moved that **HB 337 DO PASS AS AMENDED.**
Vote: Motion failed 10-6 by roll call vote with Rep. Brewster, Rep. Cohenour, Rep. Kortum, Rep. Lynch, Rep. Seekins-Crowe, Rep. Zolnikov, voting yes.
Rep. Seekins-Crowe, By Proxy
- 18:36:28 **Motion:** Vice Chair Jill Cohenour moved that **HB 337 BE TABLED.**
Vote: Motion carried by voice vote with Rep. Kortum, Rep. Zolnikov, voting no.

EXECUTIVE ACTION ON HB 360 – Revise election of county commissioners

- 18:37:15 **Motion:** Vice Chair Marta Bertoglio moved that **HB 360 DO PASS.**
- 18:37:45 **Motion:** Rep. Steven Galloway moved that **HB 360 BE AMENDED.**
Vote: Motion carried 11-5 by roll call vote with Rep. Bishop, Rep. Cohenour, Rep. Kortum, Rep. Lynch, Rep. Thane, voting no.
- 18:40:20 **Motion:** Vice Chair Marta Bertoglio moved that **HB 360 DO PASS AS AMENDED.**
Vote: Motion carried 9-7 by roll call vote with Rep. Bishop, Rep. Cohenour, Rep. Kortum, Rep. Lynch, Rep. Seekins-Crowe, Rep. Thane, Rep. Zolnikov, voting no.
Rep. Seekins-Crowe, By Proxy

EXECUTIVE ACTION ON HB 465 – Revise local government acceptable uses of building permit fees

- 18:46:00 **Motion:** Vice Chair Marta Bertoglio moved that **HB 465 DO PASS.**
- 18:47:05 **Motion:** Vice Chair Marta Bertoglio moved that **HB 465 BE AMENDED.**
Vote: Motion carried unanimously by voice vote.
- 18:48:22 **Motion:** Vice Chair Marta Bertoglio moved that **HB 465 DO PASS AS AMENDED.**
Vote: Motion carried 10-6 by roll call vote with Rep. Brewster, Rep. Essman, Rep. Galloway, Rep. Gunderson, Rep. Kerns, Rep. Reksten, voting no.

Rep. Gunderson, Rep. Kerns, By Proxy

EXECUTIVE ACTION ON HB 483 – Generally revise land survey laws

- 18:50:00 **Motion:** Vice Chair Marta Bertoglio moved that **HB 483 DO PASS.**
- 18:50:21 **Substitute Motion:** Vice Chair Jill Cohenour moved that **HB 483 BE TABLED.**
Vote: Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 534 – Revise collection limit for actions brought before city court

- 18:51:20 **Motion:** Vice Chair Marta Bertoglio moved that **HB 534 DO PASS.**
- 18:51:40 **Substitute Motion:** Rep. Steve Gist moved that **HB 534 BE TABLED.**
Vote: Motion carried 12-4 by voice vote with Rep. Brewster, Rep. Cohenour, Rep. Kortum, Rep. Zolnikov, voting no.

EXECUTIVE ACTION ON HB 606 – Revise laws related to home-based businesses

- 18:52:00 **Motion:** Vice Chair Marta Bertoglio moved that **HB 606 DO PASS.**
Vote: Motion failed 10-6 by roll call vote with Rep. Brewster, Rep. Gist, Rep. Gunderson, Rep. Seekins-Crowe, Rep. Sprunger, Rep. Zolnikov, voting yes.
Rep. Gunderson, Rep. Seekins-Crowe, Rep. Sprunger, By Proxy
- 18:56:21 **Motion:** Vice Chair Jill Cohenour moved that **HB 606 BE TABLED.**
Vote: Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 553 – Housing for Montana Families Act

- 18:57:00 **Motion:** Vice Chair Marta Bertoglio moved that **HB 553 DO PASS.**
- 18:57:29 **Substitute Motion:** Rep. Steve Gist moved that **HB 553 BE TABLED.**
Vote: Motion carried 9-7 by roll call vote with Rep. Bishop, Rep. Cohenour, Rep. Kortum, Rep. Lynch, Rep. Sprunger, Rep. Thane, Rep. Zolnikov, voting no.
Rep. Sprunger, By Proxy

EXECUTIVE ACTION ON HB 724 – Generally revise public notice requirements

- 18:59:20 **Motion:** Vice Chair Marta Bertoglio moved that **HB 724 DO PASS.**
- 18:59:40 **Motion:** Vice Chair Marta Bertoglio moved that **HB 724 BE AMENDED.**
Vote: Motion carried unanimously by voice vote.
- 19:00:30 **Motion:** Vice Chair Marta Bertoglio moved that **HB 724 DO PASS AS AMENDED.**
Vote: Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 748 – Allow zoning for separation of incompatible uses of property

- 19:00:57 **Motion:** Vice Chair Marta Bertoglio moved that **HB 748 DO PASS.**
- 19:01:35 **Motion:** Rep. Katie Zolnikov moved that **HB 748 BE CONCEPTUALLY AMENDED.**
- Chair Larry Brewster stated **without objection, so ordered.**
- 19:03:30 **Motion:** Vice Chair Marta Bertoglio moved that **HB 748 DO PASS AS AMENDED.**
- Vote:** Motion carried unanimously by voice vote.

ADJOURNMENT

Adjournment: 19:04:37

LuCinda Blair, Secretary

Additional Documents: EXHIBIT(230223LOH)