

MINUTES
MONTANA SENATE
68th LEGISLATURE - REGULAR SESSION
COMMITTEE ON (S) LOCAL GOVERNMENT

Call to Order: Chair Kenneth Bogner-R, on February 27, 2023 at 3:31 PM, in 405

ROLL CALL

Members Present: Sen. Chris Friedel, Chair (R)
Sen. Kenneth Bogner, Vice Chair (R)
Sen. Mary Ann Dunwell, Vice Chair (D)
Sen. Ellie Boldman (D)
Sen. Forrest Mandeville (R)
Sen. Christopher Pope (D)
Sen. Jeremy Trebas (R)
Sen. Terry Vermeire (R)
Sen. Daniel Zolnikov (R)

Staff Present: Toni Henneman, Research Analyst
Lorna Mason, 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 330 02/17/2023
SB 335 02/17/2023
SB 346 02/24/2023
SB 374 02/17/2023
SB 479 02/23/2023
SB 504 02/27/2023

Executive Action:

SB 499 DO PASS
SB 500 DO PASS AS AMENDED
SB 330 DO PASS
SB 467 DO PASS
SB 335 DO PASS AS AMENDED
SB 374 DO PASS
SB 376 DO PASS AS AMENDED
SB 463 DO PASS AS AMENDED
SB 381 DO PASS
SB 379 DO PASS AS AMENDED
SB 504 DO PASS AS AMENDED

SB 407 DO PASS AS AMENDED
SB 403 DO PASS
SB 486 TO TABLE
SB 409 TO TABLE

HEARING ON SB 330 - Require county clerks to accept electronic notarizations

Opening Statement:

15:31:00 Sen. Greg Hertz (R), SD 6, opened the hearing on SB 330, Require county clerks to accept electronic notarizations.

Proponent Testimony:

15:32:55 Scott Boulanger, Montana Independent Bankers (MIBA)

15:33:10 Donya Parrish, Montana Credit Unions

15:33:38 Amy Grmoliez, Montana Banking Association (MBA)

15:34:06 Bill Gowen, self

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

15:36:43 Chair Chris Friedel

15:37:01 Sen. Greg Hertz-R

Closing Statement:

15:37:55 Sen. Greg Hertz (R), SD 6, closed the hearing on SB 330.

EXECUTIVE ACTION ON SB 499 - Revise adverse possession laws relating to certain land and improvements

15:40:07 **Motion:** Sen. Kenneth Bogner moved that **SB 499 DO PASS.**

15:40:07 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 500 - Provide uniform duration limit for latecomer agreements

15:40:56 **Motion:** Sen. Kenneth Bogner moved that **SB 500 DO PASS.**

15:41:08 **Motion:** Sen. Kenneth Bogner moved that **SB 500 BE AMENDED.**

Discussion:

15:41:39 Sen. Ellie Boldman

15:41:08 **Vote:** Motion carried unanimously by voice vote.

15:42:34 **Motion:** Sen. Kenneth Bogner moved that **SB 500 DO PASS AS AMENDED.**

15:42:34 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 330 - Require county clerks to accept electronic notarizations

15:43:05 **Motion:** Sen. Kenneth Bogner moved that **SB 330 DO PASS.**

15:43:05 **Vote:** Motion carried unanimously by voice vote.

HEARING ON SB 479 - Generally revise homeowner association laws

Opening Statement:

15:45:10 Vice Chair Kenneth Bogner (R), SD 19, opened the hearing on SB 479, Generally revise homeowner association laws.

Proponent Testimony:

15:51:34 Stephanie Baucus, self

15:55:20 Annette Olsen, self

[EXHIBIT\(230227LOSb1\)](#)

15:57:18 Cora Desantis, self

15:59:08 Don Lapinski, self

[EXHIBIT\(230227LOSb2\)](#)

16:01:14 Tim Schuler, self

16:03:09 Michelle Gillespy-Goldstein, self

16:06:26 Robin Hogan, self

16:27:54 Michael Collins, self (will be out of order)

16:33:41 Amy Cline, self

Opponent Testimony:

16:11:25 Bill Gowen, Montana Land Title Association (MLTA)

16:14:57 Sam Still, Montana Association of Realtors (MARS)

16:16:41 Kelly Lynch, Montana League of City and Towns (MLCT)

16:17:51 Rhonda Wiggers, Local HOA

16:20:06 Andy Skinner, self

[EXHIBIT\(230227LOSb3\)](#)

16:23:56 Zoe King, self

[EXHIBIT\(230227LOSb4\)](#)

16:24:23 Alanah Griffith, self

Informational Witness Testimony:

16:30:50 John Bandy, Wheatland Estates Condominiums

Questions from Committee:

16:34:14 Sen. Christopher Pope

16:38:29 Sen. Kenneth Bogner-R

16:39:11 Sen. Forrest Mandeville

16:39:49 Rhonda Wiggers, self

16:43:55 Alanah Griffith, self

16:44:44 Sen. Christopher Pope

16:45:28 Alanah Griffith, self

Closing Statement:

16:46:13 Vice Chair Kenneth Bogner (R), SD 19, closed the hearing on SB 479.

HEARING ON SB 374 - Revise local government public document retention

Opening Statement:

16:48:26 Sen. Willis Curdy (D), SD 49, opened the hearing on SB 374, Revise local government public document retention.

Proponent Testimony:

16:49:39 Marty Rehbein, City of Missoula

16:52:04 Vice Chair Kenneth Bogner left the meeting.

16:53:39 Thomas Jordoin, Montana League of Cities and Towns (MTLCT)

16:55:33 Elizabeth Roos, City of West Yellowstone

Opponent Testimony:

None

Informational Witness Testimony:

16:56:47 Rich Arsted, Montana Historical Society (MTHS)

Questions from Committee:

16:57:17 Sen. Forrest Mandeville

16:57:25 Rich Arsted, (MTHS)

16:58:50 Chair Chris Friedel

16:59:06 Marty Rehbein, self

17:01:38 Vice Chair Mary Ann Dunwell joined the meeting.

Closing Statement:

17:03:59 Sen. Willis Curdy (D), SD 49, closed the hearing on SB 374.

HEARING ON SB 504 - Generally revise veterinary laws

Opening Statement:

17:19:58 Sen. Willis Curdy (D), SD 49, opened the hearing on SB 504, Generally revise veterinary laws.

Proponent Testimony:

17:21:02 Stuart Doggett, Lobbyist Firm Association Management Plus, Inc.
17:23:28 Marta Pierpoint, Montana Humane Society (MHS)

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

17:29:16 Sen. Jeremy Trebas
17:29:37 Marta Pierpoint, MHS
17:32:25 Sen. Daniel Zolnikov
17:32:30 Sen. Willis Curdy-D
17:33:30 Sen. Christopher Pope
17:33:47 Marta Pierpoint, MHS
17:33:57 Sen. Jeremy Trebas left the meeting.
17:35:05 Sen. Forrest Mandeville
17:35:44 Sen. Willis Curdy-D
17:35:59 Toni Henneman
17:36:49 Chair Chris Friedel
17:37:13 Marta Pierpoint, MHS

Closing Statement:

17:38:04 Sen. Willis Curdy (D), SD 49, closed the hearing on SB 504.

**HEARING ON SB 335 - Allow fraternity or sorority houses near college and university
campuses**

Opening Statement:

17:39:14 Chair Chris Friedel (R), SD 26, opened the hearing on SB 335, Allow fraternity or sorority houses near college and university campuses.

Proponent Testimony:

17:40:31 Benjamin Kuiper, self

17:41:47 Lorelei Michael-Owens, Student Government, Montana State University

17:42:57 Charles Denowh, self

17:44:20 Ryan Watson, self

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

17:46:03 Sen. Ellie Boldman

17:46:08 Chuck Denowh, self

17:48:09 Sen. Christopher Pope

17:48:28 Chuck Denowh, self

17:51:06 Vice Chair Mary Ann Dunwell

17:52:02 Sen. Chris Friedel-R

Closing Statement:

17:52:39 Chair Chris Friedel (R), SD 26, closed the hearing on SB 335.

HEARING ON SB 346 - Provide for general fund transfer to coal severance tax trust fund

Opening Statement:

17:53:54 Sen. Ryan Lynch (D), SD 76, opened the hearing on SB 346, Provide for general fund transfer to coal severance tax trust fund.

Proponent Testimony:

17:57:07 Dan Bartel, Montana Senator

Opponent Testimony:

None

Informational Witness Testimony:

17:59:49 Sam Schaefer, Fiscal Analyst, State of montana

Questions from Committee:

18:00:25 Vice Chair Mary Ann Dunwell

18:00:35 Sam Schaefer fiscal analyst

18:01:57 Sen. Jeremy Trebas

18:02:15 Sen. Ryan Lynch-D

18:02:45 Sen. Forrest Mandeville

18:05:48 Sen. Ryan Lynch-D

18:10:55 Senator Fitzpatrick

18:11:35 Sen. Ryan Lynch-D

18:11:53 Sen. Christopher Pope

18:12:07 Sen. Ryan Lynch-D

18:12:45 Sen. Ellie Boldman

18:14:29 Sen. Ryan Lynch-D

18:16:38 Vice Chair Mary Ann Dunwell

18:17:07 Sam Schaefer fiscal analyst

18:19:05 Sen. Forrest Mandeville

18:20:33 Sen. Ryan Lynch-D

18:22:23 Sen. Daniel Zolnikov

18:22:54 Sam Schaefer fiscal analyst

18:27:38 Senator Fitzpatrick
18:30:01 Sen. Ryan Lynch-D
18:32:29 Vice Chair Mary Ann Dunwell
18:36:20 Sam Schaefer fiscal analyst
18:36:46 Sen. Ellie Boldman
18:37:22 Sen. Ryan Lynch-D
18:37:49 Senator Fitzpatrick
18:38:18 Sam Schaefer fiscal analyst
18:41:28 Sen. Forrest Mandeville
18:41:55 Sen. Ryan Lynch-D

Closing Statement:

18:42:53 Sen. Ryan Lynch (D), SD 76, closed the hearing on SB 346.

EXECUTIVE ACTION ON SB 467 - Revise laws regarding local regulation of short-term rentals

19:01:01 **Motion:** Sen. Kenneth Bogner moved that **SB 467 DO PASS.**

Discussion:

19:24:16 Sen. Christopher Pope
19:25:08 Toni Henneman
19:25:21 Sen. Jeremy Trebas
19:26:03 Sen. Christopher Pope
19:26:26 Vice Chair Mary Ann Dunwell
19:01:01 **Vote:** Motion carried 7 - 2 by roll call vote with Sen. Dunwell, Sen. Pope, voting no.

EXECUTIVE ACTION ON SB 335 - Allow fraternity or sorority houses near college and university campuses

19:11:14 **Motion:** Sen. Kenneth Bogner moved that **SB 335 DO PASS.**

- 19:11:25 **Motion:** Sen. Kenneth Bogner moved that **SB 335 BE AMENDED.**
- 19:11:25 **Vote:** Motion carried unanimously by voice vote.
- 19:12:12 **Motion:** Sen. Kenneth Bogner moved that **SB 335 DO PASS AS AMENDED.**
- 19:12:12 **Vote:** Motion carried 8 - 1 by voice vote with Sen. Pope, voting no.

EXECUTIVE ACTION ON SB 374 - Revise local government public document retention

- 19:12:47 **Motion:** Sen. Kenneth Bogner moved that **SB 374 DO PASS.**
- 19:12:47 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 376 - Revise covenant laws

- 19:12:57 **Motion:** Sen. Kenneth Bogner moved that **SB 376 DO PASS.**
- 19:13:06 **Motion:** Sen. Kenneth Bogner moved that **SB 376 BE AMENDED.**

Discussion:

- 19:13:36 Vice Chair Kenneth Bogner
- 19:16:34 Sen. Christopher Pope
- 19:16:39 Sen. Daniel Zolnikov
- 19:17:07 Sen. Forrest Mandeville
- 19:17:41 Vice Chair Kenneth Bogner
- 19:18:09 Sen. Forrest Mandeville
- 19:19:31 Chair Chris Friedel
- 19:20:10 Vice Chair Mary Ann Dunwell
- 19:13:06 **Vote:** Motion carried 7 - 2 by roll call vote with Sen. Friedel, Sen. Zolnikov, voting no.
- 19:25:10 **Motion:** Sen. Kenneth Bogner moved that **SB 376 DO PASS AS AMENDED.**

Discussion:

- 19:21:02 Sen. Ellie Boldman
- 19:23:13 Vice Chair Mary Ann Dunwell
- 19:23:46 Chair Chris Friedel
- 19:25:10 **Vote:** Motion carried 7 - 2 by roll call vote with Sen. Friedel, Sen. Mandeville, voting no.

EXECUTIVE ACTION ON SB 463 - Generally revise laws related to alcohol, tobacco, and marijuana

19:22:22 **Motion:** Sen. Kenneth Bogner moved that **SB 463 BE AMENDED.**

19:22:22 **Vote:** Motion carried unanimously by voice vote.

19:23:48 **Motion:** Sen. Kenneth Bogner moved that **SB 463 OTHER.**

19:23:48 **Vote:** Motion carried unanimously by voice vote.

19:26:46 **Motion:** Sen. Ellie Boldman moved that **SB 463 BE AMENDED.**

19:50:59 **Motion:** Sen. Kenneth Bogner moved that **SB 463 DO PASS.**

19:51:35 **Motion:** Sen. Kenneth Bogner moved that **SB 463 BE AMENDED.**

Discussion:

19:51:45 Sen. Jeremy Trebas

19:51:35 **Vote:** Motion carried unanimously by voice vote.

19:52:10 **Motion:** Sen. Kenneth Bogner moved that **SB 463 DO PASS AS AMENDED.**

19:52:40 **Motion:** Sen. Kenneth Bogner moved that **SB 463 BE AMENDED.**

Discussion:

19:53:54 Sen. Jeremy Trebas

19:56:43 Toni Henneman

19:59:35 **Motion:** Sen. Mary Ann Dunwell moved that **SB 463 TO TABLE.**

19:59:35 **Vote:** Motion failed 7 - 2 by roll call vote with Sen. Dunwell, Sen. Pope, voting yes.

19:59:42 **Motion:** Sen. Kenneth Bogner moved that **SB 463 DO PASS AS AMENDED.**

19:59:42 **Vote:** Motion carried 7 - 2 by roll call vote with Sen. Dunwell, Sen. Pope, voting no.

EXECUTIVE ACTION ON SB 381 - Require one council member per ward of first-class cities

19:25:53 **Motion:** Sen. Kenneth Bogner moved that **SB 381 DO PASS.**

19:25:53 **Vote:** Motion carried 6 - 3 by roll call vote with Sen. Boldman, Sen. Dunwell, Sen. Pope, voting no.

EXECUTIVE ACTION ON SB 379 - Revise zoning laws

19:26:45 **Motion:** Sen. Kenneth Bogner moved that **SB 379 TO TAKE FROM THE TABLE.**

Discussion:

19:27:45 Toni Henneman

19:26:45 **Vote:** Motion carried 7 - 2 by roll call vote with Sen. Dunwell, Sen. Pope, voting no.

19:29:14 **Motion:** Sen. Kenneth Bogner moved that **SB 379 DO PASS.**

19:29:14 **Vote:** Motion failed unanimously by voice vote.

19:31:15 **Motion:** Sen. Kenneth Bogner moved that **SB 379 OTHER.**

Discussion:

19:33:27 Henry Kriegel Americans for Prosperity (AFP)

19:33:32 Sen. Daniel Zolnikov

19:35:01 Toni Henneman

19:38:24 Sen. Daniel Zolnikov

19:39:15 Vice Chair Mary Ann Dunwell

19:41:15 Sen. Christopher Pope

19:46:23 Sen. Ellie Boldman

19:47:45 Sen. Forrest Mandeville

19:31:15 **Vote:** Motion carried unanimously by voice vote.

19:32:26 **Motion:** Sen. Kenneth Bogner moved that **SB 379 BE AMENDED.**

Discussion:

19:32:39 Sen. Daniel Zolnikov

19:33:19 Henry Kriegel Americans for Prosperity (AFP)

19:36:10 Sen. Daniel Zolnikov

19:36:28 Vice Chair Mary Ann Dunwell

19:36:43 Toni Henneman

19:37:50 Sen. Daniel Zolnikov

19:57:01 Sen. Christopher Pope

19:58:36 Sen. Ellie Boldman

19:59:52 Sen. Forrest Mandeville

19:32:26 **Vote:** Motion carried unanimously by voice vote.

19:39:03 **Motion:** Sen. Kenneth Bogner moved that **SB 379 DO PASS AS AMENDED.**

Discussion:

19:40:45 Sen. Christopher Pope

19:41:34 Sen. Ellie Boldman

19:39:03 **Vote:** Motion carried 8 - 1 by roll call vote with Sen. Pope, voting no.

EXECUTIVE ACTION ON SB 504 - Generally revise veterinary laws

19:44:00 **Motion:** Sen. Kenneth Bogner moved that **SB 504 DO PASS.**

19:44:10 **Motion:** Sen. Daniel Zolnikov moved that **SB 504 BE AMENDED.**

19:54:44 **Motion:** Sen. Kenneth Bogner moved that **SB 504 DO PASS AS AMENDED.**

19:54:44 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 407 - Revise municipal zoning laws

19:44:11 **Motion:** Sen. Kenneth Bogner moved that **SB 407 TO TAKE FROM THE TABLE.**

Discussion:

19:44:30 Sen. Ellie Boldman

19:44:11 **Vote:** Motion carried 8 - 1 by roll call vote with Sen. Mandeville, voting no.

19:45:07 **Motion:** Sen. Kenneth Bogner moved that **SB 407 DO PASS AS AMENDED.**

Discussion:

19:46:01 Sen. Ellie Boldman

19:46:06 Sen. Forrest Mandeville

19:45:07 **Vote:** Motion carried 7 - 2 by roll call vote with Sen. Mandeville, Sen. Pope, voting no.

EXECUTIVE ACTION ON SB 403 - Generally revise county speed limits

19:48:31 **Motion:** Sen. Kenneth Bogner moved that **SB 403 OTHER.**

19:48:31 **Vote:** Motion carried 6 - 3 by roll call vote with Sen. Boldman, Sen. Dunwell, Sen. Pope, voting no.

19:48:33 **Motion:** Sen. Kenneth Bogner moved that **SB 403 DO PASS.**

19:48:33 **Vote:** Motion carried 5 - 4 by roll call vote with Sen. Bogner, Sen. Friedel, Sen. Mandeville, Sen. Zolnikov, voting no.

EXECUTIVE ACTION ON SB 486 - Revise subdivision laws related to glamping

19:50:47 **Motion:** Sen. Kenneth Bogner moved that **SB 486 DO PASS.**

Discussion:

19:51:05 Sen. Ellie Boldman

19:51:22 Sen. Christopher Pope

19:51:53 Sen. Forrest Mandeville

19:50:47 **Vote:** Motion failed 5 - 4 by roll call vote with Sen. Boldman, Sen. Dunwell, Sen. Pope, Sen. Zolnikov, voting yes.

19:58:58 **Motion:** Sen. Kenneth Bogner moved that **SB 486 TO TABLE.**

19:58:58 **Vote:** Motion carried 5 - 4 by roll call vote with Sen. Boldman, Sen. Dunwell, Sen. Pope, Sen. Zolnikov, voting no.

EXECUTIVE ACTION ON SB 409 - Allow for the condemnation and reacquisition of a mobile home park

20:16:51 **Motion:** Sen. Kenneth Bogner moved that **SB 409 TO TABLE.**

20:16:51 **Vote:** Motion carried unanimously by voice vote.

ADJOURNMENT

Adjournment: 20:23:16

Lorna Mason, Secretary

Additional Documents: [EXHIBIT\(230227LOSbad\)](#)