

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 54th LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: By **CHAIRMAN WILLIAM BOHARSKI**, on January 3, 1995,
at 3:00 P.M.

ROLL CALL

Members Present:

Rep. William E. Boharski, Chairman (R)
Rep. Jack R. Herron, Vice Chairman (Majority) (R)
Rep. David Ewer, Vice Chairman (Minority) (D)
Rep. Chris Ahner (R)
Rep. Shiell Anderson (R)
Rep. Ellen Bergman (R)
Rep. John C. Bohlinger (R)
Rep. Matt Brainard (R)
Rep. Matt Denny (R)
Rep. Rose Forbes (R)
Rep. Antoinette R. Hagener (D)
Rep. Bob Keenan (R)
Rep. Linda McCulloch (D)
Rep. Jeanette S. McKee (R)
Rep. Norm Mills (R)
Rep. Debbie Shea (D)
Rep. Joe Tropila (D)
Rep. Diana E. Wyatt (D)

Members Excused: None

Members Absent: None

Staff Present: Bart Campbell, Legislative Council
Evelyn Burris, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing: None
Executive Action: None

CHAIRMAN BOHARSKI called for an organizational meeting to
introduce new members and staff and discuss the committee
procedures.

CHAIRMAN BOHARSKI said this is his fourth session and his first
time in the Local Government committee. He noted that this
committee will see a lot of action.

CHAIRMAN BOHARSKI introduced **Bart Campbell**, staff attorney, Legislative Council. This is **Mr. Campbell's** third session. He will handle all legal questions and advise committee members on procedural matters regarding following the rules. Any debates or discussions should be referred to **Mr. Campbell**. This will also encourage bipartisan cooperation.

CHAIRMAN BOHARSKI introduced **Evy Burris**, committee secretary. This is **Ms. Burris'** second session. **CHAIRMAN BOHARSKI** said roll call would be marked down by the secretary rather than verbal roll call.

The following committee members then introduced themselves.

REP. JACK HERRON, VICE CHAIRMAN, MAJORITY, HD 77, Kalispell, second term.

REP. DAVID EWER, VICE CHAIRMAN, Minority, HD 53, second term. **REP. EWER** said he represents downtown Helena and works for the Montana Board of Investments. His job at the board is to lend money to local governments. **REP. EWER** said he will enjoy serving on this committee because he has a lot of interest in the issues. He said the majority of the bills that he will carry deal with local government, therefore a great deal of his legislation will be in front of this committee.

REP. NORMAN MILLS, HD 19, Billings, serving the west central part, second session, first time in Local Government.

REP. DIANA WYATT, HD 43, Great Falls, fourth session in Local Government and past Local Government Chairman. **REP. WYATT** said she looks forward to be a big support for this committee.

REP. DEBBIE SHEA, HD 35, special session last year.

REP. ELLEN BERGMAN, HD 4, Miles City, second session.

REP. MATT DENNY, HD 63, Missoula.

REP. TONI HAGENER, HD 90, Havre, County Commissioner.

REP. LINDA MCCULLOCH, HD 70.

REP. JEANETTE MCKEE, HD 60, Hamilton, Corvallis and Bitterroot valley.

REP. SHIELL ANDERSON, HD 25, second session, first time in Local Government.

REP. JOHN BOHLINGER, HD 14, Billings, second session, second time in Local Government.

REP. MATT BRAINARD, HD 62, Missoula County, southern and northern Ravalli.

REP. ROSE FORBES, HD 42.

REP. BOB KEENAN, HD 75, Big Fork, from Essex to Ronan and the east side of Flathead lake; first session.

REP. JOE TROPILA, HD 47, Great Falls, fifth session, County Clerk and Recorder.

REP. CHRIS AHNER, HD 51, Helena valley.

CHAIRMAN BOHARSKI said he was pleased to have committee members with actual experience having served in local government. He noted this committee is a good mix of urban and rural people.

Further announcements:

CHAIRMAN BOHARSKI said that if for any reason he could not attend a committee meeting he will rotate the chairmanship back and forth between **REP. HERRON** and **REP. EWER**.

CHAIRMAN BOHARSKI requested that anytime during committee meetings there are question and answer sessions on bills that the committee address everything through the chair. He will recognize all committee members by name. This will make the minutes clear and concise. This will also be important for committee members to lead by example and be proper procedurally for witnesses to follow suit.

Regarding proxy voting, **CHAIRMAN BOHARSKI** said committee members not attending the meeting could vote through another member, preferably through the Vice Chairs. Republicans can notify **REP. HERRON**; Democrats can notify **REP. EWER**. Another option could be to contact a committee member that knows the committee member's convictions. It will be very important to put in writing and be clear on what issues that person has authority to vote for the absent member. Committee members not leaving a proxy vote in writing will not have a vote.

CHAIRMAN BOHARSKI said regarding Masons Rules and table motions, the same rules will be followed as in the House. Masons Rules do not change and are in the rule book. One of the most difficult motions to deal with is a motion to table a bill. In general, this is a way to dispose of a bill. Sometimes there is a bill that people want a record on and move it out to the floor of the House.

CHAIRMAN BOHARSKI said in general, the best way to dispose of a bill is to table it and then it can be brought back at a future time. He said the problem with a tabled motion is that it is a non-debatable motion and sometimes a bill comes up that committee members may want to talk about.

CHAIRMAN BOHARSKI gave the example of when in Executive Session if someone says they need a motion on **HB 51** and another

representative says they want to table it then committee members do not have time to discuss it. **CHAIRMAN BOHARSKI** said committee members need to be granted the courtesy to do that. If not, he will not recognize the motion to table.

CHAIRMAN BOHARSKI noted that the House of Representatives is a very esteemed chamber and it is appropriate to refrain from first name familiarity. He suggested to always refer to the elected officials in proper terms. He further stated that witnesses, proponents or opponents using inappropriate addressing of committee members will be asked to do the same.

CHAIRMAN BOHARSKI said he would like to try something new. If bills are presented that committee members do not feel one way or the other on, the sponsor will give a brief opening and then proponents and opponents will present. If people do not have a position on a certain bill and are neutral or wish to give technical testimony they may present after the opponents and identify themselves as such. **CHAIRMAN BOHARSKI** said if this approach does not work the committee will then go back to opponents and proponents. This will be announced at the beginning of each meeting.

Regarding coffee/tea. The House will not be buying coffee or tea. Since this committee will be meeting two days per week they will discuss this issue after the first can of coffee is used.

CHAIRMAN BOHARSKI requested committee members who are unable to attend a committee meeting or will be late to notify Evy Burris, committee secretary at Ext. 4832. Also, committee members attending the meeting late should slip in the meeting between speakers without interrupting the meeting.

Mr. Campbell said regarding amendments, committee members can talk to the person that drafted the bill originally or contact him and he would be pleased to assist. His room number is 117.

He also concurred with **CHAIRMAN BOHARSKI** that elected officials should be addressed as **REPRESENTATIVE** or **SENATOR** respectfully.

CHAIRMAN BOHARSKI said when the committee gets into Executive Session, if there is a bill with any substantive lengthy amendment, to meet with **Mr. Campbell** ahead of time rather than try to do this verbally in a committee meeting. Amendments are very technical and difficult to do verbally. This will allow copies to be available and distributed to everyone.

CHAIRMAN BOHARSKI urged committee members to work through **Mr. Campbell** because he is drafting most of the bills for Local Government. He said there are other attorneys and researchers in the Legislative Council but Local Government is not necessarily their expertise.

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CHAIRMAN BOHARSKI reminded committee members regarding papers they wish to keep should be put into their folders. Papers left on the table will be disposed of.

Motion: **REP. WYATT MOVED THE MEETING BE ADJOURNED. SECONDED BY VICE CHAIRMAN HERRON.**

ADJOURNMENT

Adjournment: 3:30 P.M.

Wm E Boharski

WILLIAM BOHARSKI, Chairman

Evvy Burris

EVY BURRIS, Secretary

WB/eb