

MINUTES

**MONTANA SENATE
60th LEGISLATURE - REGULAR SESSION
COMMITTEE ON STATE ADMINISTRATION**

Call to Order: By **CHAIRMAN CAROLYN SQUIRES**, on February 14, 2007
at 3:00 P.M., in Room 317-C Capitol.

ROLL CALL

Members Present:

Sen. Carolyn Squires, Chairman (D)
Sen. Joe Balyeat (R)
Sen. Vicki Cocchiarella (D)
Sen. Jeff Essmann (R)
Sen. Steven Gallus (D)
Sen. Larry Jent (D)
Sen. Rick Laible (R)
Sen. Jesse Laslovich (D)
Sen. Dave Lewis (R)
Sen. Jim Shockley (R)
Sen. Joseph (Joe) Tropila (D)

Members Excused: None.

Members Absent: None.

Staff Present: Dave Bohyer, Legislative Branch
Lois O'Connor, Committee 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: SR 6, 2/9/2007; SR 3, 2/9/2007; SR
5, 2/9/2007; SR 4, 2/9/2007
Executive Action: SB 252, SB 286, SR 6, SR 4, SR 5,
SB 366, SB 341, SB 253, SB 374, SB
340

00:00:00

HEARING ON SR 6

Opening Statement by Sponsor:

00:00:54 **SEN. CAROLYN SQUIRES (D), SD 48**, opened the hearing on **SR 6**, Confirm Mike Ferriter.

Proponents' Testimony:

00:01:04 Bruce Nelson, Chief of Staff, Office of the Honorable Governor Brian Schweitzer

EXHIBIT (sts33a01)

00:01:45 Mike Ferriter, Director, Montana Department of Corrections (DOC)

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

00:08:49 Sen. Joseph Tropila

00:09:15 Sen. Jim Shockley

00:09:26 Sen. Jesse Laslovich

00:10:06 Sen. Larry Jent

00:10:33 Sen. Carolyn Squires

Closing by Sponsor:

00:11:54 Sen. Squires

HEARING ON SR 3

Opening Statement by Sponsor:

00:12:19 **SEN. CAROLYN SQUIRES (D), SD 48**, opened the hearing on **SR 3**, Confirm commissioner of political practices.

Proponents' Testimony:

00:12:27 Patty Keebler, Board and Commission Advisor, Office of
the Honorable Governor Brian Schweitzer

EXHIBIT (sts33a02)

00:14:21 Dennis Unsworth, Commissioner of Political Practices

Informational Testimony: None.

Questions from Committee Members and Responses:

00:21:01 Sen. Jent

00:24:44 Sen. Jeff Essmann

00:25:44 Sen. Balyeat

00:27:11 Sen. Squires

00:27:21 Sen. Jim Shockley

00:29:16 Sen. Tropila

00:29:40 Sen. Essmann to Mr. Unsworth, Commissioner of Political
Practices

00:35:07 Sen. Balyeat

00:35:25 Ms. Keebler, Governor's Office

Opponents' Testimony:

00:35:51 Trevis Butcher, Winifred Rancher

EXHIBIT (sts33a03)

Further Questions from Committee Members:

00:51:37 Sen. Balyeat to Commissioner Unsworth

01:01:55 Sen. Tropila

Closing by Sponsor:

01:02:42 Sen. Squires

HEARING ON SR 5

Opening Statement by Sponsor:

01:03:05 **SEN. CAROLYN SQUIRES (D), SD 48**, opened the hearing on **SR 5**, Confirm Brenda Schye for Board of Nursing.

Proponents' Testimony:

01:03:16 Patty Keebler, Board and Commission Advisor, Office of the Honorable Governor Brian Schweitzer

EXHIBIT (sts33a04)

Discussion:

01:04:18 Sen. Squires

EXHIBIT (sts33a05)

01:05:27 Brenda Schye, Candidate, Montana Board of Nursing

01:06:15 Barbara Swehla, President, Montana Board of Nursing

01:07:56 Casey Blumenthal, Montana Hospital Association (MHA)

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

01:08:57 Sen. Gallus to Sen. Squires

01:10:25 Sen. Rick Laible to Dave Bohyer, Research Director, Legislative Services Division (LSD)

01:11:14 Sen. Balyeat

Closing by Sponsor:

01:12:02 Sen. Squires

HEARING ON SR 4

Opening Statement by Sponsor:

01:12:29 **SEN. CAROLYN SQUIRES (D), SD 48**, opened the hearing on **SR 4**, Confirm Governor's appointees.

Proponents' Testimony:

01:12:36 Patty Keebler, Board and Commission Advisor, Office of the Honorable Governor Brian Schweitzer

01:13:49 Sheila Stearns, Commissioner of Higher Education

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

01:16:23 Sen. Tropila

01:16:34 Sen. Essmann to Sen. Squires

Closing by Sponsor:

01:17:04 Sen. Squires

Discussion:

01:17:15 Sen. Squires to Ms. Keebler

01:18:41 Sen. Gallus

01:19:02 Sen. Shockley

01:19:18 Sen. Squires

EXECUTIVE ACTION ON SB 252

01:20:21 **Motion/Vote:** **SEN. GALLUS** moved that **SB 252 BE TABLED**.
Motion carried unanimously by voice vote.

EXHIBIT (sts33a06)

(Due to audio technical problems, no further recording is available from this point on.)

EXECUTIVE ACTION ON SB 286

01:21:52 **Motion:** SEN. LEWIS moved that SB 286 DO PASS.

Discussion:

01:22:27 Sen. Essmann

01:23:29 **Motion/Vote:** SEN. LEWIS moved to amend SB 286 with amendment #SB028601.ADS. Motion carried 9-2 by voice vote with SEN. GALLUS and SEN. LASLOVICH voting no.

EXHIBIT(sts33a07)

01:24:22 **Motion:** SEN. LEWIS moved that SB 286 DO PASS AS AMENDED.

Discussion:

01:24:34 Sen. Gallus

01:26:08 Sen. Shockley

01:26:25 Sen. Laible

01:27:12 Sen. Squires

01:27:58 Sen. Lewis

01:29:29 Sen. Essmann

01:30:20 Sen. Balyeat to Sen. Lewis

01:31:37 Sen. Gallus

01:32:46 Sen. Cocchiarella

01:33:31 Sen. Tropila

01:33:45 Sen. Laslovich

01:35:19 Sen. Gallus

01:36:48 Sen. Lewis

01:37:05 Sen. Jent

01:38:48 Sen. Lewis

01:40:15 Sen. Gallus

01:40:36 **Motion:** SEN. SHOCKLEY made a SUBSTITUTE MOTION that SB 286 BE TABLED.

Discussion:

01:41:18 Sen. Gallus

01:41:39 SEN. SHOCKLEY withdrew the TABLE motion.

01:42:02 SEN. LEWIS withdrew the DO PASS AS AMENDED motion. No further action was taken.

EXECUTIVE ACTION ON SR 6

01:42:28 **Motion/Vote:** SEN. ESSMANN moved that SR 6 DO PASS. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SR 4

01:42:45 **Motion/Vote:** SEN. GALLUS moved that SR 4 DO PASS. Motion carried unanimously by voice vote. SR 4 will have a Preliminary Standing Committee Report to allow 3 days for objections from the full body of the Senate.

EXECUTIVE ACTION ON SR 5

01:43:45 **Motion:** SEN. GALLUS moved that SR 5 DO PASS.

Discussion:

01:44:55 Sen. Squires

01:45:03 Sen. Balyeat

01:45:28 Sen. Squires

01:46:16 SEN. GALLUS withdrew the DO PASS motion.

EXECUTIVE ACTION ON SB 366

01:49:41 **Motion:** SEN. COCCHIARELLA moved that SB 366 DO PASS.

01:50:24 SEN. COCCHIARELLA withdrew the DO PASS motion.

Discussion:

01:50:45 Sen. Squires

01:50:53 **Motion/Vote:** SEN. SHOCKLEY moved that SB 366 BE TABLED. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 341

01:51:58 **Motion/Vote:** SEN. LEWIS moved that SB 341 DO PASS. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 253

01:52:57 **Motion/Vote:** SEN. GALLUS moved to RECONSIDER THE MOTION on SB 253. Motion carried 6-5 by voice vote with SEN. BALYEAT, SEN. COCCHIARELLA, SEN. ESSMANN, SEN. LAIBLE, and SEN. LEWIS voting no.

No further action was taken on SB 253.

Discussion:

01:55:37 Mr. Bohyer, LSD

EXECUTIVE ACTION ON SB 63

Discussion:

01:56:31 Sen. Cocchirella on SB 63

01:58:18 Mr. Bohyer, LSD

01:58:25 **No further action was taken on SB 63**

EXECUTIVE ACTION ON SB 374

01:59:09 **Motion:** SEN. TROPILA moved that SB 374 DO PASS.

Discussion:

02:00:08 Sen. Cocchiarella

02:00:40 Sen. Essmann

02:01:17 Sen. Balyeat

02:02:14 Mr. Bohyer, LSD

02:02:52 Sen. Cocchiarella

02:03:05 **Motion/Vote:** SEN. TROPILA moved to amend SB 374 with a CONCEPTUAL AMENDMENT. Motion carried unanimously by voice vote.

02:03:47 **Motion:** SEN. SHOCKLEY moved that SB 374 DO PASS AS AMENDED.

Discussion:

02:04:04 Sen. Essmann

02:04:47 Sen. Shockley

02:05:43 **Motion:** SEN. GALLUS moved to further amend SB 374 with a CONCEPTUAL AMENDMENT. SEN. GALLUS withdrew the amendment.

Discussion:

02:06:49 **Motion:** SEN. BALYEAT moved to further amend SB 374 with a CONCEPTUAL AMENDMENT.

Discussion:

02:07:09 Mr. Bohyer, LSD

02:07:52 **Vote:** Motion that the CONCEPTUAL AMENDMENT be approved carried unanimously by voice vote.

02:08:02 **Motion/Vote:** SEN. TROPILA moved that SB 374 DO PASS AS AMENDED. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 340

02:08:32 **Motion:** SEN. LEWIS moved that SB 340 DO PASS.

Discussion:

02:08:59 Sen. Essmann

02:09:55 Sen. Cocchiarella

02:10:33 **No further action taken**

Discussion:

02:11:03 Sen. Balyeat

02:11:13 Sen. Squires

02:12:06 Sen. Squires

02:12:29 Mr. Bohyer

02:12:47 Sen. Laible

ADJOURNMENT

Adjournment: 5:40 P.M.

SEN. CAROLYN SQUIRES, Chairman

LOIS O'CONNOR, Secretary

CS/lo

Additional Exhibits:

EXHIBIT ([sts33aad.pdf](#))