

MINUTES

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

Call to Order: By **CHAIRMAN CAROLYN SQUIRES**, on April 2, 2007 at 3:00 P.M., in Room 335 Capitol.

ROLL CALL

Members Present:

Sen. Carolyn Squires, Chairman (D)
Sen. Joe Balyeat (R)
Sen. Vicki Cocchiarella (D)
Sen. Jeff Essmann (R)
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: Sen. Steven Gallus (D)

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: HB 462, 3/27/2007; HB 316,
3/27/2007; HB 351, 3/27/2007; HB
619, 3/27/2007; HB 520, 3/27/2007;
HB 783, 3/27/2007
Executive Action: HB 520, HB 351, HB 462, HB 783, HB
316, HB 619, HB 679, SR 8

00:04:48

HEARING ON HB 462

Opening Statement by Sponsor:

00:10:53 **REP. DIANE SANDS (D), HD 95**, opened the hearing on **HB 462**, Regulate constituent accounts.

EXHIBIT(sts70a01)

Proponents' Testimony:

00:15:49 Hal Harper, Office of the Honorable Governor Brian Schweitzer (Governor's Office)

00:16:12 Linda Gryczan, League of Women Voters

Opponents' Testimony:

00:17:06 Jonathan Motl, Attorney

EXHIBIT(sts70a02)

Informational Testimony:

00:30:20 Dennis Unsworth, Commissioner of Political Practices

EXHIBIT(sts70a03)

Questions from Committee Members and Responses:

00:32:18 Sen. Larry Jent to Mr. Motl, Attorney

00:33:22 Sen. Joe Balyeat to Mr. Motl, Attorney

00:36:02 Sen. Jeff Essmann to Ms. Gryczan, League of Women Voters

00:36:40 Sen. Dave Lewis to Rep. Sands

Closing by Sponsor:

00:38:17 Sen. Sands

HEARING ON HB 316

Opening Statement by Sponsor:

00:39:29 REP. JOHN SINRUD (R), HD 67, opened the hearing on HB 316, Campaign material must contain bill title.

Proponents' Testimony: None.

Opponents' Testimony:

00:40:40 Hal Harper, Office of the Honorable Governor Brian Schweitzer (Governor's Office)

00:43:20 Jeanne Souvigney, Montana Conservation Voters

Informational Testimony: None.

Questions from Committee Members and Responses:

00:46:49 Sen. Jim Shockley to Rep. Sinrud

Closing by Sponsor:

00:47:09 Rep. Sinrud

Discussion:

00:51:23 Sen. Carolyn Squires

HEARING ON HB 351

Opening Statement by Sponsor:

00:52:01 REP. JOHN SINRUD (R), HD 67, opened the hearing on HB 351, Prohibit legislator accepting employment with state during term.

Proponents' Testimony: None.

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

00:52:58 Sen. Lewis to Rep. Sinrud
00:53:50 Sen. Shockley to Rep. Sinrud
00:54:26 Sen. Vicki Cocchiarella to Rep. Sinrud
00:57:44 Sen. Jesse Laslovich to Rep. Sinrud
01:00:42 Sen. Balyeat to Dave Bohyer, Director of Research,
Legislative Services Division (LSD)
01:02:46 Sen. Balyeat
01:03:19 Sen. Squires
01:03:38 Sen. Balyeat to Mr. Bohyer, LSD
01:04:02 Sen. Shockley to Rep. Sinrud

Closing by Sponsor:

01:04:30 Rep. Sinrud

HEARING ON HB 619

Opening Statement by Sponsor:

01:05:20 **REP. JOHN SINRUD (R), HD 67**, opened the hearing on **HB 619**, Revise exempt economic development positions.

Proponents' Testimony: None.

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses: None.

Closing by Sponsor:

01:06:28 Rep. Sinrud

HEARING ON HB 520

Opening Statement by Sponsor:

01:07:22 **REP. ELSIE ARNTZEN (R), HD 53**, opened the hearing on **HB 520**, Generally revise election laws.

Proponents' Testimony:

01:08:39 Janice Doggett, Chief Legal Counsel, Office of the Honorable Secretary of State Brad Johnson (SOS)

01:15:16 Robert Throssell, Montana Association of Clerks and Recorders

01:15:31 Sheryl Wood, Montana Association of Counties (MACo)

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

01:16:01 Sen. Squires to Ms. Doggett, SOS

Closing by Sponsor:

01:16:48 Rep. Arntzen

HEARING ON HB 783

Opening Statement by Sponsor:

01:17:12 **REP. BOB LAKE (R), HD 88**, opened the hearing on **HB 783**, Revise election laws.

Proponents' Testimony:

01:19:09 Elaine Graveley, Office of the Honorable Secretary of State Brad Johnson (SOS)

Opponents' Testimony: None.

01:21:05 Jaime MacNaughton, Montana Common Cause

Informational Testimony: None.

Questions from Committee Members and Responses:

01:23:31 Sen. Laslovich to Ms. Graveley, SOS

01:24:25 Sen. Essmann to Ms. Graveley, SOS

Closing by Sponsor:

01:25:13 Rep. Lake

EXECUTIVE ACTION ON HB 520

01:27:16 **Motion:** SEN. COCCHIARELLA moved that HB 520 BE CONCURRED IN.

Discussion:

01:27:28 Mr. Bohyer, LSD

01:28:07 Mark Simonich, Office of the Honorable Secretary of State Brad Johnson (SOS)

01:28:36 Mr. Bohyer, LSD, to Mr. Simonich, SOS

01:28:47 Mr. Bohyer, LSD

01:29:19 Sen. Essmann

01:30:01 Sen. Cocchiarella

EXHIBIT (sts70a04)

01:30:47 Sen. Essmann

01:31:13 Sen. Laslovich

01:31:57 **Vote:** Motion that HB 520 BE CONCURRED IN carried 8-2 by voice vote with SEN. JENT and SEN. LASLOVICH voting no. SEN. GALLUS was excused. SEN. COCCHIARELLA will carry the bill.

EXECUTIVE ACTION ON HB 351

01:32:48 **Motion:** SEN. SHOCKLEY moved that HB 351 BE CONCURRED IN.

Discussion:

01:33:04 Sen. Cocchiarella

01:33:52 Sen. Shockley

01:34:15 **Substitute Motion/Vote:** SEN. JENT made a substitute motion that HB 351 BE TABLED. Substitute motion carried 7-4 by voice vote with SEN. BALYEAT, SEN. ESSMANN, SEN. LAIBLE, and SEN. SHOCKLEY voting no. SEN. GALLUS voted aye by proxy.

EXECUTIVE ACTION ON HB 462

01:35:36 **Motion:** SEN. COCCHIARELLA moved that HB 462 BE CONCURRED IN.

01:36:08 **Motion:** SEN. COCCHIARELLA moved to amend HB 462 with amendments #HB046202.ASH, #HB046204.ASH, #HB046205.ASH, and #HB 046212.ASH.

[EXHIBIT \(sts70a05\)](#)

[EXHIBIT \(sts70a06\)](#)

[EXHIBIT \(sts70a07\)](#)

[EXHIBIT \(sts70a08\)](#)

Discussion:

01:36:58 Sen. Essmann to Sen. Cocchiarella

01:37:29 Sen. Squires

01:37:37 Sen. Cocchiarella

01:38:25 Sen. Balyeat

01:39:28 **Vote:** Motion that amendments #HB046202.ASH, #HB046204.ASH, #HB046205.ASH, and #HB 046212.ASH carried unanimously by voice vote. SEN. GALLUS was excused.

01:39:49 **Motion:** SEN. COCCHIARELLA moved to further amend HB 462 with amendment #HB046208.ASH (Option B).

EXHIBIT(sts70a09)

Discussion:

01:40:38 Sen. Shockley

01:41:05 Sen. Balyeat

01:42:38 Sen. Laible

01:43:10 Sen. Shockley

01:44:03 **Vote:** Motion that amendment #HB046208.ASH (OPTION B) failed 4-6 by voice vote with SEN. COCCHIARELLA, SEN. JENT, SEN. SHOCKLEY, and SEN. SQUIRES voting aye. SEN. GALLUS was excused.

01:44:51 **Motion/Vote:** SEN. SHOCKLEY moved #HB046209.ASH (OPTION C). Motion carried 6-5 by voice vote with SEN. JENT, SEN. LAIBLE, SEN. LEWIS, SEN. SQUIRES, and SEN. TROPILA voting no. SEN. GALLUS voted aye by proxy.

EXHIBIT(sts70a10)

01:46:04 **Motion/Vote:** SEN. ESSMANN moved that HB 462 BE CONCURRED IN AS AMENDED. Motion carried 10-1 by voice vote with SEN. LAIBLE voting no. SEN. GALLUS voted aye by proxy. SEN. LASLOVICH will carry the bill.

EXECUTIVE ACTION ON HB 783

01:47:28 **Motion:** SEN. JENT moved that HB 783 BE CONCURRED IN.

Discussion:

01:47:40 Sen. Jent

01:47:49 **Substitute Motion/Vote:** SEN. JENT made a substitute motion that HB 783 BE TABLED. Substitute motion carried 6-5 by voice vote with SEN. BALYEAT, SEN. ESSMANN, SEN. LAIBLE, SEN. LEWIS, and SEN. SHOCKLEY voting no. SEN. GALLUS voted aye by proxy.

EXECUTIVE ACTION ON HB 316

01:48:52 **Motion:** SEN. ESSMANN moved that HB 316 BE CONCURRED IN.

Discussion:

01:49:25 Sen. Essmann

01:49:45 Sen. Shockley

01:50:08 Sen. Laible

01:50:42 Sen. Cocchiarella

01:51:24 **Substitute Motion/Vote:** SEN. LASLOVICH made a substitute motion that HB 316 BE TABLED. Substitute motion carried 6-5 by voice vote with SEN. BALYEAT, SEN. ESSMANN, SEN. LAIBLE, SEN. LEWIS, and SEN. SHOCKLEY voting no. SEN. GALLUS voted aye by proxy.

EXECUTIVE ACTION ON HB 619

01:52:06 **Motion/Vote:** SEN. SHOCKLEY moved that HB 619 BE CONCURRED IN. Motion failed 5-6 by voice vote with SEN. BALYEAT, SEN. ESSMANN, SEN. LAIBLE, SEN. LEWIS, and SEN. SHOCKLEY voting aye. SEN. GALLUS voted no by proxy.

01:53:40 **Motion/Vote:** SEN. COCCHIARELLA moved that HB 619 BE TABLED AND THE VOTE REVERSED. SEN. BALYEAT, SEN. ESSMANN, SEN. LAIBLE, SEN. LEWIS, and SEN. SHOCKLEY voted no. SEN. GALLUS voted aye by proxy.

EXECUTIVE ACTION ON HB 679

01:54:21 **Motion:** SEN. BALYEAT moved to RECONSIDER THE MOTION on HB 679.

Discussion:

01:55:13 Mr. Bohyer, LSD

01:55:20 Sen. Balyeat

EXHIBIT (sts70a11)

01:55:38 **Vote:** Motion to RECONSIDER THE MOTION on HB 679 failed 3-7 with SEN. BALYEAT, SEN. ESSMANN, and SEN. SHOCKLEY voting aye. SEN. GALLUS was excused.

EXECUTIVE ACTION ON SR 8

01:56:00 The "final" Senate Standing Committee report on SR 8 (Gubernatorial Appointments) was sign on April 2, 2007.

ADJOURNMENT

Adjournment: 5:00 P.M.

SEN. CAROLYN SQUIRES, Chairman

LOIS O'CONNOR, Secretary

CS/lo

Additional Exhibits:

EXHIBIT ([sts70aad.pdf](#))