

MINUTES

**MONTANA SENATE
61st LEGISLATURE - REGULAR SESSION
COMMITTEE ON STATE ADMINISTRATION**

Call to Order: Chairman Jim Shockley, on February 13, 2009 at 3:00 P.M., in Room 335 Capitol.

ROLL CALL

Members Present:

Sen. Jim Shockley, Chairman (R)
Sen. Keith Bales (R)
Sen. Joe Balyeat (R)
Sen. Jerry W. Black (R)
Sen. John Brenden (R)
Sen. Mike Cooney (D)
Sen. Carolyn Squires (D)
Sen. Joseph (Joe) Tropila (D)
Sen. Jonathan Windy Boy (D)

Members Excused: Sen. John Brueggeman, Vice Chairman (R)
Sen. Larry Jent (D)

Members Absent: None.

Staff Present: Dave Bohyer, Legislative Branch
Libby Goodwin, 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: SB 320, 3/6/3009; SB 328, 3/6/2009;
SB 331, 2/6/2009; SB 358, 2/6/2009

Executive Action: SB 331, SB 358, SB 394, SJ 18

HEARING ON SB 320

00:00:59 Chairman Shockley announced the cancellation of the hearing on SB 320 at the request of the sponsor, Sen. Williams.

EXHIBIT (sts34a01)

HEARING ON SB 328

00:01:09 Chairman Shockley announced the cancellation of the hearing on SB 328 at the request of the sponsor, Sen. Branae.

EXHIBIT (sts34a02)

HEARING ON SB 331

00:01:54 **Opening Statement by Sponsor:** Sen. Joe Balyeat (R), SD 34, opened the hearing on SB 331, Revise laws on criminal use of official position.

EXHIBIT (sts34a03)

EXHIBIT (sts34a04)

Proponents' Testimony:

00:05:53 None

Opponents' Testimony:

00:05:55 None

Informational Testimony:

00:05:59 None

Questions from Committee Members and Responses:

00:06:06 Sen. Brenden

00:06:36 Sen. Balyeat

00:06:58 **Closing by Sponsor:** Sen. Balyeat

HEARING ON SB 358

00:07:53 **Opening Statement by Sponsor:** Sen. Jonathan Windy Boy (D), SD 16, opened the hearing on SB 358, Native American symbol on state flag.

EXHIBIT (sts34a05)

Proponents' Testimony:

00:10:22 Jennifer Perez Cole, Governor's Office
00:10:49 Paul Staufiger, Frazer High School
00:11:58 Ashley Saulteaux, Frazer High School
00:13:09 Jamie Beston, Frazer High School
00:13:50 Justin White, Frazer High School

Opponents' Testimony:

00:14:21 None

Informational Testimony:

00:14:24 None

Questions from Committee Members and Responses:

00:14:27 Sen. Cooney
00:15:02 Sen. Windy Boy
00:15:36 Sen. Cooney
00:16:08 Sen. Windy Boy
00:16:24 Sen. Balyeat
00:17:12 Sen. Windy Boy
00:17:36 Chairman Shockley
00:18:08 Sen. Windy Boy

00:18:31 **Closing by Sponsor:** Sen. Windy Boy

EXECUTIVE ACTION ON SB 331

00:19:39 **Motion/Vote:** Sen. Balyeat moved that **SB 331 DO PASS**. Motion carried unanimously by voice vote. Sen. Brueggeman and Sen. Jent voted by proxy.

EXECUTIVE ACTION ON SB 358

00:20:51 **Motion:** Sen. Windy Boy moved that **SB 358 DO PASS.**

00:21:01 Chairman Shockley

00:21:25 Sen. Windy Boy withdrew the motion.

EXECUTIVE ACTION ON SB 394

00:23:01 **Motion:** Sen. Bales moved that **SB 394 DO PASS.**

00:23:10 Sen. Bales

00:25:31 Sen. Windy Boy

00:26:15 Sen. Brenden

00:27:20 Sen. Squires

00:28:06 Sen. Bales

00:28:46 Sen. Squires

00:32:31 Sen. Bales

00:35:10 Sen. Squires

00:36:59 Sen. Balyeat

00:38:14 Sen. Windy Boy

00:40:12 Sen. Cooney

00:40:56 Sen. Bales

00:41:18 Sen. Cooney

00:42:05 Sen. Bales

00:42:10 Sen. Cooney

00:44:21 Sen. Balyeat

00:45:15 Chairman Shockley

00:47:14 **Vote:** Motion carried 7-4 by roll call vote with Sen. Cooney, Sen. Jent, Sen. Shockley, and Sen. Squires voting no. Sen. Brueggeman and Sen. Jent voted by proxy.

EXECUTIVE ACTION ON SJ 18

00:47:49 **Motion:** Sen. Cooney moved that **SJ 18 DO PASS.**

00:48:11 Sen. Balyeat

00:49:34 Sen. Squires

00:50:59 **Vote:** Motion failed 4-7 by roll call vote with Sen. Cooney, Sen. Jent, Sen. Squires, and Sen. Windy Boy voting aye. Sen. Black, Sen. Brueggeman, and Sen. Jent voted by proxy.

00:52:29 Chairman Shockley, without objection from the committee, tabled the bill and reversed the vote.

General Discussion:

00:52:48 Chairman Shockley
00:53:52 Sen. Cooney
00:54:12 Chairman Shockley
00:54:43 Sen. Cooney
00:54:57 Chairman Shockley
00:55:07 Sen. Cooney
00:56:02 Sen. Squires
00:56:06 Chairman Shockley
00:56:41 Sen. Squires

ADJOURNMENT

Adjournment: 4:00 P.M.

Libby Goodwin, Secretary

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Additional Documents:

EXHIBIT ([sts34aad.pdf](#))