

MINUTES

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

Call to Order: Chairman Jim Shockley, on March 11, 2009 at 3:00 P.M., in Room 335 Capitol

ROLL CALL

Members Present:

Sen. Jim Shockley, Chairman (R)
Sen. John Brueggeman, Vice Chairman (R)
Sen. Joe Balyeat (R)
Sen. Jerry W. Black (R)
Sen. Mike Cooney (D)
Sen. Larry Jent (D)
Sen. Joseph (Joe) Tropila (D)
Sen. Jonathan Windy Boy (D)

Members Excused: Sen. John Brenden (R)
Sen. Keith Bales (R)
Sen. Carolyn Squires (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: HB 197, 3/5/2009; HB 289, 3/6/2009;
HB 415, 3/6/2009; HB 602, 3/6/2009;
HJ 9, 3/6/2009

Executive Action: SR 2

HEARING ON HJ 9

Opening Statement by Sponsor:

00:02:09 Rep. Timothy Furey (D), HD 91, opened the hearing on HJ 9, Support armed forces.

Proponents' Testimony:

00:04:50 Jim Jacobsen, American Legion of Montana

00:05:43 Dan Antonietti, Veterans of Foreign Wars

Opponents' Testimony:

00:06:24 None

Informational Testimony:

00:06:27 None

Questions from Committee Members and Responses:

00:06:30 Sen. Cooney

00:07:06 Rep. Furey

00:08:05 Sen. Cooney

00:08:42 Sen. Tropila

00:08:55 Rep. Furey

00:09:48 Chairman Shockley

00:10:23 Rep. Furey

Closing by Sponsor:

00:10:56 Rep. Furey

00:11:10 Sen. Brueggeman left the meeting.

HEARING ON HB 289

Opening Statement by Sponsor:

00:12:26 Rep. Mike Phillips (D), HD 66, opened the hearing on HB 289, Revise constitutional limitations on legislative adjournment.

Proponents' Testimony:

00:14:36 None

Opponents' Testimony:

00:14:39 None

Informational Testimony:

00:14:42 None

Questions from Committee Members and Responses:

00:14:45 Sen. Cooney
00:15:05 Rep. Phillips
00:15:40 Sen. Cooney
00:15:37 Rep. Phillips
00:16:39 Sen. Balyeat
00:17:24 Rep. Phillips
00:17:42 Sen. Balyeat
00:18:09 Rep. Phillips
00:18:43 Sen. Balyeat
00:19:02 Rep. Phillips
00:19:34 Chairman Shockley
00:20:19 Rep. Phillips
00:20:30 Chairman Shockley

Closing by Sponsor:

00:20:36 Rep. Phillips

HEARING ON HB 475

Opening Statement by Sponsor:

00:21:56 Rep. Mike Phillips (D), HD 66, opened the hearing on HB 475, Revise fee structure for online delivery of administrative rules.

Proponents' Testimony:

00:24:02 Linda McCulloch, Secretary of State (SOS)
[EXHIBIT \(sts54a01\)](#)

Opponents' Testimony:

00:26:03 None

Informational Testimony:

00:26:05 None

Questions from Committee Members and Responses:

00:26:10 Sen. Cooney
00:27:29 Ms. McCulloch, SOS
00:28:16 Sen. Cooney
00:28:52 Ms. McCulloch, SOS
00:29:42 Sen. Cooney
00:29:59 Sen. Balyeat
00:31:03 Ms. McCulloch, SOS
00:31:50 Sen. Balyeat
00:32:38 Ms. McCulloch, SOS
00:33:09 Sen. Cooney
00:33:36 Ms. McCulloch
00:34:25 Chairman Shockley
00:34:51 Ms. McCulloch
00:35:17 Debra Morrell, SOS
00:35:54 Chairman Shockley
00:36:19 Sen. Cooney
00:36:46 Ms. McCulloch

Closing by Sponsor:

00:36:55 Rep. Phillips

HEARING ON HB 197

Opening Statement by Sponsor:

00:38:11 Rep. Bob Ebinger (D), HD 62, opened the hearing on HB 197, Clarify signature requirements for recall petitions.

Proponents' Testimony:

00:39:48 Nancy MacCracken, 6th Judicial District; and on behalf of Montana Association of Counties
[EXHIBIT \(sts54a02\)](#)

Opponents' Testimony:

00:44:06 None

Informational Testimony:

00:44:08 None

Questions from Committee Members and Responses:

00:44:12 Sen. Balyeat
00:45:22 Ms. MacCracken, 6th Judicial District
00:46:34 Sen. Balyeat
00:47:28 Ms. MacCracken, 6th Judicial District
00:48:18 Chairman Shockley
00:48:44 Ms. MacCracken
00:48:50 Sen. Balyeat
00:49:34 Howard Blatte, Montana Association of Counties

Closing by Sponsor:

00:50:07 Rep. Ebinger

HEARING ON HB 602**Opening Statement by Sponsor:**

00:51:06 Rep. Jill Cohenour (D), HD 78, opened the hearing on HB 602, Restrict distance of commuting in state vehicle.

Proponents' Testimony:

00:56:12 Rep. Dee Brown, HD 3, Hungry Horse

Opponents' Testimony:

00:56:16 None

Informational Testimony:

00:56:19 None

Questions from Committee Members and Responses:

00:56:28 Sen. Cooney
00:56:57 Rep. Cohenour
00:57:28 Sen. Balyeat
00:58:01 Rep. Cohenour
00:59:09 Sen. Balyeat
00:59:47 Rep. Cohenour
01:00:44 Sen. Tropila
01:00:52 Rep. Cohenour
01:01:24 Chairman Shockley
01:01:48 Rep. Cohenour
01:01:57 Chairman Shockley
01:02:35 Rep. Cohenour

01:03:51 Chairman Shockley
01:03:58 Rep. Cohenour
01:04:03 Chairman Shockley
01:04:13 Rep. Cohenour
01:04:32 Chairman Shockley
01:05:16 Rep. Cohenour

Closing by Sponsor:

01:06:20 Rep. Cohenour

EXECUTIVE ACTION ON SR 2

01:08:09 Chairman Shockley

01:08:23 **Motion/Vote:** Sen. Windy Boy moved to **RECONSIDER THE MOTION** on **SR 2**. Motion carried unanimously 9-0 by voice vote. Sen. Squires, Sen. Bales, and Sen. Black voted by proxy. Sen. Brueggeman and Sen. Brenden were excused.

Discussion:

01:09:38 Sen. Tropila
01:09:42 Chairman Shockley
01:09:54 Sen. Cooney

01:10:11 **Motion/Vote:** Sen. Cooney moved that **SR 2 BE AMENDED**. Motion carried unanimously 9-0 by voice vote. Sen. Squires, Sen. Bales, and Sen. Black voted by proxy. Sen. Brueggeman and Sen. Brenden were excused.

01:11:03 **Motion:** Sen. Windy Boy moved that **SR 2 BE ADOPTED AS AMENDED**.

Discussion:

01:11:17 Sen. Tropila
01:11:20 Sen. Windy Boy

01:11:29 **Vote:** Motion carried unanimously 9-0 by voice vote. Sen. Squires, Sen. Bales, and Sen. Black voted by proxy. Sen. Brueggeman and Sen. Brenden were excused.

Discussion on HB 144

01:13:10 Chairman Shockley
01:13:29 Dave Bohyer
01:14:20 Chairman Shockley
01:15:12 Sen. Tropila
01:15:48 Dave Bohyer
01:16:36 Chairman Shockley
01:16:44 Dave Bohyer
01:16:49 Chairman Shockley

ADJOURNMENT

Adjournment: 4:17 P.M.

Libby Goodwin, Secretary

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Additional Documents:

EXHIBIT ([sts54aad.pdf](#))