

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: Chair Pat Ingraham, on January 27, 2011 at 8:00 AM, in Room 455
Capitol

ROLL CALL

Members Present:

Rep. Pat Ingraham, Chairman (R)
Rep. Gerald (Jerry) Bennett, Vice Chairman (R)
Rep. Franke Wilmer, Vice Chairman (D)
Rep. Bryce Bennett (D)
Rep. Joanne G. Blyton (R)
Rep. Pat Connell (R)
Rep. Betsy Hands (D)
Rep. Gordon R. Hendrick (R)
Rep. Douglas (Doug) Kary (R)
Rep. Dan Kennedy (R)
Rep. Gary MacLaren (R)
Rep. Jean Price (D)
Rep. Derek Skees (R)
Rep. Kathy Swanson (D)
Rep. Ted Washburn (R)

Members Excused: Rep. James Knox (R)
Rep. Tom McGillvray (R)

Members Absent: Rep. Frank Smith (D)

Staff Present: Sheri Scurr, Legislative Branch
Tim Stark, 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 189, 1/24/2011; HB 297, 1/24/2011
Executive Action: HB 88, HB 99, HB 152, HB 180

00:02:05 Rep. Frank Smith entered the room.
00:05:18_____Rep. Gordon Hendrick left the room.

HEARING ON HB 189

Opening Statement by Sponsor:

00:02:43 Rep. Dick Barrett (D), HD 93, opened the hearing on HB 189, Professional retirement option and funding changes for TRS.

00:05:18_____Rep. Gordon Hendrick left the room.

Proponents' Testimony:

00:07:33 Eric Feaver, Montana Education Association & Montana Federation of Teachers (MEA-MFT)

00:13:07 David Senn, Teacher Retirement Association (TRS)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:17:13 Rep. Dan Kennedy
00:17:33 Eric Feaver
00:18:16 Rep. Dan Kennedy
00:18:38 Eric Feaver
00:20:07 Rep. Dan Kennedy
00:20:30 David Senn
00:20:48 Rep. Dan Kennedy
00:21:07 Rep. Joanne Blyton
00:21:44 Eric Feaver
00:23:17 Rep. Ted Washburn
00:23:53 David Senn
00:24:09 Rep. Ted Washburn
00:24:19 David Senn

Closing by Sponsor:

00:24:47 Rep. Dick Barrett

HEARING ON HB 297

Opening Statement by Sponsor:

00:28:27 Rep. Tom Berry (R), HD 45, opened the hearing on HB 297, Extend time frames to preserve historic right of way for state lands.

Proponents' Testimony:

00:30:48 Harold Blattie, Montana Association of Counties (MACo)

00:37:25 Mary Sexton, Department of Natural Resources and Conservation (DNRC)

00:42:06 Peter Scott, Jefferson County

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:43:16 Rep. Franke Wilmer
00:43:52 Rep. Dan Kennedy
00:44:03 Mary Sexton
00:44:18 Rep. Dan Kennedy
00:44:52 Mary Sexton
00:45:06 Rep. Douglas Kary
00:45:46 Harold Blattie
00:46:14 Mary Sexton
00:47:08 Rep. Douglas Kary
00:47:38 Mary Sexton
00:49:01 Rep. Jerry Bennett
00:49:24 Harold Blattie
00:49:46 Rep. Pat Connell
00:50:32 Harold Blattie
00:52:06 Rep. Frank Smith
00:52:43 Mary Sexton
00:53:20 Jeanie Holmgren, DNRC
00:54:24 Rep. Pat Connell
00:55:05 Mary Sexton
00:55:22 Harold Blattie

Closing by Sponsor:

00:56:01 Rep. Tom Berry

01:02:01 Rep. Hendrick returned and Rep. MacLaren left.

EXECUTIVE ACTION ON HB 88**Discussion:**

01:15:57 Sheri Scurr, Legislative Services Division (LSD)

01:16:35 **Motion:** Rep. Wilmer moved that **HB 88 DO PASS.**

Discussion:

01:16:40 Rep. Franke Wilmer
01:18:03 Rep. Derek Skees
01:18:29 Sheri Scurr
01:18:44 Rep. Derek Skees
01:19:30 Rep. Franke Wilmer
01:20:36 Rep. Betsy Hands
01:23:01 Rep. Jean Price
01:24:30 Rep. Bryce Bennett
01:26:17 Rep. Pat Connell
01:27:32 Rep. Dan Kennedy
01:28:33 Rep. Derek Skees
01:29:13 Rep. Franke Wilmer
01:30:04 Rep. Derek Skees
01:30:32 Rep. Franke Wilmer
01:30:56 Sheri Scurr
01:32:39 Rep. Gordon Hendrick
01:33:11 Rep. Derek Skees
01:34:30 Rep. Frank Smith
01:35:18 Rep. Franke Wilmer
01:36:16 Rep. Pat Ingraham

01:36:59 **Vote:** Motion failed 7-11 by roll call vote with Rep. B. Bennett, Rep. Connell, Rep. Hands, Rep. Price, Rep. Smith, Rep. Swanson and Rep. Wilmer voting aye. Rep. Knox, Rep. MacLaren and Rep. McGillvray voted by proxy.

01:37:50 **Motion/Vote:** Rep. Wilmer moved that **HB 88 BE TABLED.** Motion carried 14-4 by roll call vote with Rep. B. Bennett, Rep. Price, Rep. Smith and Rep. Swanson voting no. Rep. Knox, Rep. MacLaren and Rep. McGillvray voted by proxy.

EXECUTIVE ACTION ON HB 180

01:43:30 **Motion:** Rep. G. Bennett moved that **HB 180 DO PASS.**

Discussion:

01:43:36 Rep. Pat Connell
EXHIBIT(sth21a01)

01:44:26 Rep. Betsy Hands
01:46:27 Rep. Jean Price
01:47:15 Rep. Derek Skees
01:49:17 Rep. Betsy Hands
01:50:02 Rep. Franke Wilmer

01:49:58 **Motion/Vote:** Rep. G. Bennett moved that **HB 180 BE AMENDED**. Motion carried 12-6 by roll call vote with Rep. B. Bennett, Rep. Hands, Rep. Price, Rep. Smith, Rep. Swanson and Rep. Wilmer voting no. Rep. Connell, Rep. Knox, Rep. MacLaren and Rep. McGillvray voted by proxy.

Discussion:

01:55:00 Rep. Bryce Bennett
01:56:29 Sheri Scurr
01:58:45 Rep. Franke Wilmer
02:00:41 Rep. Dan Kennedy
02:01:42 Rep. Gordon Hendrick
02:03:39 Rep. Betsy Hands
02:07:28 Rep. Jerry Bennett
02:08:31 Rep. Derek Skees
02:09:22 Rep. MacLaren returned.
02:11:39 Rep. Jean Price
02:12:46 Rep. Bryce Bennett
02:14:04 Rep. Douglas Kary

02:14:45 **Motion/Vote:** Rep. G. Bennett moved that **HB 180 DO PASS AS AMENDED**. Motion carried 12-6 by roll call vote with Rep. Bennett, Rep. Hands, Rep. Price, Rep. Smith, Rep. Swanson and Rep. Wilmer voting no. Rep. Connell, Rep. Knox and Rep. McGillvray voted by proxy.

EXECUTIVE ACTION ON HB 99

Discussion:

02:16:20 Sheri Scurr

02:17:02 **Motion:** Rep. G. Bennett moved that **HB 99 DO PASS**.

Discussion:

02:17:32 Pat Ingraham
[EXHIBIT\(sth21a02\)](#)

02:17:50 **Motion/Vote:** Rep. Ingraham moved that **HB 99 BE AMENDED**. Motion carried unanimously by voice vote. Rep. Connell, Rep. Knox and Rep. McGillvray voted by proxy.

[EXHIBIT\(sth21a03\)](#)

02:19:27 **Motion/Vote:** Rep. G. Bennett moved that **HB 99 DO PASS AS AMENDED**. Motion carried unanimously by roll call vote. Rep. Connell, Rep. Knox and Rep. McGillvray voted by proxy.

EXECUTIVE ACTION ON HB 152

Discussion:

02:21:00 Sheri Scurr

02:21:05 **Motion:** Rep. Hendrick moved that **HB 152 DO PASS**.

Discussion:

02:21:30 Rep. Frank Smith
02:21:58 Rep. Jerry Bennett
02:22:29 Rep. Ted Washburn
02:23:14 Rep. Betsy Hands
02:23:53 Rep. Bryce Bennett
02:24:14 Rep. Ted Washburn
02:26:03 Rep. Bryce Bennett
02:27:45 Sheri Scurr
02:28:03 Rep. Connell returned.
02:28:10 Rep. Derek Skees
02:30:26 Rep. Franke Wilmer
02:32:40 Rep. Ted Washburn
02:33:10 Rep. Dan Kennedy
02:33:48 Rep. Frank Smith
02:34:36 Rep. Ted Washburn
02:35:49 Rep. Betsy Hands
02:37:33 Rep. Derek Skees
02:39:51 Rep. Gordon Hendrick

02:40:01 **Vote:** Motion carried 12-6 by roll call vote with Rep. B Bennett, Rep. Hands, Rep. Price, Rep. Smith, Rep. Swanson and Rep. Wilmer voting no. Rep. Knox and Rep. McGillvray voted by proxy.

Committee Business:

02:42:10 Rep. Pat Ingraham
02:44:50 Rep. Franke Wilmer

EXHIBIT(sth21a04)

ADJOURNMENT

Adjournment:

02:46:32

Tim Stark, Secretary

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Additional Documents:

EXHIBIT([sth21aad.pdf](#))