

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

### COMMITTEE ON STATE ADMINISTRATION

**Call to Order:** Chair Pat Ingraham, on February 14, 2011 at 9:00 A.M., in Room 455 Capitol

### ROLL CALL

**Members Present:**

Rep. Pat Ingraham, Chairman (R)  
Rep. Gerald (Jerry) Bennett, Vice Chairman (R)  
Rep. Joanne G. Blyton (R)  
Rep. Pat Connell (R)  
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. Frank Smith (D)  
Rep. Kathy Swanson (D)  
Rep. Ted Washburn (R)

**Members Excused:** Rep. Franke Wilmer, Vice Chairman (D)  
Rep. Betsy Hands (D)  
Rep. James Knox (R)  
Rep. Tom McGillvray (R)

**Members Absent:** Rep. Bryce Bennett (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 404, 2/10/2011; HB 417, 2/10/2011; HB 418, 2/10/2011  
Executive Action: HB 205, HB 306, HB 310, HB 350, HB 362, HB 386

**HEARING ON HB 417**

**Opening Statement by Sponsor:**

00:02:39 Rep. Diane Sands (D), HD 95, opened the hearing on HB 417, Eliminate Columbus Day as a state holiday.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:** None

**HEARING ON HB 404**

**Opening Statement by Sponsor:**

00:03:54 Rep. Kris Hansen (R), HD 33, opened the hearing on HB 404, Repeal term limits for state senators and state representatives by referendum.

00:14:22 Rep. Bryce Bennett entered the room.

**Proponents' Testimony:**

00:16:50 Rep. Champ Edmunds

00:17:51 Gladys Hardin, League of Montana Women Voters

[EXHIBIT\(sth36a01\)](#)

[EXHIBIT\(sth36a02\)](#)

00:23:00 Dallas Erickson, Helena, Montana

00:24:22 Gordon Morris, Helena, Montana

00:25:22 Tom Schneider, Helena, Montana

**Opponents' Testimony:**

00:28:44 Cindy Swank, Poplar, Montana

[EXHIBIT\(sth36a03\)](#)

00:31:41 Becky Stockton, Helena, Montana

00:32:19 Rep. Franke Wilmer entered the room.

00:32:51 William Birernot, Helena, Montana

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:34:36 Rep. Derek Skees  
00:35:17 Gladys Hardin  
00:35:34 Rep. Ted Washburn  
00:36:03 Rep. Kris Hansen  
00:37:35 Rep. Ted Washburn  
00:37:48 Rep. Kris Hansen  
00:37:59 Rep. Frank Smith  
00:38:39 Gladys Hardin  
00:39:00 Rep. Frank Smith  
00:39:16 Sheri Scurr, Legislative Services Division  
00:39:25 Rep. Pat Connell  
00:40:35 William Birernot  
00:41:37 Rep. Ted Washburn  
00:42:05 Rep. Kris Hansen

**Closing by Sponsor:**

00:54:49 Rep. Kris Hansen

**HEARING ON HB 418****Opening Statement by Sponsor:**

01:01:30 Rep. Champ Edmunds (R), HD 100, opened the hearing on HB 418, Revise term limits for legislators.

**Proponents' Testimony:** None**Opponents' Testimony:**

01:03:43 Mike Fellows, Missoula, Montana  
01:04:43 Gladys Hardin, League of Montana Women Voters  
01:05:58 Rep. Betsy Hands entered the room.  
01:06:17 Cindy Swank, Poplar, Montana

**[EXHIBIT\(sth36a04\)](#)****Informational Testimony:** None**Questions from Committee Members and Responses:**

01:07:52 Rep. Franke Wilmer  
01:08:35 Mike Fellows  
01:09:14 Rep. Ted Washburn  
01:09:51 Rep. Champ Edmunds  
01:11:05 Rep. Ted Washburn  
01:11:32 Rep. Champ Edmunds  
01:11:40 Rep. Pat Connell  
01:12:28 Rep. Champ Edmunds

**Closing by Sponsor:**

01:12:44 Rep. Champ Edmunds

**EXECUTIVE ACTION ON HB 205**

01:16:05 **Motion:** Rep. G. Bennett moved that **HB 205 DO PASS.**

01:16:23 **Motion:** Rep. Skees moved that **HB 205 BE AMENDED.**  
**EXHIBIT(sth36a05)**

**Discussion:**

01:17:19 Rep. Derek Skees  
01:19:06 Rep. Betsy Hands  
01:20:21 Rep. Gordon Hendrick  
01:20:38 Rep. Derek Skees  
01:21:53 Rep. Pat Connell  
01:22:33 Rep. Derek Skees  
01:22:46 Rep. Pat Connell  
01:23:09 Rep. Franke Wilmers  
01:24:40 Rep. Dan Kennedy  
01:25:29 Rep. Derek Skees  
01:26:01 Rep. Frank Smith  
01:26:19 Rep. Derek Skees  
01:26:45 Rep. Frank Smith

01:26:55 **Motion/Vote:** Rep. G. Bennett moved that **the Amendment BE TABLED.**  
Motion carried unanimously by voice vote.

**Discussion:**

01:27:35 Rep. Franke Wilmer  
01:28:21 Rep. Dan Kennedy  
01:28:48 Rep. Franke Wilmer

01:29:18 **Vote:** Motion failed 9-9 by roll call vote with Rep. Blyton, Rep. Hendrick, Rep. Ingraham, Rep. Kennedy, Rep. Knox, Rep. MacLaren, Rep. McGillvray, Rep. Skees and Rep. Washburn voting aye. Rep. Knox, Rep. MacLaren, Rep. McGillvray voted by proxy.

01:32:36 **Motion/Vote:** Rep. B. Bennett moved that **HB 205 BE TABLED.** Motion carried 10-8 by roll call vote with Rep. Blyton, Rep. Hendrick, Rep. Ingraham, Rep. Kennedy, Rep. Knox, Rep. MacLaren, Rep. Skees and Rep. Washburn voting no. Rep. Knox, Rep. MacLaren and Rep. McGillvray voted by proxy.

**EXECUTIVE ACTION ON HB 306**

01:32:40 **Motion:** Rep. G. Bennett moved that **HB 306 DO PASS.**

**Discussion:**

01:36:41 Rep. Gordon Hendrick  
01:37:50 Rep. Joanne Blyton  
01:38:47 Rep. Dan Kennedy  
01:39:12 Rep. Franke Wilmer  
01:40:47 Rep. Pat Connell  
01:43:13 Rep. Douglas Kary  
01:43:41 Rep. Pat Ingraham  
01:43:57 Rep. Douglas Kary  
01:44:08 Rep. Gary MacLaren entered the room.  
01:44:39 Rep. Betsy Hands  
01:47:07 Rep. Pat Connell

01:48:50 **Vote:** Motion carried 10-8 by roll call vote with Rep. Bennett, Rep. Blyton, Rep. Hands, Rep. Ingraham, Rep. MacLaren, Rep. Price, Rep. Swanson and Rep. Wilmer voting no. Rep. Knox and Rep. McGillvray voted by proxy.

**EXECUTIVE ACTION ON HB 310**

01:51:02 **Motion:** Rep. B. Bennett moved that **HB 310 DO PASS.**

01:51:25 **Motion/Vote:** Rep. Blyton moved that **HB 310 BE AMENDED.** Motion carried unanimously by voice vote. Rep. Knox and Rep. McGillvray voted by proxy.

**EXHIBIT(sth36a06)**

01:53:19 **Motion:** Rep. G. Bennett moved that **HB 310 DO PASS AS AMENDED.**

**Discussion:**

01:53:39 Rep. Dan Kennedy

01:54:06 **Vote:** Motion carried unanimously by voice vote. Rep. Knox and Rep. McGillvray voted by proxy.

**EXECUTIVE ACTION ON HB 350**

01:55:55 **Motion:** Rep. G. Bennett moved that **HB 350 DO PASS.**

**Discussion:**

01:56:11 Rep. Pat Ingraham

01:56:26 **Motion/Vote:** Rep. Hendrick moved that **HB 350 BE TABLED.** Motion carried unanimously by voice vote. Rep. Knox and Rep. McGillvray voted by proxy.

**EXECUTIVE ACTION ON HB 362**

01:57:13 **Motion:** Rep. G. Bennett moved that **HB 362 DO PASS.**

**Discussion:**

01:57:31 Sheri Scurr

01:58:23 **Motion/Vote** Rep. Ingraham moved that **HB 362 BE AMENDED.** Motion carried unanimously by voice vote. Rep. Knox and Rep. McGillvray voted by proxy.

**EXHIBIT(sth36a07)**

01:59:30 **Motion:** Rep. G. Bennett moved that **HB 362 DO PASS AS AMENDED.**

**Discussion:**

01:59:49 Rep. Gary MacLaren  
02:00:13 Rep. Dan Kennedy  
02:01:58 Rep. Franke Wilmer  
02:23:35 Rep. Dan Kennedy  
02:23:54 Rep. Pat Ingraham  
02:24:02 Rep. Dan Kennedy  
02:24:07 Rep. Franke Wilmer  
02:24:47 Rep. Jerry Bennett  
02:25:15 Rep. Franke Wilmer  
02:25:56 Rep. Jerry Bennett  
02:26:17 Rep. Dan Kennedy  
02:26:44 Rep. Pat Connell  
02:30:06 Rep. Franke Wilmer  
02:30:50 Rep. Dan Kennedy  
02:31:04 Rep. Pat Ingraham

02:31:12 **Vote:** Motion carried 11-7 by roll call vote with Rep. Bennett, Rep. Connell, Rep. Hands, Rep. Price, Rep. Smith, Rep. Swanson and Rep. Wilmer voting no. Rep. Knox and Rep. McGillvray voted by proxy.

### EXECUTIVE ACTION ON HB 386

02:32:31 **Motion:** Rep. G. Bennett moved that **HB 386 DO PASS.**

#### Discussion:

02:33:36 Sheri Scurr  
02:33:34 Rep. Pat Ingraham  
02:34:08 Rep. Jerry Bennett  
02:34:23 Sheri Scurr

02:34:43 **Motion:** Rep. Ingraham moved that **HB 386 BE AMENDED.**  
[EXHIBIT\(sth36a08\)](#)

#### Discussion:

02:35:51 Rep. Derek Skees  
02:36:08 Rep. Dan Kennedy  
02:36:31 Rep. Betsy Hands

02:37:10 **Vote:** Motion carried unanimously by voice vote. Rep. Knox and Rep. McGillvray voted by proxy.

02:37:36 **Motion:** Rep. Ingraham moved that **HB 386 BE AMENDED.**  
[EXHIBIT\(sth36a09\)](#)

#### Discussion:

02:38:20 Sheri Scurr  
02:38:53 Rep. Dan Kennedy  
02:39:11 Rep. Jerry Bennett  
02:39:34 Rep. Dan Kennedy  
02:39:56 Rep. Pat Ingraham  
02:40:05 Rep. Franke Wilmer  
02:40:36 Sheri Scurr  
02:41:12 Rep. Pat Ingraham

02:41:46 **Vote:** Motion carried unanimously by voice vote. Rep. Knox and Rep. McGillvray voted by proxy.

02:42:08 **Motion/Vote:** Rep. Hendrick moved that **HB 386 DO PASS AS AMENDED.**  
Motion carried unanimously by voice vote. Rep. Knox and Rep. McGillvray voted by proxy.

**Discussion:**

02:43:00 Rep. Pat Ingraham  
02:43:40 Rep. Pat Connell  
02:44:02 Rep. Pat Ingraham  
02:45:20 Sheri Scurr  
02:46:10 Rep. Pat Ingraham  
02:46:38 Rep. Jerry Bennett

**ADJOURNMENT**

02:46:55      Adjournment

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Tim Stark, Secretary

Additional Documents:

**EXHIBIT([sth36aad.pdf](#))**