

BUSINESS REPORT

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

HOUSE STATE ADMINISTRATION COMMITTEE

Date: Thursday, March 24, 2011
Place: Capitol

Time: 8:00 AM
Room: 455

BILLS and RESOLUTIONS HEARD:

EXECUTIVE ACTION TAKEN:

SB 54
SB 227
SB 311
SB 325
SB 338
HB 632

Comments:



REP. Pat Ingraham, Chair

HOUSE OF REPRESENTATIVES
Roll Call
STATE ADMINISTRATION COMMITTEE

DATE: 3-24-11

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
REP. Jerry BENNETT, VICE CHAIR	x	
REP. GORDON HENDRICK	x	
REP. BRYCE BENNETT	x	
REP. TOM MCGILLVRAY		Excused
REP. DOUGLAS KARY	x	
REP. FRANK SMITH	x	
REP. PAT CONNELL	x	
REP. JOANNE BLYTON	x	
REP. JEAN PRICE	x	
REP. KATHY SWANSON		Excused
REP. DEREK SKEES	x	
REP. FRANKE WILMER, VICE CHAIR	x	
REP. JAMES KNOX	x	
REP. BETSY HANDS	x	
REP. DAN KENNEDY	x	
REP. TED WASHBURN	x	
REP. GARY MACLAREN		Excused
REP. PAT INGRAHAM, CHAIR	x	



HOUSE STANDING COMMITTEE REPORT

March 24, 2011

Page 1 of 5

Mr. Speaker:

We, your committee on **State Administration** recommend that **Senate Bill 54** (third reading copy -- blue) **be concurred in as amended.**

Signed:


Representative Pat Ingraham, Chair

To be carried by Representative Pat Ingraham

And, that such amendments read:

1. Page 4, line 12.

Strike: "25"

Insert: "24"

2. Page 5, line 29.

Strike: "OR 24"

3. Page 8, line 3.

Strike: "money purchase plans"

Insert: "hybrid tier"

4. Page 8, line 4.

Strike: "27"

Insert: "26"

5. Page 8, line 5.

Strike: "18" through "27"

Insert: "16 through 24"

6. Page 8, line 14.

Strike: "25"

Insert: "24"

Committee Vote:

Yes 12, No 6

Fiscal Note Required

SB0054002SC05143.hgh

Handwritten initials and date:
11/29

7. Page 10, line 13.

Strike: "26"

Insert: "25"

8. Page 19, line 3.

Strike: "regardless of age"

9. Page 19, line 10.

Strike: "In"

Insert: "(a) Upon the death of a tier one member, in"

10. Page 19, line 12 through line 13.

Strike: "i" on line 12 through "l" on line 13

11. Page 19, line 14.

Strike: "i"

12. Page 19, line 15.

Strike: "or"

Insert: "."

13. Page 19, line 16.

Strike: "upon"

Insert: "Upon"

Following: "member,"

Insert: "the retirement allowance"

14. Page 20, line 19.

Strike: "assets to be held in trust --"

15. Page 20, line 21.

Strike: "this part"

Insert: "[sections 18 through 26]"

16. Page 20, line 26.

Strike: "regarding"

Insert: "provided for in 19-20-201 as applicable to"

Strike: "as provided in 19-20-201, as applicable"

17. Page 20, line 29.

Strike: "27"

Insert: "26"

18. Page 21, line 27.

Strike: "or interest credit"

19. Page 21, line 30.

Strike: "money purchase plan"

20. Page 22, line 5.

Following: "retirement"

Insert: ", "

Strike: the first "benefit"

Insert: "disability, and death benefits"

Strike: the second "benefit"

Insert: "benefits"

21. Page 22, line 8.

Strike: "OR 24"

22. Page 22.

Following: line 14

Insert: "(4) A vested member who has not reached normal retirement age and who retires on a disability retirement benefit, as provided in 19-20-901, must receive the greater of:

(a) the benefit provided under subsection (1) of this section; or

(b) if the member has 15 or fewer years of creditable service, 25% of the member's average final compensation.

(5) If a vested member dies before retirement, in lieu of the benefits provided for in 19-20-1001(1), regardless of age, the nominated beneficiary may elect to receive a retirement allowance equal to the greater of:

(a) the benefit provided under subsection (1) of this section; or

(b) 1 2/3% for each year of creditable service multiplied by the member's average final compensation.

(6) If a member who qualifies for benefits under subsection (4) or (5) has less than 3 years of full-time service during the 3 years immediately preceding the member's termination or death, the member's earned compensation for purposes of calculating a disability or survivor benefit must be determined as provided in 19-20-805."

23. Page 22, line 16.

Strike: "A"

Insert: "(1) If this subsection is approved by the internal revenue service pursuant to [section 28], a"

24. Page 22, line 19.

Strike: "(1)"

Insert: "(a)"

Renumber: subsequent subsections

25. Page 22.

Following: line 25

Insert: "(2) If the provisions of subsection (1) are not approved by the internal revenue service pursuant to [section 28], a tier two member has a right to a retirement system match of 100% of the member's accumulated contributions after the member has earned at least 10 years of creditable service."

26. Page 22, line 27 through line 29.

Strike: section 24 in its entirety

Renumber: subsequent sections

27. Page 23, line 6.

Strike: "5%"

Insert: "4%"

28. Page 23, line 7.

Strike: "5%"

Insert: "4%"

29. Page 24, line 10.

Strike: "27"

Insert: "26"

30. Page 24, line 15.

Strike: "opinion"

Insert: "determination -- certification that plan is effective"

Following: "opinion."

Insert: "(1)"

31. Page 24, line 18 through line 19.

Strike: "[" on line 18 through "." on line 19

Insert: "The board shall seek the ruling or determination first based on the vesting schedule provided for in [section 23(1)]. If that schedule is not approved, then the board shall seek the ruling or determination based on the vesting schedule provided for in [section 23(2)]."

(2) The board shall certify to the governor and the secretary of state the date on which the hybrid tier established pursuant to [sections 18 through 26] receives a favorable ruling or determination from the internal revenue service. The board shall provide a copy of the certification to the code commissioner."

32. Page 24, line 21 through line 27.

Strike: section 30 in its entirety

Renumber: subsequent sections

33. Page 24, line 30.

Strike: the first "parts 4 and"
Insert: "part"
Strike: the second "parts 4 and"
Insert: "part"

34. Page 25, line 2.
Strike: "27"
Insert: "26"

35. Page 25, line 3.
Strike: "27"
Insert: "26"

36. Page 25.
Following: line 3
Insert: "COORDINATION SECTION. Section 30. Coordination instruction. If House Bill No. 189 and [this act] are both passed and approved, then House Bill No. 189 is void."
Renumber: subsequent section

37. Page 25, line 5.
Strike: "CONTINGENCIES"
Insert: "contingency"

38. Page 25, line 6.
Strike: "SUBSECTIONS"
Insert: "subsection"
Strike: "AND (3)"

39. Page 25, line 7.
Strike: "30"
Insert: "28"

40. Page 25, line 8.
Strike: "28"
Insert: "27"

41. Page 25, line 9 through line 11.
Strike: subsection (3) in its entirety

- END -



HOUSE STANDING COMMITTEE REPORT

March 24, 2011

Page 1 of 1

Mr. Speaker:

We, your committee on **State Administration** recommend that **Senate Bill 311** (third reading copy -- blue) **be concurred in as amended.**

Signed: 
Representative Pat Ingraham, Chair

To be carried by Representative Wayne Stahl

And, that such amendments read:

1. Page 2, line 20.

Strike: "and"

2. Page 2, line 21.

Following: "or"

Insert: "for which"

3. Page 2, line 22.

Following: "or"

Insert: "for which"

4. Page 2, line 24 through line 25.

Strike: "MEANS" on line 24 through "FILING" on line 25

Insert: "has the meaning provided in 2-16-214"

- END -

Committee Vote:

Yes 18, No 0

Fiscal Note Required

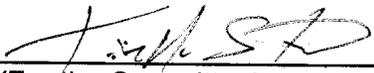
SB0311001SC03846.hgh

Handwritten signature and date:
11/49

BILL TABLED NOTICE

HOUSE STATE ADMINISTRATION COMMITTEE

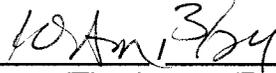
The HOUSE STATE ADMINISTRATION COMMITTEE TABLED
SB 227 - Requiring a report on advertising of state government services
SB 325 - Referendum to require majority vote in general elections
, by motion, on Thursday, March 24, 2011.



(For the Committee)



(For the Chief Clerk of the House)



(Time) (Date)

March 24, 2011

Tim Stark, Secretary

Phone: 4847



HOUSE STANDING COMMITTEE REPORT

March 24, 2011

Page 1 of 1

Mr. Speaker:

We, your committee on **State Administration** recommend that **House Bill 632** (first reading copy -- white) **do pass**.

Signed: 
Representative Pat Ingraham, Chair

- END -

Committee Vote:

Yes 17, No 1

Fiscal Note Required

HB0632001SC.hgh

11/24/11



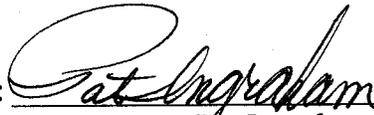
HOUSE STANDING COMMITTEE REPORT

March 24, 2011

Page 1 of 2

Mr. Speaker:

We, your committee on **State Administration** recommend that **Senate Bill 338** (third reading copy -- blue) **be concurred in as amended.**

Signed: 
Representative Pat Ingraham, Chair

To be carried by Representative Dan Kennedy

And, that such amendments read:

1. Title, line 5 through line 6.

Strike: "PROVIDING THAT" on line 5 through "APPROPRIATION;" on line 6

2. Title, line 8.

Following: "2-2-121"

Insert: ", "

Strike: "AND"

Following: "2-2-136,"

Insert: "AND 17-2-304,"

3. Page 2, line 28.

Strike: "and then only"

4. Page 2, line 29.

Following: "functions"

Insert: "or in the case of an announcement directly related to a program or activity under the jurisdiction of the office or position to which the state officer was elected or appointed"

5. Page 5, line 14 through line 23.

Strike: sections 3 and 4 in their entirety

Insert: "**Section 3.** Section 17-2-304, MCA, is amended to read:

Committee Vote:

Yes 10, No 8

Fiscal Note Required

SB0338001SC07882.hgh

11 3/29
1/29

"17-2-304. Reports required. (1) The approving authority for a state agency shall annually report in writing to the legislative finance committee by September 15:

(a) each state agency that had a cash balance in a state charge for services fund contrary to the limitation provided in 17-2-302(1) during the previous 12 months;

(b) the facts certified for each state agency by the approving authority pursuant to 17-2-302(2);

(c) each state agency that has complied with the requirements of 17-2-303 and the circumstances of the agency's compliance; ~~and~~

(d) each state agency that has not complied with 17-2-303 and the circumstances of the agency's noncompliance; and

(e) all expenditures made by the state agency in the preceding 12 months that are related to the production and distribution of public service announcements.

(2) The director of the department of administration shall report to the legislature at the time and in the manner required by 5-11-210 a list of each local government entity that had a balance in a local charge for services fund contrary to the limitation provided by 17-2-302(1) or that failed to reduce the charge as provided in 17-2-303, or both, during the previous 12 months.""

- END -

HOUSE OF REPRESENTATIVES
Roll Call Vote
STATE ADMINISTRATION COMMITTEE

DATE: 3-24-11 BILL NO SB 54 MOTION NO. _____
 MOTION: Be concurred in as amended twice.

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. GERALD BENNETT, VICE CHAIR	x		
REP. FRANKE WILMER, VICE CHAIR		x	
REP. GORDON HENDRICK	x		x
REP. BRYCE BENNETT		x	
REP. TOM MCGILLVRAY	x		
REP. DOUGLAS KARY	x		
REP. FRANK SMITH		x	
REP. PAT CONNELL	x		
REP. JOANNE BLYTON	x		
REP. JEAN PRICE		x	
REP. KATHY SWANSON		x	x
REP. DEREK SKEES	x		
REP. JAMES KNOX	x		
REP. BETSY HANDS		x	
REP. DAN KENNEDY	x		
REP. TED WASHBURN	x		
REP. GARY MACLAREN	x		x
REP. PAT INGRAHAM, CHAIR	x		

HOUSE OF REPRESENTATIVES
Roll Call Vote
STATE ADMINISTRATION COMMITTEE

DATE: 3-24-11 BILL NO SB 227 MOTION NO. _____
 MOTION: Concurs in as amended

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. GERALD BENNETT, VICE CHAIR	x		
REP. FRANKE WILMER, VICE CHAIR		t	
REP. GORDON HENDRICK		t	t
REP. BRYCE BENNETT		t	t
REP. TOM MCGILLVRAY	x		t
REP. DOUGLAS KARY		t	
REP. FRANK SMITH		t	
REP. PAT CONNELL	x		
REP. JOANNE BLYTON	x		
REP. JEAN PRICE		t	
REP. KATHY SWANSON		t	x
REP. DEREK SKEES	x		
REP. JAMES KNOX	x		
REP. BETSY HANDS		t	
REP. DAN KENNEDY	x		
REP. TED WASHBURN	x		
REP. GARY MACLAREN		t	x
REP. PAT INGRAHAM, CHAIR		t	

HOUSE OF REPRESENTATIVES
Roll Call Vote
STATE ADMINISTRATION COMMITTEE

DATE: 3-24-11 BILL NO. SB 227 MOTION NO. _____
 MOTION: to table

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. GERALD BENNETT, VICE CHAIR	X		
REP. FRANKE WILMER, VICE CHAIR	X		
REP. GORDON HENDRICK	X		X
REP. BRYCE BENNETT	X		X
REP. TOM MCGILLVRAY	X		X
REP. DOUGLAS KARY	X		
REP. FRANK SMITH	X		
REP. PAT CONNELL	X		
REP. JOANNE BLYTON		X	
REP. JEAN PRICE	X		
REP. KATHY SWANSON	X		X
REP. DEREK SKEES		X	
REP. JAMES KNOX		X	
REP. BETSY HANDS	X		
REP. DAN KENNEDY		X	
REP. TED WASHBURN	X		
REP. GARY MACLAREN	X		
REP. PAT INGRAHAM, CHAIR	X		

HOUSE OF REPRESENTATIVES
Roll Call Vote
STATE ADMINISTRATION COMMITTEE

DATE: 3-24-10 BILL NO SB 325 MOTION NO. _____

MOTION: to be concurred in

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. GERALD BENNETT, VICE CHAIR	x		
REP. FRANKE WILMER, VICE CHAIR		x	
REP. GORDON HENDRICK		x	x
REP. BRYCE BENNETT		x	
REP. TOM MCGILLVRAY		x	x
REP. DOUGLAS KARY		x	x
REP. FRANK SMITH		x	
REP. PAT CONNELL		x	
REP. JOANNE BLYTON		x	
REP. JEAN PRICE		x	
REP. KATHY SWANSON		x	x
REP. DEREK SKEES	x		
REP. JAMES KNOX	x		
REP. BETSY HANDS		x	
REP. DAN KENNEDY	x		
REP. TED WASHBURN		x	
REP. GARY MACLAREN		x	x
REP. PAT INGRAHAM, CHAIR		x	

HOUSE OF REPRESENTATIVES
Roll Call Vote
STATE ADMINISTRATION COMMITTEE

DATE: 3-24-11 BILL NO: 338 MOTION NO. _____
 MOTION: to remove from tabled

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. GERALD BENNETT, VICE CHAIR	x		
REP. FRANKE WILMER, VICE CHAIR		x	
REP. GORDON HENDRICK	_____		
REP. BRYCE BENNETT		x	
REP. TOM MCGILLVRAY	_____		
REP. DOUGLAS KARY	x		
REP. FRANK SMITH		x	
REP. PAT CONNELL	x		
REP. JOANNE BLYTON	x		
REP. JEAN PRICE		x	
REP. KATHY SWANSON	_____		
REP. DEREK SKEES	x		
REP. JAMES KNOX	x		
REP. BETSY HANDS		x	
REP. DAN KENNEDY	x		
REP. TED WASHBURN	x		
REP. GARY MACLAREN	_____		
REP. PAT INGRAHAM, CHAIR	x		

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HOUSE OF REPRESENTATIVES
Roll Call Vote
STATE ADMINISTRATION COMMITTEE

DATE: 3-24-11 BILL NO SB 338 MOTION NO. _____
 MOTION: to amend
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<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. GERALD BENNETT, VICE CHAIR	x		
REP. FRANKE WILMER, VICE CHAIR		x	
REP. GORDON HENDRICK	x		x
REP. BRYCE BENNETT		x	
REP. TOM MCGILLVRAY	x		x
REP. DOUGLAS KARY	x		
REP. FRANK SMITH		x	
REP. PAT CONNELL	1	x	
REP. JOANNE BLYTON	x		
REP. JEAN PRICE		x	
REP. KATHY SWANSON		x	x
REP. DEREK SKEES	x		
REP. JAMES KNOX	x		
REP. BETSY HANDS		x	
REP. DAN KENNEDY	x		
REP. TED WASHBURN	x		
REP. GARY MACLAREN	x		x
REP. PAT INGRAHAM, CHAIR	x		

HOUSE OF REPRESENTATIVES
Roll Call Vote
STATE ADMINISTRATION COMMITTEE

DATE: 3-24-11 BILL NO. SB 338 MOTION NO. _____
 MOTION: to amend
033802.ace

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. GERALD BENNETT, VICE CHAIR	b		
REP. FRANKE WILMER, VICE CHAIR	t		
REP. GORDON HENDRICK	t		+
REP. BRYCE BENNETT	t		
REP. TOM MCGILLVRAY	t		+
REP. DOUGLAS KARY	t		
REP. FRANK SMITH	t		
REP. PAT CONNELL	t		
REP. JOANNE BLYTON	t		
REP. JEAN PRICE	⊗	+	
REP. KATHY SWANSON	t		b
REP. DEREK SKEES	b		
REP. JAMES KNOX	t		
REP. BETSY HANDS	t		
REP. DAN KENNEDY	t		
REP. TED WASHBURN	t		
REP. GARY MACLAREN	b		y
REP. PAT INGRAHAM, CHAIR	t		

HOUSE OF REPRESENTATIVES
Roll Call Vote
STATE ADMINISTRATION COMMITTEE

DATE: 3-24-11 BILL NO SB 388 MOTION NO. _____
 MOTION: be concurred in as amended

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. GERALD BENNETT, VICE CHAIR	X		
REP. FRANKE WILMER, VICE CHAIR		X	
REP. GORDON HENDRICK	X		
REP. BRYCE BENNETT		X	
REP. TOM MCGILLVRAY	X		X
REP. DOUGLAS KARY	X		
REP. FRANK SMITH		X	
REP. PAT CONNELL	X		
REP. JOANNE BLYTON		X	
REP. JEAN PRICE		X	
REP. KATHY SWANSON		X	X
REP. DEREK SKEES	X		
REP. JAMES KNOX	X		
REP. BETSY HANDS		X	X
REP. DAN KENNEDY	X		
REP. TED WASHBURN	X		
REP. GARY MACLAREN	X		X
REP. PAT INGRAHAM, CHAIR		X	

AUTHORIZED COMMITTEE PROXY

I request to be excused from the State ADM

Committee because of other commitments. I desire to leave my proxy vote with:

Jerry Bennett

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO
SB 54		
AMD SB 006401, ASC		
✓ SB 227	X	
✓ AMD SB 022703, ASC	X	
SB 311	X	
✓ AMD SB 031101, ASC	X	
✓ AMD SB 031102, ASC	X	
✓ SB 325		X
Table SB 325	X	
SB 332	X	
SB 338	X	
✓ AMD SB 033801, ADB	X	
✓ AMD SB 033802, ASC	X	
Removed Amed SB 033801, ASC	X	

BILL/AMENDMENT	AYE	NO
more row to table SB 227	X	

Rep. Dr. M. Kelly
(Signature)

Date 3/24/11

AUTHORIZED COMMITTEE PROXY

I request to be excused from the State Army

Committee because of other commitments. I desire to leave my proxy vote with:

Jerry Bennett

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO
✓ SB 54	X	
AMND ✓ SB 005401-ASC	X	
✓ SB 005402-ASC	X	
✓ SB 227		
✓ AMND SB 022703 ASC	X	
AMND SB		
✓ SB 311	X	
✓ AMND SB 031101 ASC	X	
✓ AMND SB 031102 ASC	X	
✓ SB 325		X
✓ Table #B 325	X	
✓ SB 632	X	

BILL/AMENDMENT	AYE	NO
✓ AMND ✓ SB 227	X	
✓ SB 338	X	
✓ AMND REMOVE SB 033801 ASC	X	
✓ AMND SB 033801 AOB	X	
✓ AMND SB 033802 ASC	X	

Rep. Jerry Bennett
(Signature)

Date 3/24/11

AUTHORIZED COMMITTEE PROXY

I request to be excused from the State ad

Committee because of other commitments. I desire to leave my proxy vote with:

Jerry Bennett

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO	BILL/AMENDMENT	AYE	NO
SB 54	X				
AM05B005401.95C	X				
SB 20 5402.95C	X				
SB 227		X	Motion to table SB 227	X	
AM05B022703.95C	X				
SB 311	X				
AM05B031101.95C	X				
AM05B031102.95C	X				
SB 325		X			
Motion to table ³²⁵	X				
SB 632	X				
SB 338					
AM05B033801.ADB	X				
AM05B033802.A5C	X				

Remove AM033801.95C X

Rep. Jordan R. Hendrick
(Signature)

Date 3/24/11

PROXY VOTE

I, the undersigned, hereby authorize Representative or Senator Wilmer
to vote my proxy on any issue before the State Admin Committee held on
3-27, 2011 Veterans Affairs

Signed Kathy Swanson Date 3-29-11
Representative/Senator

Motion - Bill / Amend	Vote
✓ SB 54 SB005401. asc - do pass	aye
✓ SB 54 SB005402. asc - do pass	aye
SB 54 as amended - do pass	no
✓ SB 227 as amended - do pass	no
✓ SB 227 SB 022 703. asc - do pass	aye
✓ SB 227 TADA	aye
✓ SB 031101. asc do pass	aye
✓ SB 031102. asc do pass	aye
✓ SB 311 do pass as amended	aye
✓ SB 325 do pass	no
✓ SB 325 TABLE	aye
✓ SB ^{AW} 632 do pass	aye
do pass SB 338 Remote amendment SB 033801. asc	no
✓ SB 338 SB033801. asc	no
✓ SB 338 SB033802. asc	yes
✓ SB 338 as amended	no

PROXY VOTE

I, the undersigned, hereby authorize Representative or Senator Wilmer
to vote my proxy on any issue before the 2nd Admin - / Services Committee held on
3-24, 2011.

Signed [Signature]
Representative/Senator

Date 3/24/11

MOTION - BILL -

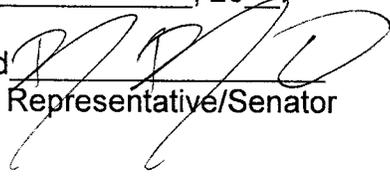
VOTE

SB 338 is amended to pass

NO

PROXY VOTE

I, the undersigned, hereby authorize Representative or Senator _____
to vote my proxy on any issue before the _____ Committee held on
_____, 20

Signed 
Representative/Senator

Date _____

<u>MOTION / BILL-AMEND</u>	<u>VOTE</u>
SB 022723. asc - do pass	aye
SB 227 as amended - do pass	no
SB 227 Tubal - do pass	aye
SB 031101. asc - do pass	aye
SB 031102. asc - do pass	aye
SB 311	