

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: Chair Pat Ingraham, on February 4, 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. Douglas (Doug) Kary (R)
Rep. Dan Kennedy (R)
Rep. James Knox (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. Gordon R. Hendrick (R)
Rep. Tom McGillvray (R)

Members Absent: None

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 278, 2/1/2011; HB 310, 2/1/2011; HB 301, 2/1/2011
Executive Action: HB 242, HB 145

00:03:01 Rep. Gordon Hendrick entered the room.

HEARING ON HB 278

Opening Statement by Sponsor:

00:03:32 Rep. Wendy Warburton (R), HD 34, opened the hearing on HB 278, Clarify and specify role of Home Guard.

[EXHIBIT\(sth28a01\)](#)

Proponents' Testimony:

00:12:17 Gary Marbut, Montana Shooting Sports Association (MSSA)
00:19:55 Joe Read, HD 15
00:26:47 Doug Nulle, Clancy, Montana
00:29:29 John Wells, Billings, Montana
00:30:14 Tim Ravndal, Lewis & Clark Conservatives
00:37:55 Tray Cathy, Billings, Montana
00:48:53 Roger Nummerdor, Helena, Montana
00:50:32 Clarence Getz, Helena, Montana

Opponents' Testimony:

00:51:38 Jamee Greer, Montana Human Rights Network

Informational Testimony: None

Questions from Committee Members and Responses:

00:56:34 Rep. Ted Washburn
00:57:03 Jamee Greer
00:58:35 Rep. Ted Washburn
00:59:13 Jamee Greer
01:00:21 Rep. Gordon Hendrick
01:01:17 Jamee Greer
01:01:50 Rep. Gordon Hendrick
01:02:09 Jamee Greer
01:02:17 Rep. James Knox
01:02:37 Jamee Greer
01:02:57 Rep. James Knox
01:03:20 Jamee Greer
01:04:00 Rep. Franke Wilmer
01:05:20 Tray Cathy
01:06:54 Rep. Franke Wilmer
01:07:18 Gary Marbut
01:07:54 Rep. Franke Wilmer
01:08:13 Gary Marbut
01:08:31 Rep. Franke Wilmer
01:09:11 Gary Marbut

01:10:19 Rep. Franke Wilmer
01:11:00 Tim Ravndal
01:12:20 Rep. Franke Wilmer
01:13:13 Tim Ravndal
01:14:28 Rep. Betsy Hands
01:15:45 Rep. Wendy Warburton
01:16:32 Rep. Betsy Hands
01:17:13 Rep. Wendy Warburton
01:17:57 Rep. Betsy Hands
01:18:29 Rep. Wendy Warburton
01:19:01 Rep. Betsy Hands
01:20:26 Rep. Wendy Warburton
01:21:36 Rep. Betsy Hands
01:21:58 Rep. Wendy Warburton
01:22:53 Rep. Derek Skees
01:23:13 Gary Marbut
01:23:23 Rep. Derek Skees
01:24:02 Jamee Greer
01:24:44 Rep. Derek Skees
01:24:55 Jamee Greer
01:25:04 Rep. Frank Smith
01:25:35 Rep. Wendy Warburton
01:26:09 Rep. Frank Smith
01:27:47 Rep. Wendy Warburton
01:28:18 Rep. Gary MacLaren
01:29:10 Rep. Wendy Warburton
01:29:54 Rep. Jerry Bennett
01:31:00 Rep. Wendy Warburton
01:31:51 Gary Marbut
01:32:48 Rep. Pat Connell
01:33:55 Tray Cathy
01:34:51 Rep. Betsy Hand left the room.
01:35:39 Rep. Pat Connell
01:36:22 Tray Cathy
01:36:30 Rep. Dan Kennedy
01:36:50 Tray Cathy
01:37:15 Rep. Jean Price
01:38:42 Rep. Wendy Warburton
01:39:56 Rep. Jean Price
01:40:21 Rep. Wendy Warburton
01:41:09 Rep. Jean Price
01:41:42 Rep. Joanne Blyton
01:42:17 Rep. Wendy Warburton
01:42:58 Rep. Pat Ingraham
01:43:27 Rep. Joe Read
01:48:24 Rep. Gordon Hendrick
01:48:53 Rep. Wendy Warburton

Closing by Sponsor:

01:49:24 Rep. Wendy Warburton

HEARING ON HB 310**Opening Statement by Sponsor:**

02:08:18 Rep. Joanne Blyton (R), HD 59, opened the hearing on HB 310, Clarify initiatives language.

[EXHIBIT\(sth28a02\)](#)

[EXHIBIT\(sth28a03\)](#)

Proponents' Testimony:

02:13:13 Linda McCulloch, Secretary of State (SOS)

[EXHIBIT\(sth28a04\)](#)

02:14:46 Becky Stockton, Helena, Montana

02:15:53 Tim Ravndal, Lewis & Clark Conservatives

02:16:59 Carol Mackin, Helena, Montana

02:18:46 Roger Nummerdor, Helena, Montana

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

02:19:46 Rep. Pat Connell

02:20:29 Rep. Betsy Hands

02:20:59 Rep. Bryce Bennett

02:21:22 Rep. Joanne Blyton

02:21:34 Rep. James Knox

02:21:57 Rep. Joanne Blyton

02:22:19 Rep. Betsy Hands

02:22:53 Rep. Joanne Blyton

02:23:23 Linda McCulloch

02:24:09 Rep. Betsy Hands

02:24:21 Linda McCulloch

02:25:05 Rep. Betsy Hands

02:25:41 Linda McCulloch

02:25:58 Rep. Betsy Hands

02:26:44 Linda McCulloch

02:26:58 Rep. Joanne Blyton

02:27:40 Rep. Betsy Hands

02:27:59 Rep. Joanne Blyton

02:28:32 Rep. Derek Skees

02:29:06 Rep. Pat Ingraham

02:29:42 Rep. Joanne Blyton

Closing by Sponsor:

02:30:09 Rep. Joanne Blyton

EXECUTIVE ACTION ON HB 242

02:32:24 **Motion:** Rep. G. Bennett moved that **HB 242 DO PASS.**

Discussion:

02:32:41 Sheri Scurr, Legislative Services Division (LSD)

02:34:51 Rep. Betsy Hands

02:35:57 Rep. Dan Kennedy

02:37:27 Sheri Scurr

02:38:40 Rep. Betsy Hands

02:39:51 **Motion:** Rep. Washburn moved that **HB 242 BE AMENDED.**

EXHIBIT(sth28a05)

02:40:01 Sheri Scurr

02:40:17 Rep. Betsy Hands

02:40:19 Rep. Pat Ingraham

02:40:29 Rep. Ted Washburn

02:40:31 Rep. Pat Ingraham

02:40:38 Rep. Betsy Hands

02:41:13 Rep. Derek Skees

02:42:29 Rep. James Knox

02:42:35 Rep. Bryce Bennett

02:43:09 **Vote:** Motion carried unanimously by roll call vote. Rep. McGillvray voted by proxy.

02:44:19 **Motion:** Rep. Kennedy moved that **HB 242 BE AMENDED.**

EXHIBIT(sth28a06)

Discussion:

02:45:31 Rep. Franke Wilmer

02:45:55 Rep. Dan Kennedy

02:46:32 Sheri Scurr

02:47:33 Rep. Betsy Hands

02:48:07 Rep. Gary MacLaren

02:49:02 Rep. Franke Wilmer

02:49:43 **Motion:** Rep. Kennedy moved to **WITHDRAW THE MOTION** to **AMEND HB 242**; without objection it was withdrawn.

02:49:57 **Motion/Vote:** Rep. Kennedy moved that **HB 242 BE TABLED.** Motion carried unanimously by roll call vote. Rep. McGillvray voted by proxy.

HEARING ON HB 301

Opening Statement by Sponsor:

02:51:52 Rep. James Knox (R), HD 47, opened the hearing on HB 301, Allow public officials to close meeting for contract negotiation strategy.

[EXHIBIT\(sth28a07\)](#)

Proponents' Testimony:

03:01:46 Roger Nummerdor, Helena, Montana

[EXHIBIT\(sth28a08\)](#)

03:03:50 Pat McCain, Helena, Montana

Opponents' Testimony:

03:04:24 John Barrows, Montana Newspaper Association (MNA)

03:05:24 Mike Melloy, Helena, Montana

03:09:12 Jan Anderson, Boulder County, Montana

03:10:40 Tim Ravndal, Lewis & Clark Conservative

Informational Testimony: None

Questions from Committee Members and Responses:

03:13:04 Rep. Gary MacLaren

03:13:28 Sheri Scurr

03:13:47 Rep. Dan Kennedy

03:14:13 Rep. James Knox

Closing by Sponsor:

03:15:46 Rep. James Knox

Committee Business:

03:18:12 Sheri Scurr

EXECUTIVE ACTION ON HB 145

03:19:09 **Motion:** Rep. Kennedy moved that **HB 145 BE REMOVED FROM TABLED.**

Discussion:

03:21:58 Rep. Betsy Hands

03:22:25 Rep. Dan Kennedy

03:22:39 Rep. James Knox
03:23:10 Rep. Jean Price
03:24:19 Rep. Pat Connell
03:24:45 Rep. Sheri Scurr
03:25:00 Rep. Jerry Bennett

03:25:20 **Vote:** Motion carried 11-5 by roll call vote with Rep. Bennett, Rep. Hands, Rep. Price, Rep. Skees and Rep. Smith voting no.

03:27:15 **Motion:** Rep. G. Bennett moved that **HB 145 DO PASS.**

03:27:10 **Motion:** Rep. Kennedy moved that **HB 145 BE AMENDED**
EXHIBIT(sth28a09)

Discussion:

03:29:53 Rep. Gordon Hendrick
03:31:15 Rep. Dan Kennedy
03:32:03 Rep. Pat Connell
03:33:14 Rep. Dan Kennedy
03:33:16 Rep. Bryce Bennett
03:34:26 Rep. Kathy Swanson
03:34:34 Rep. Betsy Hands
03:35:39 Rep. Ted Washburn
03:36:37 Rep. James Knox
03:36:54 Rep. Gordon Hendrick
03:38:15 Rep. Pat Connell
03:38:54 Rep. James Knox
03:39:30 Sheri Scurr
03:40:08 Rep. Betsy Hands
03:40:59 Rep. Derek Skees
03:41:44 Sheri Scurr
03:42:11 Rep. Derek Skees
03:42:28 Rep. Dan Kennedy
03:43:08 Rep. Jerry Bennett

03:44:03 **Vote:** Motion failed unanimously by voice vote. Rep. McGillvray and Rep. Wilmer voted by proxy.

03:45:16 **Motion/Vote:** Rep. Knox moved that **HB 145 BE TABLED.** Motion carried 17-1 by voice vote with Rep. Skees voting no. Rep. McGillvray and Rep. Wilmer voted by proxy.

ADJOURNMENT

04:46:15 Adjournment

Tim Stark, Secretary

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Additional Documents:

EXHIBIT([sth28aad.pdf](#))