

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: Chair Pat Ingraham, on February 16, 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. James Knox (R)
Rep. Jean Price (D)
Rep. Frank Smith (D)
Rep. Kathy Swanson (D)
Rep. Ted Washburn (R)

Members Excused: Rep. Gary MacLaren (R)
Rep. Tom McGillvray (R)
Rep. Derek Skees (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 484, 2/4/2011; HB 489, 2/4/2011; HB483, 2/4/2011; HB 484, 2/4/2011; HB 528, 2/4/2011; HB 530, 2/4/2011
Executive Action: HB 197 HB 266 HB 278 HB 301 HB 328 HB 447

HEARING ON HB 489

Opening Statement by Sponsor:

00:03:18 Rep. Jerry O'Neil (R), HD 3, opened the hearing on HB 489, Revise statutory rules for determining residency for voting and registration.

Proponents' Testimony:

Opponents' Testimony:

00:07:26 Linda McCulloch, Secretary of State (SOS)
[EXHIBIT\(sth38a01\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

00:10:12 Rep. Franke Wilmer
00:10:43 Rep. Jerry O'Neil
00:11:13 Rep. Franke Wilmer
00:11:28 Rep. Jerry O'Neil
00:11:46 Rep. Franke Wilmer
00:12:16 Rep. Dan Kennedy
00:12:29 Rep. Jerry O'Neil
00:12:34 Rep. Dan Kennedy
00:12:51 Rep. Jerry O'Neil
00:13:25 Rep. James Knox
00:14:05 Rep. Jerry O'Neil

Closing by Sponsor:

00:14:21 Rep. Jerry O'Neil

HEARING ON HB 483

Opening Statement by Sponsor:

00:14:55 Rep. David Howard (R), HD 60, opened the hearing on HB 483, Revise campaign finance regulation of churches and community groups.

Proponents' Testimony:

00:19:30 Tim Fox, Montana City, Montana
[EXHIBIT\(sth38a02\)](#)
[EXHIBIT\(sth38a03\)](#)
[EXHIBIT\(sth38a04\)](#)

00:28:10 Rep. Betsy Hands left the room.
00:29:38 Jeff Laszloffy, Montana Family Foundation
00:32:18 B.G. Stunberg, Canyon Ferry Road Baptist Church
00:34:45 Terri Paske, Canyon Ferry Road Baptist Church
00:35:39 Chuck Paske, Helena, Montana
00:35:56 Lisa Wamsley, Helena, Montana
00:36:50 Rodney Kirschman, Helena, Montana
00:37:31 Mimi Kirschman, Helena, Montana
00:37:46 Harris Himes, Montana Eagle Forum
00:38:51 Alene Brackman, Helena, Montana
00:39:16 Becky Stockton, Helena, Montana

Opponents' Testimony: None

Informational Testimony:

00:39:50 Anthony Johnston, Attorney Generals Office
00:44:45 Rep. Betsy Hands entered the room.
00:46:48 Jennifer Hensley, Office of Political Practices (OPP)

Questions from Committee Members and Responses:

00:49:13 Rep. Pat Connell
00:49:31 Rep. Pat Ingraham
00:49:46 Rep. James Knox
00:50:28 B.G. Stunberg
00:50:52 Rep. James Knox
00:51:04 B.G. Stunberg
00:51:10 Rep. Dan Kennedy
00:51:58 Rep. Franke Wilmer
00:52:12 Rep. Dan Kennedy
00:52:17 Anthony Johnston
00:52:51 Rep. Bryce Bennett
00:53:36 Jennifer Hensley
00:53:46 Rep. Franke Wilmer
00:54:09 Anthony Johnston
00:54:58 Rep. Franke Wilmer
00:55:13 Anthony Johnston
00:56:25 Rep. Joanne Blyton
00:57:10 Jennifer Hensley
00:58:59 Rep. Dan Kennedy
00:59:14 Tim Fox
00:59:53 Rep. Dan Kennedy
00:59:59 Tim Fox
01:00:40 Rep. Betsy Hands
01:00:54 Tim Fox
01:01:13 Rep. Betsy Hands
01:01:19 Tim Fox

Closing by Sponsor:

01:01:34 Rep. Dave Howard

HEARING ON HB 484

Opening Statement by Sponsor:

01:04:57 Rep. Carolyn Squires (D), HD 96, opened the hearing on HB 484, Clarify receipt of absentee ballots for subsequent elections is not permanent.

Proponents' Testimony:

01:07:24 Linda McCulloch, Secretary of State (SOS)

01:07:43 Rep. Gary MacLaren entered the room.

[EXHIBIT\(sth38a05\)](#)

[EXHIBIT\(sth38a06\)](#)

01:09:47 Drew Geiger, Montana League Women Voters

01:10:02 Linda Stoll, Montana Association of Clerks and Recorders

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:10:35 Rep. Joanne Blyton

01:11:12 Rep. Carolyn Squires

01:11:21 Sheri Scurr, Legislative Services Division

01:11:40 Rep. James Knox

01:12:10 Rep. Carolyn Squires

01:12:35 Rep. Pat Ingraham

01:12:50 Rep. James Knox

01:12:59 Rep. Dan Kennedy

01:13:14 Rep. Pat Ingraham

01:13:55 Rep. Dan Kennedy

Closing by Sponsor:

01:14:17 Rep. Carolyn Squires

HEARING ON HB 528

Opening Statement by Sponsor:

01:18:00 Rep. Frank Smith (D), HD 31, opened the hearing on HB 528, Revise laws regarding cowboy hall of fame.

Proponents' Testimony:

01:19:03 Ariel Overstreet, Montana Cowboy Hall of Fame

01:22:11 Aaron Lyles, Montana Cowboy Hall of Fame

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:24:35 Rep. Ted Washburn

01:25:22 Aaron Lyles

01:26:37 Rep. Ted Washburn

01:26:54 Aaron Lyles

01:27:53 Rep. Dan Kennedy

01:28:14 Aaron Lyles

01:28:59 Rep. Dan Kennedy

01:29:03 Aaron Lyles

01:29:22 Rep. Jerry Bennett

01:30:10 Aaron Lyles

Closing by Sponsor:

01:31:16 Rep. Frank Smith

HEARING ON HB 530

Opening Statement by Sponsor:

01:32:38 Rep. Ted Washburn (R), HD 69, opened the hearing on HB 530, Allow counties to prepare mail ballots before election day.

EXHIBIT(sth38a07)

Proponents' Testimony:

01:35:01 Linda McCulloch

EXHIBIT(sth38a08)

01:35:23 Rep. Derek Skees entered the room.

01:36:18 Linda Stoll

01:42:00 Charlotte Mills, Gallatin County, Montana

Opponents' Testimony:

01:47:07 Becky Stockton, Helena, Montana

Informational Testimony: None

Questions from Committee Members and Responses:

01:47:43 Rep. James Knox
01:48:16 Charlotte Mills
01:49:01 Rep. James Knox
01:49:12 Charlotte Mills
01:50:26 Rep. James Knox
01:50:49 Charlotte Mills
01:51:45 Rep. James Knox
01:52:24 Charlotte Mills
01:52:45 Rep. James Knox
01:53:12 Rep. Bryce Bennett
01:53:57 Linda Stoll
01:55:34 Rep. Jerry Bennett
01:55:57 Linda Stoll
01:56:07 Rep. Derek Skees
01:57:00 Linda Stoll
01:57:28 Rep. Betsy Hands
01:57:46 Linda Stoll
01:58:23 Charlotte Mills
01:58:57 Rep. Betsy Hands
01:59:02 Charlotte Mills

Closing by Sponsor:

01:59:17 Rep. Ted Washburn

Discussion:

02:02:14 Sheri Scurr

02:27:40 Rep. Pat Ingraham

EXECUTIVE ACTION ON HB 197

02:28:02 **Motion:** Rep. G. Bennett moved that **HB 197 DO PASS.**

Discussion:

02:28:21 Sheri Scurr
02:28:44 Rep. Frank Smith
02:29:07 Rep. James Knox
02:29:46 Rep. Ted Washburn
02:30:09 Rep. Franke Wilmer
02:33:08 Rep. James Knox
02:34:20 Rep. Ted Washburn
02:35:01 Rep. Betsy Hands
02:36:08 Rep. Pat Connell
02:37:30 Rep. Dan Kennedy
02:37:44 Rep. Gary MacLaren
02:38:30 Rep. Jean Price
02:39:08 Rep. Dan Kennedy
02:39:26 Rep. Jerry Bennett

02:39:45 **Substitute Motion/Vote:** Rep. G. Bennett moved that **HB 197 BE TABLED.**
Motion carried unanimously by voice vote. Rep. McGillvray voted by proxy.

EXECUTIVE ACTION ON HB 266

02:40:33 **Motion:** Rep. G. Bennett moved that **HB 266 DO PASS.**

Discussion:

02:40:49 Sheri Scurr
02:41:11 Rep. Douglas Kary
02:41:38 Rep. Franke Wilmer

02:43:41 **Motion/Vote:** Rep. Hendrick moved that **HB 266 BE TABLED.** Motion carried
unanimously by voice vote. Rep. McGillvray voted by proxy.

EXECUTIVE ACTION ON HB 278

02:44:25 **Motion:** Rep. Hendrick moved that **HB 278 DO PASS.**

Discussion:

02:44:38 Sheri Scurr

02:45:12 **Motion:** Rep. Hendrick moved that **HB 278 BE AMENDED.**

EXHIBIT(sth38a09)

02:47:25 Rep. Dan Kennedy

02:47:35 Rep. James Knox

02:47:42 Rep. Gordon Hendrick

02:48:00 Rep. Franke Wilmer

02:48:28 **Vote:** Motion carried 17-1 by roll call vote with Rep. Bennett voting no. Rep. McGillvray voted by proxy.

02:49:51 **Motion:** Rep. Hendrick moved that **HB 278 DO PASS AS AMENDED.**

Discussion:

02:50:05 Rep. James Knox

02:50:56 Rep. Ted Washburn

02:51:26 Rep. Betsy Hands

02:51:59 Rep. Dan Kennedy

02:52:29 Rep. Pat Connell

02:53:02 **Substitute Motion:** Rep. Connell moved that **HB 278 BE AMENDED.**

EXHIBIT(sth38a10)

Discussion:

02:54:11 Rep. Pat Connell

02:55:00 Rep. James Knox

02:55:43 Sheri Scurr

02:56:31 Rep. Pat Connell

02:56:57 Rep. James Knox

02:57:34 Rep. Pat Connell

02:58:22 Rep. James Knox

02:59:09 Rep. Gordon Hendrick

03:00:38 **Vote:** 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. McGillvray voted by proxy.

03:01:55 **Motion:** Rep. Hands moved that **HB 278 BE AMENDED.**
EXHIBIT(sth38a11)

Discussion:

03:03:33 Rep. James Knox

03:04:37 Rep. Jean Price

03:05:33 **Vote:** Motion failed 6-12 by roll call vote with Rep. Bennett, Rep. Hands, Rep. Price, Rep. Smith, Rep. Swanson and Rep. Wilmer voting aye. Rep. McGillvray voted by proxy.

03:06:46 **Motion:** Rep. Hands moved that **HB 278 BE AMENDED.**
EXHIBIT(sth38a12)

Discussion:

03:08:10 Rep. Pat Ingraham

03:08:20 Rep. Betsy Hands

03:09:00 Rep. James Knox

03:10:15 Rep. Betsy Hands

03:10:27 Rep. Franke Wilmer

03:12:26 Rep. Derek Skees

03:13:39 Rep. Bryce Bennett

03:14:24 Rep. Frank Smith

03:14:58 Rep. Dan Kennedy

03:15:23 Rep. Bryce Bennett

03:15:56 **Vote:** Motion failed 6-12 by roll call vote with Rep. Bennett, Rep. Hands, Rep. Price, Rep. Smith, Rep. Swanson and Rep. Wilmer voting aye. Rep. McGillvray voted by proxy.

03:17:33 **Motion:** Rep. G. Bennett moved that **HB 278 DO PASS AS AMENDED.**

Discussion:

03:17:42 Rep. Ted Washburn

03:18:31 Rep. James Knox

03:19:06 Rep. Betsy Hands

03:20:23 Rep. James Knox

03:21:05 Rep. Dan Kennedy

03:21:17 Rep. Derek Skees

03:23:23 Rep. Franke Wilmer

03:24:53 Rep. Kathy Swanson

03:25:58 Rep. Bryce Bennett

03:26:58 Rep. Douglas Kary

03:27:44 Rep. Gary MacLaren

03:28:20 Rep. Frank Smith

03:28:53 Rep. Pat Ingraham

03:30:31 **Vote:** Motion carried 10-8 by roll call vote with Rep. Bennett, Rep. Hands, Rep. MacLaren, Rep. Price, Rep. Smith, Rep. Swanson, Rep. Washburn and Rep. Wilmer voting no. Rep. McGillvray voted by proxy.
STANDING COMMITTEE REPORT WAS NOT SIGNED OR RELEASED FROM THE COMMITTEE

EXECUTIVE ACTION ON HB 301

03:32:50 **Motion:** Rep. G. Bennett moved that **HB 301 DO PASS.**

Discussion:

03:33:13 Sheri Scurr
03:33:26 Rep. James Knox
03:35:42 Rep. Betsy Hands
03:36:09 Rep. Gordon Hendrick

03:37:21 **Vote:** Motion failed 7-11 by roll call vote with Rep. Bennett, Rep. Blyton, Rep. Connell, Rep. Kennedy, Rep. Knox, Rep. MacLaren and Rep. Skees voting aye. Rep. McGillvray and Rep. Wilmer voted by proxy.

03:38:00 **Motion/Vote:** Rep. G. Bennett moved that **HB 301 BE TABLED.** Motion carried unanimously by voice vote. Rep. McGillvray voted by proxy.

EXECUTIVE ACTION ON HB 447

03:40:10 **Motion:** Rep. Connell moved that **HB 447 DO PASS.**

03:40:51 **Motion:** Rep. G. Bennett moved that **HB 447 BE AMENDED.**
[EXHIBIT\(sth38a13\)](#)

Discussion:

03:41:02 Sheri Scurr
03:41:52 Rep. Betsy Hands

03:42:31 **Vote:** Motion carried unanimously by voice vote. Rep. McGillvray voted by proxy.

03:42:56 **Motion:** Rep. G. Bennett moved that **HB 447 DO PASS AS AMENDED.**

Discussion:

03:43:07 Rep. Betsy Hands

03:43:57 **Motion/Vote:** Rep. Skees moved that **HB 447 BE TABLED.** Motion carried 17-1 by voice vote with Rep. Smith voting no. Rep. McGillvray voted by proxy.

EXECUTIVE ACTION ON HB 328

03:44:59 **Motion:** Rep. G. Bennett moved that **HB 328 DO PASS.**

Discussion:

03:45:44 Rep. Franke Wilmer

[EXHIBIT\(sth38a14\)](#)

[EXHIBIT\(sth38a15\)](#)

03:46:58 Rep. Ted Washburn

03:47:45 Rep. Dan Kennedy

03:48:08 Rep. Pat Connell

03:49:30 Rep. Derek Skees

03:49:37 Rep. Betsy Hands

03:49:48 Rep. Pat Connell

03:50:27 Rep. Betsy Hands

03:50:55 Rep. Pat Connell

03:51:23 Rep. Betsy Hands

03:51:37 Rep. Pat Ingraham

03:51:55 Rep. Betsy Hands

03:52:33 Rep. Joanne Blyton

03:53:03 **Vote:** Motion failed 5-13 by roll call vote with Rep. Bennett, Rep. Hands, Rep. Price, Rep. Swanson and Rep. Wilmer voting aye. Rep. McGillvray voted by proxy.

03:54:01 **Motion/Vote:** Rep. G. Bennett moved that **HB 328 BE TABLED.** Motion carried 13-5 by roll call vote with Rep. Bennett, Rep. Hands, Rep. Price, Rep. Swanson and Rep. Wilmer voting no. Rep. McGillvray voted by proxy.

ADJOURNMENT

03:58:30 Adjournment

Tim Stark, Secretary

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Additional Documents:

EXHIBIT([sth38aad.pdf](#))