

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: Chair Pat Ingraham, on March 17, 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. Gary MacLaren (R)
Rep. Jean Price (D)
Rep. Derek Skees (R)
Rep. Frank Smith (D)

Members Excused: Rep. Tom McGillvray (R)
Rep. Kathy Swanson (D)
Rep. Ted Washburn (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: SB 338, 3/14/2011
Executive Action: SB 3, SB 204, SB 227, SB 291, SB 307, HB 513

HEARING ON SB 338**Opening Statement by Sponsor:**

00:02:54 Sen. Ron Arthun (R), SD 31, opened the hearing on SB 338, Revise laws regarding certain officials and public service announcements.

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

00:05:07 Ed Tinsley, Disaster and Emergency Services
00:07:41 Mary Sexton, Department of Natural Resources and Conservation (DNRC)
00:09:05 Jim Lynch, Department of Transportation (DOT)
00:12:19 John Barrows, Montana Newspaper Association

Informational Testimony:

00:15:36 Mary Baker, Office of Political Practices

Questions from Committee Members and Responses:

00:15:58 Rep. James Knox
00:16:21 John Barrows
00:17:14 Rep. James Knox
00:17:29 John Barrows
00:17:45 Rep. James Knox
00:18:18 John Barrows
00:18:49 Rep. Gordon Hendrick
00:19:15 Sen. Ron Arthun
00:19:55 Rep. Gordon Hendrick
00:20:24 Sen. Ron Arthun

Closing by Sponsor:

00:20:53 Sen. Ron Arthun

EXECUTIVE ACTION ON SB 3

00:41:03 **Motion:** Rep. G. Bennett moved that **SB 3 BE CONCURRED IN.**

00:43:09 **Motion:** Rep. Kennedy moved that **SB 3 BE AMENDED.**
EXHIBIT(sth60a01)

00:41:06 Sheri Scurr
00:41:36 Rep. Gordon Hendrick
00:42:05 Sheri Scurr
00:42:28 Rep. Dan Kennedy

- 00:42:43 Rep. Franke Wilmer
00:43:34 Rep. Betsy Hands
00:44:04 Rep. Dan Kennedy
00:44:30 Rep. Betsy Hands
00:46:01 Rep. Dan Kennedy
00:46:47 Rep. Derek Skees
00:49:06 Rep. Dan Kennedy
00:49:51 Rep. Pat Connell
00:52:10 Rep. Dan Kennedy
- 00:52:54 **Vote:** Motion failed 9-9 by roll call vote with Rep. Bennett, Rep. Blyton, Rep. Ingraham, Rep. Kary, Rep. Kennedy, Rep. Knox, Rep. McGillvray, Rep. Skees and Rep. Washburn voting aye. Rep. MacLaren, Rep. McGillvray, Rep. Swanson and Rep. Washburn voted by proxy. Rep. Kennedy will carry the bill.
- 00:54:01 **Vote:** Motion carried 17-1 by roll call vote with Rep. Kennedy voting no. Rep. MacLaren, Rep. McGillvray, Rep. Swanson and Rep. Washburn voted by proxy. Rep. Hendrick will carry the bill.

EXECUTIVE ACTION ON SB 204

- 01:02:47 **Motion:** Rep. Skees motioned that **SB 204 DO NOT PASS.**
- 01:03:05 Rep. Pat Connell
01:04:22 Rep. Pat Ingraham
01:04:35 Rep. Franke Wilmer
01:06:37 Rep. Derek Skees
01:07:05 Sheri Scurr
01:07:22 Rep. Derek Skees withdrew the motion do not concur.
- 01:07:46 **Substitute Motion/Vote:** Rep. G. Bennett made a substitute motion that **SB 204 BE TABLED.** Substitute Motion carried 13-5 by voice vote with Rep. Bennett, Rep. McGillvray, Rep. Hands, Rep. Swanson and Rep. Wilmer voting no. Rep. Hands, Rep. Knox, Rep. MacLaren, Rep. McGillvray, Rep. Swanson and Rep. Washburn voted by proxy.

EXECUTIVE ACTION ON SB 227

- 01:09:35 **Motion:** Rep. G. Bennett moved that **SB 227 BE CONCURRED IN.**

Discussion:

- 01:09:54 Sheri Scurr
01:10:03 Rep. Knox and Rep. Hands entered the room.
- 01:10:08 **Motion/Vote:** Rep. Ingraham moved that **SB 227 BE AMENDED.** Motion carried unanimously by voice vote. Rep. MacLaren, Rep. McGillvray and Rep. Washburn voted by proxy.

EXHIBIT(sth60a02)

01:12:55 **Motion:** Rep. G. Bennett moved that **SB 227 BE CONCURRED IN AS AMENDED.**

Discussion:

01:13:16 Rep. Franke Wilmer
01:13:37 Sheri Scurr
01:13:55 Rep. Franke Wilmer
01:14:24 Rep. Pat Ingraham
01:14:32 Rep. Franke Wilmer
01:14:36 Rep. Jerry Bennett
01:14:50 Rep. Pat Connell
01:15:46 Sheri Scurr
01:16:19 Rep. Pat Connell
01:17:12 Rep. Derek Skees
01:18:30 Rep. James Knox
01:19:17 Rep. Franke Wilmer
01:20:46 Rep. Frank Smith
01:21:31 Rep. Joanne Blyton
01:22:17 Rep. Jerry Bennett
01:22:56 Rep. Franke Wilmer
01:24:12 Rep. Pat Ingraham
01:24:52 Rep. Joanne Blyton
01:25:06 Sheri Scurr
01:25:45 Rep. James Knox
01:25:58 Rep. Jerry Bennett

01:26:46 Rep. Jerry Bennet withdrew the motion **SB 227 BE CONCURRED IN AS AMENDED.**

EXECUTIVE ACTION ON SB 307

01:27:42 **Motion:** Rep. G. Bennett moved that **SB 307 BE CONCURRED IN.**

Discussion:

01:27:55 Sheri Scurr
01:28:34 Rep. Betsy Hands

01:29:37 **Motion:** Rep. Ingraham moved that **SB 307 BE AMENDED.**
EXHIBIT(sth60a03)

Discussion:

01:30:08 Sheri Scurr
01:33:12 Rep. Derek Skees
01:34:00 Rep. Pat Ingraham
01:34:23 Rep. Betsy Hands
01:35:22 Rep. Derek Skees

- 01:35:44 Rep. Franke Wilmer
- 01:36:49 **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. Kennedy, Rep. MacLaren, Rep. McGillvray, Rep. Swanson and Rep. Washburn voted by proxy.
- 01:38:12 **Motion/Vote:** Rep. G. Bennett moved that **SB 307 BE CONCURRED IN 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. Kennedy, Rep. MacLaren, Rep. McGillvray, Rep. Swanson and Rep. Washburn voted by proxy. Rep. Knox will carry the bill.

EXECUTIVE ACTION ON SB 291

- 01:40:28 **Motion/Vote:** Rep. Skees moved that **SB 291 BE TABLED**. Motion carried unanimously by voice vote. Rep. Kennedy, Rep. MacLaren, Rep. McGillvray, Rep. Swanson and Rep. Washburn voted by proxy.

EXECUTIVE ACTION ON HB 513

- 01:42:23 **Motion:** Rep. G. Bennett moved that **HB 513 DO PASS**.

Discussion:

- 01:42:58 Sheri Scurr
- 01:44:01 **Motion:** Rep. Ingraham moved that **HB 513 BE AMENDED**.
[EXHIBIT\(sth60a04\)](#)
- 01:45:26 **Vote:** Motion carried unanimously by voice vote. Rep. Kennedy, Rep. MacLaren, Rep. McGillvray, Rep. Swanson and Rep. Washburn voted by proxy.
- 01:46:11 **Motion:** Rep. Knox moved that **HB 513 DO PASS AS AMENDED**.

Discussion:

- 01:46:30 Rep. Betsy Hands
- 01:48:34 Rep. Pat Ingraham
- 01:48:56 Rep. Betsy Hands
- 01:49:42 Rep. Derek Skees
- 01:51:15 Rep. James Knox
- 01:53:01 Rep. Jean Price
- 01:54:39 Rep. Pat Connell
- 01:56:04 Rep. Pat Ingraham
- 01:56:26 Rep. Betsy Hands
- 01:57:11 Rep. Pat Connell
- 01:57:33 Rep. Pat Ingraham

01:57:48 Rep. Jerry Bennett
01:58:55 Rep. Gordon Hendrick
02:00:13 Rep. Douglas Kary
02:00:57 Rep. Ted Washburn entered the room.

02:00:57 **Motion/Vote:** Rep. Kary moved that **HB 513 BE TABLED**. Motion failed 8-10 by roll call vote with Rep. Bennett, Rep. Hands, Rep. Hendrick, Rep. MacLaren, Rep. Price, Rep. Smith, Rep. Swanson and Rep. Wilmer voting aye. Rep. Kennedy, Rep. MacLaren, Rep. McGillvray and Rep. Swanson voted by proxy.

Discussion:

02:03:18 Rep. James Knox
02:04:12 Rep. Franke Wilmer
02:09:55 Rep. Pat Connell
02:10:47 Rep. Derek Skees
02:12:38 Rep. Franke Wilmer
02:13:00 Rep. Dan Kennedy

02:13:27 **Vote:** Motion carried 11-7 by roll call vote with Rep. Bennett, Rep. Hands, Rep. MacLaren, Rep. Price, Rep. Smith, Rep. Swanson and Rep. Wilmer voting no. Rep. MacLaren, Rep. McGillvray and Rep. Swanson voted by proxy.

EXHIBIT(sth60a05)

Committee Business:

02:14:42 Rep. Betsy Hands
02:16:14 Rep. Pat Ingraham
02:16:21 Rep. Betsy Hands
02:16:25 Rep. Pat Ingraham
02:19:45 Rep. Gordon Hendrick
02:22:15 Rep. Dan Kennedy
02:22:36 Rep. Franke Wilmer
02:25:18 Rep. Frank Smith
02:26:14 Rep. Jerry Bennett

ADJOURNMENT

02:27:21 Adjournment

Tim Stark, Secretary

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Additional Documents:

EXHIBIT([sth60aad.pdf](#))