

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: Chair Pat Ingraham, on March 24, 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. Derek Skees (R)
Rep. Frank Smith (D)
Rep. Ted Washburn (R)

Members Excused: Rep. Gary MacLaren (R)
Rep. Tom McGillvray (R)
Rep. Kathy Swanson (D)

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:

Executive Action on: SB 54; SB 227; SB 311; SB 325; HB 632, SB 338

00:01:30 Rep. Pat Ingraham
00:06:18 Rep. Tom McGillvray entered the room.

EXECUTIVE ACTION ON SB 54

00:06:54 **Motion:** Rep. G. Bennett moved that **SB 54 BE CONCURRED IN.**
00:07:01 Rep. Gordon Hendrick left the room.

Discussion:

00:07:15 Sheri Scurr

00:07:35 **Motion:** Rep. Ingraham moved that **SB 54 BE AMENDED.**
EXHIBIT(sth66a01)

Discussion:

00:08:34 Sheri Scurr
00:12:27 Rep. Pat Ingraham

00:12:53 **Vote:** Motion carried unanimously by voice vote. Rep. Hendrick, Rep. MacLaren and Rep. Swanson voted by proxy.

00:13:25 **Motion:** Rep. G. Bennett moved that **SB 54 BE CONCURRED IN AS AMENDED.**

00:13:56 **Motion:** Rep. McGillvray moved that **SB 54 BE AMENDED.**
EXHIBIT(sth66a02)

Discussion:

00:14:16 Rep. Tom McGillvray

00:15:19 **Vote:** Motion carried unanimously by voice vote. Rep. Hendrick, Rep. MacLaren and Rep. Swanson voted by proxy.

00:15:55 **Motion:** Rep. G. Bennett moved that **SB 54 BE CONCURRED IN AS AMENDED.**

Discussion:

00:16:09 Rep. Franke Wilmer
00:16:27 Sheri Scurr
00:17:54 Rep. James Knox
00:18:05 Sheri Scurr
00:18:29 Rep. Betsy Hands
00:19:32 Rep. Pat Ingraham
00:21:00 Rep. Franke Wilmer
00:21:32 Rep. Pat Ingraham

00:21:53 **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. Hendrick, Rep. MacLaren and Rep. Swanson voted by proxy. Rep. Ingraham will carry the bill.

EXECUTIVE ACTION ON SB 227

00:23:01 **Motion:** Rep. G. Bennett moved that **SB 227 BE CONCURRED IN AS AMENDED.**

Discussion:

00:23:44 Sheri Scurr

00:23:49 Rep. Tom McGillvray left the room.

00:23:57 **Motion:** Rep. Blyton moved that **SB 227 BE AMENDED.**
EXHIBIT(sth66a03)

Discussion:

00:25:01 Rep. Bryce Bennett left the room.

00:25:20 Rep. James Knox

00:25:37 Rep. Joanne Blyton

00:25:55 **Vote:** Motion carried 16-2 by voice vote with Rep. Knox and Rep. Price voting no. Rep. Hendrick, Rep. MacLaren, Rep. McGillvray, Rep. Bennett and Rep. Swanson voted by proxy.

00:26:46 **Motion:** Rep. G. Bennett moved that **SB 227 BE CONCURRED IN AS AMENDED.**

Discussion:

00:27:06 Rep. Pat Ingraham

00:29:02 **Vote:** Motion failed 8-10 by roll call vote with Rep. Bennett, Rep. Blyton, Rep. Connell, Rep. Kennedy, Rep. Knox, Rep. McGillvray, Rep. Skees and Rep. Washburn voting aye. Rep. Bennett, Rep. Hendrick, Rep. MacLaren, Rep. McGillvray and Rep. Swanson voted by proxy.

00:29:04 **Motion/Vote:** Rep. G. Bennett moved that **SB 227 BE TABLED.** Motion carried 14-4 by roll call vote with Rep. Blyton, Rep. Kennedy, Rep. Knox and Rep. Skees voting no. Rep. Bennett, Rep. Hendrick, Rep. MacLaren, Rep. McGillvray and Rep. Swanson voted by proxy.

00:29:55 Rep. Bryce Bennett entered the room.

00:30:20 Rep. James Knox left the room.

EXECUTIVE ACTION ON SB 311

00:30:30 **Motion:** Rep. G. Bennett moved that **SB 311 BE CONCURRED IN.**

00:30:35 **Motion/Vote:** Rep. Ingraham moved that **SB 311 BE AMENDED.** Motion carried unanimously by voice vote. Rep. Hendrick, Rep. Knox, Rep. MacLaren, Rep. McGillvray and Rep. Swanson voted by proxy.

EXHIBIT(sth66a04)

Discussion:

00:30:47 Sheri Scurr

00:34:08 **Motion:** Rep. G. Bennett moved that **SB 311 BE CONCURRED IN AS AMENDED.**

00:34:15 **Motion:** Rep. Ingraham moved that **SB 311 BE AMENDED.**

EXHIBIT(sth66a05)

Discussion:

00:34:30 Rep. James Knox entered the room.

00:34:49 Sheri Scurr

00:35:24 **Vote:** Motion carried unanimously by voice vote. Rep. Hendrick, Rep. MacLaren, Rep. McGillvray and Rep. Swanson voted by proxy.

00:35:59 **Motion:** Rep. G. Bennett moved that **SB 311 BE CONCURRED IN.**

00:36:13 **Vote:** Motion carried unanimously by voice vote. Rep. Knox Rep. Hendrick, Rep. MacLaren, Rep. McGillvray and Rep. Swanson voted by proxy. Rep. Stahl will carry the bill.

EXECUTIVE ACTION ON SB 325

00:37:30 **Motion:** Rep. G. Bennett moved that **SB 325 BE CONCURRED IN.**

Discussion:

00:37:57 Sheri Scurr

00:38:08 Rep. Franke Wilmer

00:42:30 Rep. Douglas Kary

00:42:51 Rep. Franke Wilmer

00:43:12 Rep. Douglas Kary

00:43:35 Rep. Pat Connell

00:44:37 Rep. Pat Ingraham

00:45:05 Rep. Pat Ingraham

00:45:34 Rep. Derek Skees

00:46:40 Rep. Dan Kennedy

00:47:13 Rep. Bryce Bennett

- 00:47:25 Rep. Pat Ingraham
 00:50:50 Rep. James Knox
 00:51:12 Rep. Dan Kennedy
 00:51:31 Rep. Jean Price
 00:52:17 Rep. Pat Connell
 00:53:26 Rep. Joanne Blyton
 00:53:38 Rep. Franke Wilmer
 00:54:06 Rep. Douglas Kary left the room.
 00:54:41 Rep. Pat Ingraham
- 00:56:02 **Vote:** Motion failed 4-14 by roll call vote with Rep. Bennett, Rep. Kennedy, Rep. Knox and Rep. Skees voting aye. Rep. Hendrick, Rep. Kary, Rep. MacLaren, Rep. McGillvray and Rep. Swanson voted by proxy. Rep. Ingraham will carry the bill.
- 00:57:05 **Motion/Vote:** Rep. Kennedy moved that **SB 325 BE TABLED**. Motion carried 17-1 by voice vote with Rep. Skees voting no. Rep. Hendrick, Rep. Kary, Rep. MacLaren, Rep. McGillvray and Rep. Swanson voted by proxy.

EXECUTIVE ACTION ON HB 632

- 00:58:21 **Motion:** Rep. G. Bennett moved that **HB 632 DO PASS**.

Discussion:

- 00:58:54 Rep. Douglas Kary entered the room.
 00:59:06 Rep. Betsy Hands
 00:59:16 Sheri Scurr
 01:00:01 Rep. Betsy Hands
 01:00:25 Rep. Pat Ingraham
 01:01:09 Rep. Dan Kennedy
 01:01:29 Rep. Pat Ingraham
 01:01:52 Rep. Pat Connell
- 01:03:02 **Vote:** Motion carried 17-1 by voice vote with Rep. Smith voting no. Rep. Hendrick, Rep. MacLaren, Rep. McGillvray and Rep. Swanson voted by proxy.

EXECUTIVE ACTION ON SB 338

Previous action on SB 338 was taken on March 18th, 2011

- 01:04:08 **Motion/Vote:** Rep. Kennedy moved that **SB 338 BE REMOVED FROM TABLE**. Motion carried 9-5 by roll call vote with Rep. Bennett, Rep. Hands, Rep. Price, Rep. Smith and Rep. Wilmer voting no. Rep. Hendrick, Rep. MacLaren, Rep. McGillvray and Rep. Swanson were absent and did not vote.
- 01:05:55 **Motion:** Rep. Kennedy moved that **SB 338 BE CONCURRED IN AS AMENDED**.

01:06:03 **Substitute Motion:** Rep. Kennedy moved that **SB 338 BE AMENDED.**
EXHIBIT(sth66a06)

Discussion:

01:06:20 Rep. Kennedy

01:06:51 Sheri Scurr

01:07:05 Rep. Kennedy withdrew the motion to amend.

01:07:11 **Motion/Vote:** Rep. Kennedy moved to **REMOVE THE AMENDMENT PLACED ON SB 338 ON MARCH 18.** Motion carried 12-6 by voice vote with Rep. Bennett, Rep. Hands, Rep. Price, Rep. Smith, Rep. Swanson and Rep. Wilmer voting no. Rep. Hendrick, Rep. MacLaren, Rep. McGillvray and Rep. Swanson voted by proxy.

01:08:22 **Motion:** Rep. Kennedy moved that **SB 338 BE AMENDED.** (Refer to Exhibit 6)

Discussion:

01:09:04 Rep. Betsy Hands

01:09:30 Sheri Scurr

01:10:42 Rep. Derek Skees

01:11:06 Rep. Pat Ingraham

01:11:27 Rep. Pat Connell

01:12:10 Sheri Scurr

01:12:18 Rep. Dan Kennedy

01:12:34 Rep. Betsy Hands

01:13:30 Rep. Dan Kennedy

01:13:51 Rep. James Knox

01:14:09 **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. Hendrick, Rep. McGillvray, Rep. MacLaren and Rep. Swanson voted by proxy.

01:15:11 **Motion:** Rep. Kennedy moved that **SB 338 BE CONCURRED IN AS AMENDED.**

01:16:48 **Motion:** Rep. Kennedy moved that **SB 338 BE AMENDED.**
EXHIBIT(sth66a07)

Discussion:

01:16:04 Sheri Scurr

01:16:35 Rep. James Knox

01:17:07 Rep. Dan Kennedy

01:17:31 Rep. Bryce Bennett

01:18:10 Rep. Dan Kennedy

01:18:18 Rep. Jean Price

01:19:10 **Vote:** Motion carried 17-1 by roll call vote with Rep. Price voting no. Rep. Hendrick, Rep. MacLaren, Rep. McGillvray and Rep. Swanson voted by proxy.

01:20:21 **Motion:** Rep. Kennedy moved that **SB 338 BE CONCURRED IN AS AMENDED.**

Discussion:

01:21:24 Rep. Jean Price
01:22:08 Rep. Ted Washburn
01:22:34 Rep. Betsy Hands
01:24:15 Rep. Frank Smith
01:24:21 Rep. Gordon Hendrick entered the room.
01:24:38 Rep. Dan Kennedy
01:25:16 Rep. Pat Connell
01:27:40 Rep. Franke Wilmer
01:29:39 Rep. Dan Kennedy
01:30:23 Rep. Pat Ingraham
01:31:17 Rep. Betsy Hands left the room.
01:32:01 Rep. Gordon Hendrick
01:34:20 Rep. Jean Price

01:35:15 **Vote:** Motion carried 10-8 by roll call vote with Rep. Bennett, Rep. Blyton, Rep. Hands, Rep. Ingraham, Rep. Price, Rep. Smith, Rep. Swanson and Rep. Wilmer voting no. Rep. Hands, Rep. MacLaren, Rep. McGillvray and Rep. Swanson voted by proxy. Rep. Kennedy will carry the bill.

01:36:28 Rep. Derek Skees
01:36:52 Rep. Pat Ingraham
01:37:17 Rep. James Knox
01:37:35 Rep. Pat Ingraham

ADJOURNMENT

01:37:56 Adjournment

Tim Stark, Secretary

ts

Additional Documents:

EXHIBIT([sth66aad.pdf](#))