

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: Chair Pat Ingraham, on February 15, 2013 at 8:00 AM, in Room 455
Capitol

ROLL CALL

Members Present:

Rep. Pat Ingraham, Chair (R)
Rep. Bryce Bennett, Vice Chair (D)
Rep. Ted Washburn, Vice Chair (R)
Rep. Joanne G. Blyton (R)
Rep. Clarena Brockie (D)
Rep. Forrestina (Frosty) Calf Boss Ribs (D)
Rep. Pat Connell (R)
Rep. Bill Harris (R)
Rep. Greg Hertz (R)
Rep. David Howard (R)
Rep. Doug Kary (R)
Rep. Jesse O'Hara (R)
Rep. Jean Price (D)
Rep. Casey Schreiner (D)
Rep. Ray L. Shaw (R)
Rep. Kathy Swanson (D)
Rep. Franke Wilmer (D)

Members Excused: Rep. Liz Bangerter (R)
Rep. Gordon Vance (R)

Members Absent: None

Staff Present: Patty Hartman, Committee Secretary
Sheri Scurr, Legislative Branch

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 428, 2/8/2013
Executive Action: SB 66; HB 97; HB 151; HB 254; HB 255; HB 419

HEARING ON HB 428**Opening Statement by Sponsor:**

00:14:17 Rep. Doug Kary (R), HD 48, opened the hearing on HB 428, Revise election laws to allow for mail ballots for all elections.

Proponents' Testimony:

00:15:55 Linda McCulloch, Secretary of State (SOS)

EXHIBIT(sth34a01)

00:16:07 Rep. Bangerter arrived.

00:20:09 Mike Wendland, Commissioner, Hill County

00:21:31 Rina Moore, Clerk and Recorder, Cascade County, and President, Montana Association of Clerks and Recorders (MACR)

EXHIBIT(sth34a02)

00:24:21 Geraldine Custer, Clerk and Recorder, Rosebud County

00:30:03 Sandra Boardman, Clerk and Recorder, Blaine County

00:31:44 Shantil Siaperas, Legislative Coordinator, Montana Association of Counties (MACo)

00:32:16 Darla Dahl, Clerk and Recorder, Hill County

00:32:37 Allen Underdal, Commissioner, Toole County

00:34:10 Stephanie Verhasselt, Clerk and Recorder, Richland County

00:35:41 Frank DePriest, Commissioner, Blaine County

00:36:08 Ed Bartlett, Yellowstone County and Yellowstone County Commissioners

00:38:19 Charlie Kulbeck, Commissioner, Blaine County

Opponents' Testimony:

00:45:39 Dustin Monroe, Executive Director, Western Native Voice (WNV)

EXHIBIT(sth34a03)

00:52:45 Joel Peden, Independent Living Centers of Montana

00:56:34 Katey Heistuman, American Civil Liberties Union (ACLU)

00:59:03 Mary Beveridge, Self

EXHIBIT(sth34a04)

01:05:13 Beth Brenneman, Staff Attorney, Disability Rights Montana (DRM)

EXHIBIT(sth34a05)

01:05:18 Rep. Howard left the room.

01:11:50 Sheena Rice, Montana Organizing Project (MOP)

01:12:40 Jeanne Souvigney, Montana Conservation Voters (MCV)

01:13:27 Rep. O'Hara left the room.

01:18:15 Joy Bruck, State President, American Association of Retired Persons Montana (AARP)

EXHIBIT(sth34a06)

01:19:20 Rep. Swanson left the room.

01:19:49 Mark French, Self

01:22:39 Becky Stockton, Self

01:25:30 Rep. Swanson entered the room.

Informational Testimony: None

Questions from Committee Members and Responses:

01:28:10 Rep. Harris
01:28:41 Charlie Kulbeck, Blaine County
01:28:56 Rep. Harris
01:29:02 Rep. O'Hara and Rep. Howard entered the room.
01:29:55 Ed Bartlett, Yellowstone County
01:30:46 Rep. Harris
01:31:06 Rep. B. Bennett
01:31:45 Linda McCulloch, SOS
01:32:00 Rep. B. Bennett
01:32:19 Linda McCulloch, SOS
01:32:34 Rep. B. Bennett
01:32:48 Linda McCulloch, SOS
01:33:21 Rep. B. Bennett
01:33:33 Linda McCulloch, SOS
01:33:49 Rep. B. Bennett
01:34:21 Rep. Kary
01:34:28 Rep. O'Hara
01:34:55 Linda McCulloch, SOS
01:36:18 Rep. Washburn
01:36:53 Linda McCulloch, SOS
01:37:08 Rep. Washburn
01:37:50 Linda McCulloch, SOS
01:38:12 Rep. Blyton
01:38:42 Rep. Kary
01:38:50 Rep. Blyton
01:39:16 Linda McCulloch, SOS
01:39:36 Rep. Blyton
01:39:42 Linda McCulloch, SOS
01:39:56 Rep. Blyton
01:40:20 Linda McCulloch, SOS
01:40:33 Rep. Blyton
01:40:54 Linda McCulloch, SOS
01:41:10 Rep. Connell
01:43:05 Linda McCulloch, SOS
01:43:41 Rep. Connell
01:44:03 Linda McCulloch, SOS
01:44:13 Rep. Connell
01:44:38 Linda McCulloch, SOS
01:44:52 Rep. Brockie
01:45:19 Sandra Boardman, Blaine County
01:45:43 Rep. Brockie
01:45:58 Sandra Boardman, Blaine County
01:46:18 Rep. Brockie
01:46:22 Sandra Boardman, Blaine County
01:46:48 Rep. Brockie
01:47:00 Sandra Boardman, Blaine County
01:47:08 Rep. Brockie
01:47:16 Sandra Boardman, Blaine County
01:47:32 Rep. Brockie

01:48:08 Charlie Kulbeck, Blaine County
01:48:43 Rep. O'Hara
01:49:02 Rep. Wilmer
01:49:45 Linda McCulloch, SOS
01:49:55 Rep. Wilmer
01:50:10 Linda McCulloch, SOS
01:50:21 Rep. Wilmer
01:50:26 Rep. O'Hara left the room.
01:50:48 Linda McCulloch, SOS
01:51:13 Rep. Wilmer
01:51:31 Linda McCulloch, SOS
01:52:04 Rep. Wilmer
01:52:24 Linda McCulloch, SOS
01:52:44 Rep. Price
01:53:26 Linda McCulloch, SOS
01:53:51 Rep. Shaw
01:54:19 Linda McCulloch, SOS
01:54:37 Rep. Ingraham
01:56:38 Linda McCulloch, SOS
01:56:46 Rep. Ingraham
01:57:18 Linda McCulloch, SOS

Closing by Sponsor:

01:57:32 Rep. Kary

[EXHIBIT\(sth34a07\)](#)

02:00:20 Recessed

02:17:01 Reconvened. Rep. Harris and Rep. Howard did not return.

EXECUTIVE ACTION ON HB 419

02:18:35 **Motion:** Rep. B. Bennett moved that **HB 419 BE TABLED.**

[EXHIBIT\(sth34a08\)](#)

02:18:37 Rep. Howard entered the room.

02:18:46 **Vote:** Motion carried unanimously by voice vote. Rep. Harris, Rep. O'Hara and Rep. Vance voted aye by proxy.

EXECUTIVE ACTION ON SB 66

Discussion:

02:19:42 Sheri Scurr, LSD

02:23:19 Rep. Ingraham

02:23:28 Rep. Bangerter

02:23:43 Rep. Ingraham

02:24:10 **Motion/Vote:** Rep. Bangerter moved that **SB 66 BE TABLED.** Motion carried unanimously by voice vote. Rep. Harris, Rep. O'Hara and Rep. Vance voted aye by proxy.

EXECUTIVE ACTION ON HB 97

02:25:52 **Motion:** Rep. Wilmer moved that **HB 97 DO PASS.**

Discussion:

02:26:10 Rep. Wilmer

02:28:00 **Motion:** Rep. Kary moved that **HB 97 BE AMENDED.**
EXHIBIT(sth34a09)

Discussion:

02:30:07 Rep. Kary
02:30:30 Rep. Wilmer
02:30:47 Rep. Bangerter
02:31:24 Sheri Scurr, LSD
02:31:51 Rep. Harris entered the room.
02:34:08 Rep. Bangerter
02:34:31 Sheri Scurr, LSD
02:36:16 Rep. Hertz
02:37:49 Rep. Wilmer
02:38:33 Rep. Hertz
02:38:42 Rep. B. Bennett
02:39:21 Rep. Kary
02:40:00 Rep. Washburn
02:41:40 Rep. Harris
02:42:27 Rep. Schreiner

02:43:21 **Vote:** Motion failed 5-14 by roll call vote with Rep. Blyton, Rep. Harris, Rep. Hertz, Rep. Howard and Rep. Kary voting aye. Rep. O'Hara and Rep. Vance voted no by proxy.

02:43:23 Rep. O'Hara entered the room.

Discussion:

02:45:20 Rep. Kary

02:45:50 **Vote:** Motion carried 13-6 by roll call vote with Rep. Blyton, Rep. Harris, Rep. Hertz, Rep. Howard, Rep. Kary and Rep. O'Hara voting no. Rep. Vance voted aye by proxy.

EXECUTIVE ACTION ON HB 151

02:47:28 **Motion:** Rep. Connell moved that **HB 151 DO PASS.**

02:47:36 **Motion:** Rep. Connell moved that **HB 151 BE AMENDED.**
EXHIBIT(sth34a10)

Discussion:

02:48:13 Rep. Connell

02:49:55 Rep. Bangerter

02:50:03 Rep. O'Hara

02:50:33 **Vote:** Motion carried 18-1 by voice vote with Rep. Harris voting no. Rep. Vance voted aye by proxy.

02:51:18 **Motion/Vote:** Rep. B. Bennett made a motion that **HB 151 BE TABLED**. Motion carried 17-2 by roll call vote with Rep. Hertz and Rep. Kary voting no. Rep. Vance voted aye by proxy.

EXECUTIVE ACTION ON HB 254

02:53:05 **Motion/Vote:** Rep. Harris moved that **HB 254 BE TABLED**. Motion failed 7-12 by roll call vote with Rep. Connell, Rep. Harris, Rep. Howard, Rep. Ingraham, Rep. Shaw, Rep. Vance and Rep. Washburn voting aye. Rep. Vance voted by proxy.

02:54:58 **Motion:** Rep. O'Hara moved that **HB 254 DO PASS**.

02:55:06 **Motion:** Rep. Wilmer moved that **HB 254 BE AMENDED**.
[EXHIBIT\(sth34a11\)](#)

02:56:45 **Vote:** Motion carried unanimously by voice vote. Rep. Vance voted aye by proxy.

02:56:59 **Motion:** Rep. O'Hara moved that **HB 254 DO PASS AS AMENDED**.

Discussion:

02:57:20 Rep. Hertz

02:58:01 **Vote:** Motion carried 16-3 by voice vote with Rep. Harris, Rep. Howard and Rep. Vance voting no. Rep. Vance voted by proxy.

EXECUTIVE ACTION ON HB 255

02:59:34 **Motion:** Rep. O'Hara moved that **HB 255 DO PASS**.

02:59:43 **Motion:** Rep. O'Hara moved that **HB 255 BE AMENDED**.
[EXHIBIT\(sth34a12\)](#)

Discussion:

03:02:28 Rep. Kary

03:02:56 Rep. Wilmer

03:03:54 Rep. Kary

03:04:10 Rep. Wilmer

03:04:56 Sheri Scurr, LSD

03:05:56 Rep. Bangerter

03:06:32 Rep. Harris

03:07:14 Rep. B. Bennett
03:08:18 Rep. O'Hara
03:09:29 Rep. Wilmer
03:09:58 Rep. Bangerter
03:10:29 Rep. Wilmer

03:10:59 **Vote:** Motion carried 18-1 by roll call vote with Rep. Harris voting no. Rep. Vance voted aye by proxy.

03:11:56 **Motion:** Rep. O'Hara moved that **HB 255 DO PASS AS AMENDED.**

Discussion:

03:12:11 Rep. Ingraham
03:13:04 Rep. Connell
03:13:33 Rep. Schreiner
03:14:26 Rep. Wilmer
03:15:08 Rep. Hertz

03:15:29 **Vote:** Motion carried 13-6 by roll call vote with Rep. Harris, Rep. Howard, Rep. Ingraham, Rep. Kary, Rep. Shaw and Rep. Vance voting no. Rep. Vance voted by proxy.

EXECUTIVE ACTION ON HB 397

03:18:19 **Motion:** Rep. Ingraham moved that **HB 397 BE INDEFINITELY POSTPONED.** Without objection.

Discussion:

03:18:29 Rep. Ingraham
03:21:07 Rep. Wilmer

EXHIBIT(sth34a13)

ADJOURNMENT

Adjournment: 03:21:37

Patty Hartman, Secretary

ph

Additional Documents:

EXHIBIT([sth34aad.pdf](#))