

MINUTES

MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION COMMITTEE ON STATE ADMINISTRATION

Call to Order: Chair Ron Arthun, on February 8, 2013 at 3:15 PM, in Room 335 Capitol

ROLL CALL

Members Present:

Sen. Ron Arthun, Chair (R)
Sen. Dee Brown, Vice Chair (R)
Sen. Kendall Van Dyk (D)
Sen. Roger Webb (R)

Members Excused: Sen. Anders Blewett (D)
Sen. Larry Jent (D)
Sen. Scott Sales (R)

Members Absent: None

Staff Present: Nadine Spencer, Committee Secretary
Rachel Weiss, 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: SB 224, 2/4/2013; SB 227, 2/5/2013; HB 164, 2/4/2013

Executive Action: HB 164, Be Concurred In; SR 4, Tabled; SB 185 - Partial Action

HEARING ON HB 164

Opening Statement by Sponsor:

00:36:22 Rep. Amanda Curtis (D), HD 76, opened the hearing on HB 164, Revise when county commissioner district boundaries can be modified.

00:37:01 Sen. Blewett entered the hearing.

Proponents' Testimony:

00:37:47 Harold Blattie, Executive Vice President, Montana Association of Counties (MACo)

[EXHIBIT\(sts28a01\)](#)

00:39:10 Sen. Sales entered the hearing.

00:40:45 Sen. Jent entered the hearing.

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:41:41 Sen. Blewett

00:42:03 Harold Blattie, MACo

00:42:34 Sen. Blewett

00:42:52 Harold Blattie

00:44:26 Chairman Arthun

00:44:33 Harold Blattie

Closing by Sponsor:

00:45:04 Rep. Curtis

HEARING ON SB 224

Opening Statement by Sponsor:

00:45:37 Sen. Debby Barrett (R), SD 36, opened the hearing on SB 224, Require adoption of administrative rules within a specified period of time.

Proponents' Testimony: None

Opponents' Testimony:

00:48:10 Bernard Jacobs, Chief Legal Counsel, Montana Department of Health and Human Services (DPHHS)

[EXHIBIT\(sts28a02\)](#)

00:51:58 Derf Johnson, Montana Environmental Information Center (MEIC)
00:54:04 Mike Manion, Chief Legal Counsel, Department of Administration (DOA)
00:58:07 Mark Cadwallader, Department of Labor and Industry (DLI)

Informational Testimony: None

Questions from Committee Members and Responses:

01:01:12 Sen. Jent
01:01:47 Mike Manion, DOA
01:03:20 Sen. Jent
01:04:04 Sen. Blewett
01:10:35 Mike Manion
01:11:04 Sen. Webb
01:11:36 Sen. Barrett
01:12:10 Sen. Webb
01:12:34 Sen. Barrett
01:13:48 Sen. Brown
01:14:48 Sen. Barrett
01:15:23 Sen. Brown
01:20:35 Bernard Jacobs, DPHHS
01:21:27 Chairman Arthun
01:21:39 Derf Johnson, MEIC
01:23:04 Chairman Arthun
01:23:20 Derf Johnson

Closing by Sponsor:

01:23:37 Sen. Barrett

HEARING ON SB 227

Opening Statement by Sponsor:

01:26:50 Sen. Edward Walker (R), SD 29, opened the hearing on SB 227, Eliminate pension eligibility for legislators.

Proponents' Testimony: None

Opponents' Testimony:

01:33:39 Diane Fladmo, MEA-MFT
01:36:03 Roxanne Minnehan, Executive Director, Montana Public Employee Retirement Administration (MPERA)

Informational Testimony:

01:38:02 Denise Pizzini, Teachers Retirement System (TRS)

Questions from Committee Members and Responses:

01:39:47 Sen. Brown
01:40:27 Denise Pizzini, TRS
01:41:05 Sen. Van Dyk
01:43:26 Sen. Walker
01:43:39 Sen. Blewett
01:44:52 Sen. Walker
01:45:09 Sen. Blewett
01:45:29 Roxanne Minnehan, MPERA
01:46:32 Sen. Blewett
01:46:44 Sen. Jent left the hearing.
01:47:46 Sen. Walker
01:49:55 Sen. Sales
01:50:26 Chairman Arthun
01:50:37 Sen. Walker

Closing by Sponsor:

01:51:11 Sen. Walker

EXECUTIVE ACTION ON HB 164

01:52:39 **Motion:** Sen. Blewett moved that **HB 164 BE CONCURRED IN.**

Discussion:

01:52:52 Sen. Brown

01:53:17 **Vote:** Motion carried unanimously by voice vote. Sen. Jent voted by proxy. Sen. Jent will carry the bill.

EXECUTIVE ACTION ON SR 4**Discussion:**

01:54:44 Chairman Arthun
01:55:17 Sen. Van Dyk
01:55:21 Chairman Arthun
01:55:25 Sen. Sales
01:55:34 Rachel Weiss, Legislative Service Division (LSD)
01:56:08 Chairman Arthun
01:56:11 Sen. Van Dyk
01:56:17 Chairman Arthun
01:56:22 Sen. Brown
01:56:33 Rachel Weiss, LSD
01:56:56 Chairman Arthun

01:56:58 **Motion:** Sen. D. Brown moved that **SR 4 DO PASS.**

Discussion:

01:57:18 Sen. Blewett
01:57:30 Chairman Arthun
01:57:46 Sen. Brown
01:57:57 Chairman Arthun

01:58:09 **Vote:** Motion carried 4-3 by roll call vote with Sen. Arthun, Sen. Sales and Sen. Webb voting no. Sen. Jent voted by proxy.

Discussion:

01:58:51 Sen. Brown
01:59:00 Chairman Arthun
01:59:03 Rachel Weiss
01:59:22 Sen. Sales
01:59:28 Rachel Weiss

01:59:33 **Motion:** Sen. Sales moved to **RECONSIDER THE MOTION** on **SR 4**.

Discussion:

01:59:42 Sen. Sales
02:01:05 Rachel Weiss
02:02:48 Sen. Van Dyk
02:03:19 Sen. Sales
02:03:44 Sen. Van Dyk

02:03:57 **Vote:** Motion carried 4-3 by roll call vote with Sen. Blewett, Sen. Jent and Sen. Van Dyk voting no. Sen. Jent voted by proxy.

02:04:39 **Motion/Vote:** Sen. Sales moved that **SR 4 BE TABLED**. Motion carried 4-3 by roll call vote with Sen. Blewett, Sen. Jent and Sen. Van Dyk voting no. Sen. Jent voted by proxy.

EXECUTIVE ACTION ON SB 185

02:05:25 **Motion:** Sen. Van Dyk moved that **SB 185 DO PASS**.

Discussion:

02:06:06 Rachel Weiss
02:07:45 Sen. Blewett left the hearing.

02:08:14 **Motion:** Sen. Van Dyk moved that **SB 185 BE AMENDED**.
[EXHIBIT\(sts28a03\)](#)

Discussion:

02:08:20 Sen. Brown

02:09:15 Sen. Webb

02:09:36 **Vote:** Motion failed 3-4 by roll call vote with Sen. Blewett, Sen. Jent and Sen. Van Dyk voting aye. Sen. Blewett and Sen. Jent voted by proxy.

02:10:10 Chairman Arthun

02:10:14 Sen. Van Dyk

02:10:33 Chairman Arthun

02:10:37 Sen. Van Dyk **WITHDREW MOTION SB 185 DO PASS.**

Discussion:

02:10:50 Sen. Van Dyk

02:11:03 Sen. Webb

02:11:22 Chairman Arthun

ADJOURNMENT

Adjournment: 4:50 P.M.

Nadine Spencer, Secretary

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Additional Documents:

EXHIBIT([sts28aad.pdf](#))