

MINUTES

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

Call to Order: Chair Ron Arthun, on February 18, 2013 at 3:00 PM, in Room 303 Capitol

ROLL CALL

Members Present:

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

Members Excused: Sen. Anders Blewett (D)
Sen. Larry Jent (D)
Sen. Roger Webb (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 266, 2/11/2013; SB 273, 2/11/2013; SB 258, 2/11/2013

Executive Action: SB 258 - Do Pass
SB 266 - Do Pass
SB 185 - Do Pass
SB 224 - Do Pass As Amended
SB 205 - Tabled
SJ 12 - Tabled

HEARING ON SB 258

Opening Statement by Sponsor:

00:14:03 Sen. Art Wittich (R), SD 35, opened the hearing on SB 258, Name the justice building after Joe Mazurek.

00:14:54 Sen. Webb entered the hearing.

Proponents' Testimony:

00:15:30 Tim Fox, Attorney General, State of Montana

[EXHIBIT\(sts36a01\)](#)

[EXHIBIT\(sts36a02\)](#)

00:22:41 Steve Bullock, Governor, State of Montana

00:27:53 Mike Batista, self

00:30:47 Larry Epstein, representing Montana County Attorneys (MCAA), The Chiefs of Police, Montana Sheriffs and Peace Officer Association, Montana Police Protective Law Enforcement

00:31:20 Ron Waterman, self

00:32:40 Mignon Waterman, self

00:33:55 Beth Baker, self, former Chief Deputy Attorney General for Joe Mazurek, also representing Chief Justice McGrath

00:35:07 Alan Joscelyn, self

00:35:53 Dennis Taylor, self, former Chief of Staff for Attorney General Joe Mazurek

00:37:03 Mike Green, on behalf of the partners and employees of Crowley Fleck Law Firm

00:38:59 Gary Spaeth, self

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:41:35 Sen. Wittich

EXECUTIVE ACTION ON SB 258

00:42:12 **Motion/Vote:** Sen. D. Brown moved that **SB 258 DO PASS**. Motion carried 7-0 by roll call vote. Sen. Blewett and Sen. Jent voted by proxy.

HEARING ON SB 273

Opening Statement by Sponsor:

00:43:55 Sen. Sharon Stewart-Peregoy (D), SD 21, opened the hearing on SB 273, Revise cultural and historical preservation laws.

Proponents' Testimony:

00:50:46 Shane Morigeau, Confederated Salish and Kootenai Tribe (CSKT)
[EXHIBIT\(sts36a03\)](#)

00:53:42 Dustin Monroe, Executive Director, Native Western Voice (NWW)
[EXHIBIT\(sts36a04\)](#)

00:56:03 Denise Juneau, Superintendent, Office of Public Instruction (OPI), also as a member of the State Land Board
[EXHIBIT\(sts36a05\)](#)

01:01:13 Emerson Bull Chief, Preservation Officer, Crowe Tribe

01:03:22 Jim Jensen, Montana Environmental Information Center (MEIC)

01:05:23 Ross Proserpi, Montana Conservation Voters (MCV)

Opponents' Testimony: None

Informational Testimony:

01:06:15 Shawn Thomas, Trust Land Division Administrator, Department of Natural Resources and Conservation (DNRC)

Questions from Committee Members and Responses:

01:06:51 Sen. Brown

01:07:22 Shawn Thomas, DNRC

01:08:18 Sen. Brown

01:08:30 Shawn Thomas

01:09:10 Chairman Arthun

01:09:24 Sen. Stewart-Peregoy

01:09:32 Chairman Arthun

01:09:38 Rachel Weiss, Legislative Services Division (LSD)

01:09:56 Sen. Brown

01:10:18 Chairman Arthun

01:10:22 Sen. Stewart-Peregoy

01:10:28 Chairman Arthun

Closing by Sponsor:

01:10:42 Sen. Stewart-Peregoy

HEARING ON SB 266

Opening Statement by Sponsor:

01:12:06 Sen. Matthew Rosendale (R), SD 19, opened the hearing on SB 266, Revise sacramental wine license laws.

Proponents' Testimony:

01:14:48 Moe Wosepka, Executive Director, Montana Catholic Conference (MCC) also representing Catholic Bishops and Catholic Parishes in Montana

01:19:46 Kristi Blazer, Montana Beer and Wine Distributors Association

01:22:59 GG Grotbo, Trinity Books and Gifts, Helena, Montana

01:24:34 Shauna Helfert, Administrator, Liquor Control Division, Department of Revenue (DOR)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:25:47 Chairman Arthun

01:26:18 Moe Wosepka, MCC

Closing by Sponsor:

01:26:38 Sen. Rosendale

EXECUTIVE ACTION ON SB 266

01:27:55 **Motion:** Sen. D. Brown moved that **SB 266 DO PASS.**

Discussion:

01:28:23 Sen. Brown

01:28:44 Sen. Webb

01:28:58 Rachel Weiss, Legislative Services Division, LSD

01:29:20 Chairman Arthun

01:29:38 Sen. Brown

01:30:12 Sen. Van Dyk

01:30:22 **Vote:** Motion carried 7-0 by voice vote. Sen. Blewett and Sen. Jent voted by proxy.

EXECUTIVE ACTION ON SB 205**Discussion:**

01:30:51 Rachel Weiss, LSD

[EXHIBIT\(sts36a06\)](#)

01:31:57 Chairman Arthun

01:32:01 Rachel Weiss

01:32:07 Sen. Brown

01:32:39 Sen. Webb

01:33:05 Sen. Van Dyk

01:33:13 **Motion:** Sen. Van Dyk moved that **SB 205 DO PASS.**

Discussion:

01:33:27 Chairman Arthun

01:33:34 Sen. Brown

01:33:59 Sen. Sales

01:34:42 Sen. Van Dyk

01:35:08 Sen. Brown

01:35:29 Chairman Arthun

01:36:05 Sen. Sales

01:36:10 Rachel Weiss

01:36:31 Sen. Sales

01:36:49 Rachel Weiss

01:37:04 Chairman Arthun

01:37:26 **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.

01:38:05 **Motion/Vote:** Sen. D. Brown moved that **SB 205 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote. Sen. Blewett and Sen. Jent voted by proxy.

EXECUTIVE ACTION ON SB 224

01:39:03 **Motion:** Sen. D. Brown moved that **SB 224 DO PASS.**

Discussion:

01:39:19 Sen. Sales

01:40:04 Rachel Weiss

01:40:30 Sen. Brown

01:40:37 **Motion:** Sen. Webb moved that **SB 224 BE AMENDED.**

[EXHIBIT\(sts36a07\)](#)

Discussion:

01:40:56 Rachel Weiss
01:41:55 Chairman Arthun
01:42:01 Sen. Webb
01:42:21 Sen. Van Dyk
01:42:45 Rachel Weiss
01:42:58 Sen. Van Dyk
01:43:29 Sen. Brown
01:44:31 Chairman Arthun

01:44:51 **Vote:** Motion carried unanimously by voice vote. Sen. Blewett and Sen. Jent voted by proxy.

01:45:10 **Motion/Vote:** Sen. D. Brown moved that **SB 224 DO PASS AS AMENDED.** Motion carried 4-3 by roll call vote with Sen. Blewett, Sen. Jent and Sen. Van Dyk voting no. Sen. Blewett and Sen. Jent voted by proxy.

Discussion on SB 227

01:46:03 Chairman Arthun
01:46:32 Sen. Van Dyk
01:46:37 Chairman Arthun
01:46:41 Rachel Weiss
01:46:52 Chairman Arthun

EXECUTIVE ACTION ON SB 185**Discussion:**

01:47:13 Rachel Weiss
01:47:23 Sen. Brown
01:47:48 Sen. Sales
01:47:55 Sen. Van Dyk
01:47:57 Sen. Brown
01:47:57 Chairman Arthun
01:48:14 Rachel Weiss

01:48:33 **Motion:** Sen. D. Brown moved that **SB 242 DO PASS.**

Discussion:

01:48:58 Rachel Weiss

01:49:10 Without objection, Sen. D. Brown withdrew the DO PASS motion. (motion was on incorrect SB)

01:49:24 **Motion/Vote:** Sen. D. Brown moved that **SB 185 DO PASS.** Motion carried 5-2 by voice vote with Sen. Sales and Sen. Webb voting no. Sen. Blewett and Sen. Jent voted by proxy.

EXECUTIVE ACTION ON SJ 12

01:50:37 **Motion:** Sen. Van Dyk moved that **SJ 12 DO PASS.**

Discussion:

01:50:42 Sen. Van Dyk

01:51:56 **Substitute Motion/Vote:** Sen. Van Dyk made a substitute motion that **SJ 12 BE TABLED.** Substitute Motion carried unanimously by voice vote. Sen. Blewett and Sen. Jent voted by proxy.

Discussion on SB 277 and SB 242:

01:52:10 Chairman Arthun

01:52:44 Sen. Van Dyk

01:52:56 Chairman Arthun

01:53:09 Sen. Webb

01:53:25 Chairman Arthun

EXECUTIVE ACTION ON COMMITTEE BILL

Discussion:

01:54:06 Sen. Brown

01:55:08 Chairman Arthun

01:55:10 Sen. Van Dyk

01:55:30 **Motion:** Sen Brown moved to authorize the drafting of a committee bill to take away term limits on the Environmental Quality Council.

01:55:46 Chairman Arthun

01:55:50 Sen. Sales

01:56:07 Sen. Van Dyk

01:56:22 **Vote:** Motion carried unanimously by voice vote. Sen. Blewett and Sen. Jent voted by proxy.

EXECUTIVE ACTION ON COMMITTEE BILL

Discussion:

01:56:34 Sen. Sales

01:57:19 Sen. Van Dyk

01:57:57 Sen. Brown

01:58:27 **Motion/Vote:** Sen. Brown moved to authorize drafting of a committee bill to revise laws related to constituent accounts for legislators. Motion failed by vote voice with Sen. Van Dyk, Sen. Blewett and Sen. Jent voting no. Sen. Blewett and Sen. Jent voted by proxy. (must have 3/4 of the committee vote to pass a committee bill)

Discussion:

01:58:57 Rachel Weiss
01:59:09 Chairman Arthun
01:59:26 Sen. Sales
01:59:35 Chairman Arthun
01:59:45 Sen. Sales
02:00:20 Chairman Arthun

ADJOURNMENT

Adjournment: 4:45 P.M.

Nadine Spencer, Secretary

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Additional Document

Additional Documents:

EXHIBIT([sts36aad.pdf](#))