

MINUTES

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

Call to Order: Chair Ron Arthun, on February 22, 2013 at 4:15 PM, in Room 335 Capitol

ROLL CALL

Members Present:

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

Members Excused: 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 368, 2/20/2013; SB 366, 2/20/2013; SB 353, 2/20/2013

Executive Action: SB 273, Tabled
SB 277, Tabled
SB 353, Tabled
SB 368, Tabled
SB 366, Do Pass

HEARING ON SB 368

Opening Statement by Sponsor:

01:31:53 Sen. Mike Phillips (D), SD 33, opened the hearing on SB 368, Generally revise energy disclosure laws.

Proponents' Testimony:

01:33:29 Clayton Elliott, Northern Plains Resource Council (NPRC)

01:38:09 Sam Thompson, Montana Public Interest Research Group (MontPIRG)

Opponents' Testimony: None

Informational Testimony:

01:39:03 Chris Batson, Engineering Manager, State Building Energy Program, Department of Environmental Quality (DEQ)

Questions from Committee Members and Responses:

01:40:37 Sen. Brown

01:41:06 Sen. Phillips

01:41:23 Sen. Brown

01:41:31 Clayton Elliott, NPRC

01:41:59 Sen. Brown

01:42:11 Chris Baston, DEQ

01:42:58 Sen. Brown

01:43:14 Chris Baston

01:43:28 Louise Moore, Bureau Chief, Energy and Pollution Prevention, Department of Environmental Quality (DEQ)

01:44:29 Chairman Arthun

01:44:38 Rachel Weiss, Legislative Services Division (LSD)

01:44:47 Sen. Phillips

01:45:12 Chairman Arthun

Closing by Sponsor:

01:45:26 Sen. Phillips

HEARING ON SB 353

Opening Statement by Sponsor:

01:46:25 Sen. Edward Walker (R), SD 29, opened the hearing on SB 353, Establish qualifications for Public Employees' and Teachers' Retirement Boards.

Proponents' Testimony: None

Opponents' Testimony:

01:50:37 Melanie Symons, Chief Legal Council, Montana Public Employees Retirement Board (MPERA)
01:54:56 David Senn, Executive Director, Teachers Retirement System (TRS)
01:57:54 Diane Fladmo, MEA-MFT

Informational Testimony: None

Questions from Committee Members and Responses:

01:59:42 Sen. Sales
02:00:34 David Senn, TRS
02:01:41 Sen. Sales
02:01:48 Sen. Webb entered the hearing.
02:02:15 David Senn
02:02:58 Sen. Brown
02:04:20 David Senn
02:04:50 Chairman Arthun
02:06:07 David Senn
02:06:15 Chairman Arthun
02:06:25 Melanie Symons, MPERA
02:07:31 Chairman Arthun

Closing by Sponsor:

02:08:02 Sen. Walker

02:09:56 Sen. Brown
02:10:05 Sen. Walker

02:10:34 Chairman Arthun turned over Chair responsibilities to Vice Chair Brown.

HEARING ON SB 366

Opening Statement by Sponsor:

02:10:42 Sen. Ron Arthun (R), SD 31, opened the hearing on SB 366, Eliminate EQC term limits.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

02:11:37 Sen. Arthun

02:12:05 Chairman Arthun resumed the role as Chair.

EXECUTIVE ACTION ON SB 366

02:12:21 **Motion/Vote:** Sen. D. Brown moved that **SB 366 DO PASS**. Motion carried 7-0 by voice vote. Sen. Jent voted by proxy.

EXECUTIVE ACTION ON SB 353

02:12:51 **Motion:** Sen. Sales moved that **SB 353 DO PASS**.

Discussion:

02:13:04 Sen. Sales

02:14:45 Sen. Van Dyk

02:16:10 Sen. Brown

02:16:55 Rachel Weiss, Legislative Services Division (LSD)

02:17:35 Sen. Brown

02:17:54 Sen. Sales

02:18:10 Chairman Arthun

02:18:13 Sen. Sales

02:18:19 Chairman Arthun

02:18:32 Sen. Sales

02:18:56 Chairman Arthun

02:18:59 Rachel Weiss, LSD

02:19:05 Sen. Brown

02:19:16 Sen. Blewett

02:19:38 **Substitute Motion/Vote:** Sen. Van Dyk made a substitute motion that **SB 353 BE TABLED**. Substitute Motion carried 4-3 by roll call vote with Sen. Arthun, Sen. Brown and Sen. Webb voting no. Sen. Jent voted by proxy.

EXECUTIVE ACTION ON SB 368

02:20:19 **Motion:** Sen. D. Brown moved that **SB 368 DO PASS**.

Discussion:

02:20:32 Chairman Arthun

02:21:00 Sen. Blewett

02:21:22 Sen. Brown

02:21:39 Chairman Arthun

02:21:43 Rachel Weiss

02:21:51 Chairman Arthun

02:21:55 **Substitute Motion/Vote:** Sen. Sales made a substitute motion that **SB 368 BE TABLED**. Substitute Motion carried 7-0 by roll call vote. Sen. Jent voted by proxy.

EXECUTIVE ACTION ON SB 277

02:22:48 **Motion:** Sen. D. Brown moved that **SB 277 DO PASS**.

Discussion:

02:23:09 Chairman Arthun
 02:23:13 Rachel Weiss
 02:23:40 Sen. Sales
 02:24:57 Sen. Van Dyk
 02:25:27 Chairman Arthun
 02:25:41 Sen. Brown

02:26:15 **Substitute Motion/Vote:** Sen. Blewett made a substitute motion that **SB 277 BE TABLED**. Substitute Motion carried 4-3 by roll call vote with Sen. Arthun, Sen. Brown and Sen. Van Dyk voting no. Sen. Jent voted by proxy.

EXECUTIVE ACTION ON SB 273

02:27:30 **Motion:** Sen. Blewett moved that **SB 273 DO PASS**.

02:28:00 **Motion:** Sen. Van Dyk moved that **SB 273 BE AMENDED**.
[EXHIBIT\(sts40a01\)](#)

Discussion:

02:28:09 Sen. Van Dyk
 02:29:05 Rachel Weiss
 02:31:11 Sen. Sales

02:32:18 **Vote:** Motion failed 3-4 by roll call vote with Sen. Blewett, Sen. Jent and Sen. Van Dyk voting aye. Sen. Jent voted by proxy.

Discussion:

02:32:40 Chairman Arthun

02:33:11 **Motion/Vote:** Sen. Sales moved that **SB 273 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.

ADJOURNMENT

Adjournment: 5:20 P.M.

Nadine Spencer, Secretary

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Additional Document

Additional Documents:

EXHIBIT([sts40aad.pdf](#))