Call to Order: Chair Pat Ingraham, on February 17, 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. Douglas (Doug) Kary (R)
Rep. Dan Kennedy (R)
Rep. Gary MacLaren (R)
Rep. Jean Price (D)
Rep. Derek Skees (R)
Rep. Frank Smith (D)
Rep. Kathy Swanson (D)
Rep. Ted Washburn (R)

Members Excused: Rep. Gordon R. Hendrick (R)
Rep. James Knox (R)
Rep. Tom McGillvray (R)

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:

Hearing & Date Posted: HB 543, 2/15/2011; HB545, 2/15/2011; HB 556, 2/15/2011; HB 557, 2/15/2011

Executive Action: HB 404 HB 418 HB 431 HB 444 HB 484 HB 528 HB 530 HB 242
HEARING ON HB 556

Opening Statement by Sponsor:
00:02:25 Rep. Ryan Osmundson (R), HD 29, opened the hearing on HB 556, Revise laws relating to enforcement of ethics and campaign practices.

Proponents' Testimony:
00:06:41 Rep. Dave Howard
00:08:00 William Biernat, Montanans in Action (MIA)
00:09:40 Brad Molnar, Billings, Montana
00:13:09 Jim Brown, Dillion, Montana

Opponents' Testimony:
00:16:06 Jennifer Hensley, Office of Political Practices (OPP)

EXHIBIT(sth39a01)

Informational Testimony: None

Questions from Committee Members and Responses:
00:27:56 Rep. Ted Washburn
00:28:21 Rep. Ryan Osmundson
00:29:20 Rep. Betsy Hands
00:30:14 Jennifer Hensley
00:33:22 Rep. Betsy Hands
00:33:54 Jennifer Hensley

Closing by Sponsor:
00:35:52 Rep. Ryan Osmundson

HEARING ON HB 543

Opening Statement by Sponsor:
00:38:13 Rep. Steve Fitzpatrick (R), HD 20, opened the hearing on HB 543, Revise 2-4-307, MCA, regarding material adopted by reference.

Proponents' Testimony:
00:43:46 Candace West, Department of Natural Resources
00:44:41 Mark Cadwallader, Department of Labor (DOL)
00:47:24 John Metropoluis, A.W.A.R.E

Opponents' Testimony:
00:50:59 Justin Kraske, Montana Public Service Commission (PSC)
Informational Testimony: None

Questions from Committee Members and Responses:

00:53:29   Rep. Franke Wilmer
00:54:07   Rep. Steve Fitzpatrick
00:54:42   Rep. Franke Wilmer
00:55:13   Rep. Steve Fitzpatrick

Closing by Sponsor:

00:55:47   Rep. Steve Fitzpatrick

HEARING ON HB 545

Opening Statement by Sponsor:

00:56:54   Rep. Joe Read (R), HD 15, opened the hearing on HB 545, Create study committee to design manual of emergency preparedness.

EXHIBIT (sth39a02)

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:00:16   Rep. Pat Connell
01:01:08   Rep. Joe Read
01:06:10   Rep. Pat Connell
01:06:45   Rep. Joe Read
01:06:58   Rep. Franke Wilmer
01:07:05   Rep. Joe Read
01:08:10   Rep. Franke Wilmer
01:08:28   Rep. Joe Read
01:09:25   Rep. Dan Kennedy
01:09:53   Rep. Joe Read
01:10:20   Rep. Dan Kennedy
01:10:32   Rep. Joe Read
01:12:22   Rep. Dan Kennedy
01:12:33   Rep. Joe Read
01:13:00   Rep. Dan Kennedy
01:13:05   Rep. Joe Read

Closing by Sponsor:

HEARING ON HB 557

Opening Statement by Sponsor:

01:15:31 Rep. Jerry O'Neil (R), HD 3, opened the hearing on HB 557, Allow political parties to support and oppose judicial candidates.

Proponents' Testimony: None

Opponents' Testimony:

01:22:27 Ed Bartlett, Montana Judges Association
01:23:24 Mary Phippen, Montana Magistrate Association

Informational Testimony: None

Questions from Committee Members and Responses:

01:26:46 Rep. Derek Skees
01:27:51 Ed Bartlett
01:28:42 Rep. Franke Wilmer
01:30:10 Rep. Dan Kennedy
01:30:18 Rep. Franke Wilmer
01:30:45 Rep. Jerry O'Neil
01:31:44 Rep. Franke Wilmer
01:32:01 Rep. Pat Connell

Closing by Sponsor:

01:33:12 Rep. Jerry O'Neil

Committee Business:


EXECUTIVE ACTION ON HB 278

Previously Acted on 2/16/2011

Motion: Rep. Wilmer moved that HB 278 DO NOT PASS.

Discussion:


Discussion:

Substitute Motion: Rep. Kennedy moved that HB 278 DO PASS AS AMENDED.

Discussion:


EXECUTIVE ACTION ON HB 404

Motion: Rep. G. Bennett moved that HB 404 DO PASS.

Discussion:

Motion: Rep. Washburn moved that HB 404 BE AMENDED.
02:17:43 Sheri Scurr
02:18:35 Rep. Douglas Kary
02:18:48 Rep. Franke Wilmer
02:19:18 Sheri Scurr
02:20:06 Rep. Frank Smith
02:20:21 Sheri Scurr
02:20:29 Rep. Frank Smith
02:20:34 Sheri Scurr


02:21:29 **Motion:** Rep. G. Bennett moved that **HB 404 DO PASS AS AMENDED.**

**EXHIBIT**(sth39a07)

**Discussion:**

02:21:41 Rep. Pat Connell
02:23:47 Rep. Franke Wilmer
02:24:49 Rep. Ted Washburn


**EXECUTIVE ACTION ON HB 418**


**EXECUTIVE ACTION ON HB 431**

02:28:54 **Motion:** Rep. G. Bennett moved that **HB 431 DO PASS.**

02:29:32 **Motion:** Rep. Ingraham moved that **HB 431 BE AMENDED.**

**EXHIBIT**(sth39a08)

**Discussion:**

02:30:18 Rep. Kathy Swanson
02:31:02 Rep. Pat Ingraham


02:31:40 **Motion:** Rep. G. Bennett moved that **HB 431 DO PASS AS AMENDED.**

**Discussion:**

02:31:51 Rep. Frank Smith
02:32:23 Rep. Jean Price
02:32:59 Rep. Bryce Bennett


**EXECUTIVE ACTION ON HB 444**

02:35:15 **Motion:** Rep. G. Bennett moved that **HB 444 DO PASS.**

02:36:33 **Motion:** Rep. Skees moved that **HB 444 BE AMENDED.**

**EXHIBIT** (sth39a09)

**Discussion:**

02:37:43 Rep. Pat Ingraham
02:38:04 Rep. Derek Skees
02:40:26 Sheri Scurr
02:41:13 Rep. Betsy Hands
02:41:26 Sheri Scurr
02:42:47 Sheri Scurr
02:42:50 Rep. Betsy Hands
02:43:13 Sheri Scurr
02:43:32 Sheri Scurr
02:44:12 Rep. Derek Skees
02:45:45 Rep. Betsy Hands
02:45:59 Rep. Ted Washburn


02:48:02 **Motion:** Rep. G. Bennett moved that **HB 444 DO PASS AS AMENDED.**

**Discussion:**

02:49:31 Sheri Scurr
02:50:01 Rep. Ted Washburn
02:50:55 Rep. Dan Kennedy
02:51:53 Rep. Derek Skees
02:53:19 Rep. Franke Wilmer
03:00:54 Rep. Jerry Bennett


EXECUTIVE ACTION ON HB 444


EXECUTIVE ACTION ON HB 484

03:03:29 Sheri Scurr
03:04:00 Rep. Pat Ingraham
03:05:22 Rep. Joanne Blyton


EXECUTIVE ACTION ON HB 528

03:06:15 Sheri Scurr
03:06:43 Rep. Frank Smith
03:07:07 Rep. Joanne Blyton
03:07:25 Rep. Frank Smith
03:07:29 Rep. Jerry Bennett
03:07:52 Rep. Ted Washburn
03:08:34 Rep. Franke Wilmer
03:09:02 Rep. Jerry Bennett
03:10:02 Sheri Scurr
03:10:24 Rep. Frank Smith
03:11:06 Rep. Pat Ingraham

---

**EXECUTIVE ACTION ON HB 530**

03:13:06 **Motion:** Rep. G. Bennett moved that HB 530 DO PASS.

**Discussion:**

03:13:12 Sheri Scurr

03:13:28 **Motion:** Rep. Washburn moved that HB 530 BE AMENDED. [EXHIBIT](sth39a10)

**Discussion:**

03:14:36 Rep. James Knox entered the room.


03:15:04 **Motion:** Rep. G. Bennett moved that HB 530 DO PASS AS AMENDED.

03:15:12 **Substitute Motion:** Rep. Kennedy moved that HB 530 BE AMENDED. [EXHIBIT](sth39a11)

**Discussion:**

03:15:50 Rep. Dan Kennedy
03:16:16 Rep. Joanne Blyton
03:16:30 Rep. Dan Kennedy
03:16:42 Rep. Pat Ingraham
03:17:38 Rep. Dan Kennedy
03:17:47 Rep. Derek Skees
03:18:10 Sheri Scurr
03:18:33 Rep. Dereks Skees
03:18:43 Sheri Scurr
03:18:49 Rep. Ted Washburn
03:19:23 Rep. Dan Kennedy
03:19:53 Rep. Pat Connell
03:20:24 Rep. Pat Ingraham

03:22:28 **Motion:** Rep. Kennedy withdrew motion to amend HB 530.
Motion: Rep. G. Bennett moved that HB 530 DO PASS AS AMENDED.

Discussion:

Rep. Jerry Bennett
Rep. Ted Washburn
Rep. Dan Kennedy
Rep. Betsy Hands

Substitute Motion: Rep. Kary moved that HB 530 BE AMENDED.
(Refer to Exhibit #11)

Sheri Scurr
Rep. Pat Ingraham


Motion: Rep. G. Bennett moved that HB 530 DO PASS AS AMENDED.

Discussion:

Rep. Bryce Bennett
Rep. James Knox
Rep. Betsy Hands
Rep. Franke Wilmer
Rep. Jerry Bennett
Rep. Pat Ingraham


EXECUTIVE ACTION ON HB 242

Previously acted on 2/7/2011

Motion: Rep. Kennedy moved that HB 242 BE REMOVED FROM TABLED.

Discussion:

Rep. Franke Wilmer

03:38:57  **Motion:** Rep. G. Bennett moved that **HB 242 DO PASS**.

**Discussion:**

03:39:20  Sheri Scurr

03:39:28  **Motion:** Rep. Blyton moved that **HB 242 BE AMENDED**.

**EXHIBIT**(sth39a12)

**Discussion:**

03:41:00  Rep. Joanne Blyton
03:45:19  Rep. Derek Skees
03:46:33  Sheri Scurr
03:47:37  Rep. Joanne Blyton
03:47:54  Rep. Franke Wilmer
03:49:38  Rep. Dan Kennedy
03:50:18  Rep. Derek Skees
03:50:59  Rep. Pat Ingraham
03:51:38  Rep. Joanne Blyton
03:51:42  Rep. Pat Ingraham


03:53:14  **Motion:** Rep. G. Bennett moved that **HB 242 DO PASS AS AMENDED**.

**Discussion:**

03:53:58  Rep. James Knox
03:54:15  Rep. Franke Wilmer
03:54:40  Rep. Pat Ingraham


ADJOURNMENT

04:01:09     Adjournment

_________________________________________________________________________

                        Tim Stark, Secretary

 Additional Documents:

EXHIBIT(sth39aad.pdf)