

MINUTES

MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION COMMITTEE ON STATE ADMINISTRATION

Call to Order: By **CHAIRMAN CAROLYN SQUIRES**, on February 19, 2007
at 3:00 P.M., in Room 335 Capitol.

ROLL CALL

Members Present:

Sen. Carolyn Squires, Chairman (D)
Sen. Joe Balyeat (R)
Sen. Vicki Cocchiarella (D)
Sen. Jeff Essmann (R)
Sen. Steven Gallus (D)
Sen. Larry Jent (D)
Sen. Rick Laible (R)
Sen. Jesse Laslovich (D)
Sen. Dave Lewis (R)
Sen. Jim Shockley (R)
Sen. Joseph (Joe) Tropila (D)

Members Excused: None.

Members Absent: None.

Staff Present: Dave Bohyer, Legislative Branch
Lois O'Connor, 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:	SB 443, 2/9/2007; SB 172, 2/9/2007; SB 459, 2/9/2007
Executive Action:	SB 443, SB 172, SB 459, SB 91, SB 310, SB 96, SB 247, SB 333, SR 3, SR 5

00:05:36

HEARING ON SB 443

Opening Statement by Sponsor:

00:06:11 **SEN. CAROLYN SQUIRES (D), SD 48**, opened the hearing on **SB 443**, Revise mailing requirement for address confirmation forms for absentee ballots.

Proponents' Testimony:

00:07:29 Vickie Zeier, Missoula County Clerk and Recorder

00:09:50 Duane Winslow, Yellowstone County Election Administrator

00:10:52 Jeanne Souvigney, Montana Clerk and Recorders Associations

00:11:30 Jason Miller, AFL-CIO

00:11:54 Linda Gryczan, League of Women Voters

00:12:49 Elaine Graveley, Election Deputy, Office of the Honorable Secretary of State (Secretary of State's Office)

00:13:17 Don Judge, Teamsters Local #190

00:13:33 Elizabeth Andrews, Montana Common Cause

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

00:14:01 Sen. Joe Balyeat to Ms. Graveley, Secretary of State's Office

00:15:06 Sen. Balyeat to Ms. Zeier, Missoula County Clerk and Recorder

Closing by Sponsor:

00:16:13 Sen. Squires

EXECUTIVE ACTION ON SB 443

00:16:58 **Motion/Vote:** SEN. SQUIRES moved that SB 443 DO PASS. Motion carried unanimously by voice vote. SEN. LASLOVICH, SEN. COCCHIARELLA, and SEN. JENT were excused.

HEARING ON SB 172

Opening Statement by Sponsor:

00:17:45 SEN. JOSEPH (JOE) TROPILA (D), SD 13, opened the hearing on SB 172, Clarify definition of lobbying to include legislators or legislature.

Proponents' Testimony:

00:18:35 Dennis Unsworth, Commissioner of Political Practices

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

00:19:49 Sen. Dave Lewis to Mr. Unsworth, Commissioner of Political Practices

00:20:21 Sen. Balyeat to Mr. Unsworth, Commissioner of Political Practices

00:21:07 Dave Bohyer, Research Director, Legislative Services Division (LSD)

00:21:27 Sen. Tropila to Sen. Balyeat

00:23:10 Sen. Balyeat to Mr. Bohyer, LSD

00:24:32 Sen. Jeff Essmann

00:25:24 Sen. Dave Lewis

00:25:53 Sen. Tropila to Sen. Lewis

00:26:34 Sen. Squires

00:27:00 Sen. Rick Laible to Sen. Tropila rereferred to Jim Scheier, Office of the Honorable Attorney General (Attorney General's Office)

00:28:45 Sen. Tropila to Mr. Scheier, Attorney General's Office

00:29:15 Sen. Liabile to Mr. Scheier, Attorney General's Office

00:30:21 Sen. Jim Shockley, to Mr. Scheier, Attorney General's Office

Closing by Sponsor:

00:31:04 Sen. Tropila

EXECUTIVE ACTION ON SB 172

00:31:41 **Motion:** SEN. SHOCKLEY moved that SB 172 DO PASS.

00:31:54 **Motion:** SEN. SHOCKLEY moved to amend SB 172 with a CONCEPTUAL AMENDMENT. Motion passed unanimously by voice vote. SEN. LASLOVICH, SEN. COCCHIARELLA, and SEN. JENT were excused.

00:32:17 **Motion/Vote:** SEN. SHOCKLEY moved that SB 172 DO PASS AS AMENDED. Motion carried unanimously by voice vote. SEN. LASLOVICH, SEN. COCCHIARELLA, and SEN. JENT were excused.

HEARING ON SB 459

Opening Statement by Sponsor:

00:33:39 SEN. JIM ELLIOTT (D), SD 7, opened the hearing on SB 459, State government "buy American" products.

Proponents' Testimony:

00:35:31 Don Judge, Teamsters Local #190

00:36:51 Jason Miller, Montana AFL-CIO

00:38:35 Sheryl Olson, Deputy Director, Montana Department of Administration (DOA)

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

00:39:54 Sen. Shockley to Mr. Miller, AFL-CIO
00:40:55 Sen. Vicki Cocchiarella to Ms. Olson, DOA
00:41:43 Sen. Squires to Ms. Olson, DOA
00:42:51 Sen. Squires to Sen. Elliott
00:43:30 Sen. Balyeat to Sen. Elliott
00:42:00 Sen. Balyeat to Sen. Elliott
00:46:07 Sen. Lewis to Sen. Elliott
00:47:47 Sen. Squires
00:48:38 Sen. Balyeat to Sen. Elliott
00:51:23 Sen. Larry Jent to Sen. Elliott rereferred to Ms.
Olson, DOA

Closing by Sponsor:

00:53:52 Sen. Elliott

EXECUTIVE ACTION ON SB 459

00:56:50 **Motion:** SEN. LEWIS moved that SB 459 DO PASS.

Discussion:

00:57:16 Sen. Balyeat to Mr. Bohyer, LSD
00:58:03 **Motion/Vote:** SEN. BALYEAT moved to amend SB 459 with a
CONCEPTUAL AMENDMENT. Motion carried 8-1 by voice vote
with SEN. LAIBLE voting no. SEN. COCCHIARELLA and SEN.
GALLUS were excused.
00:58:47 **Motion/Vote:** SEN. LEWIS moved that SB 459 DO PASS AS
AMENDED. Motion carried 8-1 by voice vote with SEN.
LAIBLE voting no. SEN. COCCHIARELLA and SEN. GALLUS
were excused.

EXECUTIVE ACTION ON HB 91

00:59:50 Motion: SEN. SQUIRES moved that SB 91 DO PASS.

01:00:25 Motion: SEN. SQUIRES moved to amend HB 91 with amendment #SB009101.AGP.

EXHIBIT(sts37a01)

Discussion:

01:01:06 Mr. Bohyer, LSD

01:01:17 Sen. Shockley

01:01:52 Sen. Tropila to Sen. Squires

01:03:18 Vote: Motion that #SB009101.AGP be approved carried 10-1 by voice vote with SEN. TROPILA voting no. SEN. GALLUS voted aye by proxy.

Discussion:

01:03:38 Sen. Tropila

01:04:19 Motion/Vote: SEN. SQUIRES moved that SB 91 DO PASS AS AMENDED. Motion carried unanimously by voice vote. SEN. GALLUS voted aye by proxy.

EXECUTIVE ACTION ON SB 310

01:05:09 Motion: SEN. LAIBLE moved that SB 310 DO PASS.

Discussion:

01:05:58 Sen. Laible

01:06:06 Sen. Shockley to Mr. Bohyer, LSD

01:07:22 Sen. Cocchiarella

01:09:05 Substitute Motion/Vote: SEN. COCCHIARELLA made a substitute motion that SB 310 BE TABLED. Substitute motion carried 9-2 by roll call vote with SEN. LEWIS and SEN. SHOCKLEY voting no. SEN. GALLUS voted aye by proxy.

EXECUTIVE ACTION ON SB 96

01:12:21 **Motion:** SEN. SQUIRES moved that SB 96 DO PASS.

01:12:32 **Motion:** SEN. ESSMANN moved to amend SB 96 with amendment #SB009603.ABD.

EXHIBIT(sts37a02)

Discussion:

01:16:10 Sen. Squires to Sen. Essmann

01:16:33 Sen. Balyeat to Sen. Essmann

01:18:00 Sen. Shockley

01:18:26 Sen. Lewis, Pam Bucy, Montana Department of Justice (DOJ)

01:19:25 **Vote:** Motion that #SB009603.ABD be approved carried 7-4 by voice vote with SEN. BALYEAT, SEN. COCCHIARELLA, and SEN. JENT voting no. SEN. GALLUS voted nay by proxy.

01:21:21 **Motion/Vote:** SEN. LAIBLE moved to further amend SB 96 with amendment #SB009602.ABD. Motion carried unanimously by voice vote. SEN. GALLUS voted aye by proxy.

EXHIBIT(sts37a03)

01:22:31 **Motion:** SEN. SQUIRES moved to further amend SB 96 with amendment #SB009604.ADB.

EXHIBIT(sts37a04)

Discussion:

01:23:21 Mr. Bohyer, LSD

01:23:55 Sen. Laslovich

01:24:45 Sen. Laible

01:24:55 Sen. Squires to Ms. Bucy, DOJ

01:26:01 **Motion/Vote:** SEN. SHOCKLEY moved that #SB009604.ADB BE TABLED. Motion carried 8-3 by voice vote with SEN.

BALYEAT, SEN. ESSMANN, and SEN. LEWIS voting no. SEN. GALLUS voted aye by proxy.

Discussion:

01:27:53 Sen. Essmann

01:29:39 Mr. Bohyer, LSD

01:29:49 **Motion:** SEN. COCCHIARELLA moved to further amend SB 96 with amendment #SB009602.AGP.

EXHIBIT(sts37a05)

Discussion:

01:30:06 Ms. Bucy, DOJ

01:30:44 **Vote:** Motion that #SB009602.AGP DO PASS carried unanimously by voice vote. SEN. GALLUS voted aye by proxy.

01:31:01 **Motion:** SEN. SHOCKLEY moved that SB 96 DO PASS AS AMENDED.

Discussion:

01:31:27 Sen. Balyeat

01:33:50 **Vote:** Motion that SB 96 DO PASS AS AMENDED carried unanimously by voice vote. SEN. GALLUS voted aye by proxy.

EXECUTIVE ACTION ON SB 247

01:34:34 **Motion:** SEN. SQUIRES moved that SB 247 DO PASS.

Discussion:

01:34:55 Mr. Bohyer, LSD

01:35:15 **Motion/Vote:** SEN. SHOCKLEY moved to amend SB 247 with amendment #SB024701.ASH. Motion carried unanimously by voice vote.

EXHIBIT(sts37a06)

01:35:48 **Motion:** SEN. COCCHIARELLA moved that SB 247 DO PASS AS AMENDED.

Discussion:

01:36:12 Sen. Jent to Mr. Bohyer, LSD

01:37:48 Sen. Shockley to Sen. Jent

01:38:20 Sen. Balyeat to Mr. Bohyer, LSD

01:39:50 Sen. Jent

01:41:00 **Vote:** Motion that SB 247 DO PASS AS AMENDED failed 2-8 by voice vote with SEN. COCCHIARELLA and SEN. LASLOVICH voting aye. SEN. GALLUS was excused.

01:42:04 **Motion/Vote:** SEN. COCCHIARELLA moved that SB 247 BE TABLED AND THE VOTE REVERSED. Motion carried 8-2 by voice vote with SEN. COCCHIARELLA and SEN. LASLOVICH voting no.

EXECUTIVE ACTION ON SB 333

01:43:24 **Motion:** SEN. COCCHIARELLA moved that SB 333 DO PASS.

Discussion:

01:43:43 Sen. Cocchiarella

01:45:07 Sen. Shockley

01:45:26 **Motion/Vote:** SEN. COCCHIARELLA moved that SB 333 BE TABLED. Motion carried 8-3 by roll call vote with SEN. JENT and SEN. LASLOVICH voting no. SEN. GALLUS voted no by proxy.

EXECUTIVE ACTION ON SR 3

01:49:23 **Motion/Vote:** SEN. LASLOVICH moved that SR 3 DO PASS. Motion carried 9-1 by voice vote with SEN. ESSMANN voting no. SEN. GALLUS was excused.

EXECUTIVE ACTION ON SR 5

01:50:38 **Motion:** SEN. LASLOVICH moved that SR 5 DO PASS. Motion carried unanimously by voice vote. SEN. GALLUS voted aye by proxy.

Discussion:

01:51:25 Sen. Cocchiarella

01:52:31 Sen. Shockley

ADJOURNMENT

Adjournment: 5:00 P.M.

SEN. CAROLYN SQUIRES, Chairman

LOIS O'CONNOR, Secretary

CS/lo

Additional Exhibits:

EXHIBIT ([sts37aad.pdf](#))