

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION COMMITTEE ON STATE ADMINISTRATION

Call to Order: CHAIRMAN JIM SHOCKLEY, on January 19, 2009 at 3:00 P.M., in Room 335 Capitol.

ROLL CALL

Members Present:

Sen. Jim Shockley, Chairman (R)
Sen. John Brueggeman, Vice Chairman (R)
Sen. Keith Bales (R)
Sen. Joe Balyeat (R)
Sen. Jerry W. Black (R)
Sen. John Brenden (R)
Sen. Mike Cooney (D)
Sen. Larry Jent (D)
Sen. Carolyn Squires (D)
Sen. Joseph (Joe) Tropila (D)
Sen. Jonathan Windy Boy (D)

Members Excused: None.

Members Absent: None.

Staff Present: Dave Bohyer, Legislative Branch
Libby Goodwin, 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 186, 1/15/2009; SB187,
1/15/2009; SB 196, 1/15/2009
Executive Action: SB 20, SB 196

EXECUTIVE ACTION ON SB 20

00:00:10 **Motion:** SEN. JENT moved that **SB 20 DO PASS.**

Discussion:

00:00:31 Sen. Jent

EXHIBIT(sts12a01)

00:08:40 Chairman Shockley

00:08:50 Sen. Cooney

00:09:54 Sen. Jent

00:10:50 Sen. Cooney

00:12:36 Sen. Jent

00:12:46 Sen. Cooney

00:14:05 Chairman Shockley

00:14:46 **Motion/Vote:** SEN. JENT moved that **SB 20 BE AMENDED** (Exhibit 1). Motion carried unanimously by voice vote. Sen. Brueggeman and Sen. Balyeat voted by proxy. Sen. Black and Sen. Tropila did not vote.

00:15:35 **Motion:** SEN. JENT moved that **SB 20 DO PASS AS AMENDED.**

00:15:42 Sen. Bales

00:16:26 Sen. Jent

00:17:02 Chairman Shockley

00:17:17 Sen. Bales

00:17:53 Sen. Cooney

00:18:08 Chairman Shockley

00:18:16 **Motion/Vote:** SEN. BALES moved that **SB 20 BE CONCEPTUALLY AMENDED** to strike Page 1, Line 9 through Page 2, Line 9. Motion carried unanimously by voice vote. Sen. Brueggeman and Sen. Balyeat voted by proxy. Sen. Tropila did not vote.

00:20:12 **Motion/Vote:** SEN. JENT moved that **SB 20 DO PASS AS AMENDED.** Motion carried unanimously by voice vote. Sen. Balyeat and Sen. Brueggeman voted by proxy. Sen. Tropila did not vote.

00:20:20 Sen. Brenden left the hearing to present a bill

00:20:30 recess

00:27:06 reconvene

HEARING ON SB 186

00:27:21 **Opening Statement by Sponsor:** SEN. JOE BALLYEAT (R), SD 34, opened the hearing on SB 186, Voluntary party affiliation on voter registration; and caucus participation.

Proponents' Testimony:

00:32:22 None

Opponents' Testimony:

00:32:29 Linda McCulloch, Secretary of State
EXHIBIT(sts12a02)

00:35:06 Sheena Rice, Montana Public Interest Research Group,
Student Public Interest Research Group

00:37:00 Kate Cholewa, Common Cause

Informational Testimony:

00:37:34 None

Questions from Committee Members and Responses:

00:37:43 Sen. Cooney

00:39:04 Sen. Balyeat

Closing by Sponsor:

00:39:57 Sen. Balyeat
EXHIBIT(sts12a03)

HEARING ON SB 196

00:42:14 **Opening Statement by Sponsor:** SEN. JONATHAN WINDY BOY (D), SD 16, opened the hearing on SB 196, State holiday for American Indian Heritage celebration.

Proponents' Testimony:

00:45:33 Charmayne Healy, Student

00:46:46 Pam Bucy, Confederated Salish and Kootenai Tribe

00:47:14 Samantha Webb, Student

00:48:33 Lynda Brannon, Indian Impact Schools of Montana

00:49:31 Joseph Quincy, Student

00:51:43 Charmayne Healey, Student

00:52:53 Christina Flansburg, Student

00:54:19 Sen. J. Tropila

00:54:58 Arla J. Gourneau, Turtle Mountain Band Chippewa

Opponents' Testimony:

00:56:29 Cindy Swank, Citizen

[EXHIBIT](#)(sts12a04)

00:56:00 David Ewer, Budget Director

[EXHIBIT](#)(sts12a05)

Informational Testimony:

00:59:19 None

Questions from Committee Members and Responses:

00:59:25 Sen. Balyeat

01:00:24 Sen. Windy Boy

01:01:07 Sen. Cooney

01:01:31 Sen. Shockley

01:01:42 **Closing by Sponsor:** Sen. Windy Boy

[EXHIBIT](#)(sts12a06)

[EXHIBIT](#)(sts12a07)

HEARING ON SB 187

01:06:51 **Opening Statement by Sponsor:** SEN. JOE BALYEAT (R), SD
34, opened the hearing on SB 187, Limit districting to
1% deviation.

[EXHIBIT](#)(sts12a08)

[EXHIBIT](#)(sts12a09)

[EXHIBIT](#)(sts12a10)

[EXHIBIT](#)(sts12a11)

Proponents' Testimony:

01:28:52 Chuck Denowh, United Property Owners of Montana

[EXHIBIT](#)(sts12a12)

[EXHIBIT](#)(sts12a13)

01:34:01 William Selph, Student

01:35:19 Rep. McLaren, HD 89

Opponents' Testimony:

01:36:20 None

Informational Testimony:

01:36:24 None

Questions from Committee Members and Responses:

01:36:31 Sen. Cooney
01:36:51 Sen. Balyeat
01:38:23 Sen. Cooney
01:38:33 Sen. Balyeat
01:39:33 Sen. Cooney
01:40:17 Sen. Balyeat

01:41:32 **Closing by Sponsor:** Sen. Balyeat

01:47:00 Recess
01:57:15 Reconvene

EXECUTIVE ACTION ON SB 196

01:57:18 **Motion:** SEN. WINDY BOY moved that **SB 196 DO PASS.**

01:57:20 **Motion:** SEN. WINDY BOY moved that **SB 196 BE AMENDED.**
EXHIBIT(sts12a14)

Discussion:

01:58:10 Sen. Windy Boy
01:59:58 Sen. Shockley

02:00:05 **Vote:** Motion carried unanimously. Sen. Balyeat voted by proxy.

02:00:15 **Motion:** SEN. WINDY BOY moved that **SB 196 DO PASS AS AMENDED.**

02:00:27 Sen. Black
02:00:40 Sen. Windy Boy
02:01:29 Sen. Bales
02:01:45 Sen. Windy Boy
02:02:27 Sen. Brenden
02:04:42 Chairman Shockley
02:05:06 Sen. Balyeat
02:05:36 Sen. Windy Boy

02:06:24 **Vote:** Motion carried 9-2 by roll call vote with SEN. BALES and SEN. BRENDEN voting no.

EXECUTIVE ACTION ON SB 186

02:08:59 **Motion:** SEN. BALYEAT moved that **SB 186 DO PASS.**

Discussion:

02:09:30 Sen. Balyeat
02:10:05 Sen. Cooney
02:12:31 Sen. Brueggeman
02:14:21 Chairman Shockley
02:15:14 Sen. Squires
02:15:40 Chairman Shockley
02:15:58 Sen. Squires
02:17:42 Sen. Brueggeman
02:18:59 Sen. Brenden
02:20:19 Chairman Shockley
02:20:33 Sen. Bales
02:21:37 Sen. Balyeat

02:23:30 **Vote:** Motion failed 5-6 by roll call vote with SEN. BALES, SEN. BALYEAT, SEN. BLACK, SEN. BRENDEN, and SEN. SHOCKLEY voting aye.

02:25:48 **Motion:** SEN. BALYEAT moved that **SB 186 BE TABLED AND THE VOTE REVERSED.** There was no objection.

ADJOURNMENT

Adjournment: 5:05 P.M.

LIBBY GOODWIN, Secretary

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Additional Exhibits:

EXHIBIT ([sts12aad.pdf](#))