

MINUTES

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

Call to Order: Chairman Jim Shockley, on February 18, 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. Carolyn Squires (D)
Sen. Joseph (Joe) Tropila (D)
Sen. Jonathan Windy Boy (D)

Members Excused: Sen. Larry Jent (D)

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 469, 2/11/2009; SB 474,
2/11/2009

Executive Action: SB 199, SB 469, SB 474, SB 367

HEARING ON SB 474

00:00:45 **Opening Statement by Sponsor:** Sen. Aubyn Curtiss (R), SD 1, opened the hearing on SB 474, Require documentation of federal candidate qualifications with US Constitution.

Proponents' Testimony:

00:07:19 None

Opponents' Testimony:

00:07:23 None

Informational Testimony:

00:07:28 None

Questions from Committee Members and Responses:

00:07:53 Sen. Balyeat
00:07:59 Sen. Cooney
00:08:33 Chairman Shockley
00:08:40 Sen. Cooney
00:09:48 Lisa Kimmett, Commissioner of Political Practices
Office (COPP)
00:09:56 Sen. Cooney
00:10:07 Ms. Kimmett, COPP
00:10:42 Sen. Cooney
00:11:08 Ms. Kimmett, COPP

00:11:34 **Closing by Sponsor:** Sen. Curtiss

HEARING ON SB 469

00:13:14 **Opening Statement by Sponsor:** Sen. John Brueggeman (R), SD 6, opened the hearing on SB 469, Revise primary election laws.

Proponents' Testimony:

00:18:49 None

Opponents' Testimony:

00:18:52 None

Informational Testimony:

00:19:04 None

Questions from Committee Members and Responses:

00:19:07 Sen. Balyeat
00:20:55 Sen. Brueggeman
00:22:21 Sen. Balyeat
00:23:47 Sen. Brueggeman
00:25:43 Sen. Balyeat
00:26:17 Sen. Brueggeman
00:27:17 Sen. Balyeat
00:28:02 Sen. Brueggeman

00:28:18 **Closing by Sponsor:** Sen. Brueggeman

EXECUTIVE ACTION ON SB 199

00:32:02 **Motion:** Sen. Cooney moved that **SB 199 DO PASS AS AMENDED.**

Discussion:

00:32:18 Sen. Cooney
00:36:03 Sen. Tropila
00:36:15 Sen. Bales
00:36:24 Sen. Balyeat
00:36:56 Sen. Cooney
00:37:16 Sen. Balyeat
00:37:43 Chairman Shockley

00:38:59 **Motion:** Sen. Balyeat moved that **SB 199 BE CONCEPTUALLY AMENDED.**

00:39:05 Sen. Cooney
00:39:11 Chairman Shockley
00:39:16 Sen. Cooney
00:39:26 Chairman Shockley
00:39:36 Dave Bohyer
00:39:55 Sen. Brenden
00:40:31 Chairman Shockley
00:40:41 Sen. Cooney

00:40:55 Sen. Balyeat withdrew the motion.

00:41:13 Sen. Bales
00:41:31 Chairman Shockley

00:41:45 Sen. Cooney
00:42:21 Chairman Shockley
00:42:28 Sen. Cooney

00:43:33 **Motion:** Sen. Cooney moved that **SB 199 BE AMENDED.**
EXHIBIT(sts38a01)

00:43:40 **Vote:** Motion carried unanimously by voice vote. Sen.
Jent voted by proxy.

00:44:10 **Vote:** Motion carried 10-1 by voice vote with Sen.
Brenden voting no. Sen. Jent voted by proxy.

EXECUTIVE ACTION ON SB 469

00:45:26 **Motion:** Sen. Brueggeman moved that **SB 469 DO PASS.**

Discussion:

00:45:38 Sen. Brenden
00:47:06 Sen. Cooney
00:51:06 Sen. Balyeat
00:52:35 Chairman Shockley
00:52:55 Sen. Windy Boy
00:53:58 Sen. Black
00:56:02 Sen. Bales
00:57:51 Sen. Black
00:58:07 Sen. Brueggeman

01:02:05 **Vote:** Motion failed 5-6 by roll call vote with Sen.
Black, Sen. Brueggeman, Sen. Shockley, Sen. Squires,
and Sen. Tropila voting aye. Sen. Jent voted by proxy.

01:03:05 Sen. Balyeat

01:03:08 Chairman Shockley, without objection from the
committee, tabled the bill and reversed the vote.

EXECUTIVE ACTION ON SB 474

01:03:43 **Motion:** Sen. Squires moved that **SB 474 DO NOT PASS.**

01:03:51 **Substitute Motion:** Sen. Brueggeman moved that **SB 474**
DO PASS.

01:04:01 Sen. Brueggeman withdrew the motion.

01:04:09 Sen. Squires withdrew the motion.

01:04:17 **Motion:** Sen. Brueggeman moved that **SB 474 DO PASS.**

01:04:22 Sen. Cooney

01:06:34 Sen. Balyeat

01:10:14 Chairman Shockley

01:11:00 Sen. Balyeat

01:12:50 **Vote:** Motion failed 2-9 by roll call vote with Sen. Balyeat and Sen. Brenden voting aye. Sen. Jent voted by proxy.

01:13:39 Chairman Shockley, without objection from the committee, tabled the bill and reversed the vote.

01:11:17 Sen. Tropila

01:11:29 Sen. Brueggeman

01:11:45 Sen. Balyeat

EXECUTIVE ACTION ON SB 367

01:14:19 **Motion:** Sen. Brueggeman moved that **SB 367 DO PASS.**

Discussion:

01:14:39 Sen. Cooney

01:18:15 Sheryl Wood, Montana Association of Counties (MACo)

01:20:09 Sen. Bales

01:21:14 Ms. Wood, MACo

01:21:47 Sen. Cooney

01:22:19 Dave Bohyer

EXHIBIT(sts38a02)

00:22:49 **Motion:** Sen. Tropila moved that **SB 367 BE AMENDED.**

01:23:04 Sen. Squires

01:24:02 Dave Bohyer

01:27:23 Sen. Balyeat

01:27:49 **Substitute Motion:** Sen. Balyeat moved that **SB 367 AMENDMENTS BE CONCEPTUALLY AMENDED.** (Exhibit 1, Page 2, Number 10: Strike "2011", Insert: "2012")

01:28:55 Sen. Cooney

01:29:13 Chairman Shockley

01:29:22 Sen. Bales

01:30:38 Chairman Shockley

01:31:30 **Vote:** Motion carried unanimously by voice vote. Sen. Jent voted by proxy.

01:31:46 **Motion:** Sen. Cooney moved that **SB 367 DO PASS AS AMENDED.**

01:31:58 Sen. Bales

01:32:41 Chairman Shockley

01:32:49 Sen. Brueggeman

01:33:11 Chairman Shockley

01:33:19 Sen. Bales

01:33:37 Dave Bohyer

01:34:20 Sen. Bales

01:33:26 Dave Bohyer

01:33:30 Sen. Bales

01:34:53 Sen. Brueggeman

01:35:12 Chairman Shockley

01:35:46 Sen. Bales

01:36:49 Sen. Balyeat

01:37:20 Sen. Squires

01:39:17 Sen. Tropila

01:39:32 Chairman Shockley

01:40:08 Sen. Balyeat

01:40:21 Chairman Shockley

01:40:44 Sen. Tropila

01:40:50 Sen. Cooney

01:41:24 Chairman Shockley

01:42:04 Sen. Cooney withdrew the motion.

ADJOURNMENT

Adjournment: 5:00 P.M.

Libby Goodwin, Secretary

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Additional Documents:

EXHIBIT ([sts38aad.pdf](#))