

MINUTES

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

Call to Order: Chairman Jim Shockley, on March 18, 2009 at 3:00 P.M., in Room 405 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. Joseph (Joe) Tropila (D)
Sen. Jonathan Windy Boy (D)

Members Excused: Sen. Carolyn Squires (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: HB 59, 3/13/2009

Executive Action: HB 19, HB 144, HB 146, HB 193, SR 9, HJ 9, HB 197, HB 622

HEARING ON HB 59**Opening Statement by Sponsor:**

00:00:41 Rep. Robin Hamilton (D), HD 92, opened the hearing on HB 59, Generally revise retirement laws to comply with federal changes.

Proponents' Testimony:

00:01:40 David Senn, Teachers' Retirement Board
[EXHIBIT \(sts60a01\)](#)

00:10:54 Tom Bilodeau, Montana Education Association/Montana Teachers Federation (MEA/MFT)

Opponents' Testimony:

00:11:44 None

Informational Testimony:

00:11:48 None

Questions from Committee Members and Responses:

00:11:52 Sen. Balyeat
00:13:55 David Senn, Teachers' Retirement Board
00:14:58 Sen. Balyeat
00:15:36 David Senn, Teachers' Retirement Board
00:16:48 Sen. Balyeat
00:17:47 David Senn, Teachers' Retirement Board
00:18:39 Sen. Balyeat
00:19:03 David Senn, Teachers' Retirement Board
00:20:14 Sen. Balyeat
00:20:45 David Senn, Teachers' Retirement Board
00:21:04 Sen. Bales
00:21:41 David Senn, Teachers' Retirement Board
00:22:46 Sen. Bales
00:23:08 David Senn, Teachers' Retirement Board
00:23:27 Sen. Brenden
00:23:47 David Senn, Teachers' Retirement Board
00:23:55 Sen. Brenden
00:23:58 David Senn, Teachers' Retirement Board
00:24:29 Sen. Brenden
00:24:38 David Senn, Teachers' Retirement Board
00:24:42 Sen. Brenden
00:25:15 Kim Flatow, Montana Public Employees Retirement Association

00:25:53 Sen. Balyeat
 00:26:35 David Senn, Teachers' Retirement Board
 00:27:11 Chairman Shockley
 00:28:11 David Senn, Teachers' Retirement Board
 00:28:32 Sen. Balyeat
 00:29:42 David Senn, Teachers' Retirement Board

Closing by Sponsor:

00:30:52 Rep. Hamilton

EXECUTIVE ACTION ON HB 19

00:32:44 **Motion:** Sen. Black moved that **HB 19 BE CONCURRED IN.**

00:33:38 **Motion:** Sen. Bales moved that **HB 19 BE AMENDED.**

EXHIBIT (sts60a02)

Discussion:

00:34:48 Dave Bohyer
 00:35:24 Chairman Shockley
 00:35:29 Sen. Balyeat
 00:36:14 Sen. Bales
 00:36:33 Sen. Cooney

00:37:00 **Vote:** Motion carried unanimously by voice vote. Sen. Brueggeman, Sen. Jent, Sen. Squires, and Sen. Windy Boy voted by proxy.

00:37:30 **Motion/Vote:** Sen. Bales moved that **HB 19 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Sen. Brueggeman, Sen. Jent, Sen. Squires, and Sen. Windy Boy voted by proxy.

EXECUTIVE ACTION ON HB 144

00:39:15 **Motion:** Sen. Cooney moved that **HB 144 BE CONCURRED IN.**

Discussion:

00:39:33 Sen. Bales
 00:40:25 Chairman Shockley
 00:40:36 Dave Bohyer
 00:41:49 Sen. Bales
 00:42:02 Chairman Shockley
 00:42:07 Sen. Bales

00:42:15 Chairman Shockley
 00:42:22 Sen. Cooney
 00:43:31 Sen. Balyeat
 00:44:24 Sen. Bales
 00:45:17 Chairman Shockley
 00:45:37 Dave Bohyer
 00:46:38 Chairman Shockley
 00:46:59 Sen. Bales
 00:47:22 Chairman Shockley
 00:47:40 Sen. Cooney
 00:48:01 Sen. Balyeat
 00:48:35 Chairman Shockley
 00:48:40 Sen. Cooney
 00:48:53 Sen. Cooney withdrew the motion.

EXECUTIVE ACTION ON HB 146

00:50:52 **Motion:** Sen. Black moved that **HB 146 BE CONCURRED IN.**

Discussion:

00:51:11 Sen. Balyeat
 00:52:36 Chairman Shockley
 00:52:52 Sen. Brenden
 00:54:16 Sen. Cooney
 00:55:40 Sen. Balyeat
 00:57:10 **Vote:** Motion carried 10-1 by roll call vote with Sen. Brenden voting no. Sen. Brueggeman, Sen. Jent, and Sen. Squires voted by proxy.

EXECUTIVE ACTION ON HB 193

00:58:56 **Motion:** Sen. Cooney moved that **HB 193 BE CONCURRED IN.**

Discussion:

00:59:17 Sen. Brenden
 01:00:13 **Substitute Motion/Vote:** Sen. Brenden made a substitute motion that **HB 193 BE TABLED.** Substitute motion failed 3-8 by roll call vote with Sen. Bales, Sen. Black, and Sen. Brenden voting aye. Sen. Brueggeman, Sen. Jent, and Sen. Squires voted by proxy.

01:01:30 Sen. Bales
01:02:41 Chairman Shockley
01:02:50 Sen. Cooney
01:03:25 Chairman Shockley
01:05:02 Sen. Balyeat
01:07:41 Sen. Brenden
01:08:11 Sen. Windy Boy

01:08:26 **Vote:** Motion carried 6-4 by roll call vote with Sen. Bales, Sen. Balyeat, Sen. Black, and Sen. Brenden voting no. Sen. Jent and Sen. Squires voted by proxy. Sen. Brueggeman was excused.

EXECUTIVE ACTION ON SR 9

01:10:17 **Motion:** Sen. Windy Boy moved that **SR 9 BE ADOPTED.**

Discussion:

01:10:28 Sen. Cooney
01:10:45 Dave Bohyer

EXHIBIT (sts60a03)

01:11:57 Sen. Cooney
01:12:06 Chairman Shockley

01:12:54 **Motion:** Sen. Shockley moved to **RECONSIDER THE ACTION TO SEGREGATE** on **SR 9.**

01:13:08 Dave Bohyer
01:13:24 Sen. Balyeat
01:13:57 Dave Bohyer
01:14:46 Sen. Cooney
01:14:49 Sen. Bales

01:14:59 Chairman Shockley withdrew the motion.

01:15:20 **Motion/Vote:** Sen. Tropila moved that **SR 9 BE ADOPTED.** Motion carried unanimously by voice vote. Sen. Brueggeman, Sen. Jent, and Sen. Squires voted by proxy.

01:17:07 Recess
01:19:42 Reconvene

EXECUTIVE ACTION ON HB 197

01:19:47 **Motion:** Sen. Balyeat moved that **HB 197 BE CONCURRED IN.**

Discussion:

01:20:01 Sen. Balyeat
EXHIBIT (sts60a04)

01:23:19 **Motion:** Sen. Balyeat moved that **HB 197 BE AMENDED.**

01:24:16 Sen. Cooney
01:24:36 Chairman Shockley

01:24:21 **Vote:** Motion carried unanimously by voice vote. Sen. Brueggeman, Sen. Jent, and Sen. Squires voted by proxy.

01:40:33 **Motion/Vote:** Sen. Balyeat moved that **HB 197 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Sen. Brueggeman, Sen. Jent, and Sen. Squires voted by proxy.

EXECUTIVE ACTION ON HJ 9

Discussion:

01:25:46 Sen. Cooney
01:27:13 Chairman Shockley
01:27:18 Sen. Cooney

EXECUTIVE ACTION ON HB 622

01:28:55 **Motion:** Sen. Windy Boy moved that **HB 622 BE CONCURRED IN.**

01:29:15 **Motion:** Sen. Balyeat moved that **HB 622 BE AMENDED.**
EXHIBIT (sts60a05)

01:30:55 Dave Bohyer

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

01:31:45 **Motion/Vote:** Sen. Black moved that **HB 622 BE CONCURRED IN AS AMENDED**. Motion carried unanimously by voice vote. Sen. Brueggeman, Sen. Jent, and Sen. Squires voted by proxy.

ADJOURNMENT

Adjournment: 4:40 P.M.

Libby Goodwin, Secretary

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Additional Documents:

EXHIBIT ([sts60aad.pdf](#))