

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: Chair Pat Ingraham, on January 13, 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. Gordon R. Hendrick (R)
Rep. Douglas (Doug) Kary (R)
Rep. Dan Kennedy (R)
Rep. James Knox (R)
Rep. Gary MacLaren (R)
Rep. Tom McGillvray (R)
Rep. Jean Price (D)
Rep. Derek Skees (R)
Rep. Frank Smith (D)
Rep. Kathy Swanson (D)
Rep. Ted Washburn (R)

Members Excused: None

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 40, 1/11/2011; HB 91, 1/11/2011; HB 120, 1/11/2011; HB 145,
1/11/2011

Executive Action: HB 23, HB 45

Chairwoman Welcome:

00:01:04 Rep. Pat Ingraham

HEARING ON HB 120

Opening Statement by Sponsor:

00:04:20 Rep. Tom McGillvray (R), HD 50, opened the hearing on HB 120, Provide for audio minutes as official minutes.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

00:06:34 Susan Fox, Legislative Services Division (LSD)
[EXHIBIT\(sth10a01\)](#)

Questions from Committee Members and Responses:

00:07:07 Rep. James Knox
00:07:33 Rep. Tom McGillvray
00:07:41 Rep. Gordon Hendrick
00:07:59 Rep. Tom McGillvray

Closing by Sponsor:

00:08:21 Rep. Tom McGillvray

HEARING ON HB 91

Opening Statement by Sponsor:

00:10:21 Rep. Pat Ingraham (R), HD 13, opened the hearing on HB 91, Revise election laws.
00:11:24 Rep. Franke Wilmer left the room.
00:14:51 Rep. Franke Wilmer entered the room.
00:17:43 Rep. Tom McGillvray left the room.

Proponents' Testimony:

00:22:45 Linda McCulloch, Secretary of State (SOS)
00:23:05 Rep. Betsy Hands left the room.
[EXHIBIT\(sth10a02\)](#)
00:25:56 Linda Stoll, Montana Clerk & Recorders
00:27:57 Rep. James Knox left the room.

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:28:16 Rep. Pat Connell
00:31:01 Linda McCulloch
00:31:38 Rep. James Knox entered the room.
00:33:10 Rep. Gordon Hendrick
00:33:52 Linda McCulloch
00:34:31 Rep. Gordon Hendrick
00:35:05 Linda McCulloch
00:35:48 Rep. Pat Ingraham
00:37:35 Rep. Joanne Blyton
00:38:31 Rep. Pat Ingraham
00:39:14 Rep. Franke Wilmer left the room.
00:39:27 Rep. Joanne Blyton
00:39:40 Rep. Pat Ingraham
00:40:11 Rep. Betsy Hands entered the room.
00:40:25 Rep. Derek Skees
00:40:50 Rep. Franke Wilmer entered the room.
00:41:18 Rep. Pat Ingraham
00:43:18 Rep. Jean Price
00:43:49 Rep. Pat Ingraham

Closing by Sponsor:

00:45:04 Rep. Pat Ingraham

HEARING ON HB 40

Opening Statement by Sponsor:

00:47:18 Rep. Ken Peterson (R), HD 46, opened the hearing on HB 40, Changing the standard for adoption of administrative rules.

Proponents' Testimony: None

Opponents' Testimony:

00:56:20 Mark Cadwallader, Montana Department of Labor (DLI)
01:04:15 Candace West, Montana Department of Natural Resources & Conservation (DNRC)
01:11:08 Christen McKay, Montana Department of Livestock
01:12:59 Tim Reardon, Montana Department of Transportation (MTDOT)
01:15:33 Rep. Betsy Hands left the room.
01:18:52 Rep. Betsy Hands entered the room.

01:19:00 Anne Hedges, Montana Environmental Information Center (MEIC)

01:24:29 James Park, Montana Board of Real Estate

[EXHIBIT\(sth10a03\)](#)

[EXHIBIT\(sth10a04\)](#)

[EXHIBIT\(sth10a05\)](#)

[EXHIBIT\(sth10a06\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

01:25:05 Rep. Dan Kennedy
01:25:31 Rep. Ken Peterson
01:25:54 Rep. Gary MacLaren
01:26:12 Rep. Ken Peterson
01:26:17 Rep. James Knox
01:26:36 Rep. Ken Peterson
01:26:49 Rep. James Knox
01:27:09 Rep. Ken Peterson
01:28:43 Rep. James Knox
01:29:28 Mark Cadwallader
01:31:04 Rep. Dan Kennedy
01:31:52 Rep. Ken Peterson
01:32:55 Rep. Dan Kennedy
01:33:16 Anne Hedges
01:33:41 Rep. Frank Smith
01:34:28 Rep. Ken Peterson
01:35:34 Rep. Douglas Kary
01:36:06 Rep. Ken Peterson
01:36:46 Rep. Franke Wilmer
01:37:15 Rep. Ken Peterson
01:37:40 Rep. Franke Wilmer
01:38:56 Rep. Ken Peterson
01:40:29 Rep. Derek Skees
01:41:04 Rep. Ken Peterson
01:42:16 Rep. Derek Skees
01:43:09 Mark Cadwallader
01:47:57 Rep. Betsy Hands
01:48:47 Rep. Ken Peterson
01:49:05 Rep. Betsy Hands
01:49:27 Rep. Ken Peterson
01:49:48 Rep. Betsy Hands
01:50:08 Rep. Ken Peterson
01:50:28 Rep. Jerry Bennett
01:52:06 Candace West
01:55:32 Rep. Pat Ingraham
01:55:51 Rep. James Knox
01:56:38 Candace West
01:57:29 Rep. Dan Kennedy

01:58:18 Rep. Ken Peterson

Closing by Sponsor:

01:58:49 Rep. Ken Peterson

HEARING ON HB 145

Opening Statement by Sponsor:

02:15:46 Rep. Ken Peterson (R), HD 46, opened the hearing on HB 145, Require resignation of legislative seat prior to taking government job.

Proponents' Testimony: None

Opponents' Testimony:

02:19:29 Linda McCulloch (SOS)

02:23:50 Eric Feavor, Montana Education Association & Montana Federation of Teachers (MEA_MFT)

02:25:55 Tom Scheider, Montana Public Employee Association (MPEA)

Informational Testimony: None

Questions from Committee Members and Responses:

02:28:24 Rep. Bryce Bennett

02:28:51 Rep. Ken Peterson

02:29:06 Rep. Bryce Bennett

02:29:47 Rep. Ken Peterson

02:30:12 Rep. James Knox

02:30:51 Rep. Ken Peterson

02:31:00 Rep. James Knox

02:31:18 Rep. Ken Peterson

02:31:35 Rep. James Knox

02:31:54 Rep. Ken Peterson

02:32:11 Rep. Betsy Hands

02:32:50 Rep. Ken Peterson

02:32:56 Rep. Dan Kennedy

02:33:24 Linda McCulloch

02:34:19 Rep. Dan Kennedy

02:34:41 Linda McCulloch

02:35:40 Rep. Dan Kennedy

02:35:53 Linda McCulloch

02:37:02 Rep. Franke Wilmer

02:37:43 Rep. Ken Peterson

02:37:55 Rep. Franke Wilmer

02:38:09 Rep. Ken Peterson

02:38:24 Rep. Franke Wilmer

02:39:02 Linda McCulloch

02:39:31 Rep. Pat Connell
02:40:24 Rep. Ken Peterson
02:40:52 Rep. Franke Wilmer
02:41:00 Rep. Ken Peterson
02:41:14 Rep. Derek Skees
02:41:39 Rep. Ken Peterson
02:41:53 Rep. Derek Skees
02:42:23 Rep. Ken Peterson

Closing by Sponsor:

02:42:47 Rep. Ken Peterson

EXECUTIVE ACTION ON HB 23

Motion: Rep. G. Bennett moved that **HB 23 DO PASS.**

Discussion:

02:48:00 Sheri Scurr
02:50:52 Rep. Pat Ingraham
02:51:02 Rep. Douglas Kary
02:51:11 Sheri Scurr
02:51:37 Rep. Gordon Hendrick
02:52:09 Rep. Betsy Hands
02:52:31 Rep. Dan Kennedy
02:52:52 Rep. Pat Ingraham
02:54:16 Rep. Dan Kennedy
02:52:50 Rep. Pat Ingraham
02:54:19 Rep. Dan Kennedy

Vote: Motion carried unanimously by roll call vote. Rep. Blyton and Rep. McGillvray voted by proxy.

EXECUTIVE ACTION ON HB 45

Motion: Rep. G. Bennett moved that **HB 45 DO PASS.**

Discussion:

02:57:18 Sheri Scurr

Vote: Motion carried unanimously by voice vote. Rep. Blyton and Rep. McGillvray voted by proxy.

ADJOURNMENT:

Adjournment: 02:58:44

Tim Stark, Secretary

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Additional Documents:

EXHIBIT([sth10aad.pdf](#))