

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON STATE ADMINISTRATION

**Call to Order:** Chair Pat Ingraham, on February 21, 2013 at 8:00 AM, in Room 455 Capitol

#### ROLL CALL

##### **Members Present:**

Rep. Pat Ingraham, Chair (R)  
Rep. Bryce Bennett, Vice Chair (D)  
Rep. Ted Washburn, Vice Chair (R)  
Rep. Liz Bangerter (R)  
Rep. Joanne G. Blyton (R)  
Rep. Clarena Brockie (D)  
Rep. Forrestina (Frosty) Calf Boss Ribs (D)  
Rep. Pat Connell (R)  
Rep. Bill Harris (R)  
Rep. Greg Hertz (R)  
Rep. David Howard (R)  
Rep. Doug Kary (R)  
Rep. Jesse O'Hara (R)  
Rep. Jean Price (D)  
Rep. Casey Schreiner (D)  
Rep. Ray L. Shaw (R)

**Members Excused:** Rep. Kathy Swanson (D)  
Rep. Gordon Vance (R)  
Rep. Franke Wilmer (D)

**Members Absent:** None

**Staff Present:** Patty Hartman, Committee Secretary  
Rachel Weiss, Legislative Branch

**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 520, 2/18/2013; HB 537, 2/19/2013  
Executive Action: HB 229, HB 265, HB 397, HB 410, HB 411, HB 428, HB 430,  
HB 436, HB 445, HB 466, HB 470, HB 491, HB 529

**HEARING ON HB 537**

**Opening Statement by Sponsor:**

00:18:53 Rep. Kris Hansen (R), HD 33, opened the hearing on HB 537, Revising laws related to convening legislative sessions.

[EXHIBIT\(sth39a01\)](#)

[EXHIBIT\(sth39a02\)](#)

**Proponents' Testimony:**

00:36:51 Rep. Kathleen Williams, HD 65

**Opponents' Testimony:**

00:39:40 Lisa Kimmet, Elections and Government Services Deputy, Montana Secretary of State (SOS)

[EXHIBIT\(sth39a03\)](#)

**Informational Testimony:**

00:41:27 Susan Byorth Fox, Executive Director, Legislative Services Division (LSD)

**Questions from Committee Members and Responses:**

00:41:43 Rep. Kary  
00:41:57 Rep. Blyton left the room.  
00:42:21 Rep. Hansen  
00:43:01 Susan Fox, LSD  
00:43:54 Rep. Kary  
00:44:29 Rep. Hansen  
00:45:36 Rep. Hertz  
00:46:49 Rep. Hansen  
00:47:41 Rep. Connell  
00:49:19 Rep. Hansen  
00:50:14 Rep. Harris  
00:51:09 Rep. Hansen  
00:52:39 Rep. Harris  
00:53:50 Rep. Hansen  
00:56:16 Rep. Harris  
00:56:25 Rep. Bangerter  
00:57:22 Susan Fox, LSD  
00:58:31 Rep. Bangerter  
00:58:42 Susan Fox, LSD  
00:59:39 Rep. Shaw  
01:01:02 Rep. Hansen  
01:02:56 Rep. Price  
01:03:39 Rep. Hansen  
01:04:35 Rep. B. Bennett  
01:05:32 Rep. Hansen  
01:06:42 Rep. Hertz

**Closing by Sponsor:**

01:07:18 Rep. Hansen

01:08:34 Recessed  
01:17:42 Reconvened

### HEARING ON HB 520

#### Opening Statement by Sponsor:

01:17:52 Rep. Kris Hansen (R), HD 33, opened the hearing on HB 520, Legislative constitutional referendum to extend legislator terms.

Proponents' Testimony: None

#### Opponents' Testimony:

01:21:50 Becky Stockton, Self

[EXHIBIT\(sth39a04\)](#)

[EXHIBIT\(sth39a05\)](#)

01:24:47 Ed Butcher, Self

Informational Testimony: None

#### Questions from Committee Members and Responses:

01:31:59 Rep. Wilmer arrived.

01:32:17 Rep. Hertz

01:33:06 Rep. Hansen

01:33:40 Rep. Harris

01:35:09 Rep. Hansen

01:38:35 Rep. Brockie

01:39:07 Rep. Hansen

01:39:08 Rep. Brockie

01:39:13 Rep. Hansen

01:39:19 Rep. Brockie

01:39:25 Rep. Hansen

01:39:45 Rep. Schreiner

01:40:06 Rep. Hansen

01:40:48 Rep. Harris

01:41:14 Rep. Hansen

#### Closing by Sponsor:

01:41:42 Rep. Hansen

01:42:44 Recessed

01:56:41 Reconvened

### EXECUTIVE ACTION ON HB 229

01:58:55 **Motion:** Rep. Bangarter moved that **HB 229 DO PASS.**

01:59:03 **Motion/Vote:** Rep. Bangarter moved that **HB 229 BE AMENDED.** Motion carried unanimously by voice vote. Rep. Blyton, Rep. Swanson and Rep. Vance voted aye by proxy.

[EXHIBIT\(sth39a06\)](#)

02:01:55 **Motion:** Rep. Bangerter moved that **HB 229 DO PASS AS AMENDED.**

**Discussion:**

02:02:15 Rep. Hertz  
 02:02:41 Rep. B. Bennett  
 02:04:11 Rep. Schreiner  
 02:05:07 Rep. Wilmer  
 02:06:41 Rep. Ingraham

02:07:47 **Vote:** Motion carried 11-8 by roll call vote with Rep. Bennett, Rep. Brockie, Rep. Calf Boss Ribs, Rep. O'Hara, Rep. Price, Rep. Schreiner, Rep. Swanson and Rep. Wilmer voting no. Rep. Swanson voted by proxy. Rep. Blyton and Rep. Vance voted aye by proxy.

**EXECUTIVE ACTION ON HB 265**

02:09:59 **Motion:** Rep. Bangerter moved that **HB 265 DO PASS.**

02:10:25 **Motion:** Rep. Ingraham moved that **HB 265 BE AMENDED.**  
[EXHIBIT\(sth39a07\)](#)

**Discussion:**

02:13:11 Rep. B. Bennett

02:13:37 **Vote:** Motion failed 9-10 by roll call vote with Rep. Bangerter, Rep. Harris, Rep. Hertz, Rep. Howard, Rep. Ingraham, Rep. Kary, Rep. O'Hara, Rep. Shaw and Rep. Vance voting aye. Rep. Vance voted by proxy. Rep. Blyton and Rep. Swanson voted no by proxy.

02:14:57 **Motion:** Rep. B. Bennett moved that **HB 265 BE AMENDED.**  
[EXHIBIT\(sth39a08\)](#)

**Discussion:**

02:17:49 Rep. B. Bennett  
 02:20:14 Rep. Hertz  
 02:20:45 Rep. Harris  
 02:21:16 Rep. Wilmer  
 02:21:39 Rep. Bangerter  
 02:21:52 Rep. B. Bennett  
 02:22:04 Rep. Ingraham  
 02:23:28 Rep. B. Bennett

02:25:18 **Vote:** Motion carried 12-7 by roll call vote with Rep. Blyton, Rep. Harris, Rep. Howard, Rep. Ingraham, Rep. Kary, Rep. Vance and Rep. Washburn voting no. Rep. Blyton and Rep. Vance voted by proxy. Rep. Swanson voted aye by proxy.

02:26:41 **Motion/Vote:** Rep. Bangerter moved that **HB 265 DO PASS AS AMENDED.**  
 Motion carried 12-7 by roll call vote with Rep. Calf Boss Ribs, Rep. Harris, Rep. Howard, Rep. Kary, Rep. Price, Rep. Schreiner and Rep. Swanson voting no. Rep. Swanson voted by proxy. Rep. Blyton and Rep. Vance voted aye by proxy.

**EXECUTIVE ACTION ON HB 397**

02:28:44 **Motion:** Rep. Kary moved that **HB 397 DO PASS.**

02:28:52 **Motion:** Rep. Kary moved that **HB 397 BE AMENDED.**  
**EXHIBIT(sth39a09)**

**Discussion:**

02:29:34 Rep. B. Bennett

02:30:35 Rep. Kary

02:31:47 Rep. Ingraham

02:32:12 Rep. B. Bennett

02:32:54 **Motion:** Rep. Bangerter moved that **HB 397 BE SEGREGATED and Part 1 BE ADOPTED.**

02:33:39 Rachel Weiss, LSD

02:34:02 Rep. Howard

02:34:57 Rachel Weiss, LSD

02:35:34 Rep. Ingraham

02:35:55 Rep. Bangerter

02:36:26 **Vote:** Motion carried 10-9 by roll call vote with Rep. Blyton, Rep. Connell, Rep. Harris, Rep. Hertz, Rep. Howard, Rep. Ingraham, Rep. Shaw, Rep. Vance and Rep. Washburn voting no. Rep. Blyton and Rep. Vance voted by proxy. Rep. Swanson voted aye by proxy.

02:37:40 **Motion:** Rep. Bangerter moved that **HB 397 DO PASS AS AMENDED.**

02:38:05 **Motion/Vote:** Rep. Kary moved that **Part 2 of Amendment BE ADOPTED.** Motion failed 8-11 by roll call vote with Rep. Harris, Rep. Hertz, Rep. Howard, Rep. Ingraham, Rep. Kary, Rep. O'Hara, Rep. Shaw and Rep. Vance voting aye. Rep. Vance voted by proxy. Rep. Blyton and Swanson voted no by proxy.

02:39:57 **Vote:** Motion failed 8-11 by roll call vote with Rep. Bangerter, Rep. Bennett, Rep. Brockie, Rep. Calf Boss Ribs, Rep. Price, Rep. Schreiner, Rep. Swanson and Rep. Wilmer voting aye. Rep. Swanson voted by proxy. Rep. Blyton and Rep. Vance voted no by proxy.

02:41:04 **Motion/Vote:** Rep. Bangerter moved that **HB 397 BE TABLED.** Motion carried unanimously by voice vote. Rep. Blyton, Rep. Swanson and Rep. Vance voted aye by proxy.

**EXECUTIVE ACTION ON HB 410**

02:42:54 **Motion:** Rep. Washburn moved that **HB 410 DO PASS.**

02:43:04 **Motion:** Rep. Washburn moved that **HB 410 BE AMENDED.**  
**EXHIBIT(sth39a10)**

**Discussion:**

02:44:39 Rep. Washburn

02:45:50 **Vote:** Motion carried unanimously by roll call vote. Rep. Blyton, Rep. Swanson and Rep. Vance voted aye by proxy.

02:46:46 **Motion:** Rep. Washburn moved that **HB 410 DO PASS AS AMENDED.**

**Discussion:**

02:46:57 Rep. Connell

02:47:06 **Vote:** Motion carried 16-3 by voice vote with Rep. Bennett, Rep. Schreiner and Rep. Swanson voting no. Rep. Swanson voted by proxy. Rep. Blyton and Rep. Vance voted aye by proxy.

**EXECUTIVE ACTION ON HB 411**

02:48:30 **Motion:** Rep. Harris moved that **HB 411 DO PASS.**

**Discussion:**

02:48:45 Rep. Harris

02:49:34 **Motion:** Rep. B. Bennett moved that **HB 411 BE AMENDED.**

[EXHIBIT\(sth39a11\)](#)

**Discussion:**

02:49:52 Rep. B. Bennett

02:50:51 Rep. Harris

02:52:10 Rep. Howard

02:52:30 **Vote:** Motion failed 7-12 by roll call vote with Rep. Bennett, Rep. Brockie, Rep. Calf Boss Ribs, Rep. Price, Rep. Schreiner, Rep. Swanson and Rep. Wilmer voting aye. Rep. Swanson voted by proxy. Rep. Blyton and Rep. Vance voted no by proxy.

02:53:27 **Motion:** Rep. Harris moved that **HB 411 BE AMENDED.**

[EXHIBIT\(sth39a12\)](#)

**Discussion:**

02:54:08 Rep. Harris

02:54:42 Rep. Brockie

02:55:15 Rep. Harris

02:55:34 Rep. Bangerter

02:55:52 Rep. Hertz

02:56:16 Rachel Weiss, LSD

02:56:20 Rep. Connell

02:56:52 **Vote:** Motion failed 4-15 by voice vote with Rep. Blyton, Rep. Harris, Rep. Vance and Rep. Washburn voting aye. Rep. Blyton and Rep. Vance voted by proxy. Rep. Swanson voted no by proxy.

02:58:31 **Vote:** Motion carried 12-7 by roll call vote with Rep. Bennett, Rep. Brockie, Rep. Calf Boss Ribs, Rep. Price, Rep. Schreiner, Rep. Swanson and Rep. Wilmer voting no. Rep. Swanson voted by proxy. Rep. Blyton and Rep. Vance voted aye by proxy.

#### **EXECUTIVE ACTION ON HB 428**

03:00:02 **Motion:** Rep. Kary moved that **HB 428 DO PASS**.  
**EXHIBIT(sth39a13)**

03:00:48 **Motion/Vote:** Rep. Kary moved that **HB 428 BE AMENDED**. Motion carried unanimously by voice vote. Rep. Blyton, Rep. Swanson and Rep. Vance voted aye by proxy.  
**EXHIBIT(sth39a14)**

03:02:46 **Motion:** Rep. Kary moved that **HB 428 DO PASS AS AMENDED**.

#### **Discussion:**

03:03:06 Rep. Kary  
03:04:00 Rep. Wilmer  
03:05:06 Rep. Price  
03:05:45 Rep. O'Hara  
03:06:35 Rep. Schreiner  
03:07:39 Rep. B. Bennett  
03:09:11 Rep. Brockie  
03:11:08 Rep. Washburn  
03:11:42 Rep. Kary

03:13:01 **Vote:** Motion failed 4-15 by roll call vote with Rep. Blyton, Rep. Ingraham, Rep. Kary and Rep. O'Hara voting aye. Rep. Blyton voted by proxy. Rep. Swanson and Rep. Vance voted no by proxy.

03:14:00 **Motion/Vote:** Rep. Kary moved that **HB 428 BE TABLED**. Motion carried unanimously by voice vote. Rep. Blyton, Rep. Swanson and Rep. Vance voted aye by proxy.

#### **EXECUTIVE ACTION ON HB 430**

03:15:13 **Motion:** Rep. Schreiner moved that **HB 430 DO PASS**.

03:15:22 **Motion/Vote:** Rep. Howard moved that **HB 430 BE TABLED**. Motion carried 11-8 by roll call vote with Rep. Bangerter, Rep. Bennett, Rep. Brockie, Rep. Calf Boss Ribs, Rep. Price, Rep. Schreiner, Rep. Swanson and Rep. Wilmer voting no. Rep. Swanson voted by proxy. Rep. Blyton and Rep. Vance voted aye by proxy.

**EXECUTIVE ACTION ON HB 436**

03:17:31 **Motion:** Rep. Hertz moved that **HB 436 DO PASS.**

**Discussion:**

03:17:47 Rep. Wilmer  
03:19:24 Rep. Ingraham  
03:20:25 Rep. Connell

03:21:27 **Motion/Vote:** Rep. Connell moved that **HB 436 BE TABLED.** Motion carried 16-3 by voice vote with Rep. Hertz, Rep. Howard and Rep. Vance voting no. Rep. Vance voted by proxy. Rep. Blyton and Rep. Swanson voted aye by proxy.

**EXECUTIVE ACTION ON HB 445**

03:22:30 **Motion:** Rep. Bangerter moved that **HB 445 DO PASS.**

03:22:34 **Motion/Vote:** Rep. Bangerter moved that **HB 445 BE AMENDED.** Motion carried unanimously by voice vote. Rep. Blyton, Rep. Swanson and Rep. Vance voted aye by proxy.

**EXHIBIT(sth39a15)**

03:24:03 **Motion:** Rep. Bangerter moved that **HB 445 DO PASS AS AMENDED.**

**Discussion:**

03:24:12 Rep. B. Bennett  
03:25:21 Rep. Ingraham  
03:26:31 Rep. Bangerter

03:26:50 **Vote:** Motion carried 12-7 by roll call vote with Rep. Bennett, Rep. Brockie, Rep. Calf Boss Ribs, Rep. Harris, Rep. Schreiner, Rep. Swanson and Rep. Wilmer voting no. Rep. Swanson voted by proxy. Rep. Blyton and Rep. Vance voted aye by proxy.

**EXECUTIVE ACTION ON HB 466**

03:28:26 **Motion:** Rep. Kary moved that **HB 466 DO PASS.**

**Discussion:**

03:28:48 Rep. Wilmer  
03:30:50 Rep. Schreiner

03:31:50 **Vote:** Motion failed 9-10 by roll call vote with Rep. Bangerter, Rep. Blyton, Rep. Connell, Rep. Hertz, Rep. Ingraham, Rep. Kary, Rep. O'Hara, Rep. Shaw and Rep. Vance voting aye. Rep. Blyton and Rep. Vance voted by proxy. Rep. Swanson voted no by proxy.

03:32:51 **Motion/Vote:** Rep. Bangerter moved that **HB 466 BE TABLED.** Motion carried unanimously by voice vote. Rep. Blyton, Rep. Swanson and Rep. Vance voted aye by proxy.

**EXECUTIVE ACTION ON HB 470**

03:33:58 **Motion/Vote:** Rep. Bangerter moved that **HB 470 BE TABLED**. Motion carried 15-4 by roll call vote with Rep. Blyton, Rep. Hertz, Rep. Howard and Rep. Vance voting no. Rep. Blyton and Rep. Vance voted by proxy. Rep. Swanson voted aye by proxy.

**EXECUTIVE ACTION ON HB 491**

03:35:41 **Motion:** Rep. B. Bennett moved that **HB 491 DO PASS**.

03:35:50 **Motion/Vote:** Rep. Hertz moved that **HB 491 BE TABLED**. Motion carried 10-9 by roll call vote with Rep. Bangerter, Rep. Bennett, Rep. Brockie, Rep. Calf Boss Ribs, Rep. O'Hara, Rep. Price, Rep. Schreiner, Rep. Swanson and Rep. Wilmer voting no. Rep. Swanson voted by proxy. Rep. Blyton and Rep. Vance voted aye by proxy.

**EXECUTIVE ACTION ON HB 498**

03:37:45 **Motion:** Rep. Bangerter moved that **HB 498 DO PASS**. Withdrawn.

**EXECUTIVE ACTION ON HB 529**

03:38:53 **Motion:** Rep. Harris moved that **HB 529 DO PASS**.  
[EXHIBIT\(sth39a16\)](#)

**Discussion:**

03:39:41 Rep. Harris

03:40:28 **Motion:** Rep. Harris moved that **HB 529 BE AMENDED**.  
[EXHIBIT\(sth39a17\)](#)

**Discussion:**

03:41:16 Rep. Harris

03:41:46 **Vote:** Motion carried 18-1 by voice vote with Rep. Kary voting no. Rep. Blyton, Rep. Swanson and Rep. Vance voted aye by proxy.

03:42:23 **Motion:** Rep. Harris moved that **HB 529 DO PASS AS AMENDED**.

**Discussion:**

03:43:01 Rep. Wilmer

03:43:32 Rep. Harris

03:43:53 Rep. Wilmer

03:44:14 Rep. Howard

03:45:53 Rep. Schreiner

03:47:28 Rep. Washburn

03:47:54 Rep. Hertz

03:48:33 **Motion/Vote:** Rep. B. Bennett moved that **HB 529 BE TABLED**. Motion carried 16-3 by roll call vote with Rep. Harris, Rep. Howard and Rep. Wilmer voting no. Rep. Blyton, Rep. Swanson and Rep. Vance voted aye by proxy.

**Discussion:**

03:50:00 Rep. Ingraham

03:51:40 Rachel Weiss, LSD

**ADJOURNMENT**

Adjournment: 03:52:16

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Patty Hartman, Secretary

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Additional Documents:

**EXHIBIT([sth39aad.pdf](#))**