

## MINUTES

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

#### COMMITTEE ON STATE ADMINISTRATION

**Call to Order:** Chair Pat Ingraham, on February 22, 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. 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. Ray L. Shaw (R)

**Members Excused:** Rep. Forrestina (Frosty) Calf Boss Ribs (D)  
Rep. Pat Connell (R)  
Rep. Casey Schreiner (D)  
Rep. Kathy Swanson (D)  
Rep. Gordon Vance (R)  
Rep. Franke Wilmer (D)

**Members Absent:** None

**Staff Present:** Patty Hartman, Committee Secretary  
Sheri Scurr, 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 538, 2/19/2013; HB 539, 2/19/2013; HB 552, 2/20/2013;  
HB 554, 2/20/2013; HB 557, 2/20/2013  
Executive Action: HB 329, HB 498, HB 520, HB 539, HB 552, HB 554

00:13:54 Rep. Schreiner arrived.

**HEARING ON HB 557**

**Opening Statement by Sponsor:**

00:16:37 Rep. Virginia Court (D), HD 52, opened the hearing on HB 557, Allow electronic voter registration for veterans.

00:18:31 Rep. Connell arrived.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:18:58 Rep. Harris

00:19:43 Rep. Court

00:20:21 Rep. Harris

00:21:09 Rep. Court

00:22:08 Rep. Blyton

00:22:51 Rep. Court

00:23:31 Rep. Bangerter

00:23:57 Rep. Court

00:24:51 Rep. Bangerter

00:25:05 Rep. Court

00:25:14 Rep. Bangerter

00:25:56 Rep. Court

**Closing by Sponsor:**

00:26:33 Rep. Court

**HEARING ON HB 539**

**Opening Statement by Sponsor:**

00:27:30 Rep. Champ Edmunds (R), HD 100, opened the hearing on HB 539, Revise when person has standing for elections/ethics complaints.

[EXHIBIT\(sth40a01\)](#)

**Proponents' Testimony:** None

**Opponents' Testimony:**

00:29:18 Mary Baker, Program Supervisor, Commissioner of Political Practices (COPP)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:32:57 Rep. B. Bennett

00:33:24 Rep. Hertz

00:34:05 Mary Baker, COPP

**Closing by Sponsor:**

00:35:26 Rep. Edmunds

**HEARING ON HB 538****Opening Statement by Sponsor:**

00:36:43 Rep. Jenifer Gursky (D), HD 98, opened the hearing on HB 538, High-performance certification program for existing buildings.

**Proponents' Testimony:**

00:39:16 Sarah Sather, Associated Students of the University of Montana (ASUM)

00:40:33 Zach Brown, President, ASUM

**EXHIBIT(sth40a02)****EXHIBIT(sth40a03)**

00:47:57 Jennifer James, American Institute of Architects (AIA)

00:48:31 Kyla Maki, Montana Environmental Information Center (MEIC)

00:50:30 Bryn Hagfors, ASUM

**Opponents' Testimony:** None**Informational Testimony:**00:52:02 Russ Katherman, Contracts Officer, Architecture and Engineering Division,  
Department of Administration (DOA)

00:53:31 Lou Moore, Department of Environmental Quality (DEQ)

**Questions from Committee Members and Responses:**

00:54:22 Rep. Connell

00:55:39 Russ Katherman, DOA

00:56:12 Rep. Connell

00:56:44 Russ Katherman, DOA

00:57:08 Rep. Connell

00:57:40 Rep. Hertz

00:58:14 Russ Katherman, DOA

00:58:29 Zach Brown, ASUM

00:58:53 Rep. Hertz

00:59:49 Zach Brown, ASUM

01:00:37 Rep. Bangerter

01:01:21 Lou Moore, DEQ

01:02:31 Rep. B. Bennett

01:03:04 Zach Brown, ASUM

01:04:38 Rep. B. Bennett

01:05:04 Zach Brown, ASUM

01:06:51 Rep. Harris

01:08:16 Zach Brown, ASUM

01:09:05 Lou Moore, DEQ

01:09:09 Rep. Harris

01:09:53 Lou Moore, DEQ

01:10:50 Rep. Harris

01:11:25 Lou Moore, DEQ

01:12:05 Rep. Shaw

01:13:11 Zach Brown, ASUM  
01:14:39 Rep. Shaw  
01:15:32 Zach Brown, ASUM  
01:17:19 Rep. Hertz  
01:18:33 Russ Katherman, DOA  
01:19:25 Rep. Hertz  
01:19:58 Russ Katherman, DOA  
01:20:52 Rep. Ingraham  
01:21:13 Zach Brown, ASUM  
01:21:22 Rep. Ingraham  
01:21:30 Zach Brown, ASUM

**Closing by Sponsor:**

01:22:29 Rep. Gursky  
  
01:25:36 Recessed  
01:39:17 Reconvened

**HEARING ON HB 554**

**Opening Statement by Sponsor:**

01:39:39 Rep. Bridget Smith (D), HD 31, opened the hearing on HB 554, Revise legislator compensation & benefit processing.  
01:40:32 Rep. Brockie left the room.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:**

01:41:54 Susan Byorth Fox, Executive Director, Legislative Services Division (LSD)

**Questions from Committee Members and Responses:**

01:42:17 Rep. Hertz  
01:42:42 Susan Fox, LSD  
01:43:02 Rep. Ingraham  
01:43:15 Susan Fox, LSD  
01:44:14 Rep. Connell  
01:44:36 Susan Fox, LSD  
01:45:21 Rep. Connell  
01:45:59 Susan Fox, LSD  
01:46:16 Rep. Connell  
01:46:31 Susan Fox, LSD  
01:47:33 Rep. Bangerter  
01:48:25 Susan Fox, LSD  
01:49:01 Rep. Kary  
01:49:43 Susan Fox, LSD

**Closing by Sponsor:**

01:50:19 Rep. B. Smith

**HEARING ON HB 552****Opening Statement by Sponsor:**

01:50:49 Rep. Reilly Neill (D), HD 62, opened the hearing on HB 552, Revise laws related to the Legislature and TVMT.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:**

01:53:21 Susan Byorth Fox, Executive Director, Legislative Services Division (LSD)

**Questions from Committee Members and Responses:**

01:53:49 Rep. Ingraham  
01:53:58 Susan Fox, LSD  
01:54:38 Rep. Ingraham  
01:54:53 Rep. Connell left the room.  
01:54:57 Susan Fox, LSD

**Closing by Sponsor:**

01:55:09 Rep. Neill

**EXECUTIVE ACTION ON HB 498**

01:58:43 **Motion:** Rep. O'Hara moved that **HB 498 DO PASS.**

01:58:50 **Motion/Vote:** Rep. Ingraham moved that **HB 498 BE AMENDED.** Motion carried unanimously by voice vote. Rep. Brockie, Rep. Calf Boss Ribs, Rep. Connell, Rep. Swanson, Rep. Vance and Rep. Wilmer voted aye by proxy.

**EXHIBIT(sth40a04)**

02:01:47 **Motion/Vote:** Rep. O'Hara moved that **HB 498 DO PASS AS AMENDED.** Motion carried 18-1 by voice vote with Rep. Vance voting no by proxy. Rep. Brockie, Rep. Calf Boss Ribs, Rep. Connell, Rep. Swanson and Rep. Wilmer voted aye by proxy.

02:02:32 Rep. Connell returned.

**EXECUTIVE ACTION ON HB 520**

02:03:54 **Motion:** Rep. O'Hara moved that **HB 520 DO PASS.**

02:04:06 **Motion:** Rep. Kary moved that **HB 520 BE AMENDED.**

**EXHIBIT(sth40a05)****Discussion:**

02:05:25 Rep. Kary  
02:05:46 Rep. O'Hara  
02:06:03 Rep. Kary

02:06:26 **Vote:** Motion carried 17-2 by voice vote with Rep. Bennett and Rep. Vance voting no. Rep. Vance voted by proxy. Rep. Brockie, Rep. Calf Boss Ribs, Rep. Swanson and Rep. Wilmer voted aye by proxy.

02:07:18 **Motion:** Rep. O'Hara moved that **HB 520 DO PASS AS AMENDED.**

**Discussion:**

02:07:34 Rep. Washburn  
02:08:09 Rep. Schreiner  
02:09:14 Rep. B. Bennett  
02:10:10 Rep. Harris  
02:10:57 Rep. Price  
02:11:34 Rep. Hertz  
02:11:47 Rep. Connell  
02:13:48 Rep. Ingraham

02:15:18 **Motion/Vote:** Rep. Kary moved that **HB 520 BE TABLED.** Motion carried 18-1 by voice vote with Rep. Vance voting no by proxy. Rep. Brockie, Rep. Calf Boss Ribs, Rep. Swanson and Rep. Wilmer voted aye by proxy.

**EXECUTIVE ACTION ON HB 539**

02:16:56 **Motion:** Rep. Hertz moved that **HB 539 DO PASS.**

**Discussion:**

02:17:12 Rep. Hertz  
02:17:54 Sheri Scurr, LSD  
02:18:14 Rep. Brockie entered the room.  
02:18:30 Rep. Hertz  
02:18:49 Rep. Connell  
02:19:41 Rep. Hertz  
02:20:02 Rep. Connell  
02:20:41 Rep. Hertz  
02:21:13 Rep. Schreiner  
02:21:41 Rep. Howard  
02:21:58 Rep. Bangerter

02:22:47 **Motion/Vote:** Rep. B. Bennett moved that **HB 539 BE TABLED.** Motion carried 14-5 by roll call vote with Rep. Blyton, Rep. Hertz, Rep. Howard, Rep. Shaw and Rep. Vance voting no. Rep. Vance voted by proxy. Rep. Calf Boss Ribs, Rep. Swanson and Rep. Wilmer voted aye by proxy.

**EXECUTIVE ACTION ON HB 552**

02:25:11 **Motion/Vote:** Rep. O'Hara moved that **HB 552 DO PASS.** Motion carried 18-0 by voice vote. Rep. Calf Boss Ribs, Rep. Swanson and Rep. Wilmer voted aye by proxy. Rep. Vance did not vote.

**EXECUTIVE ACTION ON HB 554**

02:26:27 **Motion:** Rep. Kary moved that **HB 554 BE INDEFINITELY POSTPONED.**  
Withdrawn.

**Discussion:**

02:26:51 Sheri Scurr, LSD

02:27:23 Rep. Bangerter

02:27:50 Sheri Scurr, LSD

02:28:22 **Motion:** Rep. O'Hara moved that **HB 554 DO PASS.**

**Discussion:**

02:28:56 Rep. Hertz

02:29:41 Rep. Ingraham

02:30:14 Rep. Connell

02:31:29 **Vote:** Motion carried 18-1 by voice vote with Rep. Vance voting no by proxy.  
Rep. Calf Boss Ribs, Rep. Swanson and Rep. Wilmer voted aye by proxy.

**EXECUTIVE ACTION ON HB 329**

02:32:16 **Motion/Vote:** Rep. Hertz moved that **HB 329 BE REMOVED FROM TABLED.**  
Motion carried 11-4 by roll call vote with Rep. Bennett, Rep. Brockie, Rep. Price  
and Rep. Schreiner voting no. Rep. Calf Boss Ribs, Rep. Swanson, Rep. Vance  
and Rep. Wilmer did not vote.

02:34:36 **Motion:** Rep. Hertz moved that **HB 329 DO PASS.**

02:34:42 **Motion:** Rep. Hertz moved that **HB 329 BE AMENDED.**

[EXHIBIT\(sth40a06\)](#)

02:36:12 Recessed

02:40:56 Reconvened

**Discussion:**

02:42:34 Rep. Hertz

02:43:14 Rep. B. Bennett

02:43:58 Rep. Connell

02:44:05 Rep. Calf Boss Ribs entered the room.

02:45:37 **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 and Rep. Wilmer voted by proxy. Rep. Vance voted  
aye by proxy.

02:46:32 **Motion:** Rep. Hertz moved that **HB 329 DO PASS AS AMENDED.**

**Discussion:**

02:47:31 Rep. Schreiner  
02:48:41 Rep. Harris  
02:49:19 Rep. Schreiner  
02:50:00 Rep. Washburn  
02:50:37 Rep. Howard  
02:51:06 Rep. Hertz  
02:51:35 Rep. B. Bennett  
02:52:27 Rep. Brockie  
02:53:08 Rep. Shaw  
02:54:48 Rep. Schreiner  
02:55:16 Rep. Hertz  
02:55:39 Rep. Schreiner  
02:56:10 Rep. Hertz  
02:57:00 Rep. Ingraham

02:57:44 **Vote:** 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 and Rep. Wilmer voted by proxy. Rep. Vance voted aye by proxy.

**ADJOURNMENT**

Adjournment: 02:59:29

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Patty Hartman, Secretary

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Additional Documents:

**EXHIBIT([sth40aad.pdf](#))**