

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: Chair Jeff Essmann, on March 12, 2015 at 8:00 AM, in Room 455 Capitol

ROLL CALL

Members Present:

Rep. Jeff Essmann, Chair (R)
Rep. Bill Harris, Vice Chair (R)
Rep. Casey Schreiner, Vice Chair (D)
Rep. Bob Brown (R)
Rep. Frank Garner (R)
Rep. Edward Greef (R)
Rep. Denise Hayman (D)
Rep. Jessica Karjala (D)
Rep. Debra Lamm (R)
Rep. Forrest Mandeville (R)
Rep. Wendy McKamey (R)
Rep. Dale Mortensen (R)
Rep. Jean Price (D)
Rep. Kathy Swanson (D)

Members Excused:

Rep. Bryce Bennett (D)
Rep. Moffie Funk (D)
Rep. Austin Knudsen (R)
Rep. Ray L. Shaw (R)
Rep. Susan Webber (D)
Rep. Art Wittich (R)

Members Absent: None

Staff Present: Jennifer Petersen, 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: SB 42, 2/25/2015; SB 74, 2/25/2015; SB 151, 2/25/2015; SB 220, 2/25/2015; SB 248, 2/25/2015

00:00:05 Chair Essmann

HEARING ON SB 248

Opening Statement by Sponsor:

00:01:47 Sen. John Brenden (R), SD 17, opened the hearing on SB 248, Require identification for legislative public comment.

00:03:30 Chair Essmann

Proponents' Testimony:

00:03:37 Bob Gilbert, self

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:04:58 Rep. Hayman

00:05:34 Sen. Brenden

00:05:41 Rep. Lamm

00:05:56 Sen. Brenden

00:06:31 Rep. Karjala

00:07:05 Sen. Brenden

00:07:41 Rep. Karjala

00:08:00 Sen. Brenden

00:08:23 Chair Essmann

00:08:33 Sen. Brenden

Closing by Sponsor:

00:08:52 Sen. Brenden

00:09:20 Chair Essmann

HEARING ON SB 151

Opening Statement by Sponsor:

00:09:41 Sen. Douglas (Doug) Kary (R), SD 22, opened the hearing on SB 151, Strike requirement to file campaign reports with election administrators.

Proponents' Testimony:

00:11:12 Mary Baker, Program Supervisor, Commissioner of Political Practices (COPP)
[EXHIBIT\(sth51a01\)](#)

00:12:28 Linda Stoll, Montana Association of Clerks and Records and Election Administrators (MACREA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:13:33 Sen. Kary

00:13:53 Chair Essmann

HEARING ON SB 42

Opening Statement by Sponsor:

00:14:20 Sen. Sue Malek (D), SD 46, opened the hearing on SB 42, Revise allocation of contribution in the PERS defined contribution plan.

[EXHIBIT\(sth51a02\)](#)

Proponents' Testimony:

00:20:13 Dore Schwinden, Executive Director, Montana Public Employees Retirement Association (MPERA)

00:20:42 Terrance Smith, Finance Officer, Big Sky County Water and Sewer District

00:21:12 Tom Schneider, Montana Public Employees Association (MPEA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:22:43 Rep. Karjala

00:23:37 Dore Schwinden, MPERA

00:24:22 Rep. Garner

00:24:42 Sen. Malek

00:25:30 Chair Essmann

00:25:36 Sen. Malek

Closing by Sponsor:

00:25:48 Sen. Malek

00:26:23 Chair Essmann

HEARING ON SB 74

Opening Statement by Sponsor:

00:26:40 Sen. Mary Sheehy Moe (D), SD 12, opened the hearing on SB 74, Revise PERS employer contribution laws for the Montana State University System.

00:28:26 Chair Essmann

Proponents' Testimony:

00:28:33 Melanie Symons, Legal Counsel, Montana Public Employees Retirement Administration (MPERA)

00:29:58 Marilyn Hamer, Volunteer Advocate, AARP Montana

[EXHIBIT\(sth51a03\)](#)

00:31:04 Tom Schneider, Montana Public Employees Association (MPEA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:31:52 Rep. Lamm
00:32:31 Melanie Symons, MPERA

Closing by Sponsor:

00:34:17 Sen. Moe
00:34:44 Chair Essmann

HEARING ON SB 220

Opening Statement by Sponsor:

00:37:33 Sen. Christine Kaufmann (D), SD 40, opened the hearing on SB 220, Repeal the electronic government advisory board and transfer duties.

Proponents' Testimony:

00:41:27 Ron Baldwin, Chief Information Officer, Department of Administration (DOA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:46:11 Rep. Garner
00:46:29 Ron Baldwin, DOA
00:46:33 Rep. Garner
00:46:40 Ron Baldwin, DOA
00:47:53 Rep. Garner
00:48:04 Ron Baldwin, DOA
00:48:28 Rep. Lamm
00:48:32 Sen. Kaufmann
00:48:34 Rep. Lamm
00:49:06 Sen. Kaufmann
00:49:54 Rep. Lamm
00:50:09 Sen. Kaufmann
00:51:07 Rep. Lamm
00:51:28 Sen. Kaufmann
00:52:32 Rep. Lamm
00:52:49 Ron Baldwin, DOA
00:53:51 Rep. Lamm
00:53:58 Chair Essmann
00:54:04 Rep. McKamey
00:54:24 Ron Baldwin, DOA
00:54:45 Audrey Hinman, Department of Administration (DOA)
00:55:02 Rep. McKamey
00:55:05 Audrey Hinman, DOA

00:56:00 Rep. McKamey
00:56:10 Audrey Hinman, DOA
00:56:35 Rep. McKamey
00:56:43 Audrey Hinman, DOA
00:57:13 Rep. McKamey
00:57:38 Audrey Hinman, DOA
00:59:44 Rep. McKamey
01:00:01 Audrey Hinman, DOA
01:00:18 Chair Essmann
01:01:03 Ron Baldwin, DOA
01:01:12 Chair Essmann
01:01:14 Ron Baldwin, DOA
01:03:16 Chair Essmann
01:04:36 Sen. Kaufmann

Closing by Sponsor:

01:05:00 Sen. Kaufmann

01:06:18 Chair Essmann, Recess
01:28:06 Chair Essmann, Reconvene (*Rep. B. Bennett is present*)

EXECUTIVE ACTION ON SB 74

01:29:45 **Motion:** Rep. Harris moved that **SB 74 BE CONCURRED IN**.

01:30:03 Sheri Scurr, Legislative Services Division (LSD)
[EXHIBIT\(sth51a04\)](#)

01:31:10 **Motion:** Rep. Swanson moved that **SB 74 BE AMENDED**.

01:31:27 **Vote:** Motion carried unanimously by voice vote. Rep. Knudsen, Rep. Shaw, Rep. Webber and Rep. Wittich voted by proxy.

01:31:43 **Motion/Vote:** Rep. Harris moved that **SB 74 BE CONCURRED IN AS AMENDED**. Motion carried unanimously by voice vote. Rep. Knudsen, Rep. Shaw, Rep. Webber and Rep. Wittich voted by proxy. Rep. McKamey will carry the bill.

EXECUTIVE ACTION ON SB 42

01:32:57 **Motion:** Rep. Harris moved that **SB 42 BE CONCURRED IN**.

01:33:05 Sheri Scurr, LSD
[EXHIBIT\(sth51a05\)](#)
[EXHIBIT\(sth51a06\)](#)

01:36:24 Chair Essmann

01:36:29 **Motion/Vote:** Rep. Garner moved that **SB 42 BE AMENDED**. Motion carried unanimously by voice vote. Rep. Knudsen, Rep. Shaw, Rep. Webber and Rep. Wittich voted by proxy.

01:37:22 **Motion/Vote:** Rep. Lamm moved that **SB 42 BE AMENDED**. Motion carried unanimously by voice vote. Rep. Knudsen, Rep. Shaw, Rep. Webber and Rep. Wittich voted by proxy.

01:38:05 **Motion/Vote:** Rep. Harris moved that **SB 42 BE CONCURRED IN AS AMENDED**. Motion carried unanimously by voice vote. Rep. Knudsen, Rep. Shaw, Rep. Webber and Rep. Wittich voted by proxy. Rep. Garner will carry the bill.

01:38:45 Chair Essmann

01:40:16 Rep. Hayman

01:40:22 Chair Essmann

01:41:22 Rep. Garner

01:41:38 Chair Essmann

EXECUTIVE ACTION ON SB 151

01:42:23 **Motion/Vote:** Rep. Harris moved that **SB 151 BE CONCURRED IN**. Motion carried unanimously by voice vote. Rep. Knudsen, Rep. Shaw, Rep. Webber and Rep. Wittich voted by proxy. Rep. Greef will carry the bill.

EXECUTIVE ACTION ON SB 248

01:43:24 **Motion/Vote:** Rep. Harris moved that **SB 248 BE CONCURRED IN**. Motion carried unanimously by voice vote. Rep. Knudsen, Rep. Shaw, Rep. Webber and Rep. Wittich voted by proxy. Rep. Price will carry the bill.

01:43:59 Rep. Price

01:44:07 Chair Essmann

01:45:11 Rep. Hayman

EXECUTIVE ACTION ON HB 574

01:45:23 **Motion:** Rep. Harris moved that **HB 574 DO PASS**.

Discussion:

01:45:58 Rep. Funk

01:46:20 Chair Essmann

01:46:25 Rep. Funk

01:46:32 Chair Essmann

01:46:39 Sheri Scurr, LSD

EXHIBIT(sth51a07)

01:47:54 **Motion:** Rep. Garner moved that **HB 574 BE AMENDED.**

Discussion:

01:48:08 Rep. Garner
01:48:21 Rep. McKamey
01:48:46 Sheri Scurr, LSD
01:49:08 Chair Essmann

01:49:14 **Vote:** Motion carried unanimously by voice vote. Rep. Knudsen, Rep. Shaw, Rep. Webber and Rep. Wittich voted by proxy.

01:49:47 **Motion:** Rep. Garner moved that **HB 574 BE AMENDED.**

EXHIBIT(sth51a08)**Discussion:**

01:50:31 Chair Essmann
01:51:22 Rep. Garner
01:51:34 Rep. Hayman
01:51:53 Rep. Garner
01:51:56 Rep. Hayman
01:52:15 Rep. Garner
01:52:31 Rep. Hayman
01:52:36 Rep. Garner
01:52:53 Chair Essmann
01:54:15 Vice Chair Schreiner

01:55:17 **Vote:** Motion carried 15-5 by roll call vote with Rep. Bennett, Rep. Karjala, Rep. Price, Rep. Schreiner and Rep. Swanson voting no. Rep. Knudsen, Rep. Shaw, Rep. Webber and Rep. Wittich voted by proxy.

Discussion:

01:57:24 Chair Essmann
01:57:30 Rep. Funk
01:58:06 Chair Essmann
01:58:24 Rep. Garner
01:58:32 Chair Essmann

Executive action on HB 574 as amended will be taken at a later date.

EXECUTIVE ACTION ON SB 45

01:59:20 **Motion:** Rep. Harris moved that **SB 45 BE CONCURRED IN.**

Discussion:

01:59:29 Rep. B. Bennett
02:00:15 Rep. B. Brown
02:00:28 Rep. McKamey

02:01:13 Rep. Mandeville
02:01:57 Rep. Greef
02:02:10 Rep. Garner
02:02:24 Rep. Harris
02:02:47 Rep. Hayman

02:03:29 **Motion:** Rep. Essmann moved that **SB 45 BE CONCEPTUALLY AMENDED TO INCLUDE A 10 YEAR SUNSET ON THE BILL.**

02:04:20 Vice Chair Schreiner
02:07:03 Chair Essmann

02:07:08 **Vote:** Motion carried 12-8 by roll call vote with Rep. Bennett, Rep. Funk, Rep. Hayman, Rep. Karjala, Rep. Price, Rep. Schreiner, Rep. Swanson and Rep. Webber voting no. Rep. Knudsen, Rep. Shaw, Rep. Webber and Rep. Wittich voted by proxy.

02:08:35 **Motion/Vote:** Rep. Harris moved that **SB 45 BE CONCURRED IN AS AMENDED.** Motion failed 10-10 by roll call vote with Rep. Essmann, Rep. Garner, Rep. Greef, Rep. Harris, Rep. Knudsen, Rep. Lamm, Rep. McKamey, Rep. Mortensen, Rep. Shaw and Rep. Wittich voting aye. Rep. Knudsen, Rep. Shaw, Rep. Webber and Rep. Wittich voted by proxy.

02:10:20 **Motion/Vote:** Rep. Mandeville moved that **SB 45 BE TABLED.** Motion carried 14-6 by voice vote with Rep. Greef, Rep. Knudsen, Rep. Lamm, Rep. McKamey, Rep. Shaw and Rep. Wittich voting no. Rep. Knudsen, Rep. Shaw, Rep. Webber and Rep. Wittich voted by proxy.

EXECUTIVE ACTION ON SB 80

02:12:09 Sheri Scurr, LSD
02:12:29 Chair Essmann

02:12:32 **Motion/Vote:** Rep. Harris moved that **SB 80 BE CONCURRED IN.** Motion carried unanimously by voice vote. Rep. Knudsen, Rep. Shaw, Rep. Webber and Rep. Wittich voted by proxy. Rep. McKamey will carry the bill.

EXECUTIVE ACTION ON SB 89

02:13:28 Sheri Scurr, LSD

02:13:56 **Motion/Vote:** Rep. Harris moved that **SB 89 BE CONCURRED IN.** Motion carried unanimously by voice vote. Rep. Knudsen, Rep. Shaw, Rep. Webber and Rep. Wittich voted by proxy. Rep. B. Bennett will carry the bill.

EXECUTIVE ACTION ON SB 94

02:15:04 Sheri Scurr, LSD

02:15:25 **Motion/Vote:** Rep. Harris moved that **SB 94 BE CONCURRED IN**. Motion carried unanimously by voice vote. Rep. Knudsen, Rep. Shaw, Rep. Webber and Rep. Wittich voted by proxy. Rep. Fitzpatrick will carry the bill.

02:16:09 Rep. Mandeville

02:16:23 Chair Essmann

EXECUTIVE ACTION ON SB 124

02:16:35 Sheri Scurr, LSD

02:17:09 **Motion/Vote:** Rep. Harris moved that **SB 124 BE CONCURRED IN**. Motion carried unanimously by voice vote. Rep. Knudsen, Rep. Shaw, Rep. Webber and Rep. Wittich voted by proxy. Rep. Lamm will carry the bill.

EXECUTIVE ACTION ON SB 144

02:18:03 Sheri Scurr, LSD

02:18:21 **Motion/Vote:** Rep. Harris moved that **SB 144 BE CONCURRED IN**. Motion carried unanimously by voice vote. Rep. Knudsen, Rep. Shaw, Rep. Webber and Rep. Wittich voted by proxy. Rep. Fitzpatrick will carry the bill.

02:18:53 Chair Essmann

02:22:52 Rep. Hayman

02:22:54 Chair Essmann

02:23:45 Rep. Lamm

02:23:51 Chair Essmann

ADJOURNMENT

Adjournment: 02:24:44

Jennifer Petersen, Secretary

jp

Additional Documents:

EXHIBIT([sth51aad.pdf](#))