

## MINUTES

### MONTANA SENATE 64th LEGISLATURE - REGULAR SESSION COMMITTEE ON STATE ADMINISTRATION

**Call to Order:** Chair Dee Brown, on February 16, 2015 at 3:00 PM, in Room 335 Capitol

#### ROLL CALL

**Members Present:**

Sen. Dee Brown, Chair (R)  
Sen. Roger Webb, Vice Chair (R)  
Sen. Robyn Driscoll (D)  
Sen. Jedediah Hinkle (R)  
Sen. Douglas (Doug) Kary (R)  
Sen. Sue Malek (D)  
Sen. Lea Whitford (D)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Prudence Gildroy, 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: SB 238, 2/10/2015; SB 286, 2/12/15;

Executive Action: SB 220 Do Pass; SB 225 Do Pass as Amended; SB 235 Do Pass;  
SB 248 Do Pass; SB 275 Do Pass as Amended

**HEARING ON SB 286****Opening Statement by Sponsor:**

00:01:31 Sen. Cary Smith (R), SD 27, opened the hearing on SB 286, Limit agency rule making if it burdens property rights.

**Proponents' Testimony:** None

**Opponents' Testimony:**

00:04:36 Edward G. Beaudette, staff attorney, Department of Transportation (MDT)  
00:14:00 Anne Hedges, Montana Environmental Information Center (MEIC)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:19:26 Sen. Kary  
00:19:50 Mr. Beaudette, MDT  
00:21:06 Sen. Kary  
00:21:19 Mr. Beaudette  
00:21:36 Chair Brown  
00:21:54 Mr. Beaudette  
00:22:37 Sen. Kary  
00:22:50 Mr. Beaudette  
00:24:32 Sen. Kary  
00:24:52 Chair Brown  
00:25:03 Sen. Whitford  
00:25:43 Mr. Beaudette  
00:26:47 Chair Brown  
00:26:53 Mr. Beaudette  
00:27:36 Sen. Whitford  
00:27:54 Sen. Smith  
00:29:19 Sen. Whitford  
00:29:53 Sen. Smith  
00:30:10 Sen. Driscoll  
00:30:34 Chair Brown  
00:30:52 Sen. Smith  
00:31:09 Sen. Malek  
00:31:39 Sen. Smith  
00:31:48 Sen. Malek  
00:32:16 Sen. Smith  
00:32:47 Sen. Malek  
00:33:15 Mr. Beaudette  
00:35:34 Sen. Malek  
00:36:02 Mr. Beaudette  
00:37:09 Chair Brown  
00:37:46 Mr. Beaudette

00:39:31 Chair Brown  
00:40:07 Sen. Smith

**Closing by Sponsor:**

00:41:19 Sen. Smith

**HEARING ON SB 238**

**Opening Statement by Sponsor:**

00:44:39 Sen. Mark Blasdel (R), SD 4, opened the hearing on SB 238, Create a deferred retirement option plan (DROP) in Hwy Patrol Retirement Plan.

[EXHIBIT\(sts35a01\)](#)

**Proponents' Testimony:**

00:46:34 Jessie Luther, Association of Montana Troopers (AMT)

[EXHIBIT\(sts35a02\)](#)

00:53:24 Tom Butler, colonel, Montana Highway Patrol (MHP)

00:55:43 Brian Inman, president, AMT

00:58:26 Chair Brown

00:58:48 Jay Nelson, sergeant, MHP

01:01:02 Jerry Williams, executive director, Montana Police Protective Association (MPPA)

01:03:51 Tom Schneider, Montana Public Employees Association (MPEA)

**Opponents' Testimony:** None

**Informational Testimony:** None

01:05:07 Melanie Symons, Montana Public Employees Retirement Administration (MPERA)

**Questions from Committee Members and Responses:**

01:05:25 Sen. Webb

01:05:44 Ms. Luther, AMT

01:07:20 Chair Brown

01:07:35 Ms. Luther

01:07:56 Chair Brown

01:08:03 Mr. Williams, MPPA

01:08:49 Ms. Symons, MPERA

01:09:26 Chair Brown

01:09:36 Ms. Symons

01:12:43 Chair Brown

01:13:28 Ms. Symons

**Closing by Sponsor:**

01:14:27 Sen. Blasdel

01:16:31 Recess

01:28:27 Reconvene

**EXECUTIVE ACTION ON SB 220**

01:28:33 **Motion:** Sen. Webb moved that **SB 220 DO PASS.**

01:28:49 **Motion:** Sen. D. Brown moved that **SB 220 BE AMENDED.**  
**EXHIBIT(sts35a03)**

**Discussion:**

01:29:30 Rachel Weiss, Legislative Fiscal Division (LFD)

01:30:07 Sen. Brown

01:31:03 **Vote:** Motion carried unanimously by voice vote.

01:31:27 **Motion:** Sen. Webb moved that **SB 220 DO PASS AS AMENDED.**

**Discussion:**

01:31:38 Chair Brown

01:32:04 **Vote:** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SB 225**

01:32:13 **Motion:** Sen. Webb moved that **SB 225 DO PASS.**

**Discussion:**

01:32:22 Chair Brown

01:32:34 Sen. Hinkle

01:33:07 Sen. Malek

01:33:48 Sen. Kary

01:34:06 Chair Brown

01:34:51 Sen. Whitford

01:37:04 Chair Brown

01:37:47 Sen. Whitford

01:39:12 Chair Brown

01:39:22 Sen. Kary

01:40:21 Sen. Driscoll

01:40:54 Chair Brown

01:41:20 Sen. Driscoll

00:41:26 **Vote:** Motion carried 4-3 by roll call vote with Sen. Driscoll, Sen. Malek and Sen. Whitford voting no.

**EXECUTIVE ACTION ON SB 235**

01:42:16 **Motion:** Sen. Webb moved that **SB 235 DO PASS.**

**Discussion:**

01:42:40 Chair Brown

01:42:51 Sen. Malek

01:43:04 **Vote:** Motion carried 4-3 by roll call vote with Sen. Driscoll, Sen. Malek and Sen. Whitford voting no.

**EXECUTIVE ACTION ON SB 248**

01:45:36 **Motion:** Sen. Webb moved that **SB 248 DO PASS.**

01:45:47 **Substitute Motion/Vote:** Sen. Malek made a substitute motion that **SB 248 BE TABLED.** Substitute Motion failed 3-4 by roll call vote with Sen. Driscoll, Sen. Malek and Sen. Whitford voting aye.

**Discussion:**

01:46:39 Sen. Webb

01:46:58 Chair Brown

01:47:22 Sen. Hinkle

01:47:55 Chair Brown

01:48:16 Sen. Whitford

01:48:41 Chair Brown

01:48:49 Sen. Hinkle

01:49:24 Chair Brown

01:49:33 Sen. Hinkle

01:49:39 Sen. Malek

01:50:31 Chair Brown

01:50:51 **Vote:** Motion carried 4-3 by roll call vote with Sen. Driscoll, Sen. Malek and Sen. Whitford voting no.

**EXECUTIVE ACTION ON SB 275**

01:51:27 **Motion:** Sen. Webb moved that **SB 275 DO PASS.**

01:51:56 **Motion:** Sen. Webb moved that **SB 275 BE AMENDED.**  
[EXHIBIT\(sts35a04\)](#)

**Discussion:**

01:52:09 Sen. Webb

01:52:35 Chair Brown

01:52:42 **Vote:** Motion carried 4-3 by voice vote with Sen. Driscoll, Sen. Malek and Sen. Whitford voting no.

01:53:05 **Motion:** Sen. Webb moved that **SB 275 DO PASS AS AMENDED.**

**Discussion:**

01:53:16 Sen. Webb

01:53:42 Sen. Malek

01:54:51 Sen. Whitford

01:55:35 Chair Brown

01:55:46 **Vote:** Motion carried 4-3 by roll call vote with Sen. Driscoll, Sen. Malek and Sen. Whitford voting no.

**ADJOURNMENT**

Adjournment: 5:24 p.m.

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Prudence Gildroy, Secretary

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Additional Documents:

**EXHIBIT([sts35aad.pdf](#))**