

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 66th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON STATE ADMINISTRATION

**Call to Order:** Chair Forrest Mandeville, on February 20, 2019 at 9:00 AM, in Room 455 Capitol

#### ROLL CALL

**Members Present:**

Rep. Forrest Mandeville, Chair (R)  
Rep. Jacob Bachmeier, Vice Chair (D)  
Rep. Wendy McKamey, Vice Chair (R)  
Rep. Jade Bahr (D)  
Rep. Geraldine Custer (R)  
Rep. Julie Dooling (R)  
Rep. Frank Fleming (R)  
Rep. Frank Garner (R)  
Rep. Sharon Greef (R)  
Rep. Denise Hayman (D)  
Rep. Jessica Karjala (D)  
Rep. Tyson T. Runningwolf (D)  
Rep. Walt Sales (R)  
Rep. Mark Sweeney (D)  
Rep. Marvin Weatherwax (D)  
Rep. Peggy Webb (R)  
Rep. Thomas Winter (D)

**Members Excused:** Rep. Rodney Garcia (R)  
Rep. Dale Mortensen (R)  
Rep. Ray L. Shaw (R)

**Members Absent:** None

**Staff Present:** Karen Armstrong, 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 392, 2/6/2019; HB 484, 2/18/2019, HB 485, 2/18/2019  
Executive Action: HB 305, HB 307, HB 374, HB 391, HB 392, Request for  
Committee Bill

09:00:47 Chairman Mandeville

### HEARING ON HB 392

#### Opening Statement by Sponsor:

09:02:17 Rep. Jacob Bachmeier (D), HD 28, opened the hearing on HB 392, Provide for a state rock 'n' roll song.

#### Proponents' Testimony:

09:03:54 Lieutenant Governor Mike Cooney

09:06:35 Lon Faught, Self

09:10:41 Dave Martens, Self

Opponents' Testimony: None

Informational Testimony: None

#### Questions from Committee Members and Response

09:13:17 Rep. Karjala

09:13:42 Vice Chair Bachmeier

09:14:04 Rep. Karjala

09:14:14 Vice Chair Bachmeier

09:14:35 Rep. McKamey

09:15:20 Dave Martens, Self

09:16:49 Chair Mandeville

09:17:58 Vice Chair Bachmeier

09:18:44 Chair Mandeville

09:19:28 Lieutenant Governor Cooney

09:20:22 Vice Chair McKamey

09:20:48 Chair Mandeville

#### Closing by Sponsor:

09:21:11 Vice Chair Bachmeier

### EXECUTIVE ACTION ON HB 392

09:21:52 **Motion:** Rep. McKamey moved that **HB 392 DO PASS.**

#### Discussion:

09:22:12 Vice Chair McKamey

09:22:54 **Motion:** Rep. Bachmeier moved that **HB 392 BE AMENDED.**

[EXHIBIT\(sth36a01\)](#)

#### Discussion:

09:23:20 Vice Chair Bachmeier

09:23:38 **Vote:** Motion carried unanimously by voice vote. Rep. Garcia, Rep. Mortensen and Rep. Shaw voted by proxy.

09:24:04 **Motion:** Rep. Bachmeier moved that **HB 392 DO PASS AS AMENDED.**

**Discussion:**

09:24:15 Rep. Greef  
09:24:40 Rep. Sweeney  
09:25:08 Rep. Custer  
09:26:04 Vice Chair Bachmeier  
09:26:51 Rep. Karjala  
09:27:19 Rep. Winter  
09:27:51 Rep. Weatherwax

09:28:19 **Vote:** Motion carried 18-2 by roll call vote with Rep. Greef and Rep. Mandeville voting no. Rep. Garcia, Rep. Mortensen and Rep. Shaw voted by proxy.

**HEARING ON HB 484**

**Opening Statement by Sponsor:**

09:29:48 Rep. Bob Brown (R), HD 13, opened the hearing on HB 484, Revise laws related to the voter information pamphlet and judicial candidates.

**Proponents' Testimony:**

09:31:18 Pascal Redfern, Self  
09:39:04 Mark French, Self  
09:43:36 Lydia French, Self

**Opponents' Testimony:**

09:45:36 Bruce Spencer, State Bar of Montana (SBM)  
09:51:19 Al Smith, Montana Trial Lawyers Association (MTLA)  
09:54:50 Lauren Caldwell, Montana Federation of Public Employees (MFPE)

**Informational Testimony:**

09:56:26 Stuart Fuller, Secretary of State's Office (SOS)

**Questions from Committee Members and Responses:**

09:56:52 Rep. Custer  
09:57:12 Rep. Brown  
09:57:37 Rep. Custer  
09:58:15 Stuart Fuller, SOS  
09:58:38 Rep. Karjala  
09:59:49 Al Smith, MTLA  
10:00:12 Rep. Karjala  
10:01:30 Al Smith, MTLA  
10:01:47 Rep. Sweeney  
10:02:30 Bruce Spencer, SBM  
10:02:44 Rep. Dooling  
10:03:34 Rep. Brown  
10:03:47 Pascal Redfern, Self  
10:04:28 Rep. Dooling  
10:04:43 Pascal Redfern, Self

10:05:12 Vice Chair McKamey  
10:05:41 Stuart Fuller, SOS  
10:06:50 Vice Chair McKamey  
10:07:11 Stuart Fuller, SOS  
10:07:33 Vice Chair McKamey  
10:07:49 Stuart Fuller, SOS  
10:08:28 Vice Chair Bachmeier  
10:09:05 Stuart Fuller, SOS  
10:10:21 Chair Mandeville  
10:11:18 Rep. Brown  
10:11:39 Chair Mandeville

**Closing by Sponsor:**

10:11:50 Rep. Brown

**HEARING ON HB 485**

**Opening Statement by Sponsor:**

10:13:12 Rep. Bob Brown (R), HD 13, opened the hearing on HB 485, Revise judicial standards commission appointment process.

**Proponents' Testimony:**

10:14:46 Pascal Redfern, Self

**Opponents' Testimony:**

10:16:30 Bruce Spencer, State Bar of Montana (SBM)  
10:20:10 Al Smith, Montana Trial Lawyers Association (MTLA)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

10:21:03 Vice Chair Bachmeier  
10:21:32 Bruce Spencer, SBM  
10:21:41 Rep. Custer  
10:21:57 Bruce Spencer, SBM  
10:22:17 Rep. Sales  
10:23:40 Pascal Redfern, Self  
10:26:05 Rep. Custer  
10:26:12 Pascal Redfern, Self  
10:26:31 Chair Mandeville

**Closing by Sponsor:**

10:27:04 Rep. Brown

10:31:07 Recessed.

11:07:50 Reconvened.

**EXECUTIVE ACTION ON HB 307**

- 11:08:05 **Motion:** Rep. Bachmeier moved that **HB 307 DO PASS.**
- 11:08:40 **Substitute Motion/Vote:** Rep. Bachmeier made a substitute motion that **HB 307 BE TABLED.** Substitute Motion carried unanimously by voice vote. Rep. Garcia, Rep. Mortensen and Rep. Shaw voted by proxy.

**EXECUTIVE ACTION ON HB 374**

- 11:09:19 **Motion:** Rep. Greef moved that **HB 374 DO PASS.**
- 11:09:41 **Motion:** Rep. Greef moved that **HB 374 BE AMENDED.**  
**EXHIBIT**(sth36a02)

**Discussion:**

- 11:09:58 Rep. Greef
- 11:10:09 Rep. Custer
- 11:11:05 Vice Chair Bachmeier
- 11:11:31 Rep. Karjala
- 11:11:50 **Vote:** Motion carried 16-4 by roll call vote with Rep. Karjala, Rep. Runningwolf, Rep. Sweeney and Rep. Weatherwax voting no. Rep. Garcia, Rep. Mortensen and Rep. Shaw voted by proxy.
- 11:13:02 **Motion:** Rep. Greef moved that **HB 374 DO PASS AS AMENDED.**

**Discussion:**

- 11:13:15 Rep. Greef
- 11:14:09 Rep. Winter
- 11:14:57 Rep. Custer
- 11:15:38 Rep. Runningwolf
- 11:16;27 Vice Chair Bachmeier
- 11:17:38 Rep. Greef
- 11:18;45 Rep. Weatherwax
- 11:20:11 Rep. Custer
- 11:21:19 Vice Chair Bachmeier
- 11:23:32 Rep. Sweeney
- 11:24:21 **Vote:** Motion failed 6-14 by roll call vote with Rep. Custer, Rep. Fleming, Rep. Greef, Rep. McKamey, Rep. Shaw and Rep. P. Webb voting aye. Rep. Garcia, Rep. Mortensen and Rep. Shaw voted by proxy.
- 11:25:33 **Motion/Vote:** Rep. McKamey moved that **HB 374 BE TABLED.** Motion carried unanimously by voice vote. Rep. Garcia, Rep. Mortensen and Rep. Shaw voted by proxy.
- 11:26:07 Vice Chair Bachmeier

**EXECUTIVE ACTION ON HB 391**

11:26:26 **Motion:** Rep. Bachmeier moved that **HB 391 DO PASS.**

**Discussion:**

11:26:35 Sheri Scurr, Legislative Services Division (LSD)

11:26:57 Rep. Bachmeier

11:27:56 **Vote:** Motion failed 9-11 by roll call vote with Rep. Bachmeier, Rep. Bahr, Rep. Hayman, Rep. Karjala, Rep. Mandeville, Rep. Runningwolf, Rep. Sweeney, Rep. Weatherwax and Rep. Winter voting aye. Rep. Garcia, Rep. Mortensen and Rep. Shaw voted by proxy.

11:29:08 **Motion/Vote:** Rep. Bachmeier moved that **HB 391 BE TABLED.** Motion carried unanimously by roll call vote. Rep. Garcia, Rep. Mortensen and Rep. Shaw voted by proxy.

**EXECUTIVE ACTION ON HB 305**

11:29:34 **Motion/Vote:** Rep. Winter moved that **HB 305 BE REMOVED FROM TABLE.** Motion carried 17-0 by voice vote of those present and voting.

11:30:25 **Motion:** Rep. Winter moved that **HB 305 DO PASS.**

11:30:52 **Motion:** Rep. Winter moved that **HB 305 BE AMENDED.**  
[EXHIBIT\(sth36a03\)](#)

**Discussion:**

11:31:11 Sheri Scurr, Legislative Services Division (LSD)

11:32:36 Rep. Winter

11:33:44 **Vote:** Motion carried unanimously by voice vote. Rep. Garcia, Rep. Mortensen and Rep. Shaw voted by proxy.

11:34:02 **Motion:** Rep. Winter moved that **HB 305 DO PASS AS AMENDED.**

**Discussion:**

11:34:09 Rep. Garner

11:35:01 Rep. Karjala

11:35:34 **Vote:** Motion carried 17-3 by roll call vote with Rep. Dooling, Rep. Mandeville and Rep. Mortensen voting no. Rep. Garcia, Rep. Mortensen and Rep. Shaw voted by proxy.

**EXECUTIVE ACTION ON REQUEST FOR COMMITTEE BILL**

- 11:37:17 **Motion:** Rep. McKamey **MOVED TO AUTHORIZE STAFF TO DRAFT A COMMITTEE BILL OPPOSING THE SALE OF THE STATE OF MONTANA TO CANADA** (This same motion was considered February 19, but the vote was inaccurately recorded because of an unvoted proxy.)
- 11:38:09 Rep. Sweeney  
11:38:28 Chair Mandeville  
11:38:46 Rep. Hayman  
11:38:58 Rep. Runningwolf  
11:39:13 Rep. Sales  
11:39:22 Chair Mandeville  
11:39:40 Rep. Karjala
- 11:38:06 **Vote:** Motion failed\* 14-6 by roll call vote with Rep. Bahr, Rep. Custer, Rep. Greef, Rep. Runningwolf, Rep. Sweeney and Rep. Weatherwax voting no. \*(75% approval by Committee members is a requirement for requesting a Committee Bill) Rep. Garcia, Rep. Mortensen and Rep. Shaw voted by proxy.
- 11:41:01 Rep. Hayman  
11:41:39 Rep. Runningwolf  
11:41:58 Chair Mandeville  
11:42:02 Sheri Scurr, Legislative Services Division (LSD)

**ADJOURNMENT**

Adjournment: 11:42:29

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Karen Armstrong, Secretary

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Additional Documents

Additional Documents:

**EXHIBIT([sth36aad.pdf](#))**