

MINUTES

MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION COMMITTEE ON STATE ADMINISTRATION

Call to Order: Chair Dee Brown, on April 1, 2019 at 3:23 PM, in Room 335 Capitol

ROLL CALL

Members Present:

Sen. Dee Brown, Chair (R)
Sen. Bryce Bennett, Vice Chair (D)
Sen. Douglas (Doug) Kary, Vice Chair (R)
Sen. Mike Cuffe (R)
Sen. Janet Ellis (D)
Sen. Frank Smith (D)
Sen. Gordon Vance (R)

Members Excused:

Sen. Ryan Osmundson (R)

Members Absent: None

Staff Present: Ginger Aldrich, Legislative Branch
Jacelyn Stewart, Committee Secretary

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: HJ 10, 3/26/2019; SJ 17, 3/26/2019, SJ 21, 3/26/2019; SR 39, 3/26/2019; SR 40, 3/26/2019; SR 41, 3/26/2019; SR 42, 3/26/2019; SR 49, 3/29/2019; SJ 17, 3/26/2019

Executive Action: HB 106, HB 172, HB 260, HB 506 - Be Concurred In as Amended

HB 170, HB 183, HB 219, HB 310, HJ 8, SB 366 - Be Tabled

HB 181, HB 482, HB 524 - Be Concurred In

HEARING ON HJ 10

Opening Statement by Sponsor:

15:24:25 Rep. Alan Doane (R), HD 36, opened the hearing on HJ 10, Study resolution to address American Indian voting.

Proponents' Testimony:

15:25:30 Jason Smith, director, Indian Affairs, Governor's Office

15:26:03 Shantil Siaperas, Montana Association of Counties, Montana Association of Clerk and Recorders

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

15:26:46 Chair Brown

15:28:04 Rep. Doane

Closing by Sponsor:

15:28:25 Rep. Doane

HEARING ON SJ 17

Opening Statement by Sponsor:

15:28:50 Sen. Sue Malek (D), SD 46, opened the hearing on SJ 17, Interim study of PSC composition.

[EXHIBIT\(sts67a01\)](#)

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

15:31:48 Chair Brown

15:32:24 Sen. Malek

15:32:32 Sen. Smith

15:33:15 Sen. Malek

15:33:23 Sen. Ellis

15:33:41 Chair Brown

15:33:46 Sen. Malek

Closing by Sponsor:

15:34:05 Sen. Malek

HEARING ON SJ 21

Opening Statement by Sponsor:

15:35:30 Sen. Janet Ellis (D), SD 41, opened the hearing on SJ 21, Interim study on electioneering.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

15:37:58 Sen. Ellis

15:38:13 Chair Brown turned the position and duties of the Chair over to Vice Chair Kary.

HEARING ON SR 39

Opening Statement by Sponsor:

15:38:33 Sen. Dee Brown (R), SD 2, opened the hearing on SR 39, Confirm Governor's appointee to Board of Investments.

Proponents' Testimony:

15:40:15 Diane Fladmo, Governor's appointee

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

15:41:30 Sen. Ellis

15:41:57 Sen. Brown

Closing by Sponsor:

15:42:48 Sen. Brown

HEARING ON SR 40

Opening Statement by Sponsor:

15:43:05 Sen. Dee Brown (R), SD 2, opened the hearing on SR 40, Confirm Governor's appointee to Board of Investments.

Proponents' Testimony:

15:44:41 Karl Englund, Governor's appointee

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

15:46:26 Chair Kary
15:46:38 Mr. Englund, appointee

Closing by Sponsor:

15:48:04 Sen. Brown

HEARING ON SR 41

Opening Statement by Sponsor:

15:48:30 Sen. Dee Brown (R), SD 2, opened the hearing on SR 41, Confirm Governor's appointee to Board of Investments.

Proponents' Testimony:

15:49:34 Jeff Greenfield, Governor's appointee

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

15:52:39 Sen. Kary
15:52:56 Mr. Greenfield, appointee

Closing by Sponsor:

15:53:33 Sen. Brown

HEARING ON SR 42

Opening Statement by Sponsor:

15:54:22 Sen. Dee Brown (R), SD 2, opened the hearing on SR 42, Confirm Governor's appointees to Board of Investments.

Proponents' Testimony:

15:59:18 Mark Noennig, Governor's appointee
16:03:29 Jim Edwards, Governor's appointee
16:05:35 Terry Cohea, Governor's appointee
16:07:17 Bruce Nelson, Governor's appointee
16:10:51 Karl Englund, speaking on behalf of Maggie Peterson, Governor's appointee
16:11:44 Mr. Noennig, speaking on behalf of Jack Prothero, Governor's appointee

Opponents' Testimony: None

Informational Testimony:

16:12:49 Chair Brown
16:13:15 Dan Villa, executive director, Board of Investments

Questions from Committee Members and Responses: None

Closing by Sponsor:

16:16:35 Sen. Brown

HEARING ON SR 49

Opening Statement by Sponsor:

16:17:29 Sen. Dee Brown (R), SD 2, opened the hearing on SR 49, Confirm Governor's appointees for Public Employees Retirement Board.

Proponents' Testimony:

16:20:26 Dore Schwinden, Montana Public Employees Retirement Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

16:21:15 Sen. Brown

16:21:24 Sen. Brown resumed the position and duties of the Chair.

16:21:44 Chair Brown

16:22:00 Recess

16:42:00 Reconvened

Sen. Vance did not return to the meeting.

EXECUTIVE ACTION ON HB 106

16:42:11 **Motion:** Sen. Kary moved that **HB 106 BE CONCURRED IN.**

16:42:29 **Motion:** Sen. D. Brown moved that **HB 106 BE AMENDED.**
[EXHIBIT\(sts67a02\)](#)

Discussion:

16:42:59 Ginger Aldrich, Legislative Services Division

[EXHIBIT\(sts67a03\)](#)

16:47:15 Chair Brown

16:48:13 **Vote:** Motion carried unanimously by voice vote. Sen. Osmundson and Sen. Vance voted by proxy.

16:48:44 **Motion/Vote:** Sen. Kary moved that **HB 106 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Sen. Osmundson and Sen. Vance voted by proxy. Sen. Pomnichowski will carry the bill.

EXECUTIVE ACTION ON HB 170

16:49:33 **Motion/Vote:** Sen. Kary moved that **HB 170 BE TABLED**. Motion carried 5-3 by roll call vote with Sen. Bennett, Sen. Ellis and Sen. F. Smith voting no. Sen. Osmundson and Sen. Vance voted by proxy.

EXECUTIVE ACTION ON HB 172

16:50:50 **Motion:** Sen. Kary moved that **HB 172 BE CONCURRED IN**.

16:51:26 **Motion:** Sen. D. Brown moved that **HB 172 BE AMENDED**.

[EXHIBIT\(sts67a04\)](#)

Discussion:

16:51:52 Sen. Bennett
 16:52:10 Chair Brown
 16:52:19 Ginger Aldrich, Legislative Services Division (LSD)
 16:53:05 Chair Brown
 16:53:22 Ms. Aldrich, LSD
 16:54:16 Chair Brown

16:54:36 **Vote:** Motion carried unanimously by voice vote. Sen. Osmundson and Sen. Vance voted by proxy.

Discussion:

16:55:04 Ms. Aldrich
 16:57:45 Chair Brown
 16:57:54 Ms. Aldrich
 16:58:35 Chair Brown
 16:58:43 Ms. Aldrich
 16:58:49 Sen. Ellis
 16:59:15 Ms. Aldrich
 16:59:47 Sen. Bennett
 17:00:14 Chair Brown
 17:00:28 Ms. Aldrich
 17:00:33 Chair Brown
 17:00:53 Ms. Aldrich

17:01:09 **Motion/Vote:** Sen. D. Brown moved that **HB 172 BE AMENDED WITH SECTIONS 1, 2, AND 4 OF AMENDMENT HB017204.ath**. Motion carried unanimously by voice vote. Sen. Osmundson and Sen. Vance voted by proxy.

[EXHIBIT\(sts67a05\)](#)

17:01:55 **Motion:** Sen. Kary moved that **HB 172 BE CONCURRED IN AS AMENDED**.

Discussion:

17:02:16 Ms. Aldrich
 17:02:25 Chair Brown
 17:02:46 Ms. Aldrich

17:02:55 **Vote:** Motion carried unanimously by voice vote. Sen. Osmundson and Sen. Vance voted by proxy. Sen. Ellsworth will carry the bill.

17:03:20 **Motion/Vote:** Sen. D. Brown moved that **NEW FISCAL NOTES BE REQUESTED FOR HB 106 and HB 172.** Motion carried unanimously by voice vote. Sen. Osmundson and Sen. Vance voted by proxy.

EXECUTIVE ACTION ON HB 181

17:03:57 **Motion/Vote:** Sen. Kary moved that **HB 181 BE CONCURRED IN.** Motion carried unanimously by voice vote. Sen. Osmundson and Sen. Vance voted by proxy. Sen. Bennett will carry the bill.

EXECUTIVE ACTION ON HB 183

17:04:51 **Motion/Vote:** Sen. Kary moved that **HB 183 BE TABLED.** Motion carried 5-3 by roll call vote with Sen. Bennett, Sen. Ellis and Sen. F. Smith voting no. Sen. Osmundson and Sen. Vance voted by proxy.

17:05:39 Sen. Bennett

EXECUTIVE ACTION ON HB 219

17:06:12 **Motion:** Sen. Kary moved that **HB 219 BE CONCURRED IN.**

17:06:50 **Motion:** Sen. D. Brown moved that **HB 219 BE AMENDED.**
[EXHIBIT\(sts67a06\)](#)

Discussion:

17:07:11 Ginger Aldrich, Legislative Services Division (LSD)
17:07:29 Chair Brown
17:07:38 Ms. Aldrich, LSD
17:07:49 Chair Brown
17:07:53 Ms. Aldrich
17:08:11 Sen. Ellis
17:08:34 Sen. Cuffe
17:08:53 Sen. Kary
17:09:12 Sen. Bennett
17:10:02 Ms. Aldrich

17:10:29 **Vote:** Motion failed 3-5 by roll call vote with Sen. Bennett, Sen. Ellis and Sen. F. Smith voting aye. Sen. Osmundson and Sen. Vance voted by proxy.

17:11:37 **Motion:** Sen. Kary moved that **HB 219 BE AMENDED.**
[EXHIBIT\(sts67a07\)](#)

Discussion:

17:11:52 Ms. Aldrich
17:12:34 Sen. Bennett
17:13:40 Sen. Kary

- 17:14:51 Chair Brown
17:16:04 Sen. Kary
- 17:16:30 **Vote:** Motion failed 2-6 by roll call vote with Sen. Cuffe and Sen. Kary voting aye. Sen. Osmundson and Sen. Vance voted by proxy.
- 17:17:15 **Motion/Vote:** Sen. Kary moved that **HB 219 BE CONCURRED IN**. Motion failed 3-5 by roll call vote with Sen. Bennett, Sen. Ellis and Sen. F. Smith voting aye. Sen. Osmundson and Sen. Vance voted by proxy.
- 17:18:09 **Motion/Vote:** Sen. Kary moved that **HB 219 BE TABLED**. Motion carried 5-3 by voice vote with Sen. Bennett, Sen. Ellis and Sen. F. Smith voting no. Sen. Osmundson and Sen. Vance voted by proxy.

EXECUTIVE ACTION ON HB 260

- 17:19:39 **Motion:** Sen. Kary moved that **HB 260 BE CONCURRED IN**.
- 17:20:01 **Motion:** Sen. Ellis moved that **HB 260 BE AMENDED**.
[EXHIBIT\(sts67a08\)](#)

Discussion:

- 17:21:57 Chair Brown
17:22:55 Sen. Cuffe
17:23:11 Chair Brown
17:23:14 Sen. Cuffe
17:23:24 Sen. Ellis
17:24:53 Ginger Aldrich, Legislative Services Division
17:25:17 Sen. Ellis
17:25:50 Chair Brown
- 17:26:00 **Vote:** Motion failed 3-5 by roll call vote with Sen. Bennett, Sen. Ellis and Sen. F. Smith voting aye. Sen. Osmundson and Sen. Vance voted by proxy.
- 17:26:31 **Motion/Vote:** Sen. D. Brown moved that **HB 260 BE AMENDED**. Motion carried unanimously by voice vote. Sen. Osmundson and Sen. Vance voted by proxy.
[EXHIBIT\(sts67a09\)](#)
- 17:27:39 **Motion/Vote:** Sen. Kary moved that **HB 260 BE CONCURRED IN AS AMENDED**. Motion carried unanimously by voice vote. Sen. Osmundson and Sen. Vance voted by proxy. Sen. Osmundson will carry the bill.

EXECUTIVE ACTION ON HB 310

- 17:28:27 **Motion:** Sen. Kary moved that **HB 310 BE CONCURRED IN**.

Discussion:

- 17:28:54 Chair Brown
17:29:20 Sen. Bennett

17:30:06 **Vote:** Motion failed 3-5 by roll call vote with Sen. Bennett, Sen. Ellis and Sen. F. Smith voting aye. Sen. Osmundson and Sen. Vance voted by proxy.

17:30:43 **Motion/Vote:** Sen. Kary moved that **HB 310 BE TABLED**. Motion carried 6-2 by voice vote with Sen. Ellis and Sen. F. Smith voting no. Sen. Osmundson and Sen. Vance voted by proxy.

EXECUTIVE ACTION ON HB 482

17:31:26 **Motion:** Sen. Kary moved that **HB 482 BE CONCURRED IN**.

Discussion:

17:31:40 Chair Brown

17:32:08 Sen. Ellis

17:32:20 **Vote:** Motion carried 7-1 by voice vote with Sen. F. Smith voting no. Sen. Osmundson and Sen. Vance voted by proxy. Sen. Kary will carry the bill.

EXECUTIVE ACTION ON HB 506

17:33:04 **Motion:** Sen. Kary moved that **HB 506 BE CONCURRED IN**.

17:33:18 **Motion:** Sen. Ellis moved that **HB 506 BE AMENDED**.

EXHIBIT(sts67a10)

Discussion:

17:34:10 Chair Brown

17:34:13 Ginger Aldrich, Legislative Services Division (LSD)

17:34:36 Chair Brown

17:34:45 Ms. Aldrich, LSD

17:34:59 Sen. Cuffe

17:35:46 Chair Brown

17:36:17 Ms. Aldrich

17:36:34 **Vote:** Motion carried 7-1 by voice vote with Sen. Cuffe voting no. Sen. Kary and Sen. Vance voted by proxy.

17:37:00 **Motion/Vote:** Sen. Kary moved that **HB 506 BE CONCURRED IN AS AMENDED**. Motion carried unanimously by voice vote. Sen. Osmundson and Sen. Vance voted by proxy. Sen. Cuffe will carry the bill.

EXECUTIVE ACTION ON HB 524

17:37:55 **Motion:** Sen. Kary moved that **HB 524 BE CONCURRED IN**.

Discussion:

17:38:05 Chair Brown

17:38:30 Ginger Aldrich, Legislative Services Division (LSD)

17:38:43 Chair Brown

17:39:03 Sen. Smith

17:39:32 Chair Brown
 17:39:58 Jason Smith, director, Indian Affairs, Governor's Office (GOV)
 17:40:35 Chair Brown
 17:40:46 Mr. Smith, GOV
 17:41:15 Chair Brown
 17:41:22 Mr. Smith
 17:41:40 Sen. Ellis
 17:42:09 Mr. Smith
 17:42:18 Sen. Kary
 17:43:15 Chair Brown
 17:43:32 Mr. Smith
 17:43:38 Sen. Smith
 17:43:43 Chair Brown
 17:44:08 Sen. Kary
 17:44:28 Ms. Aldrich, LSD
 17:46:05 Chair Brown

17:46:38 **Vote:** Motion carried 6-2 by voice vote with Sen. Osmundson and Sen. Vance voting no. Sen. Osmundson and Sen. Vance voted by proxy. Sen. Small will carry the bill.

EXECUTIVE ACTION ON HJ 8

17:47:24 **Motion/Vote:** Sen. Kary moved that **HJ 8 BE CONCURRED IN**. Motion failed 3-5 by roll call vote with Sen. Bennett, Sen. Ellis and Sen. F. Smith voting aye. Sen. Osmundson and Sen. Vance voted by proxy.

17:49:25 **Motion/Vote:** Sen. Kary moved that **HJ 8 BE TABLED**. Motion carried 5-3 by voice vote with Sen. Bennett, Sen. Ellis and Sen. F. Smith voting no. Sen. Osmundson and Sen. Vance voted by proxy.

17:49:57 Sen. Kary

EXECUTIVE ACTION ON SB 366

17:50:07 **Motion/Vote:** Sen. D. Brown moved that **SB 366 BE TABLED**. Motion carried unanimously by voice vote. Sen. Osmundson and Sen. Vance voted by proxy.

Committee Business:

17:50:34 Chair Brown
 17:50:56 Sen. Smith
 17:51:42 Chair Brown
 17:52:38 Ms. Aldrich
 17:52:52 Chair Brown
 17:53:29 Sen. Smith

ADJOURNMENT

Adjournment: 5:53 PM

Jacelyn Stewart, Secretary

js

Additional Documents

Additional Documents:

EXHIBIT([sts67aad.pdf](#))