

MINUTES

MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION COMMITTEE ON STATE ADMINISTRATION

Call to Order: Chair Douglas (Doug) Kary, on April 9, 2021 at 2:45 PM, in Room 335 Capitol

ROLL CALL

Members Present in the Committee Room:

Sen. Douglas (Doug) Kary, Chair (R)
Sen. Bryce Bennett, Vice Chair (D)
Sen. Gordon Vance, Vice Chair (R)
Sen. Mike Cuffe (R)
Sen. Janet Ellis (D)
Sen. Ryan Osmundson (R)
Sen. Walt Sales (R)

Members Present by Zoom Video Conference:

Sen. Mike Fox (D)

Members Excused: None

Members Absent: None

Staff Present: Ginger Aldrich, Legislative Branch
Heather Vande-Sandt, Remote Meeting Coordinator
Lauren de Paepe, 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: HB 384, 3/25/2021; HB 385, 3/25/2021; SR 82, 3/25/2021; SR 85, 3/25/2021
Executive Action: HB 277 - Be Concurred in as Amended; HB 406 - Be Concurred in as Amended; HB 429 - Be Concurred in; HB 447 - Be Concurred in as Amended; HB 506 - Be Concurred in as Amended; HB 384 - Be Tabled; HB 385 - Be Tabled; HB 469 - Be Tabled; HB 530 - Bill Tied

EXECUTIVE ACTION ON HB 277

14:46:59 **Motion:** Sen. Vance moved that **HB 277 BE CONCURRED IN.**

Discussion:

14:47:06 Chair Kary

14:47:29 Sen. Vance

14:47:32 Ginger Aldrich, Legislative Services Division (LSD)

14:47:56 **Motion:** Sen. Vance moved that **HB 277 BE AMENDED.**

EXHIBIT(sts68a01)

Discussion:

14:48:09 Ms. Aldrich, LSD

14:50:09 Sen. Bennett

14:51:06 **Vote:** Motion carried unanimously by voice vote.

14:51:35 **Motion:** Sen. Vance moved that **HB 277 BE CONCURRED IN AS AMENDED.**

Discussion:

14:51:45 Sen. Bennett

14:52:36 Sen. Sales

14:53:20 Chair Kary

14:53:23 **Vote:** Motion carried unanimously by voice vote. Sen. Bennett will carry the bill.

EXECUTIVE ACTION ON HB 406

14:53:48 **Motion:** Sen. Vance moved that **HB 406 BE CONCURRED IN.**

14:54:09 **Motion:** Sen. Vance moved that **HB 406 BE AMENDED.**

EXHIBIT(sts68a02)

Discussion:

14:54:24 Ginger Aldrich, Legislative Services Division (LSD)

14:55:49 Sen. Ellis

14:56:05 Ms. Aldrich, LSD

14:56:15 Sen. Bennett

14:57:00 Chair Kary

14:57:23 **Vote:** Motion failed 4-4 by roll call vote with Sen. Cuffe, Sen. Kary, Sen. Osmundson and Sen. Vance voting aye.

14:58:06 **Vote:** Motion carried 5-3 by roll call vote with Sen. Bennett, Sen. Ellis and Sen. Fox voting no. Sen. Kary will carry the bill.

EXECUTIVE ACTION ON HB 429

14:58:55 **Motion:** Sen. Vance moved that **HB 429 BE CONCURRED IN.**

Discussion:

- 14:59:26 Sen. Bennett
 15:00:36 Chair Kary
- 15:01:11 **Vote:** Motion carried 5-3 by roll call vote with Sen. Bennett, Sen. Ellis and Sen. Fox voting no. Sen. Kary will carry the bill.

EXECUTIVE ACTION ON HB 406

- 15:01:40 Sen. Sales
 15:01:55 Sen. Osmundson
 15:02:10 Chair Kary
 15:02:22 Ginger Aldrich, Legislative Services Division (LSD)
- 15:02:29 **Motion/Vote:** Sen. Sales moved to **RECONSIDER THE MOTION** on **HB 406**. Motion carried 5-3 by roll call vote with Sen. Bennett, Sen. Ellis and Sen. Fox voting no.

Discussion:

- 15:03:26 Chair Kary
 15:03:41 Ginger Aldrich
- 15:03:50 **Motion/Vote:** Sen. Vance moved that **HB 406 BE AMENDED**. Motion carried 5-3 by roll call vote with Sen. Bennett, Sen. Ellis and Sen. Fox voting no.

EXHIBIT(sts68a03)

- 15:04:32 **Motion/Vote:** Sen. Vance moved that **HB 406 BE CONCURRED IN AS AMENDED**. Motion carried 5-3 by roll call vote with Sen. Bennett, Sen. Ellis and Sen. Fox voting no. Sen. Kary will carry the bill.
- 15:05:54 Chair Kary gave the duties of the chair to Vice Chair Vance.
- 15:06:07 Sen. Osmundson left the meeting.

HEARING ON SR 82**Opening Statement by Sponsor:**

- 15:06:14 Sen. Douglas (Doug) Kary (R), SD 22, opened the hearing on SR82, Confirm Governor's appointee to the Board of Veterans' Affairs.

EXHIBIT(sts68a04)**Proponents' Testimony:**

- 15:08:33 Liane Taylor, Governor's Office
 15:09:52 Roger Hagan, Montana Department of the American Legion; Montana National Guard Officer and Enlisted Associations
 15:11:16 Klayton Carroll, Governor's appointee, Sidney
 15:11:39 Barbara Skelton, Governor's appointee, Billings
 15:12:04 Brett Cusker, Governor's appointee, Bozeman

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

15:12:27 Sen. Ellis
15:12:57 Mr. Carroll, appointee
15:14:04 Mr. Cusker, appointee
15:15:30 Ms. Skelton, appointee

Closing by Sponsor:

15:17:05 Sen. Kary

Proponents' Testimony Continued:

15:18:06 Dean Rehbein, Governor's appointee

15:19:47 Sen. Ellis
15:19:57 Chair Vance

Closing by Sponsor:

15:20:18 Sen. Kary

HEARING ON SR 85

Opening Statement by Sponsor:

15:20:40 Sen. Douglas (Doug) Kary (R), SD 22, opened the hearing on SR85, Confirm Governor's appointee to the Board of Veterans' Affairs.

[EXHIBIT\(sts68a05\)](#)

Proponents' Testimony:

15:21:19 Liane Taylor, Governor's Office
15:21:52 Roger Hagan, Montana Department of the American Legion; Montana National Guard Officer and Enlisted Associations

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

15:22:59 Sen. Kary

HEARING ON HB 384

Opening Statement by Sponsor:

15:23:47 Rep. Steve Gunderson (R), HD 1, opened the hearing on HB384, Increasing qualified electors required to sign statutory initiative petition.

Proponents' Testimony: None

Opponents' Testimony:

15:26:45 Adrian Jawort, Montana Native Vote
15:28:51 Stan Frasier, Helena
15:32:11 Patrick Yawakie, Blackfeet Tribe
15:32:57 Katjana Stutzer, Montana Public Interest Research Group
15:34:59 Carole Mackin, Helena
15:38:04 Lauren Caldwell, Montana Federation of Public Employees
15:41:08 Paticia Steinmuller, Bozeman

[EXHIBIT\(sts68a06\)](#)

Additional Testimony Received:

[EXHIBIT\(sts68a07\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

15:43:21 Sen. Bennett
15:43:51 Rep. Gunderson

Closing by Sponsor:

15:45:39 Rep. Gunderson

[EXHIBIT\(sts68a08\)](#)

HEARING ON HB 385

Opening Statement by Sponsor:

15:48:46 Rep. Steve Gunderson (R), HD 1, opened the hearing on HB385, Increasing qualified electors required to sign constitutional initiative.

Proponents' Testimony: None

Opponents' Testimony:

15:50:21 Katjana Stutzer, Montana Public Interest Research Group
15:50:53 Stan Frasier, Helena
15:51:18 Patrick Yawakie, Blackfeet Tribe
15:52:12 Samuel Enemy-Hunter, Montana Native Vote
15:54:00 Sam Forstag, Montana American Civil Liberties Union
15:54:45 Carole Mackin, on behalf of Mark Mackin

[EXHIBIT\(sts68a09\)](#)

15:56:52 Paticia Steinmuller, citizen

[EXHIBIT\(sts68a10\)](#)

15:57:50 Lauren Caldwell

Additional Testimony Received:

[EXHIBIT\(sts68a11\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

15:59:07 Sen. Bennett
15:59:56 Rep. Gunderson

Closing by Sponsor:

16:00:24 Rep. Gunderson

16:01:14 Chair Vance returned the duties of the chair to Sen. Kary.

16:01:40 Recess

14:10:19 Reconvene

EXECUTIVE ACTION ON HB 447

16:10:28 **Motion:** Sen. Vance moved that **HB 447 BE CONCURRED IN.**

Discussion:

16:10:45 Sen. Vance
16:10:54 Ginger Aldrich, Legislative Services Division (LSD)

16:10:58 **Motion:** Sen. Vance moved that **HB 447 BE AMENDED.**
EXHIBIT(sts68a12)

Discussion:

16:11:05 Ms. Aldrich, LSD
16:14:42 Sen. Ellis

16:14:59 **Vote:** Motion carried unanimously by roll call vote. Sen. Osmundson voted by proxy.

16:15:39 **Motion/Vote:** Sen. Vance moved that **HB 447 BE CONCURRED IN AS AMENDED.** Motion carried 5-3 by voice vote with Sen. Bennett, Sen. Ellis and Sen. Fox voting no. Sen. Osmundson voted by proxy. Sen. Osmundson will carry the bill.

EXECUTIVE ACTION ON HB 469

16:17:17 **Motion:** Sen. Sales moved that **HB 469 BE CONCURRED IN.**

Discussion:

16:17:25 Chair Kary
16:18:29 Sen. Vance
16:18:33 Sen. Cuffe
16:19:12 Chair Kary

16:19:26 **Vote:** Motion failed 2-6 by roll call vote with Sen. Bennett and Sen. Fox voting aye. Sen. Osmundson voted by proxy.

16:19:59 **Motion/Vote:** Sen. Vance moved that **HB 469 BE TABLED**. Motion carried unanimously by voice vote. Sen. Osmundson voted by proxy.

EXECUTIVE ACTION ON HB 506

16:20:27 **Motion:** Sen. Vance moved that **HB 506 BE CONCURRED IN**.

16:20:33 **Motion:** Sen. Vance moved that **HB 506 BE AMENDED**.
EXHIBIT(sts68a13)

Discussion:

16:21:13 Sen. Ellis
16:21:26 Sen. Vance
16:21:39 Sen. Cuffe
16:21:41 Sen. Ellis
16:23:36 Chair Kary
16:24:52 Sen. Bennett
16:27:11 Sen. Cuffe

16:27:20 **Vote:** Motion carried 5-3 by roll call vote with Sen. Bennett, Sen. Ellis and Sen. Fox voting no. Sen. Osmundson voted by proxy.

16:27:54 **Motion:** Sen. Vance moved that **HB 506 BE CONCURRED IN AS AMENDED**.

16:27:59 **Substitute Motion/Vote:** Sen. Ellis made a substitute motion that **HB 506 BE TABLED**. Substitute motion failed 3-5 by roll call vote with Sen. Bennett, Sen. Ellis and Sen. Fox voting aye. Sen. Osmundson voted by proxy.

Discussion:

16:28:40 Sen. Ellis
16:30:00 Chair Kary
16:30:36 Sen. Cuffe

16:31:15 **Vote:** Motion carried 5-3 by roll call vote with Sen. Bennett, Sen. Ellis and Sen. Fox voting no. Sen. Osmundson voted by proxy. Sen. Vance will carry the bill.

EXECUTIVE ACTION ON HB 530

16:32:01 **Motion:** Sen. Vance moved that **HB 530 BE CONCURRED IN**.

16:32:22 **Motion:** Sen. Bennett moved that **HB 530 BE AMENDED**.
EXHIBIT(sts68a14)

Discussion:

16:32:36 Sen. Bennett
16:33:44 Chair Kary
16:33:48 Ginger Aldrich, Legislative Services Division (LSD)
16:34:05 Chair Kary
16:34:17 Sen. Bennett
16:34:31 Ms. Aldrich, LSD

- 16:35:27 Sen. Vance
16:35:33 Ms. Aldrich
- 16:35:55 **Vote:** Motion carried unanimously by voice vote. Sen. Osmundson voted by proxy.
- 16:36:26 **Motion/Vote:** Sen. Vance moved that **HB 530 BE CONCURRED IN AS AMENDED**. Motion failed 4-4 by roll call vote with Sen. Bennett, Sen. Ellis, Sen. Fox and Sen. Kary voting aye. Sen. Osmundson voted by proxy.

Committee Business:

- 16:37:45 Sen. Ellis
16:38:14 Chair Kary
16:38:30 Ginger Aldrich, Legislative Services Division (LSD)
16:39:01 Sen. Ellis
16:40:13 Chair Kary
16:40:25 Sen. Ellis
16:40:38 Ms. Aldrich, LSD
16:40:54 Chair Kary

EXECUTIVE ACTION ON HB 385

- 16:41:17 **Motion/Vote:** Sen. Bennett moved that **HB 385 BE TABLED**. Motion carried 5-3 by roll call vote with Sen. Cuffe, Sen. Kary and Sen. Osmundson voting no. Sen. Osmundson voted by proxy.
- 16:42:47 Sen. Cuffe
16:44:11 Sen. Bennett

EXECUTIVE ACTION ON HB 384

- 16:44:33 **Motion/Vote:** Sen. Bennett moved that **HB 384 BE TABLED**. Motion carried 5-3 by roll call vote with Sen. Cuffe, Sen. Kary and Sen. Osmundson voting no. Sen. Osmundson voted by proxy.

Committee Business:

- 16:45:15 Chair Kary
16:46:00 Lauren de Paepe, committee secretary
16:46:44 Ginger Aldrich, Legislative Services Division (LSD)
16:46:59 Sen. Vance
16:47:10 Chair Kary
16:47:41 Ms. Aldrich, LSD
16:48:04 Sen. Ellis
16:48:11 Ms. Aldrich
16:48:30 Chair Kary

ADJOURNMENT

Adjournment: 4:48 PM

Lauren de Paepe, Secretary

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Additional Documents:

EXHIBIT([sts68aad.pdf](#))