

**MINUTES**

**MONTANA HOUSE OF REPRESENTATIVES  
60th LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON STATE ADMINISTRATION**

**Call to Order:** By Chairman Dennis Himmelberger, on January 11, 2007 at 8:00 A.M., in Room 455 Capitol.

**ROLL CALL**

**Members Present:**

Rep. Dennis Himmelberger, Chairman (R)  
Rep. Duane Ankney, Vice Chairman (R)  
Rep. Hal Jacobson, Vice Chairman (D)  
Rep. Gary Branae (D)  
Rep. Mary Caferro (D)  
Rep. Gordon R. Hendrick (R)  
Rep. Teresa K. Henry (D)  
Rep. Pat Ingraham (R)  
Rep. William J. Jones (R)  
Rep. Bruce Malcolm (R)  
Rep. Walter McNutt (R)  
Rep. Alan Olson (R)  
Rep. Mike Phillips (D)  
Rep. Veronica Small-Eastman (D)  
Rep. Franke Wilmer (D)

**Members Excused:** Rep. Scott Sales  
Rep. Debby Barrett  
Rep. Sue Dickenson

**Members Absent:** None

**Staff Present:** Dee Barfknecht, Committee Secretary  
Sheri Heffelfinger, 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: HB 80, HB 81, HB 85, HB 86,  
HB 129,  
Executive Action: HB 52, HB 80

**HEARING ON HB 80**

**Opening Statement by Sponsor:**

00:03:43 Rep. Robin Hamilton (D), HD 92, opened the hearing on  
HB 80, Revise laws governing interim committees and  
activities.

**Proponents:**

00:05:22 Cheryl Wood, Associate Director for Association of  
Counties

**Opponents:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:06:47 Rep. Jacobson  
00:07:32 Rep. Hamilton

**Closing by Sponsor:**

00:07:40 Rep. Hamilton

**HEARING ON HB 81**

**Opening Statement by Sponsor:**

00:08:03 Rep. Robin Hamilton (D), HD 92, opened the hearing on  
HB 81, Generally revise teacher retirement system laws.

**Proponents:** None

00:15:38 David Senn, Executive Director of the Teacher's  
Retirement System (TRS)

**EXHIBIT(sth07a01)**

00:21:19 Tom Bilodeau, Research Director - Montana Education  
Association/Montan Federation of Teachers (MEA/MFT)

**Opponents:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:22:43 Rep. Ingraham  
00:23:08 Mr. Senn  
00:23:21 Rep. Malcolm  
00:24:06 Mr. Senn

**Closing by Sponsor:**

00:24:24 Rep. Hamilton

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**HEARING ON HB 129**

**Opening Statement by Sponsor:**

00:24:48 Rep. Dave Gallik (D), HD 79, opened the hearing on HB 129, An act generally revising provisions of certain Public Employee Retirement Systems.

**Proponents:**

00:25:51 Kim Flatow, Member Services Bureau Chief of Montana Public Employees' Retirement Board  
[EXHIBIT\(sth07a02\)](#)

**Opponents:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:30:57 Chairman Himmelberger  
00:31:36 Ms. Flatow

**Closing by Sponsor:**

00:31:40 Rep. Gallik  
00:32:06 Recess  
00:38:40 Reconvene

**HEARING ON HB 86**

**Opening Statement by Sponsor:**

00:39:27 Rep. John Musgrove (D), HD 34, opened the hearing on HB 86, Revise legislative audit act.

**Proponents:** None

**Opponents:** None

**Informational Testimony:**

00:46:49 Monica Smith, Legal Council for the Legislative Audit Division

**Questions from Committee Members and Responses:**

00:47:36 Rep. Wilmer  
00:48:13 Ms. Smith  
00:49:25 Rep. Wilmer  
00:49:48 Ms. Smith  
00:49:58 Rep. Caferro  
00:50:24 Rep. Musgrove  
00:51:14 Rep. Jones  
00:52:02 Ms. Smith

**Closing by Sponsor:**

00:53:22 Rep. Musgrove  
00:55:38 Chairman Himmelberger

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**HEARING ON HB 85**

**Opening Statement by Sponsor:**

00:56:05 Rep. John Musgrove (D), HD 34, opened the hearing on HB 85, Revise cemetery district laws to allow elimination of trust funds.

**Proponents:**

00:58:38 Douglas Fisher, Cemetery (12 Cemeteries) Caretaker

**Opponents:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:03:59 Rep. Jones  
01:04:43 Rep. Musgrove  
01:06:40 Rep. Henry  
01:07:01 Mr. Fisher  
01:07:21 Rep. Henry  
01:07:31 Mr. Fisher  
01:07:38 Rep. Ingraham  
01:08:13 Mr. Fisher  
01:08:31 Rep. Ingraham  
01:09:08 Mr. Fisher  
01:09:48 Rep. Jones  
01:10:23 Rep. Musgrove  
01:10:32 Mr. Fisher  
01:12:32 Rep. Jacobson  
01:13:12 Mr. Fisher  
01:13:18 Rep. Jacobson  
01:14:00 Mr. Fisher

**Closing by Sponsor:**

01:14:47 Rep. Musgrove

**EXECUTIVE ACTION ON HB 52**

01:16:28 **Motion:** Rep. Jacobson moved that **HB 52 DO PASS.**

**Discussion:**

01:16:54 Rep. Wilmer  
**EXHIBIT(sth07a03)**

01:17:19 **Motion:** Rep. Wilmer moved that **HB 52 DO PASS AS AMENDED.**

**Discussion:**

01:18:14 Sheri Heffelfinger  
01:25:32 Rep. Jones  
01:26:04 Chairman Himmelberger  
01:26:14 Sheri Heffelfinger  
01:28:25 Rep. Jacobson  
01:30:35 Rep. Wilmer  
01:31:30 Sheri Heffelfinger

01:32:11 **Vote:** Motion carried 17-1 by voice vote. Reps. Sales, Barrett and Dickenson voted aye by proxy. Rep. Jones voted no.

01:33:28 **Motion:** Rep. Jones moved that **HB 52 DO PASS AS AMENDED.**

**Discussion:**

01:33:37 Rep. Jacobson

01:34:20 **Vote:** Motion carried unanimously by voice vote. Reps. Sales, Barrett and Dickenson voted by proxy.

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**EXECUTIVE ACTION ON HB 80**

01:35:03 **Motion:** Rep. McNutt moved that **HB 80 DO PASS.**

**Discussion:**

01:35:54 Rep. Olson

01:36:26 Chairman Himmelberger

01:37:19 Sheri Heffelfinger

01:37:24 Rep. Wilmer

01:37:31 Sheri Heffelfinger

01:37:41 Chairman Himmelberger

01:38:12 **Vote:** Motion carried unanimously by voice vote. Reps. Sales, Barrett and Dickenson voted by proxy.

**Additional Discussion:**

01:39:03 Rep. Jacobson

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**ADJOURNMENT**

01:39:37 Adjournment

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REP. DENNIS HIMMELBERGER, Chairman

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DEE BARFKNECHT, Secretary

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Additional Exhibits:

**EXHIBIT([sth07aad.pdf](#))**