

**MINUTES**

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

**COMMITTEE ON STATE ADMINISTRATION**

**Call to Order:** By Chairman Dennis Himmelberger, on January 15, 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. Mary Caferro (D)  
Rep. Sue Dickenson (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. Gary Branae

**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 169, HB 177, HB 206,  
HB 207, HB 242  
Executive Action: HB 85, HB 86, HB 103, HB 207

**HEARING ON HB 169**

**Opening Statement by Sponsor:**

00:03:15 Rep. Michael Lange (R), HD 55, opened the hearing on HB 169, Uniform public complaint process.

**[EXHIBIT \(sth09a01\)](#)**

**Proponents' Testimony:** None

**Opponents' Testimony:**

00:09:25 Dal Smilie, Department of Administration

**[EXHIBIT \(sth09a02\)](#)**

00:17:52 Mark Cadwallader, Staff Attorney for the Department of Labor and Industry

**Informational Testimony:**

00:23:32 Judy Edwards, Executive Director, Montana Consensus Council

00:23:58 Gail Briese-Zimmer, Department of Public Health and Human Services

**Questions from Committee Members and Responses:**

00:25:05 Rep. Henry

00:25:52 Rep. Lange

00:28:47 Rep. Dickenson

00:29:23 Rep. Lange

00:31:29 Rep. Dickenson

00:31:53 Rep. Lange

00:32:50 Rep. Jones

00:33:22 Rep. Lange

00:33:54 Rep. Jones

00:34:07 Rep. Lange

00:34:12 Rep. Jacobson

00:34:41 Rep. Lange

00:35:31 Rep. Phillips

00:35:50 Ms. Briese-Zimmer

00:36:49 Rep. Ingraham

00:37:31 Rep. Lange

00:39:10 Rep. Ingraham

00:39:33 Ms. Edwards

00:40:26 Rep. McNutt

00:40:50 Rep. Lange

00:43:00 Rep. McNutt

00:43:44 Rep. Lange

00:43:59 Rep. Ingraham

00:44:49 Rep. Lange  
00:46:14 Rep. Wilmer  
00:47:58 Rep. Lange  
00:49:53 Rep. Ankney  
00:50:17 Ms. Briese-Zimmer  
00:51:21 Rep. Ankney  
00:52:02 Ms. Briese-Zimmer  
00:52:58 Chairman Himmelberger  
00:53:43 Ms. Edwards  
00:55:42 Chairman Himmelberger  
00:55:56 Ms. Edwards  
00:56:44 Rep. Small-Eastman  
00:57:15 Ms. Edwards  
00:57:28 Rep. Small-Eastman  
00:57:55 Rep. Lange  
00:58:01 Rep. Wilmer  
00:58:30 Rep. Lange  
00:59:09 Rep. Wilmer  
00:59:21 Rep. Lange

**Closing by Sponsor:**

00:59:50 Rep. Lange

**HEARING ON HB 177**

**Opening Statement by Sponsor:**

01:02:00 Rep. Scott Boggio (R), HD 59, opened the hearing on HB 177, Repeal the Montana Electronic Transactions With State Agencies... Act.

[EXHIBIT \(sth09a03\)](#)

[EXHIBIT \(sth09a04\)](#)

**Proponents' Testimony:**

01:03:11 Mark Simonich, Secretary of State's Office  
01:06:38 Dick Clark, Chief Information Officer

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

01:08:36 Rep. Boggio

01:08:58 Recess  
01:20:38 Reconvene

**HEARING ON HB 206**

**Opening Statement by Sponsor:**

01:20:55 Rep. Pat Ingraham (R), HD 13, opened the hearing on HB 206, Revise county mill levy elections.

**Proponents' Testimony:**

01:25:09 Harold Blattie, Executive Director, Montana Association of Counties

[EXHIBIT \(sth09a05\)](#)

[EXHIBIT \(sth09a06\)](#)

01:30:01 Rhonda Wiggers, Montana County Treasurers Association

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:32:18 Rep. Malcolm  
01:32:51 Mr. Blattie  
01:33:23 Rep. Malcolm  
01:33:36 Mr. Blattie  
01:34:09 Rep. Malcolm  
01:34:34 Mr. Blattie  
01:35:25 Rep. Malcolm  
01:36:01 Mr. Blattie  
01:36:13 Rep. Wilmer  
01:36:33 Mr. Blattie

**Closing by Sponsor:**

01:37:17 Rep. Ingraham

**HEARING ON HB 207**

**Opening Statement by Sponsor:**

01:37:49 Rep. Pat Ingraham (R), HD 13, opened the hearing on HB 207, Revise time of oath of office for county officials.

**Proponents' Testimony:**

01:39:30 Sheryl Wood, Associate Director, Montana Association of Counties

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

01:41:53 Rep. Ingraham

**HEARING ON HB 242**

**Opening Statement by Sponsor:**

01:42:15 Rep. Rick Ripley (R), HD 17, opened the hearing on HB 242, Revise filing deadline for write-in candidates.

[EXHIBIT \(sth09a07\)](#)

**Proponents' Testimony:**

01:45:49 Robert Throssell, Montana Association of Clerk and Recorders

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:46:45 Rep. Dickenson

01:47:00 Rep. Ripley

01:47:24 Rep. Dickenson

01:47:30 Rep. Ripley

01:47:51 Rep. Dickenson

01:48:13 Rep. Ripley

01:48:44 Rep. Ingraham

01:49:54 Chairman Himmelberger

01:50:04 Elaine Graveley, Election Deputy, Secretary of State's Office

01:51:11 Chairman Himmelberger

01:51:29 Ms. Graveley

**Closing by Sponsor:**

01:51:59 Rep. Ripley

**EXECUTIVE ACTION ON HB 207**

01:53:32 **Motion/Vote:** Rep. McNutt moved that **HB 207 DO PASS.**  
Motion carried unanimously by voice vote.  
Reps. Sales, Branae and Barrett voted by proxy.

**EXECUTIVE ACTION ON HB 86**

01:56:06 **Motion:** Rep. Hendrick moved that **HB 86 DO PASS.**

**Discussion:**

01:56:39 Rep. Wilmer  
01:57:03 Chairman Himmelberger  
01:57:13 Rep. Wilmer  
01:57:19 Chairman Himmelberger  
01:57:52 Rep. Hendrick without objection, withdrew his motion

**EXECUTIVE ACTION ON HB 85**

**Discussion:**

01:58:07 Chairman Himmelberger  
01:58:11 Rep. Ingraham  
01:58:24 Sheri Heffelfinger  
02:00:57 Rep. Ankney  
02:01:03 Sheri Heffelfinger  
02:01:27 Rep. Olson  
02:01:33 Sheri Heffelfinger  
02:02:03 Chairman Himmelberger  
02:02:10 Rep. Ingraham

02:03:25 **Motion:** Rep. Olson moved that **HB 85 DO PASS.**

**Discussion:**

02:04:17 Rep. Malcolm  
02:04:22 Sheri Heffelfinger  
02:05:52 Rep. Jacobson  
02:06:33 Rep. Ingraham

02:07:48 Rep. Jones  
02:08:25 Rep. Ankney  
02:09:14 Rep. Jacobson

02:11:56 **Vote:** The motion carried, 10-8 by roll call vote. Reps. Sales, Branae, Barrett and Small-Eastman voted by proxy. Reps. Barrett, Hendrick, Ingraham, Jones, Malcolm, McNutt, Sales and Chairman Himmelberger voted no. At the Chairman's direction, HB 85 is not to be reported out of committee.

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**EXECUTIVE ACTION ON HB 103**

02:12:24 **Motion:** Rep. Ingraham moved that **HB 103 DO PASS.**

**Discussion:**

02:12:41 Rep. Henry  
02:13:15 Rep. Phillips  
02:13:44 Rep. Jacobson  
02:14:09 Rep. Olson  
02:15:20 Rep. Dickenson  
02:16:24 Rep. Ingraham  
02:17:36 Rep. Wilmer  
02:18:26 Rep. Jacobson  
02:19:50 Chairman  
02:19:56 Rep. Jacobson

02:20:12 **Vote:** Motion failed, 3-15 by roll call vote. Reps. Sales, Branae, and Barrett voted by proxy. Reps. Jones, Olson and Small-Eastman vote aye.

02:21:31 **Motion:** Rep. Ankney moved that **HB 103 BE TABLED.** The motion carried unanimously by voice vote. Reps. Sales, Branae, and Barrett voted by proxy.

**Additional Discussion:**

02:22:04 Rep. Henry  
02:22:10 Chairman Himmelberger  
02:22:42 Rep. Henry  
02:22:50 Chairman Himmelberger  
02:23:05 Rep. McNutt  
02:23:40 Chairman Himmelberger  
02:23:57 Rep. Jones  
02:25:07 Chairman Himmelberger  
02:26:00 Rep. Jones

02:26:18 Chairman Himmelberger  
02:26:33 Rep. McNutt  
02:27:30 Chairman Himmelberger  
02:27:43 Rep. Jones  
02:28:10 Chairman Himmelberger  
02:28:29 Sheri Heffelfinger  
02:31:07 Chairman Himmelberger  
02:31:14 Sheri Heffelfinger

**ADJOURNMENT**

02:31:52 Adjournment

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REP. DENNIS HIMMELBERGER, Chairman

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DEE BARFKNECHT, Secretary

DH/db

Additional Exhibits:

**EXHIBIT ([sth09aad.pdf](#))**