

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: By Chairman Dennis Himmelberger, on January 21, 2009 at 8:01 A.M., in Room 455 Capitol.

ROLL CALL

Members Present:

Rep. Dennis Himmelberger, Chairman (R)
Rep. Jesse O'Hara, Vice Chairman (R)
Rep. Russell Bean (R)
Rep. Tony Belcourt (D)
Rep. Joel Boniek (R)
Rep. Frosty Boss Ribs (D)
Rep. Gordon R. Hendrick (R)
Rep. Pat Ingraham (R)
Rep. Gary MacLaren (R)
Rep. Sue Malek (D)
Rep. Mike Phillips (D)
Rep. Ted Washburn (R)
Rep. Franke Wilmer (D)

Members Excused: None.

Members Absent: Rep. Sue Dickenson, Vice Chairman (D)
Rep. Dee Brown (R)
Rep. Mary Caferro (D)
Rep. Betsy Hands (D)
Rep. Kendall Van Dyk (D)

Staff Present: Sheri Heffelfinger, Legislative Branch
Marshall McEwen, 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 174, HB 182, HB 192, HB 197

Executive Action: HB 184, HB 142

HEARING ON HB 174

Opening Statement by Sponsor:

00:04:16 Rep. Ray Hawk (R), HD 90, opened the hearing on **HB 174**,
Revise term limits for legislators.

00:05:28 Rep. Dickenson and Rep. Caferro entered the room.

00:08:17 Rep. Brown entered the room.

Proponents' Testimony:

00:10:41 John Bennion, Montana Chamber of Commerce

Opponents' Testimony:

00:14:17 Travis Butcher, Citizens for Eight Year Term Limits

00:20:06 William H. Biernat

00:23:19 Bob Adney

00:24:42 Jeremy Hofer

Informational Testimony: None

Questions from Committee Members and Responses:

00:25:40 Rep. Phillips

00:26:20 Mr. Butcher

00:26:49 Rep. Phillips

00:27:36 Rep. Hawk

00:28:04 Rep. Dickenson

00:29:30 Rep. Hawk

00:30:11 Rep. Dickenson

00:30:37 Rep. Hawk

00:31:15 Rep. Brown

00:31:42 Mr. Butcher

00:32:27 Rep. Brown

00:32:45 Mr. Butcher

00:33:44 Rep. Malek

00:34:12 Mr. Butcher

00:34:48 Rep. Malek

00:34:57 Mr. Butcher

00:35:11 Chairman Himmelberger

Closing by Sponsor:

00:35:22 Rep. Hawk
00:35:49 Chairman Himmelberger

HEARING ON HB 182

Opening Statement by Sponsor:

00:36:38 Rep. Ken Peterson (R), HD 46, opened the hearing on
HB 182, Prohibit state agencies from lobbying
legislature.

Proponents' Testimony: None

Opponents' Testimony:

00:43:41 Madalyn Quinlan, Office of Public Instruction

Informational Testimony:

00:48:30 Herold Blattie, Executive Director, Montana Association
of Counties

EXHIBIT (sth14a01)

Questions from Committee Members and Responses:

00:50:53 Rep. Phillips
00:52:24 Rep. Peterson
00:53:01 Rep. Phillips
00:53:38 Rep. Peterson
00:54:00 Rep. Wilmer
00:54:48 Rep. Peterson
00:55:52 Rep. Wilmer
00:56:30 Rep. Peterson
00:57:03 Rep. Wilmer
00:57:26 Rep. Peterson
00:57:45 Rep. Brown
00:58:11 Rep. Peterson
00:58:31 Rep. Brown
00:58:53 Rep. Peterson
00:59:25 Rep. Brown
00:59:56 Ms. Quinlan
01:00:16 Rep. Brown
01:00:35 Ms. Quinlan
01:01:33 Rep. Dickenson
01:02:21 Rep. Peterson
01:03:10 Chairman Himmelberger

Closing by Sponsor:

01:03:16 Rep. Peterson
01:05:40 Chairman Himmelberger

HEARING ON HB 192

Opening Statement by Sponsor:

01:06:04 Rep. Janna Taylor (R), HD 11, opened the hearing on **HB 192**, Secret ballot until final tally on overriding veto.

Proponents' Testimony: None

Opponents' Testimony:

01:09:56 Ann Brodsky, Legal Council, Governor's Office

Informational Testimony: None

Questions from Committee Members and Responses:

01:11:29 Rep. O'Hara
01:11:41 Rep. Taylor
01:12:36 Rep. Brown
01:13:12 Ms. Brodsky
01:16:56 Rep. Brown
01:17:26 Ms. Brodsky
01:17:38 Rep. Dickenson
01:18:03 Ms. Brodsky
01:18:39 Rep. Dickenson
01:18:49 Rep. Taylor
01:19:14 Rep. Malek
01:19:55 Ms. Brodsky
01:21:07 Rep. Malek
01:21:37 Ms. Brodsky
01:22:56 Rep. Wilmer
01:23:37 Rep. Taylor
01:24:37 Rep. Wilmer
01:24:58 Rep. Taylor
01:25:53 Chairman Himmelberger
01:26:02 Rep. Phillips
01:26:23 Rep. Taylor

Closing by Sponsor:

01:26:53 Rep. Taylor
01:27:09 Chairman Himmelberger

01:27:27 Committee takes a break.
01:50:34 Committee reconvenes. Rep. MacLaren is not present
after the break.
01:50:35 Chairman Himmelberger

HEARING ON HB 197

Opening Statement by Sponsor:

01:54:11 Rep. Bob Ebinger (D), HD 62, opened the hearing on **HB
197**, Clarify signature requirements for recall
petitions.

EXHIBIT (sth14a02)

Proponents' Testimony:

01:56:49 Nancy MacCracken, Sixth Judicial District Court
02:01:17 Herold Blattie, Executive Director, Montana Association
of Counties

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

02:05:05 Rep. Ingraham
02:05:19 Rep. Belcourt
02:06:00 Rep. Ebinger
02:06:15 Rep. Ingraham
02:06:49 Rep. Brown
02:07:05 Rep. Washburn
02:07:23 Rep. Ebinger
02:07:51 Rep. Washburn
02:08:05 Rep. Ingraham
02:08:21 Rep. Washburn
02:08:42 Chairman Himmelberger
02:08:55 Rep. Washburn
02:09:08 Rep. Ingraham
02:09:23 Chairman Himmelberger

Closing by Sponsor:

02:09:58 Rep. Ebinger
02:11:08 Chairman Himmelberger
02:11:44 Rep. Hands entered the room.

EXECUTIVE ACTION ON HB 184

02:12:28 **Motion:** Rep. Hendrick moved that **HB 184 DO PASS.**

02:12:57 **Motion/Vote:** Rep. Dickenson moved that **HB 184 BE AMENDED.** Motion carried unanimously by voice vote. Rep. MacLaren and Rep. Van Dyk voted by proxy.

EXHIBIT (sth14a03)

02:14:36 **Motion:** Rep. Hendrick moved that **HB 184 DO PASS AS AMENDED.**

Discussion:

02:14:47 Chairman Himmelberger

02:14:50 Rep. Brown

02:15:25 Rep. Boniek

02:15:58 Chairman Himmelberger

02:16:06 Rep. Hands

02:17:23 Rep. Boniek

02:17:51 Chairman Himmelberger

02:17:56 Rep. Bean

02:18:15 Rep. Dickenson

02:18:42 Rep. Caferro

02:18:45 Chairman Himmelberger

02:20:44 Rep. Phillips

02:21:23 **Vote:** Motion failed 5-13 by roll call vote with Rep. Caferro, Rep. Himmelberger, Rep. Ingraham, Rep. MacLaren, and Rep. Malek voting aye. Rep. MacLaren and Rep. Van Dyk voted by proxy.

02:22:54 Chairman Himmelberger

02:22:58 **Motion/Vote:** Rep. Phillips moved that **HB 184 BE TABLED AND THE VOTE REVERSED.** Motion carried 13-5 by roll call vote with Rep. Caferro, Rep. Himmelberger, Rep. Ingraham, Rep. MacLaren, and Rep. Malek Voting no.

02:23:32 Chairman Himmelberger

02:24:56 Rep. Ingraham

02:25:11 Chairman Himmelberger

02:25:18 Rep. Wilmer

02:25:37 Rep. Phillips

02:26:03 Chairman Himmelberger

EXECUTIVE ACTION ON HB 142

02:26:50 **Motion:** Rep. Brown moved that **HB 142 DO PASS.**

Discussion:

02:26:55 Chairman Himmelberger
02:27:00 Rep. Wilmer
02:27:31 Rep. Ingraham
02:28:45 Rep. Hands
02:30:45 Rep. Boniek
02:31:21 Rep. Brown
02:31:48 Rep. Wilmer
02:32:18 Rep. Brown
02:32:51 Rep. Ingraham
02:35:14 Rep. Malek
02:36:08 Rep. Brown
02:36:28 Chairman Himmelberger
02:36:34 Sheri Heffelfinger, Legislative Services Division
02:38:16 Rep. Malek
02:38:30 Rep. Wilmer
02:38:54 Chairman Himmelberger
02:39:07 Ms. Heffelfinger
02:40:10 Rep. Brown
02:41:11 Chairman Himmelberger
02:43:08 Rep. Wilmer
02:43:34 Rep. Dickenson
02:45:31 Rep. Bean
02:46:09 Rep. Boss Ribs

02:46:34 **Vote:** Motion failed 6-12 by roll call vote with Rep. Belcourt, Rep. Brown, Rep. Caferro, Rep. Hands, Rep. Malek, and Rep. Wilmer voting aye. Rep. MacLaren and Rep. Van Dyk voted by proxy.

02:47:53 **Motion/Vote:** Rep. Brown moved that **HB 142 BE TABLED.** Motion carried unanimously by voice vote.

02:48:28 Rep. Ingraham
02:48:35 Chairman Himmelberger
02:48:59 Rep. Phillips
02:49:14 Chairman Himmelberger

ADJOURNMENT

02:49:23 Adjournment: 10:50 a.m.

MARSHALL MCEWEN, Secretary

mm

Additional Exhibit

EXHIBIT (sth14a04) Letter from Kevin Olp

Additional Documents:

EXHIBIT (sth14aad.pdf)