

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON STATE ADMINISTRATION

**Call to Order:** Chairman Dennis Himmelberger, on March 13, 2009 at 9:00 A.M., in Room 455 Capitol

#### ROLL CALL

**Members Present:**

Rep. Dennis Himmelberger, Chairman (R)  
Rep. Sue Dickenson, Vice Chairman (D)  
Rep. Jesse O'Hara, Vice Chairman (R)  
Rep. Russell Bean (R)  
Rep. Joel Boniek (R)  
Rep. Frosty Boss Ribs (D)  
Rep. Gordon R. Hendrick (R)  
Rep. Pat Ingraham (R)  
Rep. Sue Malek (D)  
Rep. Kendall Van Dyk (D)  
Rep. Ted Washburn (R)

**Members Excused:** Rep. Mike Phillips (D)

**Members Absent:** Rep. Tony Belcourt (D)  
Rep. Dee Brown (R)  
Rep. Mary Caferro (D)  
Rep. Betsy Hands (D)  
Rep. Gary MacLaren (R)  
Rep. Franke Wilmer (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: None

Executive Action: SB 367, SB 267, SB 199

**Legislative Staff Presentation:**

00:02:17 Sheri Heffelfinger, Legislative Services Division

**EXHIBIT (sth56a01)**

00:02:46 Rep. Belcourt and Rep. Brown entered the room.

00:05:00 Rep. MacLaren and Rep. Hands entered the room.

**Questions From Committee Members:**

00:30:16 Chairman Himmelberger

00:30:22 Rep. Brown

00:30:44 Ms. Heffelfinger

00:31:06 Rep. Hands

00:31:28 Rep. Ingraham

00:31:52 Ms. Heffelfinger

00:32:07 Rep. Ingraham

00:32:20 Ms. Heffelfinger

00:32:33 Rep. Ingraham

00:32:45 Ms. Heffelfinger

00:32:52 Rep. Dickenson

00:33:11 Ms. Heffelfinger

00:33:22 Rep. Dickenson

00:33:47 Ms. Heffelfinger

00:33:50 Rep. Dickenson

00:33:55 Ms. Heffelfinger

00:34:50 Rep. Dickenson

00:35:30 Ms. Heffelfinger

00:35:53 Rep. Washburn

00:36:42 Ms. Heffelfinger

00:37:46 Rep. Washburn

00:38:02 Chairman Himmelberger

00:38:36 Rep. Malek

00:39:09 Ms. Heffelfinger

00:39:18 Rep. Malek

00:39:36 Ms. Heffelfinger

00:39:47 Rep. Malek

00:40:29 Ms. Heffelfinger

00:41:18 Rep. Malek

00:42:00 Ms. Heffelfinger

00:42:40 Rep. Malek

00:42:54 Ms. Heffelfinger

00:43:11 Rep. Boniek

00:43:31 Ms. Heffelfinger

00:44:11 Rep. Brown  
00:44:33 Ms. Heffelfinger  
00:44:55 Rep. Brown  
00:45:18 Ms. Heffelfinger  
00:45:49 Rep. Brown  
00:46:00 Ms. Heffelfinger  
00:46:12 Chairman Himmelberger  
00:47:09 Larry Fasbender, Deputy Director, Department of Justice  
00:52:18 Paula Stoll, Acting Administrator, Montana Human  
Resources Division

**EXHIBIT (sth56a02)**

00:55:20 Chairman Himmelberger  
00:55:25 Rep. Brown  
00:55:50 Ms. Stoll  
00:55:53 Rep. Brown  
00:56:00 Rep. Malek  
00:56:08 Ms. Stoll  
00:56:31 Peggy Davis, Bureau Chief, Human Resources Policy and  
Program Bureau, Department of Administration  
00:56:57 Ms. Davis  
00:57:35 Chairman Himmelberger  
00:58:06 Ms. Stoll  
00:58:38 Chairman Himmelberger  
00:58:51 Rep. Chuck Hunter, HD 79, Helena  
01:04:19 Chairman Himmelberger  
01:05:07 Rep. Hunter  
01:07:04 Rep. Ingraham  
01:07:21 Rep. Hunter  
01:07:54 Rep. Ingraham  
01:08:07 Rep. Hunter  
01:08:23 Rep. Hands  
01:09:26 Rep. Hunter  
01:10:56 Chairman Himmelberger  
01:11:09 Rep. Hunter  
01:11:41 Chairman Himmelberger  
01:11:59 Lawrence Hubbard, President/CEO, Montana State Fund  
01:16:37 Chairman Himmelberger  
01:16:42 Rep. Hands  
01:16:50 Mr. Hubbard  
01:16:56 Rep. Brown  
01:17:17 Mr. Hubbard  
01:17:20 Rep. Brown  
01:18:00 Mr. Hubbard  
01:18:08 Rep. Ingraham  
01:18:25 Mr. Hubbard  
01:18:33 Rep. Ingraham  
01:18:44 Mr. Hubbard  
01:19:07 Rep. Washburn  
01:19:18 Mr. Hubbard  
01:19:53 Rep. Belcourt

01:20:07 Mr. Hubbard  
01:20:14 Rep. Hands  
01:20:30 Mr. Hubbard  
01:21:09 Rep. Hands  
01:21:16 Chairman Himmelberger  
01:21:20 Rep. Hands  
01:21:25 Rep. Brown  
01:21:37 Mr. Hubbard  
01:22:12 Chairman Himmelberger  
01:22:17 Mr. Hubbard  
01:22:23 Rep. Hands  
01:22:40 Mr. Hubbard  
01:23:24 Rep. Malek  
01:23:34 Mr. Hubbard  
01:23:54 Rep. Malek  
01:25:07 Mr. Hubbard  
01:26:08 Chairman Himmelberger  
01:26:15 Linda McCulloch, Montana Secretary of State  
01:26:35 John Mudd, Executive Counsel, State Auditors Office  
01:27:07 Beth McLaughlin, Supreme Court Administrators Office  
01:27:54 Amy Sassano, Operations and Budget Manager, Governor's  
Office  
01:28:13 Kelly DaSilva, Human Resource Officer, Legislative  
Branch  
01:28:40 Chairman Himmelberger  
01:28:54 Ms. DaSilva  
01:29:10 Chairman Himmelberger  
01:29:28 Ms. DaSilva  
01:29:50 Chairman Himmelberger

**Committee Discussion:**

01:30:51 Rep. Hands  
01:35:00 Rep. Bean  
01:35:25 Chairman Himmelberger  
01:36:27 Rep. Van Dyk  
01:36:57 Chairman Himmelberger  
01:37:46 Rep. Dickenson  
01:38:00 Chairman Himmelberger  
01:38:12 Rep. Dickenson  
01:39:56 Chairman Himmelberger  
01:40:51 Rep. Boniek  
01:40:58 Chairman Himmelberger  
01:41:59 Rep. Boniek  
01:42:58 Chairman Himmelberger  
01:43:04 Rep. Malek  
01:44:45 Chairman Himmelberger  
01:44:52 Rep. MacLaren  
01:45:27 Chairman Himmelberger  
01:46:02 Rep. Ingraham

01:47:13 Rep. Hands  
01:48:34 Chairman Himmelberger

**EXHIBIT (sth56a03)**

01:49:15 Committee recesses.  
02:08:49 Committee reconvenes. Rep. Brown, Rep. Caferro, Rep. Phillips, and Rep. Wilmer were not present after the break.

**EXECUTIVE ACTION ON SB 367**

02:09:10 **Motion:** Rep. Ingraham moved that **SB 367 BE CONCURRED IN.**

**Discussion:**

02:09:14 Chairman Himmelberger  
02:09:33 Rep. Ingraham  
02:11:22 Rep. Hands  
02:12:45 Rep. Washburn  
02:13:18 Rep. Malek  
02:13:31 Chairman Himmelberger  
02:13:36 Ms. Heffelfinger  
02:14:41 Chairman Himmelberger  
02:14:59 Rep. MacLaren  
02:15:20 Rep. Hands  
02:15:52 Rep. Dickenson  
02:17:06 Chairman Himmelberger  
  
02:17:37 Rep. Ingraham withdrew her motion.

**EXECUTIVE ACTION ON SB 267**

02:18:09 **Motion:** Rep. O'Hara moved that **SB 267 BE CONCURRED IN.**

**Discussion:**

02:18:17 Chairman Himmelberger  
02:18:36 Rep. Bean  
02:19:29 Rep. Dickenson  
02:20:15 Rep. Washburn  
02:20:54 Rep. O'Hara  
02:22:10 Chairman Himmelberger  
02:23:00 Rep. MacLaren  
02:23:20 Rep. Hendrick  
02:23:53 Rep. Ingraham  
02:25:26 Rep. Van Dyk

- 02:26:40 **Vote:** Motion failed 3-15 by voice vote with Rep. Belcourt, Rep. Dickenson, and Rep. Himmelberger voting aye. Rep. Brown, Rep. Caferro, Rep. Phillips, and Rep. Wilmer voted by proxy.
- 02:27:31 **Motion/Vote:** Rep. Hendrick moved that **SB 267 BE TABLED.** Motion carried unanimously by voice vote. Rep. Brown, Rep. Caferro, Rep. Phillips, and Rep. Wilmer voted by proxy.
- 02:28:00 Chairman Himmelberger

**EXECUTIVE ACTION ON SB 199**

- 02:28:11 **Motion:** Rep. Belcourt moved that **SB 199 BE CONCURRED IN.**

**Discussion:**

- 02:28:15 Chairman Himmelberger
- 02:28:31 Rep. Bean
- 02:28:58 Rep. Hands
- 02:31:01 Rep. Hendrick
- 02:31:34 Rep. Boniek
- 02:31:56 Rep. Dickenson
- 02:33:24 Chairman Himmelberger
- 02:33:28 **Vote:** Motion failed 9-9 by roll call vote with Rep. Belcourt, Rep. Boss Ribs, Rep. Caferro, Rep. Dickenson, Rep. Hands, Rep. Malek, Rep. Phillips, Rep. Van Dyk, and Rep. Wilmer voting aye. Rep. Brown, Rep. Caferro, Rep. Phillips, and Rep. Wilmer voted by proxy.
- 02:34:43 **Motion/Vote:** Rep. Bean moved that **SB 199 BE TABLED.** Motion carried 14-4 by voice vote with Rep. Caferro, Rep. Dickenson, Rep. Phillips, and Rep. Wilmer voting no. Rep. Brown, Rep. Caferro, Rep. Phillips, and Rep. Wilmer voted by proxy.
- 02:35:19 Chairman Himmelberger
- 02:35:23 Rep. Hands
- 02:35:39 Rep. Bean
- 02:35:55 Chairman Himmelberger
- 02:36:23 Rep. Dickenson
- 02:36:52 Chairman Himmelberger

**ADJOURNMENT**

02:36:57 Adjournment: 11:36 a.m.

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Marshall McEwen, Secretary

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Additional Documents:

**EXHIBIT ([sth56aad.pdf](#))**