

MINUTES

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

COMMITTEE ON STATE ADMINISTRATION

Call to Order: by Chairman Dennis Himmelberger, on January 12, 2009 at 8:00 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. Tony Belcourt (D)
Rep. Joel Boniek (R)
Rep. Frosty Boss Ribs (D)
Rep. Dee Brown (R)
Rep. Mary Caferro (D)
Rep. Betsy Hands (D)
Rep. Gordon R. Hendrick (R)
Rep. Pat Ingraham (R)
Rep. Gary MacLaren (R)
Rep. Sue Malek (D)
Rep. Mike Phillips (D)
Rep. Kendall Van Dyk (D)
Rep. Ted Washburn (R)
Rep. Franke Wilmer (D)

Members Excused: None.

Members Absent: None.

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 30, 1/7/09; HB 54, 1/7/09; HB
58, 1/7/09; HB 134, 1/7/09
Executive Action: HB 23, HB 89, HB 144

HEARING ON HB 134**Opening Statement by Sponsor:**

00:02:53 Rep. Bill Nooney (R), HD 100, opened the hearing on **HB 134**, Create and fund local government committee.

00:04:05 Chairman Himmelberger

Proponents' Testimony:

00:04:10 Sheryl Wood, Associate Director, Montana Association of Counties

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:05:47 Rep. Dickenson
00:06:38 Rep. Nooney
00:06:54 Rep. Dickenson
00:07:20 Rep. Nooney
00:07:39 Rep. Dickenson
00:08:30 Rep. Nooney
00:08:57 Chairman Himmelberger
00:09:15 Rep. Nooney
00:09:18 Rep. Brown
00:09:54 Rep. Nooney
00:10:05 Chairman Himmelberger
00:10:20 Rep. Brown
00:10:24 Ms. Heffelfinger
00:10:57 Rep. Brown
00:11:36 Rep. Nooney
00:11:43 Rep. Hendrick
00:12:13 Rep. Nooney
00:12:47 Rep. Hendrick
00:12:59 Rep. Nooney
00:13:20 Chairman Himmelberger
00:13:25 Rep. Brown
00:13:47 Rep. Nooney
00:14:13 Chairman Himmelberger
00:14:44 Rep. Dickenson
00:14:49 Rep. Hands enters room
00:15:04 Susan Fox, Executive Director, Legislative Services Division
00:16:41 Chairman Himmelberger
00:16:45 Rep. Ingraham

00:16:55 Chairman Himmelberger
00:17:23 Ms. Fox
00:18:04 Chairman Himmelberger

Closing by Sponsor:

00:18:15 Rep. Nooney
00:18:24 Chairman Himmelberger

HEARING ON HB 54

Opening Statement by Sponsor:

00:18:57 Rep. Pat Ingraham (R), HD 13, opened the hearing on **HB 54**, Separate index for Montana Constitution.
[EXHIBIT\(sth06a01\)](#)

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:24:30 Rep. Ingraham
00:24:36 Chairman Himmelberger

HEARING ON HB 58

Opening Statement by Sponsor:

00:25:03 Rep. Pat Ingraham (R), HD 13, opened the hearing on **HB 58**, Eliminate social security contribution account from state law.

Proponents' Testimony:

00:26:43 Paul Christofferson, State Accounting Division

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:27:38 Rep. Brown
00:28:00 Mr. Christofferson
00:28:45 Rep. Brown
00:28:50 Chairman Himmelberger

Closing by Sponsor:

00:29:00 Rep. Ingraham
00:29:15 Chairman Himmelberger
00:29:27 Committee Takes a Break
00:31:45 Rep. Wilmer and Rep. Phillips enter room
00:37:02 Committee called back to order by Chairman
Himmelberger.

HEARING ON HB 30

Opening Statement by Sponsor:

00:37:46 Rep. Franke Wilmer (D), HD 64, opened the hearing on **HB 30**, Youth election judges.

[EXHIBIT\(sth06a02\)](#)

Proponents' Testimony:

00:41:35 Linda McCulloch, Montana Secretary of State
[EXHIBIT\(sth06a03\)](#)
00:44:44 Becca Harper, Helena High School Student
00:45:40 Jan Lombardi, Governor Schweitzer Education Policy
Advisor
00:47:10 Joy Bruck, Volunteer Advocate for AARP Montana
[EXHIBIT\(sth06a04\)](#)
00:48:53 Drew Geiger, Montana League of Women Voters
00:49:26 Rep. Ingraham
00:51:05 Kate Cholewa, Common Cause
00:51:31 Beth Brenneman, Attorney, Disability Rights
Montana
00:52:28 Kevin Olp, Montana Conservation Voters
00:53:13 Dale Moore, Great Falls High School Student
00:54:15 Rina Fowtana Moore, Cascade Country Clerk and Recorder
Association

Opponents' Testimony:

00:55:21 Becky Stockton, Self
[EXHIBIT\(sth06a05\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

00:59:22 Rep. Phillips
01:00:00 Rep. Wilmer
01:00:02 Rep. Brown
01:00:40 Rep. Wilmer
01:01:32 Rep. Brown
01:01:49 Ms. Heffelfinger
01:01:55 Rep. Brown
01:01:59 Rep. Boniek
01:02:14 Secretary of State McCulloch
01:02:18 Rep. Boniek
01:02:33 Secretary of State McCulloch
01:03:11 Rep. Boniek
01:03:20 Secretary of State McCulloch
01:03:29 Rep. Belcourt
01:03:54 Secretary of State McCulloch
01:04:17 Rep. Dickenson
01:05:20 Secretary of State McCulloch
01:06:20 Rep. Caferro
01:07:21 Rep. Wilmer
01:08:54 Rep. Hendrick
01:09:35 Ms. Stockton
01:12:24 Rep. Hendrick
01:12:48 Rep. Wilmer
01:14:11 Rep. Boniek
01:14:31 Rep. Brown
01:14:40 Chairman Himmelberger
01:14:59 Rep. Ingraham
01:15:06 Chairman Himmelberger
01:15:11 Rep. Ingraham
01:18:07 Chairman Himmelberger
01:18:11 Rep. Boniek
01:18:25 Rep. Ingraham
01:19:34 Chairman Himmelberger
01:19:38 Rep. Boniek
01:19:45 Chairman Himmelberger
01:19:49 Rep. Ingraham
01:20:25 Chairman Himmelberger
01:20:30 Rep. Caferro
01:21:16 Ms. Harper
01:21:37 Rep. Caferro
01:21:47 Chairman Himmelberger
01:22:21 Rep. Wilmer
01:22:58 Ms. Moore
01:23:17 Chairman Himmelberger
01:23:23 Rep. Wilmer
01:23:43 Chairman Himmelberger
01:23:48 Rep. Wilmer
01:24:00 Rep. Brown

01:24:23 Ms. Moore
01:25:21 Chairman Himmelberger

Closing by Sponsor:

01:25:28 Rep. Wilmer
01:26:49 Chairman Himmelberger

EXECUTIVE ACTION ON HB 23

01:27:27 **Motion:** Rep. Ingraham moved that **HB 23 DO PASS.**

Discussion:

01:27:41 Chairman Himmelberger
01:27:47 Rep. Hands
01:27:55 Chairman Himmelberger
01:28:11 Rep. Phillips
01:28:43 Chairman Himmelberger
01:29:51 Rep. Phillips
01:30:05 Chairman Himmelberger

01:30:13 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 89

01:30:45 Chairman Himmelberger
01:30:55 **Motion:** Rep. Brown moved that **HB 89 DO PASS.**

Discussion:

01:31:00 Chairman Himmelberger
01:31:24 Rep. Phillips
01:31:53 Chairman Himmelberger
01:31:55 Rep. Hands
01:32:33 Rep. Brown
01:33:39 Chairman Himmelberger
01:33:41 Rep. Ingraham
01:34:11 Chairman Himmelberger
01:34:22 Ms. Heffelfinger

EXHIBIT(sth06a06)

01:35:21 Chairman Himmelberger
01:35:27 Rep. Boss Ribs
01:35:52 Chairman Himmelberger
01:35:58 Rep. Brown
01:36:11 Chairman Himmelberger
01:36:16 Rep. Van Dyk
01:37:46 Rep. Phillips
01:38:35 Chairman Himmelberger
01:38:39 Rep. Wilmer
01:41:39 Chairman Himmelberger

01:42:14 Rep. Malek
01:43:11 Chairman Himmelberger
01:43:17 Rep. Brown

01:43:55 **Vote:** Motion failed 5-13 by roll call vote with Rep. Boniek, Rep. Brown, Rep. Hendrick, Rep. Ingraham, and Rep. Washburn voting aye.

01:45:36 Rep. Brown
01:45:46 Chairman Himmelberger

01:46:19 **Motion/Vote:** Rep. Van Dyk moved that **HB 89 BE TABLED.** Motion carried 17-1 by voice vote with Rep. Hendrick voting no.

01:46:34 Rep. Brown
01:46:35 Chairman Himmelberger
01:47:21 Rep. MacLaren
01:47:35 Chairman Himmelberger
01:47:39 Rep. Phillips
01:47:55 Chairman Himmelberger

EXECUTIVE ACTION ON HB 144

01:48:12 **Motion:** Rep. Hands moved that **HB 144 DO PASS.**

Discussion:

01:48:18 Chairman Himmelberger
01:48:24 Rep. Hands
01:49:04 Chairman Himmelberger
01:49:08 Rep. Hendrick
01:49:44 Ms. Heffelfinger
01:50:21 Rep. Brown
01:50:42 Ms. Heffelfinger
01:50:55 Chairman Himmelberger

01:51:11 **Vote:** Motion carried unanimously by voice vote.

01:51:34 Chairman Himmelberger
01:51:41 Rep. Dickenson
01:52:41 Chairman Himmelberger
01:52:44 Rep. Ingraham
01:52:56 Rep. Brown
01:53:07 Rep. Dickenson
01:53:30 Chairman Himmelberger
01:55:15 Rep. Brown
01:55:29 Rep. Bean
01:55:42 Chairman Himmelberger

ADJOURNMENT

01:55:45 Adjournment

MARSHALL MCEWEN, Secretary

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Additional Exhibits:

EXHIBIT([sth06aad.pdf](#))