

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: By Chairman Dennis Himmelberger, on January 22, 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. Frosty Boss Ribs (D)
Rep. Mary Caferro (D)
Rep. Gordon R. Hendrick (R)
Rep. Pat Ingraham (R)
Rep. Gary MacLaren (R)
Rep. Sue Malek (D)
Rep. Kendall Van Dyk (D)

Members Excused: None.

Members Absent: Rep. Sue Dickenson, Vice Chairman (D)
Rep. Tony Belcourt (D)
Rep. Joel Boniek (R)
Rep. Dee Brown (R)
Rep. Betsy Hands (D)
Rep. Mike Phillips (D)
Rep. Ted Washburn (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: HB 193, HB 248, HJ 9, 1/15/2009

Executive Action: HJ 9, HB 17, HB 117, HB 50

00:02:22 Rep. Hands, Rep. Belcourt, Rep. Dickenson, Rep. Brown and Rep. Washburn entered the room.

HEARING ON HJ 9

Opening Statement by Sponsor:

00:03:54 Rep. Timothy Furey (D), HD 91, opened the hearing on **HJ 9**, Support armed forces.

Proponents' Testimony:

00:07:25 Colonel Jim Jacobsen, American Legion
00:10:24 Elmer Palmer, State Commander, American Legion
00:12:36 Merv Gunderson, American Legion
00:13:41 Roger Hagan, Montana National Guard Association
00:14:26 Dan Antonietti, VFW
00:15:00 Gary White, American Legion

Opponents' Testimony: None

Informational Testimony:

00:15:38 Joe Foster, Administrator, Montana Veteran Affairs Division

Questions from Committee Members and Responses:

00:15:56 Rep. Brown
00:16:26 Rep. Furey
00:17:00 Rep. Ingraham
00:17:38 Rep. Furey
00:17:54 Chairman Himmelberger

Closing by Sponsor:

00:18:03 Rep. Furey
00:18:54 Chairman Himmelberger

00:19:03 Rep. O'Hara
00:19:26 Chairman Himmelberger

EXECUTIVE ACTION ON HJ 9

00:19:33 **Motion/Vote:** Rep. O'Hara moved that **HJ 9 DO PASS.**
Motion carried unanimously by voice vote. Rep. Wilmer,
Rep. Phillips, and Rep. Boniek voted by proxy.

00:20:26 Chairman Himmelberger

HEARING ON HB 193

Opening Statement by Sponsor:

00:21:13 Rep. Shannon Augare (D), HD 16, opened the hearing on
HB 193, Change name of Coordinator of Indian affairs to
Director of Indian affairs.

Proponents' Testimony:

00:22:52 Rep. Boss Ribs
00:23:22 Andrew Huff, Attorney, Governor's Office, Office of
Budget and Program Planning (OBPP)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:24:57 Rep. Van Dyk
00:25:26 Rep. Brown
00:26:29 Rep. Augare
00:26:37 Rep. Brown
00:26:50 Mr. Huff
00:27:06 Rep. Brown
00:27:22 Mr. Huff
00:28:00 Chairman Himmelberger
00:28:07 Rep. MacLaren
00:28:38 Rep. Bean
00:29:10 Mr. Huff
00:29:27 Rep. Malek
00:29:43 Rep. Augare
00:30:06 Chairman Himmelberger
00:30:45 Mr. Huff
00:31:06 Chairman Himmelberger

Closing by Sponsor:

00:31:13 Rep. Augare
00:31:25 Chairman Himmelberger

Administrative Rule Making:

00:33:07 Ms. Heffelfinger, Legislative Services Division (LSD)

EXHIBIT(sth15a01)

00:38:44 Chairman Himmelberger

HEARING ON HB 248

Opening Statement by Sponsor:

00:39:11 Rep. Ken Peterson (R), HD 46, opened the hearing on
HB 248, Require party designation at voter
registration.

Proponents' Testimony: None

Opponents' Testimony:

00:43:03 Linda McCulloch, Montana Secretary of State

EXHIBIT(sth15a02)

00:45:50 Kate Cholewa, Montana Common Cause

00:47:24 Sheena Rice, MontPIRG

00:48:46 Terry Minow, MEA-MFT

00:49:45 Cindy Swank, Self

EXHIBIT(sth15a03)

Informational Testimony:

00:53:58 Linda Stoll, Montana Association of Clerks and
Recorders

Questions from Committee Members and Responses:

00:57:51 Rep. Van Dyk

00:59:00 Rep. Peterson

00:59:19 Rep. Van Dyk

00:59:42 Rep. Peterson

00:59:54 Rep. Van Dyk

01:00:15 Rep. Peterson

01:00:59 Rep. Van Dyk

01:02:02 Rep. Peterson

01:02:25 Rep. Van Dyk

01:02:51 Rep. Peterson

01:03:22 Rep. Caferro

01:04:42 Rep. Peterson

01:05:07 Rep. Caferro

01:06:05 Rep. Peterson

01:06:27 Rep. Caferro

01:06:39 Rep. Peterson

01:06:48 Rep. O'Hara
01:07:11 Rep. Peterson
01:08:39 Rep. O'Hara
01:08:46 Rep. Washburn
01:09:09 Rep. Peterson
01:09:25 Rep. Dickenson
01:09:46 Rep. Peterson
01:10:03 Chairman Himmelberger

Closing by Sponsor:

01:10:17 Rep. Peterson
01:11:26 Chairman Himmelberger

Administrative Rule Making:

01:11:51 Ms. Heffelfinger
01:17:32 Chairman Himmelberger
01:18:36 Rep. Dickenson
01:18:48 Rep. Brown
01:18:54 Rep. Bean
01:19:49 Ms. Heffelfinger
01:21:30 Chairman Himmelberger
01:22:35 Rep. Bean
01:23:01 Ms. Heffelfinger
01:23:48 Rep. Van Dyk
01:25:05 Chairman Himmelberger
01:25:19 Rep. Brown
01:26:02 Ms. Heffelfinger

01:26:50 Committee takes a break.
01:59:57 Committee reconvenes. Rep. Boniek, Rep. Phillips, Rep. Hendrick are not present after the break.

02:00:25 Greg Petesch, Code Commissioner, LSD
02:00:32 Chairman Himmelberger
02:00:56 Mr. Petesch
02:15:44 Chairman Himmelberger
02:16:56 Mr. Petesch
02:21:11 Chairman Himmelberger
02:21:36 Mr. Petesch
02:24:14 Chairman Himmelberger
02:24:26 Rep. Hands
02:24:51 Mr. Petesch
02:26:55 Rep. Hands
02:27:12 Mr. Petesch
02:28:39 Rep. Hands
02:28:55 Mr. Petesch
02:29:06 Rep. Dickenson
02:29:21 Mr. Petesch

02:29:38 Rep. Dickenson
02:29:43 Mr. Petesch
02:29:48 Rep. Dickenson
02:29:59 Mr. Petesch
02:30:29 Rep. Brown
02:30:59 Mr. Petesch
02:32:32 Rep. MacLaren
02:32:51 Mr. Petesch
02:34:26 Rep. Malek
02:35:01 Mr. Petesch
02:38:55 Rep. Wilmer
02:39:31 Rep. MacLaren
02:39:34 Rep. Wilmer
02:40:54 Mr. Petesch
02:41:16 Rep. Wilmer
02:42:04 Chairman Himmelberger

EXECUTIVE ACTION ON HB 17

02:43:06 **Motion:** Rep. Brown moved that **HB 17 DO PASS.**

Discussion:

02:43:12 Chairman Himmelberger
02:43:24 Rep. Brown
02:43:47 Rep. Wilmer

02:44:47 **Motion/Vote:** Rep. O'Hara moved that **HB 17 BE AMENDED.**
Motion carried unanimously by voice vote. Rep.
Hendrick, Rep. Boniek, and Rep. Phillips voted by
proxy.

EXHIBIT (sth15a04)

02:46:37 Chairman Himmelberger

02:46:40 **Motion:** Rep. Brown moved that **HB 17 DO PASS AS AMENDED.**

Discussion:

02:46:46 Chairman Himmelberger
02:46:50 Rep. Malek

02:48:09 **Vote:** Motion failed 7-10 by roll call vote with Rep.
Bean, Rep. Brown, Rep. Hendrick, Rep. Himmelberger,
Rep. Ingraham, Rep. MacLaren, and Rep. Washburn voting
aye. Rep. Hendrick and Rep. Phillips voted by proxy.
Rep. Boniek's vote was not recorded.

02:50:31 Chairman Himmelberger

02:50:37 **Motion/Vote:** Rep. Van Dyk moved that **HB 17 BE TABLED**.
Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 117

02:51:59 **Motion:** Rep. Brown moved that **HB 117 DO PASS**.

Discussion:

02:52:05 Chairman Himmelberger

02:52:17 Rep. Dickenson

02:53:14 Rep. Brown

02:53:47 Rep. Malek

02:54:32 **Vote:** Motion failed 4-14 by roll call vote with Rep. Bean, Rep. Brown, Rep. Hendrick, and Rep. Ingraham voting aye. Rep. Hendrick, Rep. Boniek, and Rep. Phillips voted by proxy.

02:55:44 **Motion/Vote:** Rep. Van Dyk moved that **HB 117 BE TABLED**.
Motion carried unanimously by voice vote.

02:56:18 Chairman Himmelberger

EXECUTIVE ACTION ON HB 50

02:56:36 **Motion:** Rep. Ingraham moved that **HB 50 DO PASS**.

Discussion:

02:56:54 Rep. Malek

02:57:27 Rep. Brown

02:58:03 Rep. Hands

03:01:09 Rep. Wilmer

03:02:55 Rep. Bean

03:03:42 Rep. Malek

03:04:37 Chairman Himmelberger

03:07:48 **Vote:** Motion failed 9-9 by roll call vote with Rep. Bean, Rep. Boniek, Rep. Brown, Rep. Hendrick, Rep. Himmelberger, Rep. Ingraham, Rep. MacLaren, Rep. O'Hara, and Rep. Washburn voting aye. Rep. Boniek, Rep. Phillips, and Rep. Hendrick voted by proxy.

03:09:26 **Motion/Vote:** Rep. Van Dyk moved that **HB 50 BE TABLED**.
Motion carried 8-7 by voice vote with Rep. Bean, Rep. Brown, Rep. Himmelberger, Rep. Ingraham, Rep. MacLaren, Rep. Washburn, and Rep. Wilmer voting no.

03:10:58 Rep. Brown
03:11:07 Rep. Ingraham
03:11:26 Chairman Himmelberger
03:13:25 Rep. Wilmer
03:13:27 Chairman Himmelberger
03:13:40 Rep. Dickenson
03:13:59 Rep. Maclaren
03:14:07 Chairman Himmelberger

ADJOURNMENT

03:14:25 Adjournment: 11:15 a.m.

MARSHALL MCEWEN, Secretary

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Additional Documents:

EXHIBIT ([sth15aad.pdf](#))