

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: Chairman Dennis Himmelberger, on February 5, 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. Frosty Boss Ribs (D)
Rep. Dee Brown (R)
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. Joel Boniek (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 328, HB 348, 1/28/2009; SB 170,
2/2/2009

Executive Action: HB 16, HB 87, HB 266, HB 305

HEARING ON HB 348

Opening Statement by Sponsor:

00:02:00 Chairman Himmelberger turned the gavel over to Vice
Chairman O'Hara.
00:02:04 Rep. Dennis Himmelberger (R), HD 47, opened the hearing
on HB 348, Remove exemption to lobbyist licensing,
registration, and reporting.
00:03:25 Rep. Caferro, Rep. Hands, and Rep. Van Dyk entered the
room.

Proponents' Testimony: None

Opponents' Testimony:

00:06:14 Don Judge, Self
00:10:31 Ronna Alexander, Montana Society of Association
Executives
00:12:59 Rep. Boniek entered the room.
00:13:16 Eric Burke, MEA-MFT
00:17:33 John Flink, Montana Hospital Association

Informational Testimony:

00:19:32 Dennis Unsworth, Commissioner, Political Practices

Questions from Committee Members and Responses:

00:25:26 Rep. Phillips
00:25:59 Mr. Unsworth
00:26:11 Rep. Phillips
00:26:37 Rep. Himmelberger
00:26:42 Rep. Phillips
00:27:04 Rep. Himmelberger
00:27:20 Rep. Phillips
00:27:40 Mr. Flink
00:28:09 Rep. Phillips
00:28:50 Rep. Himmelberger
00:30:19 Rep. Brown
00:30:44 Rep. Himmelberger
00:31:10 Rep. Brown

00:31:22 Rep. Ingraham
00:32:18 Mr. Unsworth
00:34:09 Rep. Wilmer
00:34:41 Mr. Unsworth
00:36:02 Rep. Malek
00:36:40 Mr. Unsworth
00:37:37 Rep. Brown
00:38:13 Mr. Unsworth
00:38:50 Rep. Hands
00:39:05 Mr. Unsworth
00:40:20 Rep. Hands
00:40:48 Mr. Unsworth
00:41:41 Rep. Wilmer
00:42:11 Mr. Unsworth
00:42:59 Rep. Hands
00:43:03 Mr. Unsworth
00:43:12 Rep. Hands
00:43:32 Rep. Himmelberger
00:44:16 Rep. Brown
00:44:40 Rep. Himmelberger
00:45:16 Rep. Brown
00:45:37 Rep. Himmelberger
00:45:46 Rep. Brown
00:46:24 Rep. Himmelberger
00:46:35 Rep. Dickenson
00:47:19 Rep. Himmelberger
00:48:55 Rep. Dickenson
00:49:12 Rep. Himmelberger
00:49:46 Rep. Hands
00:50:08 Rep. Himmelberger
00:50:24 Rep. Bean
00:51:11 Vice Chairman O'Hara

Closing by Sponsor:

00:51:18 Rep. Himmelberger
00:55:23 Vice Chairman O'Hara
00:55:32 Rep. Hands exited the room.
00:56:05 Vice Chairman O'Hara returned the gavel to Chairman Himmelberger.

HEARING ON HB 328

Opening Statement by Sponsor:

00:56:13 Rep. Gary MacLaren (R), HD 89, opened the hearing on HB 328, Revise petition requirements for certain candidates.

Proponents' Testimony:

00:57:29 Scott Seilstad, Chairman, Fergus County Community
Council

EXHIBIT (sth27a01)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:04:58 Rep. Malek
01:05:12 Mr. Seilstad
01:05:22 Rep. Malek
01:05:25 Mr. Seilstad
01:05:27 Rep. Malek
01:05:39 Mr. Seilstad
01:06:42 Rep. Malek
01:07:04 Mr. Seilstad
01:07:47 Rep. MacLaren
01:08:10 Chairman Himmelberger

Closing by Sponsor:

01:08:16 Rep. MacLaren
01:08:35 Chairman Himmelberger

HEARING ON SB 170

Opening Statement by Sponsor:

01:08:48 Sen. Kelly Gebhardt (R), SD 23, opened the hearing on
SB 170, Revise travel reimbursement for travel to
foreign countries.

01:10:54 Rep. Hands entered the room.

Proponents' Testimony:

01:11:17 Paul Christofferson, Administrator, State Accounting
Division

EXHIBIT (sth27a02)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:14:46 Rep. Ingraham
01:15:36 Mr. Christofferson
01:16:02 Rep. Hands
01:16:31 Mr. Christofferson
01:16:41 Rep. Hands
01:16:43 Mr. Christofferson
01:16:56 Rep. Hands
01:17:28 Mr. Christofferson
01:17:46 Rep. Brown
01:18:07 Mr. Christofferson
01:18:16 Chairman Himmelberger
01:18:28 Mr. Christofferson
01:18:32 Rep. Brown
01:19:20 Mr. Christofferson
01:20:10 Rep. MacLaren
01:20:31 Mr. Christofferson
01:21:45 Rep. MacLaren
01:21:56 Mr. Christofferson
01:22:12 Rep. Ingraham
01:22:56 Mr. Christofferson
01:23:08 Rep. Ingraham
01:23:22 Mr. Christofferson
EXHIBIT (sth27a03)
01:23:48 Chairman Himmelberger

Closing by Sponsor:

01:24:19 Sen. Gebhardt
01:25:19 Chairman Himmelberger

Committee Discussion on Fire Suppression Issues:

01:25:25 Chairman Himmelberger
01:27:51 Rep. Dickenson
01:28:53 Ms. Heffelfinger
01:29:47 Chairman Himmelberger
01:30:31 Ms. Heffelfinger
01:30:58 Chairman Himmelberger
01:30:59 Rep. Phillips
01:31:34 Chairman Himmelberger
01:31:54 Rep. Brown
01:33:08 Rep. Wilmer
01:35:40 Chairman Himmelberger
01:36:23 Rep. Ingraham
01:37:02 Ms. Heffelfinger
01:38:04 Rep. Hands
01:39:41 Rep. Van Dyk

01:40:59 Chairman Himmelberger
01:42:31 Rep. Phillips
01:43:12 Chairman Himmelberger

01:43:41 **Motion:** Rep. Phillips moved to **DRAFT A COMMITTEE STUDY RESOLUTION** on fire suppression issues contained in **HB 164**.

Discussion:

01:43:53 Chairman Himmelberger
01:44:13 Rep. Phillips
01:45:04 Rep. MacLaren
01:45:10 Rep. Phillips
01:45:20 Chairman Himmelberger
01:45:27 Rep. Caferro
01:45:35 Chairman Himmelberger
01:46:36 Rep. Caferro
01:46:45 Chairman Himmelberger

01:47:07 **Vote:** Motion carried unanimously by voice vote.

01:47:16 Chairman Himmelberger
01:47:24 Rep. Phillips
01:47:39 Chairman Himmelberger
01:48:49 Rep. Wilmer
01:49:19 Rep. MacLaren
01:50:05 Chairman Himmelberger
01:50:33 Committee takes a break.
02:13:20 Committee reconvenes. Rep. Hands is not present after the break.

EXECUTIVE ACTION ON HB 16

02:13:32 **Motion:** Rep. Ingraham moved that **HB 16 DO PASS**.

Discussion:

02:13:37 Chairman Himmelberger
02:13:42 Rep. Ingraham

02:15:59 **Substitute Motion/Vote:** Rep. Ingraham made a substitute motion that **HB 16 BE TABLED**. Substitute motion carried 10-7 by voice vote with Rep. Boniek, Rep. Brown, Rep. Hendrick, Rep. Himmelberger, Rep. MacLaren, Rep. O'Hara, and Rep. Washburn voting no. Rep. Hands vote was not recorded.

02:16:57 Chairman Himmelberger

EXECUTIVE ACTION ON HB 87

02:17:03 **Motion:** Rep. Dickenson moved that **HB 87 DO PASS.**

Discussion:

02:17:07 Chairman Himmelberger

02:17:12 Rep. Dickenson

02:19:36 Rep. Bean

02:20:27 Rep. Wilmer

02:22:23 Rep. Brown

02:23:04 Rep. Dickenson

02:23:16 Rep. Brown

02:23:26 **Motion/Vote:** Rep. Dickenson moved that **HB 87 BE AMENDED.** Motion carried unanimously by voice vote.

EXHIBIT (sth27a04)

02:24:28 **Motion:** Rep. Dickenson moved that **HB 87 DO PASS AS AMENDED.**

Discussion:

02:24:35 Chairman Himmelberger

02:24:39 Rep. O'Hara

02:25:16 Rep. Boniek

02:26:10 Rep. Dickenson

02:26:54 Rep. MacLaren

02:27:21 **Vote:** Motion failed 4-14 by roll call vote with Rep. Belcourt, Rep. Boss Ribs, Rep. Brown, and Rep. Dickenson voting aye. Rep. Hands voted by proxy.

02:28:26 Chairman Himmelberger

02:28:32 **Motion/Vote:** Rep. Dickenson moved that **HB 87 BE TABLED.** Motion carried unanimously by voice vote. Rep. Hands vote was not recorded.

02:28:47 Chairman Himmelberger

EXECUTIVE ACTION ON HB 266

02:29:12 **Motion:** Rep. Ingraham moved that **HB 266 DO PASS.**

Discussion:

02:29:15 Chairman Himmelberger

02:29:32 Rep. Brown

02:31:27 Rep. Phillips

02:31:55 Rep. Malek

02:32:33 **Substitute Motion/Vote**: Rep. Van Dyk made a substitute motion that **HB 87 BE TABLED**. Substitute motion carried 17-1 by voice vote with Rep. O'Hara voting no. Rep. Hands voted by proxy.

02:33:10 Chairman Himmelberger

EXECUTIVE ACTION ON HB 305

02:33:23 **Motion**: Rep. Boss Ribs moved that **HB 305 DO PASS**.

Discussion:

02:33:26 Chairman Himmelberger

02:33:30 Rep. Boss Ribs

02:34:48 Chairman Himmelberger

02:34:55 **Motion**: Rep. Boss Ribs moved that **HB 305 BE AMENDED**. **EXHIBIT (sth27a05)**

Discussion:

02:35:14 Chairman Himmelberger

02:35:26 Ms. Heffelfinger

02:36:25 Chairman Himmelberger

02:36:29 Rep. Wilmer

02:36:42 Rep. Boss Ribs

02:37:11 Ms. Heffelfinger

02:38:05 Rep. Malek

02:38:25 **Vote**: Motion carried unanimously by voice vote. Rep. Hands voted by proxy.

02:38:46 **Motion**: Rep. Boss Ribs moved that **HB 305 DO PASS AS AMENDED**.

Discussion:

02:38:51 Chairman Himmelberger

02:39:02 Rep. Boniek

02:39:33 Chairman Himmelberger

02:39:44 Rep. Caferro

02:40:05 Rep. Dickenson

02:43:39 Rep. Wilmer

02:43:53 Rep. Dickenson

02:44:08 Rep. Brown

02:44:15 Rep. Wilmer exited the room.
02:44:36 Rep. Dickenson
02:45:14 Rep. Brown
02:46:01 Ms. Heffelfinger
02:47:01 Rep. Brown
02:47:19 Chairman Himmelberger
02:47:31 Ms. Heffelfinger
02:48:31 Rep. Brown
02:48:33 Chairman Himmelberger
02:48:38 Rep. Bean
02:49:29 Rep. Boniek
02:49:53 Ms. Heffelfinger
02:50:20 Chairman Himmelberger
02:50:25 Rep. Belcourt
02:51:37 Rep. Malek
02:52:20 Rep. Ingraham
02:53:28 Rep. Boniek
02:54:03 Chairman Himmelberger
02:54:24 Ms. Heffelfinger
02:54:38 Rep. Belcourt
02:55:04 Rep. Bean
02:55:09 Rep. Belcourt
02:55:19 Rep. Bean
02:56:44 Chairman Himmelberger
02:56:48 Rep. Malek

02:57:06 **Vote:** Motion carried 10-8 by roll call vote with Rep. Bean, Rep. Boniek, Rep. Brown, Rep. Hendrick, Rep. Ingraham, Rep. MacLaren, Rep. O'Hara, and Rep. Washburn voting no. Rep. Hands and Rep. Wilmer voted by proxy.

02:58:19 Chairman Himmelberger
02:58:34 Rep. Brown
02:58:45 Chairman Himmelberger

ADJOURNMENT

02:59:13 Adjournment: 10:59 a.m.

Marshall McEwen, Secretary

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Additional Documents:

EXHIBIT ([sth27aad.pdf](#))