

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: Chairman Dennis Himmelberger, on March 12, 2009 at 9:03 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. Joel Boniek (R)
Rep. Dee Brown (R)
Rep. Gordon R. Hendrick (R)
Rep. Pat Ingraham (R)
Rep. Gary MacLaren (R)
Rep. Sue Malek (D)
Rep. Ted Washburn (R)
Rep. Franke Wilmer (D)

Members Excused: Rep. Mike Phillips (D)
Rep. Kendall Van Dyk (D)

Members Absent: Rep. Sue Dickenson, Vice Chairman (D)
Rep. Tony Belcourt (D)
Rep. Frosty Boss Ribs (D)
Rep. Mary Caferro (D)
Rep. Betsy Hands (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 639, 3/9/2009

Executive Action: SB 187, SB 123, SB 413

00:01:11 Rep. Boss Ribs and Rep. Dickenson entered the room.

HEARING ON HB 639

Opening Statement by Sponsor:

00:03:05 Rep. Bob Wagner (R), HD 71, opened the hearing on
HB 639, Estab. authority & requirements for state to
transact business in gold & silver.

00:06:59 Chairman Himmelberger

00:07:20 Rep. Wagner

00:07:39 Chairman Himmelberger

Proponents' Testimony:

00:08:01 Edwin Vieira via conference call, Self

EXHIBIT (sth55a01)

00:12:11 Rep. Caferro and Rep. Belcourt entered the room.

00:19:02 Lawrence Parks via conference call, Executive Director,
Foundation for the Advancement of Monetary Education

EXHIBIT (sth55a02)

01:15:39 Chairman Himmelberger

01:16:04 Dan Happel, Self

01:16:56 Thomas E. Tuck, Vice Chair, Gallatin County Campaign
for Liberty

01:17:40 Stan Jones, Self

01:19:17 Ted Williams, Self

01:19:43 Dane Clark, Self

01:20:20 Anthony Buechel, Self

01:20:40 Sean Bailey, Self

01:21:02 Garret Guymon, Self

01:21:19 Rep. Michael More, HD 70, Gallatin Gateway

01:22:11 Rep. Wagner

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:22:52 Rep. Ingraham

01:23:06 James Turk via conference call, Chairman, GoldMoney

01:24:12 Rep. Ingraham

01:24:23 Mr. Turk

01:25:12 Rep. Boniek

01:25:27 Mr. Turk

01:26:32 Rep. Bean

01:26:58 Rep. Wagner

01:27:14 Rep. Bean

01:27:22 Rep. Wagner
01:28:33 Mr. Vieira
01:30:01 Rep. Brown
01:30:15 Rep. Wagner
01:30:32 Chairman Himmelberger

Closing by Sponsor:

01:30:36 Rep. Wagner
01:33:48 Chairman Himmelberger
01:34:22 Rep. Wagner
01:34:52 Chairman Himmelberger

01:35:08 Committee recesses.
01:58:56 Committee reconvenes. Rep. Caferro, Rep. Belcourt, Rep. Van Dyk, Rep. Wilmer, Rep. Phillips and Rep. Hendrick were not present after the break.

EXECUTIVE ACTION ON SB 187

01:59:44 **Motion:** Rep. Brown moved that **SB 187 BE CONCURRED IN.**

Discussion:

01:59:47 Chairman Himmelberger
02:00:04 Rep. Brown
02:01:29 Rep. Hands
02:02:20 Chairman Himmelberger
02:02:42 Rep. Bean
02:02:54 Rep. Hands
02:03:17 Rep. Belcourt entered the room.
02:03:28 Rep. Malek
02:05:28 Rep. Caferro entered the room.
02:06:07 Rep. Brown

EXHIBIT (sth55a03)

02:06:49 Rep. Dickenson

EXHIBIT (sth55a04)

02:07:23 Rep. Wilmer entered the room.
02:10:47 Rep. Boniek
02:11:37 Rep. Malek
02:12:36 Chairman Himmelberger
02:13:01 Ms. Heffelfinger, Legislative Services Division
02:13:36 Chairman Himmelberger
02:13:46 Rep. Boniek
02:14:33 Rep. Brown
02:15:12 Chairman Himmelberger

02:18:19 **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. Hendrick, Rep. Phillips, and Rep. Van Dyk voted by proxy.

02:19:28 Rep. Wilmer

EXECUTIVE ACTION ON SB 123

02:19:35 **Motion:** Rep. Wilmer moved that **SB 123 BE CONCURRED IN.**

Discussion:

02:19:48 Chairman Himmelberger

02:19:52 **Motion:** Rep. Wilmer moved that **SB 123 BE AMENDED.**
EXHIBIT (sth55a05)

Discussion:

02:20:09 Rep. Wilmer

02:23:45 Rep. Belcourt exited the room.

02:26:00 Rep. Brown

02:26:22 Chairman Himmelberger

02:26:46 Rep. MacLaren

02:27:22 **Vote:** Motion carried unanimously by voice vote. Rep. Belcourt, Rep. Hendrick, Rep. Phillips, and Rep. Van Dyk voted by proxy.

02:27:50 **Motion:** Rep. Wilmer moved that **SB 123 BE CONCURRED IN AS AMENDED.**

Discussion:

02:27:57 Chairman Himmelberger

02:28:09 Rep. Ingraham

02:28:29 Rep. Wilmer

02:28:53 Rep. Ingraham

02:29:17 Rep. Wilmer

02:29:19 Rep. Dickenson exited the room.

02:29:42 **Vote:** Motion carried unanimously by voice vote. Rep. Belcourt, Rep. Dickenson, Rep. Hendrick, Rep. Phillips, and Rep. Van Dyk voted by proxy. Rep. Wilmer will carry the bill in the House

02:30:13 Chairman Himmelberger

02:30:33 Rep. Wilmer
02:30:48 Chairman Himmelberger

EXECUTIVE ACTION ON SB 413

02:30:53 **Motion:** Rep. Ingraham moved that **SB 413 BE CONCURRED IN.**

02:30:57 Chairman Himmelberger
02:31:05 Rep. Wilmer
02:32:44 Rep. Brown

02:33:29 **Motion:** Rep. Caferro moved that **SB 413 BE AMENDED.**

Discussion:

02:33:43 Chairman Himmelberger
02:33:55 Rep. Caferro
02:34:16 Chairman Himmelberger
02:34:24 Rep. Hands
02:35:37 Chairman Himmelberger
02:35:41 Rep. Bean
02:36:20 Rep. Washburn
02:36:43 Rep. Wilmer
02:36:45 Rep. MacLaren exited the room.
02:37:24 Rep. Brown
02:37:50 Chairman Himmelberger
02:38:57 Rep. Brown
02:39:29 Rep. Caferro
02:39:36 Chairman Himmelberger
02:39:46 Ms. Heffelfinger
02:40:13 Rep. Hands
02:41:39 Rep. Wilmer
02:43:14 Rep. Brown
02:44:11 Rep. Caferro

02:44:50 **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. Dickenson, Rep. Belcourt, Rep. Hendrick, Rep. MacLaren, Rep. Phillips, Rep. Van Dyk voted by proxy.

02:46:08 Chairman Himmelberger

- 02:46:30 **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. Dickenson, Rep. Belcourt, Rep. Hendrick, Rep. MacLaren, Rep. Phillips, Rep. Van Dyk voted by proxy. Rep. Malek exited the room.
- 02:47:31 **Motion/Vote:** Rep. O'Hara moved that **SB 413 BE TABLED.** Motion carried 10-8 by voice vote with Rep. Belcourt, Rep. Boss Ribs, Rep. Caferro, Rep. Dickenson, Rep. Malek, Rep. Phillips, Rep. Van Dyk, and Rep. Wilmer voting no. Rep. Dickenson, Rep. Belcourt, Rep. Hendrick, Rep. MacLaren, Rep. Malek, Rep. Phillips, Rep. Van Dyk voted by proxy.
- 02:49:09 Chairman Himmelberger
- 02:50:19 Rep. Boss Ribs
- 02:50:24 Chairman Himmelberger

ADJOURNMENT

02:51:04 Adjournment: 11:54 a.m.

Marshall McEwen, Secretary

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Additional Exhibits:

EXHIBIT (sth55a06) Testimony pertaining to HB 639
EXHIBIT (sth55a07) Information pertaining to HB 639
EXHIBIT (sth55a08) Information pertaining to HB 639

Additional Documents:

EXHIBIT (sth55aad.pdf)