

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON STATE ADMINISTRATION

**Call to Order:** By Chairman Dennis Himmelberger, on January 24, 2007 at 8:00 A.M., in Room 455 Capitol.

#### ROLL CALL

**Members Present:**

Rep. Dennis Himmelberger, Chairman (R)  
Rep. Duane Ankney, Vice Chairman (R)  
Rep. Hal Jacobson, Vice Chairman (D)  
Rep. Debby Barrett (R)  
Rep. Gary Branae (D)  
Rep. Mary Caferro (D)  
Rep. Sue Dickenson (D)  
Rep. Gordon R. Hendrick (R)  
Rep. Teresa K. Henry (D)  
Rep. Pat Ingraham (R)  
Rep. William J. Jones (R)  
Rep. Bruce Malcolm (R)  
Rep. Walter McNutt (R)  
Rep. Alan Olson (R)  
Rep. Mike Phillips (D)  
Rep. Veronica Small-Eastman (D)  
Rep. Franke Wilmer (D)

**Members Excused:** Rep. Scott Sales

**Members Absent:** None

**Staff Present:** Dee Barfknecht, Committee Secretary  
Sheri Heffelfinger, Legislative Branch

**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: HB 221, HB 293  
Executive Action: HB 132, HB 202, HB 209  
HB 279, HB 342

**HEARING ON HB 221**

**Opening Statement by Sponsor:**

00:03:42 Rep. Craig Witte (R), HD 8, opened the hearing on HB 221, Reduce size of legislature.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:05:55 Rep. Ingraham  
00:06:48 Rep. Witte  
00:06:55 Rep. Ingraham  
00:07:01 Rep. Witte  
00:07:22 Rep. Phillips  
00:08:36 Rep. Witte  
00:08:58 Rep. Phillips  
00:09:09 Rep. Witte  
00:09:26 Rep. Wilmer  
00:09:53 Rep. Witte  
00:10:55 Rep. Wilmer  
00:11:41 Rep. Witte  
00:11:55 Rep. Barrett  
00:12:25 Rep. Witte

**EXHIBIT (sth16a01)**

00:13:54 Rep. Barrett  
00:14:30 Rep. Witte  
00:15:58 Rep. Barrett  
00:17:33 Rep. Witte  
00:18:44 Rep. Barrett  
00:19:21 Rep. Witte  
00:19:44 Rep. Barrett  
00:20:04 Rep. Witte  
00:21:03 Rep. Jacobson  
00:22:15 Rep. Witte  
00:23:50 Rep. Jacobson  
00:24:45 Rep. Witte  
00:27:41 Rep. Wilmer  
00:28:49 Rep. Witte

**Closing by Sponsor:**

00:30:39 Rep. Witte

**HEARING ON HB 293**

**Opening Statement by Sponsor:**

00:32:05 Rep. Dennis Himmelberger (R), HD 47, opened the hearing on HB 293, Allocate lottery money to teacher's retirement system.

[EXHIBIT \(sth16a02\)](#)

[EXHIBIT \(sth16a03\)](#)

**Proponents' Testimony:** None

**Opponents' Testimony:**

00:37:27 Eric Feaver, Montana Education Association, Montana Federation Of Teachers (MEA/MFT)

**Informational Testimony:**

00:43:58 David Senn, Executive Director, Teacher's Retirement System (TRS)

**Questions from Committee Members and Responses:**

00:47:39 Rep. Phillips  
00:48:20 Rep. Himmelberger  
00:49:07 Rep. Dickenson  
00:49:52 Rep. Himmelberger  
00:50:39 Rep. Dickenson  
00:51:03 Rep. Himmelberger  
00:51:28 Rep. Ingraham  
00:52:49 Rep. Himmelberger  
00:53:09 Rep. Malcolm  
00:53:50 Mr. Senn  
00:55:11 Rep. Malcolm  
00:55:24 Mr. Senn  
00:56:37 Rep. Wilmer  
00:57:36 Rep. Himmelberger

**Closing by Sponsor:**

00:58:54 Rep. Himmelberger  
  
01:00:34 Recess  
01:18:09 Reconvene

**EXECUTIVE ACTION ON HB 202**

01:18:29 **Motion:** Rep. Jacobson moved that **HB 202 DO PASS.**

**Discussion:**

01:18:36 Rep. Jacobson

01:20:16 **Substitute Motion/Vote:** Rep. Olson made a substitute motion that **HB 202 BE TABLED**, which carried unanimously by voice vote. Reps. Sales, Jones, Henry, Small-Eastman, Hendrick, and Dickenson voted by proxy. (Votes on proxy forms for Reps. Sales, Hendrick and Jones record no for do pass motion, assumed to be aye to table.)

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**EXECUTIVE ACTION ON HB 209**

01:21:10 **Motion:** Rep. Ankney moved that **HB 209 DO PASS.**

**Discussion:**

01:21:39 Rep. Barrett

01:22:53 **Vote:** Motion failed by roll call vote, 9-9. Reps. Himmelberger, Ankney, Barrett, Hendrick, Jones, Malcolm, McNutt, Olson and Sales voted aye. Reps. Sales, Hendrick and Jones voted by proxy.

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**EXECUTIVE ACTION ON HB 342**

01:25:11 **Motion:** Rep. Jacobson moved that **HB 342 DO PASS.**

**Discussion:**

01:25:22 Rep. McNutt  
01:27:17 Rep. Jacobson  
01:28:33 Rep. Wilmer  
01:29:12 Rep. Jacobson  
01:29:19 Rep. Phillips  
01:29:31 Rep. Jacobson  
01:30:36 Rep. Olson  
01:30:58 Rep. Jacobson

- 01:32:23 **Vote:** Motion failed by voice vote, 2-16. Reps. Caferro and Henry voted aye. Rep. Sales and Hendrick voted by proxy.
- 01:32:32 **Substitute Motion/Vote:** Rep. Olson made a substitute motion that **HB 342 BE TABLED** and the vote be reversed. The motion carried.

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**EXECUTIVE ACTION ON HB 279**

- 01:33:20 **Motion:** Rep. Olson moved that **HB 279 DO PASS.**

**Discussion:**

- 01:33:27 Rep. Barrett  
01:33:43 Rep. Ingraham  
01:34:22 Rep. Wilmer  
01:35:24 Rep. Jones  
01:38:17 Rep. Phillips  
01:38:34 Rep. Barrett  
01:39:33 Rep. Dickenson
- 01:43:24 **Vote:** Motion failed by roll call vote, 8-10. Reps. Jacobson, Branae, Caferro, Dickenson, Henry, Phillips, Small-Eastman and Wilmer vote aye. Rep. Sales, Hendrick and Small-Eastman voted by proxy.
- 01:43:31 **Substitute Motion/Vote:** Rep. Olson made a substitute motion that **HB 279 BE TABLED**, which carried by voice vote, 14-4. Reps. Caferro, Henry, Phillips and Jacobson voted no. (Votes on proxy forms for Reps. Sales and Hendrick recorded no for do pass motion, assumed to be aye to table.)

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**EXECUTIVE ACTION ON HB 132**

- 01:44:51 **Motion/Vote:** Rep. Olson moved that **HB 132 DO PASS.** Motion carried by voice vote, 17-1. Rep. Sales voted no. Rep. Sales and Small-Eastman voted by proxy.
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**ADJOURNMENT**

01:46:33 Adjournment

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REP. DENNIS HIMMELBERGER, Chairman

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DEE BARFKNECHT, Secretary

DH/db

Additional Exhibits:

**EXHIBIT ([sth16aad.pdf](#))**