

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: By, Chairman Dennis Himmelberger, on February 19, 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. 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. Mary Caferro
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 294, HB 670, HB 686, HB 692
Executive Action:	HB 266, HB 308, HB 604, HB 619
	HB 632, HB 640, HB 650, SB 15

HEARING ON HB 692

Opening Statement by Sponsor:

00:02:48 Rep. Debby Barrett (R), HD 72, opened the hearing on HB 692, Restrictions on executive branch agency bill requests.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:08:02 Rep. Phillips
00:08:39 Rep. Barrett
00:09:04 Rep. Phillips
00:09:19 Rep. Barrett
00:09:35 Rep. Olson
00:09:48 Rep. Barrett
00:09:54 Rep. Olson
00:10:20 Rep. Barrett
00:10:54 Rep. Dickenson
00:11:13 Rep. Barrett
00:11:54 Rep. Dickenson
00:12:11 Rep. Barrett

Closing by Sponsor:

00:12:24 Rep. Barrett

HEARING ON HB 294

Opening Statement by Sponsor:

00:13:52 Rep. Sue Dickenson (D), HD 25, opened the hearing on HB 294, Soldier appreciation scholarships.

[EXHIBIT\(sth37a01\)](#)

[EXHIBIT\(sth37a02\)](#)

Proponents' Testimony:

00:22:41 Roger Hagen, Officer and Enlisted Association, Montana National Guard

00:24:04 Colonel Jim Jacobsen, U.S. Army Retired, Legislative
Chairman, American Legion
00:25:04 Corey Swanson, Company Commander Montana National
Guard
00:31:01 Scott Martin, Student Representative of MSU Billings,
MSU Great Falls, MSU Havre

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:31:46 Rep. Ingraham
00:32:19 Rep. Dickenson
00:33:30 Rep. Ingraham
00:33:36 Rep. Dickenson
00:33:44 Rep. Ingraham
00:33:50 Rep. Dickenson
00:35:47 Rep. Ingraham
00:35:58 Rep. Dickenson
00:37:54 Rep. Ankney
00:38:07 Rep. Dickenson
00:38:35 Rep. Ankney
00:38:45 Rep. Dickenson
00:39:21 Rep. Ankney
00:39:41 Rep. Dickenson
00:39:47 Rep. Phillips
00:40:12 Rep. Dickenson
00:40:58 Rep. Phillips
00:41:28 Rep. Dickenson
00:42:55 Rep. Phillips
00:43:13 Mr. Swanson
00:44:59 Rep. Barrett
00:45:08 Rep. Dickenson

Closing by Sponsor:

00:45:14 Rep. Dickenson

HEARING ON HB 686

Opening Statement by Sponsor:

00:50:17 Rep. Alan Olson (R), HD 45, opened the hearing on HB
686, Constitutional amendment to require election be by
majority vote.

Proponents' Testimony: None

Opponents' Testimony:

00:52:34 Bob Vogel, Montana School Boards Association

00:53:22 Jessica Rhoades, Montana Democratic Party

Informational Testimony: None

Questions from Committee Members and Responses:

00:55:49 Rep. Wilmer

00:56:27 Rep. Olson

00:56:57 Rep. Ankney

00:57:55 Rep. Olson

Closing by Sponsor:

00:58:00 Rep. Olson

HEARING ON HB 670

Opening Statement by Sponsor:

00:59:54 Rep. Dennis Himmelberger (R), HD 47, opened the hearing on HB 670, Retirement systems reports on actuarial costs and other items.

[EXHIBIT \(sth37a03\)](#)

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

01:03:32 Roxanne Minnehan, Executive Director, Montana Public Employee Administration

01:06:39 David Senn, Executive Director, Teachers Retirement System

01:09:05 Jim Gillett, Legislative Auditors Office

Questions from Committee Members and Responses:

01:09:19 Rep. Barrett

01:09:30 Mr. Senn

01:10:26 Rep. Jones

01:10:53 Rep. Himmelberger
01:12:04 Rep. Jones
01:12:09 Rep. Himmelberger
01:12:19 Ms. Minnehan
01:13:19 Rep. Phillips
01:13:26 Ms. Minnehan
01:14:07 Rep. Phillips
01:14:44 Rep. Himmelberger
01:15:14 Rep. Jones
01:16:04 Rep. Himmelberger
01:17:01 Rep. Jones
01:17:05 Rep. Himmelberger
01:17:28 Rep. Wilmer
01:17:56 Mr. Senn
01:19:00 Rep. Dickenson
01:19:27 Mr. Senn
01:20:17 Rep. Jones
01:21:21 Rep. Himmelberger

Closing by Sponsor:

01:21:45 Rep. Himmelberger

01:23:21 Break
01:45:42 Reconvene

EXECUTIVE ACTION ON SB 15

01:46:40 **Motion:** Rep. Olson moved that **SB 15 BE CONCURRED IN.**

Discussion:

01:46:59 Rep. Malcolm
01:48:05 Rep. Jones
01:48:29 Rep. Branae
01:49:11 Rep. Wilmer
01:50:11 Rep. Henry
01:51:07 Rep. Phillips
01:51:31 Rep. McNutt
01:53:10 Rep. Ankney

01:54:39 **Vote:** Motion that **SB 15 BE CONCURRED IN** carried by roll call vote, 13-5. Reps. Barrett, Caferro, Dickenson, McNutt and Phillips voted no. Reps. Sales and Caferro voted by proxy.

EXECUTIVE ACTION ON HB 266

01:56:18 **Motion:** Rep. Ankney moved that **HB 266 DO PASS.**

Discussion:

01:56:44 Rep. Phillips
01:57:23 Rep. Branae
01:57:36 Rep. Ankney
01:57:47 Rep. Ingraham
01:58:46 Rep. Wilmer
01:59:35 Rep. Jacobson

02:00:16 **Vote:** Motion that **HB 266 DO PASS** failed by tie vote, roll call vote, 9-9. Reps. Himmelberger, Ankney, Barrett, Hendrick, Ingraham, Malcolm, McNutt, Olson, and Sales voted aye. Reps. Sales, Caferro, Barrett, Malcolm and Olson voted by proxy.

02:01:42 **Motion/Vote:** Rep. Ankney made a motion that **HB 266 BE TABLED.** Motion carried unanimously by voice vote, 18-0. Reps. Sales, Caferro, Barrett, Olson and Malcolm voted by proxy.

EXECUTIVE ACTION ON HB 308

02:03:05 **Motion/Vote:** Rep. Ankney made a motion that **HB 308 BE TABLED.** The motion carried by roll call vote, 10-8. Reps. Jacobson, Caferro, Branae, Dickenson, Henry, Phillips, Small-Eastman and Wilmer voted no. Reps. Sales, Caferro, Barrett, Olson and Malcolm voted by proxy.

EXECUTIVE ACTION ON HB 640

02:06:03 **Motion:** Rep. Jacobson moved that **HB 640 DO PASS.**

Discussion:

02:06:18 Rep. Ingraham
02:06:47 Rep. McNutt
02:07:35 Rep. Jacobson

02:10:23 **Vote:** Motion that **HB 640 DO PASS** carried by voice vote, 17-1. Rep. Jones voted no. Reps. Sales, Caferro, Barrett, Olson and Malcolm voted by proxy.

EXECUTIVE ACTION ON HB 619

02:11:46 **Motion:** Rep. Ankney moved that **HB 619 DO PASS.**

Discussion:

02:12:09 Rep. Wilmer
02:13:11 Rep. Dickenson
02:13:31 Sheri Heffelfinger
02:14:18 Rep. Phillips
02:14:39 Chairman Himmelberger
02:15:09 Rep. Henry
02:17:39 Chairman Himmelberger
02:17:46 Ms. Heffelfinger
02:18:48 Rep. Phillips

02:19:26 **Vote:** Motion that **HB 619 DO PASS** carried by roll call vote, 10-8. Reps. Jacobson, Caferro, Branae, Dickenson, Henry, Phillips, Small-Eastman and Wilmer voted no. Reps. Sales, Caferro, Barrett, Jacobson, Olson and Malcolm voted by proxy.

EXECUTIVE ACTION ON HB 632

02:21:25 **Motion:** Rep. Small-Eastman moved that **HB 632 DO PASS.**

02:21:44 **Motion:** Rep. Small-Eastman moved that **HB 632 BE AMENDED.**

EXHIBIT(sth37a04)

Discussion:

02:22:31 Ms. Heffelfinger
02:25:19 Rep. Small-Eastman

02:26:39 **Vote:** Motion that **HB 632 BE AMENDED** carried unanimously by voice vote, 18-0. Reps. Sales, Caferro, Olson, Barrett and Malcolm voted by proxy.

02:27:34 **Motion:** Rep. Small-Eastman moved that **HB 632 DO PASS AS AMENDED.**

Discussion:

02:27:52 Rep. Ingraham
02:30:44 Rep. Phillips
02:31:58 Rep. Dickenson

02:33:41 Rep. Small-Eastman

02:34:19 Rep. Ankney

02:35:13 **Vote:** Motion that **HB 632 DO PASS AS AMENDED** failed by roll call vote, 8-10. Reps. Jacobson, Caferro, Branae, Dickenson, Henry, Phillips, Small-Eastman and Wilmer voted aye. Reps. Sales, Caferro, Barrett and Olson voted by proxy.

Discussion:

02:35:48 Rep. Small-Eastman

02:36:16 Chairman Himmelberger

02:37:01 **Motion/Vote:** Rep. Ankney made a motion that **HB 632 BE TABLED**. Motion carried by roll call vote, 10-8. Reps. Jacobson, Caferro, Branae, Dickenson, Henry, Phillips, Small-Eastman and Wilmer voted no. Reps. Sales, Caferro, Barrett and Olson voted by proxy.

EXECUTIVE ACTION ON HB 650

02:38:44 **Motion:** Rep. Ingraham moved that **HB 650 DO PASS**.

Discussion:

02:39:19 Rep. Henry

02:39:53 Rep. Wilmer

02:41:13 Rep. Hendrick

02:41:57 Chairman Himmelberger

02:42:04 Rep. Branae

02:42:20 **Motion:** Rep. Ingraham moved that **HB 650 BE AMENDED**. [**EXHIBIT**](#)(sth37a05)

Discussion:

02:43:07 Rep. Ingraham

02:43:11 Ms. Heffelfinger

02:43:26 **Vote:** Motion that **HB 650 BE AMENDED** carried by voice vote, 17-1. Rep. Phillips voted no. Reps. Sales, Caferro, Olson and Barrett voted by proxy.

02:44:07 **Motion:** Rep. Ingraham moved that **HB 650 DO PASS AS AMENDED**.

02:44:24 **Substitute Motion/Vote:** Rep. Dickenson made a substitute motion that **HB 650 BE TABLED**. Substitute motion carried by roll call voice vote, 11-7. Reps. Himmelberger, Barrett, Ankney, Hendrick, Ingraham, Jones and Malcolm voted no. Reps. Barrett, Caferro, Sales and Olson voted by proxy.

EXECUTIVE ACTION ON HB 604

02:46:19 **Motion:** Rep. Small-Eastman moved that **HB 604 DO PASS**.

Discussion:

02:46:32 Rep. Ingraham
02:48:59 Rep. Jones
02:49:55 Rep. Barrett
02:51:05 Rep. Jacobson
02:51:40 Chairman Himmelberger
02:52:54 Rep. Dickenson

02:53:48 **Vote:** Motion that **HB 604 DO PASS** failed by roll call vote, 8-10. Reps. Jacobson, Branae, Caferro, Dickenson, Henry, Phillips, Small-Eastman and Wilmer voted aye. Reps. Olson, Sales and Caferro voted by proxy.

02:55:08 **Motion/Vote:** Rep. Ankney made a motion that **HB 604 BE TABLED**. Motion carried unanimously by voice vote, 18-0. Rep. Sales, Olson and Caferro voted by proxy.

ADJOURNMENT

02:55:58 Adjournment

REP. DENNIS HIMMELBERGER, Chairman

DEE BARFKNECHT, Secretary

DH/db

Additional Exhibits:

EXHIBIT ([sth37aad.pdf](#))