

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: By Chairman Dennis Himmelberger, on March 20, 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. 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. Mike Phillips (D)
Rep. Veronica Small-Eastman (D)
Rep. Franke Wilmer (D)

Members Excused: Rep. Debby Barrett
Rep. Alan Olson
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: SB 172, SB 299, SB 308, SB 364
SJR 21 Discussion on HB 63
Executive Action: HB 814, SB 175, SB 269, SB 91
SB 286, SJR 21

HEARING ON SJR 21

Opening Statement by Sponsor:

00:02:20 Sen. Jim Peterson (R), SD 15, opened the hearing on SJR 21, Name Lewistown armory to honor MSG Robbie D. McNary.

Proponents' Testimony:

00:05:16 Corey Swanson, Member Montana National Guard
00:10:47 Jim Jacobsen, Retired Army Colonel, Legislative
Chairman of the American Legion
00:11:20 Roger Hagen, Representative, Retired Montana Air and
Army National Guard
00:12:47 Sen. Joe Tropila

Opponents' Testimony: None

Informational Testimony:

00:13:57 General Randy Mosley, Adjutant General, Montana
National Guard, Director of the Montana Military
Affairs

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:14:31 Sen. Peterson

HEARING ON SB 308

Opening Statement by Sponsor:

00:15:58 Sen. Jim Peterson (R), SD 15, opened the hearing on SB 308, Revise road levy election law.

Proponents' Testimony:

00:19:37 Sheryl Wood, Associate Director, Montana Association
of Counties

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:20:44 Rep. Ingraham
00:21:33 Ms. Wood
00:22:10 Rep. Ingraham
00:23:01 Ms. Wood
00:23:14 Rep. Ingraham

Closing by Sponsor:

00:23:20 Sen. Peterson

HEARING ON SB 299

Opening Statement by Sponsor:

00:27:34 Sen. Lynda Moss (D), SD 26, opened the hearing on SB 299, Revise laws on historic preservation and cultural tourism.

[EXHIBIT\(sth59a01\)](#)

Proponents' Testimony:

00:31:06 Chere Jiusto, Executive Director, Montana Preservation Alliance

[EXHIBIT\(sth59a02\)](#)

00:35:17 Stuart Doggett, Executive Director of the Montana Inn Keepers Association

00:36:46 Charles Brooks, Representative of Billings Area Chamber and Yellowstone County Board of Commissioners

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:38:39 Rep. Phillips
00:39:12 Sen. Moss
00:39:40 Rep. Phillips
00:40:06 Sen. Moss
00:41:30 Rep. Phillips
00:41:58 Sen. Moss

Closing by Sponsor:

00:42:04 Sen. Moss

HEARING ON SB 172

Opening Statement by Sponsor:

00:43:59 Sen. Joseph (Joe) Tropila (D), SD 13, opened the hearing on SB 172, Clarify definition of lobbying to include legislators or legislature.

Proponents' Testimony:

00:45:15 Dennis Unsworth, Commissioner of Political Practices
00:49:14 Elizabeth Andrews, Montana Common Cause

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:50:18 Chairman Himmelberger
00:51:21 Mr. Unsworth
00:53:08 Chairman Himmelberger
00:53:13 Jim Scheier, Attorney General's Office

Closing by Sponsor:

00:54:26 Sen. Tropila

EXECUTIVE ACTION ON SJR 21

00:55:30 **Motion:** Rep. Hendrick moved that **SJR 21 BE CONCURRED IN.**

Discussion:

00:56:03 Rep. Malcolm

00:56:41 **Vote:** Motion that **SJR 21 BE CONCURRED IN** carried unanimously by voice vote, 18-0. Reps. Sales, Olson and Barrett voted by proxy. Rep. Hendrick will carry the bill.

HEARING ON SB 364

Opening Statement by Sponsor:

00:57:51 Sen. Bob Story (R), SD 30, opened the hearing on SB 364, Revise replacement of county commissioner when no quorum possible.

Proponents' Testimony:

01:00:32 Sheryl Wood, Associate Director, Montana Association of Counties
01:03:50 Charles Brooks, Representative, Yellowstone County Board of Commissioners

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:04:33 Sen. Story
01:06:20 Break
01:30:42 Reconvene

EXECUTIVE ACTION ON HB 814

01:31:20 **Motion:** Rep. Hendrick moved that **HB 814 DO PASS.**

Discussion:

01:31:49 Rep. Henry
01:32:38 Rep. Malcolm
01:33:04 **Vote:** Motion that **HB 814 DO PASS** failed unanimously by voice vote, 0-18. Reps. Sales, Olson, Caferro, Dickenson, Ankney and Barrett voted by proxy.
01:34:05 **Substitute Motion/Vote:** Rep. McNutt made a substitute motion that **HB 814 BE TABLED.** Substitute motion carried unanimously by voice vote, 18-0. Reps. Sales, Olson, Ankney, Caferro, Dickenson and Barrett voted by proxy.

EXECUTIVE ACTION ON SB 175

01:34:49 **Motion:** Rep. Hendrick moved that **SB 175 BE CONCURRED IN.**

01:35:26 **Motion:** Rep. McNutt moved that **SB 175 BE AMENDED.**
EXHIBIT(sth59a03)

Discussion:

01:36:00 Rep. McNutt

01:36:04 Sheri Heffelfinger

01:37:11 **Vote:** Motion that **SB 175 BE AMENDED** carried by voice vote, 18-0. Reps. Sales, Olson and Barrett voted by proxy.

01:37:53 **Motion/Vote:** Rep. Jacobson moved that **SB 175 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote, 18-0. Reps. Sales, Olson and Barrett voted by proxy. Rep. McNutt will carry the bill.

EXECUTIVE ACTION ON SB 269

01:39:31 **Motion:** Rep. Ingraham moved that **SB 269 BE CONCURRED IN.**

01:39:38 **Motion:** Rep. Ingraham moved that **SB 269 BE AMENDED.**
EXHIBIT(sth59a04)

Discussion:

01:40:19 Rep. Ingraham

01:40:42 **Vote:** Motion that **SB 269 BE AMENDED** carried unanimously by voice vote, 18-0. Reps. Sales, Olson and Barrett voted by proxy.

01:41:10 **Motion:** Rep. Ingraham moved that **SB 269 CONCURRED IN AS AMENDED.**

Discussion:

01:41:23 Rep. Ingraham

01:41:40 **Vote:** Motion that **SB 269 BE CONCURRED IN AS AMENDED** carried unanimously by voice vote, 18-0. Reps. Sales, Olson and Barrett voted by proxy. Rep. Ingraham will carry the bill.

EXECUTIVE ACTION ON SB 286

01:43:52 **Motion:** Rep. Jacobson moved that **SB 286 BE CONCURRED IN**.

Discussion:

01:44:19 Rep. Malcolm
 01:44:58 Ms. Heffelfinger
 01:45:38 Rep. Malcolm
 01:45:45 Rep. Jacobson
 01:46:12 Ms. Heffelfinger
 01:47:25 Rep. Henry
 01:47:52 Rep. Malcolm
 01:50:08 Rep. Henry
 01:51:24 Rep. Malcolm
 01:51:29 Rep. Henry
 01:51:35 Rep. Wilmer
 01:52:02 Rep. Ankney
 01:52:38 Rep. Dickenson
 01:55:03 Rep. Caferro
 01:56:39 Rep. Jones
 01:59:08 Rep. Phillips
 01:59:46 Rep. Malcolm

02:00:51 **Vote:** Motion that **SB 286 BE CONCURRED IN** carried by roll call vote, 16-2. Reps. Malcolm and Sales voted no. Reps. Sales, Olson and Barrett voted by proxy. Rep. Dickenson will carry the bill.

EXECUTIVE ACTION ON SB 91

02:02:21 **Motion:** Rep. Ingraham moved that **SB 91 BE CONCURRED IN**.

Discussion:

02:02:44 Rep. Jones
 02:03:27 Rep. Wilmer
 02:04:59 Rep. Dickenson
 02:07:14 Rep. Phillips
 02:07:43 Rep. Branae

02:08:09 Rep. Ankney
02:08:57 Rep. Dickenson
02:09:30 Rep. Ankney
02:09:37 Rep. Phillips
02:09:58 Rep. Ankney
02:10:14 Rep. Caferro
02:11:20 Chairman Himmelberger

02:13:36 **Vote:** Motion that **SB 91 BE CONCURRED IN** failed by roll call vote, 8-10. Reps. Jacobson, Branae, Caferro, Dickenson, Henry, Phillips, Small-Eastman and Wilmer voted aye. Rep. Sales voted by proxy.

02:14:43 **Substitute Motion/Vote:** Rep. Ankney made a substitute motion that **SB 91 BE TABLED**. Substitute motion carried by voice vote, 12-6. Rep. Henry, Phillips, Small-Eastman, Branae, Wilmer and Jacobson voted no. Rep. Sales voted by proxy.

HB 63**Discussion:**

02:16:58 Ms. Heffelfinger
EXHIBIT(sth59a05)
02:29:46 Rep. Jacobson
02:29:51 Ms. Heffelfinger
02:29:57 Rep. Jacobson
02:30:00 Rep. Branae
02:30:21 Ms. Heffelfinger
02:36:56 Rep. Barrett
02:38:56 Ms. Heffelfinger
02:39:05 Rep. Malcolm
02:39:13 Rep. Heffelfinger
02:39:58 Rep. Olson
02:40:52 David Senn, Executive Director, Teacher's Retirement System
02:41:17 Rep. Olson
02:41:29 Mr. Senn
02:41:44 Rep. Wilmer
02:42:25 Ms. Heffelfinger
02:42:34 Chairman Himmelberger
02:42:57 Rep. Ankney
02:43:32 Mr. Senn
02:43:47 Rep. Dickenson
02:44:33 Mr. Senn
02:44:57 Rep. Dickenson
02:45:33 Mr. Senn
02:45:40 Rep. Dickenson

02:46:18 Mr. Senn
02:46:30 Chairman Himmelberger
02:47:10 Mr. Senn
02:47:17 Chairman Himmelberger
02:47:42 Mr. Senn
02:48:27 Chairman Himmelberger
02:48:35 Mr. Senn
02:48:42 Rep. Barrett
02:49:12 Mr. Senn
02:49:37 Rep. Phillips
02:49:55 Mr. Senn
02:50:00 Rep. Jones
02:50:12 Mr. Senn
02:50:57 Rep. Phillips
02:51:17 Rep. Olson
02:52:14 Mr. Senn
02:53:55 Rep. Phillips
02:54:14 Mr. Senn
02:54:36 Rep. Malcolm
02:55:19 Mr. Senn
02:55:25 Rep. Small-Eastman
02:55:53 Bob Vogel, Montana School Boards Association
02:56:46 Rep. Barrett
02:56:52 Mr. Vogel
02:58:01 Rep. Dickenson
02:59:14 Mr. Vogel
03:00:46 Rep. Dickenson
03:01:32 Mr. Vogel
03:02:17 Rep. Olson
03:03:27 Mr. Senn
03:06:09 Rep. Olson
03:06:50 Mr. Senn
03:07:49 Rep. Olson
03:07:55 Mr. Senn
03:08:16 Rep. Olson
03:08:33 Mr. Senn
03:08:43 Rep. Ankney
03:09:31 Mr. Senn
03:09:59 Rep. Ankney
03:10:05 Mr. Senn
03:10:38 Rep. Ankney
03:10:48 Mr. Senn
03:11:03 Ms. Heffelfinger
03:11:37 Mr. Vogel
03:12:56 Rep. Dickenson

Additional Exhibits:**EXHIBIT(sth59a06)**

Document Pertaining to HB 91, Hearing Date 03/13/07

ADJOURNMENT

03:13:21 Adjournment

REP. DENNIS HIMMELBERGER, Chairman

DEE BARFKNECHT, Secretary

DH/db

Additional Exhibits:

EXHIBIT ([sth59aad.pdf](#))