

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON STATE ADMINISTRATION**

**Call to Order:** By Chairman Dennis Himmelberger, on January 14,  
2009 at 8:00 A.M., in Room 455 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Dennis Himmelberger, Chairman (R)  
Rep. Russell Bean (R)  
Rep. Joel Boniek (R)  
Rep. Frosty Boss Ribs (D)  
Rep. Mary Caferro (D)  
Rep. Pat Ingraham (R)  
Rep. Gary MacLaren (R)  
Rep. Sue Malek (D)  
Rep. Mike Phillips (D)  
Rep. Kendall Van Dyk (D)  
Rep. Ted Washburn (R)  
Rep. Franke Wilmer (D)

**Members Excused:** Rep. Jesse O'Hara, Vice Chairman (R)  
Rep. Dee Brown (R)  
Rep. Gordon R. Hendrick (R)

**Members Absent:** Rep. Sue Dickenson, Vice Chairman (D)  
Rep. Tony Belcourt (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 17, HB 18, HB 31, HB 117  
Executive Action: None

00:03:00 Rep. O'Hara, Rep. Belcourt, Rep. Hands and Rep. Brown entered the room

**HEARING ON HB 17**

**Opening Statement by Sponsor:**

00:03:46 Rep. Ken Peterson (R), HD 46, opened the hearing on **HB 17**, Revise requirements for administrative rules.

00:04:40 Rep. Dickenson entered the room

**Proponents' Testimony:** None

**Opponents' Testimony:**

00:05:56 Mark Cadwallader, Staff Attorney, Montana Department of Labor and Industry

**EXHIBIT**(sth08a01)

00:14:04 Cort Jensen, Chief Attorney, Department of Agriculture

00:18:33 Candace West, Chief Counsel, Department of Natural Resources and Conservation

00:25:21 Curtis Larsen, Staff Attorney, Montana State Fund

00:26:10 Christina Goe, Chief Legal Counsel, State Auditors Office

00:27:23 Anne Brodsky, Legal Counsel to the Governor

00:27:42 Rep. Hendrick entered the room

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:31:23 Rep. Van Dyk

00:32:21 Rep. Peterson

00:33:22 Rep. Van Dyk

00:33:55 Rep. Peterson

00:34:31 Rep. Van Dyk

00:34:46 Rep. Peterson

00:35:13 Rep. Phillips

00:35:55 Rep. Peterson

00:36:18 Rep. Phillips

00:36:21 Rep. Washburn

00:36:49 Ms. Goe

00:37:25 Rep. Washburn

00:37:32 Ms. Goe

00:37:56 Chairman Himmelberger

00:38:14 Rep. Brown

00:39:13 Mr. Cadwallader

00:41:36 Rep. Brown

00:42:26 Mr. Cadwallader

00:43:02 Rep. Brown  
00:43:31 Mr. Cadwallader  
00:43:40 Rep. Wilmer  
00:44:18 Rep. Peterson  
00:44:42 Rep. Wilmer  
00:45:21 Mr. Cadwallader  
00:46:23 Rep. Wilmer  
00:46:43 Mr. Cadwallader  
00:47:25 Rep. MacLaren  
00:47:59 Mr. Jensen  
00:48:04 Rep. MacLaren  
00:48:24 Chairman Himmelberger

**Closing by Sponsor:**

00:48:31 Rep. Peterson  
00:51:50 Chairman Himmelberger

**HEARING ON HB 117**

**Opening Statement by Sponsor:**

00:52:00 Rep. Ken Peterson (R), HD 46, opened the hearing on **HB 117**, Revise procedure for review of administrative rules.

**Proponents' Testimony:** None

**Opponents' Testimony:**

00:54:24 Cort Jensen, Chief Attorney for Department of Agriculture  
00:57:47 Hal Harper, Governor's Office  
01:02:43 Mark Cadwallader, Staff Attorney, Montana Department of Labor and Industry

**EXHIBIT(sth08a02)**

01:06:13 Curtis Larsen, Staff Attorney, Montana State Fund  
01:06:39 Candace West, Chief Counsel, Department of Natural Resources and Conservation  
01:08:24 Christina Goe, Chief Legal Counsel, State Auditors Office

**Informational Testimony:**

01:09:38 Melanie Symons, Attorney, Montana Public Employees' Retirement Administration

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

01:10:42 Rep. Peterson  
01:13:05 Chairman Himmelberger  
01:13:13 Committee takes a break  
01:24:55 Committee called back to order by Chairman Himmelberger

**HEARING ON HB 31**

**Opening Statement by Sponsor:**

01:25:54 Rep. Franke Wilmer (D), Hd 64, opened the hearing on **HB 31**, Include dispatchers in sheriffs' retirement system.

**Proponents' Testimony:**

01:28:41 Susan Bomstead, Missoula 911 and President of Montana Chapter of the Association of Public Safety Communication Officials International

**EXHIBIT (sth08a03)**

01:39:36 Sheriff David Castle, Montana Sheriff and Peace Officers Association  
01:40:08 Kimberly Burdick, National Executive Council Representative for MSPOA and Chouteau County Sheriffs Office  
01:42:56 Jodie Butler, Chouteau County Resident  
01:44:00 Colonel Mike Tooley, Chief of Montana Highway Patrol  
01:45:19 Forrest Merrill, Missoula County 911  
01:48:53 Tom Schneider, Montana Public Employees' Association  
01:50:26 Pam Bucy, Montana Chiefs of Police Association and Montana Police Protective Association  
01:51:11 Jacob Boltz, Communication Center Manager for Montana Highway Patrol  
01:52:49 Jason Miller, Teamsters  
01:53:12 Robert Johnson, AFL-CIO  
01:53:30 Tim Twardoski, Self  
01:54:38 Doug Neil, Montana State Fireman Association  
01:55:51 Mark Denke, Sanders County Sheriffs Office and Sanders County 911  
01:56:39 Curt Bushnell, Fire Captain at Bozeman Fire and President of Montana State Firemens' Association  
01:58:12 Jason Ledford, Cascade County 911  
01:59:11 Ben Hess, Director of Gallatin County Communications  
02:00:51 Nicole Maher, Gallatin County 911  
02:01:55 Tami Neumann, Gallatin County 911  
02:03:43 Cathy McGowan, APCO  
02:04:40 Roxanne Minnehan, Executive Director, Public Employee Retirement Administration

**Opponents' Testimony:**

02:10:26 David Ewer, Budget Director for Governor Schweitzer

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

02:18:50 Rep. Malek  
02:19:32 Chairman Himmelberger  
02:19:40 Rep. Malek  
02:19:55 Chairman Himmelberger  
02:20:06 Rep. Ingraham  
02:20:52 Ms. Minnehan  
02:21:10 Rep. Ingraham  
02:22:19 Mr. Schneider  
02:22:46 Rep. Caferro  
02:23:27 Ms. Bomstead  
02:24:21 Rep. Caferro  
02:25:33 Mr. Schneider  
02:25:53 Rep. Caferro  
02:26:02 Mr. Schneider  
02:26:07 Rep. Caferro  
02:27:53 Ms. Neuman  
02:29:58 Rep. Caferro  
02:30:33 Mr. Schneider  
02:30:57 Rep. Dickenson  
02:31:49 Mr. Schneider  
02:32:52 Rep. Brown  
02:33:12 Mr. Schneider  
02:34:36 Rep. Brown  
02:34:52 Mr. Schneider  
02:35:27 Rep. Brown  
02:35:38 Colonel Tooley  
02:35:46 Chairman Himmelberger  
02:35:57 Rep. Boniek  
02:36:28 Mr. Ewer  
02:37:02 Rep. Boniek  
02:37:22 Mr. Ewer  
02:37:46 Rep. Phillips  
02:38:32 Mr. Ewer  
02:40:11 Rep. Malek  
02:41:18 Mr. Ewer  
02:43:07 Rep. Hands  
02:44:30 Rep. Wilmer  
02:45:47 Rep. Hands  
02:46:32 Ms. Bomstead  
02:47:03 Rep. Hands  
02:47:25 Ms. Bomstead

**Closing by Sponsor:**

02:48:58 Rep. Wilmer  
02:52:36 Chairman Himmelberger  
02:52:57 Committee takes a short break  
03:01:23 Committee called back to order by Chairman Himmelberger

**HEARING ON HB 18**

**Opening Statement by Sponsor:**

03:01:53 Rep. Pat Ingraham (R), HD 13, opened the hearing on **HB 18**, Mail ballot pilot project.

**Proponents' Testimony:**

03:10:41 John MacDonald, City of Missoula  
03:11:31 Dwayne Winslow, Election Administrator in Yellowstone County  
03:17:00 Ed Bartlett, Lobbyist for Yellowstone County  
03:17:32 Vickie Zeier, Missoula County Clerk and Recorder Treasurer  
03:19:53 Drew Geiger, Montana League of Women Voters  
03:20:44 Sheryl Wood, Associate Director for the Montana Association of Counties

**EXHIBIT(sth08a04)**

03:24:18 Linda Stoll, Missoula County and Montana Association of Clerks and Recorders  
03:25:57 Charlotte Mills, Clerk and Recorder from Gallatin County

**Opponents' Testimony:**

03:27:26 Jeanne Marie Souvigney, Montana Conservation Voters

**EXHIBIT(sth08a05)**

03:32:42 Rep. Van Dyk exited the room.

03:34:13 Kate Cholewa, Common Cause

**EXHIBIT(sth08a06)**

03:38:45 Tony Belcourt, Representative of HD 32 and American Indian Caucus

**EXHIBIT(sth08a07)**

03:40:21 Matthew Singer, Forward Montana

03:43:24 Beth Brenneman, Disability Rights Montana

**EXHIBIT(sth08a08)**

03:48:36 Alysha Jannotta, Montana Women Vote

03:48:55 Claudia Clifford, AARP Montana

03:49:20 Julia Page, Northern Plains Research Council

**Informational Testimony:**

03:49:40 Jennifer Cole, Governor's Office

**Questions from Committee Members and Responses:**

03:51:47 Rep. Washburn  
03:52:33 Rep. Ingraham  
03:52:34 Rep. Washburn  
03:52:38 Rep. Caferro  
03:53:01 Ms. Cholewa  
03:54:13 Rep. Phillips exited the room  
03:54:25 Rep. Dickenson  
03:54:51 Ms. Souvigney  
03:56:27 Rep. Dickenson  
03:57:00 Rep. Ingraham  
03:57:08 Rep. Dickenson  
03:57:15 Rep. Ingraham  
03:58:12 Rep. Malek  
03:58:36 Rep. Ingraham  
03:59:19 Rep. Malek  
03:59:48 Rep. Ingraham  
03:59:55 Rep. Hands  
04:01:12 Ms. Zeier  
04:03:00 Rep. Washburn exited the room

**Closing by Sponsor:**

04:04:51 Rep. Ingraham  
04:11:09 Chairman Himmelberger

**Additional Exhibit:**

Dale Bickell, Chief Administrative Officer, Missoula Board of  
County Commissioners

**EXHIBIT**(sth08a09)

**ADJOURNMENT**

04:11:14 Adjournment

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MARSHALL MCEWEN, Secretary

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Additional Documents:

**EXHIBIT ([sth08aad.pdf](#))**