

## MINUTES

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

#### COMMITTEE ON STATE ADMINISTRATION

**Call to Order:** By Chairman Dennis Himmelberger, on January 26, 2009 at 9:00 A.M., in Room 455 Capitol.

#### ROLL CALL

**Members Present:**

Rep. Dennis Himmelberger, Chairman (R)  
Rep. Sue Dickenson, Vice Chairman (D)  
Rep. Russell Bean (R)  
Rep. Tony Belcourt (D)  
Rep. Joel Boniek (R)  
Rep. Frosty Boss Ribs (D)  
Rep. Gordon R. Hendrick (R)  
Rep. Pat Ingraham (R)  
Rep. Gary MacLaren (R)  
Rep. Sue Malek (D)  
Rep. Mike Phillips (D)  
Rep. Ted Washburn (R)  
Rep. Franke Wilmer (D)

**Members Excused:** None.

**Members Absent:** Rep. Jesse O'Hara, Vice Chairman (R)  
Rep. Dee Brown (R)  
Rep. Mary Caferro (D)  
Rep. Betsy Hands (D)  
Rep. Kendall Van Dyk (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 277, 1/20/2009; HB 289,  
1/20/2009

Executive Action: HB 30, HB 18

**HEARING ON HB 277**

**Opening Statement by Sponsor:**

00:02:57 Rep. Mike Menahan (D), HD 82, opened the hearing on **HB 277**, Allow person under 18 yrs to vote in primary if 18 yrs at general election.  
00:08:39 Rep. Brown entered the room.

**Proponents' Testimony:**

00:10:23 Clair Menahan  
00:11:28 Jim Brown, Representing Ms. Shelby F. DeMars  
**EXHIBIT (sth18a01)**  
00:13:21 Rep. Caferro and Rep. Hands entered the room.  
00:17:06 Linda McCulloch, Montana Secretary of State  
**EXHIBIT (sth18a02)**  
00:19:30 Terry Minow, MEA-MFT

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:20:21 Rep. Brown  
00:20:52 Ms. McCulloch  
00:21:04 Rep. Brown  
00:21:11 Rep. Washburn  
00:21:34 Chairman Himmelberger  
00:21:50 Rep. Menahan  
00:22:09 Chairman Himmelberger  
00:22:38 Rep. Washburn  
00:22:48 Rep. Menahan  
00:23:38 Chairman Himmelberger  
00:24:05 Ms. Heffelfinger  
00:24:18 Rep. O'Hara entered the room.  
00:25:12 Chairman Himmelberger  
00:25:34 Rep. Phillips  
00:25:55 Rep. Menahan  
00:26:21 Rep. Wilmer  
00:27:07 Rep. Menahan

00:28:33 Rep. Wilmer  
00:28:56 Rep. Menahan

**Closing by Sponsor:**

00:29:35 Rep. Menahan  
00:31:18 Chairman Himmelberger  
00:31:29 Ms. McCulloch  
00:32:00 Chairman Himmelberger

**HEARING ON HB 289**

**Opening Statement by Sponsor:**

00:32:33 Rep. Mike Phillips (D), HD 66, opened the hearing on **HB 289**, Revise constitutional limitations on legislative adjournment.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:37:34 Rep. Brown  
00:38:18 Rep. Phillips  
00:39:09 Rep. Van Dyk entered the room.  
00:40:48 Rep. Malek  
00:41:07 Rep. Phillips  
00:42:03 Rep. Hands exited the room.  
00:42:45 Rep. Malek  
00:42:59 Rep. Phillips

**Closing by Sponsor:**

00:43:58 Rep. Phillips  
00:44:18 Chairman Himmelberger  
00:44:34 Committee takes a break.  
01:14:54 Committee reconvenes. Rep. Hands is not present after the break.

**EXECUTIVE ACTION ON HB 30**

01:15:40 **Motion:** Rep. Brown moved that **HB 30 DO PASS.**

**Discussion:**

01:15:47 Chairman Himmelberger

01:16:31 **Motion:** Rep. Hendrick moved that **HB 30 BE AMENDED.**  
**EXHIBIT** (sth18a03)

**Discussion:**

01:17:20 Rep. Phillips  
01:17:34 Rep. Hendrick  
01:18:00 Rep. Phillips  
01:18:50 Rep. Wilmer  
01:19:16 Rep. Ingraham  
01:19:48 Rep. Brown  
01:20:53 Rep. Caferro  
01:21:30 Rep. Hendrick  
01:21:56 Rep. Caferro  
01:22:22 Rep. Hendrick  
01:22:53 Rep. Phillips  
01:22:56 Rep. Brown  
01:23:23 Chairman Himmelberger  
01:23:59 Ms. Heffelfinger  
01:24:08 Rep. Phillips  
01:25:06 Rep. Malek  
01:25:42 Rep. Bean  
01:26:18 Chairman Himmelberger

01:26:42 **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.

01:27:54 Chairman Himmelberger  
01:27:57 Rep. Wilmer

01:28:59 **Motion:** Rep. Wilmer moved that **HB 30 BE AMENDED.**  
**EXHIBIT** (sth18a04)

**Discussion:**

01:29:23 Rep. Dickenson  
01:29:45 Rep. Ingraham  
01:30:09 Ms. Heffelfinger  
01:30:56 Rep. Phillips  
01:31:16 Ms. Heffelfinger

01:31:25 **Vote:** Motion carried unanimously by voice vote. Rep. Hands voted by proxy.

01:31:45 **Motion:** Rep. Wilmer moved that **HB 30 DO PASS AS AMENDED.**

**Discussion:**

01:31:51 Chairman Himmelberger

01:32:03 **Motion:** Rep. Wilmer moved that **HB 30 BE AMENDED. EXHIBIT (sth18a05)**

**Discussion:**

01:32:40 Chairman Himmelberger

01:32:58 Rep. Dickenson

01:33:48 Rep. Wilmer

01:34:26 **Vote:** Motion carried unanimously by voice vote. Rep. Hands voted by proxy.

01:34:57 **Motion:** Rep. Wilmer moved that **HB 30 DO PASS AS AMENDED.**

**Discussion:**

01:35:06 Chairman Himmelberger

01:35:18 Rep. Washburn

01:35:34 Rep. Wilmer

01:35:53 Rep. Brown

01:36:44 Rep. Bean

01:37:06 Rep. Wilmer

01:37:17 Rep. Phillips

01:38:07 Rep. Hendrick

01:38:37 Rep. Caferro

01:39:11 Rep. Wilmer

01:39:17 Rep. O'Hara

01:39:49 **Vote:** Motion carried 15-3 by roll call vote with Rep. Boniek, Rep. Brown, and Rep. Hendrick voting no. Rep. Hands voted by proxy.

**EXECUTIVE ACTION ON HB 18**

01:41:16 **Motion:** Rep. Ingraham moved that **HB 18 DO PASS.**

**Discussion:**

01:41:22 Chairman Himmelberger

01:41:34 Rep. Brown

01:42:34 Rep. Ingraham

01:43:24 Rep. Phillips  
01:43:58 Rep. O'Hara  
01:44:49 Rep. Dickenson  
01:46:31 Rep. MacLaren  
01:48:13 Rep. Washburn  
01:48:57 Rep. Ingraham  
01:53:32 Rep. Wilmer  
01:54:07 Rep. Van Dyk exited the room.  
01:55:11 Rep. Malek  
01:57:15 Rep. Belcourt  
01:58:01 Rep. Boss Ribs  
01:58:37 Chairman Himmelberger

02:00:18 **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. Van Dyk voted by proxy.

02:01:42 **Motion/Vote:** Rep. Ingraham moved that **HB 18 BE TABLED.** Motion failed 8-8 by roll call vote with Rep. Belcourt, Rep. Boss Ribs, Rep. Caferro, Rep. Dickenson, Rep. MacLaren, Rep. Malek, Rep. Phillips, and Rep. Wilmer voting aye.

02:04:06 Chairman Himmelberger  
02:04:40 Rep. Phillips  
02:05:08 Chairman Himmelberger

**ADJOURNMENT**

02:05:22 Adjournment: 11:05 a.m.

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MARSHALL MCEWEN, Secretary

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Additional Documents:

**EXHIBIT ([sth18aad.pdf](#))**