

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: Chairman Dennis Himmelberger, on February 12, 2009
at 9:03 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. Frosty Boss Ribs (D)
Rep. Betsy Hands (D)
Rep. Gordon R. Hendrick (R)
Rep. Pat Ingraham (R)
Rep. Gary MacLaren (R)
Rep. Sue Malek (D)
Rep. Mike Phillips (D)
Rep. Kendall Van Dyk (D)
Rep. Franke Wilmer (D)

Members Excused: Rep. Jesse O'Hara, Vice Chairman (R)
Rep. Joel Boniek (R)

Members Absent: Rep. Dee Brown (R)
Rep. Mary Caferro (D)
Rep. Ted Washburn (R)

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 471, HB 475, 2/9/2009

Executive Action: HB 12, HB 34

HEARING ON HB 475

Opening Statement by Sponsor:

00:02:54 Rep. Mike Phillips (D), HD 66, opened the hearing on HB 475, Revise fee structure for online delivery of administrative rules.

Proponents' Testimony:

00:04:50 Linda McCulloch, Montana Secretary of State
[EXHIBIT \(sth33a01\)](#)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:07:22 Rep. Bean
00:07:54 Ms. McCulloch
00:08:51 Rep. Ingraham
00:09:26 Ms. McCulloch
00:09:34 Rep. Ingraham
00:10:00 Ms. McCulloch
00:10:14 Debra Morrell, Editor, Administrative Rules of Montana
00:11:12 Rep. Ingraham
00:11:33 Rep. Phillips
00:11:48 Rep. Belcourt
00:12:26 Ms. McCulloch
00:12:44 Rep. Belcourt
00:12:55 Ms. McCulloch
00:13:42 Chairman Himmelberger

Closing by Sponsor:

00:13:50 Rep. Phillips
00:14:20 Chairman Himmelberger

HEARING ON HB 471

Opening Statement by Sponsor:

00:15:07 Rep. Kendall Van Dyk (D), HD 49, opened the hearing on HB 471, Revise permanent absentee ballot provisions.

00:15:17 Rep. Washburn, Rep. Caferro, Rep. Brown, and Rep. O'Hara entered the room.

Proponents' Testimony:

00:21:32 Sara Cobler, Montana Conservation Voters
EXHIBIT (sth33a02)

00:24:55 Terry Minow, MEA-MFT

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:26:18 Rep. Washburn
00:27:01 Ms. Cobler
00:27:25 Rep. Dickenson
00:27:32 Rep. MacLaren exited the room.
00:27:57 Ms. Cobler
00:28:20 Rep. Belcourt
00:29:08 Rep. Van Dyk
00:29:30 Rep. Caferro
00:29:52 Rep. Van Dyk
00:30:45 Rep. Brown
00:31:19 Rep. Van Dyk
00:32:27 Chairman Himmelberger
00:32:50 Rep. Van Dyk
00:34:20 Chairman Himmelberger

Closing by Sponsor:

00:34:25 Rep. Van Dyk
00:36:37 Chairman Himmelberger

00:37:33 **Motion/Vote:** Rep. Bean moved that **HB 12 BE TAKEN FROM THE TABLE**. Motion carried unanimously by voice vote. Rep. MacLaren, Rep. Boniek, and Rep. Phillips did not have their vote recorded.

EXECUTIVE ACTION ON HB 12

00:37:59 **Motion:** Rep. Bean moved that **HB 12 DO PASS**.

Discussion:

00:38:10 Chairman Himmelberger

00:38:22 **Motion:** Rep. Bean moved that **HB 12 BE AMENDED.**
EXHIBIT (sth33a03)

Discussion:

00:38:35 Chairman Himmelberger
00:38:39 Rep. Ingraham
00:38:53 Chairman Himmelberger
00:39:10 Rep. Ingraham
00:39:19 Chairman Himmelberger
00:39:34 Rep. Wilmer
00:41:16 Chairman Himmelberger
00:41:33 Rep. Bean
00:44:22 Ms. Heffelfinger
00:50:11 Chairman Himmelberger
00:50:19 Rep. Wilmer
00:50:50 Ms. Heffelfinger
00:50:56 Rep. Brown
00:51:18 Ms. Heffelfinger
00:51:38 Rep. Dickenson
00:52:02 Rep. Malek
00:52:36 Chairman Himmelberger
00:52:40 Rep. Bean
00:53:37 Chairman Himmelberger
00:53:41 Ms. Heffelfinger
00:54:36 Rep. Malek
00:54:45 Ms. Heffelfinger
00:55:07 Chairman Himmelberger
00:55:35 Rep. Wilmer
00:56:02 Chairman Himmelberger
00:56:10 Rep. Dickenson exited the room.
00:56:41 Scott Miller, Legal Counsel, Montana Public Employee's
Retirement Administration (MPERA)
00:57:54 Chairman Himmelberger

00:58:10 **Vote:** Motion carried unanimously by voice vote. Rep.
Boniek, Rep. MacLaren, Rep. Phillips, Rep. Dickenson,
and Rep. Hands voted by proxy.

00:58:47 **Motion:** Rep. Bean moved that **HB 12 DO PASS AS AMENDED.**

Discussion:

00:59:00 Chairman Himmelberger
00:59:10 Rep. Ingraham
00:59:42 Rep. Wilmer
00:59:50 Chairman Himmelberger
01:00:09 Rep. Bean
01:00:25 Chairman Himmelberger

01:00:38 Rep. Bean
01:00:42 Chairman Himmelberger
01:00:48 Rep. Hendrick
01:01:07 Rep. Dickenson entered the room.
01:01:24 Rep. Bean

01:01:32 **Vote:** Motion carried unanimously by voice vote. Rep. Hands, Rep. Phillips, Rep. Boniek, and Rep. MacLaren voted by proxy.

01:02:07 Chairman Himmelberger

01:02:22 **Motion/Vote:** Rep. Bean moved that **HB 34 BE TAKEN FROM THE TABLE**. Motion carried unanimously by voice vote. Rep. MacLaren, Rep. Boniek, and Rep. Phillips did not have their vote recorded.

EXECUTIVE ACTION ON HB 34

01:02:55 **Motion:** Rep. Bean moved that **HB 34 DO PASS**.

Discussion:

01:03:11 Chairman Himmelberger
01:03:17 Rep. Bean
01:03:32 Rep. Brown
01:03:43 Chairman Himmelberger
01:03:54 Rep. Wilmer
01:04:34 Chairman Himmelberger
01:04:37 Rep. Brown
01:04:39 Rep. Van Dyk exited the room.

01:04:49 **Motion:** Rep. Bean moved that **HB 34 BE AMENDED**.
EXHIBIT (sth33a04)

Discussion:

01:04:56 Chairman Himmelberger
01:05:05 Rep. Bean
01:05:11 Ms. Heffelfinger
01:06:05 Chairman Himmelberger
01:06:09 Rep. Brown
01:06:37 Rep. Bean
01:07:01 Chairman Himmelberger
01:07:37 David Senn, Teachers' Retirement System
01:08:26 Rep. O'Hara
01:09:10 Mr. Senn
01:10:10 Rep. Ingraham
01:10:27 Mr. Senn

01:10:57 Chairman Himmelberger

01:11:15 **Vote:** Motion carried unanimously by voice vote. Rep. Phillips, Rep. Hands, Rep. Van Dyk, Rep. Boniek, and Rep. MacLaren voted by proxy.

01:11:49 **Motion:** Rep. Bean moved that **HB 34 DO PASS AS AMENDED.**

Discussion:

01:12:00 Chairman Himmelberger

01:12:07 Rep. Wilmer

01:12:27 **Vote:** Motion carried unanimously by voice vote. Rep. Hands, Rep. Phillips, Rep. Van Dyk, Rep. Boniek, and Rep. MacLaren voted by proxy.

01:12:58 Chairman Himmelberger

01:13:06 Rep. Bean

01:13:20 Chairman Himmelberger

01:13:32 Rep. Wilmer

01:13:38 Chairman Himmelberger

ADJOURNMENT

01:13:41 Adjournment: 10:16 A.M.

Marshall McEwen, Secretary

mm

Additional Documents:

EXHIBIT ([sth33aad.pdf](#))