

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: Chairman Dennis Himmelberger, on March 25, 2009 at 9:33 A.M., in Room 455 Capitol

ROLL CALL

Members Present:

Rep. Dennis Himmelberger, Chairman (R)
Rep. Sue Dickenson, Vice Chairman (D)
Rep. Jesse O'Hara, Vice Chairman (R)
Rep. Russell Bean (R)
Rep. Joel Boniek (R)
Rep. Frosty Boss Ribs (D)
Rep. Dee Brown (R)
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. Tony Belcourt (D)
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 667, 3/23/2009

Executive Action: SB 229, HB 639, SB 394, HJ 16

HEARING ON HB 667

Opening Statement by Sponsor:

00:01:12 Rep. Art Noonan (D), HD 74, opened the hearing on
HB 667, Deduct lodging and meals for attendance in
Helena for certain elected officers.

EXHIBIT(sth66a01)

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:04:29 Rep. Ingraham
00:04:50 Rep. Noonan
00:05:09 Rep. Washburn
00:05:38 Rep. Noonan
00:06:52 Rep. Wilmer
00:07:27 Rep. Noonan
00:07:43 Rep. Wilmer
00:08:03 Rep. Noonan
00:08:07 Rep. Brown
00:08:26 Rep. Noonan
00:08:56 Rep. Brown
00:09:09 Rep. Noonan
00:09:36 Rep. Brown
00:09:40 Rep. Phillips
00:10:02 Rep. Noonan
00:10:14 Rep. Phillips
00:10:21 Rep. Boniek
00:10:34 Rep. Noonan
00:10:48 Rep. Boniek
00:11:03 Rep. Noonan
00:11:26 Rep. MacLaren
00:11:39 Rep. Noonan
00:11:51 Rep. Wilmer
00:12:05 Chairman Himmelberger
00:12:28 Rep. Noonan
00:12:56 Chairman Himmelberger

Closing by Sponsor:

00:13:01 Rep. Noonan
00:13:48 Chairman Himmelberger

EXECUTIVE ACTION ON SB 229

00:14:15 **Motion:** Rep. Ingraham moved that **SB 229 BE CONCURRED IN.**

Discussion:

00:14:21 Chairman Himmelberger
00:14:41 Rep. Washburn
00:15:05 Rep. Dickenson
00:15:16 Rep. Caferro entered the room.
00:16:37 Rep. Ingraham
00:18:32 Rep. Phillips
00:19:30 Rep. Boniek
00:20:19 Rep. Brown
00:21:09 Rep. Wilmer
00:22:49 Rep. Malek
00:23:07 Chairman Himmelberger
00:23:44 Ms. Heffelfinger, Legislative Services Division
00:25:08 Chairman Himmelberger
00:26:51 Rep. Phillips exited the room.
00:29:15 Rep. Malek
00:29:23 Chairman Himmelberger
00:29:58 Rep. Dickenson
00:31:09 Chairman Himmelberger
00:31:15 Rep. Ingraham
00:31:34 Rep. MacLaren
00:32:05 Rep. Boniek

00:32:39 **Vote:** Motion carried 11-7 by roll call vote with Rep. Belcourt, Rep. Boss Ribs, Rep. Caferro, Rep. Dickenson, Rep. Hands, Rep. Phillips, and Rep. Van Dyk voting no. Rep. Belcourt, Rep. Hands, Rep. Phillips, and Rep. Van Dyk voted by proxy. Rep. Boniek will carry the bill in the House.

00:34:06 Chairman Himmelberger

EXECUTIVE ACTION ON HB 639

00:34:31 **Motion:** Rep. Boniek moved that **HB 639 DO PASS.**

Discussion:

00:34:35 Chairman Himmelberger
00:34:45 Rep. Boniek
EXHIBIT(sth66a02)
00:37:21 Rep. Hendrick
00:39:00 Rep. Brown

00:39:55 Rep. Ingraham
00:40:48 Chairman Himmelberger
00:40:56 Rep. Wilmer
00:43:18 Rep. Van Dyk entered the room.
00:43:52 Rep. Boniek
00:46:49 Rep. Dickenson
00:49:33 Rep. Van Dyk exited the room.
00:50:05 Chairman Himmelberger
00:50:16 Rep. Bean

00:50:51 **Vote:** Motion failed 9-9 by roll call vote with Rep. Belcourt, Rep. Boss Ribs, Rep. Caferro, Rep. Dickenson, Rep. Hands, Rep. Malek, Rep. Phillips, Rep. Van Dyk, and Rep. Wilmer voting aye. Rep. Belcourt, Rep. Hands, Rep. Phillips, and Rep. Van Dyk voted by proxy.

00:51:35 Rep. Brown and Rep. O'Hara exited the room.

00:51:56 **Motion/Vote:** Rep. Dickenson moved that **HB 639 BE TABLED**. Motion carried 11-7 by voice vote with Rep. Bean, Rep. Boniek, Rep. Brown, Rep. Hendrick, Rep. Ingraham, Rep. O'Hara, and Rep. Washburn voting no. Rep. Belcourt, Rep. Brown, Rep. Hands, Rep. O'Hara, Rep. Phillips and Rep. Van Dyk voted by proxy.

00:52:49 Rep. Boniek

EXECUTIVE ACTION ON SB 394

00:53:25 **Motion:** Rep. Ingraham moved that **SB 394 BE CONCURRED IN**.

Discussion:

00:53:36 Chairman Himmelberger
00:53:41 Rep. Ingraham
00:54:26 Rep. Washburn
00:54:57 Rep. Dickenson
00:56:20 Rep. Boss Ribs exited the room.
00:59:26 Rep. O'Hara
01:00:19 Rep. Van Dyk, Rep. O'Hara, and Rep. Brown entered the room.
01:01:32 Rep. MacLaren
01:03:09 Rep. Brown
01:04:13 Rep. Ingraham
01:04:28 Rep. Phillips entered the room.
01:08:54 Rep. Wilmer
01:12:22 Chairman Himmelberger

01:15:24 **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. Belcourt, Rep. Boss Ribs, and Rep. Hands voted by proxy.

01:16:36 Chairman Himmelberger

EXECUTIVE ACTION ON HJ 16

01:17:38 **Motion:** Rep. MacLaren moved that **HJ 16 DO PASS.**

Discussion:

01:17:44 Chairman Himmelberger
01:18:03 Rep. Dickenson
01:19:13 Rep. Van Dyk
01:21:07 Rep. Boniek

01:21:57 **Motion:** Rep. Phillips moved that **HJ 16 BE AMENDED.**
EXHIBIT(sth66a03)

Discussion:

01:22:13 Chairman Himmelberger
01:22:16 Rep. Phillips
01:22:51 Chairman Himmelberger
01:22:56 Rep. Phillips
01:23:00 Chairman Himmelberger
01:23:06 Rep. Brown
01:23:48 Chairman Himmelberger
01:24:00 Rep. Wilmer
01:24:11 Chairman Himmelberger
01:24:16 Rep. Wilmer
01:25:04 Rep. Bean
01:25:42 Rep. Malek
01:26:20 Chairman Himmelberger
01:26:24 Rep. Boniek
01:26:41 Rep. Wilmer
01:27:42 Chairman Himmelberger
01:27:59 Rep. Phillips
01:28:30 Chairman Himmelberger
01:28:50 Rep. Phillips
01:29:22 Chairman Himmelberger

01:29:32 **Vote:** Motion carried 11-7 by roll call vote with Rep. Bean, Rep. Boniek, Rep. Hendrick, Rep. Himmelberger, Rep. Ingraham, Rep. O'Hara, and Rep. Washburn voting no. Rep. Belcourt, Rep. Boss Ribs, and Rep. Hands voted by proxy.

01:30:48 **Motion:** Rep. Phillips moved that **HJ 16 DO PASS AS AMENDED.**

01:30:57 **Motion:** Rep. Wilmer moved that **HJ 16 BE TWICE AMENDED. EXHIBIT(ssth66a04)**

Discussion:

01:31:30 Rep. Wilmer
01:32:45 Rep. Brown
01:33:22 Ms. Heffelfinger
01:34:27 Rep. Brown
01:35:27 Rep. MacLaren
01:35:47 Rep. Wilmer
01:37:24 Rep. Phillips
01:38:05 Chairman Himmelberger

01:38:17 **Vote:** Motion failed 9-9 by roll call vote with Rep. Belcourt, Rep. Boss Ribs, Rep. Caferro, Rep. Dickenson, Rep. Hands, Rep. Malek, Rep. Phillips, Rep. Van Dyk, and Rep. Wilmer voting aye. Rep. Belcourt, Rep. Boss Ribs, Rep. Hands voted by proxy.

01:39:28 Chairman Himmelberger
01:39:41 Rep. Brown
01:40:09 Chairman Himmelberger
01:40:26 Ms. Heffelfinger
01:40:41 Rep. Malek
01:41:38 Chairman Himmelberger
01:42:20 Ms. Heffelfinger
01:44:21 Rep. Dickenson exited the room.
01:44:28 Chairman Himmelberger

01:44:34 **Vote:** Motion failed 9-9 by roll call vote with Rep. Belcourt, Rep. Boss Ribs, Rep. Caferro, Rep. Dickenson, Rep. Hands, Rep. Malek, Rep. Phillips, Rep. Van Dyk, and Rep. Wilmer voting aye. Rep. Dickenson, Rep. Belcourt, Rep. Boss Ribs, and Rep. Hands voted by proxy.

01:45:35 Rep. Brown exited the room.

01:45:49 **Motion/Vote:** Rep. Boniek moved that **HJ 16 BE TABLED.**
Motion failed 9-9 by voice vote with Rep. Belcourt,
Rep. Boss Ribs, Rep. Caferro, Rep. Dickenson, Rep.
Hands, Rep. Malek, Rep. Phillips, Rep. Van Dyk, and
Rep. Wilmer voting aye. Rep. Belcourt, Rep. Boss Ribs,
Rep. Brown, Rep. Dickenson, and Rep. Hands voted by
proxy.

Committee Discussion:

01:46:46 Chairman Himmelberger
01:47:26 Rep. Ingraham
01:47:36 Chairman Himmelberger
01:47:48 Rep. Wilmer
01:48:54 Chairman Himmelberger
01:48:59 Rep. Phillips
01:49:36 Chairman Himmelberger
01:51:13 Rep. Washburn
01:51:25 Chairman Himmelberger
01:52:20 Rep. Wilmer
01:52:29 Chairman Himmelberger
01:52:39 Rep. Wilmer
01:52:56 Chairman Himmelberger
01:53:03 Rep. Wilmer
01:53:09 Chairman Himmelberger

ADJOURNMENT

01:53:47 Adjournment: 11:26 A.M.

Marshall McEwen, Secretary

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Additional Exhibit:

EXHIBIT (**sth66a05**) Testimony supporting HB 639

Additional Documents:

EXHIBIT (**sth66aad.pdf**)