

**MINUTES**

**MONTANA HOUSE OF REPRESENTATIVES  
55th LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON STATE ADMINISTRATION**

**Call to Order:** By **CHAIRMAN MATT DENNY**, on February 18, 1997, at 9:00 a.m., in room 420.

**ROLL CALL**

**Members Present:**

Rep. Matt Denny, Chairman (R)  
Rep. Matt Brainard, Vice Chairman (Majority) (R)  
Rep. Antoinette R. Hagener, Vice Chairman (Minority) (D)  
Rep. Darrel Adams (R)  
Rep. Haley Beaudry (R)  
Rep. Tim Dowell (D)  
Rep. Harriet Hayne (R)  
Rep. George Heavy Runner (D)  
Rep. Sam Kitzenberg (R)  
Rep. Norm Mills (R)  
Rep. Doug Mood (R)  
Rep. William Rehbein, Jr. (R)  
Rep. Trudi Schmidt (D)  
Rep. Dorothy C. Simpson (D)  
Rep. Allan Walters (R)  
Rep. Bill Whitehead (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Sheri Heffelfinger, Legislative Services Division  
Keri Burkhardt, Committee Secretary

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: HJR 22, HB 534 (2/13/97); HB  
550 (2/14/97); HB 568  
(2/15/97).

Executive Action: HB 394, HB 496, SB 76, HB 568,  
HJR 22, HB 121, HB 173, HB 142  
HB 550.

**EXECUTIVE ACTION ON HB 394**

**Amendments:** hb039403.agp

**Motion:** REP. KITZENBERG MOVED DO PASS.  
{Tape: 1; Side: a; Approx. Time Count: .9.}

Rep. Larry "Hal" Grinde presented some amendments for the committee's consideration.

*{Tape: 1; Side: a; Approx. Time Count: 2.}*

**Motion/Vote:** REP. KITZENBERG MOVED TO AMEND. REP. DENNY CALLED THE QUESTION. Motion carried 16-0.

*{Tape: 1; Side: a; Approx. Time Count: 6.5.}*

**Motion:** REP. KITZENBERG MOVED DO PASS AS AMENDED.

*{Tape: 1; Side: a; Approx. Time Count: 6.9.}*

**Vote:** REP. HAGENER CALLED THE QUESTION. Motion carried 14-2. Rep. Hagener and Rep. Simpson voted no.

*{Tape: 1; Side: a; Approx. Time Count: 27.4.}*

#### EXECUTIVE ACTION ON HB 496

**Amendments:** hb049601.ash

**Motion:** REP. REHBEIN MOVED DO PASS.

*{Tape: 1; Side: a; Approx. Time Count: 29.3.}*

**Motion:** REP. REHBEIN MOVED TO AMEND.

*{Tape: 1; Side: a; Approx. Time Count: 30.3.}*

#### Discussion:

Linda King, Public Employees Retirement Division, Department of Administration, answered questions.

*{Tape: 1; Side: a; Approx. Time Count: 31.5.}*

**Vote:** REP. REHBEIN CALLED THE QUESTION. Motion carried 16-0.

*{Tape: 1; Side: a; Approx. Time Count: 33.2.}*

**Motion:** REP. REHBEIN MOVED DO PASS AS AMENDED.

*{Tape: 1; Side: a; Approx. Time Count: 33.4.}*

**Vote:** REP. HAGENER CALLED THE QUESTION. Motion carried 14-2. Rep. Heavy Runner and Rep. Simpson voted no.

*{Tape: 1; Side: a; Approx. Time Count: 34.8.}*

#### EXECUTIVE ACTION ON SB 76

**Motion:** REP. HAYNE MOVED TO BE CONCURRED IN.

*{Tape: 1; Side: a; Approx. Time Count: 37.4.}*

**Vote:** REP. REHBEIN CALLED THE QUESTION. Motion carried 16-0.

*{Tape: 1; Side: a; Approx. Time Count: 41.8.}*

HEARING ON HB 550

Opening Statement by Sponsor: REP. VICKI COCCHIARELLA, H.D. 64.  
{Tape: 1; Side: a; Approx. Time Count: 43.6.}

Proponents' Testimony:

Joe Kerwin, Deputy of Elections and Legislative Bureau, Secretary of State.

{Tape: 1; Side: b; Approx. Time Count: 4.2.}

Questions From Committee Members and Responses:

{Tape: 1; Side: b; Approx. Time Count: 8.7.}

Closing by Sponsor: REP. COCCHIARELLA closes.

{Tape: 1; Side: b; Approx. Time Count: 8.8.}

EXECUTIVE ACTION ON HB 550

RECORDER WAS NOT OPERATING DURING EXECUTIVE ACTION ON HB 550.

Motion/Vote: DO PASS. Motion carried 16-0.

HEARING ON HB 568

Opening Statement by Sponsor: REP. KARL OHS, H.D. 33.

{Tape: 1; Side: b; Approx. Time Count: 9.}

Proponents' Testimony:

Brigadier General Hal Stearns, Montana Army National Guard.

{Tape: 1; Side: b; Approx. Time Count: 10.1.}

Brian Cockhill, Montana Historical Society.

{Tape: 1; Side: b; Approx. Time Count: 14.}

Stuart Napp, Commissioner of Higher Education, Board of Regents.

{Tape: 1; Side: b; Approx. Time Count: 21.6.}

Marcia Staigmiller, Lewis and Clark Trail Heritage Foundation, Lewis/Clark Interpretive Association, Lewis/Clark Honor Guard, and Lewis/Clark Interpretive Fund, Inc.

EXHIBIT 1-8.

{Tape: 1; Side: b; Approx. Time Count: 25.4.}

John Levli, Director of Museums, Fort Benton.

{Tape: 1; Side: b; Approx. Time Count: 29.5.}

Stuart Doggett, Montana Innkeepers Association.

{Tape: 1; Side: b; Approx. Time Count: 31.8.}

Matthew Cone, Administrator, Department of Commerce.

{Tape: 1; Side: b; Approx. Time Count: 32.4.}

Arnie Olsen, Administrator, Parks Division, Department of Fish, Wildlife, and Parks.

*{Tape: 1; Side: b; Approx. Time Count: 32.8.}*

Questions From Committee Members and Responses:

*{Tape: 1; Side: b; Approx. Time Count: 34.2.}*

Closing by Sponsor: REP. OHS closes.

*{Tape: 1; Side: b; Approx. Time Count: 35.6.}*

EXECUTIVE ACTION ON HB 568

Motion: REP. HAGENER MOVED DO PASS.

*{Tape: 1; Side: b; Approx. Time Count: 36.5.}*

Vote: REP. SIMPSON CALLED THE QUESTION. Motion carried 14-0.

*{Tape: 1; Side: b; Approx. Time Count: 36.8.}*

HEARING ON HJR 22

Opening Statement by Sponsor: REP. BOB PAVLOVICH, H.D. 37.

*{Tape: 1; Side: b; Approx. Time Count: 37.1.}*

Proponents' Testimony:

Jim Jacobson, Montana Veterans Affairs Division.

*{Tape: 1; Side: b; Approx. Time Count: 39.1.}*

Colonel Raymond K. Read, Montana Army National Guard.

EXHIBIT 9.

*{Tape: 2; Side: a; Approx. Time Count: .01.}*

Roger Hagan, Officer and Enlisted Association of Montana Army National Guard.

EXHIBIT 10.

*{Tape: 2; Side: a; Approx. Time Count: 1.6.}*

Questions From Committee Members and Responses:

*{Tape: 2; Side: a; Approx. Time Count: 2.3.}*

Closing by Sponsor: REP. PAVLOVICH closes.

*{Tape: 2; Side: a; Approx. Time Count: 3.}*

EXECUTIVE ACTION ON HJR 22

Motion/Vote: REP. MILLS MOVED DO PASS. REP. SIMPSON CALLED THE QUESTION. Motion carried 14-0.

*{Tape: 2; Side: a; Approx. Time Count: 3.6.}*

HEARING ON HB 534

Opening Statement by Sponsor: REP. JACK WELLS, H.D. 27.  
{Tape: 2; Side: a; Approx. Time Count: 7.9.}

Proponents' Testimony:

Herb Richards.

{Tape: 2; Side: a; Approx. Time Count: 10.3.}

Jim Crane, Executive Director, Montana Contractors Association.

{Tape: 2; Side: a; Approx. Time Count: 15.5.}

John Richards.

{Tape: 2; Side: a; Approx. Time Count: 16.3.}

Informational Testimony:

Tim Ridden, Chief Legal Council, Department of Transportation.

EXHIBIT 11,12.

{Tape: 2; Side: a; Approx. Time Count: 20.1.}

Bill Gianoulis, Department of Administration.

{Tape: 2; Side: a; Approx. Time Count: 28.}

Questions From Committee Members and Responses:

{Tape: 2; Side: a; Approx. Time Count: 30.6.}

Closing by Sponsor: REP. WELLS closes.

{Tape: 2; Side: a; Approx. Time Count: 39.4.}

EXECUTIVE ACTION ON HB 121

Motion: REP. BRAINARD MOVED DO PASS.

{Tape: 2; Side: a; Approx. Time Count: 40.}

Discussion:

David Senn, Executive Director, Teachers Retirement System answered questions.

{Tape: 2; Side: b; Approx. Time Count: .1.}

Motion: REP. DOWELL MOVED TO AMEND.

{Tape: 2; Side: b; Approx. Time Count: 6.8}

Vote: REP. DENNY CALLED THE QUESTION. Motion denied 7-9. Rep. Dowell, Rep. Hagener, Rep. Heavy Runner, Rep. Mills, Rep. Schmidt, Rep. Simpson, and Rep. Whitehead voted yes.

{Tape: 2; Side: b; Approx. Time Count: 8.5.}

Motion: REP. DENNY MOVED DO PASS. Motion carried 14-2. Rep. Dowell and Rep. Rehbein voted no.

{Tape: 2; Side: b; Approx. Time Count: 9.3.}

EXECUTIVE ACTION ON HB 142

Motion: REP. BEAUDRY MOVED DO PASS.  
{Tape: 2; Side: b; Approx. Time Count: 9.9.}

Motion: REP. DENNY MOVED TO AMEND.  
{Tape: 2; Side: b; Approx. Time Count: 10.}

Discussion:

Linda King, Public Employees Retirement Division, Department of Administration.

{Tape: 2; Side: b; Approx. Time Count: 15.}

Motion: REP. DENNY MOVED A SUBSTITUTE AMENDMENT.  
{Tape: 2; Side: b; Approx. Time Count: 19.9.}

Vote: Motion carried 14-2. Rep. Heavy Runner and Rep. Schmidt voted no.

{Tape: 2; Side: b; Approx. Time Count: 23.}

Motion: REP. DENNY MOVED DO PASS AS AMENDED.  
{Tape: 2; Side: b; Approx. Time Count: 23.3.}

Vote: Motion carried 9-7. Rep. Dowell, Rep. Hagener, Rep. Heavy Runner, Rep. Kitzenberg, Rep. Simpson, Rep. Schmidt, and Rep. Whitehead voted no.

{Tape: 2; Side: b; Approx. Time Count: 24.5.}

EXECUTIVE ACTION ON HB 173

Motion: REP. HAGENER MOVED DO PASS.  
{Tape: 2; Side: b; Approx. Time Count: 31.2.}

Motion/Vote: REP. HAGENER MOVED TO AMEND. Motion carried 16-0.  
{Tape: 2; Side: b; Approx. Time Count: 31.4.}

Motion/Vote: REP. SIMPSON MOVED DO PASS AS AMENDED. Motion carried 16-0.

{Tape: 2; Side: b; Approx. Time Count: 33.8.}

Motion: REP. HAGENER MOVED DO PASS AS AMENDED.  
{Tape: 2; Side: b; Approx. Time Count: 34.1.}

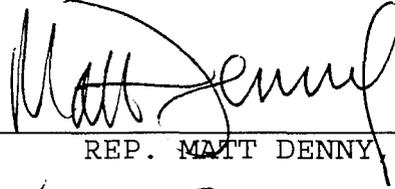
Linda King; Public Employees Retirement Division, Department of Administration, answered questions.

{Tape: 2; Side: b; Approx. Time Count: 34.7.}

Vote: REP. DENNY CALLED THE QUESTION. Motion carried 16-0.  
{Tape: 2; Side: b; Approx. Time Count: 36.6.}

ADJOURNMENT

Adjournment: 11:25



REP. MATT DENNY, Chairman



KERI BURKHARDT, Secretary

MD/KB