

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: By Chairman John Sinrud, on March 27, 2007 at 4:35 P.M., in Room 102 Capitol.

ROLL CALL

Members Present:

Rep. John Sinrud, Chairman (R)
Rep. Eve Franklin, Vice Chairman (D)
Rep. Janna Taylor, Vice Chairman (R)
Rep. Bill Beck (R)
Rep. Tim Callahan (D)
Rep. Bill E. Glaser (R)
Rep. Ray Hawk (R)
Rep. Cynthia Hiner (D)
Rep. Galen Hollenbaugh (D)
Rep. Joey Jayne (D)
Rep. Dave Kasten (R)
Rep. Bill McChesney (D)
Rep. Penny Morgan (R)
Rep. John L. Musgrove (D)
Rep. Rick Ripley (R)
Rep. Jon C. Sesso (D)
Rep. Jack Wells (R)
Rep. Craig Witte (R)

Members Excused: Rep. Edith Clark (R)

Members Absent: None.

Staff Present: Jon Moe, Legislative Branch
Linda Keim, 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:

Executive Action: HB 797, HB 330, HB 844, HB 700, HB 63, HB 539, HB 418

HEARING ON HB 797**Opening Statement by Sponsor:**

00:03:28 Rep. Duane Ankney (R), HD 43, opened the hearing on HB 797, Provide for an early presidential primary.

Proponents' Testimony:

00:05:06 Jeff Garrard, for Secretary of State Brad Johnson

Opponents' Testimony: None**Informational Testimony:** None**Questions from Committee Members and Responses:**

00:06:57 Rep. Musgrove
00:07:27 Rep. Ankney
00:08:01 Mark Simonich, on behalf of Brad Johnson
00:10:13 Rep. Musgrove
00:10:34 Mr. Simonich
00:11:12 Rep. Beck
00:11:36 Mr. Simonich

Closing by Sponsor:

00:12:16 Rep. Ankney
00:13:59 Rep. Franklin
00:15:00 Rep. Sinrud

HEARING ON HB 844**Opening Statement by Sponsor:**

00:16:05 Rep. Debby Barrett (R), HD 72, opened the hearing on HB 844, Revise closed basin laws.

Proponents' Testimony:

00:26:07 Steve Pilcher, Montana Stockgrowers Association; also representing Mike Murphy, Montana Water Resources Association
00:29:25 Abigail St. Lawrence, Montana Association of Realtors; also representing Jacqueline Lenmark, Montana Well Drillers

Opponents' Testimony:

00:32:55 Al Jaeger, G2 Consulting, Bozeman

Informational Testimony: None

Questions from Committee Members and Responses:

00:34:20 Rep. Ripley
00:34:43 Mr. Jaeger
00:35:02 Rep. Jayne
00:38:33 Ms. St. Lawrence
00:39:18 Rep. Kasten
00:39:46 Rep. Barrett
00:40:46 Rep. Callahan
00:41:27 Rep. Barrett
00:42:45 Rep. Barrett
00:42:54 Rep. Callahan
00:43:01 Ms. St. Lawrence
00:44:30 Rep. Franklin
00:45:53 Holly Franz, Attorney
00:47:29 Rep. Jayne
00:47:53 Ms. St. Lawrence
00:49:47 Rep. Sesso
00:54:42 Rep. Barrett
00:55:23 Rep. Sesso
00:56:05 Stan Bradshaw, Water Attorney, Trout Unlimited
00:57:26 Rep. Ripley
00:57:48 Rep. Sesso
00:58:02 Rep. Ripley
00:58:13 Rep. Franklin
00:58:22 Ms. Franz; informational
00:58:39 Rep. Barrett
00:59:16 Rep. Taylor
00:59:59 Krista Lee Evans, Legislative Services Division
01:00:54 Rep. Franklin
01:01:26 Rep. Barrett
01:02:08 Rep. Jayne
01:02:45 Rep. Barrett

01:03:17 Rep. Taylor announced that the hearing will be continued at 10AM 3/28.

HEARING ON HB 801

Opening Statement by Sponsor:

01:03:56 Rep. Gary MacLaren (R), HD 89, opened the hearing on HB 801, Health insurance payments as income tax credit for certain individuals.

EXHIBIT (aph65b01)

EXHIBIT (aph65b02)

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:07:13 Rep. Morgan
01:08:43 Rep. MacLaren
01:09:07 Rep. Franklin
01:10:10 Rep. MacLaren
01:10:46 Rep. Kasten
01:10:53 Rep. MacLaren
01:11:08 Rep. Ripley
01:11:19 Rep. MacLaren
01:11:27 Rep. Wells
01:11:38 Rep. MacLaren
01:11:50 Rep. Glaser
01:12:05 Rep. MacLaren
01:12:26 Rep. Taylor
01:12:34 Rep. MacLaren

Closing by Sponsor:

01:13:02 Rep. MacLaren

HEARING ON HB 700

Opening Statement by Sponsor:

01:13:49 Rep. Jonathan Windy Boy (D), HD 32, opened the hearing on HB 700, Fund college youth leadership.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:15:02 Rep. Morgan
01:16:20 Rep. Windy Boy
01:16:22 Rep. Kasten
01:16:34 Rep. Windy Boy

Closing by Sponsor:

01:17:21 Rep. Windy Boy

01:18:04 Rep. Taylor
01:19:07 Rep. Glaser

HEARING ON HB 63

Opening Statement by Sponsor:

01:19:47 Rep. John Musgrove (D), HD 34, opened the hearing on HB 63, Actuarially fund teacher retirement system.

Proponents' Testimony:

01:23:50 David Senn, Executive Director, Teachers' Retirement System

[EXHIBIT \(aph65b03\)](#)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:29:04 Rep. Kasten
01:29:54 Mr. Senn
01:30:10 Rep. Glaser
01:31:40 Rep. Musgrove
01:32:26 Rep. Sinrud
01:32:30 Rep. Morgan
01:32:48 Rep. Sinrud
01:32:55 Rep. Glaser
01:33:24 Rep. Sinrud

Closing by Sponsor:

01:33:55 Rep. Musgrove

01:34:20 Recess

EXECUTIVE ACTION ON HB 797

01:57:18 **Motion:** Rep. Taylor moved **HB 797 DO PASS.**

01:57:57 Rep. Kasten

01:58:14 Rep. Sinrud

01:58:24 Rep. Kasten

01:58:31 Rep. Morgan

01:58:44 **Vote:** Motion carried 13-6 by roll call vote, with Rep. Franklin, Rep. Jayne, Rep. Callahan, Rep. Hiner, Rep. McChesney, and Rep. Musgrove voting no. Rep. Clark and Rep. Hawk voted by proxy.

EXECUTIVE ACTION ON HB 330

01:58:44 **Motion/Vote:** Rep. Sesso moved **TO RECONSIDER ACTIONS ON HB 330.** Motion carried 19-0 by voice vote. Rep. Clark and Rep. Hawk voted by proxy.

02:02:56 **Motion:** Rep. Sesso moved **CONCEPTUAL AMENDMENT.** Motion carried 18-1 by voice vote, with Rep. Franklin voting no. Rep. Clark voted by proxy.

02:03:25 **Motion/Vote:** Rep. Sesso moved **HB 330 DO PASS AS AMENDED.** Motion carried 18-1 by roll call vote, with Rep. Hawk voting no. Rep. Clark voted by proxy.

EXECUTIVE ACTION ON HB 539

02:04:39 **Motion:** Rep. Sesso moved **TO RECONSIDER HB 539.**

02:05:10 Rep. Franklin

Vote: Motion carried 15-4 by voice vote, with Rep. Kasten, Rep. Hawk, Rep. Wells, and Rep. Beck voting no. Rep. Clark voted aye by proxy.

02:05:52 **Motion:** Rep. Sesso moved **CONCEPTUAL AMENDMENT** to reduce appropriation from \$500,000 to \$100,000.

02:06:15 Rep. Morgan

02:06:36 Rep. Sinrud

02:06:42 Rep. Jayne

02:07:23 **Vote:** Motion carried 19-0 by voice vote. Rep. Clark voted by proxy.

- 02:07:39 **Motion:** Rep. Glaser moved **HB 539 DO PASS AS AMENDED.**
- 02:08:02 Rep. Kasten
02:08:36 Rep. Ripley
02:08:53 Rep. Sesso
- 02:10:05 **Vote:** Motion carried 12-7 by roll call vote, with Rep. Wells, Rep. Jayne, Rep. Witte, Rep. Beck, Rep. Taylor, Rep. Hawk, and Rep. Kasten voted no. Rep. Clark voted by proxy.

EXECUTIVE ACTION ON HB 700

- 02:11:34 **Motion:** Rep. Franklin moved **HB 700 DO PASS.**
- 02:12:15 Rep. Franklin
02:12:36 Rep. Morgan
02:13:39 Rep. Jayne
- 02:15:02 **Substitute Motion/Vote:** Rep. Morgan moved **TO TABLE HB 700.** Motion carried 10-9 by roll call vote, with Rep. Franklin, Rep. Jayne, Rep. Callahan, Rep. Ripley, Rep. Hiner, Rep. McChesney, Rep. Hollenbaugh, Rep. Sesso, and Rep. Musgrove voting no. Rep. Clark voted by proxy.

EXECUTIVE ACTION ON HB 418

- 02:16:22 **Motion:** Rep. Sinrud moved **TO RECONSIDER HB 418.**
- 02:16:50 Rep. Morgan
02:16:53 Rep. Sinrud
- 02:16:58 **Vote:** Motion carried 19-0 by voice vote. Rep. Clark voted by proxy.
- 02:17:41 **Motion:** Rep. Sinrud moved **HB 418 DO PASS AS AMENDED.**
- 02:17:49 **Motion:** Rep. Morgan moved **CONCEPTUAL AMENDMENT** of \$2M each year, \$4M for biennium.
- 02:17:55 Rep. Sinrud
- 02:17:59 Rep. Morgan **WITHDREW THE MOTION.**
- 02:18:41 **Vote:** Motion carried 13-6 by roll call vote, with Rep. Franklin, Rep. Jayne, Rep. Callahan, Rep. Ripley, Rep. Taylor, and Rep. Musgrove voting no. Rep. Clark voted by proxy.

EXECUTIVE ACTION ON HB 63

02:19:47 **Motion:** Rep. Musgrove moved **HB 63 DO PASS.**
EXHIBIT (aph65b04)

02:19:55 **Motion:** Rep. Glaser moved **CONCEPTUAL AMENDMENT** to
remove floor amendment HB 63-1 and reduce appropriation
amount to \$50M.

02:20:25 Rep. Morgan

02:20:44 Rep. Sinrud

02:22:05 Rep. Musgrove

02:22:53 Rep. Sinrud

02:23:57 Rep. Glaser **WITHDREW THE CONCEPTUAL AMENDMENT MOTION.**

02:24:11 Rep. Musgrove **WITHDREW THE DO PASS MOTION.**

Additional Exhibits:

EXHIBIT (aph65b05)

EXHIBIT (aph65b06)

ADJOURNMENT

Adjournment: 7:05 P.M.

REP. JOHN SINRUD, Chairman

LINDA KEIM, Secretary

JS/lk

Additional Exhibits:

EXHIBIT ([aph65bad.pdf](#))