

MINUTES

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

COMMITTEE ON APPROPRIATIONS

Call to Order: Chairman Jon C. Sesso, on March 23, 2009 at 8:30
A.M., in Room 102 Capitol

ROLL CALL

Members Present:

Rep. Jon C. Sesso, Chairman (D)
Rep. Duane Ankney (R)
Rep. Dennis Getz (D)
Rep. Bill E. Glaser (R)
Rep. Ray Hawk (R)
Rep. Teresa K. Henry (D)
Rep. Cynthia Hiner (D)
Rep. Roy Hollandsworth (R)
Rep. Galen Hollenbaugh (D)
Rep. Llew Jones (R)
Rep. Dave Kasten (R)
Rep. Bill McChesney (D)
Rep. Walter McNutt (R)
Rep. Robert Mehlhoff (D)
Rep. Penny Morgan (R)
Rep. Bill Nooney (R)
Rep. Carolyn Pease-Lopez (D)
Rep. Don Roberts (R)
Rep. Cheryl Steenson (D)
Rep. Dan Villa (D)

Members Excused: None

Members Absent: None

Staff Present: Jon Moe, Legislative Branch
Samuel Speerschneider, 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 645 Discussion, 3/20/2009

Executive Action: HB 5; HB 213; HB 408; HB 152;
HB 81; HB 258; HB 459; HB 173;
HB 309; HB 411; HB 334; HB 333;
HB 212; HB 134**Discussion of HB 645:**00:00:06 Chairman Sesso
00:15:58 Rep. Morgan
00:21:25 Chairman Sesso
00:21:36 Rep. Morgan
00:22:13 Rep. Hollandsworth
00:24:40 Rep. Ankney**EXHIBIT (aph64a01)**00:27:44 Rep. Pease-Lopez
00:28:51 Rep. Mehlhoff
00:30:19 Rep. Jones
00:31:24 Chairman Sesso
00:33:11 Rep. Jones
00:35:29 Chairman Sesso
00:36:59 Rep. Hollenbaugh
00:39:27 Rep. Glaser
00:44:35 Rep. Hiner
00:45:26 Rep. McNutt
00:50:22 Rep. Roberts
00:51:24 Rep. Nooney
00:52:51 Rep. Steenson
00:54:16 Rep. Henry
00:57:16 Rep. McChesney
01:00:43 Rep. Getz
01:01:23 Rep. Hawk
01:03:08 Rep. Kasten01:03:54 Recess
01:28:01 Reconvene01:28:10 Chairman Sesso
01:28:23 Rep. Jones
01:28:55 Chairman Sesso**EXECUTIVE ACTION ON HB 5**01:29:01 **Motion/Vote:** Rep. Jones moved to **RECONSIDER THE MOTION**
on **HB 5**. Motion carried unanimously by voice vote.

01:29:44 Chairman Sesso
01:29:52 Rep. Kasten
01:30:06 Chairman Sesso

01:30:48 **Motion/Vote:** Rep. Jones moved that **HB 5 DO PASS AS AMENDED**. Motion carried unanimously by voice vote.

01:31:14 Chairman Sesso
01:34:36 Rep. Henry
01:35:14 Chairman Sesso
01:35:40 Rep. Henry
01:36:01 Chairman Sesso
01:36:30 Rep. Morgan
01:37:02 Rep. Glaser
01:38:22 Rep. Jones
01:39:14 Rep. Morgan
01:39:49 Jon Moe, Legislative Fiscal Division
01:40:24 Rep. Morgan
01:40:43 Rep. Henry
01:41:02 Chairman Sesso
01:41:23 Rep. Hiner
01:42:07 Rep. Morgan
01:42:49 Rep. Hiner
01:43:10 Rep. Roberts
Rep. Glaser left the room

EXECUTIVE ACTION ON HB 213

01:44:18 **Motion:** Rep. Villa moved that **HB 213 DO PASS**.

01:44:47 **Motion:** Chairman Sesso moved that **HB 213 BE CONCEPTUALLY AMENDED**.

Discussion:

01:48:50 Rep. Ankney
01:48:59 Chairman Sesso
01:49:16 Rep. Ankney
01:50:08 Rep. Morgan
01:52:28 Rep. Villa

01:52:59 **Vote:** Motion carried unanimously by voice vote with Rep. Glaser voting by proxy.

01:53:34 Rep. Henry
01:54:25 Chairman Sesso
01:56:21 Rep. Henry
01:56:45 Chairman Sesso
Rep. Glaser returned to the room.

01:58:00 **Motion/Vote:** Rep. Hiner moved that **HB 213 DO PASS AS AMENDED**. Motion carried 16-4 by roll call vote with Rep. Hawk, Rep. Kasten, Rep. Morgan, and Rep. Roberts voting no.

EXECUTIVE ACTION ON HB 408

01:59:23 **Motion:** Rep. Steenson moved **HB 408 DO PASS**.

Discussion:

02:02:18 Chairman Sesso
02:02:23 Rep. Steenson
02:02:50 Chairman Sesso
02:03:21 Rep. Steenson
02:03:31 Chairman Sesso
02:03:42 Rep. McNutt
02:04:38 Rep. Mehlhoff

02:05:38 **Vote:** Motion failed by roll call vote 5-15, with Rep. Steenson, Rep. McChesney, Rep. Getz, Rep. Hollenbaugh and Rep. Pease-Lopez voting aye.

EXECUTIVE ACTION ON HB 152

02:06:46 **Motion:** Rep. Villa moved that **HB 152 DO PASS**.

02:07:56 **Motion/Vote:** Rep. Villa moved that **HB 152 BE AMENDED**. Motion carried unanimously by voice vote.

EXHIBIT (aph64a02)

02:09:38 **Motion:** Rep. Kasten moved that **HB 152 BE AMENDED**.

EXHIBIT (aph64a03)

02:10:12 Mr. Moe
02:10:48 Rep. Morgan
02:11:25 Rep. Kasten
02:11:32 Chairman Sesso
02:11:41 Rep. Kasten
02:12:05 Rep. Villa
02:12:40 Rep. Jones
02:13:00 Rep. Kasten **WITHDREW** his motion.
02:13:36 Rep. Hollenbaugh
02:13:59 Rep. Villa
02:14:47 Chairman Sesso

02:14:58 **Motion:** Rep. Villa moved that **HB 152 DO PASS AS AMENDED**.

Discussion:

02:15:08 Chairman Sesso

02:15:56 Rep. Ankney

02:16:50 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 81

02:17:10 **Motion:** Rep. Hawk moved that **HB 81 DO PASS.**

02:17:44 **Motion:** Rep. Hawk moved that **HB 81 BE CONCEPTUALLY AMENDED.**

Discussion:

02:18:00 Rep. Morgan

02:19:10 Rep. Hollenbaugh

02:19:59 Mr. Moe

02:20:38 Rep. Hollenbaugh

02:20:58 Rep. Morgan

02:21:21 Rep. Villa

02:21:34 Chairman Sesso

02:23:30 Rep. Villa

02:23:43 Chairman Sesso

02:24:07 Rep. Villa

02:24:31 Rep. Hawk **WITHDREW** his motion.

02:25:27 Chairman Sesso

02:25:38 Rep. Villa

02:26:00 Chairman Sesso

02:27:21 Rep. Villa

02:27:43 Chairman Sesso

02:28:23 Mr. Moe

02:29:33 Chairman Sesso

02:30:33 Rep. Villa

02:32:22 Chairman Sesso

02:33:19 **Motion:** Rep. Villa moved that **HB 81 BE AMENDED.**
EXHIBIT (aph64a04)

Discussion:

02:33:50 Chairman Sesso

02:34:15 Clayton Schenck, Legislative Fiscal Analyst

02:35:30 Rep. Hiner

02:36:07 Mr. Moe

02:36:41 **Vote:** Motion carried unanimously by voice vote.

02:36:56 Rep. Hawk
02:37:20 Rep. Kasten

02:37:37 **Motion/Vote:** Rep. Villa moved that **HB 81 DO PASS AS AMENDED**. Motion failed 8-12 by roll call vote with Rep. Steenson, Rep. Henry, Rep. Getz, Rep. Hawk, Rep. Morgan, Rep. Hollandsworth and Rep. Sesso voting aye.

02:41:10 Chairman Sesso

EXECUTIVE ACTION ON HB 258

02:42:04 **Motion:** Rep. McChesney moved that **HB 258 DO PASS**.

02:43:40 **Motion:** Rep. McChesney moved that **HB 258 BE AMENDED**. **EXHIBIT (aph64a05)**

Discussion:

02:44:26 Rep. Hiner
02:44:40 Rep. McChesney
02:45:15 Rep. Hiner
02:45:30 Rep. McChesney
02:45:49 Rep. Ankney
02:46:40 Rep. Morgan
02:47:51 Chairman Sesso

02:50:09 **Vote:** Motion carried unanimously by voice vote.

02:50:25 **Motion/Vote:** Rep. McChesney moved that **HB 258 DO PASS AS AMENDED**. Motion carried 13-7 by roll call vote with Rep. Ankney, Rep. Hawk, Rep. Kasten, Rep. Mehlhoff, Rep. Morgan, Rep. Nooney, and Rep. Roberts voting no.

EXECUTIVE ACTION ON HB 81

02:52:02 **Motion:** Rep. Villa moved that **HB 81 BE TABLED**.

02:52:42 Rep. Mehlhoff
02:52:51 Chairman Sesso

02:53:03 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 408

02:53:33 **Motion/Vote:** Rep. Villa moved that **HB 408 BE TABLED**. Motion carried 19-1 by voice vote with Rep. Mehlhoff voting no.

Rep. Steenson left the room.

EXECUTIVE ACTION ON HB 459

02:54:08 **Motion:** Rep. Glaser moved that **HB 459 DO PASS.**

02:55:24 **Motion:** Rep. Glaser moved that **HB 459 BE CONCEPTUALLY AMENDED.**

Discussion:

02:55:51 Chairman Sesso

02:56:03 Rep. Hawk

02:56:10 Rep. Glaser

02:56:21 Chairman Sesso

02:57:02 **Vote:** Motion carried unanimously by voice vote with Rep. Steenson voting by proxy.

02:57:12 **Motion/Vote:** Rep. Glaser moved that **HB 459 DO PASS AS AMENDED.** Motion carried 17-3 by voice vote with Rep. Hawk, Rep. Kasten, and Rep. Morgan voting no. Rep. Steenson voting by proxy.

EXECUTIVE ACTION ON HB 173

02:57:53 **Motion:** Rep. Henry moved that **HB 173 DO PASS.**

02:58:38 **Motion:** Rep. Henry moved that **HB 173 BE CONCEPTUALLY AMENDED.**

Discussion:

03:00:04 Rep. Villa

03:00:56 Mr. Moe

03:01:21 Chairman Sesso

03:01:56 **Vote:** Motion carried unanimously by voice vote.

03:02:22 **Motion/Vote:** Rep. Hollenbaugh moved that **HB 173 DO PASS AS AMENDED.** Motion carried 15-5 by roll call vote with Rep. Ankney, Rep. Hawk, Rep. Kasten, Rep. Morgan, and Rep. Roberts voting no.

EXECUTIVE ACTION ON HB 309

03:03:55 **Motion:** Rep. Henry moved that **HB 309 DO PASS.**

03:04:08 **Motion:** Rep. Henry moved that **HB 309 BE CONCEPTUALLY AMENDED.**

Discussion:

03:05:15 Mr. Moe
03:06:14 Rep. Ankney
03:06:22 Chairman Sesso
03:07:26 Rep. Hawk
03:07:35 Chairman Sesso
03:07:42 Rep. Hawk
03:08:08 Chairman Sesso
03:08:46 Rep. Hawk
03:09:20 Rep. Villa
03:11:02 Rep. Jones

03:11:48 **Vote:** Motion carried unanimously by voice vote.

03:12:38 **Motion/Vote:** Rep. Henry moved that **HB 309 DO PASS AS AMENDED.** Motion failed 6-14 by roll call vote with Rep. Nooney, Rep. Steenson, Rep. Henry, Rep. Getz, Rep. Pease-Lopez and Rep. Hollenbaugh voting aye. Rep. Villa and Rep. Pease Lopez voting by proxy.

EXECUTIVE ACTION ON HB 411

03:14:14 **Motion:** Rep. McChesney moved that **HB 411 DO PASS.**

03:14:38 **Motion/Vote:** Rep. McChesney moved that **HB 411 BE AMENDED.** Motion carried unanimously by voice vote.
[EXHIBIT \(aph64a06\)](#)

Discussion:

03:19:00 Mr. Moe
03:19:17 Chairman Sesso

03:20:01 **Motion/Vote:** Rep. McChesney moved that **HB 411 DO PASS AS AMENDED.** Motion carried 15-5 by roll call vote with Rep. Glaser, Rep. Hawk, Rep. Kasten, Rep. Morgan, and Rep. Roberts voting no.

EXECUTIVE ACTION ON HB 334

03:22:19 **Motion:** Rep. Hollandsworth moved that **HB 334 DO PASS.**

03:22:59 **Motion:** Rep. Hollandsworth moved that **HB 334 BE CONCEPTUALLY AMENDED.**

Discussion:

03:23:21 Rep. Villa
03:23:28 Chairman Sesso
03:23:33 Rep. Villa

03:23:49 **Vote:** Motion carried unanimously by voice vote.

03:24:02 **Motion/Vote:** Rep. Hollandsworth moved that **HB 334 DO PASS AS AMENDED.** Motion carried 17-3 by voice vote with Rep. Hawk, Rep. Kasten, and Rep. Morgan voting no.

EXECUTIVE ACTION ON HB 333

03:24:55 **Motion:** Rep. Villa moved that **HB 333 DO PASS.**

03:25:11 **Motion:** Rep. Villa moved that **HB 333 BE CONCEPTUALLY AMENDED.**

Discussion:

03:25:43 Rep. Ankney
03:27:17 Chairman Sesso
03:27:29 Rep. Morgan
03:27:44 Chairman Sesso
03:28:05 Rep. Morgan
03:28:27 Chairman Sesso

03:28:37 **Vote:** Motion carried unanimously by voice vote.

03:28:45 **Motion/Vote:** Rep. Villa moved that **HB 333 DO PASS AS AMENDED.** Motion carried unanimously by voice vote.

03:29:34 Rep. Getz
03:29:54 Chairman Sesso
03:30:48 Rep. Morgan
03:31:10 Rep. Villa
03:31:35 Rep. Morgan
03:31:51 Chairman Sesso
03:32:04 Rep. Henry

03:32:57 Rep. Villa
03:34:09 Chairman Sesso
03:34:46 Rep. Villa
03:35:25 Rep. Morgan

EXECUTIVE ACTION ON HB 212

03:35:52 **Motion:** Rep. Hawk moved that **HB 212 DO PASS.**
03:36:07 Chairman Sesso

Discussion:

03:37:03 **Motion:** Rep. Getz moved that **HB 212 BE CONCEPTUALLY AMENDED.**
03:37:30 **Motion/Vote:** Rep. Jones moved to **RECONSIDER THE DO PASS MOTION ON HB 212.** Motion carried unanimously by voice vote.
03:37:45 Chairman Sesso
03:38:31 Rep. Villa
03:39:00 **Vote:** Motion that **HB 212 BE CONCEPTUALLY AMENDED** carried unanimously by voice vote.

Discussion:

03:39:30 Rep. Morgan
03:39:38 Rep. Moe
03:40:09 Rep. Morgan
03:40:23 Rep. Getz **WITHDREW HIS MOTION THAT HB 212 BE CONCEPTUALLY AMENDED.**

EXECUTIVE ACTION ON HB 134

03:40:38 **Motion/Vote:** Rep. Nooney moved that **HB 134 DO PASS.** Motion failed 5-15 by roll call vote with Rep. Nooney, Rep. Mehlhoff, Rep. Glaser, Rep. Henry and Rep. Sesso voting aye.
03:43:31 **Motion/Vote:** Rep. Hollenbaugh moved that **HB 134 BE TABLED.** Motion carried 15-5 by voice vote with Rep. Glaser, Rep. Henry, Rep. Mehlhoff, Rep. Nooney, and Rep. Sesso voting no.

ADJOURNMENT

03:45:30 Adjournment: 12:15 P.M.

Samuel Speerschneider, Secretary

ss

Additional Documents:

EXHIBIT ([aph64aad.pdf](#))