

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: Chair Walter McNutt, on March 15, 2011 at 9:07 AM, in Room 102
Capitol

ROLL CALL

Members Present:

Rep. Walter McNutt, Chairman (R)
Rep. Bill Beck, Vice Chairman (R)
Rep. Cynthia Hiner, Vice Chairman (D)
Rep. Tony Belcourt (D)
Rep. Randy Brodehl (R)
Rep. Tom Burnett (R)
Rep. Rob Cook (R)
Rep. Mike Cuffe (R)
Rep. Champ Edmunds (R)
Rep. Ron Ehli (R)
Rep. John Esp (R)
Rep. Steve Gibson (R)
Rep. Galen Hollenbaugh (D)
Rep. Bill McChesney (D)
Rep. Robert (Bob) Mehlhoff (D)
Rep. Ryan Osmundson (R)
Rep. Don Roberts (R)
Rep. Trudi Schmidt (D)
Rep. Jon C. Sesso (D)

Members Excused: Rep. Duane Ankney (R)
Rep. Roy Hollandsworth (R)

Members Absent: None

Staff Present: Antoine Brockman, Committee Secretary
Jaret Coles, Legislative Branch
Jon Moe, Legislative Branch

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 3, 3/11/2011; HB 4, 3/11/2011; HB 316, 3/11/2011; HB 375, 3/11/2011; HB 299, 3/11/2011; HB 357, 3/11/2011; HB 463, 3/11/2011
Executive Action: HB 3, HB 4, HB 375

00:01:15 Chairman McNutt

HEARING ON HB 3**Opening Statement by Sponsor:**

00:02:52 Rep. Robert (Bob) Mehlhoff (D), HD 26, opened the hearing on HB 3, Supplemental appropriations.

Proponents' Testimony:

00:07:10 Amy Sassano, Deputy Director, Governor's Office of Budget and Program Planning (OBPP)
00:07:41 Jennifer Hensley, Commissioner, Office of the Commissioner of Political Practices (CPP)

EXHIBIT(aph58a01)

00:09:09 Russ Hill, Administrator, Health Care and Benefits Division, Department of Health and Human Services (DPHHS)
00:13:19 Randi Hood, Chief Public Defender, Office of the State Public Defender, Department of Justice (DOJ)
00:21:06 Joan Anderson, Office of Public Instruction (OPI)
00:24:04 Angela Wong, Director, Montana State Lottery

EXHIBIT(aph58a02)

00:27:58 Brad Griffin, President, Montana Retail Association

Opponents' Testimony: None

Informational Testimony:

00:28:59 Kara Sperle, Budget Director, Department of Corrections (COR)

Questions from Committee Members and Responses:

00:29:57 Rep. Beck
00:30:34 Rep. Ankney entered the room.

Closing by Sponsor:

00:31:05 Rep. Mehlhoff

HEARING ON HB 4**Opening Statement by Sponsor:**

00:31:37 Rep. Robert (Bob) Mehlhoff (D), HD 26, opened the hearing on HB 4, Appropriations by budget amendment.
00:33:06 Rep. Hollandsworth entered the room.

Proponents' Testimony:

00:33:24 Amy Sassano, Deputy Director, OBPP
00:35:03 Joan Anderson, OPI

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:36:13 Rep. Mehlhoff

00:36:38 Chairman McNutt

HEARING ON HB 316**Opening Statement by Sponsor:**

00:37:36 Rep. Rob Cook (R), HD 27, opened the hearing on HB 316, Redistribute certain revenue and income to state general fund.

Proponents' Testimony: None

Opponents' Testimony:

00:40:10 Mike Schulz, Lakeside Lodge
00:41:17 Ann Brodsky, Chief Legal Council, Governor's Office
00:43:27 Lucy Weeder, Montana Lodging and Hospitality Association
00:43:49 Denise King, Administrator, Centralized Services Division, Montana Historical Society (MHS)
00:44:15 William Duffield, Montana Oil and Gas Counties
00:44:37 Bob Gilbert, County Commissioner Rosebud County
00:44:52 Alan Underdahl, County Commissioner, Toole County
00:45:16 Don McDowell, County Commissioner, Powder County
00:45:44 Chad Funner, County Commissioner, Bighorn County
00:45:52 Jim Hansen, School Superintendent, Powder River County Schools
00:46:34 Ron de Yong, Director, Department of Agriculture (AGR)
00:48:29 Harold Blattie, Executive Director, Montana Association of Counties (MACo)

Informational Testimony:

00:49:36 Dan Villa, Education Policy Advisor, Governor's Office

Questions from Committee Members and Responses:

00:49:56 Rep. Schmidt
00:50:19 Mr. Villa, Governor's Office
00:51:22 Rep. Sesso
00:52:17 Rep. Cook
00:52:51 Rep. Sesso
00:54:10 Rep. Cook
00:54:53 Rep. Sesso
00:56:05 Rep. Cook

00:57:20 Rep. Sesso
00:57:38 Rep. Cook
00:57:46 Rep. Sesso
00:58:54 Rep. Cook
00:59:33 Rep. Sesso
00:59:39 Catherine Duncan, Senior Fiscal Analyst, Legislative Fiscal Division (LFD)
01:00:45 Rep. Sesso
01:02:37 Rep. Cook
01:03:21 Jaret Coles, Legislative Staff Attorney, Legislative Services Division (LSD)
01:03:55 Rep. Sesso
01:04:26 Mr. Coles, LSD
01:05:29 Rep. Sesso
01:05:48 Mr. Coles, LSD
01:07:04 Rep. Sesso
01:09:08 Rep. Cook
01:09:41 Rep. Sesso
01:10:37 Rep. Cook
01:11:10 Rep. Sesso
01:11:29 Rep. Cook
01:11:36 Rep. Esp
01:12:15 Ms. Brodsky, Governor's Office
01:13:13 Rep. Mehlhoff
01:14:04 Mr. Villa, Governor's Office
01:15:22 Rep. Mehlhoff
01:15:37 Mr. Villa, Governor's Office
01:16:20 Rep. Schmidt
01:17:40 Lucy Weeder, Montana Lodging and Hospitality Association
01:18:24 Rep. Esp
01:19:50 Mr. Villa, Governor's Office
01:20:43 Rep. Esp
01:21:04 Mr. Villa, Governor's Office
01:23:10 Rep. Esp
01:23:38 Rep. Hiner
01:23:56 Ms. Brodsky, Governor's Office
01:26:52 Rep. Esp
01:27:26 Ms. Brodsky, Governor's Office

Closing by Sponsor:

01:28:03 Rep. Cook

01:29:09 Recess

01:47:11 Resume - All committee members returned.

HEARING ON HB 375

Opening Statement by Sponsor:

01:48:04 Rep. Rob Cook (R), HD 27, opened the hearing on HB 375, Reduce certain general fund transfers.

Proponents' Testimony: None

Opponents' Testimony:

01:49:48 Ron de Yong, AGR
01:52:28 Travis Hoffman, Montana Independent Living Centers
01:52:59 Ronda Wiggers, Montana Snowmobile Association
01:53:55 Tom Livers, Department of Environmental Quality (DEQ)
01:54:54 Tom Schultz, Administrator, Trust Lands Division, Department of Natural Resources and Conservation (DNRC)

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:56:44 Rep. Cook

01:58:35 Recess
01:58:39 Resume - All committee members returned except Rep. Belcourt, Rep. Cook, Rep. Esp, Rep. Hollenbaugh and Rep. Sesso.

HEARING ON HB 299**Opening Statement by Sponsor:**

01:58:54 Rep. Kris Hansen (R), HD 33, opened the hearing on HB 299, Provide that third DUI is a felony.

Proponents' Testimony:

02:01:04 Ali Bovingdon, Attorney General's Office, Department of Justice (DOJ)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

02:01:27 Rep. Hansen

HEARING ON HB 463**Opening Statement by Sponsor:**

02:03:00 Rep. Scott Reichner (R), HD 9, opened the hearing on HB 463, Revise property tax reappraisal process by specifying burden of proof on value.

02:06:23 Chairman McNutt
02:06:53 Rep. Reichner

Proponents' Testimony: None

Opponents' Testimony:

02:08:01 Alan Peura, Deputy Director, Department of Revenue (DOR)

Informational Testimony: None

Questions from Committee Members and Responses:

02:12:59 Rep. Edmunds
02:13:31 Rep. Reichner
02:14:02 Rep. Beck
02:15:00 Mr. Peura, DOR
02:16:25 Rep. Beck
02:16:31 Mr. Peura, DOR
02:17:28 Rep. Edmunds
02:18:46 Mr. Peura, DOR
02:19:03 Rep. Esp
02:19:16 Mr. Peura, DOR
02:20:26 Rep. Esp
02:20:32 Mr. Peura, DOR
02:21:57 Rep. Esp
02:22:04 Mr. Peura, DOR
02:23:00 Rep. Esp
02:23:26 Mr. Peura, DOR
02:24:16 Rep. Esp
02:24:23 Mr. Peura, DOR
02:24:53 Rep. Esp
02:25:02 Mr. Peura, DOR
02:25:30 Rep. Brodehl
02:26:18 Mr. Peura, DOR
02:27:05 Rep. Brodehl
02:27:18 Mr. Peura, DOR
02:28:43 Rep. Beck
02:29:28 Mr. Peura, DOR
02:30:19 Rep. Beck
02:30:58 Mr. Peura, DOR
02:32:02 Rep. Hollandsworth

Closing by Sponsor:

02:33:56 Rep. Reichner

HEARING ON HB 357

Opening Statement by Sponsor:

02:37:26 Rep. Gary MacLaren (R), HD 89, opened the hearing on HB 357, Provide tax credit for employer contribution to employee health savings account.

[EXHIBIT\(aph58a03\)](#)

Proponents' Testimony:

02:42:28 Jim Edwards, Mountain West Benefits (MWB)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

02:43:37 Rep. McChesney
02:44:31 Rep. MacLaren
02:44:51 Mr. Edwards, MWB

Closing by Sponsor:

02:45:24 Rep. MacLaren

EXECUTIVE ACTION ON HB 3

02:47:47 **Motion:** Rep. Mehlhoff moved **HB 3 DO PASS**.

02:48:13 **Motion:** Rep. Mehlhoff moved that **HB 3 BE AMENDED**.
[EXHIBIT\(aph58a04\)](#)

Discussion:

02:49:09 Rep. Edmunds
00:49:58 Chairman McNutt

02:50:10 **Vote:** Motion carried unanimously by voice vote. Rep. Belcourt, Rep. Cook, Rep. Esp, Rep. Hollenbaugh, and Rep. Sesso voted by proxy.

02:50:23 Rep. Cook entered.

02:50:45 **Motion/Vote:** Rep. Mehlhoff moved **HB 3 BE AMENDED** Motion carried unanimously by voice vote. Rep. Belcourt, Rep. Esp, Rep. Hollenbaugh, and Rep. Sesso voted by proxy.

[EXHIBIT\(aph58a05\)](#)

02:53:06 **Motion:** Rep. Mehlhoff moved **HB 3 BE AMENDED**.

[EXHIBIT\(aph58a06\)](#)

Discussion:

02:54:41 Rep. Hiner

02:55:55 **Vote:** Motion carried unanimously by voice vote. Rep. Belcourt, Rep. Esp, Rep. Hollenbaugh, and Rep. Sesso voted by proxy.

02:56:22 **Motion/Vote:** Rep. Mehlhoff moved that **HB 3 BE AMENDED**. Motion carried unanimously by voice vote. Rep. Belcourt, Rep. Esp, Rep. Hollenbaugh and Rep. Sesso voted by proxy.

[EXHIBIT\(aph58a07\)](#)

02:57:48 **Motion/Vote:** Rep. Mehlhoff moved **HB 3 DO PASS AS AMENDED**. Motion carried unanimously by voice vote. Rep. Belcourt, Rep. Esp, Rep. Hollenbaugh, and Rep. Sesso voted by proxy.

EXECUTIVE ACTION ON HB 4

02:58:44 **Motion:** Rep. Mehlhoff moved that **HB 4 DO PASS.**

Discussion:

02:58:47 Chairman McNutt

02:58:49 Rep. Cuffe exited.

02:59:51 **Motion:** Rep. Mehlhoff moved **HB 4 BE AMENDED.**

EXHIBIT(aph58a08)

Discussion:

03:00:57 Jon Moe, Expenditure Policy Analyst, Legislative Fiscal Division (LFD)

03:01:23 **Vote:** Motion carried unanimously by voice vote. Rep. Belcourt, Rep Cuffe, Rep. Esp, Rep. Hollenbaugh, and Rep. Sesso voted by proxy.

03:01:56 Rep. Cuffe entered.

03:02:15 **Motion:** Rep. Mehlhoff moved **HB 4 DO PASS AS AMENDED.**

Discussion:

03:02:45 Rep. Burnett

03:03:13 Chairman McNutt

03:03:27 **Vote:** Motion carried unanimously by voice vote. Rep. Belcourt, Rep. Esp, Rep. Hollenbaugh and Rep. Sesso voted by proxy.

03:03:23 Rep. Hollenbaugh entered.

03:04:56 Chairman McNutt

03:05:12 Recess

03:07:47 Resume - All committee members returned except Rep. Belcourt, Rep. Esp, and Rep. Sesso.

EXECUTIVE ACTION ON HB 375

03:08:37 **Motion:** Rep. Cook moved **HB 375 DO PASS.**

03:08:42 **Motion:** Rep. Cook moved that **HB 375 BE AMENDED.**

EXHIBIT(aph58a09)

Discussion:

03:09:53 Rep. Gibson

03:10:12 Rep. Cook

03:10:30 Rep. Hiner

03:10:51 Rep. Cook

03:11:20 Rep. Hiner

03:11:47 Rep. Cook

03:12:14 **Vote:** Motion carried unanimously by voice vote. Rep. Belcourt, Rep. Esp, and Rep. Sesso voted by proxy.

03:12:31 **Motion/Vote:** Rep. Cook moved **HB 375 BE AMENDED**. Motion carried unanimously by voice vote. Rep. Belcourt, Rep. Esp, and Rep. Sesso voted by proxy.

[EXHIBIT\(aph58a10\)](#)

03:13:11 **Motion:** Rep. Cook moved **HB 375 BE AMENDED**.

[EXHIBIT\(aph58a11\)](#)

Discussion:

03:14:22 Rep. Hiner

03:14:30 Rep. Cook

03:14:53 Rep. Hollenbaugh

03:15:10 Rep. Cook

03:15:32 Jaret Coles, Legislative Staff Attorney, Legislative Services Division (LSD)

03:16:34 **Vote:** Motion carried unanimously by voice vote. Rep. Belcourt, Rep. Esp and Rep. Sesso voted by proxy.

00:16:45 **Motion:** Rep. Cook moved that **HB 375 BE AMENDED**.

[EXHIBIT\(aph58a12\)](#)

[EXHIBIT\(aph58a13\)](#)

Discussion:

03:17:52 Chairman McNutt

03:15:53 Rep. Sesso entered.

03:17:54 **Vote:** Motion carried unanimously by voice vote. Rep. Belcourt and Rep. Esp voted by proxy.

03:17:57 **Motion:** Rep. Cook moved **HB 375 DO PASS AS AMENDED**.

Discussion:

03:18:21 Rep. Burnett

03:18:29 Rep. Cook

03:19:58 Rep. Burnett

03:20:31 Rep. Cook

03:21:07 **Vote:** Motion carried 14-7 by roll call vote with Rep. Belcourt, Rep. Hiner, Rep. Hollenbaugh, Rep. McChesney, Rep. Mehlhoff, Rep. Schmidt and Rep. Sesso voting no. Rep. Belcourt and Rep. Esp voted by proxy.

ADJOURNMENT

Adjournment: 03:27:58

for Antoine Brockman, Secretary

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Additional Documents:

EXHIBIT([aph58aad.pdf](#))