

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: Chair Walter McNutt, on March 17, 2011 at 8:00 A.M., in Room 102
Capitol

ROLL CALL

Members Present:

Rep. Walter McNutt, Chair (R)
Rep. Bill Beck, Vice Chair (R)
Rep. Cynthia Hiner, Vice Chair (D)
Rep. Duane Ankney (R)
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. Roy Hollandsworth (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: None

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 10, 3/12/2011; HB 11, 3/12/2011; HB 15, 3/12/2011, HB 51, 2011; HB 351, 3/12/2011; HB 610, 3/14/2011; HB 611, 3/14/2011
Executive Action: HB 51; HB 10; HB 15; HB 316; HB 11; HB 351

HEARING ON HB 51**Opening Statement by Sponsor:**

00:02:19 Rep. Dick Barrett (D), HD 93, opened the hearing on HB 51, Revise laws related to state building energy conservation programs.
00:02:25 Rep. Sesso, Rep. Hollandsworth and Rep. Mehlhoff left the room.

EXECUTIVE ACTION ON HB 51

00:05:44 **Motion/Vote:** Rep. Esp moved that **HB 51 DO PASS**. Motion carried unanimously by voice vote. Rep. Hollandsworth, Rep. Mehlhoff and Rep. Sesso voted by proxy.

HEARING ON HB 10**Opening Statement by Sponsor:**

00:06:41 Rep. Galen Hollenbaugh (D), HD 81, opened the hearing on HB 10, Long-range information technology appropriations.

EXECUTIVE ACTION ON HB 10

00:07:50 **Motion:** Rep. Esp moved that **HB 10 DO PASS**.
00:08:22 **Motion/Vote:** Rep. Esp moved that **HB 10 BE AMENDED**. Motion carried unanimously by voice vote. Rep. Hollandsworth, Rep. Mehlhoff and Rep. Sesso voted by proxy.

EXHIBIT(aph60a01)

00:08:36 **Motion/Vote:** Rep. Esp moved that **HB 10 DO PASS AS AMENDED**. Motion carried unanimously by voice vote. Rep. Hollandsworth, Rep. Mehlhoff and Rep. Sesso voted by proxy.
00:09:50 Rep. Sesso and Rep. Mehlhoff entered the room.

HEARING ON HB 11**Opening Statement by Sponsor:**

00:09:54 Rep. Jon Sesso (D), HD 76, opened the hearing on HB 11, Treasure state endowment program and transfers of money to the general fund.

EXECUTIVE ACTION ON HB 11

00:19:39 **Motion/Vote:** Rep. Esp moved that **HB 11 BE TABLED**. Motion carried 20-1 by voice vote with Rep. Sesso voting no. Rep. Hollandsworth voted by proxy.

HEARING ON HB 15**Opening Statement by Sponsor:**

00:21:22 Rep. Trudi Schmidt (D), HD 22, opened the hearing on HB 15, School facility grant program.

EXHIBIT(aph60a02)

EXECUTIVE ACTION ON HB 15

00:23:31 **Motion/Vote:** Rep. Esp moved that **HB 15 DO PASS**. Motion carried unanimously by voice vote. Rep. Hollandsworth voted by proxy.

HEARING ON HB 351**Opening Statement by Sponsor:**

00:24:32 Rep. Rob Cook (R), HD 27, opened the hearing on HB 351, Treasure state endowment appropriations and transfers to the general fund.

EXECUTIVE ACTION ON HB 351

The committee report for HB 351 was released from committee on 03/21/2011

00:25:52 **Motion:** Rep. Esp moved that **HB 351 DO PASS**.

00:26:15 **Motion:** Rep. Esp moved that **HB 351 BE AMENDED**.

EXHIBIT(aph60a03)

Discussion:

00:26:50 Catherine Duncan, Senior Fiscal Analyst, Legislative Fiscal Division (LFD)

00:31:08 Rep. Belcourt

00:31:20 Catherine Duncan

00:31:28 Rep. Belcourt

00:31:32 Catherine Duncan

00:31:54 **Vote:** Motion carried 20-1 by voice vote with Rep. Sesso voting no. Rep. Hollandsworth voted by proxy.

00:32:16 **Motion:** Rep. Esp moved that **HB 351 DO PASS AS AMENDED**.

00:32:27 **Motion:** Rep. McChesney moved that **HB 351 BE CONCEPTUALLY AMENDED.**

Discussion:

00:33:14 Rep. Cook
00:34:08 Rep. Esp
00:35:05 Chairman McNutt
00:36:25 Rep. Sesso
00:38:44 Catherine Duncan, LFD
00:39:35 Rep. McChesney
00:40:03 Rep. Ankney
00:41:25 Rep. Sesso
00:44:20 Kelly Casillas, Deputy Chief Legal Counsel, Department of Commerce (DOC)

00:45:24 Rep. McChesney withdrew his conceptual amendment.

00:45:49 **Motion:** Rep. Sesso moved that **HB 351 BE CONCEPTUALLY AMENDED.**

00:47:13 Chairman McNutt
00:47:43 Rep. Cook
00:48:13 Rep. Sesso
00:48:47 Rep. Ehli
00:49:14 Rep. Burnett
00:50:30 Chairman McNutt
00:50:58 Rep. Burnett
00:51:05 Rep. Esp
00:51:45 Jaret Coles, Legislative Staff Attorney, Legislative Services Division (LSD)
00:53:16 Rep. Esp
00:53:53 Rep. Ankney
00:54:13 Rep. Mehlhoff
00:55:06 Rep. Sesso
00:58:36 Rep. Esp
00:59:23 Rep. Sesso
01:00:00 Rep. Hollandsworth entered the room.
01:01:32 Rep. Esp
01:01:47 Rep. Sesso
01:02:01 Jaret Coles, LSD

01:03:23 **Vote:** Motion carried unanimously by voice vote.

01:03:37 **Motion:** Rep. Esp moved that **HB 351 DO PASS AS AMENDED.**

01:03:57 **Motion/Vote:** Rep. Cook moved that **SB 351 BE CONCEPTUALLY AMENDED.** Motion carried unanimously by voice vote.

01:04:41 **Motion/Vote:** Rep. Esp moved that **HB 351 DO PASS AS AMENDED.** Motion carried unanimously by voice vote.

01:06:22 Recess

01:06:19 Resume - All committee members were present.

HEARING ON HB 610**Opening Statement by Sponsor:**

01:06:43 Rep. Rob Cook (R), HD 27, opened the hearing on HB 610, General revise certain fees to implement House Bill No. 2.

Proponents' Testimony: None**Opponents' Testimony:**

01:10:59 Patrick Heffernan, Montana Wood Products Association

01:16:59 Ann Brodsky, Chief Legal Counsel, Governor's Office

01:22:21 Marco Ferro, Montana Education Association - Montana Federation of Teachers (MEA-MFT)

01:24:57 Paul McKenzie, F.H. Stoltze Land & Lumber Company

EXHIBIT(aph60a04)

01:27:44 Deborah Parker-Foley, Montana Tree Farm Association

EXHIBIT(aph60a05)

EXHIBIT(aph60a06)

01:30:49 Steve Wade, Montana Rural Water Systems
(Montana League of Cities and Towns ask Mr. Wade to show their opposition also.)

EXHIBIT(aph60a07)

01:33:10 Gary Forrester, Lockwood Sewer and Water District

01:34:34 Ronald Buentemeier, Montana Forest Product Company

EXHIBIT(aph60a08)

01:37:37 Jim Magone, Montana Rural Water System

01:39:40 Fred Hodgeboom, Independent Tree Farm Owner

EXHIBIT(aph60a09)

01:44:42 Matt Arno, Self

01:45:58 Mark Baker, Plum Creek Timber Company

01:46:59 Ed Grady, Self

01:49:59 John Baucus, Self

Informational Testimony:

01:55:42 Steve Meloy, Executive Director, Montana Board of Public Education (MBPE)

01:59:08 Tom Livers, Deputy Director, Department of Environmental Quality (DEQ)

02:02:06 Bob Harrington, Administrator, Department of Natural Resources and Conservation (DNRC)

02:02:37 George Harris, Administrator, Centralized Services, Department of Livestock

Questions from Committee Members and Responses:

02:03:09 Rep. Brodehl

02:03:24 Mr. McKenzie, F.H. Stoltze Land & Lumber Company

02:03:29 Rep. Brodehl

02:03:37 Mr. McKenzie, F.H. Stoltze Land & Lumber Company

02:03:52 Rep. Mehlhoff

02:04:24 Mr. Meloy, MBPE

02:06:48 Rep. Mehlhoff

02:06:55 Mr. Meloy, MBPE

02:07:42 Rep. Mehlhoff
02:07:59 Mr. Meloy, MBPE
02:08:07 Rep. Ehli
02:08:51 Mr. Harrington, DNRC
02:09:57 Rep. Burnett
02:10:21 Mr. McKenzie, F.H. Stoltze Land & Lumber Company
02:10:49 Rep. Burnett
02:11:04 Mr. McKenzie, F.H. Stoltze Land & Lumber Company
02:11:32 Rep. Burnett
02:11:48 Rep. Schmidt
02:12:25 Mr. Forrester, Lockwood Sewer and Water District
02:12:41 Rep. Schmidt
02:13:12 Mr. Forester, Lockwood Sewer and Water District
02:14:26 Rep. Beck
02:15:05 Mr. Hodgeboom
02:15:51 Rep. Beck
02:16:04 Mr. Hodgeboom
02:16:15 Rep. Hollenbaugh
02:16:45 Mr. Livers, DEQ
02:18:22 Rep. Hollenbaugh
02:18:40 Mr. Livers, DEQ

Closing by Sponsor:

02:19:45 Rep. Cook

02:22:45 Chairman McNutt left the room.

HEARING ON HB 611**Opening Statement by Sponsor:**

02:22:46 Rep. Rob Cook (R), HD 27, opened the hearing on HB 611, Generally revise use of accounts to implement House Bill No. 2.

Proponents' Testimony: None**Opponents' Testimony:**

02:23:53 Ann Brodsky, Chief Legal Counsel, Governor's Office
02:25:52 Keith Kelly, Commissioner, Montana Department of Labor and Industry (DLI)
02:30:29 Webb Brown, President, Montana Chamber of Commerce
02:31:46 Riley Johnson, National Federation of Independent Business (NFIB)

Informational Testimony:

02:34:08 Dan Villa, Education Policy Advisor, Governor's Office

Questions from Committee Members and Responses:

02:34:30 Rep. Mehlhoff
02:34:52 Mr. Villa, Governor's Office

02:37:38 Rep. Mehlhoff
02:38:19 Mr. Villa, Governor's Office
02:39:19 Rep. Mehlhoff
02:39:27 Mr. Villa, Governor's Office
02:39:52 Rep. Mehlhoff
02:40:11 Mr. Villa, Governor's Office
02:41:21 Rep. Mehlhoff
02:41:44 Mr. Villa, Governor's Office
02:42:24 Rep. Schmidt
02:43:02 Mr. Villa, Governor's Office

Closing by Sponsor:

02:44:31 Rep. Cook
02:45:30 Recess
03:04:02 Resume - All committee members were present except Chairman McNutt.

EXECUTIVE ACTION ON HB 316

03:04:34 **Motion:** Rep. Cook moved that **HB 316 DO PASS.**

03:04:54 **Motion:** Rep. Cook moved motion that **HB 316 BE AMENDED.**
EXHIBIT(aph60a10)
Discussion:

03:05:57 Catherine Duncan, LFD
03:10:51 Rep. Brodehl
03:11:07 Catherine Duncan

03:11:40 Rep. Sesso, Rep. Schmidt, and Rep. Ankney left the hearing.

03:11:46 **Vote:** Motion carried unanimously by voice vote. Rep. Ankney, Rep. McNutt, Rep. Schmidt and Rep. Sesso voted by proxy.

03:12:45 **Motion/Vote:** Rep. Cook moved that **HB 316 BE AMENDED.** Motion carried unanimously by voice vote. Rep. Ankney, Rep. McNutt, Rep. Schmidt and Rep. Sesso voted by proxy.
EXHIBIT(aph60a11)

03:14:19 **Motion/Vote:** Rep. Cook moved that **HB 316 BE AMENDED.** Motion carried unanimously by voice vote. Rep. Ankney, Rep. McNutt, Rep. Schmidt and Rep. Sesso voted by proxy.
EXHIBIT(aph60a12)

03:15:38 **Motion/Vote:** Rep. Cook moved that **HB 316 BE AMENDED.** Motion carried unanimously by voice vote. Rep. Ankney, Rep. McNutt, Rep. Schmidt and Rep. Sesso voted by proxy.
EXHIBIT(aph60a13)

03:17:14 **Motion/Vote:** Rep. Cook moved that **HB 316 BE AMENDED**. 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. Ankney, Rep. McNutt, Rep. Schmidt and Rep. Sesso voted by proxy.

EXHIBIT(aph60a14)

03:20:16 **Motion:** Rep. Hollenbaugh moved that **HB 316 BE AMENDED**.

EXHIBIT(aph60a15)

Discussion:

03:21:02 Rep. Cook
03:21:13 Rep. Burnett
03:21:45 Rep. Beck
03:21:58 Rep. Belcourt
03:22:35 Rep. Esp
03:23:01 Rep. Beck
03:23:06 Catherine Duncan, LFD
03:23:46 Rep. Cook

03:23:56 **Vote:** Motion carried 14-7 by roll call vote with Rep. Beck, Rep. Burnett, Rep. Edmunds, Rep. Esp, Rep. Hollandsworth, Rep. McNutt and Rep. Osmundson voting no. Rep. Ankney, Rep. McNutt, Rep. Schmidt and Rep. Sesso voted by proxy.

03:25:37 **Motion/Vote:** Rep. Cook moved that **HB 316 DO PASS AS AMENDED**. 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. Ankney, Rep. McNutt, Rep. Schmidt and Rep. Sesso voted by proxy.

ADJOURNMENT

03:27:38 Adjournment

Cara Gold for Antoine Brockman, Secretary

cg/ab

Additional Documents:

EXHIBIT([aph60aad.pdf](#))