

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON APPROPRIATIONS

**Call to Order:** Chair Walter McNutt, on March 21, 2011 at 10:00 AM, in Room 102  
Capitol

#### ROLL CALL

**Members Present:**

Rep. Walter McNutt, Chairman (R)  
Rep. Cynthia Hiner, Vice Chairman (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. Roy Hollandsworth (R)  
Rep. Galen Hollenbaugh (D)  
Rep. Bill McChesney (D)  
Rep. Robert (Bob) Mehlhoff (D)  
Rep. Don Roberts (R)  
Rep. Trudi Schmidt (D)  
Rep. Jon C. Sesso (D)

**Members Excused:** Rep. Bill Beck, Vice Chairman (R)  
Rep. Steve Gibson (R)  
Rep. Ryan Osmundson (R)

**Members Absent:** None

**Staff Present:** Sandra Sullivan, 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 621, 3/18/2011; HB 622, 3/18/2011  
Executive Action Taken: HB 188, HB 196, HB 411, HB 475, HB 209, HB 274, HB 317, HB 343, HB 283, HB 463, HB 463, HB 495, HB 388, HB 140, HB 439 and HB 296

**HEARING ON HB 621****Opening Statement by Sponsor:**

00:01:53 Rep. Duane Ankney (R), HD 43, opened the hearing on HB 621, Revise aquatic invasive species laws and provide appropriation.

**Proponents' Testimony:**

00:11:42 Ray Beck, Division Head, Conservation and Resource Development Division, Department of Natural Resources and Conservation (DNRC)

**EXHIBIT(aph63a01)**

00:15:26 Art Noonan, Deputy Director, Fish Wildlife and Parks (FWP)  
00:20:24 Jeff Tiberi, Montana Association of Conservation Districts  
00:21:10 Mark Aagenes, Montana Trout Unlimited  
00:22:20 Donna Rise, Bureau Chief, Department of Agriculture  
00:23:17 George Golie, Montana Wildlife Federation  
00:23:41 Rep. Hollandsworth, HD 28

**Opponents' Testimony:**

00:27:38 Sen. Jackson, SD 5

**EXHIBIT(aph63a02)**

00:44:46 Gary Olsen, Vice President, Montana Weed Control Association  
00:55:13 Pam Converse, Weed Coordinator, Broadwater County  
01:01:16 Bob Gilbert, Executive Director, Montana Walleyes Unlimited  
01:06:46 Harold Blattie, Executive Director, Montana Association of Counties (MACo)  
01:08:58 Dave Schulz, County Commissioner, Madison County  
01:13:19 Becky Kington, Executive Director, Montana Weed Control Association  
01:15:37 Jack Eddie, Weed Coordinator, Beaverhead County  
01:16:45 Margie Edsall, Weed Board, Madison County

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

01:18:23 Rep. Ankney

01:22:42 Rep. Sesso  
01:23:08 Rep. Edmunds  
01:23:12 Chairman McNutt  
01:23:14 Rep. Sesso

**HEARING ON HB 622****Opening Statement by Sponsor:**

01:22:51 Rep. Duane Ankney (R), HD 43, opened the hearing on HB 622, Revising funding for livestock mitigation and control of predatory animals.

**Proponents' Testimony:**

01:27:51 Jim Brown, Montana Wool Growers Association  
01:32:14 Jay Bodner, Montana Stockgrowers Association  
01:33:40 John Youngberg, Vice President, Montana Farm Bureau Federation  
01:34:41 Mr. Golie  
01:35:11 Mr. Glibert

**Opponents' Testimony:** None

**Informational Testimony:**

01:36:08 Christian MacKay, Executive Officer, Montana Board of Livestock  
01:36:29 Elaine Allestad, Chair, Livestock Loss Reduction and Migration Board

**Questions from Committee Members and Responses:**

01:38:13 Rep. Cook  
01:38:38 Mr. Brown

**Closing by Sponsor:**

01:39:19 Rep. Ankney

**EXECUTIVE ACTION ON HB 188**

01:41:22 **Motion:** Rep. Esp moved that **HB 188 DO PASS**.

**Discussion:**

01:41:31 Rep. Esp

01:42:10 **Vote:** Motion carried unanimously by voice vote. Rep. Beck, Rep. Gibson and Rep. Osmundson voted by proxy.

**EXECUTIVE ACTION ON HB 196**

01:43:12 **Motion/Vote:** Rep. Esp moved that **HB 196 DO PASS**. Motion carried unanimously by voice vote. Rep. Beck, Rep. Gibson and Rep. Osmundson voted by proxy.

**EXECUTIVE ACTION ON HB 411**

01:44:09 **Motion/Vote:** Rep. Esp moved that **HB 411 DO PASS**. Motion carried 20-1 by voice vote with Rep. Burnett voting no. Rep. Beck, Rep. Gibson and Rep. Osmundson voted by proxy.

**EXECUTIVE ACTION ON HB 475**

01:45:19 **Motion/Vote:** Rep. Esp moved that **HB 475 DO PASS**. Motion carried 20-1 by voice vote with Rep. Burnett voting no. Rep. Beck, Rep. Gibson and Rep. Osmundson voted by proxy.

01:46:20 Meeting recessed.

05:14:16 Meeting resumed.

05:14:23 Rep. Roberts, Rep. Osmundson and Rep. Ankney did not return.

**EXECUTIVE ACTION ON HB 209**

05:14:33 **Motion:** Rep. Esp moved that **HB 209 DO PASS**.

**Discussion:**

05:15:08 Rep. Esp

05:15:41 **Motion:** Rep. Esp moved that **HB 209 BE AMENDED**.  
[EXHIBIT\(aph63a03\)](#)

**Discussion:**

05:15:58 Mr. Coles

05:16:34 **Vote:** Motion carried unanimously by voice vote. Rep. Ankney, Rep. Osmundson and Rep. Roberts voted by proxy.

05:16:57 **Motion:** Rep. Esp moved that **HB 209 DO PASS AS AMENDED**.

05:17:05 **Motion:** Rep. McChesney moved that **HB 209 BE AMENDED**.  
[EXHIBIT\(aph63a04\)](#)

**Discussion:**

05:17:07 Rep. McChesney

05:17:48 Rep. Esp

05:18:05 **Vote:** Motion failed 7-14 by roll call vote with Rep. Belcourt, Rep. Hiner, Rep. Hollenbaugh, Rep. McChesney, Rep. Mehlhoff, Rep. Schmidt and Rep. Sesso voting aye. Rep. Ankney, Rep. Osmundson and Rep. Roberts voted by proxy.

**Discussion:**

05:19:42 Rep. Hollenbaugh  
05:21:23 Rep. Sesso  
05:23:36 Rep. Esp  
05:24:50 Cathy Duncan, Legislative Fiscal Division (LFD)  
05:25:35 Rep. Esp  
05:26:46 Ms. Duncan  
05:27:16 Rep. Sesso  
05:27:31 Rep. Esp  
05:27:54 Rep. Belcourt  
05:28:08 Rep. Hollenbaugh  
05:28:35 Rep. Esp  
05:28:55 Chairman McNutt

05:29:06 **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. Ankney, Rep. Osmundson and Rep. Roberts voted by proxy.

**EXECUTIVE ACTION ON HB 274**

05:30:29 **Motion:** Rep. Esp moved that **HB 274 DO PASS.**

05:31:07 **Motion:** Rep. Esp moved that **HB 274 BE AMENDED.**  
**EXHIBIT(aph63a05)**

**Discussion:**

05:31:15 Rep. Esp  
05:32:00 Rep. Hollenbaugh  
05:32:22 Rep. Esp  
05:32:31 Rep. Roberts arrived.

05:33:02 **Vote:** Motion carried 15-6 by roll call vote with Rep. Belcourt, Rep. Hiner, Rep. Hollenbaugh, Rep. McChesney, Rep. Schmidt and Rep. Sesso voting no. Rep. Ankney and Rep. Osmundson voted by proxy.

05:34:15 **Motion:** Rep. Esp moved that **HB 274 DO PASS AS AMENDED.**

**Discussion:**

05:34:18 Rep. Hollenbaugh  
05:34:31 Rep. Gibson  
05:35:36 Chairman McNutt

05:35:47 **Vote:** Motion carried 11-10 by roll call vote with Rep. Belcourt, Rep. Brodehl, Rep. Gibson, Rep. Hiner, Rep. Hollenbaugh, Rep. McChesney, Rep. Mehlhoff, Rep. Roberts, Rep. Schmidt and Rep. Sesso voting no. Rep. Ankney and Rep. Osmundson voted by proxy.

**EXECUTIVE ACTION ON HB 317**

05:37:15 **Motion:** Rep. Cook moved that **HB 317 DO PASS.**

**Discussion:**

05:37:17 Rep. Cook

05:37:25 **Motion:** Rep. Cook moved that **HB 317 BE AMENDED.**  
**EXHIBIT(aph63a06)**

**Discussion:**

05:37:26 Rep. Cook  
05:38:25 Mr. Coles  
05:39:29 Rep. Sesso  
05:41:05 Rep. Cook  
05:41:22 Rep. Sesso  
05:41:41 Rep. Hollenbaugh left.  
05:41:53 Rep. Cook  
05:41:59 Rep. Sesso  
05:42:21 Rep. Cook  
05:42:32 Rep. Sesso  
05:42:40 Rep. Hollenbaugh returned.  
05:42:45 Rep. Cook  
05:43:09 Rep. Sesso  
05:43:36 Rep. Cook

05:43:48 **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. Ankney and Rep. Osmundson voted by proxy.

05:44:52 **Motion:** Rep. Cook moved that **HB 317 DO PASS AS AMENDED.**

**Discussion:**

05:45:07 Rep. Mehlhoff  
05:46:20 Rep. Cook  
05:46:45 Rep. Esp

05:46:55 **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. Ankney and Rep. Osmundson voted by proxy.

**EXECUTIVE ACTION ON HB 343**

05:48:09 **Motion:** Rep. Cook moved that **HB 343 DO PASS.**

05:49:00 **Motion:** Rep. Cook moved that **HB 343 BE AMENDED.**  
**EXHIBIT(aph63a07)**

**Discussion:**

05:49:21 Mr. Moe  
05:51:43 Rep. Hollenbaugh  
05:52:16 Rep. Cook  
05:52:54 Rep. Hollenbaugh  
05:53:18 Rep. Cook  
05:53:33 Rep. Brodehl  
05:54:15 Rep. Esp  
05:54:32 Rep. McChesney  
05:54:54 Mr. Moe  
05:55:00 Rep. McChesney  
05:55:19 Mr. Moe  
05:56:34 Rep. Sesso  
05:58:41 Rep. Cook  
05:59:37 Mr. Coles  
06:00:06 Rep. Sesso  
06:00:12 Rep. Cook  
06:00:15 Rep. Cuffe left.  
06:00:22 Rep. Hollandsworth  
06:00:35 Rep. Cook

06:01:21 **Vote:** Motion carried unanimously by voice vote. Rep. Ankney, Rep. Cuffe and Rep. Osmundson voted by proxy.

06:01:55 **Motion:** Rep. Cook moved that **HB 343 DO PASS AS AMENDED.**

**Discussion:**

06:01:59 Rep. Burnett  
06:02:03 Rep. Cook  
06:02:35 Rep. Mehlhoff  
06:03:14 Rep. Sesso  
06:04:14 Rep. Cook  
06:05:04 Rep. Sesso  
06:06:04 Rep. Cook  
06:06:11 Rep. Sesso  
06:07:36 Rep. Esp  
06:08:53 Rep. Hollenbaugh  
06:10:42 Mr. Moe  
06:12:15 Rep. Burnett  
06:12:52 Rep. Cook  
06:13:27 Rep. Beck  
06:13:57 Mr. Moe  
06:14:49 Rep. Beck  
06:14:54 Mr. Moe

06:15:08 **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. Ankney, Rep. Cuffe and Rep. Osmundson voted by proxy.

**EXECUTIVE ACTION ON HB 283**

- 06:16:31 **Motion:** Rep. Esp moved that **HB 283 DO PASS**.
- 06:16:52 **Motion:** Rep. Cook moved that **HB 283 BE AMENDED**.  
**EXHIBIT(aph63a08)**

**Discussion:**

- 06:16:55 Rep. Cook
- 06:17:00 Rep. Cuffe returned.
- 06:17:28 Chairman McNutt
- 06:17:32 Rep. Cook
- 06:18:01 **Vote:** Motion carried 18-3 by voice vote with Rep. Belcourt, Rep. Hollenbaugh and Rep. Schmidt voting no. Rep. Ankney and Rep. Osmundson voted by proxy.
- 06:18:42 **Motion/Vote:** Rep. Esp moved that **HB 283 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 and Rep. Osmundson voted by proxy.

**EXECUTIVE ACTION ON HB 463**

- 06:20:30 **Motion/Vote:** Rep. Esp moved that **HB 463 DO PASS**. 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 and Rep. Osmundson voted by proxy.

**EXECUTIVE ACTION ON HB 495**

- 06:21:51 **Motion:** Rep. Cook moved that **HB 495 DO PASS**.
- 06:21:58 **Motion/Vote:** Rep. Cook moved that **HB 495 BE AMENDED**. Motion carried unanimously by voice vote. Rep. Ankney and Rep. Osmundson voted by proxy.  
**EXHIBIT(aph63a09)**
- 06:24:00 **Motion/Vote:** Rep. Cook moved that **HB 495 DO PASS AS AMENDED**. Motion carried unanimously by voice vote. Rep. Ankney and Rep. Osmundson voted by proxy.
- 06:25:00 Rep. McChesney left.

**EXECUTIVE ACTION ON HB 388**

Bill was tabled on February 12<sup>th</sup>.

- 06:25:09 **Motion/Vote:** Rep. Cook moved that **HB 388 BE REMOVED FROM TABLED**. Motion carried 14-7 by roll call vote with Rep. Belcourt, Rep. Hiner, Rep. Hollandsworth, Rep. McChesney, Rep. Mehlhoff, Rep. Schmidt and Rep. Sesso voting no. Rep. Ankney, Rep. Osmundson and Rep. McChesney voted by proxy.
- 06:26:13 Rep. Cook
- 06:27:40 **Motion/Vote:** Rep. Cook moved that **HB 388 DO PASS**. Motion carried 13-8 by roll call vote with Rep. Belcourt, Rep. Esp, Rep. Hiner, Rep. Hollenbaugh, Rep. McChesney, Rep. Mehlhoff, Rep. Schmidt and Rep. Sesso voting no. Rep. Ankney, Rep. Osmundson and Rep. McChesney voted by proxy.
- 06:27:50 Rep. McChesney returned.

**EXECUTIVE ACTION ON HB 140**

Bill was tabled on February 7<sup>th</sup>.

- 06:28:14 **Motion/Vote:** Rep. Esp moved that **HB 140 BE REMOVED FROM TABLED**. Motion carried unanimously by roll call vote. Rep. Ankney and Rep. Osmundson voted by proxy.
- 06:29:33 Rep. Sesso
- 06:30:08 **Motion:** Rep. Hiner moved that **HB 140 AMENDMENT BE REMOVED**.
- Discussion:**
- 06:30:25 Rep. Esp
- 06:30:58 Rep. Hiner
- 06:31:12 **Vote:** Motion carried unanimously by voice vote. Rep. Ankney and Rep. Osmundson voted by proxy.
- 06:31:32 **Motion/Vote:** Rep. Esp moved that **HB 140 BE AMENDED**. Motion carried 14-7 by voice vote with Rep. Belcourt, Rep. Hiner, Rep. Hollenbaugh, Rep. McChesney, Rep. Mehlhoff, Rep. Schmidt and Rep. Sesso voting no. Rep. Ankney and Rep. Osmundson voted by proxy.

**EXHIBIT(aph63a10)**

- 06:32:58 **Motion/Vote:** Rep. Esp moved that **HB 140 DO PASS AS AMENDED**. Motion carried 15-6 by roll call vote with Rep. Ankney, Rep. Belcourt, Rep. Cook, Rep. Cuffe, Rep. McChesney and Rep. Sesso voting no. Rep. Ankney and Rep. Osmundson voted by proxy.

**EXECUTIVE ACTION ON HB 439**

06:34:43 **Motion:** Rep. Hollenbaugh moved that **HB 439 DO PASS.**

06:34:49 **Motion:** Rep. Hollenbaugh moved that **HB 439 BE AMENDED.**  
**EXHIBIT(aph63a11)**

**Discussion:**

06:35:35 Rep. Esp

06:36:32 Rep. Hollenbaugh

06:37:22 **Vote:** Motion carried unanimously by voice vote. Rep. Ankney and Rep. Osmundson voted by proxy.

06:37:36 **Motion:** Rep. Hollenbaugh moved that **HB 439 DO PASS AS AMENDED.**

**Discussion:**

06:37:58 Rep. Sesso

06:38:36 **Motion:** Rep. Hollenbaugh moved that **HB 439 BE AMENDED.**  
**EXHIBIT(aph63a12)**

**Discussion:**

06:38:57 Mr. Coles

06:39:54 **Vote:** Motion carried unanimously by voice vote. Rep. Ankney and Rep. Osmundson voted by proxy.

06:40:14 **Vote:** Motion carried 15-6 by roll call vote with Rep. Beck, Rep. Brodehl, Rep. Burnett, Rep. Edmunds, Rep. Esp and Rep. Osmundson voting no. Rep. Ankney and Rep. Osmundson voted by proxy.

**EXECUTIVE ACTION ON HB 296**

06:42:05 **Motion:** Rep. Sesso moved that **HB 296 DO PASS.**

06:42:22 **Motion:** Rep. Sesso moved that **HB 296 BE AMENDED.**  
**EXHIBIT(aph63a13)**

**Discussion:**

06:43:10 Rep. Sesso

06:45:31 Rep. Cook

06:45:42 Rep. Sesso

06:46:28 **Vote:** Motion carried unanimously by voice vote. Rep. Ankney and Rep. Osmundson voted by proxy.

06:46:40 Rep. Hollenbaugh left.

06:46:44 **Motion/Vote:** Rep. Sesso moved that **HB 296 DO PASS AS AMENDED**. Motion carried 16-5 by roll call vote with Rep. Beck, Rep. Brodehl, Rep. Burnett, Rep. Esp and Rep. Roberts voting no. Rep. Ankney, Rep. Hollandsworth and Rep. Osmundson voted by proxy.

**ADJOURNMENT**

4:56:00      Adjournment

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Sandra Sullivan, Secretary

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Additional Documents:

**EXHIBIT([aph63aad.pdf](#))**