

**BUSINESS REPORT**

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

**HOUSE APPROPRIATIONS COMMITTEE**

**Date:** Friday, February 4, 2011  
**Place:** Capitol

**Time:** 3:00 P.M.  
**Room:** 102

**BILLS and RESOLUTIONS HEARD:**

HB 93 - Revise laws related to slash hazard reduction

**EXECUTIVE ACTION TAKEN:** HB 32  
HB 34  
HB 42  
HB 49  
HB 90  
HB 93  
HB 140  
HB 202

**Comments:** None



---

REP. Walter McNutt, Chair

**HOUSE OF REPRESENTATIVES**  
**Roll Call**  
**APPROPRIATIONS COMMITTEE**

DATE: Friday, February 4, 2011

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
REP. BILL BECK, VICE CHAIR		X
REP. CYNTHIA HINER, VICE CHAIR	X	
REP. DUANE ANKNEY	X	
REP. TONY BELCOURT	X	
REP. RANDY BRODEHL	X	
REP. TOM BURNETT	X	
REP. ROB COOK	X	
REP. MIKE CUFFE	X	
REP. CHAMP EDMUNDS	X	
REP. RON EHLI	X	
REP. JOHN ESP	X	
REP. STEVE GIBSON	X	
REP. ROY HOLLANDSWORTH		X
REP. GALEN HOLLENBAUGH		X
REP. BILL MCCHESENEY		X
REP. ROBERT MEHLHOFF	X	
REP. RYAN OSMUNDSON	X	
REP. DON ROBERTS	X	
REP. TRUDI SCHMIDT	X	
REP. JON SESSO		X
REP. WALTER MCNUTT, CHAIR	X	



**HOUSE STANDING COMMITTEE REPORT**

**February 4, 2011**

**Page 1 of 1**

Mr. Speaker:

We, your committee on **Appropriations** recommend that **House Bill 34** (first reading copy -- white) **do pass as amended.**

Signed:   
*Representative Walter McNutt, Chair*

**And, that such amendments read:**

1. Page 1, line 30.

**Strike:** "14.6%"

**Insert:** "14.06%"

2. Page 2, line 5.

**Strike:** "2.4%"

**Insert:** "2.94%"

3. Page 3, line 1.

**Strike:** "14.6%"

**Insert:** "14.06%"

4. Page 3, line 6.

**Strike:** "2.4%"

**Insert:** "2.94%"

- END -

**Committee Vote:**

**Yes 21, No 0**

Fiscal Note Required

HB0034001SC.hgh

*M 2/5  
Star*



## HOUSE STANDING COMMITTEE REPORT

February 4, 2011

Page 1 of 4

Mr. Speaker:

We, your committee on Appropriations recommend that **House Bill 42** (first reading copy -- white) do pass as amended.

Signed:

*Walter McNutt*  
Representative Walter McNutt, Chair

**And, that such amendments read:**

1. Title, page 1, line 6.

**Following:** "FUND;"

**Insert:** "EXTENDING THE ALLOCATION OF THE OIL AND NATURAL GAS PRODUCTION TAXES INTO THE COAL BED METHANE PROTECTION ACCOUNT; DELAYING THE ALLOCATION INCREASES TO THE NATURAL RESOURCES PROJECTS AND NATURAL RESOURCES OPERATIONS STATE SPECIAL REVENUE ACCOUNTS; EXTENDING THE TERMINATION DATE FOR CERTAIN DEPOSITS INTO THE COAL BED METHANE PROTECTION ACCOUNT;"

2. Title, page 1, line 6.

**Following:** "AMENDING" on line 6

**Strike:** "SECTION"

**Insert:** "SECTIONS 15-36-331 AND"

3. Title, page 1, line 7.

**Following:** "MCA;"

**Insert:** "AMENDING SECTION 10, CHAPTER 531, LAWS OF 2001;"

4. Page 1, line 10.

**Insert:** "**Section 1.** Section 15-36-331, MCA, is amended to read:

"**15-36-331. Distribution of taxes.** (1) (a) For each calendar quarter, the department shall determine the amount of tax, late payment interest, and penalties collected under this part.

**Committee Vote:**

**Yes 19, No 2**

Fiscal Note Required

HB0042001SC.hgh

*Walter McNutt*  
2/5  
8/11

(b) For the purposes of distribution of oil and natural gas production taxes to county and school district taxing units under 15-36-332 and to the state, the department shall determine the amount of oil and natural gas production taxes paid on production in the taxing unit.

(2) (a) The amount of oil and natural gas production taxes collected for the privilege and license tax pursuant to 82-11-131 must be deposited, in accordance with the provisions of 17-2-124, in the state special revenue fund for the purpose of paying expenses of the board, as provided in 82-11-135.

(b) The amount of the tax allocated in 15-36-304(7)(b) for the oil and gas natural resource distribution account established in 90-6-1001(1) must be deposited in the account.

(3) (a) For each tax year, the amount of oil and natural gas production taxes determined under subsection (1)(b) is allocated to each county according to the following schedule:

Big Horn	45.05%
Blaine	58.39%
Carbon	48.27%
Chouteau	58.14%
Custer	69.53%
Daniels	50.81%
Dawson	47.79%
Fallon	41.78%
Fergus	69.18%
Garfield	45.96%
Glacier	58.83%
Golden Valley	58.37%
Hill	64.51%
Liberty	57.94%
McCone	49.92%
Musselshell	48.64%
Petroleum	48.04%
Phillips	54.02%
Pondera	54.26%
Powder River	60.9%
Prairie	40.38%
Richland	47.47%
Roosevelt	45.71%
Rosebud	39.33%
Sheridan	47.99%
Stillwater	53.51%
Sweet Grass	61.24%
Teton	46.1%
Toole	57.61%
Valley	51.43%
Wibaux	49.16%
Yellowstone	46.74%
All other counties	50.15%

(b) The oil and natural gas production taxes allocated to each county must be deposited in the state special revenue fund

and transferred to each county for distribution, as provided in 15-36-332.

(4) The department shall, in accordance with the provisions of 17-2-124, distribute the state portion of oil and natural gas production taxes remaining after the distributions pursuant to subsections (2) and (3) as follows:

(a) for each fiscal year through the fiscal year ending June 30, 2011, to be distributed as follows:

(i) 1.23% to the coal bed methane protection account established in 76-15-904;

(ii) 1.45% to the natural resources projects state special revenue account established in 15-38-302;

(iii) 1.45% to the natural resources operations state special revenue account established in 15-38-301;

(iv) 2.99% to the orphan share account established in 75-10-743;

(v) 2.65% to the state special revenue fund to be appropriated to the Montana university system for the purposes of the state tax levy as provided in 15-10-108; and

(vi) all remaining proceeds to the state general fund;

(b) for fiscal years beginning after June 30, 2011, and ending June 30, 2015, to be distributed as follows:

(i) 1.23% to the coal bed methane protection account established in 76-15-904;

~~(i)~~(ii) 2.16% 1.45% to the natural resources projects state special revenue account established in 15-38-302;

~~(ii)~~(iii) 2.02% 1.45% to the natural resources operations state special revenue account established in 15-38-301;

~~(iii)~~(iv) 2.95% to the orphan share account established in 75-10-743;

~~(iv)~~(v) 2.65% to the state special revenue fund to be appropriated to the Montana university system for the purposes of the state tax levy as provided in 15-10-108; and

~~(v)~~(vi) all remaining proceeds to the state general fund;

(c) for fiscal years beginning after June 30, 2015, to be distributed as follows:

(i) 2.16% to the natural resources projects state special revenue account established in 15-38-302;

(ii) 2.02% to the natural resources operations state special revenue account established in 15-38-301;

(iii) 2.95% to the orphan share account established in 75-10-743;

(iv) 2.65% to the state special revenue fund to be appropriated to the Montana university system for the purposes of the state tax levy as provided in 15-10-108; and

(v) all remaining proceeds to the state general fund."

**Renumber:** subsequent sections

5. Page 1, line 27.

**Strike:** "2011" through "2001"

**Insert:** "2015"

6. Page 1, line 28.

**Insert:** "Section 3. Section 10, Chapter 531, Laws of 2001, is amended to read:

"Section 10. Termination. [Sections 4(2) and 6] terminate June 30, ~~2011~~ 2015."

**Renumber:** subsequent sections

- END -



**HOUSE STANDING COMMITTEE REPORT**

**February 4, 2011**

**Page 1 of 1**

Mr. Speaker:

We, your committee on **Appropriations** recommend that **House Bill 49** (first reading copy -- white) **do pass**.

Signed:   
*Representative Walter McNutt, Chair*

- END -

**Committee Vote:**

**Yes 21, No 0**

Fiscal Note Required

HB0049001SC.hgh

  
Handwritten initials and date: "A 2/5" and "Star".



**HOUSE STANDING COMMITTEE REPORT**

**February 4, 2011**

**Page 1 of 1**

Mr. Speaker:

We, your committee on **Appropriations** recommend that **House Bill 90** (first reading copy -- white) **do pass**.

Signed:

*Walter McNutt* Chair  
Representative **Walter McNutt**, Chair

- END -

**Committee Vote:**

**Yes 19, No 2**

Fiscal Note Required

HB0090002SC.hgh

*W* 2/5  
8 AM



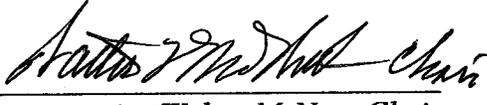
**HOUSE STANDING COMMITTEE REPORT**

**February 4, 2011**

**Page 1 of 1**

Mr. Speaker:

We, your committee on **Appropriations** recommend that **House Bill 93** (first reading copy -- white) **do pass**.

Signed:   
*Representative Walter McNutt, Chair*

- END -

**Committee Vote:**

**Yes 21, No 0**

Fiscal Note Required

HB0093002SC.hgh

  
Handwritten initials and date: "JF 2/5" and "JF" below it.

## BILL TABLED NOTICE

### HOUSE APPROPRIATIONS COMMITTEE

The HOUSE APPROPRIATIONS COMMITTEE TABLED:

**HB 32 - Revise laws regarding general appropriations bills**

**HB 140 - Transfer funds from the economic development special revenue account**

**HB 202 - Revise laws relating to the board of realty regulation**

by motion, on Friday, February 4, 2011.

  
(For the Committee)

  
(For the Chief Clerk of the House)

3pm / 2/4  
(Time) (Date)

February 7, 2011

Antoine Brockman, Secretary

Phone: 406.444.4457  
-----

**HOUSE OF REPRESENTATIVES  
Roll Call Vote  
APPROPRIATIONS COMMITTEE**

DATE: 02-04-2011 BILL NO 42 MOTION NO. \_\_\_\_\_  
 MOTION: Do Pass as Amended

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. BILL BECK, VICE CHAIR	X		X
REP. CYNTHIA HINER, VICE CHAIR	X		
REP. DUANE ANKNEY	X		
REP. TONY BELCOURT	X		
REP. RANDY BRODEHL	X		
REP. TOM BURNETT	X		
REP. ROB COOK	X		
REP. MIKE CUFFE	X		
REP. CHAMP EDMUNDS		X	
REP. RON EHLI	X		
REP. JOHN ESP	X		
REP. STEVE GIBSON	X		
REP. ROY HOLLANDSWORTH	X		
REP. GALEN HOLLENBAUGH	X		
REP. BILL MCCHESENEY	X		
REP. ROBERT MEHLHOFF	X		
REP. RYAN OSMUNDSON		X	
REP. DON ROBERTS	X		
REP. TRUDI SCHMIDT	X		
REP. JON SESSO	X		
REP. WALTER MCNUTT, CHAIRMAN	X		

**HOUSE OF REPRESENTATIVES  
Roll Call Vote  
APPROPRIATIONS COMMITTEE**

DATE: 02-04-2011 BILL NO 90 MOTION NO. \_\_\_\_\_  
 MOTION: Do Pass

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. BILL BECK, VICE CHAIR	X		X
REP. CYNTHIA HINER, VICE CHAIR	X		
REP. DUANE ANKNEY	X		
REP. TONY BELCOURT	X		
REP. RANDY BRODEHL	X		
REP. TOM BURNETT		X	
REP. ROB COOK	X		
REP. MIKE CUFFE	X		
REP. CHAMP EDMUNDS		X	
REP. RON EHLI	X		
REP. JOHN ESP	X		
REP. STEVE GIBSON	X		
REP. ROY HOLLANDSWORTH	X		
REP. GALEN HOLLENBAUGH	X		
REP. BILL MCCHESENEY	X		
REP. ROBERT MEHLHOFF	X		
REP. RYAN OSMUNDSON	X		
REP. DON ROBERTS	X		
REP. TRUDI SCHMIDT	X		
REP. JON SESSO	X		
REP. WALTER MCNUTT, CHAIRMAN	X		

**HOUSE OF REPRESENTATIVES  
Roll Call Vote  
APPROPRIATIONS COMMITTEE**

DATE: 02-04-2011 BILL NO 140 MOTION NO. \_\_\_\_\_  
 MOTION: HB014001.ajw

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. BILL BECK, VICE CHAIR	X		X
REP. CYNTHIA HINER, VICE CHAIR	X		
REP. DUANE ANKNEY	X		
REP. TONY BELCOURT		X	
REP. RANDY BRODEHL	X		
REP. TOM BURNETT	X		
REP. ROB COOK		X	
REP. MIKE CUFFE		X	
REP. CHAMP EDMUNDS	X		
REP. RON EHLI	X		
REP. JOHN ESP	X		
REP. STEVE GIBSON	X		
REP. ROY HOLLANDSWORTH	X		
REP. GALEN HOLLENBAUGH	X		
REP. BILL MCCHESENEY	X		
REP. ROBERT MEHLHOFF	X		
REP. RYAN OSMUNDSON	X		
REP. DON ROBERTS	X		
REP. TRUDI SCHMIDT		X	
REP. JON SESSO	X		
REP. WALTER MCNUTT, CHAIRMAN	X		

**HOUSE OF REPRESENTATIVES**  
**Roll Call Vote**  
**APPROPRIATIONS COMMITTEE**

DATE: 02-04-2011 BILL NO 140 MOTION NO. \_\_\_\_\_  
MOTION: Do Pass as Amended

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. BILL BECK, VICE CHAIR	X		X
REP. CYNTHIA HINER, VICE CHAIR		X	
REP. DUANE ANKNEY		X	
REP. TONY BELCOURT		X	
REP. RANDY BRODEHL	X		
REP. TOM BURNETT	X		
REP. ROB COOK		X	
REP. MIKE CUFFE		X	
REP. CHAMP EDMUNDS	X		
REP. RON EHLI	X		
REP. JOHN ESP	X		
REP. STEVE GIBSON	X		
REP. ROY HOLLANDSWORTH		X	
REP. GALEN HOLLENBAUGH		X	
REP. BILL MCCHESENEY		X	
REP. ROBERT MEHLHOFF		X	
REP. RYAN OSMUNDSON		X	
REP. DON ROBERTS	X		
REP. TRUDI SCHMIDT		X	
REP. JON SESSO		X	
REP. WALTER MCNUTT, CHAIRMAN	X		

**HOUSE OF REPRESENTATIVES**  
**Roll Call Vote**  
**APPROPRIATIONS COMMITTEE**

DATE: 02-04-2011 BILL NO 140 MOTION NO. \_\_\_\_\_  
 MOTION: Do Pass as Amended

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. BILL BECK, VICE CHAIR	X		X
REP. CYNTHIA HINER, VICE CHAIR		X	
REP. DUANE ANKNEY		X	
REP. TONY BELCOURT		X	
REP. RANDY BRODEHL	X		
REP. TOM BURNETT	X		
REP. ROB COOK		X	
REP. MIKE CUFFE		X	
REP. CHAMP EDMUNDS	X		
REP. RON EHLI	X		
REP. JOHN ESP	X		
REP. STEVE GIBSON	X		
REP. ROY HOLLANDSWORTH		X	
REP. GALEN HOLLENBAUGH		X	
REP. BILL MCCHESENEY		X	
REP. ROBERT MEHLHOFF		X	
REP. RYAN OSMUNDSON		X	
REP. DON ROBERTS	X		
REP. TRUDI SCHMIDT		X	
REP. JON SESSO		X	
REP. WALTER MCNUTT, CHAIRMAN	X		



