

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: Chair Walter McNutt, on March 16, 2011 at 8:00 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. Duane Ankney (R)
Rep. Tony Belcourt (D)
Rep. Randy Brodehl (R)
Rep. Tom Burnett (R)
Rep. Rob Cook (R)
Rep. Mike Cuffe (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)

Members Excused: Rep. Champ Edmunds (R)
Rep. Jon C. Sesso (D)

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 604, 3/12/2011; HB 5, 3/12/2011; HB 6, 3/12/2011; HB 7, 3/12/2011; HB 8, 3/12/2011; HB 9, 3/12/2011; HB 605, 3/12/2011; HB 606, 3/12/2011

Executive Action Taken: HB 5, HB 6, HB 7, HB 8, HB 9

HEARING ON HB 604**Opening Statement by Sponsor:**

00:02:31 Rep. Rob Cook (R), HD 27, opened the hearing on HB 604, Provide for fund transfers to the guarantee account and old state fund account.

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

00:03:54 Ann Brodsky, Chief Legal Council, Governor's Office

00:05:02 Linda Kirkland, Chairwoman, Montana Telecommunications Access Program (MTAP)

EXHIBIT(aph59a01)

00:08:49 Ron Bibler, Committee Member, MTAP

EXHIBIT(aph59a02)

00:13:53 Geoff Feiss, Executive Director, MTAP

00:17:14 Mike Henning, Three Rivers Communication

00:19:18 Bob Gilbert, Montana Tow Truck Association

00:21:45 Tom Livers, Deputy Director, Department of Environmental Quality, (DEQ)

00:28:01 Mary Sexton, Director, Department of Natural Resources and Conservation (DNRC)

00:31:16 William Duffield, Montana Association of Oil, Gas and Coal Counties

00:33:50 David Gibson, President for Montana, Qwest Communications International

00:34:28 Ron Ostberg, Montana Independent Telecommunication Systems (MITS)

Informational Testimony:

00:35:30 Dan Villa, Education Policy Advisor, Governor's Office

00:35:41 Connie Phelps, Executive Director, Montana Telecommunications Access Program (MTAP)

00:36:10 Nancy Butler, Montana State Fund (MSF)

Questions from Committee Members and Responses:

00:36:28 Rep. Hollenbaugh

00:37:17 Rep. Cook

00:38:06 Rep. Hollenbaugh

00:38:46 Rep. Cook

00:38:53 Rep. Hollenbaugh

00:39:21 Rep. Cook

00:39:34 Rep. Hollenbaugh

00:40:00 Rep. Sesso arrived.

00:40:21 Rep. Esp

00:40:41 Ms Brodsky, Governor's Office

00:41:29 Rep. Esp

00:41:41 Ms Brodsky, Governor's Office
00:41:53 Rep. Esp
00:41:58 Ms Brodsky, Governor's Office
00:42:23 Rep. Esp
00:42:36 Ms Brodsky, Governor's Office
00:42:54 Rep. Esp
00:43:15 Rep. Hiner
00:44:00 Ms Butler, MSF
00:44:46 Rep. Hiner
00:45:22 Ms Butler, MSF
00:45:41 Rep. Hiner
00:45:47 Ms Butler, MSF
00:46:59 Rep. Mehlhoff
00:47:16 Rep. Belcourt left the room.
00:47:43 Mr. Villa, Governor's Office
00:48:58 Rep. Belcourt
00:49:16 Rep. Cook
00:50:08 Rep. Brodehl
00:50:47 Mr. Livers, DEQ
00:51:49 Sandy Olsen, Remediation Division, DEQ
00:53:03 Rep. Ankney and Rep. Hollenbaugh left the room.
00:53:43 Rep. Brodehl
00:54:37 Ms Olsen, DEQ
00:54:53 Rep. Brodehl
00:55:26 Ms Sexton, DNRC
00:55:51 Rep. Beck
00:56:32 Ms Sexton, DNRC
00:56:50 Mr. Livers, DEQ
00:57:01 Rep. Beck
00:57:06 Mr. Livers, DEQ
00:57:23 Ms Olsen, DEQ
00:57:47 Rep. Beck
00:57:53 Ms Olsen, DEQ
00:58:53 Rep. Beck
00:59:04 Ms Olsen, DEQ
00:59:15 Rep. Beck
00:59:32 Ms Olsen, DEQ
01:00:14 Rep. Beck
01:00:20 Ms Olsen, DEQ
01:00:28 Rep. Sesso
01:01:23 Ms. Livers, DEQ
01:02:03 Rep. Hollenbaugh entered the room.
01:02:27 Rep. Edmunds arrived.
01:03:38 Rep. Sesso
01:03:43 Mr. Livers, DEQ
01:03:52 Rep. Sesso
01:05:04 Mr. Livers, DEQ
01:05:55 Rep. Hiner left the room.
01:06:30 Rep. Sesso
01:06:56 Mr. Livers, DEQ

01:07:13 Rep. Sesso
01:07:48 Mr. Livers, DEQ
01:08:23 Rep. Esp left the room.
01:09:47 Rep. Sesso
01:09:57 Rep. Beck
01:10:03 Rep. Sesso
01:10:33 Ms Butler, MSF
01:11:21 Rep. Sesso
01:11:30 Ms Butler, MSF
01:11:44 Rep. Esp and Rep. Hiner entered the room.
01:12:09 Rep. Sesso
01:12:46 Ms Butler, MSF
01:13:09 Rep. Sesso
01:13:39 Ms Butler, MFS
01:13:55 Rep. Sesso
01:15:06 Rep. Cook
01:18:01 Rep. Sesso
01:18:46 Rep. McChesney
01:19:07 Rep. Cook
01:19:29 Rep. McChesney
01:19:59 Rep. Cook
01:20:31 Rep. McChesney
01:21:12 Rep. Cook

Closing by Sponsor:

01:22:15 Rep. Cook

HEARING ON HB 9

Opening Statement by Sponsor:

01:32:52 Rep. Galen Hollenbaugh (D), HD 81, opened the hearing on HB 9, Cultural and aesthetic grants.
01:34:16 Cathy Duncan, Senior Fiscal Analyst, Legislative Fiscal Division (LFD)
01:36:02 Rep. Cook left the room.
01:39:01 Jaret Coles, Legislative Staff Attorney, Legislative Services Division (LSD)
01:39:30 Rep. McChesney left.

EXECUTIVE ACTION ON HB 9

01:39:54 **Motion:** Rep. Esp moved **HB 9 DO PASS**.

01:40:01 **Motion/Vote:** Rep. Esp moved **HB 9 BE AMENDED**. Motion carried unanimously by voice vote. Rep. Ankney and Rep. Belcourt voted by proxy.

[EXHIBIT\(aph59a03\)](#)

[EXHIBIT\(aph59a04\)](#)

Discussion:

01:41:15 Rep. Edmunds
01:41:43 Chairman McNutt

01:41:56 **Vote:** Motion carried 16-5 by roll call vote with Rep. Burnett, Rep. Edmunds, Rep. Esp, Rep. Osmundson and Rep. Roberts voting no. Rep. Ankney, Rep. Belcourt and Rep. McChesney voted by proxy.

01:44:32 Chairman McNutt

HEARING ON HB 8**Opening Statement by Sponsor:**

01:44:35 Rep. Jon Sesso (D), HD 76, opened the hearing on HB 8, Renewable resource bonds and loans.

Questions from Committee Members and Responses:

01:48:40 Chairman McNutt
01:49:12 Rep. Burnett
01:49:24 Rep. Sesso
01:49:30 Rep. McChesney returned and Rep. Hollenbaugh left.

Closing by Sponsor:

01:49:36 Rep. Sesso

EXECUTIVE ACTION ON HB 8

01:49:56 **Motion/Vote:** Rep. Esp moved **HB 8 DO PASS**. Motion carried unanimously by roll call vote. Rep. Ankney, Rep. Belcourt and Rep. Hollenbaugh voted by proxy.

HEARING ON HB 7**Opening Statement by Sponsor:**

01:50:17 Rep. Sesso (D), HD 76, on behalf of Rep. Tony Belcourt (D), HD 32, opened the hearing on HB 7, Reclamation and development grants.

01:54:04 Ms Duncan, LFD
EXHIBIT(aph59a05)

EXECUTIVE ACTION ON HB 7

01:59:54 **Motion:** Rep. Esp moved **HB 7 DO PASS**.

Discussion:

02:00:08 Rep. Schmidt
02:00:16 Rep. Sesso

02:01:00 Rep. Osmundson left and Rep. Ankney, Rep. Belcourt and Rep. Hollenbaugh returned
02:01:29 Chairman McNutt
02:01:38 Rep. Schmidt
02:01:47 Chairman McNutt

02:01:56 **Motion/Vote:** Rep. Esp moved **HB 7 BE AMENDED**. Motion carried unanimously by voice vote. Rep. Osmundson voted by proxy.

[EXHIBIT\(aph59a06\)](#)

02:02:36 **Motion/Vote:** Rep. Esp moved **HB 7 DO PASS AS AMENDED**. Motion carried 20-1 by voice vote. Rep. Edmunds votes no. Rep. Osmundson voted by proxy.

HEARING ON HB 6

Opening Statement by Sponsor:

02:03:19 Rep. Bill McChesney (D), HD 40, opened the hearing on HB 6, Renewable resource grants.

EXECUTIVE ACTION ON HB 6

02:04:53 **Motion:** Rep. Esp moved **HB 6 DO PASS**.

02:05:06 Cathy Duncan, LFD
[EXHIBIT\(aph59a07\)](#)

02:10:21 **Motion:** Rep. Esp moved **HB 6 BE AMENDED**.
[EXHIBIT\(aph59a08\)](#)

Discussion:

02:10:58 Rep. Gibson
02:11:01 Rep. McChesney
02:11:25 Rep. Gibson
02:11:33 Rep. McChesney
02:11:44 Rep. Sesso
02:12:57 Rep. Cuffe
02:13:00 Rep. Roberts left
02:13:03 Rep. Sesso
02:13:49 Chairman McNutt
02:14:13 Rep. Gibson
02:15:25 Rep. Edmunds
02:15:30 Rep. Sesso
02:15:35 Rep. Esp withdrew his motion.

02:15:59 **Motion/Vote:** Rep. Esp moved that **HB 6 BE AMENDED**. Motion carried unanimously by voice vote. Rep. Osmundson and Rep. Roberts voted by proxy.

[EXHIBIT\(aph59a09\)](#)

02:16:55 **Motion/Vote:** Rep. Esp moved that **HB 6 BE AMENDED**. Motion carried unanimously by voice vote. Rep. Osmundson and Rep. Roberts voted by proxy.

EXHIBIT(aph59a10)

02:17:08 **Motion:** Rep. Esp moved that **HB 6 DO PASS AS AMENDED**.

Discussion:

02:17:18 Rep. Burnett
02:17:39 Rep. McChesney
02:17:58 Rep. Burnett
02:18:14 Rep. Sesso
02:19:34 Rep. Esp

02:20:02 **Vote:** Motion carried unanimously by voice vote. Rep. Osmundson and Rep. Roberts voted by proxy.

02:20:15 Rep. McChesney

HEARING ON HB 5

Opening Statement by Sponsor:

02:21:01 Rep. Jon Sesso (D), HD 76, opened the hearing on HB 5, Long-range building appropriations.

02:27:17 Ms Duncan, LFD

EXECUTIVE ACTION ON HB 5

02:34:27 **Motion:** Rep. Ehli moved that **HB 5 DO PASS**.

02:34:37 **Motion:** Rep. Ehli moved that **HB 5 BE AMENDED**.

EXHIBIT(aph59a11)

Discussion:

02:34:57 Rep. Hollandsworth
02:35:00 Rep. Osmundson
02:35:07 Ms Duncan, LFD
02:35:42 Rep. Hollandsworth
02:36:03 Rep. Ankney
02:36:37 Rep. Cook
02:36:00 Rep. Esp and Rep. Hollenbaugh left.
02:37:05 Ms Duncan, LFD

02:37:40 **Vote:** Motion carried unanimously by voice vote. Rep. Esp, Rep. Hollenbaugh and Rep. Roberts voted by proxy.

02:38:04 **Motion/Vote:** Rep. Ehli moved that **HB 5 DO PASS AS AMENDED**. Motion carried unanimously by voice vote. Rep. Esp, Rep. Hollenbaugh and Rep. Roberts voted by proxy.

02:27:12 Chairman McNutt

02:39:14 Recess

02:39:25 Resume

HEARING ON HB 606

Opening Statement by Sponsor:

02:39:46 Rep. Wayne Stahl (R), HD 35, opened the hearing on HB 606, Changing the terminology, definition, and calculation of ANB.

Proponents' Testimony: None

Opponents' Testimony:

02:45:08 Lance Melton, Executive Director, Montana School Board Association (MTSBA)

02:48:52 Darrel Rudd, Executive Director, School Administrators of Montana (SAM)

02:51:04 Marco Ferro, Montana Association of Teachers - Montana Federation of Schools (MEA-MFT)

02:51:50 Joan Anderson, Assistant Superintendent of Public Instruction for Operations, Office of Public Instruction (OPI)

Informational Testimony: None

Questions from Committee Members and Responses:

02:54:56 Rep. Cook

02:55:34 Mr. Melton, MTSBA

02:56:36 Rep. Cook

02:56:50 Mr. Melton, MTSBA

02:58:11 Rep. Cook

02:58:57 Rep. Stahl

02:59:08 Rep. Cook

02:59:13 Rep. Stahl

02:59:23 Rep. Cook

02:59:34 Mr. Melton, MTSBA

02:59:52 Rep. Beck

03:00:42 Mr. Melton, MTSBA

03:03:11 Rep. Esp

03:04:06 Mr. Melton, MTSBA

03:04:25 Rep. Esp

03:04:51 Mr. Melton, MTSBA

03:05:20 Rep. Esp

03:05:39 Mr. Melton, MTSBA

03:06:49 Rep. Esp

03:07:20 Rep. Stahl

03:08:45 Rep. Esp

03:09:09 Rep. Stahl
03:09:22 Rep. Esp
03:09:52 Rep. Stahl
03:10:32 Rep. Mehlhoff
03:11:28 Mr. Melton, MTSBA
03:11:44 Rep. Mehlhoff
03:11:59 Mr. Melton, MTSBA
03:12:08 Rep. Mehlhoff
03:12:46 Mr. Melton, MTSBA
03:13:52 Rep. Mehlhoff
03:14:48 Mr. Melton, MTSBA
03:15:16 Rep. Gibson
03:15:40 Rep. Stahl
03:16:06 Rep. Gibson
03:16:45 Rep. Stahl
03:17:05 Rep. Gibson
03:17:24 Rep. Cuffe
03:18:08 Rep. Stahl
03:18:17 Rep. Edmunds
03:18:30 Rep. Stahl
03:19:17 Rep. Edmunds

Closing by Sponsor:

03:19:53 Rep. Stahl

HEARING ON HB 605

Opening Statement by Sponsor:

03:23:20 Rep. Tom Burnett (R), HD 63, opened the hearing on HB 605, Create incentive programs to reward healthy choices.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

03:29:49 Rep. Ankney
03:30:34 Rep. Burnett
03:30:41 Rep. Ankney
03:31:26 Rep. Edmunds
03:31:56 Rep. Burnett
03:32:08 Rep. Mehlhoff
03:32:29 Rep. Burnett
03:32:36 Rep. Belcourt

Closing by Sponsor:

03:33:02 Rep. Burnett

ADJOURNMENT

Adjournment: 03:35:38

for Antoine Brockman, Secretary

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Additional Documents:

EXHIBIT([aph59aad.pdf](#))