

# Montana State Legislature

## 2013 Session

### Additional Documents include:

- \* **Business Report**
- \* **Roll Call- attendance**
- \* **Standing Committee Reports,**
- \* **Table Bills, Fiscal reports etc.**
- \* **Roll Call Votes**
- \* **Witness Statements**
- \* **Informational items**
- \* **Visitor Registrations**
- \* **Any other Documents;**
  - ~ **Petitions if any?**
  - ~ **Any and all material handed in after the meeting end.**

**The original is on file at the  
Montana Historical Society and  
may be viewed there.**

**Montana Historical Society Archives  
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**BUSINESS REPORT**

**MONTANA HOUSE OF REPRESENTATIVES  
63rd LEGISLATURE - REGULAR SESSION**

**HOUSE APPROPRIATIONS COMMITTEE**

**Date:** Tuesday, February 26, 2013  
**Place:** Capitol

**Time:** 8:30 A.M.  
**Room:** 102

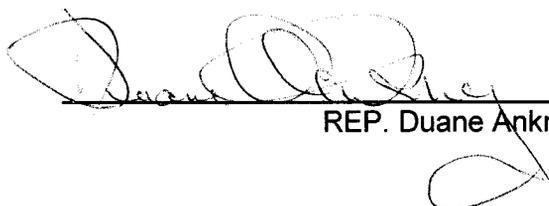
**BILLS and RESOLUTIONS HEARD:**

HB 297 - Provide that employment of an unauthorized alien is unlawful  
HB 322 - Revise laws related to livestock loss  
HB 355 - Eliminate the 5-year look back for alcohol and drug driving offenses  
HB 435 - Revise laws related to coal board grants and railroad quiet zones  
HB 484 - Generally revise bison laws

**EXECUTIVE ACTION TAKEN:**

HB 249 Tabled  
HB 275 Tabled  
HB 297 Do Pass As Amended  
HB 322 Do Pass As Amended  
HB 355 Do Pass  
HB 435 Do Pass As Amended  
HB 484 Tabled

**Comments:**

  
\_\_\_\_\_  
REP. Duane Ankney, Chair

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

DATE: 2/26/13 BILL NO 249 MOTION NO. \_\_\_\_\_  
 MOTION: Substitute Motion to Table

| NAME                               | AYE | NO | If Proxy Vote, check here & include signed Proxy Form with minutes |
|------------------------------------|-----|----|--|
| REP. STEVE GIBSON, VICE CHAIR      | ✓   |    |  |
| REP. GALEN HOLLENBAUGH, VICE CHAIR | ✓   |    |  |
| REP. ROB COOK                      | ✓   |    |  |
| REP. TOM WOODS                     | ✓   |    |  |
| REP. RON EHLI                      | ✓   |    |  |
| REP. LEA WHITFORD                  | ✓   |    |  |
| REP. PAT NOONAN                    | ✓   |    | ✓  |
| REP. CHAMP EDMUNDS                 | ✓   |    |  |
| REP. KELLY MCCARTHY                | ✓   |    |  |
| REP. DAVE HAGSTROM                 | ✓   |    |  |
| REP. ROBERT MEHLHOFF               | ✓   |    |  |
| REP. DONALD JONES                  | ✓   |    |  |
| REP. RYAN OSMUNDSON                |     | ✓  |  |
| REP. BILL MCCHESENEY               | ✓   |    |  |
| REP. CARL GLIMM                    |     | ✓  |  |
| REP. RANDY BRODEHL                 | ✓   |    |  |
| REP. KIMBERLY DUDIK                | ✓   |    | ✓  |
| REP. NANCY BALLANCE                | ✓   |    |  |
| REP. ROY HOLLANDSWORTH             | ✓   |    |  |
| REP. MIKE CUFFE                    | ✓   |    |  |
| REP. DUANE ANKNEY, CHAIRMAN        | ✓   |    |  |

Vote 19 - 2

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

DATE: 2/20/13 BILL NO 275 MOTION NO. \_\_\_\_\_  
 MOTION: Substitute Motion to Table

| <u>NAME</u>                        | AYE | NO | If Proxy Vote, check here & include signed Proxy Form with minutes |
|------------------------------------|-----|----|--|
| REP. STEVE GIBSON, VICE CHAIR      | ✓   |    |  |
| REP. GALEN HOLLENBAUGH, VICE CHAIR | ✓   |    |  |
| REP. ROB COOK                      | ✓   |    |  |
| REP. TOM WOODS                     |     | ✓  |  |
| REP. RON EHLI                      | ✓   |    |  |
| REP. LEA WHITFORD                  | ✓   |    |  |
| REP. PAT NOONAN                    | ✓   |    | ✓  |
| REP. CHAMP EDMUNDS                 |     | ✓  |  |
| REP. KELLY MCCARTHY                | ✓   |    |  |
| REP. DAVE HAGSTROM                 | ✓   |    |  |
| REP. ROBERT MEHLHOFF               | ✓   |    |  |
| REP. DONALD JONES                  |     | ✓  |  |
| REP. RYAN OSMUNDSON                |     | ✓  |  |
| REP. BILL MCCHESENEY               | ✓   |    |  |
| REP. CARL GLIMM                    |     | ✓  |  |
| REP. RANDY BRODEHL                 |     | ✓  |  |
| REP. KIMBERLY DUDIK                | ✓   |    | ✓  |
| REP. NANCY BALLANCE                |     | ✓  |  |
| REP. ROY HOLLANDSWORTH             | ✓   |    |  |
| REP. MIKE CUFFE                    |     | ✓  |  |
| REP. DUANE ANKNEY, CHAIRMAN        | ✓   |    |  |

Vote 13-8

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

DATE: 2/26/13 BILL NO. 355 MOTION NO. \_\_\_\_\_  
 MOTION: DO PASS

| <u>NAME</u>                        | AYE                                 | NO                                  | If Proxy Vote, check here & include signed Proxy Form with minutes |
|------------------------------------|-------------------------------------|-------------------------------------|--|
| REP. STEVE GIBSON, VICE CHAIR      |                                     | <input checked="" type="checkbox"/> |  |
| REP. GALEN HOLLENBAUGH, VICE CHAIR |                                     | <input checked="" type="checkbox"/> |  |
| REP. ROB COOK                      |                                     | <input checked="" type="checkbox"/> |  |
| REP. TOM WOODS                     | <input checked="" type="checkbox"/> |                                     |  |
| REP. RON EHLE                      | <input checked="" type="checkbox"/> |                                     |  |
| REP. LEA WHITFORD                  |                                     | <input checked="" type="checkbox"/> |  |
| REP. PAT NOONAN                    |                                     | <input checked="" type="checkbox"/> |  |
| REP. CHAMP EDMUNDS                 | <input checked="" type="checkbox"/> |                                     |  |
| REP. KELLY MCCARTHY                | <input checked="" type="checkbox"/> |                                     |  |
| REP. DAVE HAGSTROM                 | <input checked="" type="checkbox"/> |                                     |  |
| REP. ROBERT MEHLHOFF               |                                     | <input checked="" type="checkbox"/> |  |
| REP. DONALD JONES                  | <input checked="" type="checkbox"/> |                                     |  |
| REP. RYAN OSMUNDSON                | <input checked="" type="checkbox"/> |                                     |  |
| REP. BILL MCCHESENEY               | <input checked="" type="checkbox"/> |                                     |  |
| REP. CARL GLIMM                    | <input checked="" type="checkbox"/> |                                     |  |
| REP. RANDY BRODEHL                 | <input checked="" type="checkbox"/> |                                     |  |
| REP. KIMBERLY DUDIK                | <input checked="" type="checkbox"/> |                                     | <input checked="" type="checkbox"/>                                |
| REP. NANCY BALLANCE                | <input checked="" type="checkbox"/> |                                     |  |
| REP. ROY HOLLANDSWORTH             |                                     | <input checked="" type="checkbox"/> |  |
| REP. MIKE CUFFE                    |                                     | <input checked="" type="checkbox"/> |  |
| REP. DUANE ANKNEY, CHAIRMAN        |                                     | <input checked="" type="checkbox"/> |  |

*note*

*12-9*

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

DATE: 2/26/13 BILL NO 297 MOTION NO. \_\_\_\_\_  
 MOTION: Do Pass As Amended

| <u>NAME</u>                        | AYE | NO | If Proxy Vote, check here & include signed Proxy Form with minutes |
|------------------------------------|-----|----|--|
| REP. STEVE GIBSON, VICE CHAIR      | ✓   |    |  |
| REP. GALEN HOLLENBAUGH, VICE CHAIR |     | ✓  |  |
| REP. ROB COOK                      | ✓   |    |  |
| REP. TOM WOODS                     |     | ✓  |  |
| REP. RON EHLI                      | ✓   |    |  |
| REP. LEA WHITFORD                  |     | ✓  |  |
| REP. PAT NOONAN                    |     | ✓  |  |
| REP. CHAMP EDMUNDS                 |     | ✓  |  |
| REP. KELLY MCCARTHY                |     | ✓  |  |
| REP. DAVE HAGSTROM                 | ✓   |    |  |
| REP. ROBERT MEHLHOFF               | ✓   |    |  |
| REP. DONALD JONES                  | ✓   |    |  |
| REP. RYAN OSMUNDSON                | ✓   |    |  |
| REP. BILL MCCHESENEY               |     | ✓  |  |
| REP. CARL GLIMM                    | ✓   |    |  |
| REP. RANDY BRODEHL                 | ✓   |    |  |
| REP. KIMBERLY DUDIK                |     | ✓  |  |
| REP. NANCY BALLANCE                | ✓   |    |  |
| REP. ROY HOLLANDSWORTH             | ✓   |    |  |
| REP. MIKE CUFFE                    | ✓   |    |  |
| REP. DUANE ANKNEY, CHAIRMAN        | ✓   |    |  |

Vote 13-8

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

DATE: 2/26/13 BILL NO. 484 MOTION NO. \_\_\_\_\_  
 MOTION: Substitute Motion to Table

| NAME                               | AYE | NO | If Proxy Vote, check here & include signed Proxy Form with minutes |
|------------------------------------|-----|----|--|
| REP. STEVE GIBSON, VICE CHAIR      | ✓   |    |  |
| REP. GALEN HOLLENBAUGH, VICE CHAIR | ✓   |    |  |
| REP. ROB COOK                      | ✓   |    |  |
| REP. TOM WOODS                     | ✓   |    |  |
| REP. RON EHLE                      | ✓   |    |  |
| REP. LEA WHITFORD                  | ✓   |    |  |
| REP. PAT NOONAN                    | ✓   |    |  |
| REP. CHAMP EDMUNDS                 | ✓   |    |  |
| REP. KELLY MCCARTHY                | ✓   |    |  |
| REP. DAVE HAGSTROM                 | ✓   |    |  |
| REP. ROBERT MEHLHOFF               | ✓   |    |  |
| REP. DONALD JONES                  | ✓   |    |  |
| REP. RYAN OSMUNDSON                |     | ✓  |  |
| REP. BILL MCCHESENEY               | ✓   |    |  |
| REP. CARL GLIMM                    |     | ✓  |  |
| REP. RANDY BRODEHL                 | ✓   |    |  |
| REP. KIMBERLY DUDIK                | ✓   |    |  |
| REP. NANCY BALLANCE                |     | ✓  |  |
| REP. ROY HOLLANDSWORTH             | ✓   |    |  |
| REP. MIKE CUFFE                    | ✓   |    |  |
| REP. DUANE ANKNEY, CHAIRMAN        | ✓   |    |  |

Vote 18-3

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

DATE: 2/26/13 BILL NO. 171 MOTION NO. Do Pass AS Amended  
 MOTION: \_\_\_\_\_

| NAME                               | AYE | NO | If Proxy Vote, check here & include signed Proxy Form with minutes |
|------------------------------------|-----|----|--|
| REP. STEVE GIBSON, VICE CHAIR      | ✓   |    |  |
| REP. GALEN HOLLENBAUGH, VICE CHAIR | ✓   |    |  |
| REP. ROB COOK                      | ✓   |    |  |
| REP. TOM WOODS                     | ✓   |    |  |
| REP. RON EHLE                      | ✓   |    |  |
| REP. LEA WHITFORD                  | ✓   |    |  |
| REP. PAT NOONAN                    | ✓   |    |  |
| REP. CHAMP EDMUNDS                 |     | ✓  |  |
| REP. KELLY MCCARTHY                | ✓   |    |  |
| REP. DAVE HAGSTROM                 | ✓   |    |  |
| REP. ROBERT MEHLHOFF               | ✓   |    |  |
| REP. DONALD JONES                  | ✓   |    |  |
| REP. RYAN OSMUNDSON                | ✓   |    |  |
| REP. BILL MCCHESENEY               | ✓   |    |  |
| REP. CARL GLIMM                    | ✓   |    |  |
| REP. RANDY BRODEHL                 | ✓   |    |  |
| REP. KIMBERLY DUDIK                | ✓   |    |  |
| REP. NANCY BALLANCE                | ✓   |    |  |
| REP. ROY HOLLANDSWORTH             | ✓   |    |  |
| REP. MIKE CUFFE                    | ✓   |    |  |
| REP. DUANE ANKNEY, CHAIRMAN        | ✓   |    |  |

Vote 20-1





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

DATE: 2/26/13

| <u>NAME</u>                        | <u>PRESENT</u> | <u>ABSENT/ EXCUSED</u> |
|------------------------------------|----------------|------------------------|
| REP. STEVE GIBSON, VICE CHAIR      | ✓              |                        |
| REP. GALEN HOLLENBAUGH, VICE CHAIR | ✓              |                        |
| REP. ROB COOK                      | ✓              |                        |
| REP. TOM WOODS                     | ✓              |                        |
| REP. RON EHLI                      | ✓              |                        |
| REP. LEA WHITFORD                  | ✓              |                        |
| REP. PAT NOONAN                    | ✓              |                        |
| REP. CHAMP EDMUNDS                 | ✓              |                        |
| REP. KELLY MCCARTHY                | ✓              |                        |
| REP. DAVE HAGSTROM                 | ✓              |                        |
| REP. ROBERT MEHLHOFF               | ✓              |                        |
| REP. DONALD JONES                  | ✓              |                        |
| REP. RYAN OSMONDSON                | ✓              |                        |
| REP. BILL MCCHESENEY               | ✓              |                        |
| REP. CARL GLIMM                    | ✓              |                        |
| REP. RANDY BRODEHL                 | ✓              |                        |
| REP. KIMBERLY DUDIK                | ✓              |                        |
| REP. NANCY BALLANCE                | ✓              |                        |
| REP. ROY HOLLANDSWORTH             | ✓              |                        |
| REP. MIKE CUFFE                    | ✓              |                        |
| REP. DUANE ANKNEY, CHAIR           | ✓              |                        |

Room 101 - Lisa Adams

Revised



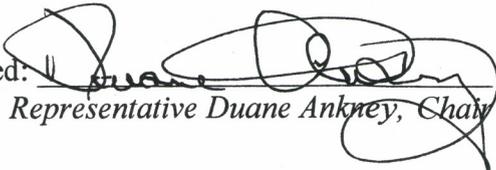
HOUSE STANDING COMMITTEE REPORT

February 26, 2013

Page 1 of 1

Mr. Speaker:

We, your committee on **Appropriations** recommend that **House Bill 297** (second reading copy - yellow) **do pass as amended.**

Signed: 

*Representative Duane Ankney, Chair*

**And, that such amendments read:**

1. Page 2, line 17.

**Strike:** "and"

**Insert:** "or"

2. Page 4, line 3.

**Strike:** "using the employment authorization program"

- END -

**Committee Vote:**

**Yes 13, No 8**

Fiscal Note Required

HB0297006SC.hjk

DC 2-26  
11:30



**HOUSE STANDING COMMITTEE REPORT**

**February 26, 2013**

**Page 1 of 1**

Mr. Speaker:

We, your committee on **Appropriations** recommend that **House Bill 322** (second reading copy - yellow) **do pass as amended.**

Signed:   
*Representative Duane Ankney, Chair*

**And, that such amendments read:**

1. Title, page 1, line 7.

**Following:** "PROGRAMS;"

**Insert:** "PROVIDING FOR A REVERSION OF FUNDS;"

2. Page 2, line 4.

**Following:** line 3

**Insert:** "(6) On June 30 of each odd-numbered year, any funds in the account that are unencumbered must revert to the general fund."

3. Page 11, line 1.

**Following:** "section."

**Insert:** "(4) On June 30 of each odd-numbered year, any unencumbered funds in the account in excess of \$400,000 must revert to the general fund."

- END -

**Committee Vote:**

**Yes 21, No 0**

Fiscal Note Required

HB0322003SC.hjk

DC 10:15  
2-26



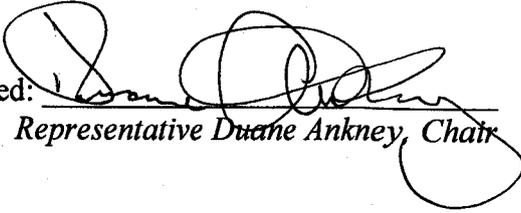
## HOUSE STANDING COMMITTEE REPORT

February 26, 2013

Page 1 of 2

Mr. Speaker:

We, your committee on Appropriations recommend that **House Bill 435** (second reading copy - yellow) **do pass as amended.**

Signed: 

*Representative Duane Ankney, Chair*

**And, that such amendments read:**

1. Title, line 11.

**Following:** "90-6-206,"

**Strike:** "AND"

**Following:** "90-6-207,"

**Insert:** "AND 90-6-208,"

2. Page 4, line 1.

**Strike:** "EIGHT"

**Insert:** "12"

3. Page 5.

**Following:** line 15

**Insert:** "**Section 4.** Section 90-6-208, MCA, is amended to read:

**"90-6-208. Applications for grants.** (1) The governing body of a city, town, county, or school district, any other local or state governmental unit or agency, or the governing body of a federally recognized Indian tribe may apply for a grant to enable it to provide governmental services that are needed as a direct consequence of an increase or decrease of coal development or of an increase or decrease in the consumption of coal by a coal-using energy complex. The board shall prescribe the form for applications. Applicants shall describe the nature of their proposed expenditures and the time involved.

(2) An application by the governing body of a local government unit that is designated under 90-6-207(2) and that has proposed a railroad quiet zone under 49 CFR, parts 222 and 229,

**Committee Vote:**

**Yes 20, No 1**

Fiscal Note Required

HB0435002SC.hjk

DC 2-26  
10:15

February 26, 2013

Page 2 of 2

or that is designated under 90-6-207(3) must be accompanied by an application review fee of \$5."

- END -

HB0435002SC.hjk



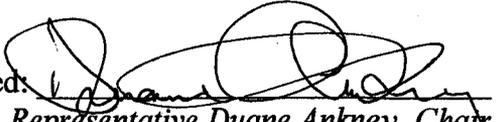
**HOUSE STANDING COMMITTEE REPORT**

**February 26, 2013**

**Page 1 of 1**

Mr. Speaker:

We, your committee on **Appropriations** recommend that **House Bill 355** (second reading copy -  
- yellow) **do pass**.

Signed:   
*Representative Duane Ankney, Chair*

- END -

**Committee Vote:**

**Yes 12, No 9**

Fiscal Note Required

HB0355002SC.hjk

10:15 DC  
2-26



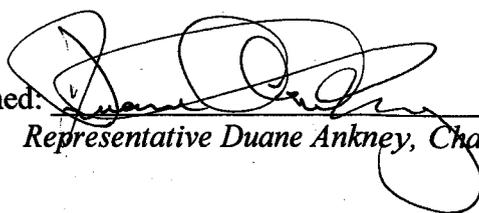
**HOUSE STANDING COMMITTEE REPORT**

**February 26, 2013**

**Page 1 of 2**

Mr. Speaker:

We, your committee on **Appropriations** recommend that **House Bill 297** (second reading copy - yellow) **do pass as amended.**

Signed: 

*Representative Duane Ankney, Chair*

**And, that such amendments read:**

1. Title, line 10.

**Following:** "PROGRAM"

**Insert:** "OR OTHER APPLICABLE FEDERAL LAW"

2. Title, line 10 through line 11.

**Strike:** "PROVIDING" on line 10 through "LAW;" on line 11

3. Page 2, line 30.

**Following:** "filed"

**Insert:** "and that the employer has 15 days to respond to the complaint"

4. Page 3, line 13.

**Following:** "hearing"

**Insert:** ", subject to the contested case provisions of the Montana Administrative Procedure Act,"

5. Page 3, line 16.

**Following:** "program"

**Strike:** ". An employer who establishes that"

**Insert:** "or"

6. Page 3, line 17 through line 18.

**Strike:** "establishes" on line 17 through "(1)" on line 18

7. Page 3, line 19.

**Committee Vote:**

**Yes 13, No 8**

Fiscal Note Required

HB0297005SC.hjk

*2-26 DC*  
*10:15*

**Strike:** "8 U.S.C. 1324a(b)"

**Insert:** "this subsection"

8. Page 4, line 19.

**Following:** "(5)"

**Insert:** "(a)"

9. Page 4, line 21.

**Following:** "suspend,"

**Strike:** "for at least 30 days or for a longer period of time"

10. Page 4, line 22.

**Following:** "department"

**Insert:** "pursuant to subsection (5)(b)"

11. Page 4, line 27.

**Following:** "suspend"

**Strike:** "for at least 30 days or for a longer period"

12. Page 4, line 28.

**Following:** "department"

**Insert:** "pursuant to subsection (5)(b)"

13. Page 4, following line 28.

**Insert:** "(b) (i) For a second offense that is subject to the provisions of subsection (5)(a), the employer's licenses must be suspended for a 1-day period.

(ii) For a third offense that is subject to the provisions of subsection (5)(a), the employer's licenses must be suspended for a 3-day period.

(iii) For a fourth or subsequent offense that is subject to the provisions of subsection (5)(a), the employer's licenses must be suspended for a 10-day period."

14. Page 4, line 29 through line 30.

**Strike:** subsection (6) in its entirety

**Renumber:** subsequent subsections

- END -

## BILL TABLED NOTICE

### HOUSE APPROPRIATIONS COMMITTEE

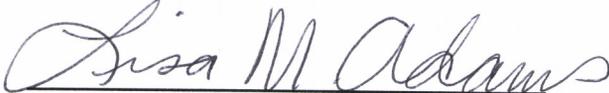
The HOUSE APPROPRIATIONS COMMITTEE TABLED

HB 249 - Revising laws related to presence of bison/buffalo on private property - Rep. Alan Doane

HB 275 - Revise DUI laws - Rep. Keith Regier

HB 484 - Generally revise bison laws - Rep. Alan Redfield

, by motion, on Tuesday, February 26, 2013.



(For the Committee)



\_\_\_\_\_  
(For the Chief Clerk of the House)

10:00

(Time)

2-26

(Date)

February 26, 2013 (9:55am)

Lisa Adams, Secretary

Phone: 1754  
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