

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: Chair Duane Ankney, on February 20, 2013 at 3:00 PM, in Room 102
Capitol

ROLL CALL

Members Present:

Rep. Duane Ankney, Chair (R)
Rep. Steve Gibson, Vice Chair (R)
Rep. Galen Hollenbaugh, Vice Chair (D)
Rep. Nancy Ballance (R)
Rep. Randy Brodehl (R)
Rep. Rob Cook (R)
Rep. Mike Cuffe (R)
Rep. Kimberly Dudik (D)
Rep. Champ Edmunds (R)
Rep. Ron Ehli (R)
Rep. Dave Hagstrom (R)
Rep. Roy Hollandsworth (R)
Rep. Donald W. Jones (R)
Rep. Kelly McCarthy (D)
Rep. Bill McChesney (D)
Rep. Robert (Bob) Mehlhoff (D)
Rep. Pat Noonan (D)
Rep. Lea Whitford (D)
Rep. Tom Woods (D)

Members Excused: Rep. Carl Glimm (R)
Rep. Ryan Osmundson (R)

Members Absent: None

Staff Present: Lisa Adams, Committee Secretary
Julie Johnson, Legislative Branch
Joe Triem, 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 288, 2/15/2013; HB 84, 2/15/2013; HB 241, 2/15/2013;
HB 249, 2/15/2013
Executive Action: HB 3, HB 274

00:01:09 Chair Ankney

HEARING ON HB 84

Opening Statement by Sponsor:

00:03:04 Rep. Pat Noonan (D), HD 73, opened the hearing on HB 84, Revise 72-hour presumptive eligibility requirements for crisis stabilization.

Proponents' Testimony:

00:04:05 Kathy McGowan, Eastern Montana Mental Health Center, Western Montana Mental Health Center and Center for Mental Health
00:04:41 Beth Breneman, Attorney, Disability Rights Montana
00:05:25 Alicia Smith, Member, National Alliance for Mental Illness (NAMI) Montana
00:06:32 Doctor Gary Mihelish, Dentist, NAMI
00:07:24 Mike Foster, Catholic Hospitals in Montana
00:09:06 Rep. Gibson left.
00:09:30 Don Reed, Member, Riverstone Board of Health, Riverstone Hospital, Billings
00:10:33 Matt Kuntz, Executive Director, NAMI

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:11:41 Rep. Noonan

00:11:46 Rep. Gibson arrived.

HEARING ON HB 241

Opening Statement by Sponsor:

00:12:28 Rep. Mike Miller (R), HD 84, opened the hearing on HB 241, Require DPHHS to provide Medicaid recipients with an explanation of benefits.

Proponents' Testimony:

00:13:39 Joel Peden, Montana Association for Rehabilitation (MAR) and Montana Centers for Independent Living

Opponents' Testimony: None

Informational Testimony:

00:15:14 Jeff Buska, Administrator, Quality Assurance Division, Department of Public Health and Human Services (DPHHS)

Questions from Committee Members and Responses:

00:15:42 Rep. Ballance

00:16:23 Mr. Buska, DPHHS

Closing by Sponsor:

00:17:05 Rep. Miller

HEARING ON HB 249**Opening Statement by Sponsor:**

00:17:52 Rep. Alan Doane (R), HD 38, opened the hearing on HB 249, Revising laws related to presence of bison/buffalo on private property.

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

00:18:43 Mark Azure, Fort Belknap Indian Reservation

00:19:43 Nick Gevock, Montana Wildlife Federation (MWF)

00:21:34 Ron Trahan, Council Member, Confederation of Salish and Kootenai Tribes (CSKT)

EXHIBIT(aph38a01)

00:24:11 Dustin Monroe, Executive Director, Western Native Voice

00:27:38 Darrell Geist, Habitat Coordinator, Buffalo Field Campaign

EXHIBIT(aph38a02)

00:28:53 Don Woerner, Veterinarian and member, Montana Bison Association, Laurel

Informational Testimony: None**Questions from Committee Members and Responses:** None**Closing by Sponsor:**

00:29:51 Rep. Doane

HEARING ON HB 288**EXHIBIT(aph38a03)****Opening Statement by Sponsor:**

00:31:17 Rep. Nicholas Schwaderer (R), HD 14, opened the hearing on HB 288, Generally revising school laws creating a special education savings account.

Proponents' Testimony:

00:33:59 Christina Larson, Self, Butte

00:38:06 Tonya Curtis, Self, Speech and Language Pathologist, Sheridan

00:46:00 Tonya Shellnutt, Self

00:49:11 Pat Wagman, Montana Family Foundation

EXHIBIT(aph38a04)

00:55:02 Rep. Jones left.

Opponents' Testimony:

00:59:00 Dennis Parman, Deputy Superintendent, Office of Public Instruction (OPI)

EXHIBIT(aph38a05)

01:08:36 Lance Melton, Montana School Boards Association (MTSBA)

01:11:58 Marco Ferro, Montana Education Association - Montana Federation of Teachers (MEA-MFT)
 01:12:11 Rep. McChesney left.
 01:12:17 Dan Schmidt, Superintendent, Colstrip Public Schools
 01:13:32 Daniel Farr, Superintendent, Sidney Public Schools
 01:14:37 Darlene Schottle, Superintendent, Kalispell Public Schools
 01:16:12 Randy Cline, District Superintendent, Frenchtown Schools
 01:16:51 Monte Silk, Superintendent, District #1, Corvallis
 01:17:42 Jan Cahill, Chairman, Board of Education, Great Falls Public Schools and Superintendent, Denton Public School
 01:18:41 Les Meyer, Superintendent, Fairfield
 01:20:05 Tonia Bloom, Trustee, Corvallis School District
 01:21:39 Andrea Johnson, Superintendent, Townsend School District
 01:22:18 Renee Rasmussen, Superintendent, Bainville Public Schools
 01:23:38 Don Reed, Self
 01:23:40 Rep. McChesney arrived.

Informational Testimony:

01:25:36 Frank Podobnik, Special Education Division Administrator, Special Education Division, Office of Public Instruction (OPI)

Questions from Committee Members and Responses:

01:25:57 Rep. Cook
 01:26:39 Mr. Parman, OPI
 01:27:09 Rep. Ballance
 01:27:40 Rep. Noonan left.
 01:27:48 Mr. Parman, OPI
 01:28:16 Rep. Ballance
 01:28:27 Mr. Parman, OPI
 01:28:52 Rep. Ballance
 01:29:02 Mr. Parman, OPI
 01:29:14 Rep. Ballance
 01:29:23 Mr. Parman, OPI
 01:29:49 Rep. Ballance
 01:30:15 Mr. Parman, OPI
 01:30:33 Rep. Noonan arrived.
 01:30:57 Ms. Schottle, Kalispell Public Schools
 01:31:29 Rep. Dudik
 01:33:02 Rep. Schwaderer

EXHIBIT(aph38a06)

01:33:26 Rep. Dudik
 01:34:31 Rep. Edmunds
 01:34:37 Rep. Schwaderer
 01:35:05 Rep. Edmunds
 01:35:18 Rep. Schwaderer
 01:36:10 Rep. McChesney
 01:36:27 Rep. Jones arrived.
 01:36:36 Mr. Parman, OPI
 01:37:06 Rep. McChesney
 01:37:37 Ms. Rasmussen, Bainville Public Schools

01:38:17 Rep. Dudik
01:38:58 Rep. Schwaderer
01:40:46 Rep. Edmunds

Closing by Sponsor:

01:41:14 Rep. Schwaderer

01:42:53 Rep. Cuffe and Rep. Woods left.

01:44:18 Recessed.
01:57:19 Reconvened.

EXECUTIVE ACTION ON HB 3

01:57:36 **Motion:** Rep. Ankney moved that **HB 3 DO PASS.**

01:57:44 **Motion:** Rep. Brodehl moved that **HB 3 BE SEGREGATED.**

Discussion:

01:57:59 Rep. Brodehl
01:59:53 Rep. Cook
01:59:56 Rep. Brodehl
02:00:05 Chair Ankney
02:00:09 Ms. Johnson, LFD
02:00:25 Rep. Cook
02:00:33 Chair Ankney
02:00:35 Rep. Cook

02:01:20 Rep. Brodehl **WITHDREW MOTION HB 3 BE SEGREGATED.**

Discussion:

02:01:37 Rep. Cook
02:01:58 **Motion:** Rep. Gibson moved that **HB 3 BE AMENDED.**

02:02:23 **Motion/Vote:** Rep. Gibson moved **AMENDMENT BE SEGREGATED AND LINES 1, 2, 3, 5, AND 6 ADOPTED.** Motion carried 13-8 by roll call vote with Rep. Ballance, Rep. Brodehl, Rep. Cuffe, Rep. Edmunds, Rep. Ehli, Rep. Glimm, Rep. Jones and Rep. Osmundson voting no. Rep. Cuffe, Rep. Glimm and Rep. Osmundson voted by proxy.

EXHIBIT(aph38a07)

Discussion:

02:05:49 Rep. Brodehl
02:06:15 Rep. Glimm arrived.
02:06:37 Rep. Cook
02:06:54 Rep. Brodehl
02:07:12 Chair Ankney

02:07:46 **Motion:** Rep. Ankney moved that **HB 3 BE AMENDED.**

EXHIBIT(aph38a08)

Discussion:

02:08:25 Rep. Gibson

02:08:48 **Vote:** Motion failed 3-18 by roll call vote with Rep. Ankney, Rep. Edmunds and Rep. Jones voting aye. Rep. Cuffe and Rep. Osmundson voted by proxy.

02:11:31 **Motion:** Rep. Ankney moved that **HB 3 BE AMENDED.**
EXHIBIT(aph38a09)

Discussion:

02:12:05 Rep. McCarthy

02:13:28 Chair Ankney

02:13:34 Rep. McCarthy

02:13:54 **Vote:** Motion carried unanimously by voice vote. Rep. Cuffe and Rep. Osmundson voted by proxy.

02:14:57 **Motion:** Rep. Hollenbaugh moved that **AMENDMENT BE SEGREGATED AND LINE 7 ADOPTED.**
EXHIBIT(aph38a10)

Discussion:

02:16:39 Rep. Gibson

02:18:06 Chair Ankney

02:18:42 Rep. Ballance

02:18:46 Rep. Gibson

02:19:04 **Vote:** Motion carried 20-1 by roll call vote with Rep. Osmundson voting no. Rep. Cuffe and Rep. Osmundson voted by proxy.

02:20:32 **Motion:** Rep. Ankney moved that **HB 3 BE AMENDED.**

Discussion:

02:22:01 Ms. Johnson, LFD

02:22:13 Rep. Cook

02:22:24 **Motion/Vote:** Rep. Ankney moved that **AMENDMENT BE SEGREGATED AND LINE 10 ADOPTED.** Motion carried unanimously by voice vote. Rep. Cuffe and Rep. Osmundson voted by proxy.

EXHIBIT(aph38a11)

Discussion:

02:23:35 Rep. Brodehl

02:24:25 Rep. Hagstrom

02:25:00 Rep. Gibson

02:25:37 Rep. Hagstrom

02:25:49 Chair Ankney

02:25:56 Rep. Brodehl

02:26:35 Chair Ankney

02:27:24 Rep. Gibson

02:27:52 **Motion:** Rep. Ankney moved that **HB 3 DO PASS AS AMENDED.**

Discussion:

02:28:16 Rep. Brodehl

02:28:28 Rep. Cuffe arrived.

02:29:11 Rep. Gibson

02:31:28 Rep. McChesney

02:32:06 Rep. Ballance

02:33:00 **Vote:** Motion carried 14-7 by roll call vote with Rep. Ballance, Rep. Brodehl, Rep. Edmunds, Rep. Glimm, Rep. Hagstrom, Rep. Jones and Rep. Osmundson voting no. Rep. Osmundson voted by proxy.

02:34:58 Chair Ankney

EXECUTIVE ACTION ON HB 274

02:35:59 **Motion/Vote:** Rep. Ankney moved that **HB 274 DO PASS.** Motion carried 15-6 by roll call vote with Rep. Cook, Rep. Dudik, Rep. McCarthy, Rep. McChesney, Rep. Mehlhoff and Rep. Noonan voting no. Rep. Osmundson voted by proxy.

02:38:02 Chair Ankney

ADJOURNMENT

Adjournment: 02:38:15

Lisa Adams, Secretary

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Additional Documents:

EXHIBIT([aph38aad.pdf](#))