

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: Chair Duane Ankney, on February 26, 2013 at 8:30 A.M., 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. Carl Glimm (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. Ryan Osmundson (R)
Rep. Lea Whitford (D)
Rep. Tom Woods (D)

Members Excused: None

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 322, 2/22/2013; HB 297, 2/22/2013; HB 355, 2/22/2013;
HB 435, 2/25/2013; HB 484, 2/25/2013
Executive Action: HB 297, HB 355, HB 435, HB 484, HB 249, HB 275

00:05:43 Chair Ankney

HEARING ON HB 484

Opening Statement by Sponsor:

00:07:37 Rep. Alan Redfield (R), HD 61, opened the hearing on HB 484, Generally revise bison laws.

[EXHIBIT\(aph43a01\)](#)

[EXHIBIT\(aph43a02\)](#)

[EXHIBIT\(aph43a03\)](#)

Proponents' Testimony:

00:09:56 John Younberg, Montana Farm Bureau

00:10:50 Jay Bodner, Montana Stock Growers Association

00:11:14 Jim Brown, Montana Wool Growers Association

Opponents' Testimony:

00:11:34 Nick Gevock, Montana Wildlife Federation

00:12:44 Christian Mackay, Executive Director, Montana Board of Livestock, Department of Livestock (DOL)

00:14:59 Becky Dockter, Chiel Legal Council, Department of Fish, Wildlife and Parks (FWP)

00:16:23 Shane Morigeau, Confederation Salish and Kootenai Tribes (CSKT)

00:17:34 Jean Souvigney, Greater Yellowstone Coalition, Livingston

00:18:19 Ben Lamb, National Wildlife Federation and World Wildlife Fund

Informational Testimony: None

Questions from Committee Members and Responses:

00:19:00 Rep. McCarthy

00:19:24 Mr. Mackay, DOL

00:19:31 Rep. McCarthy

00:20:05 Mr. Mackay, DOL

00:21:20 Rep. McCarthy

00:21:29 Mr. Mackay, DOL

00:21:52 Rep. McChesney

00:22:20 Mr. Mackay, DOL

Closing by Sponsor:

00:24:36 Rep. Redfield

HEARING ON HB 297

Opening Statement by Sponsor:

00:25:39 Rep. David Howard (R), HD 60, opened the hearing on HB 297, Provide that employment of an unauthorized alien is unlawful.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:26:59 Rep. McCarthy

00:29:03 Rep. Howard

00:29:58 Rep. Gibson

00:30:19 Rep. Howard

EXHIBIT(aph43a04)

00:30:45 Rep. Dudik left.

Closing by Sponsor:

00:31:12 Rep. Howard

HEARING ON HB 355

Opening Statement by Sponsor:

00:31:41 Rep. Christy Clark (R), HD 17, opened the hearing on HB 355, Eliminate the 5-year look back for alcohol and drug driving offenses.

Proponents' Testimony:

00:32:32 Jon Bennion, Deputy Attorney General, Attorney General's Office, Department of Justice (DOJ)

00:33:24 Larry Epstein, Montana County Attorneys Association (MCAA) and Montana Association of Chiefs of Police (MACOP)

00:33:45 Jane Hamman, Montana Traffic Education Association (MTEA)

00:34:17 Jessie Luther, Association of Montana Troopers (AMT)

Opponents' Testimony: None

Informational Testimony:

00:34:56 Bill Hooks, Chief Public Defender, Office of the Public Defender (OPD)

Questions from Committee Members and Responses:

00:35:27 Rep. Gibson

00:35:48 Rep. Clark

00:36:11 Rep. Gibson

00:36:30 Rep. Clark

00:36:33 Rep. Ballance

00:37:11 Mr. Hooks, OPD

Closing by Sponsor:

00:37:36 Rep. Clark

HEARING ON HB 322

Opening Statement by Sponsor:

00:38:58 Rep. Mike Cuffe (R), HD 2, opened the hearing on HB 322, Revise laws related to livestock loss.

Proponents' Testimony:

00:40:15 Randy Tunby, Rancher and President, Montana Wool Growers Association,
Southeastern Montana
00:40:58 Rep. Gibson left.
00:41:13 Rep. Hollenbaugh left.
00:41:48 Dave McEwen, Montana Wool Growers Association
00:42:15 George Golie, Montana Wildlife Federation
00:42:52 Ben Lamb, National Wildlife Federation and Greater Yellowstone Coalition

EXHIBIT(aph43a05)

00:43:39 Seth Wilson, Conservation Biologist, Self

EXHIBIT(aph43a06)

00:45:27 Jay Bodner, Montana Stockgrowers Association
00:46:19 John Youngberg, Montana Farm Bureau Federation
00:46:35 Ariel Overstreet, Montana Cattlewomen
00:46:49 Jim Brown, Montana Wool Growers Association

EXHIBIT(aph43a07)**Opponents' Testimony:** None**Informational Testimony:**

00:47:33 Elaine Allestad, Chairman, Livestock Loss Board

EXHIBIT(aph43a08)

00:48:12 George Edwards, Secretary, Livestock Loss Board

Questions from Committee Members and Responses:

00:48:37 Rep. Mehlhoff
00:49:08 Mr. Brown, Montana Wool Growers Association
00:50:04 Rep. Hollandsworth
00:50:19 Rep. Cuffe

Closing by Sponsor:

00:51:12 Rep. Cuffe

HEARING ON HB 435**Opening Statement by Sponsor:**

00:51:58 Rep. Bill McChesney (D), HD 40, opened the hearing on HB 435, Revise laws
related to coal board grants and railroad quiet zones.

EXHIBIT(aph43a09)**Proponents' Testimony:**

00:54:06 Matt Elsaesser, Helena Commissioner, Self
00:54:38 Alec Hansen, Montana League of Cities and Towns
00:54:39 Rep. Noonan left.

Opponents' Testimony: None**Informational Testimony:** None

Questions from Committee Members and Responses:

00:57:23 Rep. Hagstrom
00:57:25 Mr. Hansen, Montana League of Cities and Towns
00:57:27 Rep. McChesney
00:57:46 Rep. Ballance
00:58:07 Rep. McChesney
00:58:42 Rep. Ballance
00:59:07 Rep. McChesney

Closing by Sponsor:

01:00:18 Rep. McChesney

EXECUTIVE ACTION ON HB 249

01:02:48 **Motion:** Rep. Gibson moved that **HB 249 DO PASS.**

01:02:53 **Substitute Motion/Vote:** Rep. Cook made a substitute motion that **HB 249 BE TABLED.** Substitute Motion carried 19-2 by roll call vote with Rep. Glimm and Rep. Osmundson voting no. Rep. Dudik and Rep. Noonan voted by proxy.

EXECUTIVE ACTION ON HB 275

01:04:35 **Motion:** Rep. Gibson moved that **HB 275 DO PASS.**

01:04:40 **Substitute Motion/Vote:** Rep. Cook made a substitute motion that **HB 275 BE TABLED.** Substitute Motion carried 13-8 by roll call vote with Rep. Ballance, Rep. Brodehl, Rep. Cuffe, Rep. Edmunds, Rep. Glimm, Rep. Jones, Rep. Osmundson and Rep. Woods voting no. Rep. Dudik and Rep. Noonan voted by proxy.

EXECUTIVE ACTION ON HB 355

01:06:21 **Motion:** Rep. Gibson moved that **HB 355 DO PASS.**

Discussion:

01:07:06 Rep. Ballance

01:07:24 Rep. Noonan arrived.

01:07:30 **Vote:** Motion carried 12-9 by roll call vote with Rep. Ankney, Rep. Cook, Rep. Cuffe, Rep. Gibson, Rep. Hollandsworth, Rep. Hollenbaugh, Rep. Mehlhoff, Rep. Noonan and Rep. Whitford voting no. Rep. Dudik voted by proxy.

EXECUTIVE ACTION ON HB 297

01:09:04 **Motion:** Rep. Gibson moved that **HB 297 DO PASS.**

01:09:09 **Motion/Vote:** Rep. Cook moved that **HB 297 BE AMENDED.** Motion carried unanimously by voice vote. Rep. Dudik voted by proxy.

EXHIBIT(aph43a10)

01:09:55 **Motion:** Rep. Gibson moved that **HB 297 DO PASS AS AMENDED**.

Discussion:

01:10:05 Rep. McCarthy
01:11:21 Rep. Hollenbaugh
01:11:59 Rep. Cook
01:12:11 Rep. Hollenbaugh
01:12:34 Rep. Dudik arrived.

01:12:39 **Vote:** Motion carried 13-8 by roll call vote with Rep. Dudik, Rep. Edmunds, Rep. Hollenbaugh, Rep. McCarthy, Rep. McChesney, Rep. Noonan, Rep. Whitford and Rep. Woods voting no.

EXECUTIVE ACTION ON HB 322

01:14:03 **Motion:** Rep. Gibson moved that **HB 322 DO PASS**.

01:14:22 **Motion/Vote:** Rep. Brodehl moved that **HB 322 BE AMENDED**. Motion carried unanimously by voice vote.

EXHIBIT(aph43a11)

01:15:16 **Motion/Vote:** Rep. Gibson moved that **HB 322 DO PASS AS AMENDED**. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 435

01:15:44 **Motion:** Rep. McChesney moved that **HB 435 DO PASS**.

01:15:53 **Motion/Vote:** Rep. McChesney moved that **HB 435 BE AMENDED**. Motion carried 20-1 by voice vote with Rep. Brodehl voting no.

EXHIBIT(aph43a12)

01:16:26 **Motion/Vote:** Rep. McChesney moved that **HB 435 DO PASS AS AMENDED**. Motion carried 20-1 by voice vote with Rep. Brodehl voting no.

EXECUTIVE ACTION ON HB 484

01:16:58 **Motion:** Rep. Gibson moved that **HB 484 DO PASS**.

01:17:17 **Substitute Motion/Vote:** Rep. Cook made a substitute motion that **HB 484 BE TABLED**. Substitute Motion carried 18-3 by roll call vote with Rep. Ballance, Rep. Glimm and Rep. Osmundson voting no.

00:18:30 Chair Ankney
01:18:45 Ms. Johnson, LFD

EXHIBIT(aph43a13)

01:19:58 Chair Ankney
01:20:03 Rep. McCarthy
01:20:29 Ms. Johnson, LFD

EXECUTIVE ACTION ON HB 171

01:20:34 **Motion:** Rep. Gibson moved that **HB 171 DO PASS.**

Discussion:

01:20:44 Rep. Hollenbaugh

01:21:12 Ms. Johnson, LFD

01:21:16 Rep. Brodehl

01:21:35 Ms. Johnson, LFD

01:21:47 Rep. Cuffe

01:22:08 Ms. Johnson, LFD

01:22:10 Rep. Cuffe

01:22:33 **Motion:** Rep. Ankney moved that **HB 171 DO PASS AS CONCEPTUAL AMENDMENTS ARE ADOPTED.**

01:22:49 **Motion/Vote:** Rep. Gibson moved that **HB 171 DO PASS AS AMENDED.**
Motion carried 20-1 by roll call vote with Rep. Edmunds voting no.

ADJOURNMENT

Adjournment: 01:26:15

Lisa Adams, Secretary

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Additional Documents:

EXHIBIT([aph43aad.pdf](#))