

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: Chair Duane Ankney, on March 22, 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. 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: SB 236
Executive Action: HB 266, HB 377, HB 454, HB 14, HB 354, HB 471,
HB 580, HB 599, HB 606, HB 267

00:05:04 Chair Ankney

HEARING ON SB 236

Opening Statement by Sponsor:

00:06:55 Sen. Alan Olson (R), SD 23, opened the hearing on SB 236, Increase coal board funding until June 30, 2019.

Proponents' Testimony:

00:08:28 Jim Atchison, Southeastern Montana Development Corporation (SEMDC)

00:10:01 Rep. Duane Ankney, HD 43

00:12:21 Kathie Bailey, Executive Director, Snowy Mountain Development Corporation (SMDC)

EXHIBIT(aph62b01)

00:14:38 Mike Coryell, Executive Director, Miles City Area Economic Development Council (MCAEDC)

00:15:58 Bob Gilbert, Montana Association of Oil, Gas and Coal Counties, City of Glendive, Musselshell County, Rosebud County, Dawson County and Richland Economic Development

00:17:38 Harold Blattie, Executive Director, Montana Association of Counties (MACo)

00:17:40 Rep. Hollenbaugh and Rep. Cook left.

Opponents' Testimony: None

Informational Testimony:

00:18:39 Kris Wilkinson, Legislative Fiscal Division (LFD)

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:19:05 Sen. Olson

00:22:37 Chair Ankney

00:22:40 Rep. Gibson

00:22:43 Rep. Hollandsworth

EXECUTIVE ACTION ON HB 266

00:23:00 **Motion:** Rep. Gibson moved that **HB 266 DO PASS.**

00:23:32 **Substitute Motion/Vote:** Rep. Ballance made a substitute motion that **HB 266 BE TABLED.** Substitute Motion carried 19-0 by voice vote. Rep. Cook and Rep. Hollenbaugh were excused.

EXECUTIVE ACTION ON HB 267

00:23:59 **Motion:** Rep. Gibson moved that **HB 267 DO PASS.**

Discussion:

00:24:06 Rep. Hollandsworth

00:24:28 **Substitute Motion/Vote:** Rep. Glimm made a substitute motion that **HB 267 BE TABLED**. Substitute Motion carried 17-2 by voice vote with Rep. Hollandsworth and Rep. Mehlhoff voting no. Rep. Cook and Rep. Hollenbaugh were excused.

00:25:08 Rep. Cook arrived.

00:25:19 Recessed.

00:27:48 Reconvened with everyone present.

EXECUTIVE ACTION ON HB 354

00:28:06 **Motion:** Rep. Gibson moved that **HB 354 DO PASS**.

00:28:35 **Motion:** Rep. Ankney moved that **HB 354 BE AMENDED**.
[EXHIBIT\(aph62b02\)](#)

Discussion:

00:31:52 Rep. Glimm
00:32:38 Chair Ankney
00:32:59 Rep. Brodehl
00:33:13 Chair Ankney

00:33:40 **Vote:** Motion carried unanimously by voice vote.

00:34:12 **Motion:** Rep. Gibson moved that **HB 354 DO PASS AS AMENDED**.

00:34:21 **Motion:** Rep. Cuffe moved that **HB 354 BE AMENDED**.
[EXHIBIT\(aph62b03\)](#)

Discussion:

00:36:36 Julie Johnson, Legislative Services Division (LSD)
00:37:47 Rep. Cook
00:38:18 Ms. Johnson, LSD
00:39:22 Rep. Cuffe
00:39:33 Rep. Brodehl
00:39:50 Rep. Cuffe
00:40:20 Ms. Johnson, LSD
00:40:29 Rep. Brodehl
00:40:53 Rep. Gibson

00:41:24 Rep. Gibson **WITHDREW MOTION HB 354 DO PASS AS AMENDED**.

EXECUTIVE ACTION ON HB 471

00:41:34 **Motion/Vote:** Rep. Gibson moved that **HB 471 DO PASS**. Motion failed 9-12 by roll call vote with Rep. Cook, Rep. Dudik, Rep. Hollenbaugh, Rep. McCarthy, Rep. McChesney, Rep. Mehlhoff, Rep. Noonan, Rep. Whitford and Rep. Woods voting aye.

00:42:23 **Motion:** Rep. Gibson moved that **HB 471 BE TABLED**. Without objection.

EXECUTIVE ACTION ON HB 580

00:43:44 **Motion:** Rep. Gibson moved that **HB 580 DO PASS**.

Discussion:

00:44:03 Rep. Cook
00:44:21 Rep. Ballance
00:44:59 Rep. Hollenbaugh
00:45:03 Rep. Cuffe

00:45:40 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 599

00:46:04 **Motion:** Rep. Gibson moved that **HB 599 DO PASS**.

00:46:41 **Motion:** Rep. Ankney moved that **HB 599 BE AMENDED**.
[EXHIBIT\(aph62b04\)](#)

Discussion:

00:47:42 Rep. Glimm
00:47:54 Chair Ankney
00:49:51 Rep. Hollenbaugh
00:50:23 Ms. Johnson, LSD
00:50:49 Cathy Duncan, Legislative Fiscal Division (LFD)
00:51:56 Rep. Hollenbaugh
00:52:21 Chair Ankney

00:52:31 Rep. Gibson **WITHDREW MOTION HB 599 DO PASS**.

EXECUTIVE ACTION ON HB 606

00:52:50 **Motion/Vote:** Rep. Gibson moved that **HB 606 DO PASS**. Motion carried 15-6 by roll call vote with Rep. Ballance, Rep. Brodehl, Rep. Cuffe, Rep. Glimm, Rep. Jones and Rep. Osmundson voting no.

EXECUTIVE ACTION ON HB 377

00:54:29 **Motion:** Rep. Gibson moved that **HB 377 DO PASS**.

00:54:35 Rep. Gibson **WITHDREW MOTION HB 377 DO PASS**

Discussion:

00:54:58 Ginger Aldrich, Attorney, Legislative Services Division (LSD)
[EXHIBIT\(aph62b05\)](#)
00:55:20 Chair Ankney left.

01:02:40 Vice Chairman Gibson
01:02:46 Rep. Dudik
01:02:55 Ms. Aldrich, LSD

01:03:59 **Motion:** Rep. Gibson moved that **HB 377 DO PASS.**

01:04:04 **Motion:** Rep. Cook moved that **HB 377 BE AMENDED.**

[EXHIBIT\(aph62b06\)](#)

[EXHIBIT\(aph62b07\)](#)

[EXHIBIT\(aph62b08\)](#)

Discussion:

01:06:09 Rep. Mehlhoff left.
01:07:58 Chair Ankney arrived.
01:08:01 Rep. Brodehl
01:08:49 Rep. Cook
01:09:26 Rep. Brodehl
01:09:41 Rep. Cook
01:09:50 Rep. Woods
01:10:19 Rep. Cook
01:11:11 Rep. Gibson
01:11:43 Rep. Cook
01:12:22 Rep. Ballance
01:12:37 Rep. Cook
01:12:53 Rep. Gibson
01:13:16 Rep. Cook
01:13:50 Joe Triem, Legislative Fiscal Division (LFD)
01:15:15 Rep. Cook
01:15:22 Mr. Triem, LFD
01:15:57 Rep. Ballance
01:16:14 Rep. Cook
01:16:24 Rep. Glimm
01:17:07 Rep. Cook
01:17:46 Rep. Woods
01:18:14 Rep. Cook
01:20:15 Rep. McChesney
01:21:40 Rep. Cook
01:22:30 Rep. McChesney

01:23:05 **Vote:** Motion failed 10-11 by roll call vote with Rep. Ankney, Rep. Brodehl, Rep. Cook, Rep. Edmunds, Rep. Ehli, Rep. Glimm, Rep. Hagstrom, Rep. Hollandsworth, Rep. Jones and Rep. Osmundson voting aye. Rep. Mehlhoff voted by proxy.

01:25:46 **Motion:** Rep. Cook moved that **HB 377 BE AMENDED WITH LINE 18 ONLY.**

[EXHIBIT\(aph62b09\)](#)

Discussion:

01:26:56 Rep. Gibson
01:27:00 Rep. Cook

01:27:17 Rep. Gibson
01:27:51 Ms. Johnson, LSD
01:28:00 Rep. Cook
01:28:18 Rep. Ballance
01:29:20 Rep. Mehlhoff arrived.
01:29:26 Rep. Woods

01:29:34 **Vote:** Motion carried unanimously by voice vote.

01:30:01 Rep. Gibson

01:30:12 **Motion:** Rep. Glimm moved that **HB 377 BE AMENDED.**
EXHIBIT(aph62b10)

Discussion:

01:31:46 Rep. Woods
01:32:22 Rep. McChesney
01:32:42 Rep. Woods
01:32:44 Rep. McChesney
01:32:52 Rep. Brodehl
01:33:58 Rep. Cook
01:34:43 Rep. Woods
01:35:03 Rep. Brodehl
01:35:27 Rep. Cook
01:36:01 Rep. Mehlhoff

01:37:29 **Vote:** Motion failed 5-16 by roll call vote with Rep. Ballance, Rep. Brodehl, Rep. Edmunds, Rep. Glimm and Rep. Osmundson voting aye.

01:38:39 **Motion/Vote:** Rep. Gibson moved that **HB 377 DO PASS AS AMENDED.**
Motion carried 14-7 by roll call vote with Rep. Ballance, Rep. Brodehl, Rep. Cuffe, Rep. Edmunds, Rep. Glimm, Rep. Jones and Rep. Osmundson voting no.

01:41:55 Recessed.
01:54:55 Reconvened. Rep. Noonan not present.

EXECUTIVE ACTION ON HB 454

01:55:06 **Motion:** Rep. Gibson moved that **HB 454 DO PASS.**

01:55:25 **Motion/Vote:** Rep. Cook moved that **HB 454 BE AMENDED.** Motion carried 11-10 by roll call vote with Rep. Dudik, Rep. Edmunds, Rep. Gibson, Rep. Hollenbaugh, Rep. McCarthy, Rep. McChesney, Rep. Mehlhoff, Rep. Noonan, Rep. Whitford and Rep. Woods voting no. Rep. Noonan voted by proxy.
EXHIBIT(aph62b11)
EXHIBIT(aph62b12)

01:58:25 Rep. Gibson

01:58:30 **Motion/Vote:** Rep. Glimm moved that **HB 454 BE AMENDED**. Motion failed 6-15 by roll call vote with Rep. Ballance, Rep. Brodehl, Rep. Cuffe, Rep. Edmunds, Rep. Glimm and Rep. Osmundson voting aye. Rep. Noonan voted by proxy.

[EXHIBIT\(aph62b13\)](#)

02:00:19 **Motion/Vote:** Rep. Gibson moved that **HB 454 DO PASS AS AMENDED**. Motion carried 14-7 by roll call vote with Rep. Ballance, Rep. Brodehl, Rep. Cuffe, Rep. Edmunds, Rep. Glimm, Rep. Jones and Rep. Osmundson voting no. Rep. Noonan voted by proxy.

EXECUTIVE ACTION ON HB 354

02:01:50 **Motion:** Rep. Gibson moved that **HB 354 DO PASS**.

02:01:52 **Motion/Vote:** Rep. Cuffe moved that **HB 354 BE AMENDED**. Motion carried unanimously by voice vote. Rep. Noonan voted by proxy.

[EXHIBIT\(aph62b14\)](#)

Discussion:

02:03:20 Rep. Gibson
02:03:36 Rep. Ballance
02:04:04 Ms. Johnson, LSD

02:04:16 **Motion/Vote:** Rep. Ankney moved that **HB 354 BE AMENDED**. Motion carried unanimously by voice vote. Rep. Noonan voted by proxy.

[EXHIBIT\(aph62b15\)](#)

02:05:06 **Motion/Vote:** Rep. Gibson moved that **HB 354 DO PASS AS AMENDED**. Motion carried unanimously by voice vote. Rep. Noonan voted by proxy.

EXECUTIVE ACTION ON HB 599

02:05:44 **Motion:** Rep. Gibson moved that **HB 599 DO PASS**.

02:05:50 **Motion/Vote:** Rep. Ankney moved that **HB 599 BE AMENDED**. Motion carried unanimously by voice vote. Rep. Noonan voted by proxy.

[EXHIBIT\(aph62b16\)](#)

02:07:17 **Motion/Vote:** Rep. Gibson moved that **HB 599 DO PASS AS AMENDED**. Motion carried unanimously by voice vote. Rep. Noonan voted by proxy.

EXECUTIVE ACTION ON HB 471

02:08:02 **Motion/Vote:** Rep. Ankney moved that **HB 471 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 14

02:08:40 **Motion:** Rep. Gibson moved that **HB 14 DO PASS**.

Discussion:

02:09:00 Rep. Cook

02:09:30 **Motion:** Rep. Edmunds moved that **HB 14 BE AMENDED.**
EXHIBIT(aph62b17)

Discussion:

02:09:53 Mr. Triem, LFD

02:10:46 Rep. Edmunds **WITHDREW MOTION HB 14 BE AMENDED.**

02:10:52 **Motion:** Rep. Cook moved that **HB 14 BE AMENDED.**
EXHIBIT(aph62b18)

Discussion:

02:13:38 Rep. Ballance

02:14:09 Rep. Cook

02:14:33 Rep. Ballance

02:15:08 **Vote:** Motion carried unanimously by voice vote. Rep. Noonan voted by proxy.

02:15:28 Rep. Gibson

02:15:35 **Motion:** Rep. Edmunds moved that **HB 14 BE AMENDED.**
EXHIBIT(aph62b19)

Discussion:

02:17:44 Rep. Gibson

02:17:52 Rep. Cook

02:18:12 Rep. Ballance

02:18:47 Rep. Hollenbaugh

02:20:00 Rep. McCarthy

02:20:19 Rep. Hollenbaugh

02:20:45 Rep. Cuffe

02:21:07 Rep. Edmunds

02:21:10 Rep. Cuffe

02:21:34 Rep. Edmunds

02:21:51 Rep. Cuffe

02:22:05 Rep. Cook

02:22:12 **Vote:** Motion carried 19-2 by roll call vote with Rep. Hollandsworth and Rep. McCarthy voting no. Rep. Noonan voted by proxy.

02:23:37 **Motion:** Rep. Mehlhoff moved that **HB 14 BE AMENDED.**
EXHIBIT(aph62b20)

Discussion:

02:24:54 Rep. Brodehl

02:25:05 Rep. Mehlhoff

- 02:26:28 Rep. Brodehl
02:26:49 Rep. Cook
02:27:15 Rep. Gibson
- 02:27:35 Rep. Jones
02:28:04 Rep. Mehlhoff
- 02:28:36 **Vote:** Motion failed 9-12 by roll call vote with Rep. Ankney, Rep. Cook, Rep. Dudik, Rep. Hollandsworth, Rep. McCarthy, Rep. McChesney, Rep. Mehlhoff, Rep. Noonan and Rep. Whitford voting aye. Rep. Noonan voted by proxy.
- 02:30:18 Rep. Gibson
- 02:30:24 **Motion:** Rep. Hollenbaugh moved that **HB 14 BE AMENDED.**
EXHIBIT(aph62b21)
- Discussion:**
- 02:30:59 Rep. McCarthy
02:31:02 Rep. Hollenbaugh
02:31:24 Rep. McCarthy
02:31:26 Rep. Noonan arrived.
02:31:42 Rep. Hollenbaugh
02:31:45 Rep. Edmunds left.
02:31:48 Rep. Brodehl
02:32:06 Mr. Triem, LFD
- 02:32:13 **Vote:** Motion carried 13-8 by roll call vote with Rep. Ballance, Rep. Brodehl, Rep. Cuffe, Rep. Edmunds, Rep. Glimm, Rep. Hagstrom, Rep. Jones and Rep. Osmundson voting no. Rep. Edmunds voted by proxy.
- 02:33:39 Rep. Gibson
- 02:33:46 **Motion/Vote:** Rep. Ankney moved that **HB 14 BE AMENDED.** Motion carried unanimously by voice vote. Rep. Edmunds voted by proxy.
EXHIBIT(aph62b22)
- 02:34:58 **Motion/Vote:** Rep. Gibson moved that **HB 14 DO PASS AS AMENDED.** Motion carried 13-8 by roll call vote with Rep. Ballance, Rep. Brodehl, Rep. Cuffe, Rep. Edmunds, Rep. Glimm, Rep. Hagstrom, Rep. Jones and Rep. Osmundson voting no. Rep. Edmunds voted by proxy.
- 02:37:31 Chair Ankney

ADJOURNMENT

Adjournment: 02:37:49

Lisa Adams, Secretary

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Additional Documents:

EXHIBIT([aph62bad.pdf](#))