

## MINUTES

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

#### COMMITTEE ON APPROPRIATIONS

**Call to Order:** Chair Duane Ankney, on April 12, 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. 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:** Rep. Rob Cook (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: SB 226, 4/9/2013; SB 401, 4/9/2013; SB 69, 4/9/2013;  
SB 108, 4/9/2013; SB 396, 4/9/2013  
Executive Action: SB 226, SB 401, SB 69, SB 108, SB 396, SB 117

05:55:57 Chair Ankney

**EXECUTIVE ACTION ON SB 117**

05:57:21 Rep. Cook arrived.

05:57:22 **Motion/Vote:** Rep. Gibson moved that **SB 117 BE REMOVED FROM TABLED.**  
Motion carried 20-1 by voice vote with Rep. McCarthy voting no.

05:57:49 **Motion:** Rep. Gibson moved that **SB 117 BE CONCURRED IN.**

**Discussion:**

05:58:11 Rep. McCarthy

05:58:33 Chair Ankney

05:59:25 Rep. Mehlhoff

05:59:47 Chair Ankney

05:59:51 **Vote:** Motion carried 20-1 by roll call vote with Rep. Hollandsworth voting no.  
Rep. Jones will carry the bill.

**HEARING ON SB 226**

**Opening Statement by Sponsor:**

06:01:28 Rep. Salomon for Sen. Frederick (Eric) Moore (R), SD 20, opened the hearing on SB 226, Revise laws relating to dyed diesel and vehicles dedicated to animal husbandry.

[EXHIBIT\(aph77b01\)](#)

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:**

06:03:09 Larry Flynn, Administrator, Administration Division, Montana Department of Transportation (MDT)

[EXHIBIT\(aph77b02\)](#)

**Questions from Committee Members and Responses:**

06:08:21 Rep. Ballance

06:08:39 Rep. Salomon

06:09:00 Rep. Ballance

06:09:08 Rep. Salomon

06:09:56 Rep. Glimm

06:10:30 Mr. Flynn, MDT

06:11:00 Rep. Hollandsworth

06:11:45 Mr. Flynn, MDT

**Closing by Sponsor:**

06:12:26 Rep. Salomon

[EXHIBIT\(aph77b03\)](#)

**HEARING ON SB 108****Opening Statement by Sponsor:**

06:13:49 Sen. Taylor Brown (R), SD 22, opened the hearing on SB 108, Renew Montana charitable endowment tax credit.

**EXHIBIT(aph77b04)****Proponents' Testimony:**

06:17:28 Aiden Myhre, Montana Community Foundation

**EXHIBIT(aph77b05)**

06:21:16 Liz Moore, Executive Director, Montana Nonprofit Association

06:21:25 Rep. Osmundson left.

06:22:18 Aimee Grmoljez, Billings Clinic, Montana Catholic Hospital Association, Montana Medical Association, Benefis Hospital, St. Peter's Hospital, Bozeman Deaconess, and Montana Hospital Association

06:23:24 Moe Wosepka, Executive Director, Montana Catholic Conference

06:24:27 Candace Payne, Statewide Alliance of Young Men's Christian Associations (YMCA)

06:24:30 Rep. Edmunds left.

06:24:46 Jessie Luther, Association of Montana Troopers

06:25:24 Maureen Connor, Montana Association of Counties (MACo)

06:25:55 Rep. Hollenbaugh left.

06:26:02 Charlie Briggs, Easter Seals/Goodwill

06:26:38 Jani McCall, Yellowstone Boys and Girls Ranch, Yellowstone Boys and Girls Ranch Foundation, Intermountain Children Services, and Montana Children's Initiative

06:27:04 Holly Franz, Montana Association of Certified Professional Accountants

06:27:20 Alex Hansen, Montana League of Cities and Towns (MLCT)

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

06:28:23 Dan Dodds, Tax Policy and Research, Director's Office, Department of Revenue (DOR)

**Questions from Committee Members and Responses:**

06:29:35 Rep. Ballance

06:30:00 Sen. Brown

06:30:32 Ms. Myhre, Montana Community Foundation

06:31:24 Rep. Ballance

06:31:29 Ms. Myhre, Montana Community Foundation

06:31:59 Rep. McCarthy

**Closing by Sponsor:**

06:32:23 Sen. Brown

**HEARING ON SB 69**

**Opening Statement by Sponsor:**

06:33:33 Sen. Edward Walker (R), SD 29, opened the hearing on SB 69, Revise Medicaid qualification enforcement laws.

**Proponents' Testimony:**

06:35:04 Rose Hughes, Montana Healthcare Association

**Opponents' Testimony:** None

**Informational Testimony:**

06:35:56 GERALYN DRISCOLL, Attorney, Office of Legal Affairs, Department of Public Health and Human Services (DPHHS)

**Questions from Committee Members and Responses:**

06:36:17 Rep. Brodehl  
06:36:53 Sen. Walker  
06:37:05 Rep. Edmunds arrived.

**Closing by Sponsor:**

06:37:11 Sen. Walker

**HEARING ON SB 396**

**Opening Statement by Sponsor:**

06:37:40 Sen. John Brenden (R), SD 18, opened the hearing on SB 396, Create oil and local impact account funding.

**Proponents' Testimony:**

06:39:49 Dave Galt, Executive Director, Montana Petroleum Association  
06:40:36 Cary Hegreberg, Montana Contractors' Association  
06:42:10 Alec Hansen, Montana League of Cities and Towns (MLCT)  
06:43:47 Maureen Connor, Montana Association of Counties (MACo)  
06:44:17 EJ Redding, CH2M HILL Engineers and Bainville Public Schools

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

06:44:54 Sen. Brenden

**HEARING ON SB 401****Opening Statement by Sponsor:**

06:48:01 Sen. Jon Sesso (D), SD 37, opened the hearing on SB 401, Revise disposition of metalliferous mines license tax.

**EXHIBIT(aph77b06)**

**Proponents' Testimony:**

06:52:02 Maureen Connor, Montana Association of Counties (MACo)

**EXHIBIT(aph77b07)**

**EXHIBIT(aph77b08)**

06:53:18 Jeff Amerman, Finance Director, Butte/Silver Bow County

06:55:54 John Sorich, Commissioner, Butte/Silver Bow County

**EXHIBIT(aph77b09)**

06:57:24 Tammy Johnson, Barrick and Golden Sunlight Mine, Revett Minerals Inc. and Tintin Resources

06:58:42 Chair Ankney left.

06:59:07 JR Richardson, Business Manager, Butte School District #1

07:00:35 Tom Hopgood, Montana Mining Association

07:01:30 Alec Hansen, Montana League of Cities and Towns (MLCT)

07:02:52 Dave Palmer, Commissioner, Butte/Silver Bow County

07:03:25 Edward Banderob, Self, Butte

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

07:07:21 Rep. Ballance

07:07:24 Chair Ankney arrived.

07:07:55 Sen. Sesso

07:10:38 Rep. Ballance

07:11:04 Sen. Sesso

07:12:39 Rep. Brodehl

07:12:57 Sen. Sesso

07:13:01 Rep. Brodehl

07:13:11 Sen. Sesso

07:14:02 Rep. Brodehl

**Closing by Sponsor:**

07:14:24 Sen. Sesso

07:15:34 Recessed.

07:29:03 Reconvened with Rep. Cook, Rep. Dudik and Rep. Osmundson not present.

**EXECUTIVE ACTION ON SB 69**

07:29:27 **Motion/Vote:** Rep. Gibson moved that **SB 69 BE CONCURRED IN**. Motion carried unanimously by voice vote. Rep. Cook, Rep. Dudik and Rep. Osmundson voted by proxy. Rep. Ehli will carry the bill.

**EXECUTIVE ACTION ON SB 108**

07:30:37 **Motion/Vote:** Rep. Gibson moved that **SB 108 BE CONCURRED IN**. Motion carried unanimously by voice vote. Rep. Cook, Rep. Dudik and Rep. Osmundson voted by proxy. Rep. Jones will carry the bill.

**EXECUTIVE ACTION ON SB 226**

07:30:45 Rep. Dudik arrived.

07:31:05 **Motion/Vote:** Rep. Gibson moved that **SB 226 BE CONCURRED IN**. Motion failed 8-13 by roll call vote with Rep. Ballance, Rep. Cook, Rep. Edmunds, Rep. Glimm, Rep. Hagstrom, Rep. Jones, Rep. McChesney and Rep. Osmundson voting aye. Rep. Cook and Rep. Osmundson voted by proxy. Rep. Edmunds will carry the bill.

07:32:43 **Motion/Vote:** Rep. Gibson moved that **SB 226 BE TABLED AND THE VOTE REVERSED**. Motion carried 19-0 by voice vote. Rep. Cook and Rep. Osmundson were excused.

07:32:50 Rep. Cook arrived.

**EXECUTIVE ACTION ON SB 396**

07:32:58 **Motion:** Rep. Gibson moved that **SB 396 BE CONCURRED IN**.

**Discussion:**

07:33:05 Rep. Cook

07:33:18 **Substitute Motion/Vote:** Rep. Cook made a substitute motion that **SB 396 BE TABLED**. Substitute Motion carried unanimously by voice vote. Rep. Osmundson voted by proxy.

**EXECUTIVE ACTION ON SB 401**

07:33:28 **Motion/Vote:** Rep. Gibson moved that **SB 401 BE CONCURRED IN**. Motion carried 17-4 by voice vote with Rep. Ballance, Rep. Glimm, Rep. Jones and Rep. Osmundson voting no. Rep. Osmundson voted by proxy. Rep. Noonan will carry the bill.

**ADJOURNMENT**

Adjournment: 07:33:50

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Lisa Adams, Secretary

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Additional Documents:

**EXHIBIT([aph77bad.pdf](#))**