

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: Chair Nancy Ballance, on February 23, 2015 at 3:00 PM, in Room 102 Capitol

ROLL CALL

Members Present:

Rep. Nancy Ballance, Chair (R)
Rep. Pat Noonan, Vice Chair (D)
Rep. Randy Brodehl (R)
Rep. Tom Burnett (R)
Rep. Mike Cuffe (R)
Rep. Ron Ehli (R)
Rep. Janet Ellis (D)
Rep. Carl Glimm (R)
Rep. Roy Hollandsworth (R)
Rep. Kenneth Holmlund (R)
Rep. Donald W. Jones (R)
Rep. Kelly McCarthy (D)
Rep. Robert (Bob) Mehlhoff (D)
Rep. Rae Peppers (D)
Rep. Mitch Tropila (D)
Rep. Brad Tschida (R)

Members Excused: Rep. Ryan Osmundson, Vice Chair (R)
Rep. Kimberly Dudik (D)
Rep. Dave Hagstrom (R)
Rep. Tom Woods (D)

Members Absent: None

Staff Present: Katya Grover, 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 381, 2/20/2015; HB 463, 2/20/2015; HB 474, 2/20/2015
Executive Action: HB 381; HB 463; HB 474; HB 330

00:00:01 Chair Ballance

HEARING ON HB 381

Opening Statement by Sponsor:

00:01:41 Rep. Tom Burnett (R), HD 67, opened the hearing on HB 381, Require certain state agencies to report on federal receipts.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:05:05 Rep. Mehlhoff
00:05:41 Rep. Burnett
00:06:01 Chair Ballance
00:06:38 Rep. Mehlhoff
00:06:50 Rep. Burnett
00:06:55 Rep. Mehlhoff
00:07:01 Chair Ballance
00:07:21 Rep. Mehlhoff
00:07:37 Rep. Burnett
00:08:12 Rep. Peppers
00:08:21 Rep. Burnett
00:08:29 Rep. Noonan
00:09:55 Rep. Burnett
00:10:50 Rep. Dudik arrived.
00:11:42 Rep. Noonan
00:12:27 Rep. Burnett
00:13:21 Rep. Tschida
00:14:06 Rep. Burnett
00:14:55 Rep. Tschida
00:15:31 Rep. Burnett
00:15:37 Rep. Hollandsworth

Closing by Sponsor:

00:16:10 Rep. Burnett

HEARING ON HB 463

Opening Statement by Sponsor:

00:16:29 Rep. Kelly McCarthy (D), HD 49, opened the hearing on HB 463, Revise laws related to asset forfeiture.

Proponents' Testimony: None

Opponents' Testimony:

00:20:36 Jon Bennion, Deputy Attorney general, Department of Justice (DOJ)
00:23:09 Mark Murphy, Montana County Attorneys' Association (MCAA), Montana Police Protective Association (MPPA), Montana Association of Chiefs of Police (MACOP)

Informational Testimony:

00:25:12 Wendy Johnson, Contract Manager, State Office of Public Defender (OPD)

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

00:25:42 Rep. McCarthy

HEARING ON HB 474**Opening Statement by Sponsor:**

00:27:21 Rep. Jennifer Eck (D), HD 79, opened the hearing on HB 474, Require child sexual abuse and child sex trafficking prevention efforts.

Proponents' Testimony:

00:30:35 Brian Kahn, self
00:33:14 Derek VanLuchene, President, Ryan United
00:36:09 Rep. Osmundson arrived.
00:37:43 Jon Metropoulos, Montana Association of Oil, Gas, and Coal Counties (MAOGCC)

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

00:40:42 Jon Bennion, Deputy Attorney general, Department of Justice (DOJ)

Questions from Committee Members and Responses:

00:41:17 Rep. Brodehl
00:41:54 Jon Bennion, DOJ
00:42:11 Rep. Burnett
00:42:22 Jon Bennion, DOJ
00:43:27 Rep. Burnett
00:43:41 Jon Bennion, DOJ
00:46:22 Rep. Burnett
00:46:30 Jon Bennion, DOJ
00:47:12 Rep. Noonan
00:47:35 Jon Bennion, DOJ
00:47:58 Rep. Noonan
00:49:00 Jon Bennion, DOJ
00:49:58 Rep. Cuffe
00:50:36 Derek VanLuchene, Ryan United
00:51:35 Rep. Cuffe
00:51:41 Derek VanLuchene, Ryan United

00:52:19 Rep. Cuffe
00:52:54 Derek VanLuchene, Ryan United
00:53:13 Rep. Dudik
00:53:46 Dana Toole, Bureau Chief, Department of Justice (DOJ)
00:55:13 Rep. Dudik
00:55:27 Dana Toole, Bureau Chief, DOJ
00:56:19 Rep. Dudik
00:56:43 Jon Bennion, DOJ
00:56:50 Dana Toole, Bureau Chief, DOJ

Closing by Sponsor:

00:58:39 Rep. Eck

01:04:34 Recess
01:23:55 Reconvened. Rep. Hagstrom and Rep. Woods were not present.

EXECUTIVE ACTION ON HB 381

01:24:02 **Motion/Vote:** Rep. Osmundson moved that **HB 381 DO PASS**. Motion carried 12-8 by roll call vote with Rep. Dudik, Rep. Ellis, Rep. McCarthy, Rep. Mehlhoff, Rep. Noonan, Rep. Peppers, Rep. Tropila and Rep. Woods voting no. Rep. Hagstrom and Rep. Woods voted by proxy.

EXECUTIVE ACTION ON HB 463

01:25:59 **Motion:** Rep. Osmundson moved that **HB 463 DO PASS**.

Discussion:

01:26:12 Rep. McCarthy
01:27:12 Rep. Tropila
01:27:48 Rep. Brodehl
01:28:40 Rep. Tropila
01:29:14 Rep. McCarthy
01:30:32 Rep. Brodehl

01:30:41 **Vote:** Motion carried 19-1 by roll call vote with Rep. Hollandsworth voting no. Rep. Hagstrom and Rep. Woods voted by proxy.

EXECUTIVE ACTION ON HB 474

01:32:11 **Motion:** Rep. Osmundson moved that **HB 474 DO PASS**.

01:32:18 **Motion/Vote:** Rep. Brodehl moved that **HB 474 BE TABLED**. Motion carried 12-8 by roll call vote with Rep. Dudik, Rep. Ellis, Rep. McCarthy, Rep. Mehlhoff, Rep. Noonan, Rep. Peppers, Rep. Tropila and Rep. Woods voting no. Rep. Hagstrom and Rep. Woods voted by proxy.

EXECUTIVE ACTION ON HB 330

01:34:21 **Motion:** Rep. D. Jones moved that **HB 330 BE REMOVED FROM TABLE.**

Discussion:

01:34:43 Chair Ballance
01:34:48 Rep. Tropila
01:34:57 Rep. Jones
01:36:39 Rep. McCarthy
01:36:56 Rep. Dudik
01:37:56 Rep. Jones
01:39:22 Rep. Dudik
01:40:08 Rep. Mehlhoff
01:40:18 Chair Ballance

01:40:29 **Vote:** Motion carried 14-4 by roll call vote with Rep. Dudik, Rep. Ellis, Rep. Mehlhoff and Rep. Noonan voting no.

01:41:42 Chair Ballance
01:42:05 Rep. Tropila
01:42:31 Rep. Cuffe
01:42:39 Rep. Noonan
01:42:45 Chair Ballance

01:43:09 **Motion:** Rep. Osmundson moved that **HB 330 DO PASS.**

01:43:17 **Motion:** Rep. D. Jones moved that **HB 330 BE AMENDED.**
EXHIBIT(aph41a01)

Discussion:

01:43:32 Rep. McCarthy
01:44:26 Rep. Burnett
01:44:44 Chair Ballance

01:45:11 **Substitute Motion:** Rep. D. Jones made a substitute motion that **HB 330 BE CONCEPTUALLY AMENDED TO REPLACE "(f) tanks." WITH "(f) armored vehicles."**

EXHIBIT(aph41a02)

Discussion:

01:45:40 Chair Ballance
01:45:59 Rep. Mehlhoff
01:49:26 Rep. McCarthy
01:50:25 Rep. Osmundson
01:50:35 Rep. Jones
01:52:28 **Vote:** Motion carried 16-4 by roll call vote with Rep. Dudik, Rep. Ellis, Rep. Mehlhoff and Rep. Woods voting no. Rep. Hagstrom and Rep. Woods voted by proxy.

01:53:59 **Motion:** Rep. Osmundson moved that **HB 330 DO PASS AS AMENDED.**

Discussion:

01:54:13 Rep. Burnet
01:54:53 Rep. McCarthy

01:55:12 **Vote:** Motion carried 14-6 by roll call vote with Rep. Dudik, Rep. Ellis, Rep. Hollandsworth, Rep. Mehlhoff, Rep. Noonan and Rep. Woods voting no. Rep. Hagstrom and Rep. Woods voted by proxy.

01:56:32 Rep. Tropila
01:56:40 Chair Ballance

EXECUTIVE ACTION ON HB 120

01:56:49 **Motion:** Rep. Tropila moved that **HB 120 BE REMOVED FROM TABLE.**

Discussion:

01:57:58 Chair Ballance
01:58:12 Rep. Noonan

01:58:44 **Vote:** Motion failed 7-11 by roll call vote with Rep. Dudik, Rep. Ellis, Rep. McCarthy, Rep. Mehlhoff, Rep. Noonan, Rep. Peppers and Rep. Tropila voting aye.

EXECUTIVE ACTION ON HB 301

02:00:09 **Motion:** Rep. Peppers moved that **HB 301 BE REMOVED FROM TABLE.**

Discussion:

02:01:05 Chair Ballance
02:01:13 Rep. Peppers
02:01:19 Chair Ballance
02:01:31 Rep. Hollandsworth
02:01:36 Chair Ballance
02:01:53 Rep. Peppers
02:02:08 Rep. Hollandsworth
02:02:23 Chair Ballance
02:02:49 Rep. Peppers
02:02:52 Rep. Dudik
02:03:35 Rep. Cuffe
02:03:41 Chair Ballance
02:04:17 Rep. Osmundson
02:04:58 Rep. McCarthy
02:06:01 Rep. Cuffe
02:06:17 Chair Ballance
02:06:38 Rep. Cuffe
02:06:51 Chair Ballance

02:07:01 Rep. Noonan
02:08:10 Rep. McCarthy
02:09:07 Rep. Holmlund
02:09:37 Rep. McCarthy
02:09:50 Rep. Holmlund
02:09:57 Chair Ballance
02:10:33 Julie Johnson, Legislative Services Division (LSD)
02:11:07 Rep. Holmlund
02:12:06 Rep. Dudik
02:12:31 Rep. Mehlhoff
02:13:03 Chair Ballance
02:13:12 Rep. Mehlhoff

02:13:34 Without objection, Rep. Peppers withdrew the **BE REMOVED FROM TABLE**
motion.

02:13:47 Chair Ballance

ADJOURNMENT

02:14:40 Adjournment

Katya Grover, Secretary

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Additional Documents:

EXHIBIT([aph41aad.pdf](#))