

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: Chair Nancy Ballance, on March 27, 2015 at 8:30 A.M., in Room 102
Capitol

ROLL CALL

Members Present:

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

Members Excused: Rep. Robert (Bob) Mehlhoff (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 609, 3/24/2015; HB 641, 3/24/2015; HB 574, 3/24/2015;
HB 592, 3/24/2015, HB 599, HB 416, HB 510, HB 596, HB 607,
HB 617

Executive Action: HB 4, HB 10, HB 13, HB 235, HB 423, HB 512, HB 559, HB 574,
HB 576, HB 609, HB 634, HB 636, HB 641

00:00:01 Chair Ballance

HEARING ON HB 609

Opening Statement by Sponsor:

00:03:17 Rep. Cook, HD 18, on behalf of Rep. Ed Lieser (D), HD 5, opened the hearing on HB 609, Revise resident property tax assistance programs.

Proponents' Testimony:

00:06:09 Cynthia Monteau Moore, Administrator, Property Assessment Division, Department of Revenue (DOR)

00:06:11 Rep. Mehlhoff arrived.

00:07:31 Rep. Smith, HD 31

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:08:03 Rep. Cook

HEARING ON HB 641

Opening Statement by Sponsor:

00:08:38 Rep. Roy Hollandsworth (R), HD 27, opened the hearing on HB 641, Provide for building for the Montana heritage center.

Proponents' Testimony:

00:09:39 Cary Hegreberg, Montana Contractors' Association (MCA)

Opponents' Testimony: None

Informational Testimony:

00:13:21 Cathy Duncan, Legislative Fiscal Division (LFD)

Questions from Committee Members and Responses:

00:13:49 Rep. Mehlhoff

Closing by Sponsor:

00:16:52 Rep. Hollandsworth

HEARING ON HB 574**Opening Statement by Sponsor:**

00:18:30 Rep. Jeff Essmann (R), HD 54, opened the hearing on HB 574, Revise compensation definition and funding in police and fire retirement systems.

Proponents' Testimony:

00:22:49 Jerry Williams, Montana Police Protective Association (MPPA)
00:26:20 Chair Ballance
00:26:32 Jerry Williams, MPPA
00:27:23 Tom Schneider, Self
00:27:53 Mark Murphy, Montana Police Protective Association (MPPA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:30:52 Rep. McCarthy
00:31:26 Rep. Essmann
00:32:57 Rep. McCarthy
00:33:30 Mark Murphy, MPPA
00:34:02 Rep. McCarthy
00:34:12 Mark Murphy, MPPA
00:34:51 Rep. McCarthy
00:35:11 Mark Murphy, MPPA
00:35:38 Rep. Brodehl
00:37:39 Rep. Essmann
00:37:57 Rep. Brodehl
00:38:24 Rep. Essmann
00:38:32 Rep. Brodehl
00:38:39 Mark Murphy, MPPA
00:40:08 Rep. Mehlhoff
00:40:46 Mark Murphy, MPPA
00:42:31 Rep. Mehlhoff
00:42:55 Mark Murphy, MPPA
00:43:53 Rep. Mehlhoff
00:44:20 Mark Murphy, MPPA
00:44:30 Rep. Mehlhoff
00:46:19 Mark Murphy, MPPA
00:47:16 Rep. Woods
00:48:22 Rep. Essmann
00:48:43 Rep. Woods
00:48:54 Mark Murphy, MPPA
00:49:39 Rep. Woods
00:49:45 Mark Murphy, MPPA
00:50:37 Rep. Woods
00:50:51 Mark Murphy, MPPA
00:51:34 Rep. Woods
00:51:52 Mark Murphy, MPPA

00:52:17 Rep. Woods
00:52:49 Rep. Brodehl
00:53:08 Rep. Dudik
00:54:11 Rep. Essmann

Closing by Sponsor:

00:55:49 Rep. Essmann

00:57:53 Chair Ballance
00:57:59 Rep. Tropila
00:58:06 Chair Ballance
00:58:36 Rep. Tropila
00:58:45 Chair Ballance

00:59:20 Recessed
01:31:23 Reconvened

EXECUTIVE ACTION ON HB 4

01:31:47 **Motion:** Rep. Osmundson moved that **HB 4 DO PASS.**

01:31:52 **Motion:** Rep. Osmundson moved that **HB 4 BE AMENDED.**
EXHIBIT(aph64a01)

Discussion:

01:32:06 Chair Ballance
01:33:52 Rep. Noonan
01:34:11 Julie Johnson, Legislative Services Division (LSD)
01:35:15 Rep. Noonan

01:35:21 **Vote:** Motion carried unanimously by voice vote.

01:35:47 **Motion/Vote:** Rep. Osmundson moved that **HB 4 DO PASS AS AMENDED.**
Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 10

01:36:30 **Motion:** Rep. Osmundson moved that **HB 10 DO PASS.**

01:36:37 **Motion/Vote:** Rep. Osmundson moved that **HB 10 BE AMENDED.** Motion
carried unanimously by voice vote.

EXHIBIT(aph64a02)

01:38:08 **Motion:** Rep. Osmundson moved that **HB 10 BE AMENDED.**

EXHIBIT(aph64a03)

Discussion:

01:40:40 Rep. McCarthy
01:41:27 Chair Ballance
01:41:52 Rep. Brodehl
01:42:07 Rep. Ellis
01:42:31 Chair Ballance

01:43:41 **Vote:** Motion carried unanimously by voice vote.

01:43:56 **Motion/Vote:** Rep. Osmundson moved that **HB 10 DO PASS AS AMENDED.**
Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 13

01:44:28 **Motion:** Rep. Osmundson moved that **HB 13 DO PASS.**

01:44:34 **Substitute Motion/Vote:** Rep. Brodehl made a substitute motion that **HB 13 BE TABLED.** Substitute Motion carried 11-9 by roll call vote with Rep. Dudik, Rep. Ellis, Rep. Hollandsworth, Rep. McCarthy, Rep. Mehlhoff, Rep. Noonan, Rep. Peppers, Rep. Tropila and Rep. Woods voting no.

01:45:30 Rep. Tropila
01:46:08 Chair Ballance
01:46:39 Rep. Dudik
01:46:51 Chair Ballance
01:47:50 Rep. Noonan
01:48:36 Chair Ballance
01:48:54 Rep. Noonan
01:49:04 Chair Ballance

EXECUTIVE ACTION ON HB 559

01:49:21 **Motion:** Rep. Osmundson moved that **HB 559 DO PASS.**

01:49:29 **Motion:** Rep. Osmundson moved that **HB 559 BE AMENDED.**
[EXHIBIT\(aph64a04\)](#)

Discussion:

01:49:45 Rep. McCarthy

01:50:15 **Vote:** Motion carried unanimously by voice vote.

01:50:28 **Motion/Vote:** Rep. Osmundson moved that **HB 559 DO PASS AS AMENDED.**
Motion carried 18-2 by voice vote with Rep. Burnett and Rep. Glimm voting no.

EXECUTIVE ACTION ON HB 574

01:51:09 **Motion:** Rep. Osmundson moved that **HB 574 DO PASS.**

01:51:19 **Substitute Motion/Vote:** Rep. Osmundson made a substitute motion that **HB 574 BE TABLED.** Substitute Motion carried 11-9 by roll call vote with Rep. Dudik, Rep. Ellis, Rep. Hollandsworth, Rep. McCarthy, Rep. Mehlhoff, Rep. Noonan, Rep. Peppers, Rep. Tropila and Rep. Woods voting no.

EXECUTIVE ACTION ON HB 576

01:52:49 **Motion:** Rep. Osmundson moved that **HB 576 DO PASS.**

Discussion:

01:53:10 Rep. Dudik

01:54:01 **Vote:** 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.

EXECUTIVE ACTION ON HB 609

01:54:48 **Motion:** Rep. Osmundson moved that **HB 609 DO PASS.**

01:55:00 **Substitute Motion/Vote:** Rep. Brodehl made a substitute motion that **HB 609 BE TABLED.** Substitute 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.

01:55:08 Rep. Tropila

EXECUTIVE ACTION ON HB 634

01:56:28 **Motion:** Rep. Osmundson moved that **HB 634 DO PASS.**

01:56:42 **Substitute Motion/Vote:** Rep. Brodehl made a substitute motion that **HB 634 BE TABLED.** Substitute Motion carried 13-7 by roll call vote with Rep. Dudik, Rep. Ellis, Rep. Mehlhoff, Rep. Noonan, Rep. Peppers, Rep. Tropila and Rep. Woods voting no.

EXECUTIVE ACTION ON HB 636

- 01:57:51 **Motion:** Rep. Osmundson moved that **HB 636 DO PASS.**
- 01:58:02 **Substitute Motion/Vote:** Rep. Brodehl made a substitute motion that **HB 636 BE TABLED.** Substitute Motion carried unanimously by roll call vote.

EXECUTIVE ACTION ON HB 641

- 01:59:15 **Motion:** Rep. Osmundson moved that **HB 641 DO PASS.**
- 01:59:29 Rep. Tropila
01:59:38 Chair Ballance
01:59:53 Rep. Tropila
02:01:34 Chair Ballance
- 02:01:50 **Substitute Motion/Vote:** Rep. Brodehl made a substitute motion that **HB 641 BE TABLED.** Substitute Motion carried 11-9 by roll call vote with Rep. Dudik, Rep. Ellis, Rep. Hollandsworth, Rep. McCarthy, Rep. Mehlhoff, Rep. Noonan, Rep. Peppers, Rep. Tropila and Rep. Woods voting no.

HEARING ON HB 592**Opening Statement by Sponsor:**

- 02:03:21 Rep. Tom Jacobson (D), HD 21, opened the hearing on HB 592, Provide for Montana earned income tax credit.
- 02:03:29 Chair Ballance
02:03:45 Rep. Jacobson

Proponents' Testimony:

- 02:07:46 Heather O'Loughlin, Montana Budget and Policy Center (MBPC)
EXHIBIT(aph64a05)
02:09:21 Glenn Oppel, Montana Chamber of Commerce (COC)
02:10:00 Chair Ballance
02:10:03 Glenn Oppel, COC

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

- 02:10:23 Lee Baerlocher, Administrator, Business & Income Taxes Division, Montana Department of Revenue (DOR)

Questions from Committee Members and Responses:

- 02:10:49 Rep. Tropila
02:11:37 Heather O'Loughlin, MBPC
02:12:44 Rep. Tropila
02:13:11 Heather O'Loughlin, MBPC

02:13:43 Chair Ballance
02:13:54 Rep. Dudik
02:14:32 Chair Ballance
02:14:43 Rep. Jacobson
02:15:32 Chair Ballance
02:15:50 Rep. Jacobson

Closing by Sponsor:

02:16:21 Rep. Jacobson

02:18:54 Chair Ballance
02:19:05 Rep. Woods
02:20:02 Chair Ballance
02:20:16 Rep. Woods
02:20:26 Chair Ballance
02:21:53 Rep. McCarthy
02:22:14 Rep. Noonan
02:22:33 Chair Ballance

EXECUTIVE ACTION ON HB 235

02:22:57 **Motion:** Rep. Cuffe moved that **HB 235 BE REMOVED FROM TABLE.**

Discussion:

02:23:34 Rep. Tropila
02:23:41 Rep. Cuffe

02:24:37 **Vote:** Motion carried unanimously by voice vote.

02:24:54 Chair Ballance

02:25:02 **Motion:** Rep. Osmundson moved that **HB 235 DO PASS.**

Discussion:

02:25:16 Rep. Noonan
02:25:47 Chair Ballance

02:25:59 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 423

02:26:24 **Motion/Vote:** Rep. Holmlund moved that **HB 423 BE REMOVED FROM TABLE**. Motion carried 12-8 by roll call vote with Rep. Dudik, Rep. Ellis, Rep. Hollandsworth, Rep. McCarthy, Rep. Mehlhoff, Rep. Peppers, Rep. Tropila and Rep. Woods voting no.

02:28:19 Rep. Holmlund
02:28:26 Chair Ballance

02:28:30 **Motion:** Rep. Holmlund moved that **HB 423 DO PASS**.

Discussion:

02:29:30 Rep. Brodehl
02:30:03 Rep. Woods
02:30:57 Rep. Jones
02:31:30 Rep. Mehlhoff
02:31:58 Rep. Jones
02:32:07 Rep. Mehlhoff
02:32:36 Rep. Cuffe

02:32:59 **Vote:** Motion carried 12-8 by roll call vote with Rep. Dudik, Rep. Ellis, Rep. Hollandsworth, Rep. McCarthy, Rep. Mehlhoff, Rep. Peppers, Rep. Tropila and Rep. Woods voting no.

EXECUTIVE ACTION ON HB 512

02:34:04 **Motion/Vote:** Rep. McCarthy moved that **HB 512 BE REMOVED FROM TABLE**. Motion carried 12-8 by roll call vote with Rep. Ballance, Rep. Brodehl, Rep. Burnett, Rep. Cuffe, Rep. Ehli, Rep. Glimm, Rep. Osmundson and Rep. Tschida voting no.

02:36:35 **Motion:** Rep. McCarthy moved that **HB 512 DO PASS**.

02:36:41 **Motion:** Rep. McCarthy moved that **HB 512 BE AMENDED**.
[EXHIBIT\(aph64a06\)](#)

Discussion:

02:38:28 Chair Ballance
02:38:37 Rep. McCarthy
02:39:42 Chair Ballance
02:39:43 Rep. McCarthy
02:39:47 Chair Ballance
02:39:51 Rep. McCarthy
02:40:02 Rep. Dudik
02:40:10 Rep. McCarthy
02:40:30 Rep. Brodehl
02:41:27 Rep. Noonan
02:42:01 Rep. Hagstrom

02:42:33 Rep. Brodehl
02:43:26 Rep. Dudik
02:44:12 Rep. McCarthy
02:45:18 Rep. Cuffe
02:45:36 Rep. McCarthy
02:46:33 Rep. Cuffe
02:46:53 Rep. Brodehl
02:48:10 Rep. Cuffe
02:48:24 Rep. McCarthy
02:49:36 Rep. Holmlund
02:50:00 Rep. Burnett
02:50:14 Rep. McCarthy
02:50:26 Chair Ballance
02:51:04 Rep. Brodehl
02:52:24 Chair Ballance
02:52:29 Rep. Brodehl
02:52:44 Rep. Dudik

02:53:31 **Vote:** Motion carried 18-2 by roll call vote with Rep. Brodehl and Rep. Glimm voting no.

02:54:33 **Motion/Vote:** Rep. McCarthy moved that **HB 512 DO PASS AS AMENDED.** Motion carried 11-9 by roll call vote with Rep. Ballance, Rep. Brodehl, Rep. Burnett, Rep. Cuffe, Rep. Ehli, Rep. Glimm, Rep. Hollandsworth, Rep. Osmundson and Rep. Tschida voting no.

02:55:51 Chair Ballance
02:56:03 Rep. Ellis
02:56:09 Chair Ballance

02:56:16 Recessed

Audio committee minutes for the afternoon session continue on a separate link.

00:00:01 Reconvened

00:00:05 Chair Ballance
00:01:57 Rep. McCarthy
00:02:25 Chair Ballance
00:02:35 Rep. McCarthy
00:02:47 Chair Ballance
00:03:16 Rep. Brodehl
00:03:26 Chair Ballance
00:03:44 Rep. McCarthy
00:04:19 Chair Ballance

HEARING ON HB 599**Opening Statement by Sponsor:**

00:04:41 Rep. Lee Randall (R), HD 37, opened the hearing on HB 599, Allow for permanent registration of heavy trucks and truck tractors.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:06:44 Rep. Tropila
00:07:01 Rep. Randall
00:07:33 Rep. Ellis
00:07:52 Rep. Randall
00:08:33 Rep. Cuffe
00:08:45 Rep. Randall
00:09:09 Rep. Dudik
00:09:27 Rep. Randall
00:10:18 Rep. Dudik
00:10:29 Rep. Randall
00:10:44 Rep. Dudik
00:10:51 Rep. Ellis
00:11:56 Rep. Randall
00:13:06 Chair Ballance

Closing by Sponsor:

00:13:23 Rep. Randall

00:13:30 Chair Ballance

HEARING ON HB 416**Opening Statement by Sponsor:**

00:13:54 Rep. Robert (Bob) Mehlhoff (D), HD 22, opened the hearing on HB 416, Provide military income tax exemption.

Proponents' Testimony:

00:15:41 Jim Higgins, Montana National Guard

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:17:04 Rep. Mehlhoff

HEARING ON HB 510**Opening Statement by Sponsor:**

00:17:40 Rep. Alan Redfield (R), HD 59, opened the hearing on HB 510, Assist local governments with federal land projects.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:18:51 Rep. Ellis
00:19:16 Rep. Redfield
00:19:38 Rep. Ellis
00:20:27 Rep. Redfield
00:20:37 Rep. Cuffe
00:21:00 Rep. Redfield
00:21:03 Rep. Cuffe
00:21:08 Rep. Redfield

Closing by Sponsor:

00:21:28 Rep. Redfield

HEARING ON HB 596**Opening Statement by Sponsor:**

00:21:47 Rep. Austin Knudsen (R), HD 34, opened the hearing on HB 596, Establish public charter schools.

[EXHIBIT\(aph64a07\)](#)

Proponents' Testimony: None

Opponents' Testimony:

00:25:02 Dennis Parman, Deputy Superintendent, Office of Public Instruction (OPI)

Informational Testimony: None

Questions from Committee Members and Responses:

00:30:17 Rep. Tropila
00:30:58 Dennis Parman, OPI
00:31:36 Rep. Peppers
00:32:07 Dennis Parman, OPI
00:33:22 Rep. Mehlhoff
00:33:50 Dennis Parman, OPI

00:35:14 Rep. Glimm
00:35:36 Dennis Parman, OPI
00:36:20 Chair Ballance
00:37:03 Dennis Parman, OPI

Closing by Sponsor:

00:38:46 Rep. Knudsen

HEARING ON HB 607

Opening Statement by Sponsor:

00:39:15 Rep. Kirk Wagoner (R), HD 75, opened the hearing on HB 607, Revise anti-corruption and state employee protection laws.

00:39:43 Chair Ballance
00:39:47 Rep. Wagoner

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:40:19 Rep. Wagoner

HEARING ON HB 617

Opening Statement by Sponsor:

00:40:37 Rep. Steve Lavin (R), HD 8, opened the hearing on HB 617, Provide scholarship opportunities for higher education in Montana.

Proponents' Testimony:

00:44:10 Angela Wong, Montana Lottery

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:47:56 Rep. Woods
00:48:11 Angela Wong, Montana Lottery
00:48:28 Rep. Woods
00:48:42 Rep. Ellis
00:49:21 Rep. Hollandsworth
00:49:46 Chair Ballance
00:49:54 Rep. Hollandsworth
00:50:15 Rep. Ellis

00:50:29 Rep. Lavin
00:51:06 Rep. Holmlund
00:51:50 Rep. Lavin
00:52:46 Rep. Holmlund
00:52:53 Rep. Lavin
00:53:49 Rep. Holmlund
00:53:55 Rep. Lavin
00:54:29 Rep. Holmlund
00:54:36 Rep. Lavin
00:55:06 Rep. Holmlund
00:55:31 Rep. Lavin
00:55:47 Rep. Mehlhoff
00:56:53 Rep. Lavin
00:57:18 Rep. Mehlhoff
00:57:32 Rep. Lavin
00:57:38 Rep. Mehlhoff
00:58:20 Rep. Tropila
00:58:50 Angela Wong, Montana Lottery
00:59:53 Rep. Burnett
01:00:07 Rep. Lavin

Closing by Sponsor:

01:00:41 Rep. Lavin

01:01:56 Chair Ballance
01:02:41 Rep. Holmlund
01:02:55 Chair Ballance
01:04:33 Rep. McCarthy
01:04:55 Chair Ballance
01:06:12 Rep. McCarthy
01:08:12 Rep. Osmundson
01:09:05 Chair Ballance
01:09:11 Julie Johnson, LSD
01:09:42 Rep. Osmundson
01:10:07 Rep. Noonan
01:11:01 Chair Ballance
01:11:12 Julie Johnson, LSD
01:11:45 Chair Ballance
01:11:49 Rep. McCarthy
01:12:09 Chair Ballance
01:12:19 Rep. Osmundson
01:12:57 Rep. McCarthy
01:13:46 Chair Ballance

01:14:03 Recessed
01:25:58 Reconvened

01:26:15 Chair Ballance

ADJOURNMENT

Adjournment: 01:27:23

Katya Grover, Secretary

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Additional Documents:

EXHIBIT([aph64aad.pdf](#))