

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON APPROPRIATIONS

**Call to Order:** Chair Nancy Ballance, on March 30, 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. 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. Robert (Bob) Mehlhoff (D)  
Rep. Rae Peppers (D)  
Rep. Mitch Tropila (D)  
Rep. Brad Tschida (R)  
Rep. Tom Woods (D)

**Members Excused:** Rep. Kimberly Dudik (D)

**Members Absent:** None

**Staff Present:** Katya Grover, Committee Secretary  
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 612, 3/28/2015; HB 614, 3/28/2015; HB 628, 3/28/2015  
Executive Action: HB 341, HB 416, HB 421, HB 472, HB 510, HB 592, HB 596, HB 599, HB 607, HB 612, HB 614, HB 617, HB 628

00:00:01 Chair Ballance  
00:02:12 Rep. Noonan  
00:02:30 Chair Ballance  
00:02:37 Rep. Noonan  
00:02:48 Chair Ballance

#### **EXECUTIVE ACTION ON HB 472**

00:03:06 **Motion/Vote:** Rep. Tropila moved that **HB 472 BE REMOVED FROM TABLE.**  
Motion carried 19-0 by voice vote.

00:04:31 Rep. Tropila  
00:04:41 Chair Ballance  
00:04:47 Rep. Cuffe  
00:05:09 Chair Ballance  
00:05:18 Joe Triem, Legislative Fiscal Division (LFD)  
00:05:24 Chair Ballance  
00:06:14 Rep. Cuffe  
00:06:35 Chair Ballance

#### **EXECUTIVE ACTION ON HB 341**

00:06:55 **Motion:** Rep. Tropila moved that **HB 341 BE REMOVED FROM TABLE.**

#### **Discussion:**

00:07:29 Rep. Noonan  
00:07:52 Rep. Tschida

00:08:30 **Vote:** Motion carried 16-3 by voice vote with Rep. Burnett, Rep. Cuffe and Rep. D. Jones voting no.

#### **EXECUTIVE ACTION ON HB 120**

00:09:08 **Motion/Vote:** Rep. Tropila moved that **HB 120 BE REMOVED FROM TABLE.**  
Motion failed 9-10 by roll call vote with Rep. Cuffe, Rep. Ellis, Rep. Hagstrom, Rep. McCarthy, Rep. Mehlhoff, Rep. Noonan, Rep. Peppers, Rep. Tropila and Rep. Woods voting aye.

#### **EXECUTIVE ACTION ON HB 421**

00:10:43 **Motion/Vote:** Rep. Hollandsworth moved that **HB 421 BE REMOVED FROM TABLE.** Motion carried 12-7 by roll call vote with Rep. Ballance, Rep. Burnett, Rep. Ellis, Rep. D. Jones, Rep. Peppers, Rep. Tschida and Rep. Woods voting no.

00:12:06 Rep. McCarthy  
00:12:54 Chair Ballance

**EXECUTIVE ACTION ON HB 13**

00:13:01 **Motion/Vote:** Rep. McCarthy moved that **HB 13 BE REMOVED FROM TABLE.** Motion failed 9-10 by roll call vote with Rep. Cuffe, Rep. Ellis, Rep. Hollandsworth, Rep. McCarthy, Rep. Mehlhoff, Rep. Noonan, Rep. Peppers, Rep. Tropila and Rep. Woods voting aye.

**EXECUTIVE ACTION ON HB 3**

00:14:18 **Motion/Vote:** Rep. Tropila moved that **HB 3 BE REMOVED FROM TABLE.** Motion failed 8-11 by roll call vote with Rep. Ellis, Rep. Hollandsworth, Rep. McCarthy, Rep. Mehlhoff, Rep. Noonan, Rep. Peppers, Rep. Tropila and Rep. Woods voting aye.

00:15:23 Chair Ballance

**EXECUTIVE ACTION ON HB 301**

00:15:27 **Motion:** Rep. Peppers moved that **HB 301 BE REMOVED FROM TABLE.**

**Discussion:**

00:15:35 Chair Ballance

00:15:38 Rep. Peppers

00:15:49 **Vote:** Motion failed 8-11 by roll call vote with Rep. Ellis, Rep. Hollandsworth, Rep. McCarthy, Rep. Mehlhoff, Rep. Noonan, Rep. Peppers, Rep. Tropila and Rep. Woods voting aye.

**EXECUTIVE ACTION ON HB 493**

00:16:57 **Motion/Vote:** Rep. McCarthy moved that **HB 493 BE REMOVED FROM TABLE.** Motion failed 8-11 by roll call vote with Rep. Ellis, Rep. Hollandsworth, Rep. McCarthy, Rep. Mehlhoff, Rep. Noonan, Rep. Peppers, Rep. Tropila and Rep. Woods voting aye.

**EXECUTIVE ACTION ON HB 277**

00:18:01 **Motion/Vote:** Rep. Noonan moved that **HB 277 BE REMOVED FROM TABLE.** Motion failed 7-12 by roll call vote with Rep. Ellis, Rep. McCarthy, Rep. Mehlhoff, Rep. Noonan, Rep. Peppers, Rep. Tropila and Rep. Woods voting aye.

00:19:20 Chair Ballance  
00:19:35 Rep. Ehli assumed chairmanship.

### **HEARING ON HB 628**

#### **Opening Statement by Sponsor:**

00:20:16 Rep. Randy Brodehl (R), HD 9, opened the hearing on HB 628, Revise the replacement schedule for regular license plates.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

#### **Informational Testimony:**

00:21:29 Sarah Garcia, Department of Justice (DOJ), Motor Vehicle Division (MVD)

#### **Questions from Committee Members and Responses:**

00:21:48 Rep. Hollandsworth  
00:22:13 Rep. Brodehl  
00:22:23 Rep. Tschida  
00:22:44 Rep. Brodehl  
00:23:31 Rep. Tschida  
00:23:42 Rep. Brodehl  
00:24:00 Rep. Tropila  
00:24:17 Rep. Brodehl  
00:24:40 Rep. Holmlund  
00:25:00 Rep. Brodehl

#### **Closing by Sponsor:**

00:25:36 Rep. Brodehl  
  
00:25:59 Rep. Dudik arrived.  
  
00:26:07 Recessed  
00:43:42 Reconvened  
  
00:43:43 Rep. Ballance resumed chairmanship.

### **HEARING ON HB 612**

#### **Opening Statement by Sponsor:**

00:43:54 Rep. Kimberly Dudik (D), HD 94, opened the hearing on HB 612, Establish child abuse court diversion pilot project.

#### **Proponents' Testimony:**

00:45:36 Beth McLaughlin, Supreme Court Administrator, Montana Supreme Court (SC)  
00:46:25 Mark Murphy, Montana County Attorney's Association (MCAA)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:48:05 Rep. Hagstrom  
00:48:18 Rep. Dudik  
00:49:15 Rep. Hollandsworth  
00:49:30 Rep. Dudik  
00:50:26 Rep. Burnett  
00:50:38 Rep. Dudik  
00:51:52 Rep. Burnett  
00:52:10 Rep. Dudik  
00:53:25 Chair Ballance  
00:54:25 Rep. Dudik

**Closing by Sponsor:**

00:55:03 Rep. Dudik  
  
00:55:43 Chair Ballance  
  
00:56:35 Recessed  
01:09:30 Reconvened  
  
01:10:05 Chair Ballance

**EXECUTIVE ACTION ON HB 416**

01:10:43 **Motion/Vote:** Rep. Brodehl moved that **HB 416 DO PASS**. Motion carried 19-1 by voice vote with Rep. Burnett voting no. Rep. Osmundson voted by proxy.

**EXECUTIVE ACTION ON HB 592**

01:11:47 **Motion:** Rep. Brodehl moved that **HB 592 DO PASS**.  
01:12:16 Without objection, Rep. Brodehl withdrew the **DO PASS** motion.

**EXECUTIVE ACTION ON HB 510**

01:12:22 **Motion:** Rep. Brodehl moved that **HB 510 DO PASS**.

**Discussion:**

01:12:33 Rep. Tropila  
01:13:14 Rep. Noonan  
  
01:13:44 **Vote:** Motion carried 13-7 by roll call vote with Rep. Dudik, Rep. Ellis, Rep. McCarthy, Rep. Noonan, Rep. Peppers, Rep. Tropila and Rep. Woods voting no. Rep. Osmundson voted by proxy.

**EXECUTIVE ACTION ON HB 592**

01:14:51 **Motion:** Rep. Brodehl moved that **HB 592 DO PASS.**

**Discussion:**

01:15:07 Rep. Tropila  
01:15:52 Rep. Noonan  
01:16:32 Rep. Jones  
01:16:52 Rep. Mehlhoff  
01:17:48 Rep. Hollandsworth  
01:18:29 Rep. McCarthy  
01:18:51 Rep. Hollandsworth  
01:19:06 Rep. McCarthy

01:19:18 **Vote:** Motion failed 8-12 by roll call vote with Rep. Dudik, Rep. Ellis, Rep. McCarthy, Rep. Mehlhoff, Rep. Noonan, Rep. Peppers, Rep. Tschida and Rep. Woods voting aye. Rep. Osmundson voted by proxy.

01:20:13 **Motion/Vote:** Rep. Glimm moved that **HB 592 BE TABLED.** Motion carried 16-4 by voice vote with Rep. Ellis, Rep. McCarthy, Rep. Mehlhoff and Rep. Tropila voting no. Rep. Osmundson voted by proxy.

**EXECUTIVE ACTION ON HB 596**

01:21:01 **Motion:** Rep. Brodehl moved that **HB 596 DO PASS.**

**Discussion:**

01:21:16 Rep. Tropila  
01:22:08 Rep. Noonan  
01:22:47 Rep. Brodehl  
01:23:26 Rep. Woods

01:23:52 **Substitute Motion/Vote:** Rep. Woods made a substitute motion that **HB 596 BE TABLED.** Substitute Motion failed 9-11 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 aye. Rep. Osmundson voted by proxy.

01:24:54 Chair Ballance  
01:25:00 Rep. Holmlund  
01:25:25 Chair Ballance  
01:25:32 Rep. Holmlund  
01:26:04 Rep. Noonan

01:27:12 **Vote:** 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. Rep. Osmundson voted by proxy.

**EXECUTIVE ACTION ON HB 599**

01:28:13 **Motion/Vote:** Rep. Brodehl moved that **HB 599 DO PASS**. Motion carried 19-1 by voice vote with Rep. Dudik voting no. Rep. Osmundson voted by proxy.

**EXECUTIVE ACTION ON HB 607**

01:28:47 **Motion:** Rep. Brodehl moved that **HB 607 DO PASS**.

**Discussion:**

01:29:04 Rep. Tropila  
01:30:08 Rep. McCarthy  
01:30:27 Chair Ballance  
01:30:34 Rep. Ellis  
01:30:48 Rep. Wagoner  
01:31:31 Rep. Tropila

01:31:54 **Vote:** Motion carried 19-1 by voice vote with Rep. Noonan voting no. Rep. Osmundson voted by proxy.

**EXECUTIVE ACTION ON HB 612**

01:32:19 **Motion/Vote:** Rep. Brodehl moved that **HB 612 DO PASS**. Motion carried unanimously by voice vote. Rep. Osmundson voted by proxy.

**EXECUTIVE ACTION ON HB 617**

01:32:48 **Motion/Vote:** Rep. Brodehl moved that **HB 617 DO PASS**. Motion carried 19-1 by roll call vote with Rep. Burnett voting no. Rep. Osmundson voted by proxy.

**EXECUTIVE ACTION ON HB 628**

01:34:21 **Motion/Vote:** Rep. Brodehl moved that **HB 628 DO PASS**. Motion carried unanimously by voice vote. Rep. Osmundson voted by proxy.

**DISCUSSION ON HB 572****Discussion:**

01:35:11 Chair Ballance  
01:36:23 Rep. Tropila  
01:36:42 Chair Ballance  
01:36:51 Rep. Cuffe  
01:38:18 Chair Ballance  
01:38:27 Rep. Cuffe  
01:38:45 Rep. Glimm  
01:39:29 Chair Ballance

01:39:36 Rep. Tropila  
01:40:28 Chair Ballance  
01:40:47 Joe Triem, LFD  
01:41:43 Chair Ballance  
01:42:27 Chair Ballance  
01:42:35 Joe Triem, LFD  
01:42:44 Rep. Tropila  
01:42:58 Rep. Cuffe  
01:43:11 Chair Ballance  
01:43:12 Rep. Tropila  
01:43:44 Rep. McCarthy  
01:44:44 Rep. Glimm  
01:45:28 Rep. Brodehl  
01:45:47 Rep. Glimm  
01:46:05 Joe Triem, LFD  
01:46:11 Rep. Cuffe  
01:46:17 Chair Ballance  
01:46:28 Rep. Cuffe  
01:46:32 Joe Triem, LFD  
01:46:58 Rep. Cuffe  
01:47:18 Chair Ballance

#### **EXECUTIVE ACTION ON HB 341**

01:48:01 **Motion:** Rep. Brodehl moved that **HB 341 DO PASS.**

#### **Discussion:**

01:48:22 Rep. McCarthy  
01:48:34 Chair Ballance  
01:48:58 Stephanie Morrison, Legislative Fiscal Division, LFD  
01:50:54 Chair Ballance

01:51:01 **Vote:** Motion carried 14-6 by roll call vote with Rep. Brodehl, Rep. Burnett, Rep. Cuffe, Rep. Hagstrom, Rep. Holmlund and Rep. D. Jones voting no. Rep. Osmundson voted by proxy.

#### **EXECUTIVE ACTION ON HB 472**

01:52:02 **Motion:** Rep. Brodehl moved that **HB 472 DO PASS.**

#### **Discussion:**

01:52:20 Rep. Jones  
01:52:42 Chair Ballance  
01:53:48 Rep. Dudik

01:55:29 **Vote:** Motion carried unanimously by voice vote. Rep. Osmundson voted by proxy.

**EXECUTIVE ACTION ON HB 421**

01:55:43 **Motion:** Rep. Brodehl moved that **HB 421 DO PASS.**

**Discussion:**

01:56:03 Rep. Woods

01:56:31 Rep. Hollandsworth

01:57:23 Rep. Brodehl

01:58:14 Rep. Cuffe

01:58:32 **Vote:** Motion carried 13-7 by roll call vote with Rep. Ballance, Rep. Burnett, Rep. Dudik, Rep. Ellis, Rep. D. Jones, Rep. Tschida and Rep. Woods voting no. Rep. Osmundson voted by proxy.

01:59:33 Chair Ballance

01:59:55 Rep. Dudik

02:00:57 Chair Ballance

**HEARING ON HB 614****Opening Statement by Sponsor:**

02:01:16 Rep. Art Wittich (R), HD 68, opened the hearing on HB 614, Establish a study committee on patient compensation for medical injury.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

02:04:05 Rep. McCarthy

02:04:31 Rep. Wittich

02:05:12 Rep. Noonan

02:05:28 Rep. Wittich

02:06:06 Rep. Noonan

02:06:16 Rep. Wittich

02:06:23 Rep. Woods

02:06:52 Rep. Wittich

02:09:31 Rep. Woods

02:09:56 Rep. Wittich

02:12:30 Rep. Tropila

02:12:40 Rep. Peppers

02:13:08 Rep. Wittich

02:14:02 Rep. Cuffe

02:15:15 Rep. Wittich

02:17:15 Rep. Woods

02:17:30 Rep. Wittich

02:18:48 Rep. Woods

02:19:12 Rep. Wittich  
02:19:42 Rep. Mehlhoff  
02:20:17 Rep. Wittich  
02:21:15 Rep. Mehlhoff  
02:21:59 Rep. Wittich  
02:22:18 Rep. Burnett  
02:22:38 Rep. Wittich

**Closing by Sponsor:**

02:23:30 Rep. Wittich  
  
02:23:40 Rep. Tschida  
02:23:59 Chair Ballance

**EXECUTIVE ACTION ON HB 614**

02:24:08 **Motion:** Rep. Brodehl moved that **HB 614 DO PASS.**

**Discussion:**

02:26:12 Rep. Burnett  
02:26:45 Rep. Mehlhoff  
02:27:29 Rep. Woods  
02:28:35 Rep. McCarthy  
02:29:38 Rep. Burnett  
02:30:34 Joe Triem, LFD  
02:31:53 Rep. Burnett  
02:32:14 Rep. Noonan

02:35:32 **Vote:** Motion carried 11-9 by roll call vote with Rep. Cuffe, Rep. Dudik, Rep. Ellis, Rep. McCarthy, Rep. Mehlhoff, Rep. Noonan, Rep. Peppers, Rep. Tropila and Rep. Woods voting no. Rep. Osmundson voted by proxy.

02:36:40 Chair Ballance  
02:36:48 Joe Triem, LFD  
02:38:12 Rep. Cuffe  
02:38:21 Chair Ballance  
02:39:38 Rep. Hollandsworth  
02:39:47 Chair Ballance  
02:40:36 Rep. Dudik  
02:40:51 Chair Ballance  
02:40:58 Rep. Brodehl  
02:41:08 Chair Ballance

**ADJOURNMENT**

02:42:01      Adjournment

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Katya Grover, Secretary

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Additional Documents:

**EXHIBIT([aph66aad.pdf](#))**