

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON APPROPRIATION

**Call to Order:** By Chairman John Sinrud, on March 26, 2007 at  
9:05 A.M., in Room 102 Capitol.

#### ROLL CALL

**Members Present:**

Rep. John Sinrud, Chairman (R)  
Rep. Eve Franklin, Vice Chairman (D)  
Rep. Bill Beck (R)  
Rep. Tim Callahan (D)  
Rep. Bill E. Glaser (R)  
Rep. Ray Hawk (R)  
Rep. Cynthia Hiner (D)  
Rep. Galen Hollenbaugh (D)  
Rep. Dave Kasten (R)  
Rep. Bill McChesney (D)  
Rep. Penny Morgan (R)  
Rep. John L. Musgrove (D)  
Rep. Rick Ripley (R)  
Rep. Jon C. Sesso (D)  
Rep. Jack Wells (R)  
Rep. Craig Witte (R)

**Members Excused:** Rep. Edith Clark (R)  
Rep. Janna Taylor, Vice Chairman (R)  
Rep. Joey Jayne (D)

**Members Absent:** None.

**Staff Present:** Linda Keim, Committee Secretary  
Jon Moe, 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 839, HB 824, 3/23/2007  
Executive Action: HB 5, HB 12, HB 14, HB 95, HB 125,  
HB 354, HB 406, HB 472, HB 502, HB  
511, HB 794, HB 827, HB 835, HB  
837, HB 836, HB 495, HB 817

**HEARING ON HB 824****Opening Statement by Sponsor:**

00:01:47 Rep. Pat Ingraham (R), HD 13, opened the hearing on HB 824, Exempt military pensions from state income tax.

**Proponents' Testimony:**

00:05:49 Roger Hagan, Chief Master Sargent-Retired, Officer and Enlisted Army National Guard Associations  
00:10:02 Colonel Jim Jacobson, United States Army-Retired; Legislative Committee Chair, American Legion  
00:12:33 Dan Antonietti, State Legislative Chair, Veterans of Foreign Wars of United States

**Opponents' Testimony:** None

**Informational Testimony:**

00:13:49 Brian Olsen, Income Tax Specialist, Department of Revenue  
00:14:03 Joe Foster, Administrator, Montana Veterans Affairs Division

**Questions from Committee Members and Responses:**

00:14:19 Rep. Beck  
00:14:54 Mr. Olsen  
00:15:21 Rep. Beck  
00:15:32 Rep. Ingraham  
00:16:00 Rep. Beck  
00:18:24 Mr. Foster  
00:18:47 Rep. Sesso  
00:19:55 Mr. Olsen  
00:20:24 Rep. Sesso  
00:21:40 Mr. Foster  
00:21:47 Rep. Sesso  
00:22:07 Rep. Ingraham  
00:22:16 Rep. Musgrove  
00:24:05 Rep. Ingraham

**Closing by Sponsor:**

00:24:54 Rep. Ingraham

**HEARING ON HB 839**

00:26:36 Rep. Sinrud cancelled the hearing on HB 839 at the sponsor's request. The bill was to be sent to Taxation.

00:26:49 Break

**EXECUTIVE ACTION ON HB 5**

01:11:17 **Motion/Vote:** Rep. Callahan moved **HB 5 DO PASS**. Motion failed 9-10 by roll call vote with Rep. Franklin, Rep. Jayne, Rep. Callahan, Rep. Hiner, Rep. McChesney, Rep. Hollenbaugh, Rep. Sesso, Rep. Clark, and Rep. Musgrove voting aye. Rep. Jayne, Rep. Clark, and Rep. Taylor voted by proxy.

01:11:50 **Motion:** Rep. Wells moved **TO REVERSE VOTE AND TABLE**. Without objection, HB 5 was tabled and the vote was reversed.

**EXECUTIVE ACTION ON HB 12**

01:12:17 **Motion:** Rep. Witte moved **HB 12 DO PASS**.

01:14:19 **Motion/Vote:** Rep. Callahan moved **TO AMEND**. Motion carried 19-0 by voice vote. Rep. Jayne, Rep. Clark, and Rep. Taylor voted by proxy.

**EXHIBIT**(aph64a01)

01:15:21 **Motion/Vote:** Rep Callahan moved **TO AMEND**. Motion carried 19-0 by voice vote. Rep. Jayne, Rep. Clark, and Rep. Taylor voted by proxy.

**EXHIBIT**(aph64a02)

01:16:29 **Motion:** Rep. Witte moved **HB 12 DO PASS AS AMENDED**.

**Discussion:**

01:16:43 Rep. Hawk

01:17:20 Rep. Sinrud

01:18:11 **Vote:** Motion carried 19-0 by roll call vote. Rep. Jayne, Rep. Clark, and Rep. Taylor voted by proxy.

**EXECUTIVE ACTION ON HB 14**

01:19:34 **Motion:** Rep. Morgan moved **TO TABLE HB 14**. Motion carried 11-8 by roll call vote, with Rep. Franklin, Rep. Jayne, Rep. Callahan, Rep. Hiner, Rep. McChesney, Rep. Hollenbaugh, Rep. Sesso, and Rep. Musgrove voting no. Rep. Jayne, Rep. McChesney, Rep. Clark, and Rep. Taylor voted by proxy.

**EXECUTIVE ACTION ON HB 95**

01:21:04 **Motion/Vote:** Rep. Musgrove moved **HB 95 DO PASS**. Motion carried 17-2 by roll call vote, with Rep. Witte and Rep. Hawk voting no. Rep. Jayne, Rep. McChesney, Rep. Clark, and Rep. Taylor voted by proxy.

**EXECUTIVE ACTION ON HB 125**

01:22:53 **Motion/Vote:** Rep. Kasten moved **HB 125 DO PASS**. Motion carried 12-7 by roll call vote, with Rep. Franklin, Rep. Jayne, Rep. Callahan, Rep. Hiner, Rep. Hollenbaugh, Rep. Sesso, and Rep. Musgrove voting no. Rep. Jayne, Rep. McChesney, Rep. Clark, and Rep. Taylor voted by proxy.

**Discussion:**

01:24:32 Rep. Franklin

01:24:42 Rep. Sinrud

**EXECUTIVE ACTION ON 354**

01:25:25 **Motion/Vote:** Rep. Wells moved **TO TABLE HB 354**. Motion carried 11-8 by roll call vote, with Rep. Franklin, Rep. Jayne, Rep. Callahan, Rep. Hiner, Rep. McChesney, Rep. Hollenbaugh, Rep. Sesso, and Rep. Musgrove voting no. Rep. Jayne, Rep. Clark, and Rep. Taylor voted by proxy.

**EXECUTIVE ACTION ON HB 406**

01:27:08 **Motion:** Rep. Morgan moved **HB 406 DO PASS**.

**Discussion:**

01:27:24 Rep. Franklin

01:27:39 Rep. Morgan

01:28:05 **Substitute Motion/Vote:** Rep. Kasten moved **TO TABLE HB 406**. Motion carried 10-9 by roll call vote, with Rep. Franklin, Rep. Jayne, Rep. Callahan, Rep. Hiner, Rep. McChesney, Rep. Hollenbaugh, Rep. Sesso, Rep. Clark, and Rep. Musgrove voting no. Rep. Jayne, Rep. Clark, and Rep. Taylor voted by proxy.

**EXECUTIVE ACTION ON 472**

01:29:33 **Motion/Vote:** Rep. Hawk moved **TO TABLE HB 472**. Motion carried 18-1 by voice vote, with Rep. Jayne voting no. Rep. Jayne, Rep. Clark and Rep. Taylor voted by proxy.

**EXECUTIVE ACTION ON HB 502**

01:30:31 **Motion/Vote:** Rep. Witte moved **TO TABLE HB 502**. Motion carried 13-6 by roll call vote, with Rep. Franklin, Rep. Jayne, Rep. Callahan, Rep. Hiner, Rep. Sesso, and Rep. Musgrove voting no. Rep. Jayne, Rep. Clark, and Rep. Taylor voted by proxy.

**EXECUTIVE ACTION ON HB 511**

01:32:11 **Motion:** Rep. Sesso moved **HB 511 DO PASS**.

**Discussion:**

01:32:30 Rep. Sesso

01:32:43 **Substitute Motion/Vote:** Rep. Glaser moved **TO TABLE HB 511**. Motion carried 10-9 by roll call vote, with Rep. Franklin, Rep. Jayne, Rep. Callahan, Rep. Hiner, Rep. McChesney, Rep. Hollenbaugh, Rep. Sesso, Rep. Musgrove, and Rep. Kasten voting no. Rep. Jayne, Rep. Clark, and Rep. Taylor voted by proxy.

**EXECUTIVE ACTION ON HB 794**

01:34:25 **Motion:** Rep. Hiner moved **HB 794 DO PASS**.

01:34:35 **Substitute Motion/Vote:** Rep. Ripley moved **TO TABLE HB 794**. Motion carried 11-8 by roll call vote, with Rep. Franklin, Rep. Jayne, Rep. Callahan, Rep. Hiner, Rep. McChesney, Rep. Hollenbaugh, Rep. Sesso, and Rep. Musgrove voting no. Rep. Jayne, Rep. Clark, and Rep. Taylor voted by proxy.

**EXECUTIVE ACTION ON HB 817**

01:36:02 **Motion:** Rep. Franklin moved **HB 817 DO PASS.**

01:36:29 Rep. Sinrud

01:36:34 Rep. Franklin **WITHDREW THE MOTION.**

**EXECUTIVE ACTION ON HB 829**

01:36:49 **Motion:** Rep. Sesso moved **HB 829 DO PASS.**

**Discussion:**

01:37:25 Rep. Sesso

01:37:32 Rep. Sinrud

01:38:07 **Motion:** Rep. Wells moved **TO AMEND.**

**EXHIBIT** (aph64a03)

**Discussion:**

01:39:08 Rep. Sinrud

01:39:12 **Vote:** Motion carried 19-0 by voice vote. Rep. Jayne, Rep. Clark, and Rep. Taylor voted by proxy.

01:39:40 **Motion:** Rep. Sesso moved **HB 829 DO PASS AS AMENDED.**

**Discussion:**

01:40:00 Rep. Glaser

01:40:45 Rep. Sesso

01:40:52 **Vote:** Motion carried 19-0 by roll call vote. Rep. Clark, Rep. Jayne, and Rep. Taylor voted by proxy.

**EXECUTIVE ACTION ON 835**

01:42:17 **Motion:** Rep. Sesso moved **HB 835 DO PASS.**

**Discussion:**

01:42:33 Rep. Sesso

01:43:54 **Vote:** Motion carried 15-4 by roll call vote, with Rep. Wells, Rep. Callahan, Rep. Hollenbaugh, and Rep. Musgrove voting no. Rep. Clark, Rep. Jayne, and Rep. Taylor voted by proxy.

**EXECUTIVE ACTION ON HB 837**

01:45:16 **Motion:** Rep. McChesney moved **HB 837 DO PASS.**

01:45:27 **Substitute Motion/Vote:** Rep. Glaser moved **TO TABLE.** Motion carried 11-8 by roll call vote, with Rep. Franklin, Rep. Jayne, Rep. Callahan, Rep. Hiner, Rep. McChesney, Rep. Hollenbaugh, Rep. Sesso, and Rep. Musgrove voting no. Rep. Jayne, Rep. Clark, and Rep. Taylor voted by proxy.

**EXECUTIVE ACTION ON HB 836**

01:46:48 **Motion:** Rep. Ripley moved **HB 836 DO PASS.**  
**EXHIBIT (aph64a04)**

01:47:09 **Substitute Motion/Vote:** Rep. Kasten moved **TO TABLE.** Motion carried 10-9 by roll call vote, with Rep. Franklin, Rep. Jayne, Rep. Callahan, Rep. Ripley, Rep. Hiner, Rep. McChesney, Rep. Hollenbaugh, Rep. Sesso, and Rep. Musgrove voting no. Rep. Jayne, Rep. Clark, and Rep. Taylor voted by proxy.

**EXECUTIVE ACTION ON HB 495**

01:48:52 **Motion:** Rep. Sesso moved **TO RECONSIDER HB 495.**

**EXHIBIT (aph64a05)**

**Discussion:**

01:49:50 Rep. Sesso  
01:50:38 Rep. Sinrud  
01:50:42 Rep. Wells  
01:51:03 Rep. Sesso  
01:52:57 Rep. Glaser  
01:53:59 Rep. Sesso

01:54:15 **Vote:** Motion carried by voice vote 19-0. Rep. Jayne, Rep. Clark, and Rep. Taylor voted by proxy.

01:54:42 **Motion:** Rep. Sesso moved **HB 495 DO PASS.**

01:54:55 **Motion:** Rep. Sesso moved **TO AMEND.**

**Discussion:**

01:55:34 Rep. Sesso  
01:58:50 Rep. Wells  
01:59:32 Ms. Cathy Duncan, LFD  
01:59:56 Ms. Duncan  
02:00:50 Rep. Wells  
02:03:12 Rep. Sesso  
02:06:17 Rep. Glaser  
02:07:01 Mr. Moe  
02:07:23 Rep. Glaser  
02:07:41 Rep. Ripley  
02:07:57 Ms. Duncan  
02:08:16 Rep. Ripley  
02:08:31 Ms. Duncan  
02:08:42 Rep. Kasten  
02:09:07 Mr. Moe  
02:09:38 Rep. Glaser  
02:11:21 Mr. Moe  
02:11:46 Rep. Wells  
02:12:16 Ms. Duncan  
02:13:52 Rep. Sesso  
02:15:37 Rep. Ripley  
  
02:15:54 Rep. Sesso **WITHDREW THE MOTION** on HB 495 and the  
Amendment.

**ADJOURNMENT**

Adjournment: 11:27 A.M.

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REP. JOHN SINRUD, Chairman

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LINDA KEIM, Secretary

JS/lk

Additional Exhibits:

**EXHIBIT ([aph64aad.pdf](#))**