

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: Chairman Jon C. Sesso, on January 29, 2009 at 3:00 P.M., in Room 102 Capitol.

ROLL CALL

Members Present:

Rep. Jon C. Sesso, Chairman (D)
Rep. Duane Ankney (R)
Rep. Dennis Getz (D)
Rep. Bill E. Glaser (R)
Rep. Ray Hawk (R)
Rep. Teresa K. Henry (D)
Rep. Cynthia Hiner (D)
Rep. Roy Hollandsworth (R)
Rep. Galen Hollenbaugh (D)
Rep. Llew Jones (R)
Rep. Dave Kasten (R)
Rep. Bill McChesney (D)
Rep. Walter McNutt (R)
Rep. Robert Mehlhoff (D)
Rep. Penny Morgan (R)
Rep. Bill Nooney (R)
Rep. Carolyn Pease-Lopez (D)
Rep. Don Roberts (R)
Rep. Cheryl Steenson (D)
Rep. Dan Villa (D)

Members Excused: None.

Members Absent: None.

Staff Present: Jon Moe, Legislative Branch
Samuel Speerschneider, Committee Secretary

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 141, 1/26/2009; SB 2, 1/26/2009;
SB 29, 1/26/2009

Executive Action: HB 41, HB 91, HB 104, HB 141, SB
29, HJ 8, HJ 12

00:01:23 Chairman Sesso

HEARING ON HB 141

Opening Statement by Sponsor:

00:02:48 Rep. Franke Wilmer (D), HD 64, opened the hearing on
HB 141, Accounting for certain post-retirement
benefits.

00:03:34 David Ewer, Budget Director, Office of the Governor

00:05:49 Chairman Sesso

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:05:57 Rep. Morgan

00:06:05 Mr. Ewer

00:06:19 Chairman Sesso

Closing by Sponsor:

00:06:54 Rep. Wilmer

EXECUTIVE ACTION ON HB 141

00:07:12 Chairman Sesso

00:07:19 **Motion:** Rep. Glaser moved that **HB 141 BE TABLED.**

Discussion:

00:07:56 Chairman Sesso

00:08:14 **Vote:** Motion carried unanimously by a voice vote,
20-0.

00:08:38 Chairman Sesso

HEARING ON SB 29

Opening Statement by Sponsor:

00:10:47 Sen. David Wanzenried (D), SD 49, opened the hearing on
SB 29, Generally revise appropriation and budget
statutes.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:13:18 Rep. Hawk

00:13:58 Sen. Wanzenried

00:14:15 Rep. Hawk

00:14:20 Sen. Wanzenried

00:14:37 Rep. Hawk

00:14:42 Sen. Wanzenried

Closing by Sponsor:

00:14:57 Sen. Wanzenried

EXECUTIVE ACTION ON HB 41

00:17:17 **Motion:** Rep. Villa moved that **HB 41 DO PASS.**

Discussion:

00:17:30 Chairman Sesso

00:17:40 Rep. Jones

00:17:51 Chairman Sesso

00:18:27 Rep. McChesney

00:18:55 Rep. Jones

00:19:05 Rep. Kasten

00:19:34 Chairman Sesso

00:19:52 **Vote:** Motion carried unanimously by a voice vote.

EXECUTIVE ACTION ON HB 91

00:20:07 **Motion:** Rep. Villa moved that **HB 91 DO PASS.**

Discussion:

00:20:13 Chairman Sesso

00:20:21 Rep. Villa

00:20:33 **Substitute Motion:** Rep. Villa moved that **HB 91 BE TABLED.**

00:20:58 **Vote:** Motion carried by a voice vote 18-2 with Rep. Kasten and Rep. Hawk voting no. Rep. Hiner and Rep. Glaser voted aye by proxy.

EXECUTIVE ACTION ON HB 64

00:21:36 Rep. Villa

00:21:48 **Motion:** Rep. Jones moved that **HB 64 BE TABLED.**

00:22:41 **Vote:** Motion carried unanimously by a voice vote with Rep. Glaser voting by proxy.

EXECUTIVE ACTION ON HB 123

00:23:04 **Motion:** Rep. Jones moved that **HB 123 DO PASS.**

Discussion:

00:23:12 Chairman Sesso
00:23:49 Rep. Villa
00:26:16 Chairman Sesso
00:27:02 Rep. Villa
00:27:46 Rep. Jones
00:27:56 Rep. Villa
00:28:20 Rep. Jones
00:28:26 Rep. Villa
00:28:56 Rep. Hollenbaugh
00:29:08 Rep. Villa

EXHIBIT (aph21a01)

00:29:50 Rep. Jones
00:32:05 Chairman Sesso

00:33:01 **Motion:** Rep. Jones withdrew his motion that **HB 123 DO PASS.**

EXECUTIVE ACTION ON HB 104

00:33:30 **Motion:** Rep. Villa moved that **HB 104 DO PASS.**

Discussion:

00:33:45 Chairman Sesso
00:34:42 Rep. Kasten
00:34:50 Jon Moe, Legislative Fiscal Division
00:35:23 Rep. Nooney
00:35:38 Mr. Moe
00:36:06 Rep. Villa

00:36:17 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 157

00:36:37 **Motion:** Rep. Hiner moved that **HB 157 DO PASS.**

00:36:54 Chairman Sesso

00:37:12 **Motion:** Rep. Hollenbaugh moved that **HB 157 BE AMENDED.**

00:37:43 Chairman Sesso

00:38:09 **Vote:** Motion carried unanimously by voice vote.=

00:38:34 **Motion:** Rep. Hiner moved that **HB 157 DO PASS AS AMENDED.**

00:38:53 **Motion:** Rep. Morgan moved that **HB 157 BE AMENDED.**

00:40:35 Rep. Henry

00:41:04 Rep. Morgan

00:41:41 Rep. Mehlhoff

00:42:27 Rep. Glaser

00:44:53 Rep. Jones

00:45:52 Rep. Villa

00:45:58 Rep. Morgan

00:47:19 Rep. Villa

00:48:56 Rep. Ankney

00:49:43 Rep. Jones

00:50:36 Rep. Morgan

00:51:15 Chairman Sesso

00:51:26 Rep. Glaser

00:51:38 **Motion:** Rep. Morgan withdrew her motion that **HB 157 BE AMENDED.**

00:51:50 Chairman Sesso

EXECUTIVE ACTION ON HJ 12

00:52:29 **Motion:** Rep. Steenson moved that **HJ 12 DO PASS.**

Discussion:

00:52:44 Chairman Sesso

00:53:13 Rep. Glaser

00:54:59 Rep. McNutt

00:55:55 Rep. Hawk

00:56:34 Chairman Sesso

00:57:10 Rep. Henry

00:57:36 Chairman Sesso

00:57:53 **Vote:** Motion carried by a roll call vote, 16-4 with Rep. McNutt, Rep. Roberts, Rep. Kasten and Rep. Morgan voting no.

HEARING ON SB 2

Opening Statement by Sponsor:

01:00:17 Sen. Mike Cooney (D), SD 40, opened the hearing on SB 2, Revise time for submission of legislative budget.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

01:03:01 Susan Fox, Executive Director, Legislative Services Division

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:03:36 Sen. Cooney

EXECUTIVE ACTION ON SB 2

01:04:02 **Motion:** Rep. Glaser moved that **SB 2 BE CONCURRED IN.**

01:04:15 **Vote:** Motion carried unanimously by a voice vote.

01:04:26 Chairman Sesso

01:04:53 Rep. Villa

01:05:17 Chairman Sesso

01:05:52 Rep. Morgan

01:06:07 Chairman Sesso

01:06:28 Rep. Glaser

EXECUTIVE ACTION ON HB 157

01:06:37 **Motion:** Rep. Hiner moved that **HB 157 DO PASS AS AMENDED.**

01:07:00 **Motion:** Rep. Morgan moved that **HB 157 BE AMENDED.**

01:07:34 Rep. Hunter

01:08:39 **Motion:** Rep. Morgan withdrew her motion that **HB 157 BE AMENDED.**

01:08:54 Chairman Sesso

01:09:04 Rep. Hollenbaugh

01:09:32 Rep. Hunter

01:09:48 **Motion:** Rep. Hollenbaugh moved that **HB 157 BE AMENDED.**
EXHIBIT(aph21a02)

01:10:43 Chairman Sesso

01:11:04 **Vote:** Motion carried unanimously by a voice vote.

01:11:28 **Motion:** Rep. Hiner moved **HB 157 DO PASS AS AMENDED.**

Discussion:

01:11:41 Rep. Kasten

01:12:33 Rep. Getz

01:13:07 Chairman Sesso

01:13:12 Rep. Morgan

01:13:55 Chairman Sesso

01:14:07 Rep. Glaser

01:16:43 Rep. Morgan
01:19:02 Chairman Sesso
01:19:38 Rep. Roberts
01:21:30 Rep. Villa

01:21:43 **Vote:** Motion carried by voice vote, 17-3 with Rep. Hawk, Rep. Kasten and Rep. Hollandsworth voting no.

EXECUTIVE ACTION ON SB 29

01:22:20 **Motion:** Rep. Hawk moved that **SB 29 BE CONCURRED IN.**

01:22:34 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HJ 8

01:22:49 **Motion:** Rep. McNutt moved that **HJ 8 DO PASS.**

01:23:27 Chairman Sesso

01:23:47 **Motion:** Rep. McNutt moved that **HJ 8 BE AMENDED.**

Discussion:

01:25:48 Rep. Kasten
01:25:53 Rep. McNutt
01:26:04 Rep. Morgan

01:26:25 **Vote:** Motion carried unanimously by voice vote.

01:26:38 **Motion:** Rep. McNutt moved that **HJ 8 DO PASS AS AMENDED.**

Discussion:

01:26:52 Rep. Villa
01:28:12 Rep. Kasten
01:29:38 Rep. McNutt
01:31:20 Chairman Sesso

01:31:55 **Vote:** Motion carried by voice vote, 19-1 with Rep. Villa voting no.

EXECUTIVE ACTION ON HB 108

01:32:11 **Motion:** Rep. Hollenbaugh moved that **HB 108 DO PASS.**
EXHIBIT(aph21a03)

01:33:18 Rep. Hollenbaugh

01:34:20 **Motion:** Rep. Hiner moved that **HB 108 BE AMENDED.**

Discussion:

01:34:36 Chairman Sesso
01:36:11 Rep. Morgan
01:36:22 Chairman Sesso
01:37:01 Rep. Morgan
01:37:24 Chairman Sesso
01:37:33 Rep. Morgan
01:37:57 Chairman Sesso
01:38:53 Rep. Morgan
01:39:13 Rep. Roberts
01:39:43 Rep. Kasten
01:40:05 Chairman Sesso
01:40:39 Rep. Hawk
01:41:19 Chairman Sesso

01:41:49 **Vote:** Motion carried unanimously by voice vote.

01:42:01 **Motion:** Rep. Hollenbaugh moved that **HB 108 DO PASS AS**
AMENDED.

Discussion:

01:42:14 Rep. Hawk
01:42:57 Chairman Sesso
01:45:01 Rep. Hawk
01:46:02 Rep. Jones
01:46:39 Rep. Hawk
01:47:02 Rep. Hollenbaugh
01:47:50 Rep. Glaser
01:49:46 Rep. Hollenbaugh
01:50:48 Chairman Sesso
01:50:53 Rep. Hollenbaugh
01:51:35 Rep. Glaser
01:52:49 Rep. Villa
01:53:44 Chairman Sesso
01:54:25 Rep. Jones
01:55:19 Chairman Sesso

01:55:52 Rep. McNutt
01:56:37 Chairman Sesso
01:56:53 Pat Gervais, Fiscal Analyst, Legislative Fiscal
Division
01:58:01 Rep. Jones
01:58:07 Ms. Gervais
01:58:44 Rep. Jones
01:58:47 Ms. Gervais
01:59:24 Rep. Mehlhoff
02:00:13 Rep. Roberts
02:00:27 Chairman Sesso

02:01:19 **Motion:** Rep. Hollenbaugh withdrew his motion that **HB
108 DO PASS AS AMENDED.**

02:01:28 Chairman Sesso
02:01:32 Rep. Hawk
02:02:01 Chairman Sesso

ADJOURNMENT

02:02:36 Adjournment: 5:00 P.M.

Samuel Speerschneider, Secretary

SS

Additional Documents:

EXHIBIT ([aph21aad.pdf](#))