

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: Chairman Jon C. Sesso, on March 10, 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. Dave Kasten (R)
Rep. Bill McChesney (D)
Rep. Walter McNutt (R)
Rep. Robert Mehlhoff (D)
Rep. Penny Morgan (R)
Rep. Carolyn Pease-Lopez (D)
Rep. Don Roberts (R)
Rep. Cheryl Steenson (D)
Rep. Dan Villa (D)

Members Excused: Rep. Llew Jones (R), Rep. Bill Nooney (R)

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: None 3/6/09

Executive Action: HB 585; HB 12; HB 85; HB 135;
HB 143; HB 161; HB 185; HB 211;
HB 216; HB 224; HB 262; HB 315;
HB 356; HB 440; HB 499; HB 526;
SJ 22; HB 166; HB 201; HB 219

00:00:03 Chairman Sesso

EXECUTIVE ACTION ON HB 211

00:02:10 **Motion:** Rep. Morgan moved that **HB 211 DO PASS.**

Discussion:

00:02:58 Rep. Morgan

00:04:15 Chairman Sesso

00:04:25 **Motion:** Rep. Morgan moved that **HB 211 BE AMENDED.**
EXHIBIT(aph53b01)

Discussion:

00:04:52 Chairman Sesso

00:05:00 **Vote:** Motion carried unanimously by a voice vote with
Rep. Getz voting by proxy.

00:05:21 **Motion/Vote:** Rep. Morgan moved that **HB 211 DO PASS AS**
AMENDED. Motion carried 18-2 by voice vote with Rep.
Hawk and Rep. Kasten voting no. Rep. Jones, Rep.
Nooney, and Rep. Getz voted by proxy.

EXECUTIVE ACTION ON HB 161

00:05:59 **Motion:** Rep. Hollenbaugh moved that **HB 161 DO PASS.**

Discussion:

00:06:56 Chairman Sesso

00:07:35 Jon Moe, Legislative Fiscal Division

00:08:01 **Motion:** Rep. Hollenbaugh moved that **HB 161 BE CONCEPTUALLY AMENDED.**

Discussion:

00:08:14 Chairman Sesso

00:09:03 **Vote:** Motion carried unanimously by a voice vote.

00:09:14 **Motion/Vote:** Rep. Hollenbaugh moved that **HB 161 DO PASS AS AMENDED.** Motion carried unanimously by voice vote with Rep. Nooney and Rep. Jones voting by proxy.

HB 161 was never amended because the language proposed in the conceptual amendment was already in HB 645.

EXECUTIVE ACTION ON HB 135

00:09:47 **Motion:** Rep. Hollenbaugh moved that **HB 135 DO PASS.**

00:09:59 **Motion/Vote:** Rep. Hollenbaugh moved that **HB 135 BE CONCEPTUALLY AMENDED.** Motion carried unanimously by a voice vote with Rep. Nooney and Rep. Jones voting by proxy.

00:10:17 **Motion/Vote:** Rep. Hollenbaugh moved that **HB 135 DO PASS AS AMENDED.** Motion carried unanimously by voice vote with Rep. Nooney and Rep. Jones voting by proxy.

HB 135 was never amended because the language proposed in the conceptual amendment was already in HB 645.

EXECUTIVE ACTION ON HB 440

00:10:44 **Motion:** Rep. Steenson moved that **HB 440 DO PASS.**

00:11:10 **Motion:** Rep. Steenson moved that **HB 440 BE AMENDED.**
EXHIBIT (aph53b02)

Discussion:

00:12:16 Chairman Sesso

00:12:29 Rep. Steenson

00:12:47 Chairman Sesso

00:13:02 Rep. Steenson

00:13:46 Rep. Villa

00:14:16 Rep. Steenson

00:14:26 Chairman Sesso

00:15:18 Rep. Getz

00:16:27 Rep. Morgan

00:17:03 Chairman Sesso

00:17:42 **Vote:** Motion carried 18-2 by voice vote with Rep. Hawk and Rep. Kasten voting no. Rep. Nooney and Rep. Jones voted by proxy.

00:18:16 **Motion:** Rep. Steenson moved that **HB 440 DO PASS AS AMENDED.**

Discussion:

00:18:32 Rep. Villa

00:19:17 Rep. Hiner

00:19:58 Rep. Glaser

00:21:01 Rep. Hollandsworth

00:21:34 Rep. Hiner

00:21:49 Rep. McNutt

00:22:35 Chairman Sesso

00:24:02 Rep. Morgan

00:24:14 **Vote:** Motion carried 13-7 by roll call vote with Rep. Henry, Rep. Hiner, Rep. Hollenbaugh, Rep. Mehlhoff, Rep. Pease-Lopez, Rep. Sesso, and Rep. Villa voting no. Rep. Nooney and Rep. Jones voted by proxy.

EXECUTIVE ACTION ON HB 585

00:25:44 **Motion:** Rep. Hiner moved that **HB 585 DO PASS.**

Discussion:

00:26:37 Rep. Morgan

00:27:23 Rep. Hollandsworth

00:27:34 Chairman Sesso

00:27:40 **Vote:** Motion carried 18-2 by voice vote with Rep. Hawk and Rep. Kasten voting no. Rep. Jones and Rep. Nooney voted by proxy.

EXECUTIVE ACTION ON HB 224

00:28:30 **Motion:** Rep. Hiner moved that **HB 224 DO PASS.**

00:28:53 **Motion:** Rep. Hiner moved that **HB 224 BE AMENDED.**

EXHIBIT (aph53b03)

Discussion:

00:30:39 Rep. Glaser

00:30:51 Rep. Hiner

00:31:29 Rep. Glaser

00:31:43 **Vote:** Motion carried unanimously by voice vote.

00:32:02 **Motion/Vote:** Rep. Hiner moved that **HB 224 DO PASS AS AMENDED**. Motion carried unanimously by voice vote with Rep. Jones and Rep. Nooney voting by proxy.

EXECUTIVE ACTION ON SJ 22

00:32:29 **Motion/Vote:** Rep. McChesney moved that **SJ 22 DO PASS**. Motion carried unanimously by voice vote with Rep. Jones and Rep. Nooney voting by proxy. Rep. McChesney will carry the bill in the House.

EXECUTIVE ACTION ON HB 356

00:33:49 **Motion:** Rep. Hollandsworth moved that **HB 356 DO PASS**.

Discussion:

00:34:27 Chairman Sesso

00:34:46 Rep. McNutt

00:35:28 Rep. Hawk

00:35:54 Rep. Hollandsworth

00:36:26 Chairman Sesso

00:36:48 Rep. Hollandsworth

00:37:10 **Vote:** Motion carried 18-2 by voice vote with Rep. Sesso and Rep. Steenson voting no. Rep. Jones and Rep. Nooney voted by proxy.

EXECUTIVE ACTION ON HB 85

00:37:45 **Motion:** Rep. Hollandsworth moved that **HB 85 DO PASS**.

00:39:49 **Motion:** Rep. Hollenbaugh moved that **HB 85 BE AMENDED**. **EXHIBIT**(aph53b04)

00:39:59 **Vote:** Motion carried unanimously by voice vote with Rep. Nooney, Rep. Jones and Rep. Morgan voting by proxy.

00:40:12 **Motion/Vote:** Rep. Hollenbaugh moved that **HB 85 DO PASS AS AMENDED**. Motion carried unanimously by voice vote with Rep. Jones, Rep. Nooney and Rep. Morgan voting by proxy.

EXECUTIVE ACTION ON HB 12

00:40:36 **Motion/Vote:** Rep. Villa moved that **HB 12 DO PASS**. Motion carried unanimously by voice vote with Rep. Jones and Rep. Nooney voting by proxy.

EXECUTIVE ACTION ON HB 262

00:41:35 **Motion:** Rep. Hiner moved that **HB 262 DO PASS**.

Discussion:

00:42:08 Chairman Sesso

00:42:38 **Vote:** Motion carried unanimously by a voice vote with Rep. Jones, Rep. Nooney, and Rep. Morgan voting by proxy.

EXECUTIVE ACTION ON HB 315

00:43:11 **Motion:** Rep. Hiner moved that **HB 315 DO PASS**.

Discussion:

00:43:50 Chairman Sesso

00:44:18 Rep. Kasten

00:45:01 Rep. Ankney

00:46:33 Rep. Mehlhoff

00:47:34 Rep. Villa

00:47:55 **Vote:** Motion carried 18-2 by voice vote with Rep. Kasten and Rep. Roberts voting no. Rep. Jones, Rep. Nooney, and Rep. Morgan voted by proxy.

EXECUTIVE ACTION ON HB 526

00:48:51 **Motion:** Rep. Villa moved that **HB 526 DO PASS**.

00:49:09 **Substitute Motion/Vote:** Rep. Hiner made a substitute motion that **HB 526 BE TABLED**. Substitute motion carried 18-2 by voice vote with Rep. Hawk and Rep. Kasten voting no. Rep. Jones, Rep. Morgan, and Rep. Nooney voted by proxy.

EXECUTIVE ACTION ON HB 185

00:50:09 **Motion:** Rep. Villa moved that **HB 185 DO PASS.**

00:50:54 **Substitute Motion/Vote:** Rep. Villa made a substitute motion that **HB 185 BE TABLED.** Substitute motion carried 19-1 by voice vote with Rep. Nooney voting no. Rep. Nooney, Rep. Jones and Rep. Morgan voted by proxy.

EXECUTIVE ACTION ON HB 143

00:51:46 **Motion:** Rep. Hiner moved that **HB 143 DO PASS AS AMENDED.**

Discussion:

00:52:26 Rep. Roberts
00:53:18 Rep. McNutt
00:54:18 Rep. Getz
00:54:59 Rep. Mehlhoff
00:55:25 Rep. Hollandsworth
00:55:51 Chairman Sesso

00:56:05 **Vote:** Motion carried 11-9 by roll call vote with Rep. Glaser, Rep. Hawk, Rep. Hollandsworth, Rep. Jones, Rep. Kasten, Rep. McChesney, Rep. McNutt, Rep. Morgan, and Rep. Nooney voting no. Rep. Nooney, Rep. Jones, and Rep. Morgan voted by proxy.

EXECUTIVE ACTION ON HB 216

00:57:56 **Motion:** Rep. Hollenbaugh moved that **HB 216 DO PASS.**

Discussion:

00:58:34 Rep. Hiner
00:59:22 Rep. Hawk
00:59:39 Rep. Roberts
00:59:57 Chairman Sesso

01:00:57 **Vote:** Motion carried unanimously by voice vote with Rep. Morgan, Rep. Jones and Rep. Nooney voting by proxy.

EXECUTIVE ACTION ON HB 499

01:01:21 **Motion/Vote:** Rep. Hiner moved that **HB 499 DO PASS**.
Motion carried 18-2 by voice vote with Rep. Hawk and
Rep. Kasten voting no. Rep. Nooney, Rep. Jones and Rep.
Morgan voted by proxy.

EXECUTIVE ACTION ON HB 166

01:03:17 **Motion:** Rep. Hollenbaugh moved that **HB 166 DO NOT
PASS**.

Discussion:

01:04:14 **Substitute Motion/Vote:** Rep. Hollenbaugh made a
substitute motion that **HB 166 BE TABLED**. Substitute
motion carried 18-2 by voice vote with Rep. Getz and
Rep. Villa voting no. Rep. Nooney, Rep. Jones, and
Rep. Morgan voted by proxy.

Discussion:

01:05:17 Rep. Glaser
01:06:01 Rep. Hollandsworth

EXECUTIVE ACTION ON HB 334

01:06:17 **Motion:** Rep. Hollandsworth moved that **HB 334 DO PASS**.

Discussion:

01:06:45 Rep. Hollandsworth
01:07:04 Rep. Villa
01:07:30 Rep. Hollandsworth withdrew his motion.
01:07:46 Rep. Kasten

EXECUTIVE ACTION ON HB 201

01:08:18 **Motion/Vote:** Rep. Hollenbaugh moved that **HB 201 BE
TABLED**. Motion carried 17-3 by voice vote with Rep.
Hiner, Rep. Sesso, and Rep. Villa voting no. Rep.
Nooney, Rep. Jones, and Rep. Morgan voted by proxy.

Discussion:

01:11:16 Chairman Sesso

01:11:55 Rep. Hawk
01:12:01 Chairman Sesso
01:15:54 Rep. Henry
01:16:47 Chairman Sesso

EXECUTIVE ACTION ON HB 219

01:16:55 **Motion/Vote:** Rep. Ankney moved that **HB 219 BE TABLED.**
Motion carried unanimously by voice vote. Rep. Nooney,
Rep. Jones, and Rep. Morgan voted by proxy.

Discussion:

01:18:01 Rep. Ankney
01:18:23 Chairman Sesso
01:19:37 Rep. Villa
01:20:32 Rep. Hollenbaugh
01:21:00 Chairman Sesso
01:21:08 Rep. Hollenbaugh
01:21:22 Chairman Sesso
01:22:10 Rep. Villa

ADJOURNMENT

01:24:10 Adjournment: 4:30 P.M.

Samuel Speerschneider, Secretary

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Additional Documents:

EXHIBIT ([aph53bad.pdf](#))