

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON LONG-RANGE PLANNING

Call to Order: Chairman Dave Kasten, on March 13, 2009 at 8:14
A.M., in Room 102 Capitol

ROLL CALL

Members Present:

Rep. Dave Kasten, Chairman (R)
Sen. Gregory D. Barkus, Vice Chairman (R)
Sen. John Brueggeman (R)
Sen. Mike Cooney (D)
Rep. Dennis Getz (D)
Rep. Walter McNutt (R)
Rep. Jon C. Sesso (D)

Members Excused: Sen. Carol Williams (D)

Members Absent: None

Staff Present: Catherine Duncan, Legislative Branch
Tyrrell Hibbard, Committee Secretary
Christine Hultin-Brus, OBPP

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

Executive Action: HB 5; HB 6; HB 7; HB 8; HB 11

00:00:00 Chairman Kasten
00:01:48 Ms. Duncan, Legislative Fiscal Division
00:02:40 Chairman Kasten
00:02:47 Sen. Barkus
00:03:09 Ms. Duncan
00:03:32 Chairman Kasten

EXECUTIVE ACTION ON HB 6

00:03:57 **Motion:** Rep. McNutt moved that **HB 6 DO PASS.**

Discussion:

00:04:00 Chairman Kasten
00:04:19 Ms. Duncan
00:05:13 Pam Smith, Department of Natural Resources and
Conservation (DNRC)
00:05:59 Ms. Duncan

00:06:10 **Motion:** Chairman Kasten moved **TO AMEND THE MALTA
PROJECT THAT MALTA MAY CHANGE THE SCOPE.**

00:06:16 Sen. Cooney
00:06:47 Chairman Kasten
00:06:59 Rep. Sesso
00:07:05 Chairman Kasten
00:07:09 Ms. Duncan

00:07:23 **Vote:** Motion carried unanimously by voice vote. Sen.
Williams voted by proxy.

00:07:46 **Motion:** Rep. Sesso moved that **HB 6 BE AMENDED** (refer
to Exhibit 1).

Discussion:

00:08:05 Sen. Williams arrived.
00:08:05 Rep. Sesso
EXHIBIT(jlh56a01)
00:10:30 Chairman Kasten
00:10:33 Ms. Duncan
EXHIBIT(jlh56a02)
00:12:36 Chairman Kasten
00:12:41 Sen. Barkus
00:12:56 Ms. Duncan
00:15:31 Sen. Barkus
00:15:49 Rep. Sesso
00:15:54 Ms. Duncan

00:17:22 Sen. Barkus
00:17:34 Ms. Duncan
00:17:48 Sen. Barkus
00:17:56 Ms. Duncan
00:18:27 Chairman Kasten

00:19:15 **Motion:** Chairman Kasten moved **TO SEGREGATE
AMENDMENT #2 AND TO STRIKE "\$8,585,798" AND TO INSERT
"\$8,005,798"**.

00:19:26 Sen. Cooney

00:19:37 **Vote:** Motion carried unanimously by voice vote.

00:20:18 **Motion/Vote:** Chairman Kasten moved **TO PASS ALL
AMENDMENTS IN THEIR ENTIRETY** (refer to Exhibit 1).
Motion carried 7-1 by voice vote with Sen. Barkus
voting no.

00:21:08 Sen. Barkus
00:21:20 Ms. Smith
00:21:27 Sen. Barkus
00:21:51 Ms. Smith
00:22:26 Chairman Kasten
00:22:29 Sen. Williams
00:22:44 Ms. Smith
00:23:14 Sen. Cooney
00:23:57 Chairman Kasten
00:24:04 Sen. Cooney
00:24:07 Ms. Smith
00:24:56 Sen. Cooney
00:25:16 Sen. Barkus
00:25:35 Ms. Smith
00:25:57 Sen. Barkus
00:26:03 Chairman Kasten
00:26:47 Sen. Brueggeman
00:27:51 Chairman Kasten. Committee will postpone remaining
executive action on HB 6.

EXECUTIVE ACTION ON HB 7

00:29:14 Sen. Barkus
00:29:44 Ms. Smith
00:30:10 Sen. Barkus
00:30:13 Ms. Smith
00:30:26 Sen. Barkus
00:30:59 Ms. Hultin-Brus, OBPP
00:31:15 Sen. Barkus

00:31:40 Chairman Kasten

00:32:13 **Motion:** Rep. Sesso moved that **HB 7 BE AMENDED.**
EXHIBIT(jlh56a03)

00:36:20 **Substitute Motion:** Chairman Kasten moved **TO SEGREGATE AMENDMENT #2 AND TO STRIKE "\$6,012,865" AND TO INSERT "\$5,432,865".**

00:37:20 Rep. Sesso

00:37:51 Amy Carlson, OBPP

00:38:22 Chairman Kasten

00:38:27 **Vote:** Motion carried unanimously by voice vote.

00:38:39 **Motion/Vote:** Rep. Sesso moved **TO PASS ALL AMENDMENTS IN THEIR ENTIRETY** (refer to Exhibit 3). Motion carried unanimously by voice vote.

00:39:24 Chairman Kasten

00:39:42 Rep. Sesso

00:39:52 Sen. Cooney

00:40:19 Chairman Kasten. Committee will postpone remaining executive action on HB 7.

EXECUTIVE ACTION ON HB 8

00:41:28 Chairman Kasten

00:41:33 Ray Beck, DNRC

Discussion on Amendments (Exhibit 4):

00:43:05 Chairman Kasten

00:43:15 Ms. Duncan

EXHIBIT(jlh56a04)

00:43:33 Chairman Kasten

00:43:43 Rep. Getz

00:43:56 Ms. Duncan

00:44:16 Sen. Cooney

00:44:22 Ms. Duncan

00:44:42 Chairman Kasten

00:44:55 Rep. Sesso

00:45:30 Bob Fischer, DNRC

00:46:03 Chairman Kasten

00:46:10 Ms. Carlson

00:46:40 Chairman Kasten

00:46:49 Sen. Barkus

00:46:52 Ms. Carlson

JOINT APPROPRIATIONS SUBCOMMITTEE ON LONG-RANGE PLANNING

March 13, 2009

PAGE 5 of 12

00:47:03 Sen. Barkus
00:47:16 Ms. Carlson
00:47:38 Chairman Kasten
00:47:43 Anna Miller, DNRC
00:47:49 Chairman Kasten
00:48:02 Mr. Fischer
00:48:15 Chairman Kasten
00:48:19 Mr. Fischer
00:49:31 Chairman Kasten
00:49:49 Mr. Fischer
00:50:30 Chairman Kasten
00:50:33 Mr. Fischer
00:50:40 Chairman Kasten
00:50:46 Mr. Fischer
00:51:26 Chairman Kasten
00:51:35 Mr. Fischer
00:51:43 Sen. Barkus
00:52:01 Mr. Fischer
00:52:24 Chairman Kasten
00:52:28 Ms. Carlson
00:52:47 Chairman Kasten
00:53:02 Sen. Barkus
00:53:22 Sen. Cooney
00:53:45 Mr. Fischer
00:55:15 Rep. Sesso
00:55:38 Ms. Carlson
00:55:52 Mr. Fischer
00:56:14 Ms. Carlson
00:56:20 Ms. Miller
00:57:08 Ms. Carlson
00:57:11 Ms. Miller
00:57:22 Chairman Kasten
00:57:25 Ms. Miller
00:57:38 Ms. Carlson
00:58:16 Chairman Kasten
00:58:37 Mr. Fischer
01:00:32 Chairman Kasten
01:00:45 Mr. Fischer
01:00:52 Ms. Miller
01:01:52 Rep. Sesso
01:02:36 Mr. Fischer
01:02:40 Rep. Sesso
01:03:25 Mr. Fischer
01:03:39 Rep. Sesso
01:04:02 Chairman Kasten
01:04:14 Sen. Barkus
01:04:27 Ms. Miller
01:05:35 Sen. Barkus
01:05:46 Ms. Miller
01:06:35 Sen. Barkus

01:06:52 Ms. Miller

01:07:10 **Motion:** Chairman Kasten moved that **HB 8 BE AMENDED**
(refer to Exhibit 4).

01:08:07 Rep. Sesso

01:08:15 Chairman Kasten

01:08:28 **Vote:** Motion carried 7-1 by voice vote with Sen.
Barkus voting no.

01:09:02 **Motion/Vote:** Chairman Kasten moved that **HB 8 DO PASS**
AS AMENDED. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 11

01:12:13 **Motion:** Rep. Sesso moved that **HB 11 DO PASS.**

Discussion:

01:12:55 Chairman Kasten

01:13:11 Ms. Duncan

EXHIBIT(jlh56a05)

01:18:41 Rep. Sesso

01:19:05 Ms. Duncan

01:19:40 Rep. Sesso

01:20:08 **Motion/Vote:** Chairman Kasten moved that **HB 11 BE**
AMENDED (refer to HB001101.acd, Exhibit 5). Motion
carried unanimously by voice vote.

01:20:38 **Motion:** Rep. Sesso moved that **HB 11 BE AMENDED** (refer
to HB001101.agp, Exhibit 5).

01:25:25 Ms. Duncan

01:26:35 Chairman Kasten

01:26:41 Rep. Getz

01:26:52 Ms. Duncan

01:27:26 Rep. Sesso

01:27:46 Chairman Kasten

01:27:57 Sen. Barkus

01:28:15 Ms. Duncan

01:29:25 Sen. Barkus

01:29:41 Rep. Sesso

01:30:35 Ms. Hultin-Brus

01:30:44 Rep. Sesso

01:32:09 Sen. Barkus

01:32:28 Rep. Sesso

01:32:32 Sen. Barkus
01:32:37 Rep. Sesso
01:32:41 Sen. Brueggeman
01:33:36 Rep. Sesso
01:34:10 Chairman Kasten
01:34:36 Rep. Sesso
01:36:31 Chairman Kasten

01:36:40 **Vote:** Motion carried 6-2 by voice vote with Chairman Kasten and Sen. Barkus voting no.

01:37:30 Chairman Kasten

01:38:36 **Motion:** Chairman Kasten moved **TO PUT THE LOCKWOOD PROJECT BACK ON THE HB 11 FUNDING LIST, between items 39 and 40.**

01:39:43 Ms. Hultin-Brus
01:40:13 Sen. Barkus
01:40:48 Chairman Kasten

01:41:47 **Substitute Motion/Vote:** Chairman Kasten moved **TO PUT THE LOCKWOOD PROJECT FOR \$500,000 BETWEEN ITEMS 46 and 47.** Motion carried unanimously by voice vote.

01:42:10 Rep. Sesso
01:43:36 Chairman Kasten
01:43:42 Sen. Brueggeman
01:44:24 Sen. Barkus
01:44:33 Sen. Brueggeman
01:45:17 Ms. Duncan
01:45:55 Ms. Hultin-Brus
01:46:14 Sen. Brueggeman
01:47:03 Chairman Kasten. Committee postponed remaining executive action on HB 11.

01:47:41 Break
02:30:56 Reconvene

02:30:58 Chairman Kasten

EXECUTIVE ACTION ON HB 5

02:31:39 **Motion:** Chairman Kasten moved that **HB 5 DO PASS.**

Discussion on Technical Amendment HB000503.acd:

02:31:51 Ms. Duncan

EXHIBIT(jlh56a06)

02:33:29 Chairman Kasten

02:33:36 Sen. Williams

02:33:53 Joe Triem, Architecture and Engineering Division,
Department of Administration

02:34:57 Sen. Williams

02:35:12 Mr. Triem

02:36:03 Chairman Kasten

02:36:06 Rep. Sesso

02:36:23 Mr. Triem

02:37:31 Rep. Sesso

02:37:57 Ms. Carlson

02:38:34 Mr. Triem

02:38:40 Rep. Sesso

02:38:57 Ms. Carlson

02:39:01 Ms. Duncan

02:40:00 Rep. Sesso

02:40:22 Ms. Duncan

02:40:34 Rep. Sesso

02:40:42 Ms. Duncan

02:40:51 Rep. Sesso

02:41:09 Ms. Duncan

02:42:36 Chairman Kasten

02:42:43 Sen. Williams

02:43:21 Chairman Kasten

02:43:23 Ms. Duncan

02:43:48 Sen. Cooney

02:43:55 Rep. Sesso

02:44:23 Ms. Duncan

02:44:49 John Tubbs, DNRC

02:45:50 Chairman Kasten

02:45:57 Rep. Sesso

02:46:09 Ms. Duncan

02:46:27 Mr. Tubbs

02:46:55 Chairman Kasten

02:46:59 Mr. Tubbs

02:47:29 Sen. Barkus

02:47:37 Ms. Duncan

02:48:10 Rep. Getz

02:48:32 Mr. Tubbs

02:49:17 **Motion/Vote:** Chairman Kasten moved **HB 5 BE AMENDED**
(refer to HB000503.acd, Exhibit 6). Motion carried
unanimously by voice vote.

02:49:52 Chairman Kasten

02:50:08 Ms. Duncan

02:50:49 Chairman Kasten
02:51:14 Mr. Triem
02:52:03 Chairman Kasten
02:52:09 Ms. Carlson
02:52:18 Chairman Kasten
02:52:24 Mr. Triem
02:53:42 Chairman Kasten

02:53:56 Ms. Hultin-Brus

EXHIBIT(jlh56a07)

02:55:02 Chairman Kasten
02:55:11 Rep. Sesso
02:55:52 Chairman Kasten

02:55:56 **Motion:** Rep. Sesso moved that **HB 5 BE AMENDED** (refer to HB000505.acd, Exhibit 6).

Discussion:

02:58:09 Chairman Kasten
02:59:22 Ms. Duncan
02:59:37 Chairman Kasten
03:00:01 Sen. Brueggeman

03:01:33 **Substitute Motion:** Chairman Kasten moved **TO STRIKE "Renovate Main Hall, Phase 2, UM-Western" from amendment #18 and TO RETURN ITEM 48 in HB 5 back to the original \$2 million.**

03:02:44 Sen. Brueggeman
03:03:21 Ms. Carlson
03:04:19 Rep. Sesso
03:06:32 Sen. Barkus
03:06:57 Rep. Sesso
03:08:28 Chairman Kasten
03:09:01 Sen. Cooney
03:09:20 Sen. Brueggeman
03:10:26 Ms. Carlson
03:11:12 Sen. Brueggeman
03:12:41 Ms. Carlson
03:13:04 Sen. Brueggeman
03:13:48 Chairman Kasten withdrew his motion.

03:14:46 **Vote:** Motion carried 5-3 by voice vote with Sen. Brueggeman, Chairman Kasten, and Sen. Barkus voting no.

03:15:17 **Motion:** Rep. Sesso moved that **HB 5 BE AMENDED** (refer to HB000501.acd, Exhibit 6)

03:18:47 Chairman Kasten
03:18:51 Sen. Cooney
03:19:30 Sen. Barkus
03:20:06 Rep. Sesso
03:21:14 Chairman Kasten
03:21:22 Sen. Cooney called the question.

03:22:05 **Vote:** Motion carried 6-2 by roll call vote with Sen. Barkus and Chairman Kasten voting no.

03:22:10 Chairman Kasten
03:23:00 Jim Lynch, Director, Montana Department of Transportation
03:24:27 Chairman Kasten

03:24:42 **Motion:** Sen. Brueggeman moved that **HB 5 BE AMENDED** (refer to HB000508.acd, Exhibit 6).

03:25:33 Ms. Hultin-Brus
03:26:08 Ms. Duncan
03:26:28 Ms. Hultin-Brus
03:26:44 Chairman Kasten

03:26:51 **Vote:** Motion carried unanimously by voice vote.

03:27:13 Sen. Barkus
03:27:28 Ms. Carlson
03:28:26 Chairman Kasten

03:28:35 **Motion:** Rep. Getz moved that **HB 5 BE AMENDED** (refer to HB000507.acd, Exhibit 6).

03:29:11 Sen. Cooney
03:29:14 Ms. Duncan
03:30:23 Sen. Cooney
03:30:47 Ms. Duncan
03:31:26 Ms. Carlson
03:32:17 Sen. Cooney
03:32:37 Rep. Getz withdrew his motion until the committee receives further information.
03:32:44 Rep. Sesso
03:35:39 Chairman Kasten
03:35:44 Ms. Carlson
03:36:36 Ms. Duncan
03:37:15 Sen. Barkus
03:37:39 Ms. Carlson

EXHIBIT(jlh56a08)

03:41:28 Sen. Barkus
03:41:37 Ms. Carlson

03:41:55 Sen. Barkus

03:41:59 Ms. Carlson

03:42:12 Rep. Sesso

03:43:09 **Motion:** Chairman Kasten moved that **HB 5 BE AMENDED**
(refer to HB000506.acd, Exhibit 6).

Discussion:

03:44:42 Ms. Hultin-Brus

03:44:58 Sen. Cooney

03:45:36 Chairman Kasten

03:45:39 Mick Robinson, Montana University System

03:46:46 Chairman Kasten

03:46:49 Sen. Cooney

03:48:06 Sen. Williams

03:48:32 Chairman Kasten

03:49:47 **Vote:** Motion carried 5-3 by roll call vote with Sen.
Cooney, Rep. Sesso, and Sen. Williams voting no.

03:50:42 Sen. Brueggeman

03:50:50 Chairman Kasten

03:51:04 Rep. Sesso

03:51:40 Chairman Kasten

03:51:49 Rep. Sesso

03:52:33 Chairman Kasten

03:52:38 Ms. Duncan

03:53:42 Rep. Sesso

03:54:08 Chairman Kasten

03:54:19 Ms. Duncan

03:55:01 Chairman Kasten

ADJOURNMENT

03:55:22 Adjournment: 12:09 P.M.

Tyrrell Hibbard, Secretary

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Additional Documents:

EXHIBIT ([jlh56aad.pdf](#))