

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: Chairman Jon C. Sesso, on March 21, 2009 at 10:30
A.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: None

Executive Action: HB 5; HB 467; HB 60; HB 130;
HB 131; HB 132; HB 487; HB 629;
HB 659; HB 611; HB 583; HB 250;
HB 577

00:01:42 Chairman Sesso
00:03:55 Rep. Steenson
00:05:28 Chairman Sesso

Presentation of Amendments:

00:05:47 Catherine Duncan, Legislative Fiscal Division (LFD)
00:07:21 Jon Moe, LFD

EXECUTIVE ACTION ON HB 5

00:08:45 **Motion:** Rep. Kasten moved that **HB 5 DO PASS.**

00:08:57 **Motion:** Rep. Hiner moved that **HB 5 BE AMENDED.**
EXHIBIT(aph63a01)

Discussion:

00:09:24 Chairman Sesso
00:09:37 Ms. Duncan
00:10:20 Chairman Sesso
00:10:27 Ms. Duncan
00:11:05 Chairman Sesso

00:12:27 **Vote:** Motion carried unanimously by voice vote.

Discussion:

00:13:50 Chairman Sesso

00:14:28 **Motion:** Rep. Kasten moved that **HB 5 BE AMENDED.**
EXHIBIT(aph63a02)

Discussion:

00:16:26 Chairman Sesso
00:17:23 Rep. Morgan
00:17:42 Chairman Sesso

00:18:31 **Vote:** Motion carried unanimously by voice vote.

00:18:49 **Motion:** Rep. Jones moved that **HB 5 BE AMENDED.**
EXHIBIT(aph63a03)

Discussion:

00:19:46 Rep. Henry
00:20:22 Chairman Sesso

00:20:27 **Vote:** Motion carried unanimously by voice vote.

00:20:51 **Motion:** Rep. Hiner moved that **HB 5 BE AMENDED.**
EXHIBIT(aph63a04)

00:21:45 **Vote:** Motion carried by voice vote 19-1, with Rep.
Getz voting No.

00:22:34 **Motion:** Rep. Jones moved that **HB 5 BE AMENDED.**
EXHIBIT(aph63a05)

00:23:24 **Vote:** Motion carried unanimously by voice vote.

Discussion:

00:23:43 Ms. Duncan
00:24:22 Chairman Sesso
00:25:05 Ms. Duncan
00:25:11 Chairman Sesso
00:25:23 Ms. Duncan
00:25:29 Chairman Sesso
00:25:58 Ms. Duncan
00:26:45 Chairman Sesso
00:26:55 Ms. Duncan
00:27:14 Rep. Glaser
00:28:00 Chairman Sesso
00:28:32 Rep. Glaser
00:28:40 Chairman Sesso

00:28:56 **Motion:** Rep. Kasten moved that **HB 5 BE AMENDED.**
EXHIBIT(aph63a06)

00:29:53 **Vote:** Motion carried unanimously by voice vote.

00:30:19 **Motion:** Rep. Mehlhoff moved that **HB 5 BE AMENDED.**
EXHIBIT(aph63a07)

Discussion:

00:31:11 Rep. Ankney

00:31:50 Rep. Mehlhoff
00:32:39 Chairman Sesso
00:32:45 Rep. Mehlhoff
00:33:32 Rep. Kasten
00:33:48 Rep. Mehlhoff
00:34:23 Rep. Kasten
00:34:34 Rep. Mehlhoff
00:35:29 Rep. Kasten
00:35:40 Rep. Henry
00:36:35 Rep. Glaser
00:37:15 Rep. Mehlhoff
00:37:27 Rep. Glaser
00:38:11 Chairman Sesso
00:38:52 Rep. Mehlhoff
00:39:11 Chairman Sesso
00:40:03 Rep. Morgan
00:40:35 Chairman Sesso
00:40:43 Rep. Villa
00:42:24 Rep. Morgan
00:43:12 Rep. Villa
00:44:06 Rep. Morgan
00:44:43 Rep. Villa
00:45:38 Chairman Sesso
00:45:47 Ms. Duncan
00:47:13 Chairman Sesso
00:47:46 Rep. Glaser

00:47:59 **Vote:** Motion carried by voice vote 18-2, with Rep. Hawk and Rep. Morgan voting no. Rep. Hiner voted by proxy.

00:48:37 **Motion/Vote:** Rep. Hollenbaugh moved that **HB 5 DO PASS AS AMENDED**. Motion carried unanimously by voice vote.

00:49:20 Rep. Kasten
00:49:43 Chairman Sesso

00:50:32 Recess
01:04:13 Reconvene

01:04:21 Rep. Morgan
01:05:19 Rep. Villa
01:06:38 Rep. Jones
01:07:21 Rep. Villa
01:08:38 Rep. Glaser
01:09:32 Chairman Sesso

EXECUTIVE ACTION ON HB 467

01:10:52 **Motion:** Rep. Kasten moved that **HB 467 DO PASS.**

01:13:00 **Motion:** Rep. Kasten moved that **HB 467 BE AMENDED.**
EXHIBIT(aph63a08)

Discussion:

01:13:18 Ms. Duncan
01:15:14 Rep. Kasten
01:15:34 Rep. Mehlhoff
01:15:57 Chairman Sesso

01:16:23 **Vote:** Motion carried by voice vote 18-2 with Rep. Hawk and Rep. Kasten voting no. Rep. Henry and Rep. Ankney voted by proxy.

Discussion:

01:17:14 Chairman Sesso
01:18:12 Rep. Villa
01:18:17 Ms. Duncan
01:18:45 Chairman Sesso
01:18:53 Rep. Kasten

01:19:04 **Motion/Vote:** Rep. Kasten moved that **HB 467 DO PASS AS AMENDED.** Motion failed 4-16 by roll call vote with Rep. Getz, Rep. Henry, Rep. Mehlhoff, and Rep. Sesso voting aye. Rep. Henry and Rep. Ankney voted by proxy.

01:20:57 Chairman Sesso
01:21:56 Rep. Henry
01:32:32 Rep. Morgan
01:33:37 Chairman Sesso
01:33:49 Rep. Roberts
01:34:21 Rep. Kasten
01:35:15 Rep. Hawk
01:35:27 Chairman Sesso
01:35:36 Rep. Morgan
01:38:20 Rep. Henry
01:39:13 Rep. McChesney
01:39:59 Rep. Glaser
01:40:59 Rep. Roberts
01:42:07 Rep. Jones
01:43:24 Rep. Morgan
01:44:44 Chairman Sesso
01:45:18 Rep. Henry
01:46:00 Chairman Sesso

01:46:34 Rep. Henry
01:47:17 Chairman Sesso
01:48:04 Rep. Roberts
01:49:07 Rep. Hawk
01:49:40 Rep. Kasten

EXECUTIVE ACTION ON HB 60

01:49:46 **Motion/Vote:** Rep. Kasten moved that **HB 60 BE TABLED**.
Motion carried 17-3 by voice vote with Rep. Henry, Rep.
Pease-Lopez, and Rep. Steenson voting no. Rep. Ankney
voted by proxy.

01:50:34 Rep. Morgan
01:50:40 Chairman Sesso
01:50:53 Rep. Kasten
01:51:19 Chairman Sesso
01:53:44 Rep. Glaser
01:54:27 Chairman Sesso
01:55:07 Rep. Jones
01:55:39 Rep. Villa
01:56:06 Rep. Glaser
01:56:32 Rep. Villa
01:56:55 Rep. Morgan
01:57:13 Chairman Sesso

EXECUTIVE ACTION ON HB 130

01:58:20 **Motion:** Rep. Henry moved that **HB 130 DO PASS**.

01:58:34 **Motion:** Rep. Henry moved that **HB 130 BE AMENDED**.
EXHIBIT(aph63a09)

Discussion:

01:59:00 Rep. Hiner
01:59:33 Chairman Sesso
02:00:33 Rep. Henry
02:00:54 Chairman Sesso
02:02:13 Rep. McChesney
02:02:32 Chairman Sesso
02:03:10 Rep. Morgan
02:03:23 Chairman Sesso

02:04:02 **Vote:** Motion carried unanimously by voice vote with
Rep. Ankney voting by proxy.

02:04:16 **Motion/Vote:** Rep. Henry moved that **HB 130 DO PASS AS AMENDED**. Motion carried unanimously by voice vote.
Rep. Ankney voted by proxy.

EXECUTIVE ACTION ON HB 131

02:04:31 **Motion:** Rep. Henry moved that **HB 131 DO PASS**.

02:04:44 **Motion:** Rep Henry moved that **HB 131 BE AMENDED**.
EXHIBIT(aph63a10)

02:05:31 **Vote:** Motion carried unanimously by voice vote with
Rep. Ankney voting by proxy.

02:05:38 **Motion/Vote:** Rep. Henry moved that **HB 131 DO PASS AS AMENDED**. Motion carried unanimously by voice vote.
Rep. Ankney voted by proxy.

EXECUTIVE ACTION ON HB 132

02:06:07 **Motion:** Rep. Henry moved that **HB 132 DO PASS**.

02:06:20 **Motion:** Rep. Henry moved that **HB 132 BE AMENDED**.
EXHIBIT(aph63a11)

02:06:58 **Vote:** Motion carried unanimously by voice vote with
Rep. Ankney voting by proxy.

02:07:04 **Motion/Vote:** Rep. Henry moved that **HB 132 DO PASS AS AMENDED**. Motion carried unanimously by voice vote with
Rep. Ankney voting by proxy.

EXECUTIVE ACTION ON HB 487

02:08:30 **Motion/Vote:** Rep. McNutt moved that **HB 487 DO PASS**.
Motion carried 18-2 by voice vote with Rep. Hawk and
Rep. Sesso voting no. Rep. Ankney voted by proxy.

EXECUTIVE ACTION ON HB 629

02:11:14 **Motion:** Rep. Glaser moved that **HB 629 DO PASS**.

Discussion:

02:13:49 Rep. Getz
02:14:10 Rep. Glaser
02:14:33 Rep. Getz
02:14:44 Chairman Sesso
02:15:21 Rep. Getz

02:15:46 **Vote:** Motion carried unanimously by voice vote with Rep. Ankney voting by proxy.

EXECUTIVE ACTION ON HB 659

02:15:56 **Motion:** Rep. Roberts moved that **HB 659 DO PASS.**

Discussion:

02:17:37 Rep. McChesney
02:17:46 Rep. Roberts
02:18:04 Rep. Villa
02:19:10 Rep. Mehlhoff
02:19:32 Rep. Glaser

02:20:19 **Vote:** Motion carried by voice vote 18-2, with Rep. Hawk and Rep. Kasten voting no. Rep. Ankney voted by proxy.

EXECUTIVE ACTION ON HB 167

02:20:46 **Motion:** Rep. Nooney moved that **HB 167 DO PASS.**

Discussion:

02:22:49 Chairman Sesso
02:24:23 Rep. Nooney withdrew his motion.
02:24:35 Chairman Sesso

EXECUTIVE ACTION ON HB 611

02:24:53 **Motion:** Rep. Jones moved that **HB 611 DO PASS.**

02:25:55 **Motion:** Rep. Villa moved that **HB 611 BE CONCEPTUALLY AMENDED.**

02:29:06 **Vote:** Motion carried unanimously by voice vote with Rep. Ankney voting by proxy.

02:29:35 **Motion/Vote:** Rep. Jones moved that **HB 611 DO PASS AS AMENDED**. Motion carried 19-1 by voice vote with Rep. Hawk voting no. Rep. Ankney voted by proxy.

EXECUTIVE ACTION ON HB 583

02:30:14 **Motion:** Rep. McNutt moved that **HB 583 DO PASS**.

02:30:46 **Motion:** Rep. McNutt moved that **HB 583 BE AMENDED. EXHIBIT(aph63a12)**

Discussion:

02:31:44 Rep. Villa
02:32:33 Andy Poole, Deputy Director, Department of Commerce
02:33:00 Rep. McNutt
02:33:10 Tony Preite, Director, Department of Commerce
02:34:28 Rep. McNutt
02:34:39 Rep. Villa
02:34:54 Rep. Jones
02:35:18 Rep. McNutt
02:35:24 Rep. Villa
02:36:14 Chairman Sesso
02:37:08 Rep. Kasten
02:37:27 Mr. Poole
02:38:51 Chairman Sesso
02:38:57 Rep. Villa
02:40:35 Mr. Preite
02:40:52 Chairman Sesso

02:41:13 **Vote:** Motion carried by voice vote 18-2, with Rep. Hawk and Rep. Kasten voting no. Rep. Ankney voted by proxy.

02:41:34 **Motion/Vote:** Rep. McNutt moved that **HB 583 DO PASS AS AMENDED**. Motion carried 17-3 by voice vote with Rep. Hawk, Rep. Kasten, and Rep. Morgan voting no. Rep. Ankney voted by proxy.

EXECUTIVE ACTION ON HB 250

02:42:13 **Motion:** Rep. Morgan moved that **HB 250 DO PASS**.

02:43:19 **Motion:** Rep. Morgan moved that **HB 250 BE CONCEPTUALLY AMENDED**.

02:43:43 **Vote:** Motion carried unanimously by voice vote with Rep. Ankney and Rep. Villa voting by proxy.

02:43:51 **Motion:** Rep. Morgan moved that **HB 250 DO PASS AS AMENDED.**

Discussion:

02:44:24 Chairman Sesso

02:45:09 Rep. Morgan

02:45:44 Rep. Kasten

02:46:05 **Vote:** Motion carried by voice vote 18-2, with Rep. Villa and Rep. Hiner voting no. Rep. Ankney and Rep. Villa voted by proxy.

EXECUTIVE ACTION ON HB 577

02:46:31 **Motion:** Rep. Steenson moved that **HB 577 DO PASS.**

02:47:28 **Motion:** Rep. Morgan moved that **HB 577 BE CONCEPTUALLY AMENDED.**

Discussion:

02:48:57 Chairman Sesso

02:49:44 Rep. Villa

02:50:23 Rep. Steenson

02:50:33 Rep. Caferro, HD 80, Helena

02:51:22 Rep. Villa

02:51:30 Rep. Morgan

02:53:56 **Motion:** Rep. Villa moved that **HB 577 BE AMENDED.**
EXHIBIT (aph63a13)

02:54:19 **Vote:** Motion carried unanimously by voice vote with Rep. Hawk, Rep. Getz, Rep. McChesney and Rep. Ankney voting by proxy.

02:54:46 Mr. Moe

02:55:30 Mary Daumiller, LFD

02:55:45 Rep. Morgan

02:56:13 Ms. Daumiller

02:57:19 **Motion/Vote:** Rep. Villa moved that **HB 577 DO PASS AS AMENDED.** Motion carried 18-2 by voice vote with Rep. Hawk and Rep. Kasten voting no. Rep. Ankney, Rep. Hawk, Rep. McChesney and Rep. Getz voted by proxy.

02:58:50 Chairman Sesso

ADJOURNMENT

02:59:45 Adjournment: 1:30 P.M.

Samuel Speerschneider, Secretary

ss

Additional Documents:

EXHIBIT ([aph63aad.pdf](#))