

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: Chair Walter McNutt, on March 28, 2011 at 10:00 A.M., in Room 102
Capitol

ROLL CALL

Members Present:

Rep. Walter McNutt, Chairman (R)
Rep. Bill Beck, Vice Chairman (R)
Rep. Cynthia Hiner, Vice Chairman (D)
Rep. Duane Ankney (R)
Rep. Tony Belcourt (D)
Rep. Randy Brodehl (R)
Rep. Tom Burnett (R)
Rep. Rob Cook (R)
Rep. Mike Cuffe (R)
Rep. Champ Edmunds (R)
Rep. Ron Ehli (R)
Rep. John Esp (R)
Rep. Steve Gibson (R)
Rep. Roy Hollandsworth (R)
Rep. Galen Hollenbaugh (D)
Rep. Ryan Osmundson (R)
Rep. Don Roberts (R)

Members Excused: Rep. Bill McChesney (D)
Rep. Robert (Bob) Mehlhoff (D)
Rep. Trudi Schmidt (D)
Rep. Jon C. Sesso (D)

Members Absent: None

Staff Present: Jon Moe, Legislative Branch
Sandra Sullivan, 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 157, 3/26/2011; HB 240, 3/26/2011; HB 397, 3/26/2011;
HB 616, 3/26/2011; HB 630, 3/26/2011; HB 598, 3/26/2011
Executive Action Taken: HB 603, HB 240

EXECUTIVE ACTION ON HB 603

Bill was tabled on March 25th.

00:01:38 **Motion:** Rep. Burnett moved that **HB 603 BE REMOVED FROM TABLED.**

Discussion:

00:01:58 Rep. Hiner

00:02:21 **Vote:** Motion carried 12-9 by roll call vote with Rep. Ankney, Rep. Belcourt, Rep. Cook, Rep. Hiner, Rep. Hollenbaugh, Rep. McChesney, Rep. McNutt, Rep. Schmidt and Rep. Sesso voting no. Rep. McChesney, Rep. Mehlhoff, Rep. Schmidt and Rep. Sesso voted by proxy.

00:03:35 **Motion:** Rep. Burnett moved that **HB 603 DO PASS AS AMENDED.**

Discussion:

00:03:46 Rep. Hollenbaugh

00:04:05 Chairman McNutt

00:04:17 Rep. Hollenbaugh

00:04:38 Rep. Esp

00:04:51 Rep. Hollenbaugh

00:05:21 Rep. Gibson

00:06:01 Rep. Burnett

00:08:13 Rep. Belcourt

00:09:08 **Vote:** Motion carried 12-9 by roll call vote with Rep. Ankney, Rep. Belcourt, Rep. Cook, Rep. Hiner, Rep. Hollenbaugh, Rep. McChesney, Rep. McNutt, Rep. Schmidt and Rep. Sesso voting no. Rep. McChesney, Rep. Mehlhoff, Rep. Schmidt and Rep. Sesso voted by proxy.

00:10:27 Meeting recessed.

00:25:43 Meeting resumed.

HEARING ON HB 240**Opening Statement by Sponsor:**

00:26:26 Rep. Kelly Flynn (R), HD 68, opened the hearing on HB 240, Revise eminent domain laws.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:32:39 Rep. McChesney and Rep. Mehlhoff arrived.
00:34:06 Rep. Hollenbaugh
00:35:10 Rep. Flynn
00:36:45 Rep. Belcourt
00:37:22 Rep. Flynn
00:37:45 Rep. Belcourt
00:38:22 Rep. Flynn
00:39:20 Rep. Cuffe
00:39:50 Rep. Flynn
00:40:25 Rep. Cuffe
00:40:31 Rep. Flynn
00:41:01 Rep. Hollandsworth
00:41:30 Rep. Flynn
00:43:11 Rep. Belcourt
00:43:36 Rep. Flynn
00:44:30 Chairman McNutt

Closing by Sponsor:

00:44:50 Rep. Flynn

HEARING ON HB 397**Opening Statement by Sponsor:**

00:46:01 Rep. James Knox (R), HD 47, opened the hearing on HB 397, Provide for education funds for school choice and home schooling.

Proponents' Testimony:

00:48:46 Rep. Sesso arrived.
00:50:09 Pat Wagman, Montana Family Foundation
[EXHIBIT\(aph69a01\)](#)
[EXHIBIT\(aph69a02\)](#)
00:56:09 Jeff Laszloffy, Montana Family Foundation
00:58:06 Robert Brown, Citizen
[EXHIBIT\(aph69a03\)](#)
01:01:16 Lincoln Dziekonski, Citizen
01:01:45 Eve Brown, Citizen

Opponents' Testimony:

01:02:56 Denise Juneau, Superintendent, Office of Public Instruction (OPI)
[EXHIBIT\(aph69a04\)](#)
01:07:39 Eric Feaver, Montana Education Association-Montana Federation of Teacher (MEA-MFT)
01:10:56 Bob Vogel, Montana School Boards Association (MTSBA)
01:14:04 Darrell Rud, School Administrators of Montana (SAM)
01:15:00 Mark Lambrecht, Executive Director, Montana Quality Education Coalition

Informational Testimony:

01:15:28 Steve Cleverdon, Department of Revenue (DOR)

Questions from Committee Members and Responses:

01:17:15 Rep. Gibson
01:17:46 Rep. Knox
01:17:52 Rep. Gibson
01:18:24 Rep. Mehlhoff
01:19:28 Ms. Juneau, OPI

Closing by Sponsor:

01:21:01 Rep. Knox

[**EXHIBIT**](#)(aph69a05)

HEARING ON HB 598**Opening Statement by Sponsor:**

01:25:46 Rep. Austin Knudsen (R), HD 36, opened the hearing on HB 598, Revise tax laws by conforming to federal law for net operating losses.

Proponents' Testimony:

01:28:22 Holly Franz, Montana Society of Certified Public Accountants

[**EXHIBIT**](#)(aph69a06)

01:35:32 Geoff Feiss, Montana Telecommunication Association

Opponents' Testimony:

01:38:20 Dan Bucks, Director, DOR

01:44:57 Rep. Osmundson, Rep. Edmunds, Rep. Ankney and Rep. Gibson left.

01:46:47 Chairman McNutt

01:46:52 Mr. Bucks

01:48:10 Rep. Ankney returned.

01:49:24 Rep. Gibson returned.

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:50:50 Rep. Knudsen

01:51:48 Chairman McNutt

EXECUTIVE ACTION ON HB 240

01:52:05 **Motion:** Rep. Esp moved that **HB 240 DO PASS.**

Discussion:

01:52:10 Rep. Esp

01:52:25 Rep. Edmunds returned.

01:52:27 **Vote:** Motion carried 20-1 by roll call vote with Rep. Sesso voting no. Rep. Osmundson and Rep. Schmidt voted by proxy.

01:53:58 Meeting recessed.
01:54:02 Meeting resumed. All members returned except Rep. Sesso.

HEARING ON HB 157

Opening Statement by Sponsor:

01:54:42 Rep. Wayne Stahl (R), HD 35, opened the hearing on HB 157, Providing refundable income tax credit based on property taxes imposed and paid.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor: None

HEARING ON HB 616

Opening Statement by Sponsor:

01:55:23 Rep. Lee Randall (R), HD 39, opened the hearing on HB 616, Correct erroneous agriculture land values, provide remedy, create ag. Committee.

EXHIBIT(aph69a07)

Proponents' Testimony:

01:57:17 Nancy Schlepp, Montana Taxpayers Association
01:58:16 Nicole Rolf, Montana Farm Bureau Federation
01:59:36 Steve Roth, Montana Stockgrowers Association

Opponents' Testimony:

02:00:42 Alan Peura, Deputy Director, DOR

EXHIBIT(aph69a08)

Informational Testimony: None

Questions from Committee Members and Responses:

02:07:19 Rep. Hiner
02:07:38 Mr. Moe
02:08:04 Rep. Hollenbaugh
02:08:41 Mr. Peura, DOR
02:10:24 Rep. Esp
02:10:44 Mr. Peura
02:11:12 Rep. Esp
02:11:16 Mr. Peura

02:11:24 Rep. Schmidt
02:11:49 Mr. Peura
02:12:26 Rep. Esp
02:12:42 Mr. Peura
02:13:08 Rep. Esp
02:13:15 Mr. Peura
02:13:27 Rep. Hiner
02:13:33 Mr. Moe
02:14:14 Rep. Schmidt
02:14:21 Chairman McNutt

Closing by Sponsor:

02:14:28 Rep. Randall

[EXHIBIT\(aph69a09\)](#)

HEARING ON HB 630

Opening Statement by Sponsor:

02:15:08 Rep. Austin Knudsen (R), HD 36, opened the hearing on HB 630, Revise school funding laws using oil and gas revenues.

Proponents' Testimony:

02:19:03 Willie Duffield, Montana Association of Oil, Gas and Coal Counties

02:19:54 Rep. Sesso arrived.

02:20:19 E. J. Redding, Bainville School Board

[EXHIBIT\(aph69a10\)](#)

[EXHIBIT\(aph69a11\)](#)

[EXHIBIT\(aph69a12\)](#)

[EXHIBIT\(aph69a13\)](#)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

02:21:14 Rep. Hollandsworth

02:21:35 Rep. Knudsen

Closing by Sponsor:

02:22:07 Rep. Knudsen

02:23:29 Meeting recessed.

02:46:57 Meeting resumed.

02:46:58 Chairman McNutt

ADJOURNMENT

02:47:16 Adjournment: 07:32:32 PM

Sandra Sullivan, Secretary

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Additional Documents:

EXHIBIT([aph69aad.pdf](#))