

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON APPROPRIATIONS

**Call to Order:** Chair Nancy Ballance, on March 17, 2015 at 8:30 A.M., in Room 102 Capitol

#### ROLL CALL

**Members Present:**

Rep. Nancy Ballance, Chair (R)  
Rep. Pat Noonan, Vice Chair (D)  
Rep. Randy Brodehl (R)  
Rep. Tom Burnett (R)  
Rep. Mike Cuffe (R)  
Rep. Kimberly Dudik (D)  
Rep. Ron Ehli (R)  
Rep. Janet Ellis (D)  
Rep. Dave Hagstrom (R)  
Rep. Roy Hollandsworth (R)  
Rep. Kenneth Holmlund (R)  
Rep. Donald W. Jones (R)  
Rep. Kelly McCarthy (D)  
Rep. Rae Peppers (D)  
Rep. Mitch Tropila (D)  
Rep. Brad Tschida (R)  
Rep. Tom Woods (D)

**Members Excused:** Rep. Ryan Osmundson, Vice Chair (R)  
Rep. Carl Glimm (R)  
Rep. Robert (Bob) Mehlhoff (D)

**Members Absent:** None

**Staff Present:** Katya Grover, Committee Secretary  
Julie Johnson, Legislative Branch  
Joe Triem, Legislative Branch

**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 219, 3/12/2015; HB 512, 3/12/2015; HB 423, 3/12/2015; HB 421, 3/12/2015

00:00:01 Chair Ballance

### **HEARING ON HB 219**

#### **Opening Statement by Sponsor:**

00:01:32 Rep. Jeff Essmann (R), HD 54, opened the hearing on HB 219, Geographic restrictions for sex offenders.

00:05:19 Chair Ballance

**Proponents' Testimony:** None

**Opponents' Testimony:** None

#### **Informational Testimony:**

00:05:43 Pat Schlauch, Administrator, Department of Corrections (COR)

#### **Questions from Committee Members and Responses:**

00:06:23 Rep. Ellis  
00:07:14 Rep. Essmann  
00:07:37 Rep. Tropila  
00:07:54 Rep. Essmann  
00:08:52 Rep. Tropila  
00:09:28 Pat Schlauch, COR  
00:10:40 Rep. Tropila  
00:11:16 Pat Schlauch, COR  
00:12:00 Rep. Tropila  
00:12:21 Pat Schlauch, COR  
00:12:36 Rep. Brodehl  
00:12:47 Mike Milburn, Deputy Chief of Staff, Department of Justice (DOJ)  
00:13:01 Rep. Brodehl  
00:13:26 Rep. Osmundson arrived.  
00:13:33 Chair Ballance  
00:13:44 Rep. Ehli  
00:14:42 Rep. Essmann  
00:15:13 Rep. Ehli  
00:15:25 Rep. Ellis  
00:15:49 Chair Ballance  
00:16:25 Rep. Tropila  
  
00:16:51 Rep. Osmundson assumed chairmanship.  
  
00:17:15 Rep. Essmann

#### **Closing by Sponsor:**

00:18:34 Rep. Essmann

00:20:00 Chair Osmundson

**HEARING ON HB 512****Opening Statement by Sponsor:**

00:20:16 Rep. Dale Mortensen (R), HD 44, opened the hearing on HB 512, Establish an eastern Montana crime laboratory.

**Proponents' Testimony:**

00:22:58 Phil Kinsey, Administrator, Montana State Crime Lab, Department of Justice (DOJ)  
00:26:28 Rep. Mehlhoff arrived.  
00:34:10 Daniel Schwarz, Chief Deputy County Attorney, Yellowstone County  
00:41:13 Allen Fulton, Rosebud County, Montana Sheriffs and Peace Officers Association (MSPOA)  
00:45:32 Dane Berwich, self, Rosebud County  
00:47:08 Shantil Siaperas, Legislative Analyst and Communications Specialist, Montana Association of Counties (MACo)  
00:47:39 E.J. Redding, Attorney, Roosevelt County

**EXHIBIT(aph55a01)**

00:48:11 Ed Bartlett, City of Billings, Chamber of Commerce (COC)  
00:50:54 Rep. McCarthy  
00:56:01 Dustin Harmon, self, Roosevelt County  
  
00:56:47 Rep. Ballance resumed chairmanship.

**Opponents' Testimony:** None**Informational Testimony:**

00:57:25 Tracy Ellis, Montana University System (MUS)

**Questions from Committee Members and Responses:**

00:58:25 Rep. Woods  
00:59:49 Rep. Mortensen  
01:00:10 Rep. Woods  
01:00:23 Phil Kinsey, DOJ  
01:00:34 Rep. Woods  
01:00:58 Phil Kinsey, DOJ  
01:02:49 Rep. Woods  
01:03:08 Phil Kinsey, DOJ  
01:03:23 Rep. Woods  
01:03:35 Phil Kinsey, DOJ  
01:04:36 Rep. Woods  
01:04:47 Phil Kinsey, DOJ  
01:05:08 Rep. Woods  
01:05:17 Phil Kinsey, DOJ  
01:06:02 Rep. Woods  
01:06:26 Phil Kinsey, DOJ  
01:07:30 Rep. Ellis  
01:08:47 Rep. Mortensen  
01:09:08 Rep. Dudik

01:09:45 Mike Milburn, Deputy Chief of Staff, Department of Justice (DOJ)  
01:11:21 Rep. Peppers  
01:11:46 Rep. Mortensen  
01:11:51 Rep. Peppers  
01:12:22 Rep. Tschida  
01:12:48 Rep. Mortensen  
01:13:00 Rep. Tschida  
01:13:34 Rep. Mortensen  
01:13:39 Chair Ballance  
01:14:07 Rep. McCarthy  
01:15:12 Chair Ballance  
01:15:28 Rep. Holmlund  
01:15:44 Rep. McCarthy  
01:16:54 Rep. Holmlund  
01:17:15 Rep. McCarthy  
01:17:36 Rep. Holmlund  
01:17:48 Rep. McCarthy  
01:18:13 Rep. Peppers  
01:18:27 Rep. McCarthy  
01:18:36 Rep. Peppers  
01:18:50 Rep. McCarthy  
01:19:21 Rep. Jones  
01:21:23 Rep. Brodehl  
01:22:18 Phil Kinsey, DOJ  
01:25:22 Rep. Brodehl  
01:25:36 Phil Kinsey, DOJ  
01:26:02 Rep. Brodehl  
01:26:30 Daniel Schwarz, Yellowstone County  
01:27:14 Rep. Brodehl  
01:27:35 Daniel Schwarz, Yellowstone County  
01:28:01 Rep. Brodehl  
01:28:26 Rep. Mortensen  
01:28:43 Rep. Jones  
01:29:15 Phil Kinsey, DOJ  
01:29:51 Rep. Burnett  
01:30:10 Phil Kinsey, DOJ  
01:30:50 Chair Ballance  
01:31:03 Rep. Ellis  
01:31:28 Rep. Burnett  
01:31:43 Rep. Dudik  
01:32:14 Allen Fulton, MSPOA  
01:36:57 Rep. Holmlund  
01:37:22 Phil Kinsey, DOJ  
01:37:37 Rep. Holmlund  
01:37:49 Phil Kinsey, DOJ  
01:38:50 Rep. Jones  
01:39:25 Daniel Schwarz, Yellowstone County

**Closing by Sponsor:**

01:39:46 Rep. Mortensen

**HEARING ON HB 423****Opening Statement by Sponsor:**

01:40:22 Rep. Scott Staffanson (R), HD 35, opened the hearing on HB 423, Revise education funding laws related to oil and natural gas production taxes.

**Proponents' Testimony:**

01:42:02 E.J. Redding, Bainville Public School  
01:42:33 Chair Ballance  
01:42:45 E.J. Redding, Bainville Public School  
01:45:22 Renee Rasmussen, Superintendent, Bainville Public School  
01:48:53 Dana Berwick, Chairman, Bainville Public Schools Board  
01:50:19 Ken Morrison, North East Rural Schools  
01:51:26 Jon Metropoulos, Executive Director, Montana Association of Oil, Gas and Coal Counties (MAOGCC)  
01:52:01 Dustin Harman, Trustee, Bainville Public School  
01:52:48 Daniel Farr, Superintendent, Sydney Public Schools  
01:54:16 Garth Harmon, self  
01:55:57 Rhett Harmon, student, Montana State University  
01:56:20 Larry Crowder, Superintendent, Culbertson Public School  
01:57:29 D. Luke Kloker, Superintended, Fairview Public Schools  
01:58:13 Tony Holecek, Superintended, Westby Public Schools

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:58:54 Rep. Dudik  
01:59:40 Renee Rasmussen, Bainville Public School  
02:02:13 Rep. Dudik  
02:02:47 Renee Rasmussen, Bainville Public School  
02:04:04 Rep. Dudik  
02:04:16 Renee Rasmussen, Bainville Public School  
02:04:33 Rep. Ellis  
02:05:27 Renee Rasmussen, Bainville Public School  
02:06:21 Rep. Woods  
02:07:08 Renee Rasmussen, Bainville Public School  
02:07:48 Chair Ballance  
02:07:54 Rep. Woods  
02:08:00 Renee Rasmussen, Bainville Public School

**Closing by Sponsor:**

02:09:28 Rep. Staffanson

02:09:57 Chair Ballance

02:10:03 Julie Johnson, Legislative Services Division (LSD)

**EXHIBIT(aph55a02)**

02:10:32 Rep. Hagstrom  
02:10:18 Chair Ballance  
  
02:11:04 Recessed  
00:00:01 Reconvened. Rep. Osmundson, Rep. Glimm were not present.

### HEARING ON HB 421

#### Opening Statement by Sponsor:

00:00:11 Rep. Tom Berry (R), HD 40, opened the hearing on HB 421, Extend termination date of coal severance tax coal washing credit.

#### Proponents' Testimony:

00:03:30 Bud Clinch, Executive Director, Montana Coal Council (MCC)  
00:08:52 Chuck Denowh, Signal Peak Energy

#### Opponents' Testimony:

00:10:05 Mike Kadas, Director, Montana Department of Revenue (DOR)

#### Informational Testimony: None

#### Questions from Committee Members and Responses:

00:12:28 Rep. Dudik  
00:13:23 Mike Kadas, Director, DOR  
00:14:19 Rep. Dudik  
00:14:40 Rep. Berry  
00:15:27 Rep. Peppers  
00:15:49 Mike Kadas, Director, DOR  
00:16:19 Rep. Hagstrom  
00:16:53 Bud Clinch, MCC  
00:19:23 Rep. Hagstrom  
00:19:47 Bud Clinch, MCC  
00:19:51 Rep. Tropila  
00:20:18 Bud Clinch, MCC  
00:20:52 Rep. Woods  
00:21:39 Bud Clinch, MCC  
00:23:33 Rep. Woods  
00:24:00 Bud Clinch, MCC  
00:24:08 Rep. Mehlhoff  
00:24:48 Bud Clinch, MCC  
00:26:01 Rep. Cuffe  
00:26:28 Rep. Berry  
00:26:41 Rep. Cuffe  
00:26:46 Rep. Berry  
00:27:07 Rep. Cuffe  
00:27:15 Rep. Berry  
00:27:21 Rep. Cuffe  
00:27:24 Rep. Berry  
00:27:35 Rep. Cuffe

00:27:45 Rep. Berry  
00:28:13 Rep. Cuffe  
00:28:21 Rep. Berry  
00:28:45 Rep. Cuffe  
00:28:59 Rep. Berry  
00:29:13 Rep. Cuffe  
00:30:30 Rep. Tropila  
00:30:47 Chair Ballance  
00:30:59 Rep. Cuffe  
00:31:08 Rep. Noonan  
00:31:49 Mike Kadas, Director, DOR  
00:31:57 Rep. Noonan  
00:32:05 Bud Clinch, MCC  
00:32:56 Rep. Noonan  
00:33:20 Bud Clinch, MCC  
00:33:54 Rep. Noonan  
00:34:06 Bud Clinch, MCC  
00:34:38 Rep. Mehlhoff  
00:35:20 Bud Clinch, MCC  
00:36:55 Rep. Mehlhoff  
00:37:21 Rep. Berry  
00:37:36 Rep. Mehlhoff  
00:37:41 Rep. Ellis  
00:38:43 Mike Kadas, Director, DOR  
00:38:55 Rep. Brodehl  
00:39:26 Rep. Berry  
00:39:40 Rep. Brodehl  
00:39:47 Mike Kadas, Director, DOR  
00:39:59 Rep. Brodehl  
00:40:05 Mike Kadas, Director, DOR  
00:40:26 Rep. Brodehl  
00:40:42 Mike Kadas, Director, DOR  
00:40:49 Rep. Brodehl  
00:41:26 Mike Kadas, Director, DOR  
00:42:00 Rep. Brodehl  
00:42:09 Bud Clinch, MCC  
00:42:46 Rep. Peppers  
00:43:03 Bud Clinch, MCC  
00:43:29 Rep. Ellis  
00:43:55 Rep. Berry  
00:44:03 Rep. Hagstrom  
00:44:26 Bud Clinch, MCC  
00:46:50 Chair Ballance  
00:47:07 Bud Clinch, MCC  
00:47:13 Chair Ballance  
00:47:26 Bud Clinch, MCC  
00:47:54 Chair Ballance  
00:48:08 Bud Clinch, MCC  
00:48:18 Chair Ballance  
00:48:20 Bud Clinch, MCC

00:48:30 Chair Ballance  
00:48:41 Bud Clinch, MCC  
00:48:46 Chair Ballance  
00:49:25 Bud Clinch, MCC  
00:49:57 Chair Ballance  
00:50:27 Mike Kadas, Director, DOR  
00:50:38 Chair Ballance  
00:50:53 Mike Kadas, Director, DOR  
00:51:28 Chair Ballance  
00:51:45 Mike Kadas, Director, DOR

**Closing by Sponsor:**

00:52:01 Rep. Berry

00:53:43 Chair Ballance  
00:54:17 Rep. Tropila  
00:54:26 Chair Ballance

**ADJOURNMENT**

00:55:03      Adjournment

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Katya Grover, Secretary

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Additional Documents:

**EXHIBIT([aph55aad.pdf](#))**