

## MINUTES

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

#### COMMITTEE ON APPROPRIATIONS

**Call to Order:** Chair Nancy Ballance, on March 23, 2015 at 8:30 A.M., in Room 102 Capitol

#### ROLL CALL

**Members Present:**

Rep. Nancy Ballance, Chair (R)  
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. Carl Glimm (R)  
Rep. Roy Hollandsworth (R)  
Rep. Kenneth Holmlund (R)  
Rep. Donald W. Jones (R)  
Rep. Kelly McCarthy (D)  
Rep. Rae Peppers (D)  
Rep. Brad Tschida (R)  
Rep. Tom Woods (D)

**Members Excused:** Rep. Pat Noonan, Vice Chair (D)  
Rep. Ryan Osmundson, Vice Chair (R)  
Rep. Dave Hagstrom (R)  
Rep. Robert (Bob) Mehlhoff (D)  
Rep. Mitch Tropila (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 488, 3/16/2015; HB 487, 3/16/2015; HB 506, 3/16/2015; HB 597, 3/16/2015; HB 606, 3/16/2015  
Executive Action: HB 156; HB 202; HB 245; HB 379; HB 389; SB 200; HB 235; HB 287; HB 327; HB 512

00:00:01 Chair Ballance  
00:01:23 Rep. Tropila arrived.  
00:02:33 Rep. Ellis

### HEARING ON HB 488

#### Opening Statement by Sponsor:

00:02:58 Rep. Keith Regier (R), HD 4, opened the hearing on HB 488, Generally revise DUI laws.

#### Proponents' Testimony:

00:03:57 Jon Bennion, Deputy Attorney General, Department of Justice (DOJ)  
[EXHIBIT\(aph60a01\)](#)

00:06:29 Rep. Mehlhoff arrived.  
00:07:34 Mark Murphy, Montana County Attorneys' Association (MCAA), Montana Police Protective Association (MPPA)

Opponents' Testimony: None

Informational Testimony: None

#### Questions from Committee Members and Responses:

00:09:15 Rep. Hollandsworth  
00:09:45 Jon Bennion, DOJ  
00:10:12 Rep. Hollandsworth  
00:10:30 Jon Bennion, DOJ  
00:11:34 Rep. McCarthy  
00:12:02 Jon Bennion, DOJ  
00:13:21 Rep. McCarthy  
00:13:26 Rep. Dudik  
00:13:43 Jon Bennion, DOJ  
00:13:57 Chair Ballance  
00:14:03 Rep. Holmlund  
00:14:33 Jon Bennion, DOJ  
00:15:14 Rep. Cuffe  
00:15:33 Jon Bennion, DOJ  
00:15:57 Rep. Cuffe  
00:16:25 Jon Bennion, DOJ  
00:16:51 Rep. Dudik  
00:17:37 Mark Murphy, MCAA, MPPA  
00:19:45 Rep. Noonan arrived.  
00:19:53 Rep. Burnett  
00:20:09 Rep. Regier  
00:20:17 Mark Murphy, MCAA, MPPA  
00:20:49 Rep. Burnett  
00:21:07 Mark Murphy, MCAA, MPPA  
00:21:34 Chair Ballance  
00:21:46 Rep. Woods

00:22:17 Jon Bennion, DOJ  
00:22:31 Rep. Woods  
00:22:45 Jon Bennion, DOJ  
00:23:31 Rep. Woods  
00:23:37 Jon Bennion, DOJ  
00:23:43 Rep. Woods  
00:24:05 Rep. Regier  
00:24:21 Rep. Ellis  
00:24:53 Jon Bennion, DOJ  
00:25:35 Rep. Ellis  
00:25:52 Jon Bennion, DOJ  
00:26:27 Rep. Peppers  
00:26:49 Jon Bennion, DOJ  
00:27:14 Rep. Tropila  
00:27:53 Jon Bennion, DOJ  
00:28:57 Rep. Woods  
00:29:12 Jon Bennion, DOJ  
00:29:14 Rep. Woods  
00:29:24 Jon Bennion, DOJ  
00:29:38 Rep. Woods  
00:29:51 Jon Bennion, DOJ  
00:30:19 Rep. Woods  
00:30:26 Chair Ballance  
00:30:35 Jon Bennion, DOJ  
00:31:09 Rep. Woods  
00:31:14 Jon Bennion, DOJ

**Closing by Sponsor:**

00:31:25 Rep. Regier

**HEARING ON HB 487**

**Opening Statement by Sponsor:**

00:32:24 Rep. Donald Jones (R), HD 46, opened the hearing on HB 487, Create statutory appropriations for old governor's mansion and MHS fees.

**Proponents' Testimony:**

00:33:41 Denise King, Central Services Administrator, Montana Historical Society (MHS)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

00:36:04 Rep. Jones

**HEARING ON HB 506****Opening Statement by Sponsor:**

00:36:28 Rep. David (Doc) Moore (R), HD 92, opened the hearing on HB 506, Allowing microdistilleries to deliver products directly to agency liquor stores.

**Proponents' Testimony:**

00:38:51 Jennifer Hensleg, Montana Distillers Guild (MDG)

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

00:41:02 Shauna Helfert, Administrator, Liquor Control Division, Department of Revenue (DOR)

**Questions from Committee Members and Responses:**

00:41:24 Rep. McCarthy  
00:41:37 Jennifer Hensleg, MDG  
00:42:19 Rep. McCarthy  
00:42:28 Jennifer Hensleg, MDG  
00:42:37 Rep. McCarthy  
00:42:51 Shauna Helfert, DOR  
00:43:13 Rep. Peppers  
00:43:35 Shauna Helfert, DOR  
00:44:11 Rep. Cuffe  
00:44:19 Chair Ballance  
00:44:30 Rep. Cuffe  
00:44:38 Rep. Mehlhoff  
00:45:06 Shauna Helfert, DOR  
00:45:46 Rep. Woods  
00:46:11 Shauna Helfert, DOR  
00:46:55 Rep. Tropila  
00:47:12 Shauna Helfert, DOR  
00:48:26 Rep. Cuffe  
00:48:46 Chair Ballance  
00:48:52 Rep. Moore  
00:49:14 Rep. Holmlund  
00:49:51 Shauna Helfert, DOR  
00:50:26 Rep. Noonan  
00:51:12 Shauna Helfert, DOR  
00:51:25 Rep. Noonan  
00:51:30 Shauna Helfert, DOR  
00:51:37 Rep. Noonan  
00:52:05 Shauna Helfert, DOR  
00:52:19 Rep. Noonan  
00:52:27 Shauna Helfert, DOR  
00:53:38 Rep. Ellis  
00:54:16 Shauna Helfert, DOR  
00:55:04 Rep. Glimm  
00:55:29 Shauna Helfert, DOR

00:56:09 Rep. Glimm  
00:56:43 Shauna Helfert, DOR  
00:58:03 Rep. Jones  
00:59:18 Shauna Helfert, DOR  
00:59:50 Rep. McCarthy  
01:00:18 Rep. Cuffe  
01:01:22 Shauna Helfert, DOR  
01:02:27 Chair Ballance  
01:02:37 Shauna Helfert, DOR  
01:02:59 Rep. Holmlund  
01:03:19 Shauna Helfert, DOR  
01:03:36 Rep. Holmlund  
01:04:04 Shauna Helfert, DOR  
01:04:23 Rep. Woods  
01:05:03 Shauna Helfert, DOR  
01:05:09 Rep. Tschida  
01:05:41 Rep. Ellis  
01:06:07 Shauna Helfert, DOR  
01:06:21 Rep. Noonan  
01:07:07 Jennifer Hensleg, MDG  
01:10:19 Rep. Tschida  
01:11:06 Shauna Helfert, DOR  
01:11:59 Rep. Tschida  
01:12:15 Shauna Helfert, DOR  
01:12:42 Rep. Jones  
01:13:33 Shauna Helfert, DOR  
01:14:17 Chair Ballance  
01:14:20 Rep. Woods  
01:14:45 Rep. Dudik  
01:15:17 Jennifer Hensleg, MDG  
01:15:23 Rep. Dudik  
01:15:30 Jennifer Hensleg, MDG  
01:17:38 Rep. Hollandsworth  
01:18:02 Rep. Glimm  
01:18:51 Rep. Moore  
01:20:29 Chair Ballance  
01:21:13 Shauna Helfert, DOR  
01:21:37 Chair Ballance

**Closing by Sponsor:**

01:21:57 Rep. Moore  
  
01:23:08 Chair Ballance  
01:23:43 Rep. Cuffe  
01:25:16 Chair Ballance  
01:25:27 Rep. Tschida  
01:25:47 Chair Ballance  
01:26:06 Rep. Dudik  
01:26:21 Chair Ballance

01:26:37 Recessed

**Audio committee minutes for the afternoon session continue on a separate link.**

00:00:01 Reconvened

**HEARING ON HB 606**

**Opening Statement by Sponsor:**

00:00:18 Rep. Christy Clark (R), HD 17, opened the hearing on HB 606, Provide statutory appropriation for Title X funding.

**Proponents' Testimony:**

00:01:46 Karen Sullivan, Butte-Silver Bow Health Department, Montana Public Health Association (MPHA)

00:05:01 Stephanie McDowell, Associate Director, Bridger Care, Bozeman

**Opponents' Testimony:** None

**Informational Testimony:**

00:08:46 Todd Harwell, Administrator, Public Health and Safety Division, Department of Public Health and Human Services (DPHHS)

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

00:09:30 Rep. Clark

**HEARING ON HB 597**

**Opening Statement by Sponsor:**

00:10:12 Rep. Mary Ann Dunwell (D), HD 84, opened the hearing on HB 597, Providing an appropriation for sexually transmitted disease prevention services.

**[EXHIBIT\(aph60a02\)](#)**

**Proponents' Testimony:**

00:17:54 Kevin Hamm, self

**[EXHIBIT\(aph60a03\)](#)**

00:20:06 Colette Gray, AIDS Outreach, Bozeman

**[EXHIBIT\(aph60a04\)](#)**

00:21:51 Rep. Woods

**Opponents' Testimony:** None

**Informational Testimony:**

00:25:38 Jim Murphy, Department of Public Health and Human Services (DPHHS)

**Questions from Committee Members and Responses:**

00:26:08 Rep. Dudik  
00:26:29 Jim Murphy, DPHHS  
00:27:01 Rep. Dudik  
00:27:13 Jim Murphy, DPHHS  
00:27:40 Rep. Dudik  
00:27:45 Jim Murphy, DPHHS  
00:28:33 Rep. Dudik  
00:28:46 Jim Murphy, DPHHS

**Closing by Sponsor:**

00:29:37 Rep. Dunwell

**EXHIBIT(aph60a05)**

00:31:01 Chair Ballance  
00:31:28 Recess  
00:41:52 Reconvened

**EXECUTIVE ACTION ON HB 156**

00:41:59 **Motion:** Rep. Osmundson moved that **HB 156 DO PASS.**

**Discussion:**

00:42:11 Chair Ballance

**EXHIBIT(aph60a06)**

00:42:27 Rep. Woods  
00:42:56 Chair Ballance

00:43:06 **Vote:** Motion carried 17-3 by roll call vote with Rep. Dudik, Rep. Ellis and Rep. Woods voting no.

**EXECUTIVE ACTION ON HB 235**

00:44:09 **Motion:** Rep. Osmundson moved that **HB 235 DO PASS.**

**Discussion:**

00:44:43 Rep. McCarthy  
00:44:54 Chair Ballance  
00:44:59 Rep. McCarthy  
00:45:13 Chair Ballance  
00:45:19 Rep. Noonan  
00:45:53 Rep. McCarthy  
00:45:57 Chair Ballance  
00:46:21 Rep. Osmundson  
00:46:32 Chair Ballance  
00:46:38 Rep. Noonan

00:47:26 **Vote:** Motion failed 10-10 by roll call vote with Rep. Cuffe, Rep. Dudik, Rep. Ellis, Rep. Hollandsworth, Rep. McCarthy, Rep. Mehlhoff, Rep. Noonan, Rep. Peppers, Rep. Tropila and Rep. Woods voting aye.

00:48:43 **Motion/Vote:** Rep. Osmundson moved that **HB 235 BE TABLED**. Motion carried 18-2 by voice vote with Rep. Mehlhoff and Rep. Tropila voting no.

#### **EXECUTIVE ACTION ON HB 245**

00:49:12 **Motion:** Rep. Osmundson moved that **HB 245 DO PASS**.

#### **Discussion:**

00:49:24 Chair Ballance

00:49:28 Rep. McCarthy

00:49:33 Chair Ballance

00:50:33 Rep. Tschida

00:53:21 Chair Ballance

00:53:50 **Vote:** Motion carried 15-5 by roll call vote with Rep. Dudik, Rep. Ellis, Rep. Mehlhoff, Rep. Peppers and Rep. Tropila voting no.

#### **EXECUTIVE ACTION ON HB 287**

00:54:48 **Motion:** Rep. Osmundson moved that **HB 287 DO PASS**.

#### **Discussion:**

00:55:04 Rep. Mehlhoff

00:56:38 Rep. Hagstrom

00:58:13 **Vote:** Motion failed 9-11 by roll call vote with Rep. Dudik, Rep. Ellis, Rep. Hagstrom, Rep. McCarthy, Rep. Mehlhoff, Rep. Noonan, Rep. Peppers, Rep. Tropila and Rep. Woods voting aye.

00:59:16 **Motion/Vote:** Rep. Osmundson moved that **HB 287 BE TABLED**. Motion carried 18-2 by voice vote with Rep. Mehlhoff and Rep. Tropila voting no.

#### **EXECUTIVE ACTION ON HB 327**

00:59:49 **Motion:** Rep. Osmundson moved that **HB 327 DO PASS**.

#### **Discussion:**

01:00:10 Rep. Dudik

01:00:30 **Vote:** Motion failed 8-12 by roll call vote with Rep. Dudik, Rep. Ellis, Rep. McCarthy, Rep. Mehlhoff, Rep. Noonan, Rep. Peppers, Rep. Tropila and Rep. Woods voting aye.

01:01:24 **Motion/Vote:** Rep. Osmundson moved that **HB 327 BE TABLED**. Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 379**

01:01:54 **Motion/Vote:** Rep. Osmundson moved that **HB 379 DO PASS**. Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 389**

01:02:31 **Motion:** Rep. Osmundson moved that **HB 389 DO PASS**.

**Discussion:**

01:02:49 Rep. Mehlhoff

01:03:04 Rep. Osmundson

01:03:25 **Vote:** Motion carried 14-6 by voice vote with Rep. Dudik, Rep. Ellis, Rep. Noonan, Rep. Peppers, Rep. Tropila and Rep. Tschida voting no.

**EXECUTIVE ACTION ON HB 512**

01:04:21 **Motion:** Rep. Osmundson moved that **HB 512 DO PASS**.

**Discussion:**

01:04:34 Rep. Brodehl

01:05:10 **Substitute Motion/Vote:** Rep. McCarthy made a substitute motion that **HB 512 BE TABLED**. Substitute Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SB 200**

01:06:05 **Motion:** Rep. Osmundson moved that **SB 200 BE CONCURRED IN**.

**Discussion:**

01:06:16 **Motion:** Rep. Woods moved that **SB 200 BE AMENDED**.

[EXHIBIT\(aph60a07\)](#)

**Discussion:**

01:07:51 Rep. Tschida

01:09:18 Rep. McCarthy

01:09:58 Rep. Woods

01:10:03 Rep. McCarthy

01:10:28 Rep. Woods

01:10:41 Rep. McCarthy

01:10:48 Chair Ballance

01:10:53 Julie Johnson, Legislative Services Division (LSD)

01:11:10 Rep. Cuffe  
01:11:44 Rep. Noonan  
01:12:16 Chair Ballance  
01:12:35 Rep. Noonan  
01:12:58 Chair Ballance

01:13:31 **Vote:** Motion failed 8-12 by roll call vote with Rep. Dudik, Rep. Ellis, Rep. McCarthy, Rep. Mehlhoff, Rep. Noonan, Rep. Peppers, Rep. Tropila and Rep. Woods voting aye.

01:14:36 **Vote:** Motion carried 12-8 by roll call vote with Rep. Dudik, Rep. Ehli, Rep. McCarthy, Rep. Mehlhoff, Rep. Noonan, Rep. Peppers, Rep. Tropila and Rep. Woods voting no. Rep. Hollandsworth will carry the bill.

01:15:47 Chair Ballance  
01:17:05 Rep. Ellis  
01:17:15 Chair Ballance

#### **EXECUTIVE ACTION ON HB 202**

01:17:59 **Motion/Vote:** Rep. Dudik moved that **HB 202 BE REMOVED FROM TABLE.** Motion carried 11-9 by roll call vote with Rep. Ballance, Rep. Brodehl, Rep. Burnett, Rep. Cuffe, Rep. Ehli, Rep. Glimm, Rep. Hagstrom, Rep. Holmlund and Rep. Osmundson voting no.

01:21:09 **Motion:** Rep. Dudik moved that **HB 202 DO PASS.**

01:21:13 **Motion/Vote:** Rep. Dudik moved that **HB 202 BE AMENDED.** Motion carried unanimously by voice vote.

#### **EXHIBIT(aph60a08)**

01:23:39 Rep. Tschida  
01:24:09 Chair Ballance  
01:24:18 Julie Johnson, LFD  
01:24:28 Rep. Tschida  
01:24:37 Chair Ballance  
01:24:41 Rep. McCarthy  
01:25:01 Rep. Dudik  
01:25:12 Chair Ballance  
01:25:19 Rep. Dudik  
01:25:26 Rep. Jones  
01:25:45 Rep. Dudik  
01:26:04 Rep. Osmundson  
01:26:11 Rep. Dudik  
01:26:20 Rep. McCarthy  
01:26:36 Chair Ballance

01:26:46 **Motion/Vote:** Rep. Dudik moved that **HB 202 DO PASS AS AMENDED**. Motion carried 17-3 by voice vote with Rep. Brodehl, Rep. Burnett and Rep. Glimm voting no.

01:27:28 Chair Ballance

**ADJOURNMENT**

01:27:47      Adjournment

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Katya Grover, Secretary

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Additional Documents:

**EXHIBIT([aph60aad.pdf](#))**