

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: Chair Nancy Ballance, on March 24, 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. Ryan Osmundson, Vice Chair (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. Dave Hagstrom (R)
Rep. Roy Hollandsworth (R)
Rep. Donald W. Jones (R)
Rep. Kelly McCarthy (D)
Rep. Robert (Bob) Mehlhoff (D)
Rep. Brad Tschida (R)
Rep. Tom Woods (D)

Members Excused: Rep. Randy Brodehl (R)
Rep. Kenneth Holmlund (R)
Rep. Rae Peppers (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 213, 3/19/2015; HB 234, 3/19/2015; HB 277, 3/19/2015; HB 341, 3/19/2015; HB 433, 3/19/2015
Executive Action: HB 213; HB 234; HB 277; HB 341; HB 433; HB 487; HB 488; HB 506; HB 597; HB 606

00:00:01 Chair Ballance
00:01:03 Rep. Peppers arrived.

HEARING ON HB 213

Opening Statement by Sponsor:

00:01:37 Rep. Mike Miller (R), HD 80, opened the hearing on HB 213, Revise business equipment tax laws.

Proponents' Testimony:

00:02:27 Glenn Oppel, Government Relations Director, Montana Chamber of Commerce (COC)

EXHIBIT(aph61a01)

00:02:46 Rep. Holmlund arrived.
00:03:36 Riley Johnson, National Federation of Independent Business (NFIB)
00:03:49 Cary Hegreberg, Executive Director, Montana Contractors' Association (MCA)
00:04:52 Nicole Rolf, Montana Farm Bureau Federation (MFBF)
00:05:48 Margaret Morgan, Montana Independent Electrical Contractors (MIEC)
00:05:52 Rep. Tropila arrived.

Opponents' Testimony:

00:06:54 Gene Walborn, Deputy Director, Department of Revenue (DOR)
00:07:48 Heather O'Loughlin, Co-Director, Montana Budget and Policy Center (MBPC)

Informational Testimony: None

Questions from Committee Members and Responses:

00:09:25 Rep. Hagstrom
00:09:39 Rep. Miller
00:09:48 Rep. Hagstrom
00:10:03 Rep. Miller
00:10:19 Rep. Burnett
00:11:01 Glenn Oppel, Government Relations Director, COC
00:11:23 Rep. Burnett
00:11:31 Glenn Oppel, Government Relations Director, COC
00:12:06 Rep. Tropila
00:12:36 Glenn Oppel, Government Relations Director, COC

Closing by Sponsor:

00:13:19 Rep. Miller

00:13:57 Rep. Osmundson assumed chairmanship.

HEARING ON HB 234**Opening Statement by Sponsor:**

00:14:15 Rep. Nancy Ballance (R), HD 87, opened the hearing on HB 234, Generally revise shooting range funding laws.

00:15:09 Rep. Brodehl arrived.

Proponents' Testimony:

00:17:14 Gary Marbut, Montana Shooting Sports Association (MSSA)

00:22:08 Doug Nulle, self

Opponents' Testimony:

00:23:47 Jeff Hagener, Director, Montana Fish, Wildlife and Parks (FWP)

[EXHIBIT\(aph61a02\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

00:30:16 Rep. Burnett

00:30:37 Gary Marbut, MSSA

[EXHIBIT\(aph61a03\)](#)

00:33:13 Rep. Ellis

00:34:10 Rep. Ballance

00:34:33 Rep. Ellis

00:34:43 Julie Johnson, Legislative Services Division (LSD)

00:35:10 Rep. Ellis

00:35:18 Rep. Brodehl

00:35:48 Jeff Hagener, Director, FWP

00:35:59 Rep. Brodehl

00:36:04 Jeff Hagener, Director, FWP

00:36:08 Rep. Tschida

00:36:57 Rep. Ballance

00:37:10 Gary Marbut, MSSA

00:37:56 Rep. Tschida

00:38:34 Rep. Ballance

00:39:00 Rep. Glimm

00:39:25 Jeff Hagener, Director, FWP

00:39:37 Rep. Glimm

00:40:11 Jeff Hagener, Director, FWP

00:40:48 Rep. Glimm

00:41:03 Jeff Hagener, Director, FWP

00:41:08 Rep. Glimm

00:41:15 Jeff Hagener, Director, FWP

00:41:37 Rep. Mehlhoff

00:41:53 Jeff Hagener, Director, FWP

00:42:04 Rep. Mehlhoff

00:42:15 Wayde Cooperider, Montana Fish, Wildlife and Parks (FWP)

00:43:20 Rep. Mehlhoff

00:43:39 Wayde Cooperider, FWP
00:44:04 Rep. Mehlhoff
00:44:58 Jeff Hagener, Director, FWP
00:45:18 Rep. Mehlhoff
00:45:35 Jeff Hagener, Director, FWP
00:46:04 Rep. Mehlhoff
00:46:26 Jeff Hagener, Director, FWP
00:46:58 Rep. Mehlhoff
00:48:26 Jeff Hagener, Director, FWP
00:49:17 Rep. Cuffe
00:50:10 Wayde Cooperider, FWP
00:50:13 Rep. Cuffe
00:50:25 Jeff Hagener, Director, FWP
00:50:47 Rep. Cuffe
00:50:52 Jeff Hagener, Director, FWP
00:50:56 Rep. Cuffe
00:51:13 Rep. Ballance
00:51:40 Rep. Woods
00:52:06 Rep. Ballance
00:52:35 Rep. Woods
00:52:46 Rep. Ballance
00:52:50 Rep. Woods
00:53:03 Rep. Ballance
00:53:38 Rep. Woods
00:53:47 Rep. Ballance
00:54:11 Rep. Woods
00:54:44 Rep. Ballance
00:55:12 Rep. Glimm
00:55:47 Wayde Cooperider, FWP
00:55:57 Rep. Glimm
00:56:07 Wayde Cooperider, FWP
00:56:17 Rep. Glimm
00:56:23 Wayde Cooperider, FWP
00:57:03 Rep. Tropila
00:57:27 Jeff Hagener, Director, FWP
00:57:53 Rep. Tropila
00:58:55 Rep. Ballance
01:02:05 Rep. Tropila
01:02:34 Rep. Ballance
01:03:26 Rep. Ellis
01:04:09 Rep. Ballance
01:05:03 Rep. Ellis
01:05:49 Joe Triem, Legislative Fiscal Division (LFD)
01:06:21 Chair Osmundson
01:06:32 Julie Johnson, LSD
01:06:55 Rep. Ellis
01:07:41 Julie Johnson, LSD
01:07:58 Chair Osmundson
01:08:08 Rep. Holmlund
01:08:50 Rep. Ballance

01:08:58 Gary Marbut, MSSA
01:09:45 Rep. Holmlund
01:10:05 Gary Marbut, MSSA
01:11:01 Rep. Holmlund
01:11:29 Gary Marbut, MSSA
01:11:43 Rep. Holmlund
01:12:05 Gary Marbut, MSSA
01:13:26 Rep. Dudik
01:13:50 Jeff Hagener, Director, FWP
01:14:22 Rep. Dudik
01:15:13 Jeff Hagener, Director, FWP
01:15:58 Rep. Dudik
01:16:15 Rep. Ballance
01:16:58 Rep. Dudik
01:17:07 Rep. Ballance
01:17:25 Rep. McCarthy
01:18:14 Rep. Ballance
01:18:34 Rep. McCarthy
01:18:44 Rep. Ballance
01:18:48 Rep. McCarthy
01:18:54 Rep. Ballance
01:19:08 Rep. McCarthy
01:19:35 Jeff Hagener, Director, FWP
01:19:38 Rep. McCarthy
01:19:52 Jeff Hagener, Director, FWP
01:20:20 Rep. McCarthy
01:20:28 Jeff Hagener, Director, FWP
01:20:32 Rep. McCarthy
01:20:56 Jeff Hagener, Director, FWP
01:21:07 Rep. McCarthy
01:21:55 Gary Marbut, MSSA
01:23:29 Rep. McCarthy
01:23:58 Gary Marbut, MSSA
01:24:46 Rep. Dudik
01:25:11 Gary Marbut, MSSA
01:25:28 Rep. Dudik
01:25:37 Gary Marbut, MSSA
01:25:50 Rep. Brodehl
01:26:33 Jeff Hagener, Director, FWP

Closing by Sponsor:

01:26:56 Rep. Ballance

01:28:55 Recessed
01:47:25 Reconvened

01:47:26 Rep. Ballance resumed chairmanship.

HEARING ON HB 277**Opening Statement by Sponsor:**

01:47:28 Rep. Christy Clark (R), HD 17, opened the hearing on HB 277, Provide for an apprenticeship tax credit.

Proponents' Testimony:

01:49:58 Mike Cooney, Deputy Commissioner, Montana Department of Labor and Industry (DOLI)

EXHIBIT(aph61a04)

01:57:07 Margaret Morgan, Montana Independent Electrical Contractors Association (MIECA)
01:58:59 Keith Allen, Montana Electrical JATC
01:59:47 John Forkan, Montana State Association of Plumbers and Pipe Builders (MSAPPB)
02:00:19 Ron Devlin, North Western Energy (NWE), Montana Water Well Drillers Association (MWWDA)
02:02:06 Riley Johnson, National Federation of Independent Business (NFIB)
02:02:54 Glenn Oppel, Government Relations Director, Montana Chamber of Commerce (COC)
02:03:29 Matthew Lane, Contractor
02:04:26 Cary Hegreberg, Executive Director, Montana Contractors' Association (MCA)
02:07:09 Rich Budde, Corval Group
02:09:10 Bill Bentley, Executive Manager, Montana National Electrical Contractors Association (NECA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

02:09:48 Rep. McCarthy
02:10:09 Mike Cooney, DOLI
02:10:29 Rep. McCarthy
02:10:47 Mike Cooney, DOLI
02:11:00 Rep. McCarthy
02:11:17 Mike Cooney, DOLI
02:12:01 Rep. Hollandsworth
02:12:28 Rep. Clark
02:13:54 Rep. Holmlund
02:14:10 Mike Cooney, DOLI
02:14:34 Darrell Holzer, Program Manager, Montana Apprenticeship Program (MAP)
02:15:45 Rep. Holmlund
02:15:53 Darrell Holzer, MAP
02:17:04 Rep. Brodehl
02:17:29 Mike Cooney, DOLI
02:18:06 Rep. Brodehl
02:18:21 Rep. Hagstrom
02:18:55 Matthew Lane, Contractor

02:19:06 Rep. Hagstrom
 02:19:41 Matthew Lane, Contractor
 02:20:55 Rep. Hagstrom
 02:21:50 Matthew Lane, Contractor
 02:23:14 Rep. McCarthy
 02:23:46 Rep. Clark
 02:23:57 Rep. McCarthy
 02:24:24 Rep. Clark
 02:24:57 Rep. Tropila
 02:25:36 Mike Cooney, DOLI
 02:27:14 Chair Ballance
 02:27:45 Mike Cooney, DOLI
 02:28:51 Chair Ballance
 02:29:20 Mike Cooney, DOLI
 02:29:27 Chair Ballance
 02:29:42 Mike Cooney, DOLI

Closing by Sponsor:

02:30:44 Rep. Clark

02:33:33 Chair Ballance

02:34:06 Recessed

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

00:00:01 Reconvened

HEARING ON HB 341**Opening Statement by Sponsor:**

00:03:34 Rep. Bill Harris (R), HD 29, opened the hearing on HB 341, Provide tax benefits to employers and students for higher education expenses.

[EXHIBIT\(aph61a05\)](#)**Proponents' Testimony:**

00:06:57 Sheila Rice, Montana Organizing Project (MOP)
 00:10:17 Rep. Zach Brown, HD 63
 00:11:36 Mike Hopkins, Associated Students of Montana State University (ASMSU)
 00:12:22 Haocheng Wang, Associated Students of University of Montana (ASUM)
 00:12:58 Garrett Lankford, Associated Students of Montana State University (ASMSU)
 00:13:24 Braden Fitzgerald, Montana Public Interest Research Group (MONTPIRG)
 00:14:17 Riley Johnson, National Federation of Independent Business (NFIB)
 00:16:03 Kevin Nelson, Billings

Opponents' Testimony:

00:18:55 Marco Ferro, Director, Montana Education Association-Montana Federation of Teachers (MEA-MFT)

Informational Testimony:

00:19:53 Jim Stipcich, President/CEO, Student Assistance Foundation

Questions from Committee Members and Responses:

00:20:55 Rep. Tropila

00:21:40 Rep. Harris

Closing by Sponsor:

00:23:26 Rep. Harris

00:27:02 Chair Ballance

HEARING ON HB 433**Opening Statement by Sponsor:**

00:30:33 Rep. Seth Berglee (R), HD 58, opened the hearing on HB 433, Providing a tuition tax credit for K-12 education.

Proponents' Testimony:

00:33:10 Kevin Nelson, Billings

Opponents' Testimony:

00:37:21 Madalyn Quinlan, Chief of Staff, Office of Public Instruction (OPI)

00:39:14 Gina Satterfield, Helena

[EXHIBIT\(aph61a06\)](#)

00:43:34 Chair Ballance

00:43:49 Gina Satterfield, Helena

00:44:32 Bob Vogel, Montana School Boards Association (MTSBA)

00:45:04 Robert Filipovich, self

00:45:38 Chair Ballance

00:45:48 Robert Filipovich, self

00:45:59 Chair Ballance

00:46:11 Robert Filipovich, self

00:46:23 Chair Ballance

00:46:39 Kirk Miller, Executive Director, School Administrators of Montana (SAM)

00:48:38 Marco Ferro, Director, Montana Education Association-Montana Federation of Teachers (MEA-MFT)

00:49:12 Dianne Burke, Executive Director, Montana Quality Education Coalition (MQEC)

00:49:47 Jim Smith, Board Member, Montana Rural Education Association (MREA)

00:50:25 Heather O'Loughlin, Co-Director, Montana Budget and Policy Center (MBPC)

00:52:10 Chair Ballance

00:52:16 Heather O'Loughlin, MBPC

[EXHIBIT\(aph61a07\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

00:53:43 Rep. Tschida
00:54:24 Madalyn Quinlan, OPI
00:54:34 Rep. Tschida
00:54:53 Madalyn Quinlan, OPI
00:55:12 Rep. Tschida
00:55:41 Madalyn Quinlan, OPI
00:55:57 Rep. Brodehl
00:56:30 Madalyn Quinlan, OPI
00:56:53 Rep. Brodehl
00:57:07 Madalyn Quinlan, OPI
00:57:49 Rep. Brodehl
00:58:21 Madalyn Quinlan, OPI
00:59:24 Rep. Brodehl
00:59:50 Madalyn Quinlan, OPI
01:00:23 Rep. Brodehl
01:00:46 Madalyn Quinlan, OPI
01:01:07 Rep. Dudik
01:01:44 Chair Ballance
01:02:06 Rep. Dudik
01:02:14 Chair Ballance
01:02:29 Rep. Dudik
01:02:45 Chair Ballance
01:03:38 Rep. Berglee

Closing by Sponsor:

01:05:01 Rep. Berglee

01:07:04 Chair Ballance

01:07:23 Recessed
01:16:15 Reconvened

EXECUTIVE ACTION ON HB 213

01:16:25 **Motion/Vote:** Rep. Osmundson moved that **HB 213 BE TABLED**. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 234

01:17:02 **Motion:** Rep. Osmundson moved that **HB 234 DO PASS**.

01:17:10 **Motion/Vote:** Rep. Ballance moved that **HB 234 BE AMENDED**. Motion carried unanimously by voice vote.

EXHIBIT(aph61a08)

01:18:55 **Motion:** Rep. Osmundson moved that **HB 234 BE AMENDED**.

Discussion:

01:19:12 Chair Ballance
01:19:21 Julie Johnson, LSD
01:19:33 Chair Ballance
01:19:36 Rep. Ellis
01:19:48 Rep. Osmundson
01:19:55 Rep. Ellis

EXHIBIT(aph61a09)

01:21:12 Chair Ballance

01:21:57 **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.

01:22:58 **Motion:** Rep. Osmundson moved that **HB 234 BE AMENDED.**

EXHIBIT(aph61a10)**Discussion:**

01:23:13 Chair Ballance
01:24:07 Rep. Tropila
01:24:33 Chair Ballance

01:24:47 **Vote:** Motion carried 16-4 by roll call vote with Rep. Ellis, Rep. Mehlhoff, Rep. Peppers and Rep. Tropila voting no.

01:26:06 **Motion:** Rep. Osmundson moved that **HB 234 BE AMENDED.**

EXHIBIT(aph61a11)**Discussion:**

01:26:22 Chair Ballance
01:27:10 Rep. Woods
01:27:18 Rep. Tropila
01:27:57 Chair Ballance

01:28:03 **Vote:** Motion carried 19-1 by roll call vote with Rep. Tropila voting no.

01:28:57 Chair Ballance
01:29:22 Julie Johnson, LSD
01:29:36 Chair Ballance

01:29:44 **Motion:** Rep. Osmundson moved that **HB 234 DO PASS AS AMENDED.**

Discussion:

01:29:51 Rep. McCarthy
01:30:57 Rep. Mehlhoff
01:32:13 Rep. Glimm
01:33:18 Rep. Mehlhoff
01:33:53 Rep. Dudik
01:34:06 Chair Ballance

01:35:33 Rep. Tropila
01:36:22 Chair Ballance
01:37:03 Rep. Ellis

01:38:00 **Vote:** Motion carried 12-8 by roll call vote with Rep. Dudik, Rep. Ellis, Rep. McCarthy, Rep. Mehlhoff, Rep. Noonan, Rep. Peppers, Rep. Tropila and Rep. Woods voting no.

EXECUTIVE ACTION ON HB 277

01:39:04 **Motion/Vote:** Rep. Osmundson moved that **HB 277 BE TABLED**. Motion carried 11-9 by roll call vote with Rep. Dudik, Rep. Ellis, Rep. Hollandsworth, Rep. McCarthy, Rep. Mehlhoff, Rep. Noonan, Rep. Peppers, Rep. Tropila and Rep. Woods voting no.

EXECUTIVE ACTION ON HB 341

01:40:31 **Motion/Vote:** Rep. Osmundson moved that **HB 341 BE TABLED**. Motion carried 13-7 by roll call vote with Rep. Dudik, Rep. Ellis, Rep. Hollandsworth, Rep. McCarthy, Rep. Mehlhoff, Rep. Noonan and Rep. Tropila voting no.

EXECUTIVE ACTION ON HB 433

01:42:18 **Motion:** Rep. Osmundson moved that **HB 433 DO PASS**.

Discussion:

01:42:31 Rep. Dudik
01:42:40 Chair Ballance
01:42:46 Rep. Dudik
01:43:19 Rep. Noonan
01:43:49 Rep. Hollandsworth
01:44:10 Rep. Jones
01:44:34 Rep. Tropila
01:45:12 Rep. Mehlhoff
01:46:45 Rep. Woods
01:47:17 Rep. Brodehl

01:48:12 **Vote:** Motion carried 11-9 by roll call vote with Rep. Dudik, Rep. Ellis, Rep. Hollandsworth, Rep. McCarthy, Rep. Mehlhoff, Rep. Noonan, Rep. Peppers, Rep. Tropila and Rep. Woods voting no.

EXECUTIVE ACTION ON HB 487

01:49:09 **Motion:** Rep. Osmundson moved that **HB 487 DO PASS**.

Discussion:

01:49:17 Rep. Jones
01:49:52 Rep. Tschida
01:50:15 Rep. Jones

01:50:25 **Motion:** Rep. Holmlund moved that **HB 487 BE AMENDED.**
EXHIBIT(aph61a12)

Discussion:

01:51:14 Rep. McCarthy
01:51:34 Rep. Tropila

01:52:14 **Vote:** Motion failed 10-10 by roll call vote with Rep. Ballance, Rep. Brodehl, Rep. Cuffe, Rep. Ehli, Rep. Glimm, Rep. Holmlund, Rep. D. Jones, Rep. Noonan, Rep. Osmundson and Rep. Tschida voting aye.

01:53:19 Chair Ballance
01:53:22 Rep. Jones
01:53:47 Rep. Noonan

01:54:17 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 488

01:54:43 **Motion:** Rep. Osmundson moved that **HB 488 DO PASS.**

Discussion:

01:54:56 Rep. McCarthy
01:57:07 Rep. Glimm
01:57:23 Chair Ballance
01:57:56 Rep. Woods

01:58:50 **Vote:** Motion carried 17-3 by roll call vote with Rep. McCarthy, Rep. Noonan and Rep. Peppers voting no.

EXECUTIVE ACTION ON HB 506

01:59:58 **Motion/Vote:** Rep. Osmundson moved that **HB 506 DO PASS.** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 597

02:00:45 **Motion/Vote:** Rep. Osmundson moved that **HB 597 BE TABLED.** Motion carried 12-8 by roll call vote with Rep. Dudik, Rep. Ellis, Rep. McCarthy, Rep. Mehlhoff, Rep. Noonan, Rep. Peppers, Rep. Tropila and Rep. Woods voting no.

EXECUTIVE ACTION ON HB 606

02:02:00 **Motion:** Rep. Osmundson moved that **HB 606 DO PASS.**

02:02:19 **Motion:** Rep. Holmlund moved that **HB 606 BE AMENDED.**

EXHIBIT(aph61a13)

Discussion:

02:03:07 Rep. McCarthy

02:03:29 Chair Ballance

02:03:33 Rep. Osmundson

02:04:08 Rep. Dudik

02:04:29 Rep. Holmlund

02:05:23 **Vote:** Motion carried 12-8 by roll call vote with Rep. Dudik, Rep. Ellis, Rep. McCarthy, Rep. Mehlhoff, Rep. Noonan, Rep. Peppers, Rep. Tropila and Rep. Woods voting no.

02:06:39 **Vote:** Motion carried unanimously by voice vote.

02:07:20 Chair Ballance

02:08:11 Rep. Dudik

02:08:23 Chair Ballance

ADJOURNMENT

02:08:49 Adjournment

Katya Grover, Secretary

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Additional Documents:

EXHIBIT([aph61aad.pdf](#))