

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: Chair Nancy Ballance, on March 26, 2015 at 10:00 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. 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. Dave Hagstrom (R)
Rep. Roy Hollandsworth (R)
Rep. Kenneth Holmlund (R)
Rep. Donald W. Jones (R)
Rep. Kelly McCarthy (D)
Rep. Robert (Bob) Mehlhoff (D)
Rep. Rae Peppers (D)
Rep. Mitch Tropila (D)
Rep. Brad Tschida (R)
Rep. Tom Woods (D)

Members Excused: None

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 634, 3/25/2015; HB 636, 3/25/2015; HB 559, 3/25/2015;
HB 576, 3/25/2015

Executive Action: HB 3, HB 6, HB 93, HB 219, HB 305, HB 356, HB 421, HB 423, HB 493,
HB 572

00:00:01 Chair Ballance
00:01:37 Rep. McCarthy
00:01:42 Chair Ballance

EXECUTIVE ACTION ON HB 6

00:02:15 **Motion:** Rep. Osmundson moved that **HB 6 DO PASS.**

00:02:39 **Motion:** Rep. Cuffe moved that **HB 6 BE AMENDED.**
[EXHIBIT\(aph63a01\)](#)

Discussion:

00:03:24 Rep. Noonan

00:03:33 **Vote:** Motion carried unanimously by voice vote.

00:04:28 Rep. Cuffe

00:04:42 **Motion:** Rep. McCarthy moved that **HB 6 BE AMENDED.**
[EXHIBIT\(aph63a02\)](#)

Discussion:

00:07:22 Rep. Jones

00:08:09 Rep. Tschida

00:08:43 Rep. McCarthy

00:09:08 Cathy Duncan, Legislative Fiscal Division (LFD)

00:09:49 Rep. Hagstrom

00:10:43 Rep. Cuffe

00:11:46 Julie Johnson, Legislative Services Division (LSD)

00:12:05 Rep. Woods

00:13:18 **Vote:** Motion carried unanimously by voice vote.

00:13:43 Rep. McCarthy

00:14:02 **Motion/Vote:** Rep. Osmundson moved that **HB 6 DO PASS AS AMENDED.**
Motion carried 14-6 by roll call vote with Rep. Dudik, Rep. Ellis, Rep. Mehlhoff,
Rep. Noonan, Rep. Tropila and Rep. Woods voting no.

00:15:10 Rep. Mehlhoff left the meeting.

EXECUTIVE ACTION ON HB 93

00:15:17 **Motion/Vote:** Rep. Osmundson moved that **HB 93 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. Rep.
Mehlhoff voted by proxy.

00:15:45 Rep. Mehlhoff rejoined the meeting.

EXECUTIVE ACTION ON HB 219

00:16:48 **Motion:** Rep. Osmundson moved that **HB 219 DO PASS.**

00:16:52 **Motion/Vote:** Rep. Osmundson moved that **HB 219 BE AMENDED.** Motion carried unanimously by voice vote.

EXHIBIT(aph63a03)

00:18:27 **Motion:** Rep. Osmundson moved that **HB 219 BE AMENDED.**

EXHIBIT(aph63a04)

Discussion:

00:18:43 Rep. McCarthy

00:19:15 **Vote:** Motion carried unanimously by voice vote.

00:19:31 **Motion/Vote:** Rep. Osmundson moved that **HB 219 DO PASS AS AMENDED.** Motion carried 18-2 by voice vote with Rep. Hagstrom and Rep. Noonan voting no.

EXECUTIVE ACTION ON HB 305

00:20:14 **Motion:** Rep. Osmundson moved that **HB 305 DO PASS.**

00:20:17 **Motion:** Rep. Ehli moved that **HB 305 BE AMENDED.**

EXHIBIT(aph63a05)

Discussion:

00:21:35 Rep. Dudik

00:21:43 Rep. Brodehl

00:22:07 Rep. Tschida

00:22:14 Rep. Ehli

00:22:34 **Vote:** Motion carried unanimously by voice vote.

00:22:55 **Motion:** Rep. Osmundson moved that **HB 305 DO PASS AS AMENDED.**

Discussion:

00:23:08 Rep. Ehli

00:23:36 Chair Ballance

00:23:44 Rep. Ehli

00:23:57 Rep. Dudik

00:25:01 Rep. Ehli

00:26:05 Rep. Brodehl

00:26:45 Rep. Tropila

00:26:58 Rep. Jones

00:27:36 Rep. Brodehl

00:28:33 Rep. Noonan

00:29:19 **Vote:** Motion carried unanimously by roll call vote.

EXECUTIVE ACTION ON HB 356

00:30:21 **Motion:** Rep. Osmundson moved that **HB 356 DO PASS.**

Discussion:

00:30:28 Rep. Jones

00:30:41 **Motion:** Rep. Ehli moved that **HB 356 BE AMENDED.**
EXHIBIT(aph63a06)

Discussion:

00:31:37 Rep. Jones

00:32:14 Rep. Dudik

00:32:34 Rep. Ehli

00:33:28 Rep. Brodehl

00:34:25 Rep. McCarthy

00:35:42 **Vote:** Motion carried 16-4 by voice vote with Rep. Dudik, Rep. Ellis, Rep. Tropila and Rep. Woods voting no.

00:36:23 **Motion:** Rep. Osmundson moved that **HB 356 DO PASS AS AMENDED.**

Discussion:

00:36:30 Rep. McCarthy

00:37:34 Chair Ballance

00:37:42 Rep. Jones

00:38:10 Rep. Mehlhoff

00:39:03 **Vote:** Motion carried 19-1 by voice vote with Rep. Burnett voting no.

EXECUTIVE ACTION ON HB 421

00:39:30 **Motion/Vote:** Rep. Osmundson moved that **HB 421 BE TABLED.** Motion carried 13-7 by roll call vote with Rep. Dudik, Rep. Hollandsworth, Rep. McCarthy, Rep. Mehlhoff, Rep. Noonan, Rep. Peppers and Rep. Tropila voting no.

EXECUTIVE ACTION ON HB 423

00:40:54 Rep. Noonan

00:41:19 Chair Ballance

00:41:44 **Motion:** Rep. Osmundson moved that **HB 423 DO PASS.**

Discussion:

00:42:07 Rep. Jones

00:42:57 Rep. Mehlhoff

00:43:58 **Substitute Motion/Vote:** Rep. McCarthy made a substitute motion that **HB 423 BE TABLED**. Substitute Motion carried 15-5 by roll call vote with Rep. Ballance, Rep. Cuffe, Rep. Glimm, Rep. Holmlund and Rep. Osmundson voting no.

EXECUTIVE ACTION ON HB 493

00:45:28 **Motion:** Rep. Osmundson moved that **HB 493 DO PASS**.

00:45:44 **Substitute Motion/Vote:** Rep. Brodehl made a substitute motion that **HB 493 BE TABLED**. Substitute 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.

00:47:11 Chair Ballance
 00:47:51 Rep. Dudik
 00:47:54 Chair Ballance
 00:47:57 Rep. Tropila
 00:48:18 Chair Ballance
 00:48:23 Rep. Tropila
 00:48:44 Chair Ballance
 00:49:01 Rep. Woods
 00:49:11 Chair Ballance
 00:49:19 Rep. Dudik
 00:49:30 Chair Ballance
 00:50:19 Rep. McCarthy
 00:50:30 Chair Ballance
 00:50:34 Rep. Mehlhoff
 00:50:54 Chair Ballance
 00:51:01 Rep. Mehlhoff
 00:51:04 Chair Ballance
 00:51:12 Rep. Ellis
 00:51:23 Chair Ballance

00:51:28 Recessed

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

00:00:01 Reconvened

HEARING ON HB 559

Opening Statement by Sponsor:

00:00:36 Rep. George Kipp (D), HD 15, opened the hearing on HB 559, Promote Montana Indian languages.

00:05:48 Chair Ballance

00:06:02 Rep. Kipp

Proponents' Testimony:

00:11:08 Jason Smith, State Director, Office of Indian Affairs (OIA), Governor's Office
00:11:36 Madalyn Quinlan, Chief of Staff, Office of Public Instruction (OPI)
00:13:05 Chair Ballance
00:13:08 Madalyn Quinlan, OPI
00:13:35 Casey Lozar, State Travel Economic Development Commission (STEDC),
Department of Commerce (COM)
00:14:24 Chair Ballance
00:14:29 Casey Lozar, COM
00:14:39 Shane Morigeau, Confederated Salish and Kootenai Tribes (CSKT)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:15:16 Rep. Ellis
00:15:40 Rep. Osmundson
00:15:52 Rep. McCarthy

Closing by Sponsor:

00:16:26 Rep. Kipp

HEARING ON HB 634**Opening Statement by Sponsor:**

00:19:02 Rep. Albert Olszewski (R), HD 11, opened the hearing on HB 634, Fund genetic research grants.

Proponents' Testimony: None

Opponents' Testimony:

00:20:44 Marie Matthews, Operations Services Branch Manager, Department of Public Health and Human Services (DPHHS)

Informational Testimony: None

Questions from Committee Members and Responses:

00:21:55 Rep. McCarthy
00:22:15 Rep. Olszewski
00:22:54 Rep. McCarthy
00:23:14 Rep. Hollandsworth
00:23:26 Rep. McCarthy
00:23:38 Rep. Hollandsworth
00:23:55 Rep. Burnett
00:24:12 Rep. Olszewski
00:24:18 Rep. Burnett
00:24:44 Rep. Olszewski

Closing by Sponsor:

00:25:09 Rep. Olszewski

HEARING ON HB 636**Opening Statement by Sponsor:**

00:25:25 Rep. Debra Lamm (R), HD 60, opened the hearing on HB 636, Require legislative approval for acceptance of federal assistance funds.

Proponents' Testimony: None**Opponents' Testimony:**

00:27:39 Dan Villa, Budget Director, Office of Budget and Program Planning (OBPP), Governor's Office

00:28:25 Madalyn Quinlan, Chief of Staff, Office of Public Instruction (OPI)

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

00:33:48 Rep. Brodehl

00:34:09 Rep. Lamm

00:34:51 Rep. Tschida

00:35:06 Rep. Lamm

00:35:10 Rep. Tschida

00:35:19 Rep. Lamm

00:35:23 Rep. Tschida

00:35:55 Rep. Lamm

00:36:11 Julie Johnson, Legislative Services Division (LSD)

00:36:38 Rep. Dudik

00:37:03 Dan Villa, OBPP

00:39:26 Rep. Noonan

00:40:08 Rep. Lamm

00:40:47 Rep. Noonan

00:42:02 Rep. Lamm

00:42:23 Julie Johnson, LSD

00:42:55 Rep. Noonan

00:43:21 Julie Johnson, LSD

00:43:37 Rep. Tropila

00:43:45 Chair Ballance

00:43:56 Rep. Tropila

00:44:20 Jon Bennion, Deputy Attorney General/Legislative Liaison, Office of the Attorney General (AG), Department of Justice (DOJ)

00:44:43 Rep. Brodehl

00:45:07 Dan Villa, OBPP

00:45:49 Rep. Brodehl

00:46:07 Dan Villa, OBPP

00:46:42 Rep. Brodehl

00:47:01 Julie Johnson, LSD

00:47:16 Rep. Burnett

00:48:47 Rep. Lamm

00:49:31 Rep. Burnett
00:49:44 Chair Ballance
00:49:51 Rep. Ellis
00:50:17 Dan Villa, OBPP
00:52:41 Rep. Ellis
00:54:06 Dan Villa, OBPP

Closing by Sponsor:

00:55:06 Rep. Lamm

HEARING ON HB 576

Opening Statement by Sponsor:

00:56:18 Rep. Art Wittich (R), HD 68, opened the hearing on HB 576, Generally revise licensing of state operated health care facilities.

Proponents' Testimony:

00:57:30 Beth Breneman, Disability Rights Montana (DRM)

Opponents' Testimony:

00:58:48 Roy Kemp, Administrator, Quality Assurance Division (QAD), Department of Public Health and Human Services (DPHHS)

Informational Testimony:

01:00:08 Jon Bennion, Deputy Attorney General/Legislative Liaison, Office of the Attorney General (AG), Department of Justice (DOJ)

Questions from Committee Members and Responses:

01:00:30 Rep. Dudik
01:00:45 Jon Bennion, DOJ
01:01:53 Rep. Dudik
01:02:06 Jon Bennion, DOJ
01:02:35 Rep. Tropila
01:02:48 Chair Ballance
01:03:01 Jon Bennion, DOJ

Closing by Sponsor:

01:03:34 Rep. Wittich

01:04:56 Rep. Woods left the meeting.
01:04:58 Chair Ballance

EXECUTIVE ACTION ON HB 3

01:06:52 **Motion:** Rep. Osmundson moved that **HB 3 DO PASS.**

01:07:02 **Motion:** Rep. Osmundson moved that **HB 3 BE AMENDED.**

[EXHIBIT\(aph63a07\)](#)

Discussion:

01:07:44 Chair Ballance

01:10:44 **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. Rep. Woods voted by proxy.

01:12:34 **Motion/Vote:** Rep. Ballance moved that **HB 3 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. Rep. Woods voted by proxy.

01:14:27 Rep. McCarthy

01:14:41 Chair Ballance

01:14:48 Rep. McCarthy

01:14:54 Chair Ballance

01:14:59 Rep. McCarthy

01:15:03 Chair Ballance

01:15:25 Rep. McCarthy

01:15:28 Chair Ballance

EXECUTIVE ACTION ON HB 451

01:15:32 **Motion/Vote:** Rep. McCarthy moved that **HB 451 BE REMOVED FROM TABLE**. Motion failed 7-12 by roll call vote with Rep. Dudik, Rep. Ellis, Rep. McCarthy, Rep. Mehlhoff, Rep. Noonan, Rep. Peppers and Rep. Tropila voting aye.

01:17:16 Rep. Tropila

01:17:34 Chair Ballance

EXECUTIVE ACTION ON HB 120

01:17:57 **Motion/Vote:** Rep. Hagstrom moved that **HB 120 BE REMOVED FROM TABLE**. Motion failed 9-10 by roll call vote with Rep. Cuffe, Rep. Dudik, Rep. Ellis, Rep. Hagstrom, Rep. McCarthy, Rep. Mehlhoff, Rep. Noonan, Rep. Peppers and Rep. Tropila voting aye.

EXECUTIVE ACTION ON HB 301

01:19:32 **Motion/Vote:** Rep. Peppers moved that **HB 301 BE REMOVED FROM TABLE**. Motion failed 8-11 by roll call vote with Rep. Dudik, Rep. Ellis, Rep. Hollandsworth, Rep. McCarthy, Rep. Mehlhoff, Rep. Noonan, Rep. Peppers and Rep. Tropila voting aye.

EXECUTIVE ACTION ON HB 493

01:21:09 **Motion/Vote:** Rep. Noonan moved that **HB 493 BE REMOVED FROM TABLE.** Motion failed 9-10 by roll call vote with Rep. Cuffe, Rep. Dudik, Rep. Ellis, Rep. Hollandsworth, Rep. McCarthy, Rep. Mehlhoff, Rep. Noonan, Rep. Peppers and Rep. Tropila voting aye.

EXECUTIVE ACTION ON HB 472

01:22:29 **Motion/Vote:** Rep. Tropila moved that **HB 472 BE REMOVED FROM TABLE.** Motion failed 9-10 by roll call vote with Rep. Dudik, Rep. Ellis, Rep. Hagstrom, Rep. D. Jones, Rep. McCarthy, Rep. Mehlhoff, Rep. Noonan, Rep. Peppers and Rep. Tropila voting aye.

EXECUTIVE ACTION ON HB 572

01:23:51 **Motion/Vote:** Rep. Cuffe moved that **HB 572 BE REMOVED FROM TABLE.** Motion carried 16-3 by roll call vote with Rep. Glimm, Rep. D. Jones and Rep. Tschida voting no.

01:26:02 Chair Ballance

01:26:13 Rep. McCarthy

01:26:32 Chair Ballance

ADJOURNMENT

01:28:01 Adjournment

Katya Grover, Secretary

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Additional Documents:

EXHIBIT([aph63aad.pdf](#))