

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 66th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON APPROPRIATIONS

**Call to Order:** Chair Nancy Ballance, on April 15, 2019 at 8:30 A.M., in Room 102  
Capitol

#### ROLL CALL

##### **Members Present:**

Rep. Carl Glimm, Chair (R)  
Rep. Nancy Ballance, Chair (R)  
Rep. Llew Jones, Vice Chair (R)  
Rep. David Bedey (R)  
Rep. Tom Burnett (R)  
Rep. Jim Hamilton (D)  
Rep. Bradley Hamlett (D)  
Rep. Kenneth L. Holmlund (R)  
Rep. Mike Hopkins (R)  
Rep. Bill Mercer (R)  
Rep. Rae Peppers (D)  
Rep. Marilyn Ryan (D)  
Rep. Tom Woods (D)

##### **Members Excused:**

Rep. Dan Bartel, Vice Chair (R)  
Rep. Ryan Lynch, Vice Chair (D)  
Rep. Mary Caferro (D)  
Rep. Kimberly Dudik (D)  
Rep. Jim Keane (D)  
Rep. Frederick (Eric) Moore (R)  
Rep. Joe Read (R)  
Rep. Matt Regier (R)  
Rep. Jonathan Windy Boy (D)

**Members Absent:** None

**Staff Present:** Julie Johnson, Legislative Branch  
Jessica Riffel, Committee Clerk  
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: SB 114, 4/13/2019; SB 125, 4/13/2019; SB 204, 4/13/2019; SB 216, 4/13/2019; SB 239, 4/13/2019; SB 266, 4/13/2019; SB 312, 4/13/2019; SB 324, 4/13/2019  
Executive Action: SB 114, SB 125, SB 204, SB 216, SB 239, SB 266, SB 312, SB 324

08:34:44 Rep. E. Moore and Rep. Caferro joined the meeting.

### **HEARING ON SB 125**

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

08:34:49 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SB 125, Establish the Montana reinsurance association and program.

#### **Proponents' Testimony:**

08:36:31 Kendall Cotton, State Auditor's Office (SAO)  
08:36:48 John Doran, Blue Cross Blue Shield of Montana (BCBS)  
08:37:32 Jennifer Hensley, Pacific Source Health Plans  
08:38:04 Mike Batista, American Association of Retired Persons of Montana (AARP)  
08:38:50 Colleen Rahn, National Alliance on Mental Illness of Montana (NAMI-MT)  
08:39:19 Richard Miltenberger, Montana Health CO-OP

**Opponents' Testimony:** None

**Informational Testimony:** None

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

08:40:05 Vice Chair Lynch joined the meeting.  
08:40:12 Rep. Caferro  
08:43:53 John Doran, BCBS  
08:44:51 Rep. Woods  
08:45:17 John Doran, BCBS  
08:45:24 Rep. Hamilton  
08:45:48 John Doran, BCBS  
08:46:37 Rep. Hamilton  
08:46:50 John Doran, BCBS

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

08:47:41 Sen. Fitzpatrick

### **HEARING ON SB 312**

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

08:48:05 Sen. Jason Small (R), SD 21, opened the hearing on SB 312, Create the looping in native communities network grant program.

#### **Proponents' Testimony:**

08:48:29 Rep. Keane joined the meeting.  
08:50:34 Jordan Thompson, Confederated Salish and Kootenai Tribes (CSKT)

**Opponents' Testimony:** None

**Informational Testimony:** None

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

**Closing by Sponsor:**

08:51:06 Sen. Small

**HEARING ON SB 114**

**Opening Statement by Sponsor:**

08:52:18 Sen. Jen Gross (D), SD 25, opened the hearing on SB 114, Generally revise stalking and orders of protection laws.

**Proponents' Testimony:**

08:56:15 Anna Saverud, Attorney General's Office (AGO)

08:59:45 Sydney Barry, Montana Coalition Against Domestic and Sexual Violence (MCADSV)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

09:00:21 Rep. Hamilton  
09:02:16 Sen. Gross  
09:02:45 Chair Ballance  
09:03:10 Rep. Mercer  
09:05:06 Sen. Gross  
09:05:33 Rep. Mercer  
09:06:53 Joe Triem, Legislative Fiscal Division (LFD)  
09:07:24 Chair Ballance  
09:07:33 Rep. Mercer  
09:08:38 Chair Ballance  
09:08:43 Rep. E. Moore  
09:09:55 Sen. Gross  
09:11:25 Rep. Mercer  
09:12:56 Sen. Gross  
09:13:50 Chair Ballance

**Closing by Sponsor:**

09:14:00 Sen. Gross

**HEARING ON SB 204**

**Opening Statement by Sponsor:**

09:14:34 Sen. Margaret (Margie) MacDonald (D), SD 26, opened the hearing on SB 204, Revise tax exemption laws for certain mobile homes.

[EXHIBIT\(aph79a01\)](#)

[EXHIBIT\(aph79a02\)](#)

[EXHIBIT\(aph79a03\)](#)

**Proponents' Testimony:**

09:19:41 Svein Newman, Self

[EXHIBIT\(aph79a04\)](#)[EXHIBIT\(aph79a05\)](#)

09:23:56 Sean Morrison, Self

09:25:00 Maureen Rude, Montana Housing Coalition, Neighbor Works Montana

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

09:27:31 Kory Hofland, Department of Revenue (DOR)

**Questions from Committee Members and Responses:**

09:28:00 Rep. Hamlett

09:29:32 Svein Newman, Self

09:29:53 Rep. Ryan

09:30:03 Svein Newman, Self

09:30:29 Rep. Ryan

09:30:43 Maureen Rude, Montana Housing Coalition, Neighbor Works Montana

09:31:45 Rep. Keane

09:32:24 Kory Hofland, DOR

09:32:43 Rep. Keane

09:32:58 Rep. Hamilton

09:34:45 Sean Morrison, Self

09:35:38 Rep. Hamilton

09:36:02 Svein Newman, Self

09:37:37 Rep. Bedey

09:38:07 Sen. MacDonald

09:38:56 Kory Hofland, DOR

09:39:21 Chair Ballance

09:39:34 Rep. Hamlett

09:40:20 Svein Newman, Self

**Closing by Sponsor:**

09:40:38 Sen. MacDonald

09:41:47 Rep. Usher

09:42:05 Julie Johnson, Legislative Services Division (LSD)

09:42:12 Rep. Usher

09:42:20 Chair Ballance

**HEARING ON SB 216****Opening Statement by Sponsor:**

09:42:34 Rep. Barry Usher, (R), HD 40, opened the hearing on SB 216, Revise laws related to child and family ombudsman.

**Proponents' Testimony:**

09:44:55 Raye Newmeyer, Self

**Opponents' Testimony:**

09:45:32 Laura Smith, Department of Public Health and Human Services (DPHHS)

**Informational Testimony:**

09:50:12 Dana Toole, Department of Justice (DOJ)

**Questions from Committee Members and Responses:**

09:50:52 Rep. Caferro  
 09:53:21 Dana Toole, DOJ  
 09:53:33 Chair Ballance  
 09:54:03 Rep. Caferro  
 09:54:23 Rep. Read and Rep. Regier joined the meeting  
 09:54:29 Chair Ballance  
 09:54:49 Rep. Bedey  
 09:55:36 Laura Smith, DPHHS  
 09:55:57 Chair Ballance  
 09:56:06 Rep. Caferro  
 09:56:50 Chair Ballance  
 09:57:07 Rep. Ryan  
 09:57:13 Chair Ballance  
 09:57:29 Rep. Caferro  
 09:58:14 Dana Toole, DOJ

**Closing by Sponsor:**

09:58:33 Rep. Usher

**HEARING ON SB 239****Opening Statement by Sponsor:**

10:00:09 Sen. Jason Ellsworth (R), SD 43, opened the hearing on SB 239, Provide for moratorium on property taxes for broadband fiber and cable.

[EXHIBIT\(aph79a06\)](#)

[EXHIBIT\(aph79a07\)](#)

10:11:25 Rep. Dudik joined the meeting.

**Proponents' Testimony:**

10:12:09 Geoff Feiss, Montana Telecommunications Association (MTA)  
 10:17:08 Melissa Shannon, Blackfoot Communications  
 10:18:25 Mark Baker, Charter Communications  
 10:18:49 Bob Story, Montana Taxpayers Association (MTA)  
 10:22:06 Bridger Mahlum, Montana Chamber of Commerce (MCC)

**Opponents' Testimony:**

10:22:50 Gene Walborn, Director, Department of Revenue (DOR)  
 10:29:13 Tim Burton, Montana League of Cities and Towns (MLCT)  
 10:31:10 Heather O'Loughlin, Montana Budget and Policy Center (MBPC)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

10:33:44 Rep. Hamilton  
10:35:12 Director Walborn, DOR  
10:36:12 Rep. Hamilton  
10:36:28 Rep. Woods  
10:38:35 Sen. Ellsworth  
10:39:10 Rep. Woods  
10:41:17 Jeff Feiss, MTA  
10:41:27 Rep. Dudik  
10:42:43 Sen. Ellsworth  
10:43:54 Rep. Hamlett  
10:44:18 Melissa Shannon, Blackfoot Communications

**Closing by Sponsor:**

10:44:41 Sen. Ellsworth  
  
10:46:07 Vice Chair Jones left the meeting.

**HEARING ON SB 266****Opening Statement by Sponsor:**

10:46:29 Sen. Mark Blasdel (R), SD 4, opened the hearing on SB 266, Revise taxation to promote new business and economic activity.

[EXHIBIT\(aph79a08\)](#)

**Proponents' Testimony:**

10:49:41 Bridger Mahlum, Montana Chamber of Commerce (MCC), Montana Manufacturing Association (MMA)  
10:50:32 Daryl Holzer, State Building and Construction Trade Labor Union  
10:52:15 Bob Story, Montana Taxpayers Association (MTA)  
10:53:11 Mark Taylor, Rocky Mountain Power, Idaho Forest Group

**Opponents' Testimony:**

10:54:05 Heather O'Loughlin, Montana Budget and Policy Center (MBPC)

**Informational Testimony:** None

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

**Closing by Sponsor:**

10:56:46 Sen. Blasdel

**HEARING ON SB 324****Opening Statement by Sponsor:**

10:57:48 Sen. Tom Jacobson (D), SD 11, opened the hearing on SB 324, Revise definition of elder abuse.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

11:00:09 Rep. Woods  
11:00:16 Sen. Jacobson  
11:00:28 Rep. Hamilton  
11:00:46 Sen. Jacobson

**Closing by Sponsor:**

11:00:53 Sen. Jacobson  
  
11:01:11 Chair Ballance  
  
11:01:57 Recessed  
11:25:00 Reconvened

**EXECUTIVE ACTION ON SB 114**

11:25:04 **Motion/Vote:** Chair Glimm moved that **SB 114 BE CONCURRED IN**. Motion carried 21-1 by voice vote with Rep. E. Moore voting no. Rep. Bartel, Rep. Jones and Rep. Windy Boy voted by proxy. Chair Glimm will carry the bill.

**EXECUTIVE ACTION ON SB 125**

11:26:09 **Motion/Vote:** Chair Glimm moved that **SB 125 BE CONCURRED IN**. Motion carried unanimously by voice vote. Rep. Bartel, Rep. Jones and Rep. Windy Boy voted by proxy. Rep. T. Moore will carry the bill.

**EXECUTIVE ACTION ON SB 204**

11:26:55 **Motion:** Chair Glimm moved that **SB 204 BE CONCURRED IN**.

**Discussion:**

11:27:09 Rep. Ryan

11:27:35 **Vote:** Motion carried 21-1 by voice vote with Rep. M. Regier voting no. Rep. Bartel, Rep. Jones and Rep. Windy Boy voted by proxy. Rep. Kerr-Carpenter will carry the bill.

**EXECUTIVE ACTION ON SB 216**

11:28:00 **Motion:** Chair Glimm moved that **SB 216 BE CONCURRED IN**.

**Discussion:**

11:28:14 Rep. E. Moore

11:28:36 **Vote:** Motion carried 14-8 by voice vote with Rep. Caferro, Rep. Dudik, Rep. Hamilton, Rep. Keane, Rep. Lynch, Rep. Ryan, Rep. Windy Boy and Rep. Woods voting no. Rep. Bartel, Rep. Jones and Rep. Windy Boy voted by proxy. Rep. Usher will carry the bill.

**EXECUTIVE ACTION ON SB 239**

11:29:29 **Motion:** Chair Glimm moved that **SB 239 BE CONCURRED IN.**

11:29:47 **Motion:** Rep. Hamilton moved that **SB 239 BE AMENDED.**

[EXHIBIT\(aph79a09\)](#)

**Discussion:**

11:30:00 Rep. Hamilton

11:30:33 Rep. Hopkins

11:30:51 **Vote:** Motion carried 18-4 by voice vote with Rep. Bedey, Rep. Hopkins, Rep. E. Moore and Rep. Read voting no. Rep. Bartel, Rep. Jones and Rep. Windy Boy voted by proxy.

11:31:26 **Motion/Vote:** Chair Ballance moved that **SB 239 BE CONCEPTUALLY AMENDED, ADDING "FOR THE FISCAL YEAR STARTING JULY 1ST, 2019. APPROPRIATING \$91,415 FROM THE GENERAL FUND TO THE DEPARTMENT OF REVENUE AND FOR FISCAL YEAR STARTING JULY 1ST 2020 APPROPRIATING \$87,695 FROM THE GENERAL FUND TO THE DEPARTMENT OF REVENUE. "** Motion carried 16-6 by voice vote with Rep. Caferro, Rep. Hamilton, Rep. Keane, Rep. Peppers, Rep. M. Regier and Rep. Ryan voting no. Rep. Bartel, Rep. Jones and Rep. Windy Boy voted by proxy.

[EXHIBIT\(aph79a10\)](#)

11:32:51 **Motion:** Chair Glimm moved that **SB 239 BE CONCURRED IN AS AMENDED.**

11:32:58 **Motion:** Rep. Dudik moved that **SB 239 BE CONCEPTUALLY AMENDED.**

**Discussion:**

11:33:20 Julie Johnson, LSD

11:33:26 Rep. Dudik

11:33:37 Vice Chair Lynch

11:33:43 Julie Johnson, LSD

11:33:47 Rep. Dudik

11:33:56 Rep. Hopkins

11:34:12 Rep. Dudik

11:34:24 Rep. Bedey

11:34:35 Rep. Dudik

11:34:45 Rep. Bedey

11:35:05 Rep. Dudik

11:35:20 Julie Johnson, LSD

11:35:36 Chair Ballance

11:35:56 Rep. Dudik

11:36:06 Without objection, Rep. Dudik withdrew the BE AMENDED motion.

**Discussion:**

11:36:27 Rep. Woods

11:37:17 **Vote:** Motion carried 14-8 by roll call vote with Rep. Burnett, Rep. Caferro, Rep. Hamilton, Rep. Keane, Rep. Mercer, Rep. Peppers, Rep. Ryan and Rep. Woods voting no. Rep. Bartel, Rep. Jones and Rep. Windy Boy voted by proxy. Rep. B. Brown will carry the bill.

**EXECUTIVE ACTION ON SB 266**

11:38:26 **Motion:** Chair Glimm moved that **SB 266 BE CONCURRED IN.**

11:38:34 **Motion/Vote:** Rep. Ballance moved that **SB 266 BE CONCEPTUALLY AMENDED TO ADD THE APPROPRIATED AMOUNT FOR THE EXPENDITURE AS DEFINED IN THE FISCAL NOTE.** Motion carried 17-5 by voice vote with Rep. Keane, Rep. Peppers, Rep. M. Regier, Rep. Ryan and Rep. Woods voting no. Rep. Bartel, Rep. Jones and Rep. Windy Boy voted by proxy.

**EXHIBIT(aph79a11)**

11:39:34 **Motion:** Chair Glimm moved that **SB 266 BE CONCURRED IN AS AMENDED.**

**Discussion:**

11:39:42 Rep. Hamilton

11:40:42 Rep. Woods

11:40:54 Rep. Dudik

11:41:16 **Vote:** Motion carried 13-9 by roll call vote with Rep. Burnett, Rep. Caferro, Rep. Hamilton, Rep. Keane, Rep. Peppers, Rep. M. Regier, Rep. Ryan, Rep. Windy Boy and Rep. Woods voting no. Rep. Bartel, Rep. Jones and Rep. Windy Boy voted by proxy. Rep. Fern will carry the bill.

**EXECUTIVE ACTION ON SB 312**

11:42:20 **Motion:** Chair Glimm moved that **SB 312 BE CONCURRED IN.**

11:42:28 **Motion:** Chair Glimm moved that **SB 312 BE AMENDED.**

**EXHIBIT(aph79a12)**

**Discussion:**

11:42:42 Chair Ballance

11:43:31 Julie Johnson, LSD

11:43:48 Rep. Hamilton

11:43:58 Julie Johnson, LSD

11:44:15 **Vote:** Motion carried unanimously by voice vote. Rep. Bartel, Rep. Jones and Rep. Windy Boy voted by proxy.

11:44:32 **Motion/Vote:** Chair Glimm moved that **SB 312 BE CONCURRED IN AS AMENDED**. Motion carried unanimously by voice vote. Rep. Bartel, Rep. Jones and Rep. Windy Boy voted by proxy. Rep. Morigeau will carry the bill.

**EXECUTIVE ACTION ON SB 324**

11:45:03 **Motion:** Chair Glimm moved that **SB 324 BE CONCURRED IN**.

**Discussion:**

11:45:16 Rep. Keane  
11:45:26 Chair Ballance  
11:45:31 Rep. Hamilton  
11:45:44 Rep. E. Moore  
11:46:29 Rep. Keane  
11:46:44 Chair Ballance  
11:46:54 Rep. Hamlett  
11:47:15 Rep. Dudik  
11:47:39 Rep. Holmlund  
11:47:47 Rep. Ryan

11:48:29 **Vote:** Motion carried 21-1 by voice vote with Rep. E. Moore voting no. Rep. Bartel, Rep. Jones and Rep. Windy Boy voted by proxy. Rep. Doane will carry the bill.

11:48:50 Chair Ballance

**ADJOURNMENT**

Adjournment: 11:49:08

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Jessica Riffel, Clerk

jr

Additional Documents:

**EXHIBIT([aph79aad.pdf](#))**