

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON FINANCE AND CLAIMS

Call to Order: Chairman Keith Bales, on March 9, 2009 at 8:00
A.M., in Room 317 Capitol

ROLL CALL

Members Present:

Sen. Keith Bales, Chairman (R)
Sen. Dave Lewis, Vice Chairman (R)
Sen. Debby Barrett (R)
Sen. John Brenden (R)
Sen. Mike Cooney (D)
Sen. John Esp (R)
Sen. Ken (Kim) Hansen (D)
Sen. Bob Hawks (D)
Sen. Rick Laible (R)
Sen. Jim Peterson (R)
Sen. Rick Ripley (R)
Sen. David E. Wanzenried (D)
Sen. Ryan Zinke (R)

Members Excused:

Sen. Gregory D. Barkus (R)
Sen. John Brueggeman (R)
Sen. Steven Gallus (D)
Sen. Trudi Schmidt (D)
Sen. Mitch Tropila (D)
Sen. Carol Williams (D)

Members Absent: None

Staff Present: Prudence Gildroy, Committee Secretary
Taryn Purdy, 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 241, 2/26/2009; SB 303,
2/26/2009; SB 234, 2/26/2009;
SB 350, 2/26/2009

Executive Action: SB 303

00:00:02 Chairman Bales

HEARING ON SB 241

Opening Statement by Sponsor:

00:01:43 Balyeat (R), SD 34, opened the hearing on SB 241,
Taxpayer Right to Know Act - budget database website.

[EXHIBIT\(fcs52a01\)](#)

[EXHIBIT\(fcs52a02\)](#)

Sen. Barkus, Sen. Gallus, Sen. Schmidt and Sen. Tropila
now present

Sen. Esp and Sen. Zinke not present

Proponents' Testimony:

00:07:02 Don Hoffman, Montana Taxpayers Association

00:07:29 John Barrows, Executive Director, Montana Newspaper
Association

Opponents' Testimony:

None

Informational Testimony:

00:08:17 Curt Nichols, Montana Policy Institute

[EXHIBIT\(fcs52a03\)](#)

Questions from Committee Members and Responses:

00:09:00 Sen. Laible

00:09:43 Sen. Balyeat

00:09:57 Sen. Laible

00:10:25 Sen. Balyeat

00:10:40 Sen. Laible

00:11:12 Mr. Nichols

00:11:31 Sen. Barkus

00:12:09 Sen. Balyeat
00:13:23 Chairman Bales advised a new fiscal note will be
requested.
00:13:43 Sen. Schmidt
00:14:02 Mr. Nichols
00:14:29 Carl Graham, Montana Policy Institute
00:15:04 Sen. Schmidt
00:15:29 Chairman Bales
00:15:37 Sen. Tropila
00:15:59 Sen. Balyeat
00:17:54 Sen. Tropila
00:17:56 Chairman Bales

Closing by Sponsor:

00:18:08 Sen. Balyeat
00:19:10 Chairman Bales

HEARING ON SB 303

Opening Statement by Sponsor:

00:19:47 Sen. David Wanzienried (D), SD 49, opened the hearing on
SB 303, Update state water plan.

[EXHIBIT\(fcs52a04\)](#)

[EXHIBIT\(fcs52a05\)](#)

Proponents' Testimony:

00:22:57 Rich Moy, Helena
00:29:12 Gerald Mueller, Missoula

[EXHIBIT\(fcs52a06\)](#)

[EXHIBIT\(fcs52a07\)](#)

[EXHIBIT\(fcs52a08\)](#)

00:33:51 Chairman Bales
00:34:18 Mr. Mueller
00:34:38 Holly Franz, PPL Montana
00:35:27 Mike Murphy, Montana Water Resources Association and
for Krista Evans, Association of Gallatin Agricultural
Irrigators
00:38:12 Tom Ebzery, Avista Corporation
00:38:44 Gary Amestoy, Richland County Economic Development
Corporation

Opponents' Testimony:

None

Informational Testimony:

00:40:31 John Tubbs, Department of Natural Resources and
Conservation (DNRC)
00:41:20 Chairman Bales

Questions from Committee Members and Responses:

00:41:28 Vice-Chairman Lewis
00:41:59 Mr. Tubbs, DNRC
00:42:39 Sen. Ripley
00:43:20 Mr. Tubbs
00:44:38 Sen. Brendan
00:45:47 Mr. Moy
00:46:33 Sen. Brendan
00:46:46 Mr. Moy
00:47:32 Sen. Brendan
00:47:46 Sen. Williams now present
00:48:03 Mr. Moy
00:48:37 Sen. Barkus
00:48:56 Sen. Wanzenried
00:49:01 Sen. Barkus
00:49:27 Sen. Wanzenried
00:49:49 Sen. Barkus
00:50:14 Sen. Wanzenried
00:50:30 Mr. Moy
00:51:22 Sen. Peterson
00:51:49 Sen. Wanzenried
00:52:24 Sen. Peterson
00:52:46 Sen. Wanzenried
00:53:30 Chairman Bales
00:53:33 Sen. Barrett
00:54:17 Mr. Moy
00:54:59 Sen. Zinke now present
00:55:04 Sen. Barrett
00:55:44 Mr. Moy
00:56:44 Sen. Barrett
00:57:11 Mr. Moy

Closing by Sponsor:

00:57:37 Sen. Wanzenried

00:58:40 Sen. Esp now present
00:58:47 Chairman Bales

HEARING ON SB 234

Opening Statement by Sponsor:

00:59:22 Sen. Kim Gillan (D), SD 24, opened the hearing on SB 234, Insurance coverage for autism.

[EXHIBIT\(fcs52a09\)](#)

[EXHIBIT\(fcs52a10\)](#)

Proponents' Testimony:

01:04:50 John Vincent, Gallatin Gateway
01:06:43 Sen. Barrett and Sen. Esp not present
01:11:35 Sen. Brueggeman not present
01:12:15 Sen. Zinke now present
01:12:42 Sen. Roy Brown
01:14:03 Chairman Bales
01:14:07 Rep. Julie French
01:15:08 Laura Simonsen, Billings

[EXHIBIT\(fcs52a11\)](#)

[EXHIBIT\(fcs52a12\)](#)

[EXHIBIT\(fcs52a13\)](#)

[EXHIBIT\(fcs52a14\)](#)

[EXHIBIT\(fcs52a15\)](#)

[EXHIBIT\(fcs52a16\)](#)

01:22:38 Darcy McGovern, Billings
01:24:47 Sherry Petty, Helena
01:29:18 Charlie Cote, Ronan

[EXHIBIT\(fcs52a17\)](#)

01:35:22 Chairman Bales
01:35:49 Will Cote, Ronan
01:37:29 Susan Dow, Developmental Disability Children Service Providers
01:37:55 Belinda Andreozzi DeVerniero
01:41:21 Charlie Briggs, Easter Seals/Goodwill
01:45:58 Holly Finley Porter, St. Ignatius
01:46:34 Dr. Mark Rumans, Billings Clinic
01:47:02 Elaine Taylor, representing herself
01:48:26 Sen. Williams now present
01:49:14 Robert Allen, Executive Director, Montana Nurses Association

[EXHIBIT\(fcs52a18\)](#)

01:50:13 Mike Foster, Wheatland Memorial Hospital, St. Vincent Healthcare, St. Patrick's Hospital, Saint James Hospital, Holy Rosary Hospital, St. Joseph Hospital

01:50:46 Jeannie Christopher, Director, Confederated Salish
Kootenai Head Start Program
01:51:32 Melanie Martin-Dent, Anaconda
01:53:00 Jan Cahill, Executive Director, Montana Association of
Disability Services

Opponents' Testimony:

01:53:32 Dennis Lopach, America's Health Insurance Plans
EXHIBIT (fcs52a19)

01:56:51 Susan Witte, Vice President and General Counsel,
Allegiance Benefit Plan Management, and Allegiance Life
and Health Insurance Company
02:00:37 Tanya Ask, New West Health Services
02:03:46 Frank Cote, Blue Cross Blue Shield of Montana
02:06:06 Chelsea Fagan, Montana Chamber of Commerce
02:08:54 Bob Robinson, Executive Director, Montana Unified
School Trust (MUST)
EXHIBIT (fcs52a20)

02:13:40 Bob Worthington, Montana Municipal Insurance Authority
(MMIA) and for Jason Toddhunter, Montana Logging
Association
02:14:31 Riley Johnson, National Federation of Independent
Businesses (NFIB)
02:15:06 Mary Allen, National Association of Insurance and
Financial Advisors of Montana (NAIFA)

Informational Testimony:

02:17:07 Jeff Sturm, Developmental Disabilities Director,
Department of Public Health and Human Services (DPHHS)
02:22:39 Connie Welch, Health Care and Benefits Administration,
Department of Administration

02:38:52 Vice-Chairman Lewis

Questions from Committee Members and Responses:

02:39:03 Sen. Hawks
02:39:28 Ms. Welch
02:39:56 Sen. Hawks
02:39:58 Ms. Welch
02:40:11 Sen. Hansen
02:40:42 Ms. Welch
02:41:20 Sen. Hansen
02:41:34 Ms. Welch
02:42:08 Sen. Schmidt

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02:42:28 Sen. Gillan
 02:46:37 Sen. Schmidt
 02:47:02 Sen. Gillan
 02:47:49 Sen. Schmidt
 02:48:26 Ms. McGovern
 02:49:28 Sen. Laible
 02:50:04 Mr. Sturm, DPHHS
 02:50:38 Sen. Laible
 02:51:26 Mr. Sturm
 02:51:55 Sen. Laible
 02:52:25 Mr. Sturm
 02:53:03 Sen. Laible
 02:54:05 Mr. Sturm
 02:55:14 Sen. Laible
 02:56:24 Mr. Sturm
 02:56:56 Sen. Laible
 02:56:57 Vice-Chairman Lewis
 02:57:05 Sen. Cooney
 02:57:30 Ms. Simonsen
 02:58:04 Sen. Cooney
 02:58:32 Sen. Gillan
 02:59:51 Vice-Chairman Lewis
 02:59:56 Sen. Barkus
 03:00:12 Ms. Porter
 03:00:14 Sen. Barkus
 03:00:38 Ms. Porter
 03:01:04 Sen. Barkus
 03:01:34 Ms. Porter
 03:02:02 Sen. Barkus
 03:02:13 Ms. Porter
 03:02:45 Sen. Barkus
 03:02:58 Ms. Porter
 03:03:16 Sen. Brendan
 03:04:41 Sen. Wanzenried
 03:05:01 Ms. Welch
 03:05:12 Sen. Wanzenried
 03:05:22 Ms. Welch
 03:05:32 Sen. Wanzenried
 03:05:51 Ms. Welch
 03:06:16 Sen. Wanzenried
 03:06:21 Sen. Zinke
 03:06:46 Ms. Petty
 03:08:13 Sen. Zinke
 03:08:54 Ms. Porter
 03:09:29 Sen. Zinke
 03:09:52 Ms. Porter
 03:10:04 Vice-Chairman Lewis
 03:10:05 Sen. Schmidt
 03:10:36 Mr. Robinson, MUST
 03:11:16 Sen. Schmidt

03:11:44 Mr. Sturm
03:12:22 Sen. Tropila
03:13:05 Mr. Robinson
03:13:20 Sen. Tropila
03:13:23 Mr. Robinson
03:14:17 Sen. Tropila
03:14:34 Mr. Robinson
03:14:49 Sen. Tropila
03:15:20 Mr. Lopach
03:15:29 Sen. Tropila
03:16:04 Mr. Cote, BCBS
03:16:57 Sen. Tropila
03:16:59 Sen. Schmidt
03:18:21 Ms. Ask
03:19:49 Sen. Schmidt
03:20:07 Vice-Chairman Lewis

Closing by Sponsor:

03:21:09 Sen. Gillan
03:28:09 Chairman Bales

HEARING ON SB 350

Opening Statement by Sponsor:

03:28:28 Sen. Kim Gillan (D), SD 24, opened the hearing on SB 350, Revise laws on HIV testing.

[EXHIBIT \(fcs52a21\)](#)

Proponents' Testimony:

03:30:11 Kathy Hall, Physician Assistant, Riverstone Health
03:37:28 Dr. David Graham, Billings Clinic, Infectious Disease Doctors of Montana
03:40:20 Barbara Schneeman, Riverstone Health, Montana Public Health Officials (MPHO)

[EXHIBIT \(fcs52a22\)](#)

03:42:10 Steve Yeakel, Montana Council for Maternal and Child Health
03:42:46 Stacy Anderson, Planned Parenthood
03:43:04 Mike Foster, Wheatland Memorial Hospital, Catholic Hospitals of Montana
03:43:32 Robert Allen, Montana Nurses Association

[EXHIBIT \(fcs52a23\)](#)

03:44:39 Casey Blumenthal, Montana Hospital Association

Oponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

03:45:16 Sen. Laible
03:46:06 Sen. Gillan
03:46:53 Sen. Laible
03:47:18 Ms. Hall
03:50:10 Sen. Laible
03:50:14 Ms. Hall
03:50:42 Sen. Hansen
03:51:50 Dr. Graham
03:52:32 Sen. Hansen
03:53:00 Dr. Graham
03:53:24 Sen. Gillan
03:54:09 Ms. Hall

Closing by Sponsor:

03:55:19 Sen. Gillan

03:57:07 Chairman Bales

Sen. Zinke, Sen. Esp, Sen. Brueggeman, and Sen. Peterson not present

EXECUTIVE ACTION ON SB 303

03:57:15 **Motion:** Sen. Wanzenried moved that **SB 303 DO PASS.**

03:57:25 **Motion/Vote:** Sen. Wanzenried moved that **SB 303 BE EXHIBIT (fcs52a24)**

Discussion:

03:58:05 Sen. Wanzenried
03:58:20 Sen. Bales

03:58:25 **Vote:** Motion carried by voice vote 14-1, present and voting with Sen. Barkus voting no.

03:58:33 **Motion:** Sen. Wanzenried moved that **SB 303 DO PASS AS AMENDED.**

03:58:44 **Motion:** Sen. Wanzenried moved that **SB 303 BE AMENDED. EXHIBIT(fcs52a25)**

Discussion:

03:58:47 Sen. Wanzenried

03:59:16 **Vote:** Motion carried 15-0 by voice vote, present and voting.

An amended fiscal note for SB 303 will be requested.

ADJOURNMENT

Adjournment: 12:00 P.M.

Prudence Gildroy, Secretary

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Additional Documents:

EXHIBIT ([fcs52aad.pdf](#))