

MINUTES

MONTANA SENATE 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON FINANCE AND CLAIMS

Call to Order: Chair Llew Jones, on April 15, 2015 at 8:00 AM, in Room 317 Capitol

ROLL CALL

Members Present:

Sen. Llew Jones, Chair (R)
Sen. Bob Keenan, Vice Chair (R)
Sen. Mark Blasdel (R)
Sen. John Brenden (R)
Sen. Mary Caferro (D)
Sen. Bradley Hamlett (D)
Sen. Kris Hansen (R)
Sen. David Howard (R)
Sen. Jim Keane (D)
Sen. Frederick (Eric) Moore (R)
Sen. Mike Phillips (D)
Sen. Rick Ripley (R)
Sen. Matthew M. Rosendale Sr (R)
Sen. Jon C. Sesso (D)
Sen. Cary Smith (R)
Sen. Janna Taylor (R)
Sen. Roger Webb (R)
Sen. Cynthia Wolken (D)

Members Excused:

Sen. Jonathan Windy Boy (D)

Members Absent: None

Staff Present: Prudence Gildroy, Committee Secretary
Julie Johnson, Legislative Branch
Jon Moe, 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 560, 4/10/2015; HB 577, 4/10/2015; HB 245, 4/13/2015; HB 468, 4/13/2015; HB 488, 4/13/2015; HB 305, 4/14/2015; HB 612, 4/14/2015; SJ 29, 4/14/15

Executive Action: HB 6 Be Concurred In As Amended; HB 7 Be Concurred In As Amended; HB 9 Be Concurred In As Amended; HB 234 Be Tabled; HB 512 Be Concurred in As Amended; HB 305 Be Tabled; HB 468 Be Concurred In; HB 488 Be Concurred In; HB 560 Be Concurred In; HB 577 Be Concurred In; HB 612 Be Concurred In; SJ 29 Do Pass

00:00:01 Chair Jones
00:01:05 Sen. Keenan

EXECUTIVE ACTION ON HB 6

00:01:56 **Motion:** Sen. Keenan moved that **HB 6 BE CONCURRED IN.**

00:02:21 Sen. Keenan

00:03:48 **Motion:** Sen. Keenan moved that **HB 6 BE AMENDED.**
EXHIBIT(fcs76a01)

Discussion:

00:04:53 Sen. Phillips
00:05:26 Sen. Keane
00:05:31 Sen. Sesso
00:06:29 Sen. Webb
00:06:47 Sen. Keenan
00:07:28 Sen. Caferro
00:07:55 Sen. Keenan
00:08:31 Sen. Caferro
00:08:47 Sen. Sesso
00:09:01 Sen. Caferro
00:09:30 Sen. Sesso
00:10:17 Sen. Caferro
00:10:45 Sen. Webb
00:11:25 Sen. Sesso
00:12:55 Sen. Ripley
00:14:06 Sen. Hamlett
00:14:36 Sen. Keane
00:15:24 Sen. Smith
00:16:08 Sen. Hamlett

00:16:27 **Vote:** Motion carried 15-4 by roll call vote with Sen. Caferro, Sen. Howard, Sen. C. Smith and Sen. Webb voting no. Sen. Windy Boy voted by proxy.

00:17:19 **Motion:** Sen. Keenan moved that **HB 6 BE CONCURRED IN AS AMENDED.**

Discussion:

00:17:24 Sen. Keenan

Vote: Motion carried 16-3 by roll call vote with Sen. Howard, Sen. C. Smith and Sen. Webb voting no. Sen. Windy Boy voted by proxy. Sen. Keenan will carry the bill.

EXECUTIVE ACTION ON HB 7

00:19:24 **Motion:** Sen. Ripley moved that **HB 7 BE CONCURRED IN.**

Discussion:

00:20:05 Sen. Ripley

00:20:39 **Motion:** Sen. Ripley moved that **HB 7 BE AMENDED.**
EXHIBIT(fcs76a02)

Discussion:

00:21:13 Sen. Hamlett

00:21:32 Sen. Ripley

00:21:51 Sen. Sesso

00:22:04 Chair Jones

00:22:06 Sen. Sesso

00:23:30 Sen. Ripley

00:24:04 **Vote:** Motion carried unanimously by voice vote. Sen. Windy Boy voted by proxy.

00:24:18 **Motion/Vote:** Sen. Ripley moved that **HB 7 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Sen. Windy Boy voted by proxy. Sen. Ripley will carry the bill.

EXECUTIVE ACTION ON HB 9

00:24:49 **Motion:** Sen. Ripley moved that **HB 9 BE CONCURRED IN.**

Discussion:

00:25:21 Sen. Ripley

00:25:46 **Motion:** Sen. Ripley moved that **HB 9 BE AMENDED.**
EXHIBIT(fcs76a03)

Discussion:

00:25:56 Sen. Ripley

00:27:30 Sen. Sesso

00:27:55 Sen. Ripley

00:28:10 **Vote:** Motion carried 17-2 by voice vote with Sen. Rosendale and Sen. Smith voting no. Sen. Windy Boy voted by proxy.

00:28:30 **Motion/Vote:** Sen. Ripley moved that **HB 9 BE CONCURRED IN AS AMENDED.** Motion carried 17-2 by voice vote with Sen. Rosendale and Sen. C. Smith voting no. Sen. Windy Boy voted by proxy. Sen. Hamlett will carry the bill.

EXECUTIVE ACTION ON HB 234

00:29:37 **Motion/Vote:** Sen. Ripley moved that **HB 234 BE TABLED**. Motion carried 10-9 by roll call vote with Sen. Blasdel, Sen. Brenden, Sen. Hamlett, Sen. Hansen, Sen. Howard, Sen. Rosendale, Sen. C. Smith, Sen. Taylor and Sen. Webb voting no. Sen. Windy Boy voted by proxy.

EXECUTIVE ACTION ON HB 512

00:32:16 **Motion:** Sen. Hansen moved that **HB 512 BE CONCURRED IN**.

00:32:55 **Motion:** Sen. Hansen moved that **HB 512 BE AMENDED**.
[EXHIBIT\(fcs76a04\)](#)

Discussion:

00:33:15 Sen. Hansen
00:35:59 Sen. Ripley
00:36:11 Sen. Hansen
00:36:59 Sen. Phillips
00:37:14 Sen. Hansen
00:37:22 Sen. Keane
00:37:37 Sen. Hansen
00:38:25 Sen. Howard
00:39:07 Sen. Hansen
00:40:10 Sen. Howard
00:40:24 Sen. Hansen
00:40:40 Sen. Sesso
00:41:34 Sen. Webb

00:42:22 **Vote:** Motion carried 18-1 by roll call vote with Sen. Ripley voting no. Sen. Windy Boy voted by proxy.

00:43:10 **Motion/Vote:** Sen. Hansen moved that **HB 512 BE CONCURRED IN AS AMENDED**. Motion carried 17-2 by roll call vote with Sen. Keenan and Sen. Ripley voting no. Sen. Windy Boy voted by proxy. Sen. Hansen will carry the bill.

HEARING ON HB 577

Opening Statement by Sponsor:

00:45:18 Rep. Kenneth Holmlund (R), HD 38, opened the hearing on HB 577, Revising what is an illegal gambling activity for horse and dog racing.

Proponents' Testimony:

00:47:27 Rick Ask, Department of Justice (DOJ)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:47:59 Rep. Holmlund

HEARING ON HB 245

Opening Statement by Sponsor:

00:48:35 Rep. Nancy Ballance (R), HD 87, opened the hearing on HB 245, Revise laws related to raw milk.

Proponents' Testimony:

00:51:15 Jacob Cowgill, Montana Farmers Union (MFU)

Opponents' Testimony:

00:52:14 Krista Lee Evans, Montana Milk Producers Association (MMPA)
[EXHIBIT\(fcs76a05\)](#)

00:57:51 Christian Mackay, Department of Livestock (DLI)
00:59:45 Linda Stoll, Association of Montana Health Officers Association
[EXHIBIT\(fcs76a06\)](#)

01:02:25 Jay Bodner, Montana Stockgrowers Association

Informational Testimony: None

Questions from Committee Members and Responses:

01:03:31 Sen. Moore
01:04:12 Ms. Evans, MMPA
01:04:41 Sen. Moore
01:05:07 Mr. Mackay, DLI
01:05:22 Sen. Moore
01:05:49 Mr. Mackay
01:06:15 Sen. Moore
01:06:27 Mr. Mackay
01:06:35 Sen. Smith
01:07:02 Rep. Ballance
01:07:58 Sen. Smith
01:08:11 Rep. Ballance
01:08:29 Sen. Smith
01:08:38 Mr. Mackay
01:09:17 Sen. Smith
01:09:38 Mr. Mackay

01:10:17 Sen. Keane
 01:10:39 Sen. Taylor Brown, SD 28
 01:11:33 Sen. Keane
 01:11:44 Sen. Brown
 01:12:10 Sen. Howard
 01:12:31 Rep. Ballance
 01:13:38 Sen. Howard
 01:14:07 Rep. Ballance
 01:15:18 Sen. Smith
 01:15:58 Sen. Brown
 01:16:18 Mr. Mackay
 01:16:23 Sen. Smith
 01:16:48 Mr. Mackay
 01:18:15 Sen. Smith
 01:18:21 Mr. Mackay
 01:18:39 Sen. Howard
 01:18:55 Mr. Mackay
 01:19:05 Sen. Hamlett
 01:19:42 Sen. Brown
 01:21:26 Sen. Hamlett
 01:21:44 Sen. Brown

Closing by Sponsor:

01:22:12 Rep. Ballance

HEARING ON HB 305

Opening Statement by Sponsor:

01:25:23 Rep. Kimberly Dudik (D), HD 94, opened the hearing on HB 305, Revise laws related to protecting Montana's children.

Chair Jones left the meeting and Vice Chair Keenan assumed the Chair.

Proponents' Testimony:

01:26:23 Sarah Corbally, Department of Public Health and Human Services (DPHHS)
 01:27:29 Larry Epstein, Montana County Attorneys Association (MCAA)
 01:28:15 Jim Ahrens, Montana Children's Initiative (MCI)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:28:43 Sen. Hansen
 01:28:57 Ms. Corbally, DPHHS
 01:29:49 Sen. Hansen

01:29:58 Ms. Corbally
01:30:35 Sen. Hansen
01:30:48 Ms. Corbally

01:31:18 Sen. Wolken
01:31:45 Rep. Dudik

Closing by Sponsor:

01:32:28 Rep. Dudik

HEARING ON HB 612

Opening Statement by Sponsor:

01:33:13 Rep. Kimberly Dudik (D), HD 94, opened the hearing on HB 612, Establish child abuse court diversion pilot project.

Proponents' Testimony:

01:34:02 Beth McLaughlin, administrator, Montana Supreme Court (MSC)
01:35:16 Jim Ahrens, Montana Children's Initiative (MCI)
01:35:33 Mark Murphy, Montana County Attorneys Association (MCAA)

Opponents' Testimony: None

Informational Testimony:

01:36:02 Sarah Corbally, Department of Public Health and Human Services (DPHHS)

Questions from Committee Members and Responses:

01:36:11 Sen. Sesso
01:36:33 Ms. Corbally, DPHHS
01:36:48 Sen. Webb
01:37:04 Rep. Dudik
01:37:17 Ms. McLaughlin, MSC

Closing by Sponsor:

01:38:10 Rep. Dudik

HEARING ON HB 488

Opening Statement by Sponsor:

01:38:47 Rep. Keith Regier (R), HD 4, opened the hearing on HB 488, Generally revise DUI laws.

Sen. Jones joined the meeting.

Proponents' Testimony:

01:40:10 Jon Bennion, Office of the Attorney General (AG)

[EXHIBIT\(fcs76a07\)](#)

01:42:25 Mark Murphy, Montana County Attorneys Association

01:43:08 Jessie Luther, Association of Montana Troopers (AMP)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:43:42 Sen. Phillips

01:44:20 Rep. Regier

01:44:35 Sen. Phillips

01:44:39 Rep. Regier

01:44:44 Sen. Sesso

01:45:47 Rep. Regier

01:46:14 Sen. Wolken

01:46:32 Mr. Bennion, AG

01:47:06 Sen. Hamlett

01:47:36 Mr. Bennion

01:48:13 Sen. Hamlett

01:48:29 Mr. Bennion

01:49:10 Sen. Keane

01:49:31 Mr. Bennion

01:50:05 Sen. Keane

01:50:27 Mr. Bennion

01:51:12 Sen. Rosendale

01:51:29 Mr. Bennion

01:52:17 Sen. Rosendale

01:52:28 Mr. Bennion

01:52:38 Sen. Howard

01:52:52 Mr. Bennion

01:52:55 Sen. Howard

01:53:08 Sen. Sesso

01:53:55 Mr. Bennion

Closing by Sponsor:

01:55:21 Rep. Regier

HEARING ON HB 468

Opening Statement by Sponsor:

01:55:42 Rep. Gordon Pierson (D), HD 78, opened the hearing on HB 468, Revising laws on period of commitment or treatment of developmentally disabled.

Proponents' Testimony:

01:56:45 Beth Brenneman, Disability Rights Montana (DRM)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:57:35 Sen. Hansen

01:57:51 Sen. Keenan

01:58:09 Sen. Sesso

01:58:12 Rep. Pierson

Closing by Sponsor:

01:58:26 Rep. Pierson

HEARING ON HB 560

Opening Statement by Sponsor:

01:58:45 Rep. Greg Hertz (R), HD 12, opened the hearing on HB 560, Revise fund structure and budgetary process for board of accountants.

Proponents' Testimony:

01:59:37 Holly Franz, Montana Society of Certified Public Accountants (MSCPA)

Opponents' Testimony: None

Informational Testimony:

02:00:31 Todd Younkin, Department of Labor and Industry (DLI)

Questions from Committee Members and Responses: None

Closing by Sponsor:

02:00:55 Rep. Hertz

HEARING ON SJ 29

Opening Statement by Sponsor:

02:01:13 Sen. Kris Hansen (R), SD 14, opened the hearing on SJ 29, Interim study on fiscal note process.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

02:03:56 Vice Chair Keenan

02:04:08 Sen. Hansen

Closing by Sponsor:

02:04:13 Sen. Hansen

Chair Jones assumed the chair.

02:04:20 Chair Jones

02:05:20 Sen. Smith

02:05:36 Chair Jones

02:05:45 Sen. Sesso

02:06:33 Recess

02:29:20 Reconvene

EXECUTIVE ACTION ON HB 305

02:29:28 **Motion:** Sen. Keenan moved that **HB 305 BE CONCURRED IN.**

02:30:31 **Substitute Motion/Vote:** Sen. Keenan made a substitute motion that **HB 305 BE TABLED.** Substitute Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 468

02:30:40 **Motion/Vote:** Sen. Keenan moved that **HB 468 BE CONCURRED IN.** Motion carried unanimously by voice vote. Sen. Windy Boy voted by proxy. Sen. Webb will carry the bill.

EXECUTIVE ACTION ON HB 488

02:31:32 **Motion:** Sen. Keenan moved that **HB 488 BE CONCURRED IN.**

Discussion:

02:31:36 Sen. Keane

02:31:59 **Vote:** Motion carried 11-8 by roll call vote with Sen. Brenden, Sen. Caferro, Sen. L. Jones, Sen. Keane, Sen. Ripley, Sen. Rosendale, Sen. Sesso and Sen. Windy Boy voting no. Sen. Windy Boy voted by proxy. Sen. Webb will carry the bill.

EXECUTIVE ACTION ON HB 560

02:33:07 **Motion/Vote:** Sen. Keenan moved that **HB 560 BE CONCURRED IN**. Motion carried unanimously by voice vote. Sen. Windy Boy voted by proxy. Sen. Facey will carry the bill.

EXECUTIVE ACTION ON HB 577

02:33:41 **Motion/Vote:** Sen. Keenan moved that **HB 577 BE CONCURRED IN**. Motion carried 18-1 by voice vote with Sen. C. Smith voting no. Sen. Webb voted by proxy. Sen. Larsen will carry the bill.

EXECUTIVE ACTION ON HB 612

02:34:49 **Motion:** Sen. Hansen moved that **HB 612 BE CONCURRED IN**.

Discussion:

02:34:59 Sen. Brenden

02:35:09 Sen. Wolken

02:35:46 **Vote:** Motion carried 18-1 by voice vote with Sen. Rosendale voting no. Sen. Windy Boy voted by proxy. Sen. Hansen will carry the bill.

EXECUTIVE ACTION ON SJ 29

02:36:21 **Motion/Vote:** Sen. Hansen moved that **SJ 29 DO PASS**. Motion carried unanimously by voice vote. Sen. Windy Boy voted by proxy.

02:37:14 Chair Jones

ADJOURNMENT

Adjournment: 10:39 a.m.

Prudence Gildroy, Secretary

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Additional Documents:

EXHIBIT([fcs76aad.pdf](#))