

## MINUTES

### MONTANA SENATE 64th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON FINANCE AND CLAIMS

**Call to Order:** Chair Llew Jones, on April 16, 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) (arrived after roll call)  
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. Jonathan Windy Boy (D) (arrived after roll call)  
Sen. Cynthia Wolken (D)

**Members Excused:** None

**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 156, 4/14/2015; HB 463, 4/14/2015; HB 423, 4/15/2015; HB 559, 4/15/2015; HB 617, 4/15/2015

Executive Action: HB 156 Be Concurred In; HB 423 Be Concurred In; HB 559 Be Concurred In; HB 617 Be Concurred In; HB 10 Be Concurred In As Amended; HB 245 Be Concurred In As Amended; HB 228 Be Concurred In As Amended; HB 191 Motion

00:00:01 Chair Jones  
00:01:50 Sen. Phillips  
00:02:04 Chair Jones

### **HEARING ON HB 156**

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

00:03:10 Rep. Mike Miller (R), HD 80, opened the hearing on HB 156, Revise tax laws related to pollution control equipment.

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

00:04:18 Bob Story, Montana Taxpayers Association (MonTax)  
00:05:23 Dave Galt, Montana Petroleum Association (MPA)  
00:05:43 Mark Lambrecht, Treasure State Resource Industry Association (TSRIA)  
00:05:59 Glenn Oppel, Montana Chamber of Commerce  
00:06:13 Gary Wiens, Montana Electrical Cooperatives Association

**Opponents' Testimony:** None

#### **Informational Testimony:**

00:06:43 Lee Baerlocher, Department of Revenue (DOR)

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

00:07:01 Sen. Phillips  
00:07:12 David Klemp, Department of Environmental Quality (DEQ)  
00:07:30 Sen. Phillips  
00:07:34 Mr. Klemp, DEQ  
00:08:07 Sen. Hamlett  
00:08:58 Mr. Story, MonTax  
00:10:03 Sen. Hamlett  
00:10:18 Mr. Story  
00:10:34 Sen. Phillips  
00:10:58 Mr. Story  
00:11:40 Sen. Hamlett  
00:12:29 Mr. Story  
00:13:15 Sen. Hamlett  
00:13:27 Mr. Story  
00:14:11 Sen. Sesso  
00:14:56 Rep. Miller  
00:15:04 Sen. Sesso  
00:16:05 Rep. Miller  
00:16:32 Mr. Baerlocher, DOR  
00:16:59 Sen. Sesso  
00:17:38 Mr. Baerlocher  
00:18:25 Rep. Miller  
00:18:38 Sen. Phillips

00:19:22 Rep. Miller

**Closing by Sponsor:**

00:19:43 Rep. Miller

**HEARING ON HB 423**

**Opening Statement by Sponsor:**

00:20:12 Rep. Scott Staffanson (R), HD 35, opened the hearing on HB 423, Revise education funding laws related to oil and natural gas production taxes.

**Proponents' Testimony:**

00:21:59 E. J. Redding, Bainville Public Schools

00:22:37 Sandy Welch, NorthEast Rural Schools

00:23:00 Eric Feaver, MEA-MFT

**Opponents' Testimony:** None

**Informational Testimony:** None

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

**Closing by Sponsor:**

00:23:43 Rep. Staffanson

**HEARING ON HB 463**

**Opening Statement by Sponsor:**

00:24:14 Rep. Kelly McCarthy (D), HD 49, opened the hearing on HB 463, Revise laws related to asset forfeiture.

**Proponents' Testimony:**

00:29:10 Jon Bennion, Department of Justice (DOJ)

00:32:08 Mark Murphy, Montana Chiefs of Police Association (MACOP) and Montana Police Protective Association (MPPA)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:36:07 Sen. Moore

00:36:31 Rep. McCarthy

00:36:58 Sen. Moore  
00:37:02 Rep. McCarthy  
00:38:29 Sen. Wolken  
00:39:13 Rep. McCarthy  
00:40:52 Sen. Wolken  
00:41:29 Rep. McCarthy  
00:42:54 Sen. Brenden  
00:43:25 Rep. McCarthy  
00:44:32 Sen. Howard  
00:44:58 Rep. McCarthy  
00:45:55 Sen. Howard  
00:46:22 Rep. McCarthy  
00:46:41 Sen. Howard  
00:47:06 Mr. Murphy, MACOP  
00:47:41 Sen. Howard  
00:48:03 Mr. Murphy  
00:48:18 Sen Howard  
00:48:24 Mr. Bennion, DOJ  
00:49:25 Sen. Keane  
00:49:38 Rep. McCarthy

**Closing by Sponsor:**

00:51:50 Rep. McCarthy

**HEARING ON HB 559**

**Opening Statement by Sponsor:**

00:54:14 Rep. George Kipp (D), HD 15, opened the hearing on HB 559, Promote Montana Indian languages.

00:54:58 Sen. Windy Boy joined the meeting.

**Proponents' Testimony:**

00:55:32 Sen. Jonathan Windy Boy, SD 16  
00:56:52 Terry Kendrick, Office of Public Instruction (OPI)  
00:57:19 Eric Feaver, MEA-MFT  
00:57:38 Alissa Snow, Western Native Voice

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:58:06 Sen. Hamlett  
00:58:36 Sen. Windy Boy

01:00:43 Sen. Hamlett  
01:00:59 Sen. Windy Boy  
01:01:22 Sen. Ripley  
01:01:42 Sen. Windy Boy  
01:02:44 Sen. Ripley  
01:03:12 Sen. Windy Boy  
01:03:17 Chair Jones  
01:03:29 Sen. Windy Boy  
01:04:10 Chair Jones  
01:04:52 Rep. Kipp  
01:05:23 Casey Lozar, State Tribal Economic Development Commission, Department of Commerce

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

**Closing by Sponsor:**

01:06:26 Rep. Kipp

Chair Jones joined the meeting and assumed the chair.

**HEARING ON HB 617**

**Opening Statement by Sponsor:**

01:15:35 Rep. Steve Lavin (R), HD 8, opened the hearing on HB 617, Provide scholarship opportunities for higher education in Montana.

**Proponents' Testimony:**

01:20:59 Angela Wong, director, Montana Lottery  
[EXHIBIT\(fcs77a01\)](#)  
[EXHIBIT\(fcs77a02\)](#)

01:24:50 Tyler Trevor, Office of the Commissioner of Higher Education (OCHE)  
01:25:07 Mark Taylor, Montana Hospital Association (MHA)  
01:26:38 Glenn Oppel, Montana Chamber of Commerce  
01:26:55 Eric Feaver, MEA-MFT

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:27:50 Sen. Taylor  
01:28:08 Ms. Wong, Montana Lottery

**Closing by Sponsor:**

01:28:30 Rep. Lavin

**Discussion:**

01:30:13 Chair Jones  
01:30:17 Sen. Brenden  
01:30:28 Chair Jones  
01:31:18 Sen. Hansen

Sen. Windy Boy left the meeting.

01:31:51 Recess

01:54:01 Reconvene

**EXECUTIVE ACTION ON HB 156**

01:54:33 **Motion/Vote:** Sen. Keenan moved that **HB 156 BE CONCURRED IN**. Motion carried unanimously by roll call vote. Sen. Caferro and Sen. Windy Boy voted by proxy. Sen. Blasdel will carry the bill.

**EXECUTIVE ACTION ON HB 423**

01:56:31 **Motion:** Sen. Keenan moved that **HB 423 BE CONCURRED IN**.

Sen. Windy Boy joined the meeting.

**Discussion:**

01:56:47 Sen. Hamlett  
01:57:07 Chair Jones

01:58:45 **Vote:** Motion carried unanimously by voice vote. Sen. Caferro voted by proxy. Sen. Moore will carry the bill.

**EXECUTIVE ACTION ON HB 559**

01:58:49 **Motion:** Sen. Windy Boy moved that **HB 559 BE CONCURRED IN**.

**Discussion:**

01:59:00 Sen. Ripley  
01:59:15 Sen. Windy Boy  
01:59:30 Sen. Rosendale

01:59:44 **Vote:** Motion carried 15-4 by roll call vote with Sen. Brenden, Sen. Rosendale, Sen. C. Smith and Sen. Webb voting no. Sen. Caferro voted by proxy. Sen. Windy Boy will carry the bill.

**EXECUTIVE ACTION ON HB 617**

02:00:43 **Motion:** Sen. Blasdel moved that **HB 617 BE CONCURRED IN.**

02:00:50 **Motion:** Sen. Hansen moved that **HB 617 BE AMENDED.**  
[EXHIBIT\(fcs77a03\)](#)

**Discussion:**

02:02:06 Sen. Blasdel  
 02:04:33 Sen. Ripley  
 02:05:09 Sen. Keane  
 02:05:19 Sen. Taylor  
 02:05:35 Sen. Blasdel  
 02:05:40 Sen. Taylor  
 02:06:00 Sen. Blasdel  
 02:06:19 Sen. Windy Boy  
 02:06:35 Sen. Hansen

02:07:12 **Vote:** Motion failed 7-12 by roll call vote with Sen. Brenden, Sen. Hansen, Sen. Howard, Sen. Keenan, Sen. F. Moore, Sen. Rosendale and Sen. C. Smith voting aye. Sen. Caferro voted by proxy.

**Discussion:**

02:08:25 Sen. Hansen  
 02:08:59 Sen. Howard

02:09:27 **Vote:** Motion carried 13-6 by roll call vote with Sen. Brenden, Sen. Hansen, Sen. Howard, Sen. F. Moore, Sen. Rosendale and Sen. C. Smith voting no. Sen. Caferro voted by proxy. Sen. Blasdel will carry the bill.

Sen. Caferro joined the meeting.

**EXECUTIVE ACTION ON HB 10**

02:10:26 **Motion:** Sen. Blasdel moved that **HB 10 BE CONCURRED IN.**

02:10:45 **Motion:** Sen. Ripley moved that **HB 10 BE AMENDED.**  
[EXHIBIT\(fcs77a04\)](#)

**Discussion:**

02:13:52 Sen. Keane  
 02:14:07 Sen. Ripley  
 02:14:46 Sen. Keane  
 02:14:53 Sen. Ripley  
 02:15:59 Sen. Windy Boy

02:16:04 Chair Jones

02:16:08 **Vote:** Motion carried unanimously by voice vote.

02:16:18 **Motion:** Sen. Caferro moved that **HB 10 BE AMENDED.**

[EXHIBIT\(fcs77a05\)](#)

[EXHIBIT\(fcs77a06\)](#)

**Discussion:**

02:16:20 Sen. Caferro

02:19:24 Sen. Keane

02:19:48 **Vote:** Motion carried unanimously by voice vote.

02:19:56 **Motion:** Sen. Caferro moved that **HB 10 BE AMENDED.**

[EXHIBIT\(fcs77a07\)](#)

**Discussion:**

02:20:07 Sen. Caferro

02:21:11 **Vote:** Motion carried unanimously by voice vote.

02:21:18 **Motion:** Sen. Blasdel moved that **HB 10 BE AMENDED.**

[EXHIBIT\(fcs77a08\)](#)

**Discussion:**

02:21:20 Sen. Blasdel

02:24:13 Sen. Caferro

02:26:33 Sen. Sesso

02:27:11 Sen. Blasdel

02:27:56 **Vote:** Motion carried unanimously by voice vote.

02:28:39 **Motion/Vote:** Sen. Blasdel moved that **HB 10 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Sen. Blasdel will carry the bill.

**EXECUTIVE ACTION ON HB 245**

02:29:14 **Motion:** Sen. Keenan moved that **HB 245 BE CONCURRED IN.**

02:29:22 **Motion:** Sen. C. Smith moved that **HB 245 BE AMENDED.**

[EXHIBIT\(fcs77a09\)](#)

**Discussion:**

02:30:07 Sen. Moore

02:30:27 **Vote:** Motion carried unanimously by voice vote.

02:30:34 **Motion:** Sen. F. Moore moved that **HB 245 BE AMENDED.**  
**EXHIBIT(fcs77a10)**

**Discussion:**

02:31:02 Sen. Moore

02:32:02 Sen. Ripley

02:32:41 **Vote:** Motion carried 17-2 by voice vote with Sen. Caferro and Sen. Hansen voting no.

02:33:12 **Motion:** Sen. Keenan moved that **HB 245 BE CONCURRED IN AS AMENDED.**

**Discussion:**

02:33:26 Sen. Keane

02:33:36 **Vote:** Motion carried 16-3 by roll call vote with Sen. F. Moore, Sen. Sesso and Sen. Windy Boy voting no. Sen. D. Brown will carry the bill.

**EXECUTIVE ACTION ON HB 228**

02:35:38 **Motion:** Sen. Keenan moved that **HB 228 BE CONCURRED IN.**

**Discussion:**

02:35:41 Chair Jones

02:36:44 Jon Moe, Legislative Fiscal Division (LFD)

02:37:38 Chair Jones

02:37:54 Sen. Ripley

02:38:12 Chair Jones

02:38:30 Sen. Keane

02:38:35 **Motion/Vote:** Sen. Keenan moved that **HB 228 BE AMENDED.** Motion carried unanimously by voice vote.

**EXHIBIT(fcs77a11)**

02:39:23 **Motion:** Sen. Keenan moved that **HB 228 BE CONCURRED IN AS AMENDED.**

**Discussion:**

02:39:31 Sen. Hansen

02:39:58 Chair Jones

02:41:42 **Vote:** Motion carried unanimously by voice vote. Sen. Ankney will carry the bill.

**EXECUTIVE ACTION ON HB 191**

02:43:04 **Motion:** Sen. Webb moved to **RECONSIDER THE MOTION** on **HB 191**.

**Discussion:**

02:43:34 Sen. Ripley  
02:43:46 Sen. Webb  
02:44:13 Sen. Brenden  
02:44:23 Sen. Webb  
02:44:35 Sen. Brenden  
02:44:43 Sen. Webb  
02:45:01 Chair Jones  
02:45:03 Sen. Webb  
02:45:05 Sen. Keane  
02:45:26 Sen. Webb

02:45:45 **Vote:** Motion carried 14-5 by roll call vote with Sen. Keane, Sen. Keenan, Sen. Ripley, Sen. Sesso and Sen. Windy Boy voting no.

**Discussion:**

02:47:02 Jon Moe, Legislative Fiscal Division (LFD)  
02:47:33 Julie Johnson, LFD  
02:47:46 Sen. Ripley  
02:48:13 Chair Jones  
02:48:31 Sen. Caferro  
02:48:43 Sen. Sesso  
  
02:49:14 Chair Jones

**ADJOURNMENT**

Adjournment: 10:55 a.m.

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Prudence Gildroy, Secretary

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Additional Documents:

**EXHIBIT([fcs77aad.pdf](#))**