

MINUTES

MONTANA SENATE 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON FINANCE AND CLAIMS

Call to Order: Chair Bob Keenan, on April 17, 2015 at 7:30 A.M., in Room 317 Capitol

ROLL CALL

Members Present:

Sen. Llew Jones, Chair (R) (arrived after roll call)
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) (arrived after roll call)
Sen. David Howard (R)
Sen. Jim Keane (D)
Sen. Frederick (Eric) Moore (R) (arrived after roll call)
Sen. Mike Phillips (D)
Sen. Rick Ripley (R)
Sen. Matthew M. Rosendale Sr (R) (arrived after roll call)
Sen. Jon C. Sesso (D) (arrived after roll call)
Sen. Cary Smith (R)
Sen. Janna Taylor (R)
Sen. Roger Webb (R) (arrived after roll call)
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 300**, 4/16/2015; **HB 628**, 4/16/2015; **HB 223**, 4/16/2015; **HB 421**, 4/16/2015; **HB 510**, 4/16/2015; **HB 599**, 4/16/2015; **HB 167**, 4/16/2015; **HB 140**, 4/16/2015

Executive Action: **HB 140** Be Concurred In As Amended; **HB 167** Be Concurred In; **HB 223** Be Concurred In; **HB 300** Be Concurred In; **HB 421** Be Concurred In; **HB 510** Be Concurred In; **HB 599** Be Concurred In; **HB 628** Be Concurred In; **HB 4** Be Concurred In As Amended; **HB 403** Be Concurred In As Amended; **HB 463** Be Concurred In As Amended; **HB 191** Be Concurred In As Amended

HEARING ON HB 300

Opening Statement by Sponsor:

00:00:46 Rep. Kerry White (R), HD 64, opened the hearing on HB 300, Create snowmobile trail pass.

[EXHIBIT\(fcs78a01\)](#)

00:05:00 Sen. Hansen joined the meeting.

Proponents' Testimony:

00:06:27 Ronna Alexander, Montana Snowmobile Association (MSA)

00:06:42 Bob Walker, Our Montana

00:07:07 Rarene Friede, Glacier Country Tourism

00:07:08 Sen. Sesso joined the meeting.

00:08:01 Bob Gilbert, Citizens for Balanced Use (CBU)

00:08:28 George Golie, Montana Wildlife Federation

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:08:59 Sen. Keane

00:09:31 Rep. White

00:09:55 Sen. Keane

00:10:22 Sen. Phillips

00:11:09 Rep. White

00:12:02 Sen. Phillips

00:12:28 Rep. White

Closing by Sponsor:

00:12:35 Rep. White

HEARING ON HB 628

Opening Statement by Sponsor:

00:13:11 Rep. Randy Brodehl (R), HD 9, opened the hearing on HB 628, Revise the replacement schedule for regular license plates.

Proponents' Testimony:

00:15:06 Ronda Wiggers, Montana County Treasurers Association (MCTA)

Sen. Moore joined the meeting.

Opponents' Testimony: None

Informational Testimony:

00:15:58 Sarah Garcia, Motor Vehicle Division, Department of Justice (DOJ)

Questions from Committee Members and Responses:

00:16:13 Sen. Brenden
00:16:35 Rep. Brodehl
00:17:01 Sen. Phillips
00:17:36 Rep. Brodehl
00:19:08 Sen. Sesso
00:19:23 Rep. Brodehl
00:19:36 Sen. Blasdel
00:20:09 Ms. Garcia, DOJ

Closing by Sponsor:

00:20:30 Rep. Brodehl

HEARING ON HB 223

Opening Statement by Sponsor:

00:21:38 Rep. Christy Clark (R), HD 17, opened the hearing on HB 223, Revise cost of death certificates and use for funding board of funeral service.

Proponents' Testimony:

00:22:55 Erin McGowan, Montana Funeral Directors Association (MFDA)
00:26:05 Sen. Elsie Arntzen, SD 26
00:27:04 Erin MacLean, executive director, Montana Funeral Directors Association (MFDA)

EXHIBIT(fcs78a02)

00:31:50 Travis Newman, Smith Funeral Chapels

Opponents' Testimony: None

Informational Testimony:

00:33:05 Todd Younkin, Department of Labor and Industry (DLI)

Questions from Committee Members and Responses:

00:33:25 Sen. Keenan
00:33:28 Rep. Clark
00:33:37 Sen. Phillips

00:34:38 Ms. McGowan, MFDA
00:35:37 Sen. Keane
00:35:56 Sen. Arntzen
00:37:02 Sen. Keane
00:37:12 Sen. Arntzen
00:37:38 Rep. Clark
00:37:55 Sen. Keane
00:38:22 Mr. Younkin, DLI
00:38:39 Sen. Sesso
00:39:38 Rep. Clark
00:39:54 Sen. Sesso
00:40:01 Rep. Clark

Closing by Sponsor:

00:40:17 Rep. Clark

HEARING ON HB 421

Opening Statement by Sponsor:

00:41:04 Rep. Tom Berry (R), HD 40, opened the hearing on HB 421, Extend termination date of coal severance tax coal washing credit.

Proponents' Testimony:

00:42:53 Bob Gilbert, representing Dawson, Rosebud, Phillips and Musselshell Counties and the city of Glendive

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:43:42 Sen. Ripley
00:44:29 Rep. Berry

Closing by Sponsor:

00:44:50 Rep. Berry

HEARING ON HB 510

Opening Statement by Sponsor:

00:45:40 Rep. Alan Redfield (R), HD 59, opened the hearing on HB 510, Assist local governments with federal land projects.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:46:55 Sen. Phillips
00:47:11 Rep. Redfield
00:47:41 Sen. Phillips
00:47:48 Rep. Redfield

Closing by Sponsor:

00:48:06 Rep. Redfield

HEARING ON HB 599

Opening Statement by Sponsor:

00:48:54 Rep. Lee Randall (R), HD 37, opened the hearing on HB 599, Allow for permanent registration of heavy trucks and truck tractors.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:51:16 Sen. Phillips
00:51:51 Rep. Randall
00:52:11 Sen. Sesso
00:53:10 Rep. Randall
00:53:34 Sen. Keane
00:54:34 Rep. Randall
00:55:01 Sen. Webb joined the meeting.
00:55:33 Sen. Keane
00:56:12 Rep. Randall
00:56:23 Sen. Brenden

Closing by Sponsor:

00:56:49 Rep. Randall

HEARING ON HB 167

Opening Statement by Sponsor:

00:57:28 Rep. Jeffrey Welborn (R), HD 72, opened the hearing on HB 167, Generally revise off-highway vehicle laws.

Sen. Rosendale joined the meeting.

Proponents' Testimony:

01:00:49 Ronna Alexander, Montana Trail Vehicle Riders Association (MTVRA)

01:02:06 Bob Walker, Our Montana

01:02:33 Bob Gilbert, Citizens for Balanced Use (CBU)

01:02:52 Jake Troyer, Montana Audubon (MA)

Opponents' Testimony: None

Informational Testimony:

01:03:23 Tom Reilly, administrator, Montana State Parks, Department of Fish, Wildlife and Parks (FWP)

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:03:52 Rep. Welborn

HEARING ON HB 140

Opening Statement by Sponsor:

01:04:08 Rep. Jeffrey Welborn (R), HD 72, opened the hearing on HB 140, Revise laws related to hunting and fishing licenses.

Proponents' Testimony:

01:06:17 Jeff Hagener, director, Department of Fish, Wildlife and Parks (FWP)

01:09:00 Sen. Caferro joined the meeting.

01:10:00 Robin Cunningham, Fishing Outfitters Association (FOA)

01:10:28 George Golie, Montana Wildlife Federation (MWF)

01:11:41 Bob Gilbert, Walleyes Unlimited Montana (WUM)

01:12:14 Mark Aagenes, Montana Trout Unlimited (MTU)

01:13:02 Amy Seaman, Montana Audubon (MA)

01:14:00 Sen. Jones joined the meeting.

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:15:06 Sen. Phillips
01:16:05 Mr. Hagener, FWP
01:16:59 Sen. Ripley
01:17:41 Mr. Hagener
01:18:02 Sen. Hamlett
01:18:46 Rep. Welborn
01:19:45 Sen. Brenden

Closing by Sponsor:

01:20:16 Rep. Welborn

01:20:31 Chair Jones assumed the chair.
01:20:47 Vice Chair Keenan

01:21:50 Recess
01:54:57 Reconvene

EXECUTIVE ACTION ON HB 140

01:55:10 **Motion:** Sen. Brenden moved that **HB 140 BE CONCURRED IN.**

01:55:22 **Motion:** Sen. Ripley moved that **HB 140 BE AMENDED.**
[EXHIBIT\(fcs78a03\)](#)

Discussion:

01:56:55 Sen. Sesso
01:57:12 Sen. Ripley
01:57:23 Sen. Sesso
01:57:33 Sen. Ripley
01:57:55 Sen. Blasdel
01:58:05 Sen. Phillips
01:58:24 Sen. Ripley

01:59:10 **Vote:** Motion carried 16-3 by roll call vote with Sen. L. Jones, Sen. Keane and Sen. Sesso voting no. Sen. Windy Boy voted by proxy.

Sen. Windy Boy joined the meeting.

02:00:20 **Motion:** Sen. Keane moved that **HB 140 BE AMENDED CONCEPTUALLY STRIKING "62" AND INSERTING "67" years of age.**

Discussion:

02:00:54 Sen. Brenden

02:01:12 Sen. Keane

02:01:16 **Vote:** Motion failed 8-11 by roll call vote with Sen. Caferro, Sen. Hamlett, Sen. Hansen, Sen. Keane, Sen. Phillips, Sen. Sesso, Sen. Windy Boy and Sen. Wolken voting aye.

02:02:33 **Motion/Vote:** Sen. Brenden moved that **HB 140 BE CONCURRED IN AS AMENDED**. Motion carried unanimously by voice vote. Sen. Brenden will carry the bill.

EXECUTIVE ACTION ON HB 167

02:03:06 **Motion:** Sen. Keenan moved that **HB 167 BE CONCURRED IN**.

Discussion:

02:03:18 Sen. Hamlett

02:03:41 **Vote:** Motion carried unanimously by voice vote. Sen. Hamlett will carry the bill.

EXECUTIVE ACTION ON HB 223

02:04:06 **Motion:** Sen. Keenan moved that **HB 223 BE CONCURRED IN**.

02:04:22 **Motion:** Sen. Hansen moved that **HB 223 BE AMENDED**.
[EXHIBIT\(fcs78a04\)](#)

Discussion:

02:04:37 Sen. Hansen

02:05:05 **Vote:** Motion failed 7-12 by roll call vote with Sen. Caferro, Sen. Hamlett, Sen. Hansen, Sen. L. Jones, Sen. Keane, Sen. Phillips and Sen. Windy Boy voting aye.

Discussion:

02:06:19 Sen. Hansen

02:06:53 Sen Brenden

02:07:15 Sen. Moore

02:07:43 Sen. Hamlett

02:08:04 Sen. Keane

02:08:30 Sen. Sesso

02:09:24 **Vote:** Motion carried 13-6 by roll call vote with Sen. Blasdel, Sen. Brenden, Sen. Hansen, Sen. Howard, Sen. Rosendale and Sen. C. Smith voting no. Sen. Arntzen will carry the bill.

EXECUTIVE ACTION ON HB 300

02:10:25 **Motion:** Sen. Keenan moved that **HB 300 BE CONCURRED IN.**

Discussion:

02:10:47 Sen Brenden

02:11:03 Sen. Ripley

Sen. Rosendale left the meeting.

02:11:17 Sen. Keane

02:11:37 **Vote:** Motion carried unanimously by voice vote. Sen. Rosendale voted by proxy. Sen. Vincent will carry the bill.

EXECUTIVE ACTION ON HB 421

02:12:34 **Motion/Vote:** Sen. Keenan moved that **HB 421 BE CONCURRED IN.** Motion carried 18-1 by voice vote with Sen. Wolken voting no. Sen. Rosendale voted by proxy. Sen. Ankney will carry the bill.

EXECUTIVE ACTION ON HB 510

02:13:25 **Motion:** Sen. Keenan moved that **HB 510 BE CONCURRED IN.**

Discussion:

02:13:45 Sen. Keane

02:13:57 **Vote:** Motion carried 13-6 by roll call vote with Sen. Keane, Sen. F. Moore, Sen. Phillips, Sen. Sesso, Sen. Windy Boy and Sen. Wolken voting no. Sen. Rosendale voted by proxy. Sen. Vincent will carry the bill.

EXECUTIVE ACTION ON HB 599

02:15:06 **Motion:** Sen. Keenan moved that **HB 599 BE CONCURRED IN.**

Discussion:

02:15:27 Sen. Keane

02:15:41 Sen. Moore

02:16:01 Sen. Hamlett

02:16:18 **Vote:** Motion carried 11-8 by roll call vote with Sen. Caferro, Sen. Howard, Sen. L. Jones, Sen. Keane, Sen. Phillips, Sen. Sesso, Sen. Windy Boy and Sen. Wolken voting no. Sen. Rosendale voted by proxy. Sen. Moore will carry the bill.

EXECUTIVE ACTION ON HB 628

02:17:28 **Motion/Vote:** Sen. Keenan moved that **HB 628 BE CONCURRED IN**. Motion carried 18-1 by voice vote with Sen. Rosendale voting no. Sen. Rosendale voted by proxy. Sen. Hansen will carry the bill.

EXECUTIVE ACTION ON HB 4

02:18:33 **Motion:** Sen. Keenan moved that **HB 4 BE CONCURRED IN**.

Discussion:

02:18:43 Jon Moe, Legislative Fiscal Division (LFD)

02:19:12 **Motion:** Sen. Keenan moved that **HB 4 BE AMENDED**.
[EXHIBIT\(fcs78a05\)](#)

02:20:06 **Vote:** Motion carried unanimously by voice vote. Sen. Rosendale voted by proxy.

02:20:21 **Motion/Vote:** Sen. Keenan moved that **HB 4 BE CONCURRED IN AS AMENDED**. Motion carried 15-4 by voice vote with Sen. Hansen, Sen. Howard, Sen. C. Smith and Sen. Webb voting no. Sen. Rosendale voted by proxy. Sen. Keenan will carry the bill.

EXECUTIVE ACTION ON HB 403

02:21:16 **Motion:** Sen. Keane moved that **HB 403 BE CONCURRED IN**.

02:21:29 **Motion:** Sen. Ripley moved that **HB 403 BE AMENDED**.
[EXHIBIT\(fcs78a06\)](#)

Discussion:

02:21:33 Sen. Ripley
02:22:42 Sen. Moore
02:22:55 Sen. Ripley
Sen. Taylor left the meeting.

02:23:16 **Vote:** Motion carried unanimously by roll call vote. Sen. Rosendale and Sen. Taylor voted by proxy.

02:24:22 **Motion:** Sen. Hamlett moved that **HB 403 BE AMENDED**.
[EXHIBIT\(fcs78a07\)](#)

Discussion:

02:24:25 Sen. Hamlett

02:24:35 **Vote:** Motion carried 13-6 by roll call vote with Sen. Howard, Sen. F. Moore, Sen. Rosendale, Sen. C. Smith, Sen. Taylor and Sen. Webb voting no. Sen. Rosendale and Sen. Taylor voted by proxy.

02:25:48 **Motion:** Sen. Ripley moved that **HB 403 BE AMENDED.**
[EXHIBIT\(fcs78a08\)](#)

Discussion:

02:24:51 Sen. Ripley
02:28:14 Sen. Keenan
02:28:23 Sen. Ripley
02:29:28 Sen. Wolken
02:29:32 Sen. Ripley
02:29:56 Sen. Keane
02:30:28 Sen. Hamlett
02:30:33 Sen. Keenan

02:30:41 **Vote:** Motion carried 18-1 by voice vote with Sen. Wolken voting no. Sen. Rosendale and Sen. Taylor voted by proxy.

02:31:01 **Motion:** Sen. Sesso moved that **HB 403 BE AMENDED.**
[EXHIBIT\(fcs78a09\)](#)

Discussion:

02:31:03 Sen. Sesso
02:35:34 Sen. Brenden
02:35:41 Sen. Sesso

02:36:12 **Vote:** Motion carried unanimously by voice vote. Sen. Rosendale voted by proxy. Sen. Taylor was excused.

02:36:30 **Motion:** Sen. Ripley moved that **HB 403 BE CONCURRED IN AS AMENDED.**

Sen. Rosendale joined the meeting.

Discussion:

02:36:51 Sen. Hansen

02:39:08 **Motion:** Sen. Hansen moved that **HB 403 BE AMENDED.**
[EXHIBIT\(fcs78a10\)](#)

Discussion:

02:39:18 Sen. Windy Boy
02:39:54 Sen. Keane
02:40:09 Sen. Hansen

02:40:27 Sen. Brenden
 02:41:07 Sen. Ripley
 02:41:26 Sen. Hansen
 02:42:13 Sen. Hamlett
 02:42:29 Sen. Keane
 02:42:50 Sen. Rosendale
 02:43:00 Sen. Ripley
 02:43:23 Jon Moe, Legislative Fiscal Division (LFD)
 02:43:46 Sen. Sesso
 02:44:05 Cathy Duncan, LFD
 02:44:19 Sen. Moore
 02:44:38 Chair Jones
 02:45:44 Mr. Moe, LFD
 02:45:52 Julie Johnson, LFD
 02:46:04 Chair Jones
 02:46:28 Sen. Brenden
 02:46:49 Sen. Sesso
 02:46:56 Ms. Johnson
 02:47:07 Chair Jones

02:47:26 **Substitute Motion:** Sen. Hansen made a substitute motion to **CONCEPTUALLY AMEND HER MOTION TO INCLUDE CONTINGENT VOIDNESS if funding is available in HB 416 .**

Discussion:

02:47:59 Mr. Moe
 02:48:07 Chair Jones
 02:48:40 Sen. Ripley
 02:48:58 Chair Jones

02:49:20 **Vote:** Substitute Motion carried unanimously by voice vote. Sen. Taylor voted by proxy.

02:49:32 **Vote:** Motion on amendment as amended carried unanimously by voice vote. Sen. Taylor voted by proxy.

02:49:43 **Motion/Vote:** Sen. Ripley moved that **HB 403 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Sen. Taylor voted by proxy. Sen. Ripley will carry the bill.

EXECUTIVE ACTION ON HB 463

02:50:40 **Motion:** Sen. Keenan moved that **HB 463 BE CONCURRED IN.**

02:51:03 **Motion:** Sen. Howard moved that **HB 463 BE AMENDED.**

[EXHIBIT\(fcs78a11\)](#)

Discussion:

02:51:08 Sen. Howard

02:51:45 Sen. Wolken

02:52:17 **Vote:** Motion carried unanimously by voice vote of those present and voting.

02:52:27 **Motion:** Sen. Howard moved that **HB 463 BE AMENDED.**

EXHIBIT(fcs78a12)

Discussion:

02:52:28 Sen. Howard

02:56:50 Sen. Wolken

02:58:03 Sen. Howard

02:58:38 Sen. Windy Boy

02:59:37 Sen. Phillips

02:59:50 Sen. Howard

03:01:21 **Vote:** Motion failed 7-11 by roll call vote with Sen. Blasdel, Sen. Brenden, Sen. Hansen, Sen. Howard, Sen. L. Jones, Sen. C. Smith and Sen. Webb voting aye. Sen. Taylor was excused.

03:02:38 **Motion:** Sen. Keenan moved that **HB 463 BE CONCURRED IN AS AMENDED.**

Discussion:

03:02:47 Sen. Howard

03:04:04 Sen. Hamlett

03:04:57 Sen. Moore

03:05:19 Sen. Howard

03:05:30 Sen. Moore

03:05:41 **Vote:** Motion carried 14-5 by roll call vote with Sen. Howard, Sen. Keenan, Sen. Ripley, Sen. C. Smith and Sen. Webb voting no. Sen. Taylor voted by proxy. Sen. Walker will carry the bill.

EXECUTIVE ACTION ON HB 191

03:07:00 **Motion:** Sen. Webb moved that **HB 191 BE CONCURRED IN.**

03:07:15 **Motion:** Sen. Webb moved that **HB 191 BE AMENDED.**

EXHIBIT(fcs78a13)

Discussion:

03:07:17 Sen Webb

03:08:01 Sen. Keane

03:08:22 Sen. Howard

03:08:40 Sen. Webb
03:08:44 Sen. Rosendale
03:08:52 Sen. Webb
03:09:00 Chair Jones

03:09:10 **Vote:** Motion carried unanimously by voice vote. Sen. Taylor voted by proxy.

03:09:23 **Motion:** Sen. Webb moved that **HB 191 BE CONCURRED IN AS AMENDED.**

Discussion:

03:09:38 Sen. Webb

03:10:58 **Vote:** Motion carried 17-2 by roll call vote with Sen. Keane and Sen. Sesso voting no. Sen. Taylor voted by proxy. Sen. Webb will carry the bill.

03:11:49 Chair Jones
03:12:17 Sen. Windy Boy

ADJOURNMENT

Adjournment: 10:43 a.m.

Prudence Gildroy, Secretary

pg

Additional Documents:

EXHIBIT([fcs78aad.pdf](#))