

MINUTES

MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON FINANCE AND CLAIMS

Call to Order: Chair Ryan Osmundson, on March 25, 2019 at 8:00 AM, in Room 317 Capitol

ROLL CALL

Members Present:

Sen. Ryan Osmundson, Chair (R)
Sen. Jon C. Sesso, Vice Chair (D)
Sen. Cary Smith, Vice Chair (R)
Sen. Duane Ankney (R)
Sen. Kenneth Bogner (R)
Sen. Mike Cuffe (R)
Sen. Janet Ellis (D)
Sen. Pat Flowers (D)
Sen. David Howard (R)
Sen. Tom Jacobson (D)
Sen. Douglas (Doug) Kary (R)
Sen. Bob Keenan (R)
Sen. Mike Lang (R)
Sen. Nate McConnell (D)
Sen. Mary McNally (D)
Sen. Albert Olszewski (R)
Sen. Daniel R. Salomon (R)
Sen. Susan Webber (D)
Sen. Jeffrey W. Welborn (R)

Members Excused: None

Members Absent: None

Staff Present: Prudence Gildroy, Committee Secretary
Quinn Holzer, Legislative Branch
Julie Johnson, Legislative Branch
Kris Wilkinson, 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 387, 3/22/2019; HB 351, 3/22/2019; HB 290, 3/20/2019;
SB 338, 3/20/2019; SB 239, 3/21/2019; HB 639, 3/20/2019;
SB 352, 3/25/2019; HB 633, 3/20/2019;

Executive Action: HB 290; HB 351; HB 387; HB 633; HB 639; SB 239; SB 204;
SB 212; SB 338; SB 352; SB 216

HEARING ON HB 387

Opening Statement by Sponsor:

08:02:24 Rep. Llew Jones (R), HD 18, opened the hearing on HB 387, Create advanced opportunity act for Montana students.

Proponents' Testimony:

08:05:22 Eric Feaver, Montana Federation of Public Employees

08:05:57 Bridger Mahlum, Montana Chamber of Commerce

08:06:28 Kirk Miller, School Administrators of Montana

08:07:52 Emily Dean, Montana School Boards Association

Opponents' Testimony: None

Informational Testimony:

08:08:44 Paul Taylor, Office of Public Instruction

Questions from Committee Members and Responses:

08:09:15 Chairman Osmundson

08:09:33 Rep. Jones

08:11:23 Sen. Ellis

08:11:51 Rep. Jones

08:14:12 Sen. Jacobson

08:16:50 Rep. Jones

08:17:33 Sen. Jacobson

08:18:00 Rep. Jones

08:18:56 Sen. Cuffe

08:19:24 Rep. Jones

08:21:37 Chair Osmundson

08:21:47 Rep. Jones

08:22:32 Sen. Cuffe

08:22:53 Sen. Jacobson

08:23:17 Rep. Jones

08:23:45 Sen. Keenan

08:23:55 Rep. Jones

08:24:43 Sen. Keenan

08:24:49 Rep. Jones

Closing by Sponsor:

08:25:08 Rep. Jones

HEARING ON HB 351

Opening Statement by Sponsor:

08:27:35 Rep. Wendy McKamey (R), HD 19, opened the hearing on HB 351, Encourage transformational learning.

Proponents' Testimony:

08:34:23 Rep. Llew Jones, HD 18

08:38:49 Abigail St. Lawrence, Montana Association for Gifted and Talented Education
08:40:02 Eric Feaver, Montana Federation of Public Employees
08:40:44 Bridger Mahlum, Montana Chamber of Commerce
08:41:12 Kirk Miller, School Administrators of Montana
08:42:51 Emily Dean, Montana School Boards Association

Opponents' Testimony: None

Informational Testimony:

08:44:05 Paul Taylor, Office of Public Instruction

Questions from Committee Members and Responses:

08:44:27 Sen. Ellis
08:45:00 Kris Wilkinson, Legislative Fiscal Division (LFD)
08:45:29 Sen. Ellis
08:46:41 Rep. McKamey
08:47:00 Sen. Ellis
08:47:38 Rep. McKamey
08:48:18 Rep. Jones
08:49:17 Sen. Ellis
08:49:30 Rep. Jones
08:50:19 Sen. Salomon
08:50:35 Rep. Jones
08:52:57 Sen. Jacobson
08:53:35 Rep. Jones
09:03:40 Sen. Jacobson
09:04:12 Rep. Jones
09:06:28 Sen. Cuffe
09:06:38 Chair Osmundson
09:06:48 Sen. Cuffe
09:06:52 Rep. Jones

Closing by Sponsor:

09:07:07 Rep. McKamey

HEARING ON HB 290

Opening Statement by Sponsor:

09:08:43 Rep. Peggy Webb (R), HD 43, opened the hearing on HB 290, Require child support cooperation for food stamp eligibility.

[EXHIBIT\(fcs61a01\)](#)

[EXHIBIT\(fcs61a02\)](#)

Proponents' Testimony:

09:13:14 Glenn Oppel, Opportunity Solutions Project

[EXHIBIT\(fcs61a03\)](#)

Opponents' Testimony:

09:17:30 Seanna Pieper-Jordan, Montana Food Bank Network (MFBN)

09:20:51 Samantha Harrington, representing herself
[EXHIBIT\(fcs61a04\)](#)

09:23:51 Ryan Evans, Office of Budget and Program Planning
 09:25:05 Heather O'Loughlin, Montana Budget and Policy Center
 09:25:58 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence
 09:26:50 Eric Feaver, Montana Federation of Public Employees

Informational Testimony: None

Questions from Committee Members and Responses:

09:27:19 Sen. Jacobson
 09:28:16 Rep. Webb
 09:29:21 Sen. Jacobson
 09:29:39 Rep. Webb
 09:29:56 Sen. McNally
 09:30:09 Rep. Webb
 09:30:17 Sen. McNally
 09:30:40 Rep. Webb
 09:31:07 Sen. McNally
 09:31:39 Ms. Pieper-Jordan, MFBN
 09:32:13 Sen. McNally
 09:32:26 Sen. Flowers
 09:33:07 Rep. Webb

Closing by Sponsor:

09:34:41 Rep. Webb

HEARING ON SB 338

Opening Statement by Sponsor:

09:35:49 Sen. Terry Gauthier (R), SD 40, opened the hearing on SB 338, Provide for construction of the Montana Heritage Center and create museum grants.

[EXHIBIT\(fcs61a05\)](#)

Proponents' Testimony:

09:40:04 Bruce Whittenberg, executive director, Montana Historical Society (MHS)

[EXHIBIT\(fcs61a06\)](#)

09:44:40 Chair Osmundson left the meeting and Vice Chair Smith assumed the Chair.

09:44:45 Leo Berry, representing himself
 09:46:31 Jennifer Bottomly, senior curator, Montana Historical Society
 09:47:24 Leo Berry, self
 09:48:00 Bill Whitsitt, Greater Montana Foundation

[EXHIBIT\(fcs61a07\)](#)

09:50:00 Russ Katherman, Architecture and Engineering Division, Department of Administration (DOA)

09:50:27 Jenna Peete, executive director, Moss Mansion

[EXHIBIT\(fcs61a08\)](#)

[EXHIBIT\(fcs61a09\)](#)

09:53:08 Bill Jones, Museum Association of Montana; Montana History Foundation

[EXHIBIT\(fcs61a10\)](#)

09:55:01 Bridger Mahlum, Montana Chamber of Commerce

09:56:25 Stuart Doggett, Montana Lodging and Hospitality Association

09:57:58 Cathy Burwell, Helena Area Chamber of Commerce

09:59:04 David Smith, executive director, Montana Contractors Association

09:59:49 Tim Burton, executive director, Montana League of Cities and Towns

10:00:37 Jim McCormick, representing himself

10:03:10 Isaiah Cech, student, Carroll College

10:04:28 Chere Jiusto, Montana Preservation Alliance

10:07:43 Darryl James, executive director, Montana Infrastructure Coalition

10:09:35 Jane Hamman, representing herself

10:10:36 Phoebe Williams, representing herself, and on behalf of Joe Mazurek and Betty Babcock (both now deceased)

10:11:43 Sen. Jill Cohenour, SD 42

10:13:16 Peter Sullivan, representing himself

10:13:48 Barbara Harris, representing himself

10:14:14 Darlene Gould, executive director, Daly Mansion

10:16:02 Bob Haseman, representing himself

10:16:37 Charles Jezick, representing himself

10:17:12 Thomas Nygard, representing himself; former trustee, Montana Historical Society Board

10:18:29 Brian Kahn, representing himself, Home Ground radio program

10:19:34 Eric Feaver, Montana Federation of Public Employees

Chair Osmundson joined the meeting.

Opponents' Testimony: None

Informational Testimony:

10:20:19 Jennifer Olson, Department of Commerce

10:20:41 Kate Hampton, State Historic Preservation Office, Montana Historical Society

10:21:00 Denise King, Montana Historical Society

[EXHIBIT\(fcs61a11\)](#)

10:21:31 Cathy Duncan, Legislative Fiscal Division

Questions from Committee Members and Responses:

10:22:07 Sen. Sesso

10:22:59 Sen. Gauthier

10:26:56 Sen. Sesso

10:27:07 Sen. Gauthier

Chair Osmundson assumed the Chair.

10:27:45 Sen. Ellis
10:28:26 Sen. Gauthier
10:28:58 Sen. Cuffe
10:29:34 Sen. Gauthier
10:30:02 Mr. Whittenberg, MHS
10:30:33 Mr. Katherman, DOA
10:31:16 Sen. Cuffe
10:31:31 Mr. Katherman
10:33:04 Sen. Cuffe
10:33:21 Mr. Katherman
10:33:41 Sen. Cuffe
10:34:35 Mr. Whittenberg
10:35:58 Sen. Cuffe
10:36:18 Mr. Whittenberg

Closing by Sponsor:

10:36:30 Sen. Gauthier

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

10:38:15 Sen. Jason Ellsworth (R), SD 43, opened the hearing on SB 239, Provide for moratorium on property taxes for broadband fiber and cable.

[EXHIBIT\(fcs61a12\)](#)

Proponents' Testimony:

10:46:44 Geoff Feiss, Montana Telecommunications Association
10:48:54 Melissa Shannon, Blackfoot Telecommunications
10:49:31 Mark Baker, Charter Communications
10:49:59 Dennis Parman, executive director, Montana Rural Education Association

Opponents' Testimony:

10:52:05 Gene Walborn, director, Department of Revenue (DOR)
10:57:57 Tim Burton, executive director, Montana League of Cities and Towns
11:01:01 Kevin Hamm, Treasure State Internet and Telegraph (TSI & Telegraph)

Informational Testimony: None

Questions from Committee Members and Responses:

11:03:09 Sen. Ellis
11:04:25 Mr. Walborn, DOR
11:05:02 Sen. Ellis
11:05:21 Mr. Walborn
11:05:39 Sen. Salomon
11:06:09 Sen. Ellsworth
11:06:31 Sen. Salomon
11:06:49 Sen. Ellsworth
11:08:55 Sen. McConnell
11:09:50 Sen. Ellsworth
11:09:55 Sen. McConnell

11:10:10 Sen. Ellsworth
11:11:26 Sen. McConnell
11:11:39 Mr. Hamm, TSI & Telegraph
11:13:06 Sen. McConnell
11:13:29 Mr. Hamm
11:13:52 Sen. Jacobson
11:14:31 Sen. Ellsworth
11:15:15 Chair Osmundson
11:15:23 Sen. Ellsworth

Closing by Sponsor:

11:15:26 Sen. Ellsworth

HEARING ON HB 639

Opening Statement by Sponsor:

11:17:34 Rep. Dan Bartel (R), HD 29, opened the hearing on HB 639, Establish legislative audit special revenue account for specialist services.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

11:20:02 Angus Maciver, Legislative Audit Division

Questions from Committee Members and Responses: None

Closing by Sponsor:

11:20:40 Rep. Bartel

HEARING ON SB 352

Opening Statement by Sponsor:

11:21:32 Sen. Fred Thomas (R), SD 44, opened the hearing on SB 352, Generally revise laws related to the state budget.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Closing by Sponsor:

11:22:28 Sen. Thomas

HEARING ON HB 633**Opening Statement by Sponsor:**

11:25:19 Rep. Bradley Hamlett (D), HD 23, opened the hearing on HB 633, Create digital library services state special revenue account.

Proponents' Testimony:

11:29:39 Abigail St. Lawrence, attorney, and speaking for Clayton Elliott, Montana Trout Unlimited

11:31:00 Jennie Stapp, state librarian, Montana State Library (MSL)

11:32:54 John Finn, Lewis and Clark Library, Montana Library Association

Chair Osmundson left the meeting. Vice Chair Smith assumed the Chair.

11:34:49 John Tubbs, Department of Natural Resources and Conservation

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

11:35:45 Sen. Lang

11:36:06 Ms. Stapp, MSL

Closing by Sponsor

11:37:00 Rep. Hamlett

11:39:28 Recess

12:01:06 Reconvene

Sen. Osmundson returned to the meeting and assumed the Chair.

EXECUTIVE ACTION ON HB 290

12:03:01 **Motion:** Sen. C. Smith moved that **HB 290 BE CONCURRED IN.**

Discussion:

12:03:29 Sen. McNally

12:04:23 Sen. Flowers

12:04:45 Sen. Ankney

12:05:47 Sen. Jacobson

12:07:03 **Vote:** Motion carried 12-7 by roll call vote with Sen. Ellis, Sen. Flowers, Sen. Jacobson, Sen. McConnell, Sen. McNally, Sen. Sesso and Sen. Webber voting no. The bill will be placed directly on third reading.

EXECUTIVE ACTION ON HB 351

12:08:22 **Motion/Vote:** Sen. C. Smith moved that **HB 351 BE CONCURRED IN**. Motion carried 15-4 by voice vote with Sen. Howard, Sen. Keenan, Sen. Lang and Sen. Olszewski voting no. Sen. Salomon will carry the bill.

EXECUTIVE ACTION ON HB 387

12:09:08 **Motion/Vote:** Sen. C. Smith moved that **HB 387 BE CONCURRED IN**. Motion carried 16-3 by roll call vote with Sen. Howard, Sen. Keenan and Sen. Olszewski voting no. Sen. Blasdel will carry the bill.

EXECUTIVE ACTION ON HB 633

12:10:41 **Motion/Vote:** Sen. C. Smith moved that **HB 633 BE CONCURRED IN**. Motion carried unanimously by voice vote. Sen. Cuffe will carry the bill.

EXECUTIVE ACTION ON HB 639

12:11:10 **Motion:** Sen. C. Smith moved that **HB 639 BE CONCURRED IN**.

Discussion:

12:11:33 Sen. Ellis

12:12:01 Chair Osmundson

12:12:06 Kris Wilkinson, Legislative Fiscal Division (LFD)

12:12:31 **Vote:** Motion carried unanimously by voice vote. Sen. Lang will carry the bill.

12:13:34 Ms. Wilkinson, LFD

EXECUTIVE ACTION ON SB 239

12:14:28 **Motion:** Sen. C. Smith moved that **SB 239 DO PASS**.

12:14:54 **Motion:** Sen. Jacobson moved that **SB 239 BE AMENDED**.

[EXHIBIT\(fcs61a13\)](#)

Discussion:

12:15:27 Sen. Jacobson

12:17:00 Ms. Wilkinson

12:17:35 **Vote:** Motion carried unanimously by voice vote.

12:17:43 **Motion/Vote:** Sen. C. Smith moved that **SB 239 DO PASS AS AMENDED**. Motion carried 16-3 by voice vote with Sen. Ellis, Sen. Sesso and Sen. Webber voting no.

EXECUTIVE ACTION ON SB 204

12:18:20 **Motion:** Sen. C. Smith moved that **SB 204 DO PASS.**

12:18:47 **Motion/Vote:** Sen. Osmundson moved that **SB 204 BE AMENDED.** Motion carried unanimously by voice vote.

EXHIBIT(fcs61a14)

12:19:15 **Motion/Vote:** Sen. C. Smith moved that **SB 204 DO PASS AS AMENDED.** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 312

12:19:45 **Motion:** Sen. C. Smith moved that **SB 312 DO PASS.**

12:20:30 **Motion:** Sen. Osmundson moved that **SB 312 BE AMENDED.** Motion carried unanimously by voice vote.

EXHIBIT(fcs61a15)

12:20:50 **Motion/Vote:** Sen. C. Smith moved that **SB 312 DO PASS AS AMENDED.** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 338

12:21:18 **Motion:** Sen. C. Smith moved that **SB 338 DO PASS.**

12:21:29 **Motion/Vote:** Sen. Sesso moved that **SB 338 BE AMENDED.** Motion carried unanimously by voice vote.

EXHIBIT(fcs61a16)

12:22:15 **Motion/Vote:** Sen. C. Smith moved that **SB 338 DO PASS AS AMENDED.** Motion carried 10-9 by roll call vote with Sen. Bogner, Sen. Cuffe, Sen. Howard, Sen. Kary, Sen. Keenan, Sen. Lang, Sen. Olszewski, Sen. Osmundson and Sen. C. Smith voting no.

EXECUTIVE ACTION ON SB 352

12:23:34 **Motion/Vote:** Sen. C. Smith moved that **SB 352 DO PASS.** Motion carried 17-2 by voice vote with Sen. Howard and Sen. Keenan voting no.

EXECUTIVE ACTION ON SB 216

12:24:18 **Motion/Vote:** Sen. C. Smith moved that **SB 216 BE REMOVED FROM TABLE.** Motion carried 12-7 by roll call vote with Sen. Ellis, Sen. Flowers, Sen. Jacobson, Sen. McConnell, Sen. McNally, Sen. Sesso and Sen. Webber voting no.

12:26:10 **Motion:** Sen. C. Smith moved that **SB 216 DO PASS.**

12:26:21 **Motion:** Sen. C. Smith moved that **SB 216 BE AMENDED.**
EXHIBIT(fcs61a17)

Discussion:

12:26:56 Chair Osmundson

12:27:18 Sen. Smith

12:27:48 Sen. McConnell

12:28:28 Julie Johnson, Legislative Services Division (LSD)

12:28:51 Sen. McConnell

12:28:53 Ms. Johnson, LSD

12:29:01 Sen. McConnell

12:29:13 Chair Osmundson

12:29:24 Sen. McConnell

12:30:17 Sen. Jacobson

12:30:36 Ms. Johnson

12:30:43 Sen. Jacobson

12:31:30 Sen. McConnell

12:33:39 Sen. Jacobson

12:33:49 Sen. Smith

12:34:21 **Motion/Vote:** Sen. C. Smith moved that **SB 216 BE AMENDED.** Motion carried unanimously by voice vote.

12:34:30 **Motion/Vote:** Sen. C. Smith moved that **SB 216 DO PASS AS AMENDED.** Motion carried 12-7 by roll call vote with Sen. Ellis, Sen. Flowers, Sen. Jacobson, Sen. McConnell, Sen. McNally, Sen. Sesso and Sen. Webber voting no.

12:35:38 Chair Osmundson

ADJOURNMENT

Adjournment: 12:36 P.M.

Prudence Gildroy, Secretary

pg

Additional Document

Additional Documents:

EXHIBIT([fcs61aad.pdf](#))