

MINUTES

MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON FINANCE AND CLAIMS

Call to Order: Chair Ryan Osmundson, on April 12, 2019 at 8:04 A.M., 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. 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:

Sen. Tom Jacobson (D)

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 405, 4/11/2019; HB 411, 4/11/2019; HB 431, 4/11/2019; HB 643, 4/11/2019; HB 725, 4/11/2019; HB 763, 4/11/2019 HB 293, 4/11/2019

Executive Action: HB 8; HB 293; HB 405; HB 643; HB 652; HB 670; HB 715; HB 725; HB 763, HB 411

HEARING ON HB 405**Opening Statement by Sponsor:**

08:06:15 Rep. Joel Krautter (R), HD 35, opened the hearing on HB 405, Create catch and keep program for rural economic development.

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

Proponents' Testimony:

08:08:07 Bridger Mahlum, Montana Chamber of Commerce

08:08:48 Bruce Spencer, State Bar of Montana

Opponents' Testimony: None**Informational Testimony:** None**Questions from Committee Members and Responses:**

08:10:16 Sen. Ellis

08:10:43 Rep. Krautter

08:11:25 Sen. Ellis

08:11:40 Kris Wilkinson, Legislative Fiscal Division

Closing by Sponsor:

08:12:07 Rep. Krautter

HEARING ON HB 411**Opening Statement by Sponsor:**

08:13:10 Rep. Willis Curdy (D), HD 98, opened the hearing on HB 411, Revise laws related to AIS expenditures and funding.

[EXHIBIT\(fcs77a01\)](#)

[EXHIBIT\(fcs77a02\)](#)

Proponents' Testimony:

08:23:27 Martha Williams, director, Department of Fish, Wildlife, and Parks (FWP)

08:28:57 John Tubbs, director, Department of Natural Resources and Conservation (DNRC)

08:34:09 Bob Gilbert, executive director, Walleyes Unlimited

08:38:08 Jordan Thompson, Confederation Salish and Kootenai Tribes

08:39:42 Sen. Welborn

08:39:59 Jan Rouse, NorthWestern Energy

Opponents' Testimony:

08:40:33 Tom Ebzery, Avista Corporation

[EXHIBIT\(fcs77a03\)](#)

08:44:04 Randy Pinocci, Public Service Commission

08:45:41 Stuart Doggett, Montana Hospitality Association

Informational Testimony:

08:47:16 Tara Rice, Department of Commerce

Questions from Committee Members and Responses:

08:47:47 Sen. Cuffe
08:48:50 Rep. Curdy
08:54:54 Sen. Cuffe
08:55:06 Rep. Curdy
08:55:44 Dustin Temple, FWP
08:56:11 Sen. Cuffe
08:56:20 Mr. Temple
08:56:46 Sen. Cuffe
08:57:14 Rep. Curdy
08:57:58 Sen. Cuffe
08:58:14 Sen. Webber joined the meeting.
08:58:25 Rep. Curdy
08:59:20 Mr. Temple
09:00:09 Sen. Cuffe
09:01:06 Mr. Tubbs, DNRC
09:02:15 Sen. Flowers
09:03:06 Ms. Williams, FWP
09:04:07 Sen. Salomon joined the meeting.
09:04:19 Sen. Flowers
09:05:00 Ms. Williams
09:05:26 Sen. Keenan
09:06:48 Rep. Curdy
09:08:01 Sen. Keenan
09:08:55 Rep. Curdy
09:09:38 Chair Osmundson joined the meeting.
09:10:00 Sen. Keenan
09:10:11 Rep. Curdy
09:10:23 Sen. Smith

Closing by Sponsor:

09:10:49 Rep. Curdy

HEARING ON HB 431

Opening Statement by Sponsor:

09:12:40 Rep. Zach Brown (D), HD 63, opened the hearing on HB 431, Create farmer loan assistance program by revising GTA laws.

Proponents' Testimony:

09:15:25 Liv Stavick, Montana Farm Bureau Federation
09:15:58 Brian Ohs, Montana Stockgrowers Association

Opponents' Testimony: None

Informational Testimony:

09:16:38 Cindy Trimp, Department of Agriculture

Questions from Committee Members and Responses: None

Closing by Sponsor:

09:16:59 Rep. Brown

HEARING ON HB 643

Opening Statement by Sponsor:

09:17:44 Rep. Rhonda Knudsen (R), HD 34, opened the hearing on HB 643, Extend state lands reimbursement block grant for schools.

Proponents' Testimony:

09:20:42 Lance Melton, Montana School Board Association, and speaking for Dennis Parman, Montana Rural Education Association

09:23:05 Kirk Miller, School Administrators of Montana

Opponents' Testimony: None

Informational Testimony:

09:24:06 Paul Taylor, Office of Public Instruction

Questions from Committee Members and Responses: None

Closing by Sponsor:

09:24:27 Rep. Knudson

HEARING ON HB 725

Opening Statement by Sponsor:

09:25:19 Rep. Ryan Lynch (D), HD 76, opened the hearing on HB 725, Allow sports wagering through the state lottery.

Proponents' Testimony:

09:26:56 Angela Wong, director, Montana State Lottery

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

09:31:14 Sen. Ellis

09:31:35 Rep. Lynch

Closing by Sponsor:

09:32:14 Rep. Lynch

HEARING ON HB 763**Opening Statement by Sponsor:**

09:33:07 Rep. Ryan Lynch (D), HD 76, opened the hearing on HB 763, Generally revise corrections laws.

Proponents' Testimony:

09:35:40 Cynthia Wolken, Department of Corrections
09:36:35 Beth Brenneman, Disability Rights Montana

Opponents' Testimony: None**Informational Testimony:** None**Questions from Committee Members and Responses:**

09:37:39 Sen. McConnell
09:38:05 Rep. Lynch
09:38:54 Sen. McConnell
09:39:28 Ms. Wolken

Closing by Sponsor:

09:40:30 Rep. Lynch

HEARING ON HB 293**Opening Statement by Sponsor:**

09:42:58 Rep. Wylie Galt (R), HD 30, opened the hearing on HB 293, Provide for film tax credits.

Proponents' Testimony:

09:43:38 Steve Grover, Montana Studios
[EXHIBIT\(fcs77a04\)](#)

09:48:53 Rep. Bridget Smith, HD 31
09:50:40 Brad Longcake, Bitterroot Development Group and speaking for Jesse Luther, Motion Picture Association of America
09:51:31 Bridger Mahlum, Montana Chamber of Commerce
09:52:00 Sen. Sue Malek, SD 46

Opponents' Testimony:

09:54:04 Gene Walborn, director, Department of Revenue (DOR)
09:55:21 Heather O'Loughlin, Montana Budget and Policy Center

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

09:56:47 Sen. McConnell
09:57:32 Rep. Galt
09:57:53 Sen. McConnell
09:58:04 Rep. Galt

09:58:19 Sen McConnell
 09:58:57 Mr. Walborn, DOR
 09:59:25 Sen. Howard joined the meeting.
 09:59:48 Sen. Olszewski
 10:00:21 Mr. Welborn
 10:00:49 Sen. Lang
 10:01:08 Mr. Welborn
 10:01:53 Sen. Flowers
 10:02:07 Sen. Sesso joined the meeting.
 10:02:35 Rep. Galt
 10:02:57 Sen. Cuffe
 10:03:20 Rep. Galt

Closing by Sponsor:

10:03:57 Rep. Galt
 10:05:08 Chair Osmundson assumed the Chair.
 10:06:38 Recess

Sen. Ankney, Sen. Sesso, and Sen. Welborn left the meeting.

11:09:28 Reconvene

EXECUTIVE ACTION ON HB 8

11:10:29 **Motion:** Sen. C. Smith moved that **HB 8 BE CONCURRED IN.**

11:10:36 **Motion:** Sen. Lang moved that **HB 8 BE AMENDED.**
[EXHIBIT\(fcs77a05\)](#)

11:11:34 **Vote:** Motion carried unanimously by voice vote. Sen. Ankney, Sen. Jacobson, Sen. Sesso and Sen. Welborn voted by proxy.

11:11:52 **Motion/Vote:** Sen. C. Smith moved that **HB 8 BE CONCURRED IN AS AMENDED.** Motion carried 18-1 by voice vote with Sen. Olszewski voting no. Sen. Ankney, Sen. Jacobson, Sen. Sesso and Sen. Welborn voted by proxy. Sen. Cuffe will carry the bill.

EXECUTIVE ACTION ON HB 293

11:12:33 **Motion:** Sen. C. Smith moved that **HB 293 BE CONCURRED IN.**

Discussion:

11:12:44 Sen. McConnell
 11:12:56 Sen. Olszewski

11:13:26 **Vote:** Motion carried 15-4 by roll call vote with Sen. Howard, Sen. Keenan, Sen. Lang and Sen. Olszewski voting no. Sen. Ankney, Sen. Jacobson, Sen. Sesso and Sen. Welborn voted by proxy. Sen. McConnell will carry the bill.

EXECUTIVE ACTION ON HB 405

11:14:47 **Motion:** Sen. C. Smith moved that **HB 405 BE CONCURRED IN.**

Discussion:

11:14:57 Sen. Cuffe

11:15:16 Sen. Olszewski

11:16:43 **Vote:** Motion failed 9-10 by roll call vote with Sen. Bogner, Sen. Ellis, Sen. Flowers, Sen. Jacobson, Sen. McConnell, Sen. McNally, Sen. Salomon, Sen. Sesso and Sen. Webber voting aye. Sen. Ankney, Sen. Jacobson, Sen. Sesso and Sen. Welborn voted by proxy.

11:18:00 **Motion/Vote:** Sen. C. Smith moved that **HB 405 BE TABLED AND THE VOTE REVERSED.** Without objection, the motion carried.

EXECUTIVE ACTION ON HB 411

11:18:17 **Motion:** Sen. C. Smith moved that **HB 411 BE CONCURRED IN.**

11:18:43 **Motion:** Sen. McConnell moved that **HB 411 BE AMENDED.**

[EXHIBIT\(fcs77a06\)](#)

11:19:25 **Vote:** Motion carried unanimously by voice vote. Sen. Ankney, Sen. Jacobson, Sen. Sesso and Sen. Welborn voted by proxy.

11:19:44 **Motion:** Sen. Flowers moved that **HB 411 BE AMENDED.**

[EXHIBIT\(fcs77a07\)](#)

Discussion:

11:20:34 Chair Osmundson

11:20:40 Sen. Flowers

11:20:46 Sen. McNally

11:21:12 **Vote:** Motion carried 12-7 by roll call vote with Sen. Ankney, Sen. Bogner, Sen. Cuffe, Sen. Howard, Sen. Osmundson, Sen. C. Smith and Sen. Welborn voting no. Sen. Ankney, Sen. Jacobson, Sen. Sesso and Sen. Welborn voted by proxy.

11:22:21 **Motion:** Sen. C. Smith moved that **HB 411 BE CONCURRED IN AS AMENDED.**

Discussion:

11:22:30 Sen. Ellis

11:22:53 Chair Osmundson

11:23:03 Sen. Smith withdrew his motion.

EXECUTIVE ACTION ON HB 643

11:23:24 **Motion:** Sen. C. Smith moved that **HB 643 BE CONCURRED IN.**

Discussion:

11:23:35 Chair Osmundson

11:23:45 Sen. Lang

11:25:09 **Vote:** Motion carried unanimously by voice vote. Sen. Ankney, Sen. Jacobson, Sen. Sesso and Sen. Welborn voted by proxy. Sen. Lang will carry the bill.

EXECUTIVE ACTION ON HB 652

11:25:41 **Motion:** Sen. Sesso moved that **HB 652 BE CONCURRED IN.**

Discussion:

11:25:52 Chair Osmundson

11:26:32 Sen. McNally

11:26:44 **Vote:** Motion carried 13-6 by roll call vote with Sen. Bogner, Sen. Howard, Sen. Kary, Sen. Lang, Sen. Olszewski and Sen. C. Smith voting no. Sen. Ankney, Sen. Jacobson, Sen. Sesso and Sen. Welborn voted by proxy. Sen. Sesso will carry the bill.

EXECUTIVE ACTION ON HB 670

11:28:01 **Motion:** Sen. C. Smith moved that **HB 670 BE CONCURRED IN.**

11:28:24 **Motion:** Sen. Olszewski moved that **HB 670 BE AMENDED.**

[EXHIBIT\(fcs77a08\)](#)

Discussion:

11:28:29 Sen. Olszewski

11:30:51 Sen. Ellis

11:31:08 Chair Osmundson

11:31:14 Sen. McNally

11:31:27 **Vote:** Motion carried unanimously by voice vote. Sen. Ankney, Sen. Jacobson, Sen. Sesso and Sen. Welborn voted by proxy.

11:31:45 **Motion/Vote:** Sen. C. Smith moved that **HB 670 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Sen. Ankney, Sen. Jacobson, Sen. Sesso and Sen. Welborn voted by proxy. Sen. Olszewski will carry the bill.

11:32:16 Chair Osmundson

EXECUTIVE ACTION ON HB 715

11:32:40 **Motion:** Sen. C. Smith moved that **HB 715 BE CONCURRED IN.**

11:33:13 **Motion:** Sen. Osmundson moved that **HB 715 BE AMENDED.**

[EXHIBIT\(fcs77a09\)](#)

Discussion:

11:34:24 Chair Osmundson

[EXHIBIT\(fcs77a10\)](#)

[EXHIBIT\(fcs77a11\)](#)

11:34:42 Sen. Ellis

11:35:22 Chair Osmundson

11:35:45 **Motion:** Sen. Ellis moved that **HB 715 BE AMENDED WITH A CONCEPTUAL AMENDMENT** to insert ", education" on page 4, #24 after "natural resource programs."

11:37:50 Chair Osmundson

11:37:58 **Substitute Motion:** Sen. Ellis made a Substitute Motion to insert , education programs on page 4, #24, after "natural resource programs."

11:38:48 **Vote:** Substitute Motion carried unanimously by voice vote. Sen. Ankney, Sen. Jacobson, Sen. Sesso and Sen. Welborn voted by proxy.

11:39:33 **Motion:** Sen. Osmundson moved that **HB 715 BE AMENDED.**
[EXHIBIT\(fcs77a12\)](#)

11:40:12 **Vote:** Motion carried unanimously by voice vote. Sen. Ankney, Sen. Jacobson, Sen. Sesso and Sen. Welborn voted by proxy.

11:40:42 **Motion/Vote:** Sen. C. Smith moved that **HB 715 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Sen. Ankney, Sen. Jacobson, Sen. Sesso and Sen. Welborn voted by proxy. Sen. Osmundson will carry the bill.

EXECUTIVE ACTION ON HB 725

11:41:21 **Motion:** Sen. C. Smith moved that **HB 725 BE CONCURRED IN.**

Discussion:

11:41:35 Chair Osmundson

11:41:47 **Vote:** Motion carried 12-7 by roll call vote with Sen. Howard, Sen. Kary, Sen. Keenan, Sen. Lang, Sen. Olszewski, Sen. Osmundson and Sen. C. Smith voting no. Sen. Ankney, Sen. Jacobson, Sen. Sesso and Sen. Welborn voted by proxy. Sen. Sesso will carry the bill.

EXECUTIVE ACTION ON HB 763

11:43:01 **Motion:** Sen. C. Smith moved that **HB 763 BE CONCURRED IN.**

Discussion:

11:43:19 Sen. McConnell

11:43:57 **Vote:** Motion carried unanimously by voice vote. Sen. Ankney, Sen. Jacobson, Sen. Sesso and Sen. Welborn voted by proxy. Sen. McConnell will carry the bill.

11:44:29 Chair Osmundson

Public comment:

11:45:14 Beth Brenneman, Disability Rights Montana

11:46:08 Rose Hughes, executive director, Montana Healthcare Association

11:48:29 Chair Osmundson

ADJOURNMENT

Recess: 11:48 A.M.

Prudence Gildroy, Secretary

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Additional Documents:

EXHIBIT([fcs77aad.pdf](#))