

## MINUTES

### MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON FINANCE AND CLAIMS

**Call to Order:** Chair Dave Lewis, on March 22, 2011 at 9:00 A.M., in Room 317 Capitol

#### ROLL CALL

**Members Present:**

Sen. Dave Lewis, Chairman (R)  
Sen. Rick Ripley, Vice Chairman (R)  
Sen. Debby Barrett (R)  
Sen. John Brenden (R)  
Sen. Edward Buttrey (R)  
Sen. Steven Gallus (D)  
Sen. Bradley Hamlett (D)  
Sen. Bob Hawks (D)  
Sen. Jim Keane (D)  
Sen. Alan Olson (R)  
Sen. David E. Wanzenried (D)  
Sen. Carol Williams (D)

**Members Excused:**

Sen. Taylor Brown (R)  
Sen. Mary Caferro (D)  
Sen. Llew Jones (R)  
Sen. Jason Priest (R)  
Sen. Jon Sonju (R)  
Sen. Edward Walker (R)  
Sen. Ryan Zinke (R)

**Members Absent:** None

**Staff Present:** Prudence Gildroy, Committee Secretary  
Taryn Purdy, 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 230, 3/15/2011

Executive Action: HB 262; HB 282; SB 328; SB 129

**HEARING ON HB 230****Opening Statement by Sponsor:**

00:00:59 Rep. Steve Gibson (R), HD 78, opened the hearing on HB 230, Transfer board of crime control to corrections.  
00:10:22 Chairman Lewis  
00:10:37 Rep. Gibson

**Proponents' Testimony:**

00:10:59 Rep. Galen Hollenbaugh, HD 81  
00:13:08 Bill Petrovish, representing himself

**Opponents' Testimony:**

00:13:42 Chairman Mike Anderson, Montana Board of Crime Control (BCC)  
00:17:16 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence  
**EXHIBIT(fcs64a01)**  
**EXHIBIT(fcs64a02)**  
00:21:55 Pamela Carbonari, BCC  
00:28:28 Chairman Lewis  
00:28:32 Sen. Hawks  
00:28:42 Chairman Lewis  
00:29:00 Nichole Griffith, Victim-Witness Assistance Services, Great Falls  
**EXHIBIT(fcs64a03)**  
00:30:34 David Schenk, Sheriff, Madison County and President, Montana Peace Officers Association  
00:31:06 Nick Murnion, Valley County Attorney and BCC  
00:37:54 Bob Gilbert on behalf of Musselshell County Attorney  
00:38:38 Shantelle Gaynor, Missoula County Office of Planning & Grants and Crime Victim Advocate Program  
**EXHIBIT(fcs64a04)**  
00:39:28 Candace Payne, Rimrock Foundation  
**EXHIBIT(fcs64a05)**  
00:42:16 Lacey Racine, Victim-Witness Assistance Services, Great Falls  
**EXHIBIT(fcs64a06)**  
00:44:06 Emmy Olson, Court Appointed Special Advocates (CASA)  
00:43:08 Jesse Slaughter, Montana Police Protective Association (MPPA)  
00:43:18 Naomi Summers, SAVES, Inc.  
00:45:59 Annie Glover, Confederated Salish and Kootenai Tribes  
**EXHIBIT(fcs64a07)**  
00:46:27 Nanette Gilbertson, Big Brothers and Big Sisters  
00:46:42 Tom Allen, Northwest Drug Task Force  
00:47:31 Sandy Thompson, Victim-Witness Assistance Services, Lewistown  
00:47:56 Ron Kemp, Undersheriff, Roosevelt County Sheriffs Office  
00:48:36 Brooke Dolan, Victims Advocate, Broadwater County  
00:49:22 Nick Korthals, Broadwater County Sheriff

00:50:25 Laura Obert, Broadwater County Commissioner, BCC  
**EXHIBIT(fcs64a08)**  
 00:51:44 Brent Brooks, City Attorney, Billings  
 00:54:08 Jani McCall, Billings City Council, Yellowstone Boys and Girls Ranch  
 00:56:04 Tim Lingle, Roosevelt County Sheriffs Office  
 00:56:42 Director Mike Ferriter, Montana Department of Corrections (DOC)  
 00:57:20 Stacye Dorrington, Staff, Board of Crime Control and for Clark Kelly, Juvenile Probation Officer  
 01:00:15 Pam Carbonari for Sherry Matteucci, BCC  
 01:07:49 Chairman Lewis  
 01:07:52 Sen. Hawks  
 01:08:06 Sen. Gallus  
 01:08:42 Chairman Lewis

**Informational Testimony:**

01:09:11 Tim Burton, Department of Justice (DOJ)

**Questions from Committee Members and Responses:**

01:09:29 Sen. Gallus  
 01:10:44 Rep. Gibson  
**EXHIBIT(fcs64a09)**  
 01:13:12 Sen. Gallus  
 01:14:04 Chairman Lewis  
 01:14:32 Sen. Hawks  
 01:16:03 Sheriff Korthals  
 01:16:55 Naomi Summers, SAVE, Inc.  
 01:17:33 Sen. Olson  
 01:17:48 Sen. Brown  
 01:19:01 Rep. Gibson  
 01:19:48 Sen. Brown  
 01:20:35 Rep. Gibson  
 01:21:27 Sen. Brown  
 01:22:08 Mr. Anderson, BCC  
 01:22:59 Sen. Zinke  
 01:23:33 Rep. Gibson  
 01:24:20 Sen. Zinke  
 01:24:30 Rep. Gibson  
 01:25:13 Sen. Zinke  
 01:25:31 Acting Director Don Merritt, BCC  
 01:26:59 Sen. Zinke  
 01:27:28 Acting Director Merritt  
 01:28:26 Sen. Zinke  
 01:28:53 Sen. Keane  
 01:29:51 Rep. Hollenbaugh  
 01:33:51 Sen. Keane  
 01:34:06 Rep. Hollenbaugh  
 01:34:12 Sen. Olson

01:34:16 Mr. Anderson  
01:35:40 Sen. Olson  
01:36:07 Rep. Gibson  
01:38:06 Sen. Olson  
01:39:04 Mr. Anderson  
01:40:12 Sen. Buttrey  
01:40:27 Taryn Purdy, Legislative Fiscal Division (LFD)  
01:40:39 Pat Gervais, LFD  
01:41:02 Sen. Buttrey  
01:41:52 Sen. Ripley  
01:42:01 Sen. Caferro  
01:42:44 Ms. Carbonari  
01:45:30 Sen. Brown  
01:46:58 Chairman Lewis  
01:47:03 Sen. Olson  
01:47:37 Sen. Hawks  
01:47:53 Chairman Hawks  
01:48:20 Acting Chair Merritt  
01:48:44 Chairman Lewis

**Closing by Sponsor:**

01:49:01 Rep. Gibson  
01:52:00 Chairman Lewis  
01:53:16 Recess  
02:05:14 Reconvene

**EXECUTIVE ACTION ON HB 262**

02:05:48 Taryn Purdy, Legislative Fiscal Division (LFD)  
02:07:36 Chairman Lewis  
02:07:41 Ms. Purdy, LFD  
02:07:59 Chairman Lewis  
02:08:08 **Motion/Vote:** Sen. Buttrey moved to **RECONSIDER ACTION** on **HB 262**.  
Motion carried 10-2 by voice vote of those present and voting. Sen. Keane and  
Sen. Wanzenried voted no.  
02:08:26 Chairman Lewis  
02:08:37 Ms. Purdy  
02:08:54 Sen. Brenden  
02:09:08 Sen. Ripley  
02:09:18 Sen. Buttrey  
02:09:30 Ms. Purdy  
02:09:46 Chairman Lewis  
02:09:51 Sen. Barrett

02:10:07 Ms. Purdy  
02:10:23 Sen. Buttrey

*Note: SB 262 will be held in committee pending further legal review*

### **EXECUTIVE ACTION ON SB 282**

02:11:33 **Motion:** Sen. Lewis moved that **SB 282 DO PASS AS AMENDED.**

#### **Discussion:**

02:11:40 Chairman Lewis

02:14:17 **Motion/Vote:** Sen. Lewis moved that **SB 282 BE AMENDED.** Motion carried 11-7 by roll call vote with Sen. Caferro, Sen. Gallus, Sen. Hamlett, Sen. Hawks, Sen. Keane, Sen. Wanzenried and Sen. Williams voting no. Sen. Brown, Sen. Gallus, Sen. Hamlett, Sen. Hawks, Sen. Priest and Sen. Walker voted by proxy. Sen. Jones abstained.

**EXHIBIT(fcs64a10)**

02:16:13 **Motion:** Sen. Olson moved that **SB 282 BE AMENDED.**

**EXHIBIT(fcs64a11)**

#### **Discussion:**

02:17:20 Chairman Lewis  
02:17:26 Sen. Wanzenried  
02:17:48 Sen. Olson  
02:18:46 Chairman Lewis

02:18:50 **Vote:** Motion carried 12-7 by roll call vote with Sen. Caferro, Sen. Gallus, Sen. Hamlett, Sen. Hawks, Sen. Keane, Sen. Wanzenried and Sen. Williams voting no. Sen. Brown, Sen. Hamlett, Sen. Hawks, Sen. Jones, Sen. Priest and Sen. Walker voted by proxy.

02:19:45 **Motion/Vote:** Sen. Lewis moved that **SB 282 DO PASS AS AMENDED.** Motion failed 8-11 by roll call vote with Sen. Barrett, Sen. Brenden, Sen. Brown, Sen. Lewis, Sen. Priest, Sen. Ripley, Sen. Sonju and Sen. Walker voting aye. Sen. Brown, Sen. Hamlett, Sen. Hawks, Sen. Jones, Sen. Priest and Sen. Walker voted by proxy.

02:21:08 **Motion/Vote:** Without objection Sen. Buttrey moved that **SB 282 BE TABLED AND THE VOTE REVERSED.**

### **EXECUTIVE ACTION ON SB 328**

02:21:36 **Motion:** Sen. Lewis moved that **SB 328 DO PASS AS AMENDED.**

**Discussion:**

02:21:49 Sen. Lewis  
02:23:22 Sen. Keane  
02:25:36 Sen. Buttrey  
02:26:16 Sen. Olson  
02:26:29 Sen. Lewis  
02:27:16 Sen. Keane

02:28:00 **Vote:** Motion carried 11-8 by roll call vote with Sen. Caferro, Sen. Gallus, Sen. Hamlett, Sen. Hawks, Sen. Keane, Sen. Olson, Sen. Wanzenried and Sen. Williams voting no. Sen. Hawks, Sen. Jones, Sen. Priest, Sen. Sonju and Sen. Walker voted by proxy.

**EXECUTIVE ACTION ON SB 129**

02:29:13 **Motion:** Sen. Lewis moved that **SB 129 DO PASS.**

02:29:53 Chairman Lewis

**Discussion:**

02:32:24 Sen. Zinke  
02:32:54 Chairman Lewis  
02:33:33 Sen. Olson  
02:34:34 Chairman Lewis  
02:35:18 Sen. Brown  
02:35:45 Sen. Olson  
02:36:01 Sen. Brown  
02:36:19 Sen. Olson  
02:37:33 Sen. Brown  
02:38:59 Sen. Gallus  
02:39:40 Sen. Keane  
02:40:50 Chairman Lewis

02:41:06 **Vote:** Motion carried 10-9 by roll call vote with Sen. Caferro, Sen. Gallus, Sen. Hamlett, Sen. Hawks, Sen. Keane, Sen. Olson, Sen. Wanzenried, Sen. Williams and Sen. Zinke voting no. Sen. Hawks, Sen. Jones, Sen. Priest, Sen. Sonju, Sen. Walker and Sen. Williams voted by proxy.

**Additional Exhibits HB 230:****EXHIBIT(fcs64a12)**

Testimony of Janet Cahill, Director, Violence Free Crisis Line Kalispell



**ADJOURNMENT**

Adjournment: 11:43 AM

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Prudence Gildroy, Secretary

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Additional Documents:

**EXHIBIT([fcs64aad.pdf](#))**