

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON FINANCE AND CLAIMS

Call to Order: Chair Dave Lewis, on March 21, 2011 at 9:00 A.M., in Room 317 Capitol

ROLL CALL

Members Present:

Sen. Dave Lewis, Chair (R)
Sen. Rick Ripley, Vice Chair (R)
Sen. Debby Barrett (R)
Sen. John Brenden (R)
Sen. Edward Buttrey (R)
Sen. Mary Caferro (D)
Sen. Steven Gallus (D)
Sen. Bradley Hamlett (D)
Sen. Bob Hawks (D)
Sen. Llew Jones (R)
Sen. Jim Keane (D)
Sen. Alan Olson (R)
Sen. Jon Sonju (R)
Sen. Edward Walker (R)
Sen. David E. Wanzenried (D)
Sen. Carol Williams (D)
Sen. Ryan Zinke (R)

Members Excused:

Sen. Taylor Brown (R)
Sen. Jason Priest (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 2, 3/15/2011

Executive Action: HB 2

00:00:01 Reconvene
00:00:02 Chairman Lewis
Sen. Brown now present

HEARING ON HB 2 (Continued)

HB 2 Section D- Judicial Branch, Law Enforcement, Justice:

00:03:29 Rep. Steve Gibson, SD 78 opened on Section D of HB 2.
00:17:12 Chairman Lewis

Public Testimony:

00:17:50 Chief Justice Mike McGrath, Montana Supreme Court
00:32:02 Justice Beth Baker, Montana Supreme Court
00:37:02 Attorney General Steve Bullock, Department of Justice
00:48:30 Director Mike Ferriter, Department of Corrections (DOC)
00:57:36 Chairman Lewis
00:57:48 Director Ferriter, DOC
00:58:15 Chris Manos, State Bar of Montana
01:00:18 Warden Mike Mahoney, Montana State Prison (MSP)
01:03:58 Pam Bunke, Department of Corrections
01:08:46 Chairman Lewis
01:09:15 J.C. Winegartner, MEA-MFT
01:12:20 Randi Hood, Chief Public Defender
01:19:04 Joslyn Hunt, Chief Appellate Defender
01:24:38 J.D. Lynch, Community Corrections and Counseling Services, Inc.
01:27:03 Don Merrit, Montana Board of Crime Control
01:30:30 Pat Keim, Alternatives, Inc.
01:31:50 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence
01:34:06 Jim Ahrens, Great Falls Pre-Release Center
01:34:26 Mike Ruppert, Boyd Andrew Community Services

01:37:03 Recess
02:02:16 Reconvene

EXECUTIVE ACTION ON HB 2 - Section D

02:02:46 **Motion:** Sen. Gallus moved that **HB 2 BE AMENDED.**
[EXHIBIT\(fcs63a01\)](#)

Discussion:

02:02:48 Sen. Gallus

02:02:52 **Vote:** Motion failed 7-12 by roll call vote with Sen. Caferro, Sen. Gallus, Sen. Hamlett, Sen. Hawks, Sen. Keane, Sen. Wanzenried and Sen. Williams voting aye. Sen. Caferro, Sen. Jones and Sen. Priest voted by proxy.

02:05:17 **Motion:** Sen. Gallus moved that **HB 2 BE AMENDED.**
EXHIBIT(fcs63a02)

Discussion:

02:05:19 Sen. Gallus
02:06:47 Chairman Lewis
02:06:54 Sen. Zinke

Sen. Jones and Sen. Priest not present

02:07:28 **Vote:** Motion failed 7-12 by roll call vote with Sen. Caferro, Sen. Gallus, Sen. Hamlett, Sen. Hawks, Sen. Keane, Sen. Wanzenried and Sen. Williams voting aye. Sen. Jones and Sen. Priest voted by proxy.

02:08:11 **Motion:** Sen. Gallus moved that **HB 2 BE AMENDED.**
EXHIBIT(fcs63a03)

Discussion:

02:08:13 Sen. Gallus
02:09:48 Sen. Zinke
02:10:26 Sen. Williams
02:11:35 Sen. Brown
02:11:48 Rep. Gibson
02:12:18 Sen. Wanzenried
02:12:40 Mr. Mahoney, MSP
02:15:06 Sen. Gallus

Sen. Priest not present

02:15:11 **Vote:** Motion failed 7-12 by roll call vote with Sen. Caferro, Sen. Gallus, Sen. Hamlett, Sen. Hawks, Sen. Keane, Sen. Wanzenried and Sen. Williams voting aye. Sen. Priest voted by proxy.

02:16:48 **Motion:** Sen. Keane moved that **HB 2 BE AMENDED.**
EXHIBIT(fcs63a04)

Discussion:

02:16:50 Sen. Keane
02:17:29 Sen. Zinke

02:18:01 **Vote:** Motion failed 8-11 by roll call vote with Sen. Caferro, Sen. Gallus, Sen. Hamlett, Sen. Hawks, Sen. Keane, Sen. Walker, Sen. Wanzenried and Sen. Williams voting aye. Sen. Priest voted by proxy.

02:18:50 Sen. Gallus

02:19:45 **Motion:** Sen. Gallus moved that **HB 2 BE AMENDED.**
[EXHIBIT\(fcs63a05\)](#)

Discussion:

02:19:47 Sen. Gallus
02:20:47 Rep. Gibson
02:21:27 Sen. Zinke
02:21:34 Pat Gervais, Legislative Fiscal Division (LFD)
02:22:06 Sen. Zinke
02:22:55 Sen. Gallus

02:23:13 **Vote:** Motion failed 7-12 by roll call vote with Sen. Caferro, Sen. Gallus, Sen. Hamlett, Sen. Hawks, Sen. Keane, Sen. Wanzenried and Sen. Williams voting aye. Sen. Priest voted by proxy.

02:24:08 **Motion:** Sen. Walker moved that **HB 2 BE AMENDED.**
[EXHIBIT\(fcs63a06\)](#)

Discussion:

02:24:10 Sen. Walker
02:26:01 Sen. Zinke

02:26:31 **Vote:** Motion carried unanimously by voice vote. Sen. Priest voted by proxy.

02:27:05 **Motion:** Sen. Zinke moved that **HB 2 BE AMENDED.**
[EXHIBIT\(fcs63a07\)](#)

Discussion:

02:27:26 Sen. Zinke

02:27:56 **Vote:** Motion carried unanimously by voice vote. Sen. Priest voted by proxy.

02:28:02 **Motion:** Sen. Zinke moved that **HB 2 BE AMENDED.**
[EXHIBIT\(fcs63a08\)](#)

Discussion:

02:28:04 Sen. Zinke

02:28:52 **Vote:** Motion carried 17-2 by roll call vote with Sen. Wanzenried and Sen. Williams voting no. Sen. Walker voted by proxy.

02:29:58 **Motion:** Sen. Zinke moved that **HB 2 BE AMENDED.**
[EXHIBIT\(fcs63a09\)](#)

Discussion:

02:30:07 Sen. Zinke

02:30:47 **Vote:** Motion carried unanimously by voice vote. Sen. Priest voted by proxy.

02:30:59 **Motion:** Sen. Zinke moved that **HB 2 BE AMENDED.**
EXHIBIT(fcs63a10)

Discussion:

02:31:13 Sen. Zinke

02:31:17 **Substitute Motion:** Sen. Zinke made a substitute motion to amend Item 2 to include "other juvenile reentry services".

EXHIBIT(fcs63a11)

Discussion:

02:31:20 Sen. Zinke

02:32:17 **Vote:** Substitute Motion carried unanimously by voice vote. Sen. Priest voted by proxy.

02:32:35 **Motion:** Sen. Ripley moved that **HB 2 BE AMENDED.**
EXHIBIT(fcs63a12)

Discussion:

02:32:44 Sen. Ripley
02:33:10 Chairman Lewis
02:33:18 Sen. Wanzenried
02:33:47 Sen. Hamlett
02:34:03 Sen. Barrett
02:34:17 Sen. Ripley

02:34:24 **Vote:** Motion carried unanimously by voice vote. Sen. Priest voted by proxy.

02:34:37 **Motion:** Sen. Olson moved that **HB 2 BE AMENDED.**
EXHIBIT(fcs63a13)

Discussion:

02:34:58 Sen. Olson
02:35:47 Sen. Zinke
02:36:13 Sen. Olson

02:36:36 **Vote:** Motion carried unanimously by voice vote. Sen. Priest voted by proxy.

02:36:44 **Motion:** Sen. C. Williams moved that **HB 2 BE AMENDED.**
[EXHIBIT\(fcs63a14\)](#)

Discussion:

02:37:04 Sen. Williams
02:38:46 Sen. Zinke
02:39:17 Sen. Williams

02:40:00 **Vote:** Motion failed 8-11 by roll call vote with Sen. Caferro, Sen. Gallus, Sen. Hamlett, Sen. Hawks, Sen. Keane, Sen. Sonju, Sen. Wanzenried and Sen. Williams voting aye. Sen. Priest voted by proxy.

02:41:04 **Motion:** Sen. Gallus moved that **HB 2 BE AMENDED.**
[EXHIBIT\(fcs63a15\)](#)

Discussion:

02:41:40 Sen. Gallus
02:42:38 Lois Menzies, Court Administrator, Supreme Court
02:44:04 Sen. Zinke
02:44:38 Sen. Gallus

02:44:41 **Vote:** Motion failed 7-12 by roll call vote with Sen. Caferro, Sen. Gallus, Sen. Hamlett, Sen. Hawks, Sen. Keane, Sen. Wanzenried and Sen. Williams voting aye. Sen. Priest voted by proxy.

02:45:25 **Motion:** Sen. Gallus moved that **HB 2 BE AMENDED.**
[EXHIBIT\(fcs63a16\)](#)

Discussion:

02:45:27 Sen. Gallus
02:46:15 Ms. Menzies, Supreme Court
02:47:43 Sen. Zinke
02:48:45 Sen. Brown
02:49:01 Sen. Zinke
02:50:01 Sen. Gallus

02:50:19 **Vote:** Motion failed 7-12 by roll call vote with Sen. Caferro, Sen. Gallus, Sen. Hamlett, Sen. Hawks, Sen. Keane, Sen. Wanzenried and Sen. Williams voting aye. Sen. Priest voted by proxy.

02:51:08 **Motion:** Sen. Wanzenried moved that **HB 2 BE AMENDED.**
[EXHIBIT\(fcs63a17\)](#)

Discussion:

02:51:10 Sen Wanzenried
02:52:03 Sen. Zinke

02:52:34 Randi Hood, State Public Defender
02:53:26 Sen. Zinke
02:53:45 Sen. Wanzenried
02:54:04 Sen. Zinke
02:54:20 Pat Gervais, Legislative Fiscal Division (LFD)
02:54:51 Sen. Wanzenried
02:55:20 Attorney General Steve Bullock
02:56:36 Sen. Keane
02:57:04 Attorney General Bullock
02:57:45 Sen. Keane
02:58:02 Attorney General Bullock
02:58:36 Sen. Zinke
02:59:45 Attorney General Bullock
03:00:10 Sen. Zinke
03:00:44 Attorney General Bullock
03:02:05 Sen. Sonju
03:02:15 Ms. Gervais
03:02:43 Attorney General Bullock
03:03:15 Sen. Sonju
03:03:38 Attorney General Bullock
03:03:58 Sen. Sonju
03:04:09 Chairman Lewis
03:04:14 Attorney General Bullock
03:04:25 Sen. Sonju
03:04:39 Attorney General Bullock
03:04:50 Sen. Sonju
03:04:55 Attorney General Bullock
03:05:06 Tim Burton, Department of Justice (DOJ)

03:06:39 **Substitute Motion:** Sen. Zinke made a conceptual substitute motion to strike "\$88.00 per hour for attorneys" and insert "\$93 per hour for attorneys" and to strike "\$63.00 per hour for investigators" and insert "\$53 per hour for investigators."

Discussion:

03:07:46 Sen. Wanzenried
03:08:03 Mr. Burton, DOJ
03:08:22 Sen. Wanzenried
03:08:44 Sen. Keane
03:09:22 Mr. Burton
03:10:55 Sen. Keane
03:11:05 Mr. Burton
03:11:13 Chairman Lewis
03:11:36 Mr. Burton
03:12:30 Sen. Sonju
03:12:51 Mr. Burton
03:12:56 Sen. Sonju
03:13:06 Mr. Burton
03:13:13 Sen. Zinke

03:13:23 Mr. Burton
 03:13:27 Sen. Zinke
 03:13:35 Mr. Burton
 03:14:22 Sen. Zinke
 03:14:53 Sen. Keane
 03:15:27 Mr. Burton

03:16:14 Sen. Keane
 03:16:22 Mr. Burton

03:16:46 **Vote:** Motion carried 17-2 by roll call vote with Sen. Olson and Sen. Ripley voting no.

03:17:42 **Motion:** Sen. Wanzenried moved that **HB 2 BE AMENDED.**
[EXHIBIT\(fcs63a18\)](#)

Discussion:

03:17:46 Sen. Wanzenried
 03:19:58 Chairman Lewis
 03:20:05 Sen. Wanzenried
 03:20:18 Chairman Lewis
 03:20:22 Sen. Wanzenried
 03:20:42 Sen. Zinke
 03:21:52 Randi Hood, Chief Public Defender
 03:23:54 Sen. Zinke
 03:24:39 Ms. Hood
 03:25:13 Sen. Zinke
 03:25:30 Sen. Barrett
 03:26:00 Sen. Wanzenried

Sen. Gallus and Sen. Walker not present

03:26:33 **Vote:** Motion failed 7-12 by roll call vote with Sen. Caferro, Sen. Gallus, Sen. Hamlett, Sen. Hawks, Sen. Keane, Sen. Wanzenried and Sen. Williams voting aye. Sen. Gallus and Sen. Walker voted by proxy.

03:27:46 Chairman Lewis

03:27:56 **Motion:** Sen. Wanzenried moved that **HB 2 BE AMENDED.**
[EXHIBIT\(fcs63a19\)](#)

Discussion:

03:27:08 Sen. Wanzenried
 03:29:48 Sen. Zinke

Sen. Priest and Sen. Sonju not present

03:30:43 **Vote:** Motion failed 7-12 by roll call vote with Sen. Caferro, Sen. Gallus, Sen. Hamlett, Sen. Hawks, Sen. Keane, Sen. Wanzenried and Sen. Williams voting aye. Sen. Priest and Sen. Sonju voted by proxy.

03:31:24 Sen. Williams
 03:32:07 Chairman Lewis
 03:32:28 Sen. Brenden
 03:32:36 Sen. Barrett
 03:32:56 Chairman Lewis
 03:33:04 Sen. Gallus
 03:33:30 Chairman Lewis
 03:33:39 Sen. Ripley
 03:33:42 Chairman Lewis

03:33:50 recess
 03:33:58 reconvene

03:35:10 **Motion:** Sen. Keane moved that **HB 2 BE AMENDED.**
[EXHIBIT\(fcs63a20\)](#)

Discussion:

03:35:20 Sen. Keane
 03:35:51 Sen. Zinke

03:36:41 **Vote:** Motion carried by voice vote of those present and voting.

03:36:48 **Motion:** Sen. C. Williams moved that **HB 2 BE AMENDED.**
[EXHIBIT\(fcs63a21\)](#)

Discussion:

03:36:59 Sen. Williams
 03:39:18 Sen. Zinke
 03:40:55 Sen. Brown
 03:40:57 Pat Gervais, Legislative Fiscal Division (LFD)
 03:41:12 Sen. Brown
 03:42:05 Justice Beth Baker, Montana Supreme Court
 03:43:27 Sen. Brown
 03:43:42 Justice Baker
 03:44:49 Sen. Caferro
 03:45:26 Lois Menzies, Court Administrator
 03:46:49 Sen. Caferro
 03:47:02 Ms. Menzies
 03:47:17 Sen. Caferro
 03:51:14 Sen. Williams

Sen. Brenden, Sen. Hamlett, Sen. Olson, Sen. Priest, Sen. Sonju and Sen. Walker not present

03:52:06 **Vote:** Motion failed 7-12 by roll call vote with Sen. Caferro, Sen. Gallus, Sen. Hamlett, Sen. Hawks, Sen. Keane, Sen. Wanzenried and Sen. Williams voting aye. Sen. Brenden, Sen. Hamlett, Sen. Olson, Sen. Priest, Sen. Sonju and Sen. Walker voted by proxy.

03:53:05 **Motion:** Sen. Ripley moved to **CLOSE SECTION D.**

Discussion:

03:53:07 Sen. Wanzenried
 03:53:31 Sen. Zinke
 03:53:41 Ms. Gervais, LFD
 03:54:05 Sen. Wanzenried
 03:54:35 Sen. Zinke

Sen. Barrett, Sen. Brenden, Sen. Hamlett, Sen. Priest and Sen. Sonju not present

03:56:55 **Vote:** Motion carried 15-4 by roll call vote with Sen. Hamlett, Sen. Hawks, Sen. Wanzenried, and Sen. Williams voting no. Sen. Barrett, Sen. Brenden, Sen. Hamlett, Sen. Priest and Sen. Sonju voted by proxy.

HB 2 Section C - Natural Resources and Conservation

03:58:11 Rep. Duane Ankney, HD 43 opened on Section C of HB 2

Discussion:

04:07:07 Chairman Lewis
 04:07:30 Sen. Wanzenried
 04:07:48 Rep. Ankney
 04:08:03 Sen. Wanzenried
 04:08:07 Rep. Ankney
 04:08:27 Chairman Lewis
 04:08:29 Rep. Ankney
 04:08:46 Chairman Lewis

Public Testimony:

04:09:21 Director Ron de Yong, Department of Agriculture (DOAg)
 04:11:20 Director Richard Opper, Department of Environmental Quality (DEQ)
 04:18:52 Director Christian Mackay, Department of Livestock (DOL)
 04:22:36 Chairman Lewis
 04:23:30 John Youngberg, Montana Farm Bureau Federation (MFBF)
 04:26:49 Director Mary Sexton, Department of Natural Resources and Conservation (DNRC)
 04:31:27 Chairman Lewis

04:31:51 Director Sexton, DNRC
04:32:17 Chairman Lewis
04:32:26 Patrick Heffernan, Montana Wood Products Association
04:35:58 Jane Holter, Montana Association of Conservation Districts
04:36:29 Gary Amestoy, Richland County Development Corporation
04:38:48 Amy Adler, Rosebud County Weed Coordinator and Montana Weed Control Association
04:40:21 Joe Maurier, Fish, Wildlife and Parks (FWP)
04:40:56 Director Jim Lynch, Department of Transportation (DOT)
04:47:45 Jessie Luther, Montana Contractors Association, Montana Rural Water Association
04:49:24 Sen. Caferro
04:49:28 Chairman Lewis

04:50:16 recess
05:28:04 reconvene

EXECUTIVE ACTION ON HB 2 - Section C

Sen. Sonju and Sen. Williams not present

05:29:04 **Motion:** Sen. Keane moved that **HB 2 BE AMENDED.**
EXHIBIT(fcs63a22)

Discussion:

05:29:10 Sen. Keane
05:29:42 Chairman Lewis
05:29:47 Barb Smith
05:29:57 Sen. Ripley

05:30:03 **Vote:** Motion carried 17-0 by voice vote of those present and voting.

05:30:12 **Motion:** Sen. Keane moved that **HB 2 BE AMENDED.**
EXHIBIT(fcs63a23)

Discussion:

05:30:17 Sen. Keane
05:31:11 Chairman Lewis
05:31:19 Sen. Keane
05:31:32 Sen. Ripley
05:32:00 Sen. Keane

05:32:29 **Vote:** Motion carried 17-0 by voice vote of those present and voting.

05:32:37 **Motion:** Sen. Ripley moved that **HB 2 BE AMENDED.**
EXHIBIT(fcs63a24)

Discussion:

05:32:48 Sen. Ripley
05:33:12 Sen. Brown
05:33:32 Director Mackay, DOL
05:33:51 Sen. Brown
05:34:02 Sen. Ripley
05:34:20 Director Mackay
05:34:46 Sen. Brown
05:34:51 Director Mackay
05:35:05 Chairman Lewis

Sen. Olson, Sen. Sonju and Sen. Williams not present

05:35:09 **Vote:** Motion carried 16-0 by voice vote of those present and voting.

05:35:16 **Motion:** Sen. Ripley moved that **HB 2 BE AMENDED.**
EXHIBIT(fcs63a25)

Discussion:

05:35:32 Sen. Ripley

05:35:50 **Vote:** Motion carried 16-0 by voice vote of those present and voting.

05:36:02 **Motion:** Sen. Jones moved that **HB 2 BE AMENDED.**
EXHIBIT(fcs63a26)

Discussion:

05:36:19 Sen. Jones
05:37:59 Sen. Caferro
05:38:14 Sen. Jones
05:38:48 Sen. Zinke
05:39:17 Sen. Wanzenried
05:39:44 Sen. Jones
05:40:09 Director Jim Lynch, Department of Transportation (DOT)
05:41:01 Chairman Lewis
05:41:13 Director Lynch
05:41:33 Sen. Wanzenried
05:41:51 Director Lynch
05:42:15 Sen. Wanzenried
05:42:23 Director Lynch
05:42:30 Chairman Lewis
05:42:45 Director Lynch
05:43:31 Sen. Ripley
05:43:52 Director Lynch
05:44:27 Sen. Olson
05:44:42 Director Lynch
05:45:02 Sen. Jones

Sen. Priest not present

05:45:58 **Vote:** Motion carried 11-8 by roll call vote with Sen. Caferro, Sen. Keane, Sen. Olson, Sen. Ripley, Sen. Sonju, Sen. Walker, Sen. Wanzenried and Sen. Williams voting no. Sen. Priest voted by proxy.

5:47:06 **Motion:** Sen. Ripley moved that **HB 2 BE AMENDED.**
[EXHIBIT\(fcs63a27\)](#)

Discussion:

05:47:08 Sen. Ripley

05:47:53 **Vote:** Motion carried 18-0 by voice vote of those present and voting.

05:48:00 **Motion:** Sen. Zinke moved that **HB 2 BE AMENDED.**
[EXHIBIT\(fcs63a28\)](#)

Discussion:

05:48:11 Sen. Zinke

05:50:03 **Substitute Motion:** Sen. Lewis moved to **CONCEPTUALLY AMEND HB 2** and make the appropriation one-time-only.

Discussion:

05:50:34 Sen. Williams

05:50:54 Sen. Hawks

05:51:30 Sen. Zinke

05:52:38 Sen. Hawks

05:53:10 Sen. Zinke

05:54:28 **Vote:** Motion carried 14-5 by voice vote with Sen. Barrett, Sen. Brown, Sen. Keane, Sen. Priest and Sen. Walker voting no.

05:54:53 Taryn Purdy, Legislative Fiscal Division (LFD)

05:55:04 Sen. Zinke

05:55:25 **Motion:** Sen. Brenden moved that **HB 2 BE AMENDED.**
[EXHIBIT\(fcs63a29\)](#)

Discussion:

05:55:39 Sen. Brenden

05:56:54 Sen. Wanzenried

05:57:05 Chairman Lewis

05:57:10 Sen. Brenden

05:57:20 Chairman Lewis

05:57:37 Sen. Wanzenried objected to the amendment

05:57:54 Sen. Wanzenried
 05:58:10 Director Mary Sexton, Department of Natural Resources and Conservation
 (DNRC)
 05:58:47 Sen. Wanzenried

Sen. Olson not present

05:58:53 **Vote:** Motion carried 11-8 by roll call vote with Sen. Caferro, Sen. Gallus, Sen. Hamlett, Sen. Hawks, Sen. Keane, Sen. Wanzenried, Sen. Williams, and Sen. Zinke voted no. Sen. Olson voted by proxy.

05:59:47 **Motion:** Sen. Ripley moved that **HB 2 BE AMENDED.**
[EXHIBIT\(fcs63a30\)](#)

Discussion:

05:59:49 Sen. Ripley
 06:00:29 Sen. Wanzenried
 06:00:55 Director Opper, DEQ
 06:02:06 Sen. Wanzenried
 06:03:29 Sen. Hawks
 06:04:08 Sen. Ripley
 06:04:51 Sen. Hawks
 06:05:26 Sen. Ripley
 06:06:03 Sen. Hawks
 06:06:27 Sen. Brenden

06:07:43 **Vote:** Motion carried 11-8 by roll call vote with Sen. Caferro, Sen. Gallus, Sen. Hamlett, Sen. Hawks, Sen. Keane, Sen. Wanzenried, Sen. Williams, and Sen. Zinke voted no.

06:08:33 **Motion:** Sen. Buttrey moved that **HB 2 BE AMENDED.**
[EXHIBIT\(fcs63a31\)](#)

Discussion:

06:08:45 Sen. Buttrey
 06:10:36 Sen. Ripley
 06:10:52 Sen. Buttrey
 06:11:13 Sen. Ripley
 06:11:52 Sen. Zinke
 06:14:28 Sen. Keane
 06:15:12 Director Jim Lynch, Department of Transportation (DOT)
 06:17:19 Sen. Keane
 06:17:53 Sen. Ripley
 06:18:01 Greg Dewitt, Legislative Fiscal Division (LFD)
 06:18:48 Chairman Lewis
 06:19:04 Mr. Dewitt, LFD
 06:19:08 Sen. Wanzenried
 06:19:48 Mr. Dewitt

06:20:55 Sen. Wanzenried
 06:21:25 Mr. Dewitt
 06:21:46 Sen. Wanzenried
 06:22:17 Sen. Buttrey

Sen. Gallus and Sen. Jones not present

06:24:15 **Vote:** Motion carried 14-5 by roll call vote with Sen. Barrett, Sen. Gallus, Sen. Keane, Sen. Wanzenried and Sen. Williams voting no. Sen. Gallus and Sen. Jones voted by proxy.

06:25:36 Sen. Caferro
 06:26:31 Director Lynch
 06:28:37 Sen. Caferro
 06:28:50 Director Lynch
 06:29:25 Sen. Caferro
 06:30:54 Sen. Brenden
 06:31:05 Chairman Lewis

06:31:17 **Motion:** Sen. Olson moved that **HB 2 BE AMENDED.**
[**EXHIBIT\(fcs63a32\)**](#)

Discussion:

06:31:28 Sen. Olson
 06:32:05 Sen. Keane
 06:32:23 Chairman Lewis
 06:32:49 Sen. Hawks
 06:33:00 Chairman Lewis
 06:33:21 Sen. Wanzenried
 06:33:52 Barbara Smith, LFD
 06:34:01 Sen. Wanzenried
 06:34:22 Ms. Smith

Sen. Priest not present

06:34:29 **Vote:** Motion carried 16-2 by voice vote of those present and voting with Sen. Gallus and Sen. Keane voting no.

06:34:49 **Motion:** Sen. Hamlett moved that **HB 2 BE AMENDED.**
[**EXHIBIT\(fcs63a33\)**](#)

Discussion:

06:34:58 Sen. Hamlett

06:35:54 **Vote:** Motion failed 9-10 by roll call vote with Sen. Brown, Sen. Caferro, Sen. Gallus, Sen. Hamlett, Sen. Hawks, Sen. Keane, Sen. Wanzenried, Sen. Williams and Sen. Zinke voting aye. Sen. Priest voted by proxy.

06:37:09 Sen. Brown
 06:37:57 Director Mackay, DOL
 06:39:15 Sen. Brown
 06:39:37 Director Mackay
 06:40:21 Sen. Brown
 06:40:57 Director Lynch, DOT
 06:44:11 Sen. Brown
 06:44:19 Director Lynch
 06:44:41 Sen. Ripley
 06:45:00 Director Lynch
 06:45:48 Sen. Ripley
 06:45:55 Director Lynch
 06:46:18 Sen. Hawks
 06:47:02 Director Mackay
 06:47:28 Sen. Olson
 06:47:45 Director Lynch
 06:48:09 Sen. Olson
 06:48:29 Director Lynch
 06:48:59 Sen. Olson
 06:49:03 Sen. Barrett
 06:49:08 Director Lynch
 06:49:43 Sen. Barrett
 06:50:09 Director Lynch
 06:50:32 Sen. Barrett
 06:50:37 Director Lynch
 06:51:25 Sen. Gallus
 06:52:01 Chairman Lewis

Sen. Williams not present

06:52:14 **Motion/Vote:** Sen. Brenden moved to **CLOSE SECTION C.** Motion carried 17-1 with Sen. Wanzenried voting no.

06:53:46 Recess
 07:07:28 Reconvene

HB 2 Section A - General Government:

07:07:59 Rep. Bill Beck, HD 6 opened on Section A of HB 2.
 07:16:11 Sen. Wanzenried
 07:16:31 Rep. Beck
 07:16:52 Sen. Wanzenried
 07:17:23 Rep. Beck
 07:17:40 Sen. Wanzenried
 07:18:01 Rep. Beck

Public Testimony:

07:18:17 Linda McCulloch, Secretary of State
 07:20:28 Jennifer Hensley, Commissioner of Political Practices

07:24:15 Director Dan Bucks, Department of Revenue

[EXHIBIT\(fcs63a34\)](#)

[EXHIBIT\(fcs63a35\)](#)

07:38:46 Chairman Lewis

07:39:38 Director Bucks

07:40:17 Chairman Lewis

07:40:52 Commissioner Keith Kelly, Department of Labor and Industry

07:47:03 Chairman Lewis

07:47:14 Jesse Laslovich, Office of Commissioner of Insurance

07:50:27 Vivian Hammill, Chief of Staff, Office of the Governor

07:55:36 J.C. Weingartner, MEA-MFT

07:56:38 Director Janet Kelly, Department of Administration

07:59:32 Anita Roessmann, Disability Rights Montana

08:00:13 Chairman Lewis

08:00:21 Mr. Roessmann

08:02:43 Director Dory Schwinden, Department of Commerce

[EXHIBIT\(fcs63a36\)](#)

[EXHIBIT\(fcs63a37\)](#)

08:07:01 Director Susan Fox, Legislative Services Division and representing Amy Carlson, Legislative Fiscal Division and Tori Hunthausen, Legislative Auditor

08:10:15 Steve Arveschoug, Big Sky Economic Development Authority, Billings

[EXHIBIT\(fcs63a38\)](#)

[EXHIBIT\(fcs63a39\)](#)

[EXHIBIT\(fcs63a40\)](#)

08:16:43 Tara Veasey, Montana Budget and Policy Center

08:18:31 Anita Harrow, Montana Small Business Alliance

08:22:56 Recess

08:44:31 Reconvene

08:44:53 **Motion:** Sen. Buttrey moved that **HB 2 BE AMENDED.**

[EXHIBIT\(fcs63a41\)](#)

Discussion:

08:45:05 Sen. Buttrey

08:46:01 Sen. Olson

08:46:48 Sen. Caferro

08:47:17 Sen. Buttrey

08:47:45 Sen. Zinke

08:48:09 Director Jill Sark, Insure Montana

08:53:49 Sen. Zinke

08:54:22 Ms. Sark

08:55:33 Sen. Wanzenried

08:56:06 Mr. Lazlovich

08:58:42 Sen. Olson

08:59:08 Mr. Laslovich

08:59:34 Sen. Buttrey

09:00:40 Sen. Brenden

09:01:01 **Vote:** Motion carried 15-4 by roll call vote with Sen. Hawks, Sen. Keane, Sen. Wanzenried and Sen. Williams voting no.

09:01:51 Sen. Jones

09:02:32 Vivian Hammill, Office of the Governor

09:02:47 **Motion:** Sen. Wanzenried moved that **HB 2 BE AMENDED.**
[EXHIBIT\(fcs63a42\)](#)

Discussion:

09:02:57 Sen. Wanzenried

09:04:42 Sen. Sonju

09:05:17 Director Dan Bucks, Department of Revenue (DOR)

09:05:30 Sen. Hawks

09:06:03 Sen. Zinke

09:06:57 Director Bucks

09:08:39 Sen. Olson

09:09:44 Sen. Wanzenried

09:10:10 **Vote:** Motion failed 8-11 by roll call vote with Sen. Caferro, Sen. Gallus, Sen. Hamlett, Sen. Hawks, Sen. Keane, Sen. Wanzenried, Sen. Williams and Sen. Zinke voting aye.

09:10:57 **Motion:** Sen. Wanzenried moved that **HB 2 BE AMENDED.**
[EXHIBIT\(fcs63a43\)](#)

Discussion:

09:11:01 Sen. Wanzenried

09:12:42 Sen. Olson

09:13:29 Sen. Wanzenried

09:13:49 **Vote:** Motion failed 7-12 by roll call vote with Sen. Caferro, Sen. Gallus, Sen. Hamlett, Sen. Hawks, Sen. Keane, Sen. Wanzenried and Sen. Williams voting aye.

09:14:31 **Motion:** Sen. Wanzenried moved that **HB 2 BE AMENDED.**
[EXHIBIT\(fcs63a44\)](#)

Discussion:

09:14:33 Sen. Wanzenried

09:15:49 Sen. Olson

09:16:09 Sen. Williams

09:16:43 Director Kelly, DOA

09:18:53 Sen. Hawks

09:19:28 Sen. Wanzenried

09:20:22 **Vote:** Motion failed 7-12 by roll call vote with Sen. Caferro, Sen. Gallus, Sen. Hamlett, Sen. Hawks, Sen. Keane, Sen. Wanzenried and Sen. Williams voting aye.

09:21:09 **Motion:** Sen. Wanzenried moved that **HB 2 BE AMENDED**.
[EXHIBIT\(fcs63a45\)](#)

Discussion:

09:21:11 Sen. Wanzenried
09:21:51 Sen. Olson

09:22:11 **Vote:** Motion failed 7-12 by roll call vote with Sen. Caferro, Sen. Gallus, Sen. Hamlett, Sen. Hawks, Sen. Keane, Sen. Wanzenried and Sen. Williams voting aye.

09:23:09 **Motion:** Sen. Buttrey moved that **HB 2 BE AMENDED**.
[EXHIBIT\(fcs63a46\)](#)

Discussion:

09:23:11 Sen. Buttrey
09:23:51 Director Bucks, DOR
09:25:20 Sen. Olson
09:25:39 Sen. Buttrey

09:25:54 **Vote:** Motion carried 10-9 by roll call vote with Sen. Barrett, Sen. Brenden, Sen. Brown, Sen. Lewis, Sen. Olson, Sen. Priest, Sen. Ripley, Sen. Sonju and Sen. Walker voting no.

09:26:55 **Motion:** Sen. Caferro moved that **HB 2 BE AMENDED**.
[EXHIBIT\(fcs63a47\)](#)

Discussion:

09:26:57 Sen. Caferro
09:27:45 Sen. Olson
09:28:07 Chairman Lewis
09:28:18 Sen. Caferro
09:28:33 Chairman Lewis
09:28:52 Mr. Dewitt, LFD
09:29:45 Sen. Caferro

09:30:21 **Vote:** Motion failed 7-12 by roll call vote with Sen. Caferro, Sen. Gallus, Sen. Hamlett, Sen. Hawks, Sen. Keane, Sen. Wanzenried and Sen. Williams voting aye.

09:31:09 **Motion:** Sen. Wanzenried moved that **HB 2 BE AMENDED**.
[EXHIBIT\(fcs63a48\)](#)

Discussion:

09:31:13 Sen. Wanzenried
09:32:42 Tom Kaiserski, Energy Infrastructure and Promotion Division, Department of
Commerce
09:35:43 Sen. Olson
09:36:46 Sen. Wanzenried

09:37:01 **Vote:** Motion failed 9-10 by roll call vote with Sen. Caferro, Sen. Gallus, Sen.
Hamlett, Sen. Hawks, Sen. Jones, Sen. Keane, Sen. Wanzenried, Sen. Williams
and Sen. Zinke voting aye.

09:38:21 **Motion:** Sen. Buttrey moved that **HB 2 BE AMENDED.**
EXHIBIT(fcs63a49)

Discussion:

09:08.23 Sen. Buttrey
09:39:31 Sen. Olson
09:39:35 Sen. Hawks
09:41:38 Sen. Buttrey

09:41:58 **Vote:** Motion carried 10-9 by roll call vote with Sen. Brenden, Sen. Brown, Sen.
Jones, Sen. Lewis, Sen. Priest, Sen. Ripley, Sen. Sonju, Sen. Walker and Sen.
Zinke voting no.

09:42:52 **Motion:** Sen. Jones moved that **HB 2 BE AMENDED.**
EXHIBIT(fcs63a50)

Discussion:

09:42:59 Sen. Jones
09:44:30 Chairman Lewis
09:44:36 Sen. Hawks
09:45:02 Sen. Wanzenried
09:45:29 Andy Poole, Department of Commerce (DOC)
09:45:44 Sen. Wanzenried
09:45:52 Mr. Poole, DOC
09:46:03 Sen. Jones

09:46:06 **Vote:** Motion carried 19-0 by voice vote.

09:46:18 **Motion:** Sen. Olson moved that **HB 2 BE AMENDED.**
EXHIBIT(fcs63a51)

Discussion:

09:46:28 Sen. Olson
09:47:30 Chairman Lewis
09:47:43 Sen. Caferro

09:47:58 Sen. Olson
 09:48:00 Sen. Caferro
 09:48:06 Sen. Olson
 09:48:14 Sen. Caferro
 09:48:37 Sen. Olson
 09:48:57 Sen. Caferro
 09:49:08 Chairman Lewis
 09:49:12 Sen. Olson

09:49:16 **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.

09:50:09 Chairman Lewis

09:51:03 **Motion/Vote:** Sen. Ripley moved to **CLOSE SECTION A.** Motion carried 16-3 by voice vote with Sen. Hawks, Sen. Wanzenried and Sen. Williams voting no.

09:51:29 **Motion/Vote:** Sen. Ripley moved to **OPEN SECTION B.** Motion carried unanimously by voice vote.

09:52:57 **Motion:** Sen. Lewis moved that **HB 2 BE AMENDED.**
[EXHIBIT\(fcs63a52\)](#)

Discussion:

09:53:57 Chairman Lewis
 09:53:59 Ms. Steinbeck
 09:54:05 Chairman Lewis
 09:54:14 Ms. Steinbeck
 09:54:42 Chairman Lewis
 09:55:10 Sen. Wanzenried
 09:55:21 Ms. Steinbeck
 09:56:07 Sen. Wanzenried
 09:56:15 Ms. Steinbeck
 09:56:35 Chairman Lewis
 09:56:46 Sen. Williams
 09:57:21 Chairman Lewis

09:58:08 **Vote:** Motion carried 11-8 by roll call vote with Sen. Barrett, Sen. Caferro, Sen. Gallus, Sen. Hamlett, Sen. Hawks, Sen. Keane, Sen. Wanzenried and Sen. Williams voting no.

09:59:06 **Motion:** Sen. Lewis moved that **HB 2 BE AMENDED.**
[EXHIBIT\(fcs63a53\)](#)

Discussion:

09:59:09 Chairman Lewis
 09:59:46 Ms. Steinbeck

09:59:57 Sen. Lewis

10:00:09 **Vote:** Motion carried 12-7 by roll call vote with Sen. Caferro, Sen. Gallus, Sen. Hamlett, Sen. Hawks, Sen. Keane, Sen. Williams and Sen. Wanzenried voting no.

10:00:57 **Motion:** Sen. Lewis moved that **HB 2 BE AMENDED.**
[EXHIBIT\(fcs63a54\)](#)

Discussion:

10:01:01 Chairman Lewis

10:01:14 Ms. Steinbeck

10:03:25 Chairman Lewis

10:03:55 Sen. Williams

10:04:33 Chairman Lewis

10:04:55 **Vote:** Motion carried 18-1 by roll call vote with Sen. Wanzenried voting no.

10:04:54 **Motion:** Sen. Lewis moved that **HB 2 BE AMENDED.**
[EXHIBIT\(fcs63a55\)](#)

10:06:28 **Vote:** Motion carried unanimously by voice vote.

10:06:41 **Motion:** Sen. Lewis moved that **HB 2 BE AMENDED.**
[EXHIBIT\(fcs63a56\)](#)

Discussion:

10:07:11 Ms. Steinbeck

10:07:44 Chairman Lewis

10:08:05 Sen. Caferro

10:08:44 **Vote:** Motion carried 11-8 by roll call vote with Sen. Caferro, Sen. Gallus, Sen. Hamlett, Sen. Hawks, Sen. Keane, Sen. Ripley, Sen. Williams and Sen. Wanzenried voting no.

10:10:15 Sen. Hawks

10:10:18 Chairman Lewis

10:10:43 **Motion/Vote:** Sen. Lewis moved that **TO CLOSE SECTION SECTION B..**
Motion carried 18-1 by voice vote with Sen. Wanzenried voting no.

10:11:01 Chairman Lewis

10:11:33 Ms. Steinbeck

10:12:08 Sen. Buttrey

10:12:54 Sen. Jones

10:13:44 **Motion:** Sen. Lewis moved that **HB 2 BE AMENDED.**

EXHIBIT(fcs63a57)

10:14:03 **Substitute Motion/Vote:** Sen. Buttrey moved to **REOPEN SECTION B**. Motion carried unanimously by voice vote.

Discussion:

10:14:29 Sen. Buttrey
10:14:51 Sen. Caferro
10:15:10 Ms. Steinbeck
10:15:19 Sen. Caferro

10:16:29 **Vote:** Motion carried 11-8 by roll call vote with Sen. Caferro, Sen. Gallus, Sen. Hamlett, Sen. Hawks, Sen. Keane, Sen. Ripley, Sen. Wanzenried and Sen. Williams voting no.

10:17:23 **Motion/Vote:** Sen. Zinke moved to **CLOSE SECTION B**. Motion carried unanimously by voice vote.

10:17:32 **Motion/Vote:** Sen. Jones moved to **OPEN SECTION E**. Motion carried unanimously by voice vote.

10:17:40 **Motion:** Sen. Jones moved that **HB 2 BE AMENDED**.

EXHIBIT(fcs63a58)**Discussion:**

10:17:52 Sen. Jones
10:18:52 Sen. Caferro

10:19:20 **Vote:** Motion carried 15-4 by voice vote with Sen. Brenden, Sen. Hawks, Sen. Wanzenried and Sen. Williams voting no.

10:19:51 **Motion/Vote:** Sen. Ripley moved to **CLOSE SECTION E**. Motion carried unanimously by voice vote.

10:20:06 Chairman Lewis
10:20:16 Sen. Zinke
10:20:22 Chairman Lewis
10:20:38 Sen. Williams

10:21:09 **Motion:** Sen. Ripley moved that **HB 2 BE CONCURRED IN AS AMENDED**.

Discussion:

10:21:17 Sen. Wanzenried raised a point of order on a possible conflict of interest regarding amendment HB00236.ajd.
10:22:38 Sen. Zinke
10:23:12 Sen. Wanzenried

10:23:19 **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.

Additional Exhibits:

Secretary of State

[**EXHIBIT\(fcs63a59\)**](#)

Montana Preservation Alliance

[**EXHIBIT\(fcs63a60\)**](#)

Two Rivers Authority

[**EXHIBIT\(fcs63a61\)**](#)

ADJOURNMENT

Adjournment: 10:25:20

Prudence Gildroy, Secretary

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Additional Documents:

EXHIBIT([fcs63aad.pdf](#))