

## MINUTES

### MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON FINANCE AND CLAIMS

**Call to Order:** Chair Rick Ripley, on April 10, 2013 at 8:00 AM, in Room 317 Capitol

#### ROLL CALL

**Members Present:**

Sen. Rick Ripley, Chair (R)  
Sen. Edward Walker, Vice Chair (R)  
Sen. John Brenden (R)  
Sen. Taylor Brown (R)  
Sen. Mary Caferro (D)  
Sen. Bradley Hamlett (D)  
Sen. Llew Jones (R)  
Sen. Jim Keane (D)  
Sen. Dave Lewis (R)  
Sen. Matthew M. Rosendale Sr (R)  
Sen. Mitch Tropila (D)  
Sen. David E. Wanzenried (D)  
Sen. Roger Webb (R)

**Members Excused:**

Sen. Edward Buttrey (R)  
Sen. Jeff Essmann (R)  
Sen. Frederick (Eric) Moore (R)  
Sen. Alan Olson (R)  
Sen. Jason Priest (R)  
Sen. Jon C. Sesso (D)  
Sen. Jonathan Windy Boy (D)

**Members Absent:** None

**Staff Present:** Prudence Gildroy, Committee Secretary  
Julie Johnson, Legislative Branch  
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 218, 4/6/2013; HB 15, 4/6/2013; HB 70, 4/6/2013; HB 86, 4/6/2013

Executive Action: HB 11 Be Concurred in as Amended; HB 12 Be Tabled; HB 5 Be Tabled; HB 4 Be Concurred in as Amended; HB 10 Be Concurred in as Amended; HB 86 Be Concurred in

**HEARING ON HB 218****Opening Statement by Sponsor:**

00:20:15 Rep. Duane Ankney (R), HD 43, opened the hearing on HB 218, Require Board of Oil and Gas to administer grant program for oil and gas impacts.

Sen. Olson and Sen. Moore entered the meeting.

**Proponents' Testimony:**

00:22:20 E. J. Redding, CH2M Hill and Bainville Public Schools

00:22:56 Rep. David Halvorson, HD 37

00:29:04 Leslie Messer, Richland Economic Development Corporation (REDC)

00:30:55 Jim Atchison, Southeastern Montana Development Corporation (SMDC)

00:35:17 Bob Gilbert, Montana Association of Oil, Gas and Coal Counties (MAOGCC) and City of Glendive

00:38:17 Jason Rittal, Eastern Plains Economic Development Corporation (EPEDC)

**[EXHIBIT\(fcs75a01\)](#)**

00:40:14 Jon Bennion, Montana Department of Justice (DOJ)

00:41:44 Alec Hansen, Montana League of Cities and Towns (MLCT)

00:44:08 Maureen Connor, Montana Association of Counties (MACo)

**Opponents' Testimony:**

00:44:43 Sheena Rice, Montana Organizing Project (MOP)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:47:54 Sen. Brown

00:48:45 Rep. Ankney

00:49:55 Sen. Brown

00:50:01 Rep. Ankney

00:50:28 Sen. Rosendale

00:50:56 Rep. Ankney

00:51:25 Sen. Walker

00:52:00 Rep. Ankney

00:53:17 Sen. Hamlett

00:53:34 Rep. Ankney

00:54:44 Sen. Tropila

00:55:34 Ms. Rice, MOP

00:56:17 Sen. Tropila

00:56:54 Ms. Rice

00:57:49 Sen. Tropila

00:58:03 Rep. Ankney

00:58:37 Sen. Keane

00:59:28 Rep. Ankney  
01:01:41 Sen. Keane  
01:02:06 Mr. Bennion, DOJ  
01:02:58 Taryn Purdy, Legislative Fiscal Division (LFD)  
01:03:33 Julie Johnson, Legislative Services Division (LSD)  
01:04:09 Sen. Olson  
01:04:46 Mr. Bennion  
01:05:46 Sen. Caferro  
01:06:44 Rep. Ankney  
01:07:01 Sen. Tropila  
01:07:39 Mr. Bennion  
01:08:03 Sen. Caferro and Sen. Wanzenried left the meeting.  
01:08:23 Sen. Tropila  
01:08:56 Ms. Rice  
01:09:27 Sen. Hamlett

**Closing by Sponsor:**

01:10:01 Rep. Ankey  
01:13:13 Sen. Lewis, Sen. Olson, Sen. Rosendale, Sen. Moore, Sen. Walker, Sen. Brenden left the meeting.

**HEARING ON HB 15**

**Opening Statement by Sponsor:**

01:13:20 Rep. Edith (Edie) McClafferty (D), HD 75, opened the hearing on HB 15, School facility grant program.

**Proponents' Testimony:**

01:15:18 Kelly Lynch, Department of Commerce (COM)

**Opponents' Testimony:** None

**Informational Testimony:**

01:20:04 Cathy Duncan, Legislative Fiscal Division (LFD)  
[EXHIBIT\(fcs75a02\)](#)

**Questions from Committee Members and Responses:**

01:21:10 Sen. Webb  
01:21:37 Ms. Duncan, LFD  
01:22:10 Sen. Rosendale entered the meeting.  
01:22:38 Sen. Tropila  
01:22:49 Chairman Ripley  
01:22:54 Sen. Tropila  
01:23:23 Ms. Lynch, COM

01:25:41 Sen. Tropila  
01:26:09 Ms. Lynch  
01:26:28 Sen. Webb  
01:26:50 Rep. McClafferty  
01:27:23 Chairman Ripley  
01:27:32 Ms. Duncan  
01:29:24 Chairman Ripley  
01:29:33 Ms. Duncan  
01:30:18 Sen. Keane  
01:30:39 Ms. Duncan

**Closing by Sponsor:**

01:31:05 Rep. McClafferty

**HEARING ON HB 70**

**Opening Statement by Sponsor:**

01:31:44 Rep. Margaret (Margie) MacDonald (D), HD 54, opened the hearing on HB 70, Require victim impact panels in certain state correctional facilities.

Sen. Rosendale left the meeting and Sen. Walker entered the meeting.

01:35:04 Chairman Ripley

01:35:09 Taryn Purdy, Legislative Fiscal Division (LFD)

**Proponents' Testimony:**

01:35:30 Jim Smith, Montana Sheriff's and Peace Officer's Association

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:37:39 Sen. Brown

01:37:53 Ms. Purdy, LFD

01:38:05 Sen. Lewis entered the meeting.

01:38:15 Sen. Tropila

01:38:45 Rep. MacDonald

**Closing by Sponsor:**

01:39:40 Rep. MacDonald

01:40:40 Chairman Ripley

**HEARING ON HB 86****Opening Statement by Sponsor:**

01:40:58 Rep. Jesse O'Hara (R), HD 18, opened the hearing on HB 86, Revise funding allocations for career and vocational/technical education.

**Proponents' Testimony:**

01:42:00 Superintendent Denise Juneau, Office of Public Instruction (OPI)  
01:42:02 Sen. Olson entered the meeting.  
01:43:28 Molly McGonigal, Montana FFA Association (FFA)  
01:45:21 Amy Hager, Montana FFA Association (FFA)  
01:46:21 Sen. Rosendale entered the meeting.  
01:47:00 Hayden Denmoin, Montana FCCLA  
01:48:37 Sen. Wanzenried entered the meeting.  
01:49:40 Taylor Dagenais and Jordan Cummings, Montana DECCA  
01:50:45 Dick Brown, Association of Montana Health Care Providers (MHA)  
01:51:45 Jim Smith, Montana Rural Education Association (MREA)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:52:30 Sen. Tropila  
01:52:58 Superintendent Juneau, OPI

**Closing by Sponsor:**

01:53:25 Rep. O'Hara  
  
01:54:26 Sen. Tropila  
01:54:32 Chairman Ripley  
01:54:54 Sen. Tropila  
  
01:54:56 Recess  
02:31:09 Reconvene

Absent/Excused: Sen. Buttrey, Sen. Essmann, Sen. Priest, Sen. Tropila and Sen. Windy Boy

**EXECUTIVE ACTION ON HB 11**

02:31:52 **Motion:** Sen. Brenden moved that **HB 11 BE CONCURRED IN.**

02:32:04 **Motion:** Sen. Walker moved that **HB 11 BE AMENDED.**

**EXHIBIT(fcs75a03)**

**Discussion:**

- 02:32:32 Cathy Duncan, Legislative Fiscal Division (LFD)  
02:33:35 Sen. Brenden  
02:33:42 Ms. Duncan, LFD
- 02:33:51 **Vote:** Motion carried 15-0 by voice vote. Sen. Buttrey, Sen. Essmann, Sen. Priest, Sen. Tropila and Sen. Windy Boy were excused.
- 02:34:05 **Motion/Vote:** Sen. Brenden moved that **HB 11 BE CONCURRED IN AS AMENDED**. Motion carried 14-1 by voice vote with Sen. Walker voting no. Sen. Buttrey, Sen. Essmann, Sen. Priest, Sen. Tropila and Sen. Windy Boy were excused. Sen. Brenden will carry the bill.

**EXECUTIVE ACTION ON HB 12**

- 02:35:06 **Motion:** Sen. Keane moved that **HB 12 BE CONCURRED IN**.
- 02:35:34 **Motion:** Sen. Brenden moved that **HB 12 BE AMENDED**.  
[EXHIBIT\(fcs75a04\)](#)

**Discussion:**

- 02:35:50 Sen. Brenden  
02:35:57 Julie Johnson, Legislative Services Division (LFD)  
02:36:10 Sen. Wanzenried
- 02:36:45 **Vote:** Motion carried unanimously by voice vote of those present and voting.
- 02:37:02 **Motion:** Sen. Keane moved that **HB 12 BE CONCURRED IN AS AMENDED**.
- 02:37:04 **Substitute Motion/Vote:** Sen. Walker made a substitute motion that **HB 12 BE TABLED**. Substitute Motion carried 11-9 by roll call vote with Sen. Brenden, Sen. Brown, Sen. Caferro, Sen. Hamlett, Sen. Keane, Sen. Sesso, Sen. Tropila, Sen. Wanzenried and Sen. Windy Boy voting no. Sen. Buttrey, Sen. Essmann, Sen. Priest, Sen. Tropila and Sen. Windy Boy voted by proxy.
- Sen. Tropila entered the meeting.

**EXECUTIVE ACTION ON HB 5**

- 02:37:09 **Motion:** Sen. Walker moved that **HB 5 BE CONCURRED IN**.
- 02:38:38 **Substitute Motion/Vote:** Sen. F. Moore made a substitute motion that **HB 5 BE TABLED**. Substitute Motion carried 17-3 by roll call vote with Sen. Brown, Sen. Caferro and Sen. Sesso voting no. Sen. Buttrey, Sen. Essmann, Sen. Priest and Sen. Windy Boy voted by proxy.

**EXECUTIVE ACTION ON HB 4**

02:40:26 **Motion:** Sen. Lewis moved that **HB 4 BE CONCURRED IN.**

02:40:46 **Motion:** Sen. Lewis moved that **HB 4 BE AMENDED.**  
**EXHIBIT(fcs75a05)**

02:41:10 **Substitute Motion:** Sen. Caferro made a substitute motion that **#15 AND #16 BE SEGREGATED.**

**Discussion:**

02:41:32 Sen. Lewis

02:41:35 Sen. Caferro

02:42:09 Sen. Lewis

02:42:28 **Vote:** Substitute Motion carried 15-1 by voice vote with Sen. Brenden voting no. Sen. Buttrey, Sen. Essmann, Sen. Priest and Sen. Windy Boy were excused.

**Discussion:**

02:42:48 Sen. Wanzenried

02:43:06 Chairman Ripley

02:43:18 Sen. Jones

02:43:29 **Vote:** Motion carried 16-0 by voice vote. Sen. Buttrey, Sen. Essmann, Sen. Priest and Sen. Windy Boy were excused.

02:43:45 **Motion/Vote:** Sen. Lewis moved that **HB 4 BE CONCURRED IN AS AMENDED.** Motion carried 16-0 by voice vote. Sen. Buttrey, Sen. Essmann, Sen. Priest and Sen. Windy Boy were excused. Sen. Lewis will carry the bill.

**EXECUTIVE ACTION ON HB 10**

02:44:45 **Motion:** Sen. L. Jones moved that **HB 10 BE CONCURRED IN.**

02:44:59 **Motion:** Sen. L. Jones moved that **HB 10 BE AMENDED.**  
**EXHIBIT(fcs75a06)**

**Discussion:**

02:45:17 Kris Wilkinson, Legislative Fiscal Division (LFD)

02:45:18 Sen. Windy Boy and Sen. Buttrey entered the meeting.

2:46:28 Sen. Jones

02:46:55 Sen. Buttrey

02:48:13 Sen. Wanzenried

02:48:39 Sen. Jones

02:48:50 Sen. Buttrey

02:49:05 Ms. Wilkinson, LFD

02:49:30 Sen. Windy Boy  
 02:49:54 Sen. Buttrey  
 02:49:58 Sen. Sesso  
 02:50:56 Sen. Buttrey  
 02:51:22 Sen. Sesso  
 02:51:53 Sen. Buttrey  
 02:52:02 Cathy Duncan, Legislative Fiscal Division (LFD)  
 02:52:53 Sen. Sesso  
 02:53:39 Christine Hultin-Brus, Office of Budget and Program Planning (OBPP)  
 02:54:03 Sen. Sesso  
 02:54:57 Ron Baldwin, Montana Chief Information Officer (CIO)  
 02:56:04 Sen. Hamlett  
 02:56:27 Sen. Buttrey

02:57:15 **Vote:** Motion carried 13-7 by roll call vote with Sen. Brenden, Sen. Essmann, Sen. Moore, Sen. Priest, Sen. Ripley, Sen. Rosendale and Sen. Walker voting no. Sen. Essmann and Sen. Priest voted by proxy.

02:58:12 **Motion:** Sen. L. Jones moved that **HB 10 BE CONCURRED IN AS AMENDED.**

02:58:21 **Motion:** Sen. F. Moore moved that **HB 10 BE AMENDED.**  
[EXHIBIT\(fcs75a07\)](#)

**Discussion:**

02:58:22 Sen. Moore  
 02:59:28 Sen. Jones  
 03:00:14 Sen. Olson  
 03:01:01 Sen. Brown  
 03:01:38 Sen. Moore  
 03:01:39 Sen. Windy Boy left the meeting.

03:02:10 **Vote:** Motion on amendment failed 7-13 by roll call vote with Sen. Brenden, Sen. Essmann, Sen. Moore, Sen. Priest, Sen. Rosendale, Sen. Walker and Sen. Webb voting aye. Sen. Essmann, Sen. Priest and Sen. Windy Boy voted by proxy.

03:03:10 **Vote:** Motion on bill as amended carried 13-7 by roll call vote with Sen. Brenden, Sen. Essmann, Sen. Moore, Sen. Priest, Sen. Rosendale, Sen. Walker and Sen. Webb voting no. Sen. Essmann, Sen. Priest and Sen. Windy Boy voted by proxy. Sen. Buttrey will carry the bill.

**Discussion:**

03:05:03 Sen. Brown  
 03:05:12 Chairman Ripley

**EXECUTIVE ACTION ON HB 86**

03:05:33 **Motion:** Sen. T. Brown moved that **HB 96 BE CONCURRED IN.**

**Discussion:**

03:05:41 Sen. Brown

03:06:37 **Vote:** Motion carried 17-0 by voice vote. Sen. Essmann, Sen. Priest and Sen. Windy Boy were excused. Sen. Brown will carry the bill.

**ADJOURNMENT**

Adjournment: 5:50 p.m.

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Prudence Gildroy, Secretary

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Additional Documents:

**EXHIBIT([fcs75aad.pdf](#))**