

MINUTES

MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON FINANCE AND CLAIMS

Call to Order: By **CHAIRMAN TRUDI SCHMIDT**, on March 28, 2007 at 8:00 A.M., in Room 317-A Capitol.

ROLL CALL

Members Present:

Sen. Trudi Schmidt, Chairman (D)
Sen. Keith Bales (R)
Sen. Gregory D. Barkus (R)
Sen. John Brueggeman (R)
Sen. John Cobb (R)
Sen. Mike Cooney (D)
Sen. Steven Gallus (D)
Sen. Ken (Kim) Hansen (D)
Sen. Bob Hawks (D)
Sen. Rick Laible (R)
Sen. Lane L. Larson (D)
Sen. Dave Lewis (R)
Sen. Greg Lind (D)
Sen. Corey Stapleton (R)
Sen. Bill Tash (R)
Sen. Mitch Tropila (D)
Sen. David E. Wanzienried (D)
Sen. Dan Weinberg (D)
Sen. Carol Williams (D)

Members Excused: None.

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 818, 3/26/2007; HB 819,
3/26/2007; HB 820, 3/26/2007
Executive Action: HB 818; HB 819; HB 820

00:00:00 Reconvene

00:00:20 Clayton Schenck, Legislative Fiscal Analyst

00:04:43 Taryn Purdy, Legislative Services

00:07:55 Sen. Barkus to Taryn Purdy

00:08:28 Sen. Schmidt

HB 818

Public Comment: None.

00:09:14 Clayton Schenck

00:10:29 Sen. Cobb to Sen. Schmidt

EXECUTIVE ACTION ON HB 818

00:11:34 **Motion:** SEN. HAWKS moved that HB 818 BE CONCURRED IN
AS AMENDED.

00:11:56 Sen. Schmidt

00:12:00 Taryn Purdy

00:12:36 **Motion/Vote:** SEN. HAWKS moved that AMENDMENT
HB081801.AGP BE ADOPTED. Motion carried 17-0.

EXHIBIT (fcs66a01)

00:13:12 Taryn Purdy

00:14:13 **Motion/Vote:** SEN. HAWKS moved TO ACCEPT BOILERPLATE
LANGUAGE. Motion carried 17-0 by voice vote.

00:14:31 Sen. Bales

00:15:24 Sen. Schmidt to Taryn Purdy

00:15:37 Sen. Bales

00:15:42 Sen. Barkus

00:16:13 Taryn Purdy

00:16:30 Sen. Schmidt withdrew the motion on amendment
HB081801.agp

00:16:55 **Motion: SEN. COBB moved that AMENDMENT HB081802.AKW #1
BE ADOPTED.**

EXHIBIT(fcs66a02)

Discussion:

00:17:41 Sen. Cobb

00:19:10 **Vote: Motion carried 14-3 by voice vote with SEN.
COONEY, SEN. TROPILA, and SEN. WANZENRIED voting no.**

00:19:30 **Motion: SEN. COBB moved that AMENDMENT HB081802.AKW #2
BE ADOPTED.**

Discussion:

00:20:45 Sen. Bales

00:21:16 Taryn Purdy

00:21:50 Sen. Cobb

00:22:11 Sen. Laible to Sen. Cobb

00:22:55 Sen. Brueggeman to Susan Fox, Director, Legislative
Services

00:24:15 Sen. Laible

00:25:20 Sen. Brueggeman

00:25:51 Sen. Williams

00:26:21 **Vote: Motion failed 7-12 by roll call vote with SEN.
BARKUS, SEN. COBB, SEN. LARSON, SEN. SCHMIDT, SEN.
TROPILA, SEN. WANZENRIED, and SEN. WEINBERG voting aye.**

00:28:20 **Motion: SEN. COBB moved HB081802.AKW #3 TO STRIKE
LINES 8 THROUGH LINE 9 IN THEIR ENTIRETY.**

Discussion:

00:29:06 Sen. Brueggeman

00:30:35 Sen. Cobb

00:31:29 Sen. Bales

00:32:20 Sen. Barkus

00:33:31 Sen. Brueggeman

00:33:49 Sen. Bales to Taryn Purdy

00:34:37 Sen. Brueggeman

00:35:00 Sen. Schmidt to Sen. Cobb

00:35:17 Sen. Bales

00:36:04 Sen. Cobb

00:36:09 **Vote: Motion failed 8-11 by roll call vote with SEN. BALES, SEN. BARKUS, SEN. COBB, SEN. HANSEN, SEN. LAIBLE, SEN. STAPLETON, SEN. TROPILA, and SEN. WANZENRIED voting aye.**

00:37:31 Sen. Cobb

00:37:35 Sen. Bales

00:38:12 Sen. Wanzenried to Susan Fox

00:39:57 Sen. Cooney to Sen. Bales

00:41:27 **Motion: SEN. COBB moved FOR A BIENNIAL APPROP ON PAGE A-1 LINE 8 FOR TECHNOLOGY ALLOWANCE FOR LEGISLATORS. Motion carried 19-0 by voice vote.**

00:42:42 **Motion: SEN. WEINBERG moved that AMENDMENT HB0810803.AKW BE ADOPTED.**

EXHIBIT(fcs66a03)

EXHIBIT(fcs66a04)

Discussion:

00:42:44 Sen. Weinberg

00:48:07 Sen. Hawks to Sen. Weinberg

00:50:11 Sen. Schmidt to Taryn Purdy re: contingency language

00:51:41 **Vote:** Motion carried 13-6 by roll call vote with SEN. BALES, SEN. BARKUS, SEN. BRUEGGEMAN, SEN. TASH, SEN. TROPILA, and SEN. WANZENRIED voting no. SEN. GALLUS and SEN. STAPLETON voted aye by proxy.

00:51:50 Sen. Weinberg

00:51:54 Sen. Schmidt

00:52:16 **Motion:** SEN. COBB moved that AMENDMENT HB0818004.AKW BE ADOPTED.

EXHIBIT(fcs66a05)

Discussion:

00:53:03 Sen. Hawks

00:53:46 Sen. Barkus

00:54:25 Sen. Barkus to Clayton Schenck

00:55:50 Sen. Wanzenried to Clayton Schenck

00:57:16 Sen. Cooney

00:57:48 Sen. Laible

00:59:37 Sen. Hawks to Clayton Schenck

01:01:55 Sen. Bales to Clayton Schenck

01:03:38 Sen. Bales

01:05:20 Sen. Wanzenried

01:05:50 **Vote:** Motion failed 9-10 by roll call vote with SEN. BALES, SEN. BARKUS, SEN. BRUEGGEMAN, SEN. COBB, SEN. LAIBLE, SEN. LEWIS, SEN. STAPLETON, SEN. TASH, and SEN. WEINBERG voting aye.

01:07:47 Sen. Schmidt

01:08:41 **Motion:** SEN. HAWKS moved that AMENDMENT HB081801.AGP BE ADOPTED.

EXHIBIT(fcs66a06)

Discussion:

01:09:00 Sen. Laible to Sen. Schmidt

01:09:45 Pat Gervais, Legislative Services

01:10:30 **Vote:** Motion carried 17-0 by voice vote.

01:10:52 **Motion:** SEN. WANZENRIED moved A CONCEPTUAL AMENDMENT TO REDUCE THE APPROPRIATION FOR TECHNOLOGY FOR LEGISLATORS FROM \$135,000 TO \$75,000.

Discussion:

01:12:05 Sen. Laible

01:12:41 Sen. Schmidt

01:13:12 Sen. Laible

01:13:18 Sen. Wanzenried withdrew his motion.

01:13:27 Taryn Purdy regarding title issue

01:14:01 Sen. Barkus to Taryn Purdy

01:14:51 Sen. Wanzenried

01:15:59 Sen. Schmidt re: committee bill

01:16:11 **Motion:** SEN. WEINBERG moved that SENATE FINANCE AND CLAIMS REQUEST A COMMITTEE BILL FOR A MENTAL HEALTH STUDY.

01:17:01 Sen. Schmidt closed HB 818

01:17:05 **Vote:** Motion carried 13-6 by roll call vote with SEN. BALES, SEN. BARKUS, SEN. BRUEGGEMAN, SEN. STAPLETON, SEN. TASH, and SEN. TROPILA voting no.

HB 819

Public Comment:

01:19:20 Lois Menzies, Court Administrator, Montana Supreme Court

01:19:46 John Larson, District Court Judge

[EXHIBIT\(fcs66a07\)](#)

01:20:14 Rep. Elsie Arntzen, HD 53

[EXHIBIT\(fcs66a08\)](#)

01:21:06 Tara Veazey, Montana Legal Services

[EXHIBIT\(fcs66a09\)](#)

01:25:06 Andrew King-Ries, Montana School of Law

01:27:37 Jani McCall, City of Billings, Billings Clinic, Montana Children's Initiative Provider Association, Steering Committee Yellowstone County Family Drug Court

01:28:21 Beth Baker, Attorney, Chair of State Bar's Access Committee

01:32:32 Sen. Cooney to Sen. Schmidt

01:34:52 Recess

02:16:16 Reconvene

02:16:18 Sen. Schmidt

02:18:41 Judy Meadows, State Law Librarian

02:19:32 Mary Phippin, Montana Association of Clerks of District Court

EXECUTIVE ACTION ON HB 819

02:20:55 **Motion:** SEN. HAWKS moved that HB 819 BE CONCURRED IN AS AMENDED.

02:21:38 **Motion:** SEN. HAWKS moved that AMENDMENT HB081901.AGP BE ADOPTED.

[EXHIBIT\(fcs66a10\)](#)

Discussion:

02:21:51 Taryn Purdy

02:22:09 **Vote:** Motion carried 17-0 by voice vote.

02:22:17 **Motion:** SEN. HAWKS moved TO ADOPT THE BOILERPLATE LANGUAGE.

Discussion:

02:22:39 Sen. Laible to Taryn Purdy

02:23:07 **Vote:** Motion carried 17-0 by voice vote.

02:23:18 **Motion:** SEN. COBB moved that AMENDMENT HB081903.APG BE ADOPTED.

EXHIBIT(fcs66a11)

Discussion:

02:23:49 Sen. Cobb

02:25:23 Sen. Wanzenried to Pat Gervais

02:27:18 Lois Menzies

02:27:32 Sen. Cobb to Lois Menzies

02:28:25 Sen. Lewis to Amy Sessano, Office of Budget and Program Planning

02:30:52 Sen. Schmidt to Sen. Lewis

02:31:06 Sen. Cooney to Sen. Lewis

02:32:05 Taryn Purdy

02:32:34 Sen. Cooney to Taryn Purdy

02:33:06 Sen. Lewis to Amy Carlson, Office of Budget and Program Planning

02:35:37 David Ewer, Budget Director

02:37:08 Sen. Lewis to David Ewer

02:39:32 Sen. Cooney

02:42:05 Sen. Schmidt

02:42:11 Sen. Laible

02:43:15 Sen. Cobb

02:44:40 **Vote:** Motion carried 10-9 by roll call vote with SEN. BALES, SEN. COONEY, SEN. HANSEN, SEN. HAWKS, SEN. LEWIS, SEN. SCHMIDT, and SEN. WANZENRIED voting no. SEN. LARSON and SEN. LIND voted no by proxy.

02:46:14 **Motion:** SEN. WILLIAMS moved AMENDMENT HB081904.APG.

EXHIBIT(fcs66a12)

Discussion:

02:49:59 Sen. Tash to Sen. Williams

02:50:50 **Vote:** Motion failed 8-11 by roll call vote with SEN. BRUEGGEMAN, SEN. COBB, SEN. GALLUS, SEN. LEWIS, SEN. TASH, SEN. TROPILA, SEN. WEINBERG, and SEN. WILLIAMS voting aye. SEN. LARSON and SEN. LIND voted no by proxy.

02:52:20 Sen. Laible to Sen. Schmidt

HB 820

Public Comment: None.

EXECUTIVE ACTION ON HB 820

02:54:05 **Motion:** SEN. HAWKS moved that HB 820 BE CONCURRED IN AS AMENDED.

02:54:24 **Motion/Vote:** SEN. HAWKS moved that AMENDMENT HB082001.AGP BE ADOPTED. Motion carried 17-0 by voice vote.

EXHIBIT(fcs66a13)

02:54:58 **Motion/Vote:** SEN. HAWKS moved BOILERPLATE AMENDMENT. Motion carried unanimously by voice vote.

02:55:57 Sen. Schmidt

02:56:27 **Motion:** SEN. GALLUS moved that AMENDMENT HB082004.AKW BE ADOPTED.

EXHIBIT(fcs66a14)

Discussion:

02:56:52 Taryn Purdy

02:57:23 **Vote:** Motion carried unanimously by voice vote.

02:58:18 Sen. Schmidt

02:58:49 **Motion:** SEN. COBB moved that AMENDMENT #1 OF HB082006.AKW BE ADOPTED.

EXHIBIT(fcs66a15)

Discussion:

03:00:37 Sen. Hawks

03:00:59 Sen. Wanzenried to Sen. Cobb

03:01:23 Chris Wilkinson, Legislative Services

03:01:40 Sen. Barkus to Sen. Cobb

03:02:48 **Vote:** Motion failed 3-16 by roll call vote with SEN. COBB, SEN. LARSON, and SEN. WILLIAMS voting aye. SEN. LIND and SEN. SCHMIDT voted no by proxy.

03:04:08 **Motion:** SEN. COBB moved that AMENDMENT #2 HB082006.AKW BE ADOPTED.

03:05:55 Sen. Wanzenried to Sen. Cobb

03:06:07 Chris Wilkinson

03:06:22 Sen. Wanzenried to Sen. Cobb

03:07:12 Sen. Williams

03:07:53 **Vote:** Motion passed 14-5 by roll call vote with SEN. BARKUS, SEN. LAIBLE, SEN. STAPLETON, SEN. TROPILA, and SEN. WANZENRIED voting no. SEN. COONEY, SEN. LIND and SEN. SCHMIDT voted aye by proxy.

03:09:26 Sen. Bales to Taryn Purdy

03:10:23 **Motion:** SEN. WILLIAMS moved that AMENDMENT HB082007.AKW BE ADOPTED.

EXHIBIT(fcs66a16)

Discussion:

03:12:47 Sen. Lewis to Taryn Purdy

03:14:04 Sen. Williams

03:14:23 Sen. Hawks

03:15:28 Arlynn Fishbaugh, Director, Montana Arts Council

03:16:19 Sen. Hawks to Director Fishbaugh

03:17:07 Sen. Hawks to Sen. Williams

03:18:51 **Vote: Motion failed 6-13 by roll call vote with SEN. COBB, SEN. GALLUS, SEN. HANSEN, SEN. LARSON, SEN. WEINBERG, and SEN. WILLIAMS voting aye.**

03:19:03 Sen. Schmidt

03:20:41 Taryn Purdy

03:21:00 Sen. Cooney

RECESS

Recess: 11:40 A.M.

SEN. TRUDI SCHMIDT, Chairman

PRUDENCE GILDROY, Secretary

TS/pg