

MINUTES

MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON FINANCE AND CLAIMS

Call to Order: By **CHAIRMAN TRUDI SCHMIDT**, on March 29, 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. Wanzenried (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: None.

Executive Action: HB 818; HB 819; HB 820

00:00:01 Reconvene

00:00:07 Sen. Schmidt

EXECUTIVE ACTION ON HB 818

00:00:48 **Motion:** SEN. HAWKS moved that HB 818 BE CONCURRED IN AS AMENDED.

00:01:27 **Motion/Vote:** SEN. HAWKS moved the TITLE OF THE BILL AS AMENDED. Motion carried unanimously by voice vote.

00:01:52 **Motion:** SEN. WANZENRIED moved that AMENDMENT HB081805.AKW BE ADOPTED.

EXHIBIT(fcs67a01)

Discussion:

00:02:05 Sen. Wanzenried

00:03:24 Sen. Brueggeman

00:05:56 Sen. Wanzenried

00:06:23 **Vote:** Motion carried 11-8 by roll call vote with SEN. BALES, SEN. BARKUS, SEN. BRUEGGEMAN, SEN. COBB, SEN. LAIBLE, SEN. LEWIS, SEN. STAPLETON, and SEN. TASH voting no.

00:08:00 **Motion/Vote:** SEN. HAWKS moved that HB 818 BE CONCURRED IN AS AMENDED. Motion carried 18-0 by voice vote.

EXECUTIVE ACTION ON HB 819

00:08:25 **Motion:** SEN. HAWKS moved that HB 819 BE CONCURRED IN AS AMENDED.

00:08:46 **Motion:** SEN. LAIBLE moved that AMENDMENT HB081907.APG BE ADOPTED.

EXHIBIT(fcs67a02)

Discussion:

00:11:51 Sen. Cooney to Sen. Laible

00:15:38 Sen. Cooney to Taryn Purdy, Legislative Services
Division

00:16:11 Sen. Laible

00:16:43 **Vote:** Motion carried 12-7 by roll call vote with SEN.
GALLUS, SEN. LARSON, SEN. LIND, SEN. TROPILA, SEN.
WANZENRIED, and SEN. WEINBERG. SEN. WILLIAMS vote by
proxy.

00:18:23 **Motion/Vote:** SEN. HAWKS moved that HB 819 BE CONCURRED
IN AS AMENDED. Motion carried unanimously by voice
vote.

EXECUTIVE ACTION ON HB 820

Governor's Office

00:19:32 Sen. Schmidt

00:19:52 **Motion:** SEN. WANZENRIED moved that AMENDMENT
HB082001.APJ BE ADOPTED.

EXHIBIT (fcs67a03)

Discussion:

00:19:54 Sen. Wanzenried

00:20:56 Amy Sessano

00:22:01 Sen. Lewis to Amy Sessano

00:24:43 Sen. Laible to Amy Sessano

00:25:39 Sen. Bales

00:26:53 Sen. Wanzenried

00:27:44 **Vote:** Motion passed 12-7 by roll call vote with SEN.
BALES, SEN. BARKUS, SEN. BRUEGGEMAN, SEN. LAIBLE, SEN.
LEWIS, SEN. STAPLETON, and SEN. TASH voting no.

00:29:09 **Motion:** SEN. LARSON moved that AMENDMENT HB082001.AKW
BE ADOPTED.

EXHIBIT(fcs67a04)

Discussion:

00:29:26 Sen. Larson

00:29:50 Sen. Lewis

00:30:21 Sen. Laible

00:31:27 Sen. Wanzenried

00:31:59 Sen. Bales

00:33:01 Sen. Williams

00:35:06 **Motion:** SEN. WILLIAMS moved TO SEGREGATE #1 ON
HB082001.akw.

Discussion:

00:35:25 Sen. Gallus

00:36:20 Sen. Lewis

00:37:11 Sen. Laible

00:37:23 Sen. Stapleton to Sen. Schmidt

00:37:45 Sen. Wanzenried

00:38:06 Sen. Stapleton

00:40:23 Sen. Laible

00:40:53 Sen. Williams

00:41:41 Sen. Tash

00:42:30 Sen. Larson

00:43:18 **Vote:** Motion failed 7-12 by roll call vote with SEN.
BRUEGGEMAN, SEN. GALLUS, SEN. HANSEN, SEN. HAWKS,
SEN. LARSON, SEN. SCHMIDT, and SEN. WILLIAMS voting
aye. SEN. BRUEGGEMAN and SEN. COONEY voted by proxy.

00:44:37 **Motion:** SEN. WILLIAMS moved TO SEGREGATE #2 ON HB082001.AKW.

Discussion:

00:44:59 Sen. Williams

00:46:37 Sen. Stapleton

00:46:56 **Vote:** Motion carried 16-3 by voice vote with SEN. BARKUS, SEN. TROPILA, and SEN. WANZENRIED voting no.

00:47:37 Sen. Schmidt

00:47:46 **Motion:** SEN. LARSON moved that AMENDMENT HB082003.AKW BE ADOPTED.

EXHIBIT (fcs67a05)

Discussion:

00:47:48 Sen. Larson

00:48:20 Sen. Tropila to Sen. Larson

00:49:07 Evan Barrett, Governor's Office

00:49:52 Sen. Schmidt

00:50:02 Evan Barrett

00:53:14 Sen. Bales to Evan Barrett

00:54:34 Sen. Tash to Evan Barrett

00:57:00 Sen. Larson

00:57:08 **Vote:** Motion failed 9-10 by roll call vote with SEN. COONEY, SEN. GALLUS, SEN. HANSEN, SEN. HAWKS, SEN. LAIBLE, SEN. LARSON, SEN. SCHMIDT, and SEN. WEINBERG, and SEN. WILLIAMS voting aye. SEN. BRUEGGEMAN, SEN. COONEY and SEN. WILLIAMS voted by proxy.

00:58:32 **Motion:** SEN. COBB moved that AMENDMENT HB082005.AKW BE ADOPTED.

EXHIBIT (fcs67a06)

Discussion:

00:58:45 Sen. Cobb

01:00:49 Sen. Hawks to Sen. Cobb

01:01:13 Sen. Lewis to Bruce Nelson, Chief of Staff, Governor's Office

01:04:15 Amy Sessano, Office of Budget and Program Planning

01:04:36 Sen. Lewis to Amy Sessano

01:04:57 Sen. Lewis to Bruce Nelson

01:05:16 Sen. Gallus

01:05:35 Sen. Barkus

01:06:21 Sen. Cobb

01:08:28 **Vote: Motion failed 3-16 by roll call vote with SEN. COBB, SEN. LEWIS, and SEN. TASH voting aye. SEN. BRUEGGEMAN and SEN. COONEY voted by proxy.**

01:08:48 Sen. Laible

01:09:52 Sen. Schmidt

01:10:45 **Motion: SEN. WILLIAMS moved that AMENDMENT HB082001.APG BE ADOPTED.**

EXHIBIT(fcs67a07)

Discussion:

01:11:12 Sen. Williams

01:12:04 Sen. Wanzenried to Sen. Williams

01:12:17 Sen. Stapleton

01:15:28 Sen. Wanzenried

01:15:57 Sen. Stapleton

01:16:19 Harry Freebourn, Office of State Public Defender

01:19:23 Sen. Gallus

01:20:45 Sen. Laible

01:24:39 Sen. Weinberg to Harry Freebourn

01:26:23 Sen. Larson

01:27:27 Sen. Williams

01:30:23 **Vote: Motion carried 11-8 by roll call vote with SEN. BALES, SEN. BARKUS, SEN. BRUEGGEMAN, SEN. LAIBLE, SEN. LEWIS, SEN. STAPLETON, SEN. TASH, and SEN. WANZENRIED voting no. SEN. BRUEGGEMAN, SEN. COONEY, and SEN. STAPLETON voted by proxy.**

01:31:46 Recess

01:53:52 Reconvene

01:54:02 Sen. Cobb

Department of Transportation

01:54:41 Sen. Larson

Discussion:

01:55:48 Director Jim Lynch, Department of Transportation

02:11:34 Sen. Laible to Director Lynch

02:13:27 Sen. Barkus to Director Lynch

02:15:30 Sen. Schmidt

02:15:53 **Motion: SEN. LARSON moved that AMENDMENT HB0082003.AGD BE ADOPTED.**

EXHIBIT(fcs67a08)

Discussion:

02:16:26 Sen. Lewis to Sen. Larson

02:17:21 Sen. Laible

02:17:28 Sen. Larson

02:17:44 **Motion:** Motion carried 12-7 by roll call vote with SEN. BALES, SEN. BARKUS, SEN. BRUEGGEMAN, SEN. LAIBLE, SEN. LEWIS, SEN. STAPLETON, and SEN. TASH voting no. SEN. BALES and SEN. BRUEGGEMAN voted by proxy.

02:19:02 **Motion/Vote:** SEN. LARSON moved that AMENDMENT HB082004.AGD BE ADOPTED. Motion carried 12-7 by roll call vote with SEN. BALES, SEN. BARKUS, SEN. BRUEGGEMAN, SEN. LAIBLE, SEN. LEWIS, SEN. STAPLETON, and SEN. TASH voting no. SEN. BALES and SEN. BRUEGGEMAN, and SEN. COONEY voted by proxy.

EXHIBIT(fcs67a09)

02:20:39 **Motion:** SEN. LARSON moved that AMENDMENT HB082005.AGD BE ADOPTED.

EXHIBIT(fcs67a10)

Discussion:

02:20:48 Sen. Barkus to Sen. Larson

02:21:00 Sen. Williams

02:22:06 Sen. Laible

02:23:22 Sen. Barkus

02:23:43 Sen. Stapleton

02:25:30 **Vote:** Motion passed 12-7 by roll call vote with SEN. BALES, SEN. BARKUS, SEN. BRUEGGEMAN, SEN. LAIBLE, SEN. LEWIS, SEN. STAPLETON, and SEN. TASH voting no. SEN. BALES, SEN. COONEY and SEN. WEINBERG voted by proxy.

02:26:31 **Motion:** SEN. LARSON moved that AMENDMENT HB082006.AGD BE ADOPTED.

EXHIBIT(fcs67a11)

Discussion:

02:26:35 Sen. Larson

02:26:56 Sen. Laible

02:27:27 Sen. Barkus

02:27:45 **Vote:** Motion carried 12-7 by voice vote with SEN. BALES, SEN. BARKUS, SEN. BRUEGGEMAN, SEN. LAIBLE, SEN. LEWIS, SEN. STAPLETON, and SEN. TASH voting no.

02:28:06 **Motion:** SEN. LARSON moved that AMENDMENT HB082007.AGD BE ADOPTED.

EXHIBIT(fcs67a12)

Discussion:

02:28:08 Sen. Larson

02:28:24 Sen. Laible

02:28:46 Sen. Bales

02:29:12 Sen. Stapleton

02:29:59 Sen. Laible

02:30:54 Sen. Larson

02:31:30 **Vote:** Motion carried 10-9 by roll call vote with SEN. BALES, SEN. BARKUS, SEN. BRUEGGEMAN, SEN. COBB, SEN. LAIBLE, SEN. LEWIS, SEN. STAPLETON, SEN. TASH, and SEN. TROPILA voting no. SEN. COONEY voted by proxy.

02:32:47 **Motion:** SEN. LARSON moved that AMENDMENT HB082008.AGD BE ADOPTED.

EXHIBIT(fcs67a13)

Discussion:

02:33:11 Sen. Laible

02:33:38 Sen. Wanzienried

02:34:19 Sen. Laible

02:35:05 Director Jim Lynch

02:35:30 Sen. Brueggeman

02:35:54 Sen. Larson

02:35:58 **Vote:** Motion carried 12-7 by roll call vote with SEN. BALES, SEN. BARKUS, SEN. BRUEGGEMAN, SEN. LAIBLE, SEN.

LEWIS, SEN. STAPLETON, and SEN. TASH voting no. SEN. COONEY and SEN. WEINBERG voted by proxy.

02:36:46 Motion: SEN. LARSON moved that AMENDMENT HB0820010.AGD BE ADOPTED.

EXHIBIT(fcs67a14)

02:37:11 Sen. Laible

02:37:24 Vote: Motion carried 12-7 by voice vote with SEN. BALES, SEN. BARKUS, SEN. BRUEGGEMAN, SEN. LAIBLE, SEN. LEWIS, SEN. STAPLETON, and SEN. TASH voting no.

02:37:45 Motion: SEN. LARSON moved that AMENDMENT HB082012.AGD BE ADOPTED.

EXHIBIT(fcs67a15)

Discussion:

02:38:03 Sen. Laible

02:38:15 Sen. Stapleton

02:38:37 Sen. Williams

02:39:50 Sen. Laible

02:40:36 Sen. Stapleton to Greg Dewitt, Legislative Fiscal Division

02:43:40 Sen. Wanzenried

02:44:24 Sen. Laible

02:45:49 Sen. Brueggeman to Director Jim Lynch

02:53:22 Vote: Motion carried 13-6 with SEN. BALES, SEN. BARKUS, SEN. LAIBLE, SEN. LEWIS, SEN. STAPLETON, and SEN. TASH voting no. SEN. BARKUS and SEN. COONEY voted by proxy.

02:54:31 Motion: SEN. LARSON moved that AMENDMENT HB082013.AGD BE ADOPTED.

EXHIBIT(fcs67a16)

Discussion:

02:55:08 Sen. Laible

02:55:21 **Vote:** Motion carried 13-6 by roll call vote with SEN. BALES, SEN. BARKUS, SEN. LAIBLE, SEN. LEWIS, SEN. STAPLETON, and SEN. TASH voting no. SEN. BALES, SEN. BARKUS, SEN. COONEY and SEN. WEINBERG voted by proxy.

02:56:20 **Motion:** SEN. LARSON moved that AMENDMENT HB082014.AGD BE ADOPTED.

EXHIBIT(fcs67a17)

Discussion:

02:56:58 Sen. Wanzenried to Director Jim Lynch

02:58:01 Sen. Laible

02:58:15 **Vote:** Motion carried 13-6 by roll call vote with SEN. BALES, SEN. BARKUS, SEN. LAIBLE, SEN. LEWIS, SEN. STAPLETON, and SEN. TASH voting no. SEN. BALES and SEN. BARKUS, and SEN. COONEY voted by proxy.

02:59:08 **Motion:** SEN. LARSON moved that AMENDMENT HB082015.AGD BE ADOPTED.

EXHIBIT(fcs67a18)

Discussion:

00:59:10 Sen. Larson

02:59:35 Sen. Laible

02:59:57 Sen. Hawks to Director Jim Lynch

03:02:57 **Vote:** Motion carried 14-5 by roll call vote with SEN. BALES, SEN. BARKUS, SEN. LEWIS, SEN. STAPLETON, and SEN. TASH voting no. SEN. COONEY, SEN. LIND, and SEN. WEINBERG voted by proxy.

03:03:01 **Motion:** SEN. LARSON moved AMENDMENT HB082017.AGD BE ADOPTED.

EXHIBIT(fcs67a19)

02:59:17 Sen. Larson

03:04:02 Taryn Purdy

03:04:29 Sen. Stapleton

03:05:20 Taryn Purdy

03:05:47 Sen. Schmidt to Greg Dewitt

03:07:09 Sen. Wanzenried to Greg Dewitt

03:09:33 Sen. Laible

03:11:07 Greg Dewitt

03:11:43 Sen. Barkus

03:12:21 Amy Sessano

03:13:00 Sen. Bales

03:14:35 Sen. Schmidt

03:14:55 Director Jim Lynch

03:15:38 Sen. Laible

03:16:50 **Vote: Motion carried 17-2 by roll call vote with SEN. STAPLETON and SEN. TROPILA voting no. SEN. COONEY and SEN. WEINBERG voted by proxy.**

03:17:46 Sen. Laible

03:18:39 Sen. Larson

03:19:00 Sen. Lewis to Director Jim Lynch

03:21:31 Sen. Schmidt

Public Comment on HB 820:

03:22:29 Marlene Moon, Administrator, Liberty County
Conservation District

03:23:57 Mark Dornick, Jefferson County Conservation District

03:25:08 Nicole McClean, Yellowstone River Conservation District Council

EXHIBIT(fcs67a20)

03:27:21 Paul Gilbert, Sweetgrass County Conservation District, and Yellowstone River Conservation District Council

03:29:34 Rich Day, Montana Wildlife Federation

Department of Administration

03:32:41 **Motion:** SEN. LARSON moved that AMENDMENT HB082031.AGD BE ADOPTED.

EXHIBIT(fcs67a21)

Discussion:

03:33:38 Sen. Stapleton to Sen. Larson

03:34:07 Sen. Wanzenried

03:34:33 Sen. Cobb to Amy Sessano

03:35:43 Sen. Wanzenried to Amy Sessano

03:37:29 **Vote:** Motion carried 10-9 by roll call vote with SEN. BALES, SEN. BARKUS, SEN. BRUEGGEMAN, SEN. LAIBLE, SEN. LIND, SEN. STAPLETON, SEN. TROPILA, SEN. WANZENRIED, and SEN. WEINBERG voting no. SEN. BRUEGGEMAN, SEN. COONEY, SEN. STAPLETON and SEN. WILLIAMS voted by proxy.

00:38:48 Sen. Lind

03:39:00 **Motion:** SEN. LARSON moved that AMENDMENT HB082032.AGD BE ADOPTED.

EXHIBIT(fcs67a22)

Discussion:

03:41:12 Sen. Laible

03:41:34 **Vote:** Motion carried 16-3 by roll call vote with SEN. BARKUS, SEN. BRUEGGEMAN, and SEN. STAPLETON voting no.

SEN. BARKUS, SEN. BRUEGGEMAN, SEN. COONEY and SEN. WILLIAMS voted by proxy.

03:42:41 **Motion:** SEN. LARSON moved that AMENDMENT HB082035.AGD BE ADOPTED.

EXHIBIT(fcs67a23)

Discussion:

03:43:08 Sen. Larson

03:44:00 Sen. Laible

03:44:35 Sen. Larson to Connie Welch, Department of Administration

03:46:36 Sen. Laible to Connie Welch

03:48:48 Sen. Hansen to Connie Welch

03:50:04 Sen. Lewis

03:52:23 **Vote:** Motion carried 14-5 by roll call vote with SEN. BALES, SEN. BARKUS, SEN. LAIBLE, SEN. STAPLETON, and SEN. TASH voting no. SEN. COONEY, SEN. HAWKS, SEN. STAPLETON, and SEN. TASH voted by proxy.

Public Comment on HB 820:

03:52:44 Steve Larson, Chief, Helena Fire Department

EXHIBIT(fcs67a24)

03:56:43 Jeff Miller, Director Fire Services, Butte Silverbow County

03:58:21 Doug Neil, Fire Department Captain, City of Great Falls

03:59:51 **Motion:** SEN. LARSON moved that AMENDMENT HB082036.AGD BE ADOPTED.

EXHIBIT(fcs67a25)

Discussion:

04:01:11 Sen. Laible

04:02:07 Sen. Tropila to Sen. Larson

04:03:05 Randy Morris, Department of Administration

04:04:34 Sen. Laible to Randy Morris

04:05:29 **Vote: Motion failed 6-13 by roll call vote with SEN. GALLUS, SEN. HANSEN, SEN. LARSON, SEN. SCHMIDT, and SEN. WILLIAMS voting aye. SEN. COONEY, SEN. HAWKS and SEN. STAPLETON voted by proxy.**

Public Comment on HB 820:

04:06:50 Kurt Belts, Missoula Fire Department

Questions from Committee and Responses:

04:12:21 Sen. Lind to Kurt Belts

04:13:06 Recess

RECESS

Recess: 12:30 P.M.

SEN. TRUDI SCHMIDT, Chairman

PRUDENCE GILDROY, Secretary

TS/pg

Additional Exhibits:

EXHIBIT ([fcs67aad.pdf](#))