

## **MINUTES**

### **MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON FINANCE AND CLAIMS**

**Call to Order:** By **CHAIRMAN TRUDI SCHMIDT**, on April 2, 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: SB 400, 3/27/2007; HB 317,  
3/27/2007; HB 350, 3/27/2007; HB  
522, 3/27/2007; HB 523, 3/27/2007;  
HB 204, 3/27/2007; HB 791,  
3/27/2007; HB 692, 3/27/2007  
Executive Action: HB 269; HB 608; SB 400; HB 283;  
HB 811; HB 692

00:00:03

**HEARING ON SB 400**

**Opening Statement by Sponsor:**

00:03:08 SEN. CHRISTINE KAUFMANN (D), SD 41, opened the hearing  
on SB 400, Earned income tax credit.

**Proponents' Testimony:**

00:08:00 Kim Abbott, Montana Human Rights Network

00:09:06 Olivia Riutta, Working for Equity and Economic  
Liberation (WEEL)

**Opponents' Testimony:** None.

**Informational Testimony:**

00:10:14 Brian Olsen, Department of Revenue

**Questions from Committee Members and Responses:** None.

**Closing by Sponsor:**

00:10:38 Sen. Kaufmann

**HEARING ON HB 317**

**Opening Statement by Sponsor:**

00:11:49 REP. JOHN SINRUD (R), HD 67, opened the hearing on HB  
317, Revise time for submitting executive budget.

**Proponents' Testimony:** None.

**Opponents' Testimony:**

00:12:27 David Ewer, Budget Director, Office of Budget and  
Program Planning

**Informational Testimony:** None.

**Questions from Committee Members and Responses:** None.

**Closing by Sponsor:**

00:19:40 Rep. Sinrud

**HEARING ON HB 350**

**Opening Statement by Sponsor:**

00:21:03 REP. JOHN SINRUD (R), HD 67, opened the hearing on HB  
350, Revise law regarding executive budget.

**Proponents' Testimony:** None.

**Opponents' Testimony:**

00:21:48 David Ewer, Budget Director

**Informational Testimony:** None.

**Questions from Committee Members and Responses:** None.

**Closing by Sponsor:**

00:25:20 Rep. Sinrud

**HEARING ON HB 522**

**Opening Statement by Sponsor:**

00:26:58 REP. JOHN SINRUD (R), HD 67, opened the hearing on HB  
522, Revise definition of present law for budgeting  
purposes.

**Proponents' Testimony:** None.

**Opponents' Testimony:**

00:27:59 David Ewer, Budget Director

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

00:32:11 Sen. Bales to David Ewer

00:37:09 Sen. Laible to David Ewer

**Closing by Sponsor:**

00:40:16 Rep. Sinrud

**HEARING ON HB 523**

**Opening Statement by Sponsor:**

00:42:43 **REP. JOHN SINRUD (R), HD 67**, opened the hearing on **HB 523**, Restrict use of carry forward unspent appropriations.

**Proponents' Testimony:** None.

**Opponents' Testimony:**

00:44:30 David Ewer, Budget Director

**Informational Testimony:** None.

**Questions from Committee Members and Responses:** None.

**Closing by Sponsor:**

00:47:56 Rep. Sinrud

**HEARING ON HB 204**

**Opening Statement by Sponsor:**

00:51:56 **REP. DAVE KASTEN (R), HD 30**, opened the hearing on **HB 204**, Revise state expenditure limit.

**Proponents' Testimony:** None.

**Opponents' Testimony:**

00:55:00 David Ewer, Budget Director

01:01:26 Claudia Clifford, AARP Montana

**EXHIBIT(fcs70a01)**

01:05:13 Terry Minow, MEA-MFT

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

01:08:20 Sen. Cooney to Rep. Kasten

01:13:11 Sen. Barkus to David Ewer

01:15:48 Sen. Bales to Rep. Kasten

01:18:37 Sen. Bales to David Ewer

01:26:28 Sen. Hawks to Rep. Kasten

**Closing by Sponsor:**

01:30:27 Rep. Kasten

**HEARING ON HB 791**

**Opening Statement by Sponsor:**

01:31:41 **REP. DAVE KASTEN (R), HD 30**, opened the hearing on **HB 791**, Restrictions on fund transfers.

**EXHIBIT(fcs70a02)**

**Proponents' Testimony:** None.

**Opponents' Testimony:**

01:33:50 David Ewer, Budget Director

**Informational Testimony:**

01:38:10 Cathy Duncan, Legislative Fiscal Division

**Questions from Committee Members and Responses:**

01:39:05 Sen. Lewis to David Ewer

**Closing by Sponsor:**

01:41:46 Rep. Kasten

01:43:37\_\_Recess

01:57:09 Reconvene

**HEARING ON HB 692**

**Opening Statement by Sponsor:**

01:57:26 **REP. DEBBY BARRETT (R), HD 72**, opened the hearing on **HB 692**, Restrictions on executive branch agency bill requests.

**Proponents' Testimony:** None.

**Opponents' Testimony:**

02:01:33 David Ewer, Budget Director

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

02:11:06 Sen. Cooney to Rep. Barrett

02:17:30 Sen. Tash to Rep. Barrett

02:19:24 Sen. Wanzenried to Rep. Barrett

02:24:54 Sen. Lewis to Rep. Barrett

**Closing by Sponsor:**

02:26:21 Rep. Barrett

02:26:41 Sen. Schmidt

02:27:17 Recess

02:56:53 Reconvene

02:57:02 Taryn Purdy, Legislative Fiscal Division

02:58:29 Sen. Cooney to Sen. Schmidt

EXECUTIVE ACTION ON HB 269

02:59:51 **Motion:** SEN. BALES moved that HB 269 BE CONCURRED IN AS AMENDED.

Discussion:

03:00:02 Sen. Cooney

03:01:48 Sen. Hansen

03:02:39 **Vote:** Motion carried 15-0 by voice vote.

EXECUTIVE ACTION ON HB 608

03:03:29 **Motion:** SEN. LEWIS moved that HB 608 BE ADOPTED.

03:03:42 **Substitute Motion:** SEN. COONEY moved A CONCEPTUAL AMENDMENT TO STRIKE "\$500,000" AND INSERT "\$1 MILLION".

Discussion:

03:05:08 Sen. Bales to Sen. Cooney

03:06:32 **Vote:** Motion carried 13-0 by voice vote.

03:06:44 **Motion/Vote:** SEN. LEWIS moved that HB 608 BE CONCURRED IN AS AMENDED. Motion carried 13-0 by voice vote.

EXECUTIVE ACTION ON SB 400

03:07:20 **Motion:** SEN. WILLIAMS moved that SB 400 DO PASS.

Discussion:

03:07:33 Sen. Williams

03:07:59 **Motion/Vote:** SEN. WILLIAMS moved a CONCEPTUAL AMENDMENT TO STRIKE "TEN PERCENT OF THEIR FEDERAL TAX CREDIT" AND INSERT "FIVE PERCENT OF THEIR FEDERAL TAX CREDIT". Motion carried unanimously by voice vote.

03:08:35 **Motion:** SEN. WILLIAMS moved that SB 400 DO PASS AS AMENDED.

**Discussion:**

03:08:51 Sen. Lewis

03:10:34 **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. COBB, SEN. GALLUS, SEN. LARSON, SEN. LIND, and SEN. WANZENRIED voted by proxy.

**EXECUTIVE ACTION ON HB 283**

03:11:42 **Motion:** SEN. HAWKS moved that HB 283 BE CONCURRED IN.

**Discussion:**

03:12:51 Sen. Weinberg to Sen. Hawks

03:13:27 Sen. Stapleton

03:13:43 Taryn Purdy

03:14:10 Sen. Bales to Taryn Purdy

03:17:55 Sen. Brueggeman

03:19:22 Sen. Hawks

03:19:55 **Vote:** Motion carried 14-0 by voice vote.

*Sen. Brueggeman will carry the bill in the Senate.*

**EXECUTIVE ACTION ON HB 811**

03:20:29 **Motion:** SEN. HAWKS moved that HB 811 BE CONCURRED IN.

**Discussion:**

03:20:31 Sen. Hawks

03:21:22 **Vote:** Motion carried 13-0 by voice vote.

*Sen. Hawks will carry the bill in the Senate.*

EXECUTIVE ACTION ON HB 692

03:25:46 **Motion/Vote:** SEN. HAWKS moved that HB 692 BE TABLED. Motion carried 11-8 by roll call vote with SEN. BALES, SEN. BARKUS, SEN. BRUEGGEMAN, SEN. COBB, SEN. LEWIS, SEN. STAPLETON, and SEN. TASH voting no. SEN. LAIBLE voted no by proxy. SEN. COONEY, SEN. GALLUS, SEN. LIND AND SEN. WANZENRIED voted by proxy.

**RECESS**

Recess: 11:38 P.M.

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SEN. TRUDI SCHMIDT, Chairman

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PRUDENCE GILDROY, Secretary

TS/pg

Additional Exhibits:

**EXHIBIT** ([fcs70aad.pdf](#))