

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION COMMITTEE ON FINANCE AND CLAIMS

Call to Order: Chairman Keith Bales, on March 17, 2009 at 8:00
A.M., in Room 317 Capitol

ROLL CALL

Members Present:

Sen. Keith Bales, Chairman (R)
Sen. John Brueggeman (R)
Sen. Mike Cooney (D)
Sen. Steven Gallus (D)
Sen. Ken (Kim) Hansen (D)
Sen. Bob Hawks (D)
Sen. Rick Laible (R)
Sen. Jim Peterson (R)
Sen. Trudi Schmidt (D)
Sen. David E. Wanzonried (D)
Sen. Ryan Zinke (R)

Members Excused:

Sen. Dave Lewis, Vice Chairman (R)
Sen. Gregory D. Barkus (R)
Sen. Debby Barrett (R)
Sen. John Brenden (R)
Sen. John Esp (R)
Sen. Rick Ripley (R)
Sen. Mitch Tropila (D)
Sen. Carol Williams (D)

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: 183, 3/5/2009

Executive Action: SB 402; SB 500; SB 263; SB 22; SB
343; SB 350; SB 429

00:00:01 Chairman Bales

Sen. Lewis, Sen. Barrett, Sen. Esp, Sen. Ripley, Sen.
Tropila now present

EXECUTIVE ACTION ON SB 402

00:02:40 **Motion:** Sen. Peterson moved that **SB 402 DO PASS.**

00:02:50 **Motion:** Sen. Peterson moved that **SB 402 BE AMENDED.**

00:03:31 Sen. Peterson

00:07:00 Peterson withdrew his previous motion.

00:07:02 **Motion:** Sen. Peterson moved that **SB 402 BE AMENDED.**
EXHIBIT(fcs59a01)

Discussion:

00:08:02 Sen. Peterson

00:08:28 Sen. Schmidt

00:08:32 Sen. Peterson

00:10:09 Sen. Schmidt

00:10:31 Sen. Peterson

00:10:53 Sen. Hawks

00:11:06 Sen. Peterson

00:11:32 Sen. Zinke

00:11:50 Sen. Peterson

00:11:59 Chairman Bales

00:12:02 Sen. Lewis

Sen. Barkus, Sen. Brenden and Sen. Williams not present

00:13:04 **Vote:** Motion carried 15-2 by voice vote with Sen.
Tropila and Sen. Wanzonried voting no. Sen. Williams
voted aye by proxy.

00:13:16 **Motion:** Sen. Peterson moved that **SB 402 DO PASS AS
AMENDED.**

Discussion:

00:13:26 Sen. Peterson
00:14:07 Sen. Hawks
00:15:40 Sen. Barrett
00:16:50 Chairman Bales
00:16:55 Sen. Peterson

00:18:57 **Vote:** Motion carried 12-7 by roll call vote with Sen. Cooney, Sen. Hansen, Sen. Laible, Sen. Schmidt, Sen. Tropila, Sen. Wanzenried, and Sen. Williams voting no. Sen. Barkus, Sen. Brenden and Sen. Williams voted by proxy.

EXECUTIVE ACTION ON SB 500

00:20:22 **Motion:** Sen. Peterson moved that **SB 500 DO PASS.**

00:20:42 **Motion:** Sen. Laible moved that **SB 500 BE AMENDED.**
EXHIBIT (fcs59a02)

00:21:00 Sen. Laible
00:21:58 Chairman Bales

Discussion:

00:22:01 Sen. Peterson
00:23:01 Sen. Hawks
00:23:52 Chairman Bales

00:23:57 **Vote:** Motion carried 11-8 by roll call vote with Sen. Cooney, Sen. Gallus, Sen. Hansen, Sen. Hawks, Sen. Schmidt, Sen. Tropila, Sen. Wanzenried, and Sen. Williams voting no. Sen. Barkus, Sen. Brenden and Sen. Williams voted by proxy.

00:25:13 **Motion:** Sen. Peterson moved that **SB 500 DO PASS AS AMENDED.**

00:25:16 Sen. Peterson

Discussion:

00:26:29 Sen. Hawks
00:28:44 Chairman Bales

00:29:09 Sen. Zinke

00:30:02 Sen. Laible
 00:32:22 Sen. Barrett
 00:33:05 Chairman Bales
 00:33:11 Sen. Peterson

 00:34:20 **Vote:** Motion carried 11-8 by roll call vote with Sen. Cooney, Sen. Gallus, Sen. Hansen, Sen. Hawks, Sen. Schmidt, Sen. Tropila, Sen. Wanzenried, and Sen. Williams voting no. Sen. Barkus, Sen. Brenden and Sen. Williams voted by proxy.

EXECUTIVE ACTION ON SB 263

00:35:40 **Motion:** Sen. Lewis moved that **SB 263 DO PASS.**

00:36:05 Chairman Bales

00:36:28 **Motion:** Sen. Esp moved that **SB 263 BE AMENDED.**
EXHIBIT (fcs59a03)

00:36:54 Taryn Purdy, Legislative Fiscal Division (LFD)
 00:37:50 Chairman Bales
 00:37:53 Sen. Cooney
 00:38:07 Sen. Esp
 00:38:15 Chairman Bales
 00:38:47 Sen. Schmidt
 00:39:02 Ms. Purdy, LFD
 00:39:51 Chairman Bales
 00:39:53 Sen. Schmidt
 00:40:04 Ms. Purdy
 00:40:27 Sen. Laible
 00:41:14 Chairman Bales

00:41:19 **Vote:** Motion carried by voice vote, present and voting with Sen. Wanzenried voting no. Sen. Williams voted aye by proxy.

Sen. Brueggeman and Sen. Esp not present

00:41:34 **Motion/Vote:** Sen. Lewis moved that **SB 263 DO PASS AS AMENDED.** Motion carried 16-0 by voice vote. Sen. Brenden and Sen. Williams voted by proxy.

00:42:34 Ms. Purdy

00:43:23 Chairman Bales
 00:43:28 Sen. Wanzenried
 00:43:48 Chairman Bales

EXECUTIVE ACTION ON SB 22

00:44:59 **Motion:** Sen. Lewis moved that **SB 22 DO PASS.**

00:45:11 Chairman Bales

00:45:32 **Motion:** Sen. Cooney moved that **SB 22 BE AMENDED.**
EXHIBIT (fcs59a04)

00:46:06 Sen. Cooney

00:46:14 Sen. Williams and Sen. Barkus now present

00:47:16 Chairman Bales

Discussion:

00:47:22 Sen. Zinke

00:47:45 Chairman Bales

00:47:53 Sen. Cooney

00:47:58 **Vote:** Motion carried 11-8 by roll call vote with Sen. Bales, Sen. Barkus, Sen. Barrett, Sen. Brenden, Sen. Brueggeman, Sen. Esp, Sen. Laible, and Sen. Peterson voting no. Sen. Brenden and Sen. Brueggeman voted by proxy.

00:49:13 **Motion:** Sen. Lewis moved that **SB 22 DO PASS AS AMENDED.**

Discussion:

00:49:20 Sen. Esp

00:49:45 Sen. Hawks

00:50:49 Sen. Wanzienried

00:52:17 Sen. Laible

00:52:46 Chairman Bales

00:54:15 Sen. Barrett

00:56:02 Chairman Bales

Sen. Brueggeman now present

00:56:25 **Vote:** Motion carried 12-7 by roll call vote with Sen. Bales, Sen. Barkus, Sen. Brenden, Sen. Esp, Sen. Gallus, Sen. Lewis, and Sen. Ripley voting no. Sen. Brenden voted no by proxy.

00:57:42 Chairman Bales

Discussion on HB 123 and SB 238:

00:59:09 Ms. Purdy

EXHIBIT(fcs59a05)

01:01:27 Chairman Bales

01:02:53 Sen. Hawks

01:03:07 Ms. Purdy

01:03:18 Sen. Hawks

01:03:40 Chairman Bales appointed Sen. Brueggeman, Sen. Hawks, Sen. Ripley and Sen. Schmidt to discuss the issue and report to the committee. Sen. Ripley will chair.

Discussion on SB 291:

01:06:22 Sen. Schmidt

01:06:31 Chairman Bales

Discussion on SB 350:

01:06:52 Sen. Schmidt

01:07:09 Sen. Cooney

01:07:21 Chairman Bales

01:07:28 Sen. Gallus

01:07:35 Chairman Bales

01:07:48 recess

01:31:36 reconvene

01:31:41 Chairman Bales

Sen. Brenden, Sen. Esp, Sen. Gallus and Sen. Williams
not present

EXECUTIVE ACTION ON SB 343

01:32:12 **Motion:** Sen. Lewis moved that **SB 343 DO PASS.**

01:32:20 Chairman Bales

01:32:37 **Motion:** Sen. Barkus moved that **SB 343 BE AMENDED.**

EXHIBIT(fcs59a06)

01:33:07 Sen. Barkus

01:33:29 **Vote:** Motion carried unanimously by voice vote, present and voting. Sen. Brenden, Sen. Gallus and Sen. Williams voted by proxy.

01:33:49 **Motion:** Sen. Lewis moved that **HB 343 DO PASS AS AMENDED.**

01:34:01 **Motion:** Sen. Barkus moved that **HB 343 BE AMENDED.**
EXHIBIT (fcs59a07)

01:34:25 Ms. Purdy
01:34:57 Chairman Bales
01:35:00 Sen. Schmidt
01:35:15 Ms. Purdy
01:35:41 Sen. Hawks
01:36:15 Chairman Bales
01:36:26 Sen. Peterson
01:37:15 Sen. Schmidt
01:37:19 Chairman Bales
01:38:39 Sen. Hawks
01:39:02 Sen. Barkus

01:39:37 **Vote:** Motion carried unanimously by voice vote, present and voting. Sen. Brenden and Sen. Brueggeman voted by proxy.

01:40:02 **Motion:** Sen. Lewis moved that **SB 343 DO PASS AS AMENDED.**

Discussion:

01:40:16 Sen. Cooney
01:40:42 Chairman Bales
01:41:12 Sen. Ripley
01:41:32 Sen. Barkus
01:42:10 Sen. Bales

01:42:16 **Vote:** Motion carried unanimously by voice vote. Sen. Brenden, Sen. Esp, Sen. Gallus, and Sen. Williams voted by proxy.

EXECUTIVE ACTION ON SB 350

01:43:40 **Motion:** Sen. Schmidt moved that **SB 350 DO PASS.**

Discussion:

01:43:52 Sen. Zinke
01:44:18 Ms. Purdy
01:44:46 Sen. Bales
01:44:49 Sen. Hawks
01:45:28 Sen. Bales

01:45:36 **Vote:** Motion carried 18-1 by voice vote with Sen. Bales voting no. Sen. Brenden, Sen. Esp, Sen. Gallus and Sen. Williams voted by proxy.

01:45:52 Sen. Zinke
01:46:00 Sen. Bales
01:46:04 Ms. Purdy
01:46:43 Sen. Bales
01:46:51 Sen. Ripley
01:47:04 Sen. Bales

Sen. Gallus now present

EXECUTIVE ACTION ON SB 429

01:48:23 Sen. Zinke
01:49:18 Sen. Hawks

01:49:39 **Motion:** Sen. Zinke moved that **SB 429 DO PASS.**

01:49:48 **Motion/Vote:** Sen. Zinke moved that **SB 429 BE AMENDED.** Motion carried by voice vote, present and voting. Sen. Williams voted by proxy.

EXHIBIT(fcs59a08)

01:50:33 **Motion:** Sen. Zinke moved that **SB 429 DO PASS AS AMENDED.**

Discussion

01:50:47 Sen. Zinke
01:51:31 Sen. Bales
01:51:42 Sen. Tropila
01:51:51 Ms. Purdy

01:52:05 **Vote:** Motion carried 18-1 by voice vote with Sen. Tropila voting no. Sen. Brendan, Sen. Esp and Sen. Williams voted by proxy.

01:52:25 Sen. Bales
01:52:48 Sen. Gallus
01:53:08 Sen. Bales
01:53:16 Sen. Gallus
01:53:36 Sen. Bales

01:57:26 Sen. Bales

HEARING ON SB 183

Opening Statement by Sponsor:

01:57:55 Sen. Joe Balyeat (R), SD 34, opened the hearing on SB 183, Revise wolf policy.

[EXHIBIT\(fcs59a09\)](#)

[EXHIBIT\(fcs59a10\)](#)

Proponents' Testimony:

02:14:39 Allen Schallenberger, Management and Research Biologist
[EXHIBIT\(fcs59a11\)](#)

02:21:46 Tim Ravndal, Montana Multiple Use Association and himself

02:24:48 Sen. Balyeat

02:25:03 Sen. Bales

Opponents' Testimony:

02:25:39 Chris Smith, Deputy Director, Fish, Wildlife and Parks (FWP)

[EXHIBIT\(fcs59a12\)](#)

02:32:55 Sen. Bales

02:33:04 Chris Tweeten, Department of Justice, Office of the Attorney General

02:40:53 Sen. Bales

02:41:05 Ben Lamb, Montana Wildlife Federation

02:41:32 Janet Ellis, Montana Audubon Society

02:41:46 Jean Johnson, Montana Outfitters and Guides Association

02:42:11 George Harris, Centralized Services Division, Department of Livestock

Informational Testimony:

None

Questions from Committee Members and Responses:

02:46:24 Sen. Laible
02:46:57 Sen. Balyeat
02:49:26 Sen. Laible
02:49:54 Sen. Balyeat
02:50:55 Sen. Bales
02:51:00 Sen. Lewis
02:51:30 Ms. Johnson
02:53:32 Sen. Lewis
02:53:33 Sen. Bales
02:53:38 Sen. Brenden
02:54:35 Mr. Smith, FWP
02:54:43 Sen. Brenden
02:55:10 Mr. Smith
02:55:16 Sen. Brenden
02:55:37 Sen. Barrett
02:57:44 Mr. Smith
02:59:33 Sen. Barrett
03:00:01 Mr. Smith
03:00:20 Sen. Barrett
03:00:38 Mr. Tweeten, DOJ
03:00:50 Sen. Barrett
03:01:05 Mr. Tweeten
03:01:21 Sen. Barrett
03:01:57 Sen. Balyeat
03:02:45 Sen. Balyeat
03:03:07 Sen. Bales
03:03:24 Mr. Smith
03:03:41 Sen. Bales
03:03:47 Mr. Smith
03:04:07 Sen. Bales
03:04:30 Mr. Smith
03:07:10 Sen. Bales
03:07:30 Mr. Smith
03:07:55 Sen. Bales
03:08:25 Mr. Smith
03:09:00 Sen. Bales

Closing by Sponsor:

03:09:07 Sen. Balyeat
03:18:03 Sen. Bales

ADJOURNMENT

Adjournment: 11:23 P.M.

Prudence Gildroy, Secretary

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Additional Documents:

EXHIBIT ([fcs59aad.pdf](#))