

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON FINANCE AND CLAIMS

Call to Order: Chairman Keith Bales, on March 18, 2009 at 8:00
A.M., in Room 317 Capitol

ROLL CALL

Members Present:

Sen. Keith Bales, Chairman (R)
Sen. Dave Lewis, Vice Chairman (R)
Sen. John Brenden (R)
Sen. John Esp (R)
Sen. Ken (Kim) Hansen (D)
Sen. Bob Hawks (D)
Sen. Rick Laible (R)
Sen. Rick Ripley (R)
Sen. David E. Wanzenried (D)
Sen. Ryan Zinke (R)

Members Excused:

Sen. Gregory D. Barkus (R)
Sen. Debby Barrett (R)
Sen. John Brueggeman (R)
Sen. Mike Cooney (D)
Sen. Steven Gallus (D)
Sen. Jim Peterson (R)
Sen. Trudi Schmidt (D)
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: HB 71, 3/13/2009; HB104, 3/13/2009;
HB 97, 3/13/2009; SB 505,
3/13/2009;

Executive Action: SB 303

00:00:02 Sen. Bales

[EXHIBIT](#)(fcs60a01)

EXECUTIVE ACTION ON SB 303

00:04:22 **Motion:** Sen. Wanzenried moved that **SB 303 DO PASS AS AMENDED.**

Discussion:

00:04:40 Sen. Wanzenried

00:05:38 Sen. Bales

00:05:40 Sen. Wanzenried

00:06:41 Sen. Bales

00:06:51 **Motion:** Sen. Ripley moved that **SB 303 BE AMENDED.**

[EXHIBIT](#)(fcs60a02)

Discussion:

00:08:28 Sen. Hawks

00:08:32 Sen. Ripley

00:08:48 Sen. Hawks

00:08:54 Sen. Ripley

00:09:02 Sen. Schmidt

00:09:15 Sen. Ripley

00:09:28 Sen. Wanzenried

00:10:20 Sen. Bales

00:10:32 Sen. Wanzenried

00:10:39 Sen. Tropila

Sen. Gallus, Sen. Brueggeman, Sen. Cooney, Sen.
Williams, Sen. Barkus not present

00:11:08 **Vote:** Motion carried unanimously by voice vote,
present and voting.

00:11:48 **Motion:** Sen. Wanzenried moved that **SB 303 DO PASS AS AMENDED.**

Discussion:

00:11:55 Sen. Ripley
00:12:22 Sen. Bales
00:12:27 Sen. Laible
00:12:54 Sen. Esp
00:13:11 Sen. Bales
00:13:20 Sen. Wanzenried
00:13:56 Sen. Brendan
00:14:21 Sen. Bales
00:14:38 Sen. Brendan
00:14:48 Sen. Bales
00:14:58 Sen. Wanzenried
00:15:28 Sen. Hawks
00:15:54 Sen. Barrett
00:16:28 Sen. Hawks
00:17:02 Sen. Barrett
00:17:28 Sen. Hawks
00:17:45 Sen. Wanzenried
00:18:31 Sen. Peterson
00:20:34 Sen. Ripley
00:21:26 Sen. Zinke

00:21:55 **Vote:** Motion carried 13-1 by voice vote with Sen. Esp
voting no.

00:23:04 Sen. Bales

HEARING ON HB 71

Opening Statement by Sponsor:

00:23:11 Rep. Diane Sands (D), HD 95, opened the hearing on HB
71, Repeal sunset of hospital bed tax.

Proponents' Testimony:

00:26:02 Rep. Julie French
00:27:12 Mike Foster, Wheatland Memorial Hospital, Catholic
Hospitals of Montana
00:29:44 Jane Hamman, representing herself
00:30:54 Ryan Took, Rosebud Healthcare Center

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

00:31:46 Sen. Barrett
00:32:10 Rep. Sands
00:32:26 Taryn Purdy, Legislative Fiscal Division (LFD)
00:33:02 Sen. Zinke
00:34:51 Mr. Foster
00:36:16 Sen. Bales
00:36:17 Bob Olson, Montana Hospital Association
[EXHIBIT \(fcs60a03\)](#)

00:38:16 Sen. Bales

Closing by Sponsor:

00:38:26 Rep. Sands
[EXHIBIT \(fcs60a04\)](#)

00:40:48 Sen. Bales

HEARING ON HB 104

Opening Statement by Sponsor:

00:41:09 Rep. Julie French (D), HD 36, opened the hearing on HB 104, Revise source of funding for pay for state active duty for firefighting.

Proponents' Testimony:

None

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

00:44:20 Sen. Ripley
00:44:28 Rep. French

00:44:41 Sen. Ripley

00:45:03 Rep. French

00:45:26 Sen. Bales

Closing by Sponsor:

00:45:36 Rep. French

00:46:19 Sen. Bales

HEARING ON HB 97

Opening Statement by Sponsor:

00:46:20 Rep. Carlie Boland (D), HD 23, opened the hearing on HB 97, Extend Bond Validating Act.

Proponents' Testimony:

None

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

None

Closing by Sponsor:

00:49:03 Rep. Boland

00:49:16 Sen. Bales

00:49:17 Recess

01:06:16 Reconvene

01:06:33 Sen. Bales

RE-OPEN HEARING ON HB 104

Proponents:

01:06:45 Brigadier General John Walsh, National Guard

Questions from the Committee:

01:08:14 Sen. Ripley
01:08:16 Brigadier General Walsh
01:09:03 Sen. Tropila
01:09:29 Ms. Purdy, LFD
01:09:39 Sen. Ripley
01:10:09 Ms. Purdy

01:10:15 Sen. Bales
01:11:28 Vice-Chairman Lewis

HEARING ON SB 505

Opening Statement by Sponsor:

01:11:43 Sen. Keith Bales (R), SD 20, opened the hearing on SB 505, Temporary permit for CBM water.

[EXHIBIT\(fcs60a05\)](#)

[EXHIBIT\(fcs60a06\)](#)

[EXHIBIT\(fcs60a07\)](#)

Proponents' Testimony:

01:29:50 Bruce Williams, Fidelity Exploration and Production Company

[EXHIBIT\(fcs60a08\)](#)

[EXHIBIT\(fcs60a09\)](#)

01:35:51 Todd O'Hair, Rio Tinto Energy American Inc. (RTEA) and Spring Creek Coal Company (SCCC)
01:41:34 Jay Bodner, Montana Stockgrowers Association
01:43:37 Mike Murphy, Montana Water Resources Association and for John Youngberg, Montana Farm Bureau Federation
01:44:57 Don Allen, Western Environmental Trade Association
01:46:26 John Metropoulos, Fidelity Exploration and Production Company

01:51:16 Vice-Chair Lewis

Opponents' Testimony:

01:51:33 Brenda Lindlief-Hall, Tongue River Water Users
Association
02:02:44 Beth Kaeding, Chair, Northern Plains Resource Council
02:07:51 Art Hayes, President, Brown Cattle Company and Tongue
River Water Users
02:11:53 Doug McRae, Rancher
02:13:26 John Hamilton, Rancher, Tongue River Water Users
Association
02:19:44 Quint McRae, Rancher
02:23:31 Julia Page, Northern Plains Resource Council

[EXHIBIT\(fcs60a10\)](#)

[EXHIBIT\(fcs60a11\)](#)

02:29:36 Kyla Wiens, Montana Environmental Information Center

Informational Testimony:

02:30:42 John Tubbs, Department of Natural Resources (DNRC)
02:30:59 Tom Richmond, Board of Oil and Gas

Questions from Committee Members and Responses:

02:31:23 Sen. Hansen
02:32:35 Mr. Bodner
02:33:35 Sen. Hawks
02:34:29 Ms. Lindlief-Hall
02:36:13 Sen. Wanzenried
02:36:44 Mr. Williams
02:37:12 Sen. Wanzenried
02:37:13 Mr. Williams
02:37:59 Sen. Wanzenried
02:38:19 Mr. Williams
02:39:14 Sen. Wanzenried
02:39:18 Mr. Williams
02:39:53 Sen. Wanzenried
02:40:10 Mr. Williams
02:40:51 Sen. Wanzenried
02:41:17 Mr. Williams
02:42:19 Sen. Wanzenried
02:42:36 Sen. Bales
02:44:23 Sen. Wanzenried
02:44:41 Sen. Bales
02:46:17 Sen. Wanzenried
02:46:51 Sen. Bales
02:47:34 Sen. Wanzenried
02:47:58 Sen. Bales
02:49:23 Sen. Brendan

SENATE COMMITTEE ON FINANCE AND CLAIMS

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02:50:17 Ms. Kaeding
02:50:29 Sen. Brendan
02:51:09 Quint McRae
02:51:25 Sen. Brendan
02:51:33 Quint McRae
02:53:06 Sen. Brendan
02:53:19 Quint McRae
02:53:29 Sen. Brendan
02:54:07 Sen. Bales
02:54:36 Sen. Brendan
02:54:54 Sen. Bales
02:55:05 Sen. Brendan
02:55:20 Sen. Bales
02:56:29 Sen. Brendan
02:56:46 Mr. Williams
02:57:52 Sen. Brendan
02:58:29 Mr. Williams
02:59:56 Sen. Brendan
03:00:06 Mr. Williams
03:00:11 Sen. Brendan
03:00:26 Mr. Williams
03:00:56 Sen. Brendan
03:01:14 Mr. Williams
03:01:49 Sen. Brendan
03:02:15 Mr. Williams
03:03:10 Sen. Brendan
03:03:47 Sen. Lewis
03:03:48 Sen. Brendan
03:03:57 Mr. Williams
03:04:24 Sen. Laible
03:04:47 Mr. Williams
03:05:43 Sen. Laible
03:06:43 Mr. Williams
03:08:30 Sen. Laible
03:09:20 Mr. Williams
03:10:52 Sen. Laible
03:11:11 Mr. Williams
03:11:46 Sen. Laible
03:12:19 Mr. Williams
03:13:44 Sen. Laible
03:13:50 Sen. Lewis
03:13:55 Sen. Ripley
03:14:36 Ms. Page
03:14:47 Sen. Ripley
03:14:58 Ms. Page
03:15:18 Sen. Ripley
03:15:39 Ms. Page
03:16:13 Sen. Lewis
03:16:18 Sen. Hawks
03:18:02 Mr. Hayes

03:21:06 Sen. Hawks
 03:21:46 Mr. Hayes
 03:22:31 Sen. Hawks
 03:23:37 Ms. Lindlief-Hall
 03:25:53 Sen. Lewis
 03:26:00 Sen. Schmidt
 03:26:19 Ms. Lindlief-Hall
 03:28:27 Sen. Schmidt
 03:29:28 Mr. Williams
 03:32:15 Sen. Schmidt
 03:32:55 Sen. Bales
 03:34:45 Sen. Schmidt
 03:34:52 Sen. Bales
 03:36:24 Sen. Schmidt
 03:36:46 Mr. Hayes
 03:38:52 Sen. Lewis
 03:38:57 Sen. Tropila
 03:39:47 Mr. Williams
 03:40:16 Sen. Tropila
 03:41:13 Mr. Williams
 03:43:03 Sen. Tropila
 03:43:57 Mr. Murphy
 03:44:45 Sen. Tropila
 03:45:17 Mr. Murphy
 03:46:17 Sen. Tropila
 03:46:35 Mr. Tubbs, DNRC
 03:46:50 Sen. Tropila
 03:47:00 Mr. Tubbs
 03:47:37 Sen. Tropila
 03:47:43 Mr. Tubbs
 03:48:05 Sen. Tropila
 03:48:34 Mr. Tubbs
 03:48:43 Mr. Murphy
 03:49:33 Sen. Schmidt
 03:49:40 Mr. Tubbs
 03:51:05 Sen. Schmidt
 03:51:22 Mr. Tubbs
 03:53:51 Sen. Lewis

Closing by Sponsor:

03:54:00 Sen. Bales
 04:03:33 Vice-Chair Lewis

ADJOURNMENT

Adjournment: 12:08 P.M.

Prudence Gildroy, Secretary

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Additional Documents:

EXHIBIT ([fcs60aad.pdf](#))