

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON FINANCE AND CLAIMS

Call to Order: Chairman Keith Bales, on March 19, 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. Debby Barrett (R)
Sen. John Brenden (R)
Sen. Mike Cooney (D)
Sen. John Esp (R)
Sen. Ken (Kim) Hansen (D)
Sen. Bob Hawks (D)
Sen. Rick Ripley (R)
Sen. David E. Wanzenried (D)
Sen. Ryan Zinke (R)

Members Excused:

Sen. Gregory D. Barkus (R)
Sen. John Brueggeman (R)
Sen. Steven Gallus (D)
Sen. Rick Laible (R)
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 127, 3/13/2009; HB 128,
3/13/2009; HB 112, 3/13/2009;
HB 158, 3/13/2009

Executive Action: SB 245; SB 183; SB 291; SB 466; SB
63; SB 217; SB 309; SB 307; SB 505

00:00:46 Chairman Bales

HEARING ON HB 127

Opening Statement by Sponsor:

00:01:29 Rep. Jon Sesso (D), HD 76, opened the hearing on HB
127, Provide for proceeds from military sales.

Proponents' Testimony:

00:04:19 Brigadier General John Walsh, Adjutant General for the
State of Montana

[EXHIBIT\(fcs61a01\)](#)

Opponents' Testimony:

None

Informational Testimony:

00:06:54 Lt. Col. Frank Little, Montana National Guard

Questions from Committee Members and Responses:

00:11:48 Sen. Brendan
00:12:06 Lt. Col. Little
00:12:32 Sen. Brendan
00:12:41 Lt. Col. Little
00:12:47 Brigadier General John Welsh
00:13:30 Chairman Bales
00:13:42 Lt. Col. Little
00:14:07 Chairman Bales

Closing by Sponsor:

00:14:13 Rep. Sesso

00:15:49 Chairman Bales

HEARING ON HB 128

Opening Statement by Sponsor:

00:16:04 Rep. Jon Sesso (D), HD 76, opened the hearing on HB 128, Revise appropriations for aerospace and technology projects.

Proponents' Testimony:

00:20:44 Vanessa Clark, Great Falls and Helena Chambers of Commerce

[EXHIBIT\(fcs61a02\)](#)

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

00:23:01 Sen. Lewis
00:23:12 Rep. Sesso
00:24:57 Sen. Lewis
00:25:20 Rep. Sesso
00:26:11 Sen. Lewis
00:26:19 Chairman Bales
00:26:34 Sen. Laible
00:27:18 Rep. Sesso
00:27:22 Sen. Laible
00:27:27 Rep. Sesso
00:28:25 Sen. Laible
00:28:34 Taryn Purdy, Legislative Fiscal Division (LFD)
00:29:03 Sen. Laible
00:29:29 Rep. Sesso
00:31:10 Rep. Laible
00:31:20 Chairman Bales
00:31:34 Rep. Sesso
00:32:35 Chairman Bales
00:32:51 Ms. Purdy, LFD
00:33:24 Chairman Bales
00:33:35 Ms. Purdy
00:34:16 Chairman Bales

Closing by Sponsor:

00:34:24 Rep. Sesso

00:35:04 Chairman Bales

HEARING ON HB 112

Opening Statement by Sponsor:

00:35:09 Rep. Jon Sesso (D), HD 76, opened the hearing on HB 112, Amend threshold for Legislative Finance review of budget change documents.

Proponents' Testimony:

None

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

00:38:10 Sen. Cooney

00:38:49 Rep. Sesso

00:38:56 Sen. Cooney

00:38:58 Rep. Sesso

Closing by Sponsor:

00:39:31 Rep. Sesso

00:39:39 Chairman Bales

HEARING ON HB 158

Opening Statement by Sponsor:

00:39:57 Rep. Shannon Augare (D), HD 16, opened the hearing on HB 158, Tribal eligibility for economic development loans.

Proponents' Testimony:

00:43:25 Lesa Evers, Governor's Office of Economic Development
[EXHIBIT\(fcs61a03\)](#)

00:47:27 Mike Pichette, Northwestern Energy
00:48:03 Quinn Ness, Montana Department of Commerce (COM)
[EXHIBIT\(fcs61a04\)](#)

00:48:34 Heather Sobrepena-George, State Tribal Economic
Development Commission
[EXHIBIT\(fcs61a05\)](#)

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

00:51:09 Sen. Hawks
00:51:49 Ms. Evers
00:51:56 Sen. Hawks
00:52:39 Mr. Ness, COM
00:53:44 Sen. Laible
00:54:11 Mr. Ness
00:54:27 Sen. Laible
00:54:50 Mr. Ness
00:55:41 Sen. Laible
00:56:03 Mr. Ness
00:56:10 Chairman Bales
00:56:32 Mr. Ness
00:57:06 Chairman Bales
00:57:58 Mr. Ness
00:59:28 Chairman Bales

Closing by Sponsor:

00:59:35 Rep. Augere

01:00:15 Chairman Bales
01:00:50 Sen. Schmidt
01:00:54 Chairman Bales
01:02:23 Sen. Schmidt
01:02:26 Chairman Bales

01:03:38 Chairman Bales
 01:03:57 Recess
 01:17:58 Reconvene

 01:18:24 Chairman Bales
 01:19:53 Sen. Balyeat
 01:23:14 Clayton Schenck, Legislative Fiscal Analyst (LFA)
 01:36:58 Sen. Hawks
 01:37:18 Mr. Schenck, LFA
 01:38:21 Sen. Laible
 01:39:21 Mr. Clayton
 01:39:28 Sen. Liabile
 01:40:17 Ms. Fox, Executive Director, Legislative Services
 Division (LSD)
 01:41:24 Sen. Liabile
 01:42:08 Ms. Fox, LSD
 01:42:21 Sen. Liabile
 01:43:02 Ms. Fox
 01:43:33 Sen. Laible
 01:44:02 Ms. Fox
 01:44:12 Sen. Laible
 01:44:36 Sen. Barrett
 01:45:04 Ms. Fox
 01:45:07 Sen. Wanzenried
 01:45:54 Mr. Schenck
 01:46:44 Sen. Wanzenried
 01:47:13 Mr. Schenck
 01:47:19 Sen. Wanzenried
 01:47:34 Sen. Wanzenried
 01:47:45 Sen. Balyeat
 01:51:00 Vice-Chair Lewis
 01:51:02 Sen. Laible
 01:51:51 Ms. Fox
 01:53:09 Sen. Hawks
 01:53:15 Vice-Chair Lewis
 01:53:37 Sen. Balyeat
 01:55:04 Vice-Chair Lewis

EXECUTIVE ACTION ON SB 245

Motion: Sen. Barkus moved **SB 245 DO PASS.**

Motion: Sen. Barkus moved that **SB 245 BE AMENDED.**
EXHIBIT(fcs61a06)

Discussion:

01:56:46 Sen. Cooney

01:56:52 Sen. Balyeat
 01:57:45 Sen. Wanzenried
 01:57:51 Vice-Chair Lewis
 01:58:15 Sen. Williams
 01:58:52 Sen. Balyeat
 01:59:33 Sen. Williams
 01:59:43 Sen. Balyeat
 02:01:19 Vice-Chair Lewis

02:01:25 **Vote:** Motion carried unanimously by voice vote,
 present and voting.

02:01:35 **Motion:** Sen. Barkus moved that **SB 245 DO PASS AS
 AMENDED.**

Discussion:

02:01:43 Sen. Wanzenried
 02:02:25 Vice-Chair Lewis
 02:03:30 Sen. Wanzenried
 02:03:59 Amy Sassano, Governor's Budget Office
 02:04:32 Sen. Wanzenried
 02:05:26 Sen. Laible
 02:06:54 Ms. Sassano
 02:09:08 Sen. Laible
 02:09:16 Sen. Hawks
 02:10:16 Vice-Chair Lewis
 02:10:25 Sen. Barkus
 02:11:34 Vice-Chair Lewis

Sen. Bales, Sen. Barrett, Sen. Cooney, Sen. Gallus,
 Sen. Schmidt, Sen. Tropila, Sen. Williams, and Sen.
 Zinke not present

02:11:38 **Vote:** Motion carried 10-9 by roll call vote with Sen.
 Brueggeman, Sen. Cooney, Sen. Gallus, Sen. Hansen, Sen.
 Hawks, Sen. Schmidt, Sen. Tropila, Sen. Wanzenried, and
 Sen. Williams voting no. Sen. Barrett, Sen. Cooney,
 Sen. Gallus, Sen. Schmidt, Sen. Tropila, Sen. Williams,
 Sen. Zinke, and Sen. Bales voted by proxy.

EXECUTIVE ACTION ON SB 183

02:13:30 **Motion:** Sen. Brenden moved that **SB 183 DO PASS.**

Discussion:

02:14:28 Sen. Hawks
02:15:09 Sen. Barrett
02:16:05 Sen. Barkus
02:16:33 Sen. Hawks
02:17:13 Sen. Barkus
02:17:17 Vice Chair Lewis

Sen. Bales, Sen. Gallus, Sen. Tropila, Sen. Williams
and Sen. Zinke not present

02:17:30 **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. Gallus, Sen. Tropila, Sen.
Williams, Sen. Zinke, and Sen. Bales voted by proxy.

02:18:33 Sen. Lewis

EXECUTIVE ACTION ON SB 291

02:18:50 **Motion:** Sen. Peterson moved that **SB 291 DO PASS.**

Discussion:

02:19:15 Sen. Hansen
02:22:05 Sen. Brueggeman
02:23:00 Sen. Peterson
02:23:25 Sen. Brendan
02:24:02 Sen. Hawks
02:24:48 Vice-Chair Lewis
02:25:06 Sen. Hawks
02:25:26 Vice-Chair Lewis
02:25:28 Sen. Laible
02:26:12 Sen. Brendan

Sen. Bales, Sen. Gallus and Sen. Tropila not present

02:26:15 **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. Bales, Sen. Gallus and Sen.
Tropila voted by proxy.

EXECUTIVE ACTION ON SB 466

02:27:23 **Motion:** Sen. Brueggeman moved that **SB 466 DO PASS.**

02:28:01 Vice-Chair Lewis

02:28:45 **Motion:** Sen. Lewis moved that **SB 466 BE AMENDED.**
EXHIBIT(fcs61a07)

02:28:57 **Vote:** Motion carried unanimously by voice vote,
present and voting.

02:28:59 **Motion/Vote:** Sen. Brueggeman moved that **SB 466 DO PASS**
AS AMENDED. Motion carried 14-2 by voice vote,
present and voting. Sen. Esp and Sen. Barrett voted no.

EXECUTIVE ACTION ON SB 63

2:29:48 **Motion:** Sen. Laible moved that **SB 63 DO PASS.**

02:30:01 **Motion/Vote:** Sen. Laible moved that **SB 63 BE AMENDED.**
Motion carried unanimously by voice vote, present and
voting.
EXHIBIT(fcs61a08)

02:31:37 **Motion:** Sen. Laible moved that **SB 63 DO PASS AS**
AMENDED.

Discussion:

02:31:45 Sen. Esp
02:32:46 Sen. Wanzenried
02:32:58 Sen. Laible
02:33:10 Sen. Hansen
02:34:26 Vice-Chair Lewis

Sen. Bales, Sen. Gallus, and Sen. Tropila not present

02:34:34 **Vote:** Motion carried 10-9 by roll call vote with Sen.
Bales, Sen. Barkus, Sen. Barrett, Sen. Brenden, Sen.
Esp, Sen. Lewis, Sen. Peterson, Sen. Ripley, and Sen.
Zinke voting no. Sen. Bales, Sen. Gallus and Sen.
Tropila voted by proxy.

EXECUTIVE ACTION ON SB 217

02:37:04 **Motion:** Sen. Barrett moved that **SB 217 DO PASS.**

02:37:20 **Motion/Vote:** Sen. Barrett moved that **SB 217 BE AMENDED.** Motion carried by voice vote, present and voting, with Sen. Cooney and Sen. Wanzenried voting no.
EXHIBIT (fcs61a09)

02:39:11 **Motion:** Sen. Barrett moved that **SB 217 DO PASS AS AMENDED.**

Discussion:

02:39:19 Sen. Hawks
02:39:30 Sen. Barrett
02:40:37 Sen. Zinke not present
02:40:55 Sen. Ripley
02:41:34 Vice-Chair Lewis
02:41:40 Sen. Schmidt
02:41:55 Sen. Barrett
02:42:05 Sen. Schmidt
02:42:12 Sen. Barrett
02:42:43 Sen. Hansen
02:43:05 Sen. Ripley
02:43:14 Vice-Chair Lewis
02:43:31 Sen. Barrett
02:43:53 Ms. Purdy
02:44:34 Sen. Barrett
02:44:41 Ms. Purdy

02:44:44 **Motion:** Sen. Barrett moved that **SB 217 BE AMENDED** conceptually with contingency language.

02:45:42 Ms. Purdy

02:45:47 Sen. Barrett withdrew her motion to amend.

Sen. Bales, Sen. Esp, Sen. Gallus, Sen. Tropila, and Sen. Zinke not present

02:45:54 **Vote:** Motion that **SB 217 DO PASS AS AMENDED** 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. Bales, Sen. Esp, Sen. Gallus, Sen. Tropila, and Sen. Zinke voted by proxy.

02:47:13 Vice-Chair Lewis

EXECUTIVE ACTION ON SB 309

02:47:28 **Motion:** Sen. Cooney moved that **SB 309 DO PASS.**

02:47:41 Vice-Chair Lewis

Discussion:

02:47:46 Sen. Cooney

02:48:35 Vice-Chair Lewis

02:48:53 Ms. Purdy

02:49:27 Vice-Chair Lewis

Sen. Bales, Sen. Esp, Sen. Gallus, Sen. Tropila, and
Sen. Zinke not present

02:49:44 **Vote:** Motion failed 7-12 by roll call vote with Sen.
Cooney, Sen. Gallus, Sen. Hansen, Sen. Hawks, Sen.
Lewis, Sen. Schmidt, Sen. Williams voting aye. Sen.
Bales, Sen. Esp, Sen. Gallus, Sen. Tropila and Sen.
Zinke voted by proxy.

02:50:57 **Motion:** Sen. Barkus moved **TO TABLE THE BILL AND
REVERSE THE VOTE.** The motion carried.

02:51:24 Sen. Wanzenried

02:51:34 Vice-Chair Lewis

02:51:55 Sen. Wanzenried

02:52:10 Vice-Chair Lewis

02:52:22 Sen. Wanzenried

02:52:39 Vice-Chair Lewis

02:52:45 Ms. Purdy

02:53:14 Recess

03:14:54 Reconvene

EXECUTIVE ACTION ON SB 505

03:14:59 **Motion:** Sen. Bales moved that **SB 505 DO PASS.**

03:15:11 **Motion:** Sen. Bales moved that **SB 505 BE AMENDED.**
EXHIBIT (fcs61a10)

Discussion:

03:15:17 Chairman Bales

03:16:26 **Vote:** Motion carried unanimously, present and voting.

03:16:36 **Motion:** Sen. Bales moved that **SB 505 DO PASS AS AMENDED.**

03:16:43 Chairman Bales

Discussion:

03:18:40 Vice-Chair Lewis

03:18:46 Sen. Wanzenried

03:19:19 Chairman Bales

03:21:03 Sen. Wanzenried

03:21:41 Chairman Bales

03:22:48 Sen. Wanzenried

03:23:11 Chairman Bales

03:24:23 Vice-Chair Lewis

03:24:26 Sen. Schmidt

03:25:10 Sen. Hawks

03:26:11 Sen. Brendan

03:29:01 Vice Chair Lewis

03:29:09 Chairman Bales

Sen. Barkus, Sen. Brueggeman, Sen. Gallus, Sen. Peterson, Sen. Tropila, Sen. Williams and Sen. Zinke not present

03:31:33 **Vote:** Motion carried 12-7 by roll call vote with Sen. Cooney, Sen. Gallus, Sen. Hawks, Sen. Schmidt, Sen. Tropila, Sen. Wanzenried, and Sen. Williams voting no. Sen. Barkus, Sen. Brueggeman, Sen. Gallus, Sen. Peterson, Sen. Tropila, Sen. Williams and Sen. Zinke voted by proxy.

03:32:47 Chairman Bales

03:33:35 Sen. Wanzenried

03:33:49 Sen. Schmidt

03:34:03 Chairman Bales

03:36:18 Sen. Schmidt

03:36:24 Chairman Bales

ADJOURNMENT

Adjournment: 11:40 P.M.

Prudence Gildroy, Secretary

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Additional Documents:

EXHIBIT ([fcs61aad.pdf](#))