

MINUTES

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

Call to Order: Chairman Keith Bales, on April 8, 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. Gregory D. Barkus (R)
Sen. Debby Barrett (R)
Sen. John Brenden (R)
Sen. John Brueggeman (R)
Sen. Mike Cooney (D)
Sen. John Esp (R)
Sen. Steven Gallus (D)
Sen. Ken (Kim) Hansen (D)
Sen. Bob Hawks (D)
Sen. Rick Laible (R)
Sen. Jim Peterson (R)
Sen. Rick Ripley (R)
Sen. Trudi Schmidt (D)
Sen. Mitch Tropila (D)
Sen. David E. Wanzenried (D)
Sen. Carol Williams (D)
Sen. Ryan Zinke (R)

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 676; HB 258; HB 5; HB 10; HB 645

00:00:00 Chairman Bales
 00:01:16 Sen. Cooney
 00:01:47 Chairman Bales
 00:04:21 Sen. Cooney
 00:04:51 Chairman Bales
 00:05:46 Sen. Cooney
 00:05:57 Chairman Bales
 00:06:39 Sen. Cooney
 00:06:43 Sen. Hawks
 00:07:00 Chairman Bales
 00:07:34 Sen. Hawks
 00:07:43 Chairman Bales
 00:08:48 Sen. Esp
 00:09:05 Sen. Wanzenried
 00:09:17 Chairman Bales
 00:11:39 Sen. Wanzenried
 00:11:58 Chairman Bales
 00:12:22 Sen. Esp
 00:13:22 Chairman Bales
 00:13:34 Sen. Wanzenried
 00:13:49 Chairman Bales
 00:14:25 Sen. Wanzenried
 00:14:48 Chairman Bales
 00:15:14 Sen. Wanzenried
 00:15:24 Chairman Bales
 00:15:47 Sen. Wanzenried
 00:15:52 Chairman Bales
 00:17:04 Sen. Williams
 00:17:40 Chairman Bales
 00:18:37 Sen. Williams
 00:19:18 Chairman Bales
 00:19:29 Sen. Williams
 00:19:52 Chairman Bales

EXECUTIVE ACTION ON HB 676

00:21:56 **Motion:** Sen. Esp moved that **HB 676 BE CONCURRED IN AS AMENDED.**

00:22:15 **Motion:** Sen. Lewis moved that **HB 676 BE AMENDED.**
EXHIBIT (fcs77a01)

Discussion:

00:22:33 Sen. Lewis
 00:23:38 Sen. Schmidt
 00:24:04 Lois Steinbeck, Legislative Fiscal Division (LFD)
 00:25:42 Sen. Schmidt
 00:25:43 Ms. Steinbeck, LFD
 00:26:23 Sen. Wanzenried
 00:26:42 Ms. Steinbeck
 00:27:27 Sen. Wanzenried
 00:27:38 Ms. Steinbeck
 00:27:50 Sen. Wanzenried
 00:27:58 Sen. Lewis

00:28:40 **Vote:** Motion carried 17-2 by roll call vote with Sen. Gallus and Sen. Hansen voting no.

00:29:42 **Motion:** Sen. Bales moved **TO AMEND HB 676.**

EXHIBIT(fcs77a02)

Discussion:

00:30:21 Sen. Esp
 00:31:07 Sen. Zinke
 00:31:12 Sen. Schmidt
 00:31:31 Jim Standaert, LFD
 00:32:14 Chairman Bales
 00:32:22 Mr. Standaert
 00:32:54 Sen. Schmidt
 00:32:59 Mr. Standaert
 00:33:27 Sen. Hawks
 00:34:08 Mr. Standaert
 00:34:26 Sen. Hawks
 00:34:59 Mr. Standaert
 00:35:26 Sen. Hawks
 00:35:37 Mr. Standaert
 00:35:43 Sen. Hawks
 00:36:13 Mr. Standaert
 00:36:22 Sen. Hawks
 00:36:46 Mr. Standaert
 00:36:56 Sen. Hawks
 00:37:15 Mr. Standaert
 00:37:21 Sen. Hawks
 00:37:51 Mr. Standaert
 00:38:03 Sen. Wanzenried
 00:38:39 Mr. Standaert
 00:39:19 Sen. Wanzenried
 00:39:30 Mr. Standaert
 00:39:38 Chairman Bales

00:39:39 Sen. Schmidt
 00:40:03 Mr. Standaert
 00:40:37 Sen. Schmidt
 00:40:48 Mr. Standaert
 00:41:15 Sen. Schmidt
 00:41:25 Sen. Ripley
 00:42:40 Sen. Cooney
 00:43:36 Sen. Hawks
 00:46:21 Sen. Schmidt
 00:47:32 Sen. Barkus
 00:48:10 Mr. Standaert
 00:48:45 Sen. Wanzenried
 00:49:59 Sen. Esp
 00:52:05 Sen. Williams
 00:52:21 Mr. Standaert
 00:53:00 Chairman Bales
 00:53:14 Sen. Peterson
 00:54:01 Sen. Hansen
 00:54:56 Chairman Bales

00:55:21 **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.

00:56:09 **Motion/Vote:** Sen. Esp moved that **HB 676 BE CONCURRED IN AS AMENDED**. 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.

00:57:08 Chairman Bales
 00:58:15 Sen. Wanzenried
 00:58:26 Chairman Bales
 00:58:31 Sen. Wanzenried
 00:58:44 Chairman Bales

00:59:35 Recess
 01:31:51 Reconvene

01:31:55 Chairman Bales

EXECUTIVE ACTION ON HB 258

01:35:15 **Motion:** Sen. Cooney moved that **HB 258 BE CONCURRED IN**.

01:36:11 **Motion:** Sen. Cooney moved that **HB 258 BE AMENDED**.
EXHIBIT (fcs77a03)

01:36:30 Ms. Purdy, LFD

01:37:05 **Vote:** Motion carried unanimously by voice vote.

01:37:12 **Motion:** Sen. Cooney moved that **HB 258 BE CONCURRED IN AS AMENDED.**

Discussion:

01:37:15 Sen. Cooney

01:37:38 Sen. Lewis

01:38:59 Sen. Hawks

01:39:50 Sen. Cooney

Sen. Gallus, Sen. Peterson and Sen. Wanzenried not present

01:39:56 **Vote:** Motion carried 13-6 by roll call vote with Sen. Bales, Sen. Esp, Sen. Laible, Sen. Lewis, Sen. Ripley, and Sen. Schmidt voting no. Sen. Gallus, Sen. Peterson and Sen. Wanzenried voted by proxy.

EXECUTIVE ACTION ON HB 5

01:42:02 **Motion:** Sen. Lewis moved that **HB 5 BE CONCURRED IN.**

01:42:22 Chairman Bales

01:44:06 **Motion/Vote:** Sen. Barkus moved that **HB 5 BE AMENDED.** Motion carried unanimously by voice vote, present and voting.

EXHIBIT(fcs77a04)

01:45:20 **Motion:** Sen. Zinke moved that **HB 5 BE AMENDED.**

EXHIBIT(fcs77a05)

Discussion:

01:45:41 Sen. Zinke

01:48:11 Sen. Cooney

01:48:34 Sen. Zinke

01:49:05 Sen. Cooney

01:49:17 Cathy Duncan, LFD

01:49:24 Sen. Cooney

01:49:55 Ms. Duncan

01:50:45 Sen. Cooney

01:51:11 Sen. Zinke

01:53:59 Sen. Cooney

01:55:09 Sen. Zinke
 01:55:59 Sen. Williams
 01:57:11 Sen. Hawks
 01:57:49 Sen. Zinke
 02:00:37 Sen. Hawks
 02:01:00 Sen. Cooney
 02:01:53 Sen. Laible

02:02:46 **Vote:** Motion failed 9-10 by roll call vote with Sen. Bales, Sen. Barrett, Sen. Brueggeman, Sen. Gallus, Sen. Laible, Sen. Lewis, Sen. Peterson, Sen. Ripley, and Sen. Zinke voting aye.

02:03:50 **Motion:** Sen. Bales moved that **HB 5 BE AMENDED. EXHIBIT(fcs77a06)**

Discussion:

02:03:53 Chairman Bales
 02:03:59 Ms. Duncan
 02:05:42 Chairman Bales
 02:05:49 Sen. Hawks
 02:05:59 Ms. Duncan
 02:07:46 Chairman Bales

02:07:49 **Vote:** Motion carried unanimously by voice vote, present and voting.

02:07:59 **Motion:** Sen. Barrett moved that **HB 5 BE AMENDED. EXHIBIT(fcs77a07)**

Discussion:

02:08:50 Sen. Cooney
 02:08:53 Sen. Barrett
 02:09:06 Sen. Tropila
 02:03:59 Ms. Duncan
 02:10:01 Sen. Brueggeman
 02:10:05 Sen. Barrett
 02:10:11 Sen. Brueggeman
 02:10:58 Sen. Lewis
 02:11:19 Sen. Brueggeman

02:12:19 **Substitute Motion:** Sen. Brueggeman moved that **HB 5 BE AMENDED STRIKING "\$3,000,000" AND INSERTING "\$5,000,000".**

Discussion:

02:12:21 Sen. Brueggeman
 02:12:56 Sen. Brenden
 02:13:23 Sen. Brueggeman
 02:14:14 Sen. Schmidt
 02:14:17 Sen. Barrett
 02:14:42 Sen. Wanzenried
 02:15:05 Sen. Brueggeman
 02:15:26 Sen. Wanzenried
 02:15:53 Sen. Brueggeman
 02:16:38 Sen. Barkus
 02:17:00 Sen. Barrett
 02:17:26 Sen. Barkus
 02:17:34 Sen. Barrett
 02:17:41 Chairman Bales
 02:17:59 Sen. Barrett
 02:18:28 Sen. Schmidt
 02:18:35 Sen. Barrett
 02:18:40 Chairman Bales
 02:18:46 Sen. Brueggeman

02:19:21 **Vote:** Substitute Motion carried unanimously by voice vote.

02:19:36 **Motion:** Sen. Barkus moved that **HB 5 BE AMENDED.**
EXHIBIT(fcs77a08)

Discussion:

02:20:21 Sen. Tropila

02:20:59 **Vote:** Motion carried unanimously by voice vote, present and voting.

All committee members present

02:21:15 **Motion/Vote:** Sen. Lewis moved that **HB 5 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Sen. Barkus will carry HB 5 in the Senate.

EXECUTIVE ACTION ON HB 10

02:21:56 **Motion:** Sen. Lewis moved that **HB 10 BE CONCURRED IN.**

02:23:14 **Motion:** Sen. Brueggeman moved that **HB 10 BE AMENDED.**
EXHIBIT(fcs77a09)

Discussion:

02:27:16 Sen. Cooney
 02:27:28 Sen. Brueggeman
 02:28:06 Sen. Cooney
 02:28:10 Chairman Bales
 02:28:14 Sen. Wanzenried
 02:28:30 Sen. Brueggeman
 02:28:45 Sen. Wanzenried
 02:28:56 Sen. Brueggeman
 02:29:08 Sen. Schmidt
 02:29:21 Ms. Duncan, LFD
 02:29:41 Sen. Brueggeman

02:30:23 **Vote:** Motion carried unanimously by voice vote.

02:30:36 **Motion:** Sen. Brueggeman moved that **HB 10 BE AMENDED.**
EXHIBIT(fcs77a10)

Discussion:

02:31:17 Sen. Brueggeman
 02:33:03 Sen. Laible
 02:33:52 Sen. Brueggeman
 02:34:26 Sen. Lewis
 02:34:42 Sen. Brueggeman
 02:35:04 Sen. Hawks
 02:35:55 Sen. Wanzenried
 02:36:36 Sen. Brueggeman
 02:37:07 Sen. Wanzenried
 02:37:39 Sen. Brueggeman

Sen. Hansen not present

02:38:29 **Vote:** Motion carried 11-8 by roll call vote with Sen. Bales, Sen. Barkus, Sen. Brenden, Sen. Esp, Sen. Laible, Sen. Lewis, Sen. Peterson, and Sen. Ripley voting no. Sen. Hansen voted by proxy.

02:39:51 **Motion:** Sen. Brueggeman moved that **HB 10 BE AMENDED CONCEPTUALLY TO PROVIDE \$138,000 TO THE DEPARTMENT OF REVENUE TO COMPLETE THEIR ONLINE TRACKER SYSTEM.**

Discussion:

02:40:03 Sen. Brueggeman
 02:42:05 Sen. Laible
 02:43:04 Sen. Brueggeman

02:44:21 **Vote:** Motion failed 8-11 by roll call vote with Sen. Brueggeman, Sen. Cooney, Sen. Gallus, Sen. Hansen, Sen. Hawks, Sen. Schmidt, Sen. Tropila, and Sen. Williams voting aye. Sen. Hansen voted by proxy.

02:45:39 **Motion:** Sen. Lewis moved that **HB 10 BE CONCURRED IN AS AMENDED.**

Discussion:

02:46:00 Sen. Cooney

02:46:29 **Vote:** Motion carried 18-1 by voice vote with Sen. Brenden voting no. Sen. Hansen voted by proxy

02:47:52 Sen. Brenden

02:47:55 Chairman Bales

02:47:59 Recess

02:56:34 Reconvene

All committee members present

EXECUTIVE ACTION ON HB 645

02:57:39 **Motion:** Sen. Esp moved that **HB 645 BE CONCURRED IN.**

Global and Technical Amendments

02:57:44 **Motion:** Sen. Esp moved that **HB 645 BE AMENDED.**
EXHIBIT(fcs77a11)

Discussion:

02:58:52 Pam Joehler, LFD

03:00:38 Sen. Esp

03:00:52 Chairman Bales

03:00:58 Director David Ewer, Office of Budget and Program Planning (OBPP)

03:04:08 Chairman Bales

03:04:11 Amy Carlson, OBPP

EXHIBIT(fcs77a12)

03:09:53 Sen. Lewis

03:10:17 Sen. Esp

03:10:45 Sen. Tropila

03:10:59 Ms. Carlson

03:11:33 Sen. Esp
 03:11:57 Ms. Carlson
 03:14:10 Chairman Bales
 03:14:35 Sen. Tropila
 03:15:09 Sen. Esp
 03:15:33 Chairman Bales
 03:15:39 Sen. Esp
 03:17:18 Chairman Bales
 03:17:53 Sen. Hawks
 03:18:02 Chairman Bales
 03:18:47 Ms. Joehler
 03:19:33 Sen. Hawks
 03:19:53 Sen. Esp
 03:20:26 Ms. Joehler
 03:20:44 Chairman Bales
 03:21:01 Sen. Wanzenried
 03:21:22 Ms. Joehler
 03:22:06 Sen. Wanzenried
 03:22:25 Ms. Joehler
 03:22:34 Sen. Wanzenried
 03:22:44 Chairman Bales
 03:22:49 Sen. Esp
 03:23:12 Ms. Carlson

03:23:23 **Vote:** Motion carried unanimously by voice vote.

03:23:33 **Motion:** Sen. Esp moved that **HB 645 BE CONCURRED IN AS AMENDED.**

Discussion:

03:23:44 Sen. Esp
 03:24:04 Ms. Carlson
 03:24:40 Sen. Esp
 03:24:43 Ms. Purdy

03:25:47 **Motion:** Sen. Esp moved that **HB 645 BE AMENDED.**
EXHIBIT(fcs77a13)

Discussion:

03:26:06 Sen. Esp
 03:26:39 Ms. Carlson

03:27:20 **Vote:** Motion carried unanimously by voice vote.

03:27:28 Sen. Cooney
 03:27:32 Chairman Bales
 03:27:54 Ms. Purdy

03:28:34 Chairman Bales
03:28:51 Sen. Esp
03:30:52 Chairman Bales

03:31:09 **Motion:** Sen. Esp moved that **HB 645 BE AMENDED.**
EXHIBIT(fcs77a14)

Discussion:

03:31:12 Sen. Esp
03:36:35 Chairman Bales
03:36:38 Sen. Zinke
03:37:09 Sen. Esp
03:37:46 Sen. Wanzenried
03:38:05 Sen. Esp
03:39:00 Sen. Wanzenried
03:39:29 Sen. Esp
03:39:56 Sen. Wanzenried
03:40:14 Sen. Esp
03:40:49 Chairman Bales
03:40:53 Sen. Williams
03:41:56 Sen. Esp
03:43:32 Sen. Williams
03:43:47 Sen. Esp
03:44:13 Sen. Williams
03:44:31 Ms. Carlson, OBPP
03:44:33 Sen. Williams
03:44:57 Ms. Carlson
03:45:29 Director Ewer
03:46:32 Chairman Bales
03:47:43 Sen. Zinke
03:48:33 Sen. Esp
03:49:46 Sen. Zinke
03:50:24 Sen. Esp
03:50:48 Sen. Peterson
03:52:20 Sen. Wanzenried
03:52:55 Chairman Bales
03:52:57 Sen. Barkus
03:52:47 Sen. Esp

Sen. Brueggeman, Sen. Peterson, Sen. Ripley, Sen.
Schmidt, Sen. Williams and Sen. Zinke not present

03:54:12 Sen. Hawks
03:55:34 Sen. Esp

Sen. Peterson Sen. Williams now present

03:56:32 Sen. Hawks
03:56:48 Sen. Esp

03:57:15 Sen. Laible
03:58:16 Sen. Wanzenried
Sen. Ripley present

03:59:21 Chairman Bales
03:59:32 Sen. Esp
04:00:03 Director Ewer
04:00:05 Sen. Esp
04:01:02 Director Ewer
04:02:11 Sen. Esp
04:02:36 Chairman Bales

04:02:40 **Substitute Motion:** Sen. Esp moved that **HB 645 BE AMENDED CONCEPTUALLY AT PARAGRAPH 10, LINE 7 STRIKING "DEPARTMENT MAY RETAIN 1/2 PERCENT OF GRANTS" AND INSERT "DEPARTMENT MAY RETAIN 1.25 OF GRANTS TO COUNTIES, CITIES AND TOWNS FOR ADMINISTRATIVE PURPOSES."**

04:03:38 Sen. Laible objected.
04:03:40 Chairman Bales
04:04:07 Sen. Tropila
04:04:45 Director Ewer
04:05:04 Chairman Bales

Sen. Zinke now present

04:05:27 Director Ewer
04:06:30 Sen. Tropila
04:06:55 Director Ewer

04:07:34 **Substitute Motion:** Sen. Esp moved a substitute motion **TO AMEND HB 645 INSERTING "THE DEPARTMENT MAY RETAIN 1.25 PERCENT OF THE AMOUNT OF GRANTS TO COUNTIES, CITIES, TOWNS, TRIBAL GOVERNMENTS AND SCHOOLS FOR ADMINISTRATIVE PURPOSES AND FOR PURPOSES OF COMPLYING WITH SECTION 24 OF HB 645 WHICH IS THE REPORTING AND ACCOUNTABILITY SECTION OF THE BILL."**

Discussion:

04:08:40 Chairman Bales
04:08:45 Sen. Laible
04:09:41 Sen. Esp
04:10:10 Chairman Bales
04:10:13 Sen. Lewis
04:11:28 Chairman Bales
04:11:33 Sen. Peterson

Sen. Brueggeman, Sen. Ripley, Sen. Schmidt and Sen. Williams not present

04:12:42 Sen. Tropila

04:13:15 Sen. Esp

04:13:39 Chairman Bales

04:14:12 Sen. Esp

04:16:26 **Vote:** Motion carried 13-6 by roll call vote with Sen. Brenden, Sen. Cooney, Sen. Hansen, Sen. Hawks, Sen. Schmidt, and Sen. Tropila voting no. Sen. Brueggeman, Sen. Ripley, Sen. Schmidt and Sen. Tropila voted by proxy.

04:16:28 **Motion:** Sen. Esp moved that **HB 645 BE CONCURRED IN AS AMENDED.**

04:16:30 Sen. Esp withdrew his motion

04:16:49 Chairman Bales

04:17:05 Recess 12:22 p.m. until 3:30 p.m.

04:18:00 Reconvene 3:40 p.m.

04:18:02 Vice-Chair Lewis

04:18:08 **Motion:** Sen. Esp moved that **HB 645 BE CONCURRED IN AS AMENDED.**

04:18:20 **Motion:** Sen. Esp moved that **HB 645 BE AMENDED.**
EXHIBIT(fcs77a15)

Discussion:

04:18:26 Sen. Esp

04:18:32 Ms. Purdy, LFD

04:18:41 Sen. Esp

04:20:27 Vice-Chair Lewis

04:20:46 Sen. Esp

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

04:21:09 Vice-Chair Lewis

04:21:17 Sen. Schmidt

04:21:20 Sen. Esp

Sen. Williams now present and Sen. Zinke not present

04:27:16 Sen. Schmidt

Chairman Bales now present

04:27:35 Sen. Esp
04:27:57 Vice-Chair Lewis
04:28:08 Sen. Schmidt
04:28:28 Sen. Esp
04:28:51 Sen. Laible
04:29:14 Sen. Schmidt
04:29:32 Sen. Esp
04:29:57 Sen. Brenden
04:30:36 Sen. Esp
04:30:51 Vice-Chair Lewis
04:30:57 Ms. Purdy
04:31:26 Sen. Hawks
04:32:43 Sen. Esp
04:33:27 Sen. Hawks
04:33:57 Ms. Joehler, LFD
04:34:47 Sen. Hawks
04:34:54 Sen. Esp
04:35:35 Sen. Hawks
04:35:33 Sen. Peterson
04:36:28 Sen. Hawks
04:37:34 Ms. Joehler
04:38:31 Sen. Hawks
04:38:46 Sen. Esp
04:38:57 Sen. Hawks
04:41:18 Sen. Esp
04:43:24 Sen. Hawks
04:44:38 Sen. Esp
04:44:59 Kris Wilkinson, LFD
04:45:22 Sen. Esp
04:45:27 Ms. Wilkinson
04:46:24 Sen. Esp
04:46:39 Ms. Wilkinson
04:46:52 Sen. Esp
04:47:24 Sen. Hawks
04:48:08 Sen. Esp
04:48:36 Sen. Hawks
04:49:19 Vice-Chair Lewis
04:49:33 Ms. Wilkinson
04:50:53 Sen. Hawks
04:51:08 Ms. Wilkinson
04:51:17 Vice-Chair Lewis
04:51:25 Sen. Wanzenried
04:51:45 Sen. Esp
04:51:47 Sen. Wanzenried
04:52:11 Sen. Esp
04:52:40 Sen. Wanzenried
04:53:17 Sen. Esp
04:53:25 Sen. Wanzenried
04:54:06 Sen. Esp
04:54:26 Vice-Chair Lewis

04:54:49 Ms. Purdy
 04:55:13 Sen. Esp
 04:55:29 Sen. Zinke
 04:55:41 Sen. Peterson
 04:56:33 Vice-Chair Lewis
 04:56:34 Sen. Esp
 04:56:48 Sen. Zinke
 04:57:26 Vice-Chair Lewis

04:57:28 **Motion:** Sen. Cooney moved to **SEGREGATE THE
 INTEROPERABILITY PORTION OF THE AMENDMENT, #14, #15,#16
 and #51.**

Discussion:

04:58:18 Sen. Esp
 04:58:39 Sen. Cooney
 04:59:01 Sen. Peterson
 05:00:08 Sen. Schmidt
 05:00:24 Sen. Peterson
 05:00:47 Sen. Schmidt
 05:01:07 Sen. Esp
 05:01:14 Sen. Zinke
 05:02:22 Sen. Schmidt
 05:02:30 Sen. Zinke
 05:02:36 Sen. Esp
 05:02:43 Ms. Purdy
 05:03:22 Sen. Schmidt
 05:03:52 Sen. Esp
 05:04:16 Sen. Schmidt
 05:04:25 Sen. Esp
 05:05:15 Sen. Schmidt
 05:05:23 Sen. Esp
 05:05:25 Sen. Schmidt
 05:05:30 Sen. Esp
 05:06:08 Sen. Hansen
 05:07:01 Sen. Esp
 05:08:30 Vice-Chair Lewis

05:09:03 **Motion:** Sen. Hawks moved that **#43 AND #44 OF THE
 AMENDMENT BE SEGREGATED AND A SEPARATE VOTE TAKEN.**

05:09:37 Sen. Esp
 05:10:07 Vice-Chair Lewis
 05:10:36 Sen. Ripley
 05:11:12 Sen. Esp
 05:11:36 Ms. Purdy
 05:12:22 Sen. Barkus
 05:12:39 Sen. Zinke

05:13:28 Sen. Barkus
 05:13:32 Sen. Zinke
 05:13:48 Vice-Chair Lewis
 05:14:00 Sen. Wanzenried
 05:14:14 Vice-Chair Lewis
 05:14:44 Sen. Wanzenried
 05:15:11 Sen. Esp
 05:16:21 Vice-Chair Lewis
 05:16:28 Ms. Purdy
 05:16:45 Ms. Wilkinson
 05:17:54 Sen. Esp
 05:18:03 Sen. Wanzenried
 05:18:57 Sen. Williams
 05:20:09 Sen. Tropila
 05:21:16 Sen. Esp
 05:21:51 Sen. Tropila
 05:22:09 Sen. Esp
 05:22:19 Sen. Gallus
 05:23:48 Vice-Chair Lewis
 05:24:03 Sen. Esp
 05:25:15 Vice-Chair Lewis

Chairman Bales not present

05:26:29 **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. Bales voted by proxy.

05:26:41 **Motion:** Sen. Esp moved **AMENDMENTS #43 AND #44.**

Discussion:

05:26:58 Sen. Hawks
 05:27:41 Vice-Chair Lewis
 05:27:54 Sen. Laible
 05:28:16 Sen. Wanzenried
 05:29:09 Sen. Barrett
 05:29:37 Vice-Chair Lewis
 05:29:40 Sen. Zinke
 05:31:05 Sen. Cooney
 05:31:13 Sen. Hawks
 05:31:58 Sen. Esp

Sen. Williams not present

05:32:26 **Vote:** Motion carried 10-9 by roll call vote with Sen. Cooney, Sen. Gallus, Sen. Hansen, Sen. Hawks, Sen. Schmidt, Sen. Tropila, Sen. Wanzenried, Sen. Williams, and Sen. Zinke voting no. Sen. Bales and Sen. Williams voted by proxy.

05:33:41 Vice-Chair Lewis

05:34:59 **Motion:** Sen. Esp moved **AMENDMENTS #14, #15, #16 AND #51 WHICH WOULD ELIMINATE \$1 MILLION IN GENERAL FUND APPROPRIATION FOR INTEROPERABILITY.**

05:35:00 Vice-Chair Lewis clarified a no vote would fund interoperability and a yes vote would eliminate the funding.

Discussion:

05:34:03 Sen. Cooney

05:36:36 Sen. Esp

05:36:58 **Vote:** Motion failed 8-11 by roll call vote with Sen. Bales, Sen. Barkus, Sen. Barrett, Sen. Brenden, Sen. Esp, Sen. Laible, Sen. Lewis, and Sen. Ripley voting aye. Sen. Bales voted by proxy.

05:38:35 Sen. Esp

05:38:40 Ms. Purdy

05:39:24 **Motion:** Sen. Esp moved that **HB 645 BE AMENDED.**
EXHIBIT(fcs77a16)

Discussion:

05:39:43 Ms. Purdy

05:40:55 **Vote:** Motion carried by voice vote, present and voting, with Sen. Wanzenried voting no. Sen. Ripley voted by proxy.

05:41:10 **Motion:** Sen. Peterson moved that **HB 645 BE AMENDED.**
EXHIBIT(fcs77a17)

05:42:19 Sen. Hawks

05:43:03 Vice-Chair Lewis

05:43:10 Ms. Purdy

05:44:10 Sen. Hawks

05:44:30 Sen. Peterson

05:44:35 Ms. Joehler

05:45:41 Vice-Chair Lewis
05:45:43 Sen. Peterson
05:45:56 Ms. Joehler
05:46:03 Sen. Hawks
05:46:35 Sen. Peterson
05:47:08 Sen. Schmidt
05:47:36 Ms. Joehler
05:48:19 Sen. Schmidt
05:48:36 Ms. Joehler
05:49:06 Sen. Schmidt
05:49:18 Ms. Joehler
05:49:31 Sen. Brenden
05:50:14 Vice-Chair Lewis
05:50:21 Sen. Hawks
05:51:41 Sen. Peterson

Sen. Gallus and Sen. Tropila not present

05:52:26 **Vote:** Motion carried 15-4 by roll call vote with Sen. Cooney, Sen. Gallus, Sen. Schmidt, and Sen. Tropila voting no. Sen. Gallus and Sen. Tropila voted by proxy.

05:53:34 Chairman Bales

05:53:41 **Motion:** Sen. Brueggeman moved that **HB 645 BE AMENDED. EXHIBIT(fcs77a18)**

Discussion:

05:55:51 Sen. Barkus
05:56:39 Chairman Bales
05:57:20 Sen. Brueggeman
05:58:38 Chairman Bales
05:59:26 Sen. Esp
05:59:43 Chairman Bales

Sen. Peterson and Sen. Williams not present

05:59:50 **Vote:** Motion carried by voice vote, present and voting with Sen. Bales voting no. Sen. Gallus voted by proxy.

06:00:42 **Motion:** Sen. Lewis moved that **HB 645 BE AMENDED. EXHIBIT(fcs77a19)**

Discussion:

06:01:49 Chairman Bales
06:01:55 Sen. Lewis

06:04:25 Sen. Tropila

06:04:53 Sen. Lewis

Sen. Esp not present

06:05:07 **Vote:** Motion carried by voice vote, present and voting.
Sen. Gallus voted by proxy.

Global and Technical Amendments

06:05:26 **Motion:** Sen. Brueggeman moved that **HB 645 BE AMENDED.**
EXHIBIT(fcs77a20)

Discussion:

06:09:33 Chairman Bales

06:09:42 Sen. Brueggeman

06:10:08 Chairman Bales

06:10:17 Sen. Lewis

06:11:10 Sen. Esp

06:11:31 Barbara Smith, LFD

06:11:52 Sen. Ripley

06:12:10 Ms. Smith

06:12:17 Sen. Brueggeman

Sen. Gallus, Sen. Hawks and Sen. Zinke not present

06:12:43 **Vote:** Motion carried by voice vote, present and voting.
Sen. Gallus voted by proxy.

06:13:01 Sen. Laible

06:13:05 Chairman Bales

06:13:11 **Motion:** Sen. Esp moved that **HB 645 BE AMENDED.**
EXHIBIT(fcs77a21)

Discussion:

06:13:14 Sen. Esp

06:14:42 **Vote:** Motion carried by voice vote, present and voting,
with Sen. Ripley voting no. Sen. Gallus and Sen. Ripley
voted by proxy.

06:15:02 Sen. Zinke

06:15:17 Chairman Bales

06:15:19 **Motion:** Sen. Zinke moved a conceptual amendment to insure under OCHE that there is Virtual Academy funding at 2.0 million and Distance Learning at 2.0 million as separate line items.

Discussion:

06:16:06 Ms. Purdy
 06:16:31 Sen. Zinke
 06:16:44 Ms. Purdy
 06:16:52 Ms. Wilkinson
 06:17:07 Chairman Bales
 06:17:16 Ms. Purdy
 06:17:23 Chairman Bales
 06:17:29 Ms. Purdy
 06:17:32 Sen. Laible
 06:17:51 Sen. Zinke
 06:18:17 Sen. Laible
 06:18:17 Chairman Bales

Sen. Esp, Sen. Gallus and Sen. Lewis not present

06:18:21 **Vote:** Motion carried by voice vote, present and voting.

06:18:35 Sen. Laible

Section A - General Government

06:19:24 **Motion:** Sen. Laible moved that **HB 645 BE AMENDED.**
EXHIBIT(fcs77a22)

Discussion:

06:19:43 Sen. Laible

06:20:14 **Vote:** Motion carried by voice vote, present and voting.
 Sen. Gallus voted by proxy.

06:20:32 **Motion:** Sen. Esp moved that **HB 645 BE AMENDED.**
EXHIBIT(fcs77a23)

Discussion:

06:20:35 Sen. Esp
 06:21:28 Chairman Bales
 06:21:34 Sen. Schmidt
 06:21:43 Sen. Esp
 06:21:48 Sen. Schmidt
 06:22:06 Sen. Laible

06:22:53 Sen. Hawks
 06:23:48 Sen. Zinke
 06:24:10 Sen. Hawks
 06:24:26 Sen. Esp
 06:24:53 Sen. Lewis
 06:25:04 Sen. Esp
 06:25:39 Sen. Brenden
 06:25:55 Sen. Esp

06:26:01 **Vote:** Motion carried 11-8 by roll call vote with Sen. Bales, Sen. Barkus, Sen. Barrett, Sen. Brenden, Sen. Lewis, Sen. Peterson, Sen. Ripley, and Sen. Zinke voting no. Sen. Gallus voted by proxy.

06:28:15 Sen. Peterson
 06:28:43 Chairman Bales

06:29:09 **Motion:** Sen. Peterson moved that **HB 645 BE AMENDED. EXHIBIT(fcs77a24)**

Discussion:

06:29:45 Sen. Schmidt
 06:29:51 Sen. Hansen
 06:30:30 Sen. Schmidt
 06:30:35 Sen. Hansen
 06:31:01 Sen. Laible
 06:31:16 Sen. Hansen
 06:31:41 Sen. Laible
 06:31:46 Sen. Zinke
 06:32:19 Sen. Tropila
 06:32:29 Chairman Bales

06:32:36 **Vote:** motion carried by voice vote, present and voting. Sen. Gallus voted by proxy.

06:32:49 **Motion:** Sen. Tropila moved that **HB 645 BE AMENDED. EXHIBIT(fcs77a25)**

Discussion:

06:34:28 Sen. Tropila
 06:35:39 Chairman Bales
 06:35:43 Sen. Zinke
 06:35:47 Sen. Tropila
 06:36:19 Sen. Laible

06:37:53 **Vote:** Motion carried 12-7 by roll call vote with Sen. Bales, Sen. Barrett, Sen. Brenden, Sen. Esp, Sen. Laible, Sen. Lewis and Sen. Peterson voting no. Sen. Gallus voted by proxy.

06:37:58 **Motion:** Sen. Zinke moved that **HB 645 BE AMENDED.**
EXHIBIT(fcs77a26)

Discussion:

06:38:58 Sen. Zinke
06:39:57 Sen. Laible
06:40:27 Sen. Zinke
06:40:28 Chairman Bales
06:40:32 Ms. Purdy
06:40:40 Sen. Williams
06:41:02 Sen. Zinke
06:42:19 Sen. Williams
06:42:46 Sen. Zinke
06:43:28 Sen. Lewis
06:44:26 Sen. Zinke withdrew his motion.
06:45:03 Chairman Bales

06:45:35 **Motion/Vote:** Sen. Peterson moved **TO CLOSE SECTION A.**
Motion carried 17-1 by voice vote with Sen. Wanzenried voting no.

Section B - Health and Human Services:

06:46:03 **Motion:** Sen. Lewis moved that **HB 645 BE AMENDED.**
EXHIBIT(fcs77a27)

Discussion:

06:47:39 Sen. Lewis
06:48:14 Sen. Brenden
06:48:24 Chairman Bales
06:48:31 Sen. Lewis

06:48:38 **Vote:** Motion carried unanimously by voice vote. Sen. Gallus voted by proxy.

06:48:49 **Motion:** Sen. Wanzenried moved that **HB 645 BE AMENDED.**
EXHIBIT(fcs77a28)

Discussion:

06:49:26 Lois Steinbeck, LFD
06:50:22 Sen. Esp

06:50:37 Ms. Steinbeck
 06:50:44 Sen. Esp
 06:50:59 Ms. Steinbeck
 06:51:55 Sen. Esp
 06:51:57 Sen. Lewis
 06:52:42 Ms. Steinbeck
 06:53:04 Chairman Bales

06:53:09 Sen. Lewis
 06:53:50 Sen. Wanzenried

06:53:57 **Vote:** Motion failed 6-13 by roll call vote with Sen. Gallus, Sen. Hansen, Sen. Hawks, Sen. Tropila, Sen. Wanzenried, and Sen. Williams voting aye. Sen. Gallus voted by proxy.

06:55:46 **Motion:** Sen. Wanzenried moved that **HB 645 BE AMENDED. EXHIBIT (fcs77a29)**

Discussion:

06:56:39 Sen. Esp
 06:57:07 Sen. Wanzenried

06:57:13 Marilyn Daumiller, LFD
 06:59:15 Sen. Esp

06:59:31 **Vote:** Motion carried unanimously by voice vote. Sen. Gallus voted by proxy.

06:59:40 **Motion:** Sen. Brueggeman moved that **HB 645 BE AMENDED. EXHIBIT (fcs77a30)**

Discussion:

07:00:25 Sen. Brueggeman
 07:02:53 Chairman Bales
 07:03:00 Sen. Esp
 07:03:56 Sen. Lewis
 07:04:33 Sen. Brenden
 07:06:15 Vice Chair Lewis
 07:06:22 Sen. Brueggeman
 07:08:20 Sen. Lewis

07:08:27 **Vote:** Motion carried 11-8 by roll call vote with Sen. Bales, Sen. Barkus, Sen. Barrett, Sen. Brenden, Sen. Esp, Sen. Laible, Sen. Lewis, and Sen. Peterson voting no. Sen. Gallus and Sen. Wanzenried voted by proxy.

Sen. Wanzenried now present

07:10:02 **Motion/Vote:** Sen. Lewis moved **TO CLOSE SECTION B.**
Motion carried, present and voting with Sen. Wanzenried
voting no.

Section C - Natural Resources and Transportation:

07:10:22 Sen. Tropila
07:10:51 Chairman Bales

07:10:57 Recess 6:32
07:18:25 Reconvene 7:41 pm

Sen. Gallus not present

07:19:23 Chairman Bales

07:19:46 **Motion/Vote:** Sen. Lewis moved **CLOSE SECTION C.** Motion
carried, present and voting, with Sen. Wanzenried
voting no.

07:20:20 **Motion/Vote:** Sen. Lewis moved **TO CLOSE SECTION D.**
Motion carried unanimously by voice vote, present and
voting.

Section E - Education

07:20:43 **Motion:** Sen. Hawks moved that **HB 645 BE AMENDED.**
EXHIBIT (fcs77a31)

Discussion:

07:20:45 Sen. Hawks

07:21:59 **Vote:** Motion carried unanimously by voice vote,
present and voting. Sen. Gallus voted by proxy.

07:22:03 **Motion:** Sen. Hawks moved that **HB 645 BE AMENDED.**
EXHIBIT (fcs77a32)

Discussion:

07:22:19 Sen. Hawks
07:23:22 Chairman Bales
07:23:25 Sen. Esp
07:23:38 Sen. Hawks

07:23:56 **Vote:** Motion carried unanimously by voice vote,
present and voting. Sen. Gallus voted by proxy.

07:24:02 **Motion:** Sen. Hansen moved that **HB 645 BE AMENDED.**
EXHIBIT(fcs77a33)

Discussion:

07:24:57 Chairman Bales

07:25:10 Sen. Hansen withdrew his motion

07:25:33 Sen. Laible

07:26:24 **Motion:** Sen. Laible moved that **HB 645 BE AMENDED.**
EXHIBIT(fcs77a34)

07:28:16 Chairman Bales

07:28:17 Sen. Hawks

07:28:58 Sen. Esp

07:29:41 Sen. Laible

07:30:25 Sen. Esp

07:30:44 Sen. Laible withdrew his motion

07:31:01 Sen. Schmidt

07:31:10 Sen. Hawks

07:31:52 **Motion:** Sen. Barkus moved that **HB 645 BE AMENDED.**
EXHIBIT(fcs77a35)

Discussion:

07:32:08 Sen. Barkus

07:32:59 Sen. Schmidt

07:33:04 Sen. Barkus

07:33:21 Sen. Esp

07:33:53 Chairman Bales

07:33:57 Ms. Purdy

07:34:10 Sen. Barkus

07:34:16 Sen. Tropila

07:34:37 Chairman Bales

07:34:43 **Vote:** Motion carried unanimously by voice vote,
present and voting.

07:34:56 **Motion:** Sen. Barkus moved that **HB 645 BE AMENDED.**
EXHIBIT(fcs77a36)

Discussion:

07:35:04 Sen. Barkus
07:36:19 Sen. Hawks
07:38:18 Chairman Bales
07:38:22 Sen. Williams
07:39:18 Sen. Ripley
07:40:04 Sen. Barkus
07:40:50 Chairman Bales
07:41:42 Ms. Joehler
07:44:27 Chairman Bales
07:44:42 Ms. Joehler
07:44:57 Sen. Laible

Sen. Zinke not present

07:45:40 Ms. Joehler
07:45:47 Sen. Hawks
07:46:48 Ms. Joehler
07:47:44 Chairman Bales
07:48:35 Sen. Barkus

07:49:20 **Vote:** Motion carried 11-8 by roll call vote with Sen. Bales, Sen. Brenden, Sen. Esp, Sen. Hansen, Sen. Hawks, Sen. Lewis, Sen. Peterson, and Sen. Zinke voting no. Sen. Gallus and Sen. Zinke voted by proxy.

07:50:42 Sen. Cooney
07:51:28 Ms. Wilkinson

07:52:00 **Motion:** Sen. Hawks moved that **HB 645 BE AMENDED.**
EXHIBIT(fcs77a37)

Discussion:

07:52:02 Sen. Hawks
07:54:13 Sen. Ripley
07:54:45 Ms. Wilkinson
07:55:35 Chairman Bales
07:56:03 Sen. Esp
07:56:14 Sen. Ripley
07:56:25 Sen. Esp
07:56:53 Chairman Bales
07:56:57 Sen. Lewis
07:57:30 Madalyn Quinlan, Office of Public Instruction (OPI)
07:58:31 Sen. Hawks

Sen. Brueggeman and Sen. Gallus not present

07:59:16 **Vote:** Motion carried by voice vote, present and voting. Sen. Gallus voted by proxy.

07:59:30 **Motion/Vote:** Sen. Lewis moved **SECTION E BE CLOSED.** Motion carried by voice vote, present and voting, with Sen. Wanzenried voting no.

Section F:

08:01:10 Chairman Bales

EXHIBIT(fcs77a38)

08:01:40 Ms. Duncan, LFD

08:03:43 Chairman Bales

08:03:47 Ms. Duncan

08:04:50 Sen. Esp

08:04:59 **Motion:** Sen. Brueggeman moved that **HB 645 BE AMENDED.**
EXHIBIT(fcs77a39)

Discussion:

08:05:46 Sen. Esp

08:06:23 Sen. Brueggeman withdrew his motion.

08:07:16 Chairman Bales

08:07:38 **Motion/Vote:** Sen. Lewis moved **TO CLOSE SECTION F.** Motion carried by voice vote, present and voting, with Sen. Wanzenried voting no.

08:07:55 **Motion:** Sen. Esp moved that **HB 645 BE CONCURRED IN AS AMENDED.**

Discussion:

08:08:06 Sen. Esp

08:08:26 Sen. Williams

08:10:34 Sen. Wanzenried

08:13:10 Chairman Bales

08:13:20 Sen. Esp

08:14:03 Chairman Bales

08:14:05 **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 and Sen. Zinke voted by proxy.

EXECUTIVE ACTION ON HB 152

08:15:13 **Motion:** Sen. Lewis moved that **HB 152 BE CONCURRED IN.**

08:16:14 **Motion:** Sen. Laible moved that **HB 645 BE AMENDED.**

EXHIBIT(fcs77a40)

Discussion:

08:18:07 Sen. Hawks
08:18:40 Sen. Laible
08:19:13 Sen. Esp
08:19:24 Sen. Laible
08:21:51 Sen. Hawks
08:22:38 Jim Standaert, LFD
08:23:42 Sen. Hawks
08:24:19 Sen. Laible
08:25:47 Sen. Cooney
08:27:54 Sen. Ripley
08:28:35 Sen. Barkus
08:28:54 Sen. Laible
08:29:13 Sen. Hawks
08:30:49 Sen. Barrett
08:31:35 Sen. Williams
08:33:31 Sen. Laible

08:37:53 **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. Gallus and Sen. Zinke voted by proxy.

08:38:07 **Motion:** Sen. Hawks moved that **HB 152 BE AMENDED.**

EXHIBIT(fcs77a41)

08:38:09 Sen. Hawks

08:38:54 **Vote:** Motion carried voice vote, present and voting.

Discussion:

08:39:02 Sen. Brueggeman
08:40:11 Sen. Esp

08:40:57 **Motion/Vote:** Sen. Lewis moved that **HB 152 BE CONCURRED IN AS AMENDED**. Motion carried 10-9 by roll call vote with Sen. Cooney, Sen. Esp, Sen. Gallus, Sen. Hansen, Sen. Hawks, Sen. Schmidt, Sen. Tropila, Sen. Wanzenried, and Sen. Williams voting no. Sen. Gallus and Sen. Zinke voted by proxy.

08:42:23 Chairman Bales

08:42:41 Sen. Cooney

08:43:00 Chairman Bales

ADJOURNMENT

Adjournment: 8:05 P.M.

Prudence Gildroy, Secretary

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Additional Documents:

EXHIBIT ([fcs77aad.pdf](#))