

MINUTES

**MONTANA SENATE
61st LEGISLATURE - REGULAR SESSION**

COMMITTEE ON FINANCE AND CLAIMS

Call to Order: Chairman Keith Bales, on April 16, 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. John Brenden (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. Rick Ripley (R)
Sen. Trudi Schmidt (D)
Sen. David E. Wanzonried (D)
Sen. Ryan Zinke (R)

Members Excused:

Sen. Debby Barrett (R)
Sen. John Brueggeman (R)
Sen. Jim Peterson (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:

Executive Action: HB 130, HB 131, HB 132, HB 97, HB
154, HB 135

00:00:00
00:00:03 Chairman Bales
00:02:03 Sen. Laible
00:02:53 Chairman Bales

EXECUTIVE ACTION ON HB 130

Motion: Sen. Laible moved that **HB 130 BE CONCURRED IN.**

Motion: Sen. Esp moved that **HB 130 BE AMENDED.**
EXHIBIT (fcs81a01)

Discussion:

00:04:10 Sen. Esp clarified that his amendment would include the language, "The high use is based on a per capita use.", on Line 20 of the bill, conceptually, without objection. The House rules would be suspended for transmittal.

00:06:48 Sen. Hawks
00:07:45 Sen. Esp
00:08:42 Sen. Hawks
00:09:17 Sen. Zinke
Sen. Williams, Sen. Tropila, Sen. Peterson and Sen. Brueggeman now present

00:10:44 Sen. Laible
00:11:29 Sen. Esp
00:11:39 Sen. Laible
00:12:07 Sen. Esp
00:13:07 Sen. Laible
00:13:37 Sen. Esp
00:13:49 Sen. Laible
00:14:18 Sen. Esp
00:14:45 Sen. Lewis
00:15:16 Sen. Esp
00:16:10 Sen. Hawks
00:16:40 Sen. Esp
00:17:39 Sen. Hansen
00:18:02 Sen. Esp
00:18:33 Sen. Schmidt
00:20:28 Sen. Laible

00:20:43 Sen. Esp
00:21:25 Chairman Bales
00:21:44 Sen. Wanzenried
00:21:49 Taryn Purdy, Legislative Fiscal Division (LFD)

Sen. Zinke not present

00:21:59 **Vote:** Motion carried 12-7 by roll call vote with Sen. Cooney, Sen. Gallus, Sen. Hansen, Sen. Hawks, Sen. Schmidt, Sen. Wanzenried, and Sen. Williams voting no. Sen. Barrett and Sen. Zinke voted by proxy.

00:23:14 **Motion:** Sen. Laible moved that **HB 130 BE CONCURRED IN AS AMENDED.**

Discussion:

00:23:16 Sen. Laible
00:25:12 Chairman Bales
00:25:27 Sen. Zinke
00:25:50 Sen. Laible
00:26:06 Sen. Wanzenried
00:26:26 Ms. Purdy
00:26:47 Sen. Wanzenried
00:27:08 Chairman Bales
00:27:16 Sen. Esp
00:27:46 Sen. Wanzenried
00:28:39 Chairman Bales
00:28:43 Sen. Schmidt
00:29:53 Sen. Lewis
00:30:54 Sen. Esp
00:31:19 Sen. Laible

Sen. Zinke present and Sen. Peterson not present

00:31:25 **Vote:** Motion carried 15-4 by roll call vote with Sen. Bales, Sen. Barkus, Sen. Brenden, and Sen. Gallus voting no. Sen. Barrett and Sen. Peterson voted by proxy.

EXECUTIVE ACTION ON HB 131

00:32:53 **Motion:** Sen. Laible moved that **HB 131 BE CONCURRED IN.**

00:33:14 **Motion:** Sen. Esp moved that **HB 131 BE AMENDED.**

EXHIBIT (fcs81a02)

Discussion:

00:33:50 Sen. Esp
00:34:25 Sen. Laible
00:34:33 Sen. Esp
00:34:48 Sen. Wanzenried
00:35:06 Sen. Esp
00:35:20 Sen. Gallus
00:35:32 Ms. Purdy, LFD
00:35:40 Sen. Laible

00:36:04 **Vote:** Motion carried 13-4 by voice vote, present and voting with Sen. Cooney, Sen. Hansen, Sen. Wanzenried, and Sen. Williams voting no.

00:36:31 **Motion:** Sen. Laible moved that **HB 131 BE CONCURRED IN AS AMENDED.**

Discussion:

00:36:43 Sen. Esp

00:36:47 **Vote:** Motion carried 15-4 by roll call vote with Sen. Bales, Sen. Barkus, Sen. Brenden, and Sen. Gallus voting no. Sen. Barrett and Sen. Peterson voted by proxy.

EXECUTIVE ACTION ON HB 132

00:37:47 **Motion:** Sen. Laible moved that **HB 132 BE CONCURRED IN.**

00:37:55 **Motion:** Sen. Esp moved that **HB 132 BE AMENDED.**
EXHIBIT (fcs81a03)

00:38:20 **Vote:** Motion carried 12-7 with Sen. Barkus, Sen. Cooney, Sen. Gallus, Sen. Hansen, Sen. Hawks, Sen. Schmidt, Sen. Wanzenried, and Sen. Williams voting no. Sen. Barrett and Sen. Peterson voted by proxy.

00:40:11 Sen. Schmidt
00:40:18 Sen. Esp
00:41:17 Sen. Wanzenried
00:41:52 Sen. Esp
00:42:09 Sen. Wanzenried
00:42:34 Sen. Esp
00:42:43 Sen. Wanzenried

00:43:04 Chairman Bales
00:43:08 Sen. Laible
00:44:30 Chairman Bales
00:46:35 Sen. Wanzenried
00:47:36 Sen. Cooney
00:48:36 Sen. Hawks
00:49:10 Sen. Esp
00:49:43 Sen. Schmidt
00:49:52 Sen. Esp
00:51:39 Chairman Bales
00:51:44 Sen. Schmidt
00:52:34 Sen. Esp
00:52:51 Sen. Schmidt
00:52:56 Sen. Esp
00:53:15 Chairman Bales

00:53:22 **Vote:** Motion failed 6-13 by roll call vote with Sen. Brueggeman, Sen. Cooney, Sen. Hansen, Sen. Hawks, Sen. Tropila, and Sen. Wanzenried voting aye. Sen. Barrett and Sen. Peterson voted by proxy.

00:54:28 **Motion:** Sen. Laible moved to **TABLE THE BILL AND REVERSE THE VOTE** on **HB 132**. Motion carried 18-1 with Sen. Brueggeman voting no.

EXECUTIVE ACTION ON HB 97

00:54:51 **Motion/Vote:** Sen. Lewis moved that **HB 97 BE CONCURRED IN**. Motion carried unanimously by voice vote with Sen. Barrett and Sen. Peterson voting by proxy. Sen. Lewis will carry the bill in the Senate.

EXECUTIVE ACTION ON HB 154

00:56:18 **Motion:** Sen. Lewis moved that **HB 154 BE CONCURRED IN**.

Discussion:

00:56:44 Sen. Brueggeman
00:57:07 Chairman Bales
00:57:36 Sen. Wanzenried
00:57:56 Ms. Purdy
00:58:15 Sen. Wanzenried
00:58:26 Ms. Purdy
00:58:40 Sen. Wanzenried
00:58:50 Ms. Purdy

Sen. Schmidt and Sen. Williams not present

00:58:56 **Vote:** Motion carried 18-0 by voice vote. Sen. Schmidt, Sen. Barrett and Sen. Peterson voted by proxy

00:59:37 Chairman Bales

EXECUTIVE ACTION ON HB 135

01:00:20 **Motion/Vote:** Sen. Lewis moved that **HB 135 BE CONCURRED IN**. Motion carried by voice vote with Sen. Barkus and Sen. Brenden voting no. Sen. Barrett, Sen. Peterson and Schmidt voted by proxy. Sen. Windy Boy will carry the bill in the Senate.

01:01:19 Chairman Bales

01:01:26 Sen. Wanzenried

01:01:42 Chairman Bales

01:01:51 Sen. Wanzenried

01:01:58 Chairman Bales

01:02:09 Sen. Gallus

01:02:24 Chairman Bales

ADJOURNMENT

Adjournment: 9:06 A.M.

Prudence Gildroy, Secretary

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Additional Documents:

EXHIBIT ([fcs81aad.pdf](#))