

## **MINUTES**

### **MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION**

#### **FREE CONFERENCE COMMITTEE ON HOUSE BILL 316**

**Call to Order:** Chair Dave Lewis, on April 26, 2011 at 10:30 A.M., in Room 317 Capitol

#### **ROLL CALL**

##### **Members Present:**

Sen. Dave Lewis, Chair (R)  
Rep. Walter McNutt, Chair (R)  
Rep. John Esp (R)  
Sen. Kim Gillan (D)  
Rep. Jon C. Sesso (D)  
Sen. Ryan Zinke (R)

##### **Members Excused:**

None

##### **Members Absent:**

None

##### **Staff Present:**

Taryn Purdy, Legislative Services Division (LSD)  
Jaret Coles, Legislative Services Division (LSD)  
Gilda Clancy, Committee Secretary

**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:**

Executive Action on HB 316

**Discussion:**

00:01:00 Chairman Lewis

00:03:06 Jaret Coles, Legislative Services Division (LSD)

[\*\*EXHIBIT\(frs92hb0316a01\)\*\*](#)

00:03:56 Rep. Esp

00:04:22 **Motion:** Sen. Zinke moved that **HB 316 BE AMENDED.**

[\*\*EXHIBIT\(frs92hb0316a02\)\*\*](#)

**Discussion:**

00:04:44 Jaret Coles, LSD

00:06:09 Chairman Lewis

00:06:32 Sen. Zinke

00:07:24 Sen. Gillan

00:08:43 Rep. Esp

00:09:25 Rep. Sesso

00:09:51 Jaret Coles

00:10:24 Chairman Lewis

00:10:34 Rep. Sesso

00:11:13 Jaret Coles

00:11:45 **Vote:** Motion carried 4-2 by roll call vote with Sen. Gillan and Rep. Sesso voting no.

00:12:15 **Motion:** Sen. Zinke moved that **SB 316 BE AMENDED.** (See Exhibit #1)

**Discussion:**

00:13:07 Rep. Sesso

00:13:21 Jaret Coles

00:13:34 Rep. Sesso

00:16:46 **Motion:** Sen. Zinke moved that **HB 316 BE AMENDED WITH A CONCEPTUAL AMENDMENT TO CHANGE THE LANGUAGE TO READ "THREE YEARS" IN PLACE OF "FOUR YEARS" IN LAW.**

**Discussion:**

00:17:04 Chairman Lewis

00:17:42 Sen. Gillan

00:18:18 Rep. Sesso

00:18:33 Sen. Gillan

00:19:06 Rep. Esp

00:19:34 Rep. Sesso

00:19:56 **Vote:** Motion carried 4-2 by roll call vote with Sen. Gillan and Rep. Sesso voting no.

00:22:28      **Motion/Vote:** Sen. Zinke moved that **HB 316 BE AMENDED**. Motion carried unanimously by voice vote

[EXHIBIT\(frs92hb0316a03\)](#)

**Discussion:**

00:22:53      Chairman Lewis

00:23:02      **Motion:** Sen. Gillan moved that **HB 316 BE AMENDED**.

[EXHIBIT\(frs92hb0316a04\)](#)

**Discussion:**

00:25:17      Chairman Lewis

00:25:30      Rep. Sesso

00:27:51      Sen. Zinke

00:28:09      Rep. Sesso

00:28:59      Sen. Zinke

00:29:25      Rep. Sesso

00:30:53      Sen. Gillan

00:32:02      Rep. Esp

00:32:21      Rep. McNutt

00:32:35      Sen. Gillan

00:33:07      **Vote:** Motion failed 2-4 by roll call vote with Sen. Gillan and Rep. Sesso voting aye.

00:33:47      Chairman Lewis

00:34:11      Jaret Coles

[EXHIBIT\(frs92hb0316a05\)](#)

00:39:49      **Motion:** Rep. Esp moved that **HB 316 BE AMENDED**.

[EXHIBIT\(frs92hb0316a06\)](#)

**Discussion:**

00:40:41      Chairman Lewis

00:40:52      Taryn Purdy, LSD

00:41:07      Sen. Zinke

00:41:16      Jaret Coles

00:41:27      Rep. Esp

00:41:36      Rep. Sesso

00:42:12      Rep. Esp

00:42:41      Chairman Lewis

00:42:52      **Vote:** Motion carried unanimously by voice vote.

00:43:06      **Motion:** Rep. Sesso moved that **HB 316 BE AMENDED**.

[EXHIBIT\(frs92hb0316a07\)](#)

**Discussion:**

00:45:26 Chairman Lewis  
00:45:35 Rep. Sesso  
00:45:42 Chairman Lewis  
00:45:54 Rep. Sesso  
00:46:36 Rep. Esp  
00:46:52 Taryn Purdy  
00:47:06 Sen. Zinke  
00:47:22 Rep. Sesso  
00:48:39 Taryn Purdy  
00:49:03 Rep. Sesso

00:49:14 **Vote:** Motion failed 2-4 by roll call vote with Sen. Gillan and Rep. Sesso voting aye.

00:49:45 **Motion:** Rep. Esp moved that the **FREE CONFERENCE REPORT FOR HB 316 BE ADOPTED AS AMENDED.**

**Discussion:**

00:49:51 Rep. Esp

00:50:21 **Vote:** Motion carried 4-2 by roll call vote with Sen. Gillan and Rep. Sesso voting no.

**ADJOURNMENT**

Adjournment: 11:35 A.M.

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Gilda Clancy, Secretary

Additional Documents:

**EXHIBIT**([frs92hb0316aad.pdf](#))