

## MINUTES

### MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

#### FREE CONFERENCE COMMITTEE ON SENATE BILL 423

**Call to Order:** Chair Jeff Essmann, on April 28, 2011 at 6:50 P.M., in Room 335 Capitol

#### ROLL CALL

**Members Present:**

Sen. Jeff Essmann, Chair (R)  
Rep. Cary Smith, Vice Chair (R)  
Rep. Tom Berry (R)  
Sen. Cliff Larsen (D)  
Rep. Diane Sands (D)  
Sen. Chas Vincent (R)

**Members Excused:** None

**Members Absent:** None

**Staff Present:**

Debra Polhemus, Committee Secretary  
Sue O'Connell, Legislative Services Division

**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: Further Amend SB 423  
Review and consideration of Governor's Amendments

**EXECUTIVE ACTION ON SB 423**

00:00:39 Chairman Essmann

[EXHIBIT\(frs94sb0423a01\)](#)

[EXHIBIT\(frs94sb0423a02\)](#)

00:01:13 Rep. Sands

[EXHIBIT\(frs94sb0423a03\)](#)

00:01:44 **Motion:** Rep. Sands moved that **SB 423 BE AMENDED.**

**Discussion:**

00:01:55 Rep. Sands

00:04:04 Sen. Vincent

00:05:08 **Substitute Motion/Vote:** Rep. Sands made a substitute motion that **THE NO. 2 SECTION OF THE AMENDMENT BE SEGREGATED.** Without objection, the committee agreed.

**Discussion:**

00:05:15 Sen. Sands

00:05:43 **Motion/Vote:** Sen. Larsen moved that **SB 423 BE AMENDED WITH SECTION 1, 3, AND 4.** Motion carried 6-0 by voice vote of committee members from both chambers.

00:06:37 **Motion:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTION 2.**

**Discussion:**

00:06:56 Rep. Berry

00:07:35 Sen. Larsen

00:08:40 Rep. Sands

00:09:04 Sen. Larsen

00:10:11 Chairman Essmann

00:12:59 Rep. Sands

00:13:37 Chairman Essmann

00:14:26 **Vote:** Motion failed 2-4 by voice vote with Sen. Larsen and Rep. Sands voting aye.

00:15:08 **Motion:** Sen. Vincent moved that **SB 423 BE AMENDED.** (See Exhibit 2)

**Discussion:**

00:15:31 Sue O'Connell, Legislative Services Division (LSD)

00:22:06 Chairman Essmann

[EXHIBIT\(frs94sb0423a04\)](#)

**Discussion (con't):**

00:23:20 Rep. Sands  
00:23:50 Chairman Essmann  
00:26:20 Rep. Smith  
00:26:33 Chairman Essmann  
00:27:49 Rep. Sands  
00:27:56 Chairman Essmann  
00:30:22 Rep. Smith  
00:31:22 Sen. Larsen  
00:33:44 Rep. Berry  
00:34:27 Rep. Sands

00:37:01 **Vote:** Motion carried 5-1 by voice vote with Sen. Larsen voting no.

00:37:36 **Motion/Vote:** Sen. Vincent moved that **SB 423 DO PASS AS AMENDED.**  
Motion carried 5-1 by voice vote with Sen. Larsen voting no.

00:37:50 **Motion/Vote:** Sen. Vincent moved that **THE FREE CONFERENCE  
COMMITTEE REPORT ON SB 423 BE ADOPTED.** Motion carried 5-1 by voice  
vote with Sen. Larsen voting no.

**ADJOURNMENT**

Adjournment: 7:25 p.m.

dlp

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Debra Polhemus, Secretary

Additional Documents:

**EXHIBIT([frs94sb0423aad.pdf](#))**