

MINUTES

MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON FINANCE AND CLAIMS

Call to Order: Chair Rick Ripley, on April 12, 2013 at 5:00 P.M., in Room 317 Capitol

ROLL CALL

Members Present:

Sen. Rick Ripley, Chair (R)
Sen. Edward Walker, Vice Chair (R)
Sen. John Brenden (R)
Sen. Taylor Brown (R)
Sen. Edward Buttrey (R)
Sen. Bradley Hamlett (D)
Sen. Llew Jones (R)
Sen. Jim Keane (D)
Sen. Dave Lewis (R)
Sen. Frederick (Eric) Moore (R)
Sen. Alan Olson (R)
Sen. Matthew M. Rosendale Sr (R)
Sen. David E. Wanzenried (D)
Sen. Roger Webb (R)

Members Excused:

Sen. Mary Caferro (D)
Sen. Jeff Essmann (R)
Sen. Jason Priest (R)
Sen. Jon C. Sesso (D)
Sen. Mitch Tropila (D)
Sen. Jonathan Windy Boy (D)

Members Absent: None

Staff Present: Prudence Gildroy, Committee Secretary
Julie Johnson, Legislative Branch
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:

Executive Action: SB 410 Do Pass As Amended; HB 580, Action Postponed; HB 13 Be Concurred in As Amended; HB 6 Be Concurred in As Amended; HB 580 Be Concurred in as Amended; HB 420 Be Concurred in as Amended; HB 5 Be Concurred in as Amended; HB 627 Be Concurred in as Amended; HB 580 Motion Withdrawn

00:03:38 Sen. Olson
 00:03:54 Sen. Windy Boy entered the meeting.
 00:04:12 Sen. Sesso and Sen. Tropila entered the meeting.

EXECUTIVE ACTION ON SB 410

00:04:16 **Motion:** Sen. Walker moved that **SB 410 DO PASS.**

00:05:10 **Motion:** Sen. Walker moved that **SB 410 BE AMENDED.**
[EXHIBIT\(fcs77b01\)](#)

Discussion:

00:05:25 Taryn Purdy, Legislative Fiscal Division (LFD)
 00:05:52 **Vote:** Motion carried 17-0 by voice vote. Sen. Caferro, Sen. Essmann and Sen. Priest were excused.
 00:06:08 **Motion/Vote:** Sen. Walker moved that **SB 410 DO PASS AS AMENDED.**
 Motion carried 17-0 by voice vote. Sen. Caferro, Sen. Essmann and Sen. Priest were excused.

EXECUTIVE ACTION ON HB 580

00:06:50 **Motion:** Sen. Hamlett moved that **HB 580 BE CONCURRED IN.**
 00:07:55 Sen. Caferro entered the meeting.
 00:08:02 Without objection, Sen. Hamlett withdrew the BE CONCURRED IN motion.

EXECUTIVE ACTION ON HB 13

00:08:13 **Motion:** Sen. L. Jones moved that **HB 13 BE CONCURRED IN.**
 00:08:42 **Motion:** Sen. Walker moved that **HB 13 BE AMENDED.**
[EXHIBIT\(fcs77b02\)](#)

Discussion:

00:08:55 Sen. Walker
 00:10:28 Chairman Ripley
 00:10:44 Julie Johnson, Legislative Services Division (LSD)
 00:11:35 Sen. Sesso
 00:11:42 Sen. Walker
 00:11:45 Sen. Olson
 00:12:02 Kris Wilkinson, Legislative Fiscal Division (LFD)
 00:12:29 Sen. Caferro
 00:13:00 Ms. Wilkinson, LFD
 00:13:09 Chairman Ripley

00:13:24 Ms. Wilkinson
 00:13:57 Sen. Tropila
 00:14:20 Ms. Wilkinson
 00:14:40 Sen. Tropila
 00:14:49 Ms. Wilkinson
 00:15:01 Sen. Wanzenried
 00:15:48 Sen. Walker
 00:16:24 Sen. Wanzenried
 00:16:38 Sen. Walker
 00:16:55 Ms. Wilkinson
 00:17:19 Sen. Wanzenried
 00:18:41 Ms. Wilkinson
 00:19:02 Sen. Wanzenried
 00:19:34 Sen. Lewis
 00:19:58 Sen. Walker
 00:20:30 Ms. Wilkinson
 00:21:10 Sen. Brenden
 00:22:49 Sen. Wanzenried
 00:23:24 Sen. Walker
 00:24:16 Sen. Keane
 00:24:48 Ms. Wilkinson
 00:24:55 Sen. Sesso
 00:26:49 Ms. Wilkinson
 00:27:13 Sen. Jones
 00:28:09 Sen. Tropila
 00:28:53 Sen. Walker
 00:28:56 Ms. Wilkinson
 00:29:21 Sen. Olson
 00:31:43 Sen. Keane

00:33:10 Without objection Sen. Walker moved TO SEGREGATE #5 OF THE AMENDMENT.

Discussion:

00:33:20 Sen. Jones
 00:33:23 Chairman Ripley
 00:33:29 Sen. Jones
 00:33:34 Chairman Ripley
 00:33:50 Sen. Jones
 00:33:59 Chairman Ripley

00:33:31 **Vote:** Motion on (#1, #2, #3 and #4) of the amendment carried 17-1 by voice vote with Sen. Wanzenried voting no. Sen. Essmann and Sen. Priest were excused.

00:34:45 **Motion:** Sen. Walker moved that **#5 OF THE AMENDMENT DO PASS.**

Discussion:

00:35:00 Sen. Wanzenried
 00:35:55 Sen. Keane
 00:36:05 Sen. Walker

00:37:37 **Vote:** Motion failed 8-12 by roll call vote with Sen. Brenden, Sen. Essmann, Sen. Lewis, Sen. Moore, Sen. Priest, Sen. Rosendale, Sen. Walker and Sen. Webb voting aye. Sen. Essmann and Sen. Priest voted by proxy.

00:37:41 **Motion:** Sen. L. Jones moved that **HB 13 BE CONCURRED IN AS AMENDED.**

Discussion:

00:37:53 Sen. Walker
 00:38:47 Sen. Sesso
 00:40:10 Sen. Rosendale
 00:41:16 Sen. Keane
 00:41:57 Sen. Brown
 00:42:34 Sen. Windy Boy
 00:42:56 Sen. Olson
 00:45:30 Sen. Moore
 00:46:37 Sen. Brenden
 00:49:19 Chairman Ripley

00:50:15 **Vote:** Motion carried 14-6 by roll call vote with Sen. Essmann, Sen. Moore, Sen. Priest, Sen. Rosendale, Sen. Walker and Sen. Webb voting no. Sen. Essmann and Sen. Priest voted by proxy. Sen. Olson will carry the bill.

EXECUTIVE ACTION ON HB 6

00:51:15 **Motion:** Sen. L. Jones moved that **HB 6 BE CONCURRED IN AS AMENDED.**
(Note: Bill was previously amended - see minutes of March 20, 2013)

Discussion:

00:51:17 Sen. Jones
 00:52:25 Chairman Ripley
 00:52:30 Sen. Jones
 00:51:36 Chairman Ripley
 00:52:50 Sen. Jones

00:53:07 **Vote:** Motion carried 18-2 by roll call vote with Sen. Essmann and Sen. Walker voting no. Sen. Essmann and Sen. Priest voted by proxy. Sen. Ripley will carry the bill.

EXECUTIVE ACTION ON HB 580

00:54:07 **Motion:** Sen. Brenden moved that **HB 580 BE CONCURRED IN.**

00:54:17 **Motion:** Sen. Brenden moved that **HB 580 BE AMENDED.**
[EXHIBIT\(fcs77b03\)](#)

Discussion:

00:55:36 Taryn Purdy, Legislative Fiscal Division (LFD)
 00:56:38 Sen. Keane
 00:56:42 Sen. Brown
 00:56:53 Sen. Windy Boy
 00:57:15 Sen. Walker
 00:57:47 Sen. Brown
 00:57:59 Sen. Brenden

00:58:36 **Vote:** Motion carried 18-0 by voice vote. Sen. Essmann and Sen. Priest were excused.

00:58:50 **Motion:** Sen. Brenden moved that **HB 580 BE CONCURRED IN AS AMENDED.**

Discussion:

00:58:55 Sen. Olson
 00:59:03 Sen. Brenden

00:59:09 **Vote:** Motion carried 18-0 by voice vote. Sen. Essmann and Sen. Priest were excused. Sen. Hamlett will carry the bill.

EXECUTIVE ACTION ON HB 420

Discussion:

00:59:28 Chairman Ripley
 00:59:36 Taryn Purdy, Legislative Fiscal Division (LFD)
 00:59:42 Julie Johnson, Legislative Services Division (LSD)
 01:00:10 Chairman Ripley
 01:00:36 Sen. Olson
 01:00:46 Ms. Purdy, LFD
 01:01:10 Chairman Ripley

01:01:44 **Motion/Vote:** Sen. Sesso moved to **RECONSIDER COMMITTEE ACTION ON HB 420.** (See minutes of April 11, 2013) Motion carried 16-2 by voice vote with Sen. Moore and Sen. Rosendale voting no. Sen. Essmann and Sen. Priest were excused.

01:02:01 **Motion:** Sen. Sesso moved that **HB 420 BE CONCURRED IN.**

01:02:25 **Motion/Vote:** Sen. Sesso moved to **WITHDRAW THE AMENDMENT** on **HB 420.** Motion carried 18-0 by voice vote. Sen. Essmann and Sen. Priest were excused.

01:02:44 **Motion/Vote:** Sen. Sesso moved that **HB 420 BE AMENDED**. Motion carried 16-2 by voice vote with Sen. Moore and Sen. Rosendale voting no. Sen. Essmann and Sen. Priest were excused.

EXHIBIT(fcs77b04)

01:03:09 **Motion:** Sen. L. Jones moved that **HB 420 BE CONCURRED IN AS AMENDED**.

Discussion:

01:03:24 Sen. Walker
01:03:38 Chairman Ripley
01:03:49 Sen. Rosendale
01:04:00 Ms. Purdy
01:04:36 Sen. Moore

01:04:52 **Vote:** Motion carried 13-7 by roll call vote with Sen. Brenden, Sen. Essmann, Sen. Moore, Sen. Priest, Sen. Rosendale, Sen. Walker and Sen. Webb voting no. Sen. Essmann, Sen. Priest and Sen. Webb voted by proxy. Sen. Brown will carry the bill.

EXECUTIVE ACTION ON HB 5

01:06:12 **Motion:** Sen. L. Jones moved to **RECONSIDER COMMITTEE ACTION ON HB 5**. (*See minutes of April 10, 2013*)

Discussion:

01:06:20 Sen. Walker
01:06:28 Chairman Ripley
01:06:42 Sen. Sesso
01:07:00 Sen. Brenden
01:07:34 Sen. Olson

01:07:58 **Vote:** Motion carried 12-6 by roll call vote with Sen. Brenden, Sen. Moore, Sen. Rosendale, Sen. Walker, Sen. Wanzenried and Sen. Webb voting no. Sen. Essmann and Sen. Priest were excused.

01:08:58 **Motion:** Sen. L. Jones moved that **HB 5 BE CONCURRED IN**.

01:09:05 **Motion:** Sen. Lewis moved that **HB 5 BE AMENDED**.

EXHIBIT(fcs77b05)

Discussion:

01:09:24 Sen. Lewis
01:10:09 Sen. Olson
01:10:20 Sen. Sesso
01:11:08 Sen. Lewis

01:12:36 Recess

01:24:21 Reconvene

01:25:32 Chairman Ripley
 01:26:10 Sen. Wanzenried
 01:26:18 Chairman Ripley
 01:26:33 Sen. Olson
 01:26:44 Chairman Ripley
 01:26:58 Sen. Brown
 01:27:04 Chairman Ripley
 01:27:24 Sen. Lewis
 01:27:32 Chairman Ripley
 01:27:43 Sen. Wanzenried
 01:27:59 Sen. Lewis

01:27:53 **Motion:** Sen. Lewis moved **A SUBSTITUTE MOTION TO AMEND HB 5 SEGREGATING #4.**

Discussion:

01:28:16 Sen. Brenden
 01:28:22 Sen. Lewis
 01:29:02 Sen. Walker
 01:29:13 Sen. Lewis

01:29:54 **Vote:** Motion carried 18-0 by voice vote. Sen. Essmann and Sen. Priest were excused.

01:30:18 **Motion:** Sen. Lewis moved that **HB 5 BE AMENDED STRIKING "\$4,800,000" AND INSERTING "\$9,800.000" ON #5.**

Discussion:

01:30:44 Sen. Sesso
 01:31:22 Cathy Duncan, Legislative Fiscal Division (LFD)
 01:31:45 Sen. Brenden

01:32:30 **Vote:** Motion carried 18-0 by voice vote. Sen. Essmann and Sen. Priest were excused.

01:32:47 **Motion:** Sen. Tropila moved that **HB 5 BE AMENDED.**
[EXHIBIT\(fcs77b06\)](#)

Discussion:

01:33:48 Sen. Tropila
 01:34:01 Sen. Hamlett
 01:34:24 Sen. Windy Boy

01:34:59 **Vote:** Motion failed 9-11 by roll call vote with Sen. Buttrey, Sen. Caferro, Sen. Hamlett, Sen. Keane, Sen. Ripley, Sen. Sesso, Sen. Tropila, Sen. Wanzenried and Sen. Windy Boy voting aye. Sen. Essmann and Sen. Priest voted by proxy.

01:36:09 **Motion:** Sen. Brenden moved that **HB 5 BE AMENDED.**
[EXHIBIT\(fcs77b07\)](#)

Discussion:

01:36:11 Sen. Brenden
01:36:57 Sen. Rosendale
01:37:13 Ms. Purdy
01:37:26 Sen. Brown
01:37:38 Sen. Brenden
01:37:44 Sen. Sesso
01:38:35 Sen. Windy Boy
01:38:47 Sen. Brenden
01:38:54 Sen. Windy Boy
01:39:16 Sen. Brenden
01:39:22 Ms. Duncan, LFD

01:41:07 **Vote:** Motion failed 6-14 by roll call vote with Sen. Brenden, Sen. Lewis, Sen. Moore, Sen. Rosendale, Sen. Sesso and Sen. Tropila voting aye. Sen. Essmann and Sen. Priest voted by proxy.

01:41:09 **Motion:** Sen. F. Moore moved that **HB 5 BE AMENDED.**
[EXHIBIT\(fcs77b08\)](#)

Discussion:

01:41:05 Sen. Moore
01:41:45 Sen. Brown
01:41:54 Sen. Moore
01:41:58 Sen. Brown
01:42:11 Sen. Sesso

01:43:02 **Vote:** Motion failed 10-10 by roll call vote with Sen. Brenden, Sen. Essmann, Sen. Lewis, Sen. Moore, Sen. Olson, Sen. Priest, Sen. Ripley, Sen. Rosendale, Sen. Walker and Sen. Webb voting aye. Sen. Essmann and Sen. Priest voted by proxy.

01:43:52 **Motion:** Sen. Olson moved that **HB 5 BE AMENDED.**
[EXHIBIT\(fcs77b09\)](#)

Discussion:

01:44:22 Sen. Brenden
01:44:50 Sen. Olson
01:45:48 Sen. Keane
01:46:01 Sen. Olson

01:46:06 Ms. Duncan
 01:46:16 Sen. Sesso
 01:47:35 Sen. Olson
 01:47:40 Sen. Windy Boy
 01:48:08 Sen. Olson

01:49:04 **Vote:** Motion carried 13-7 by roll call vote with Sen. Caferro, Sen. Hamlett, Sen. Keane, Sen. Sesso, Sen. Tropila, Sen. Wanzenried and Sen. Windy Boy voting no. Sen. Essmann and Sen. Priest voted by proxy.

01:49:57 **Motion/Vote:** Sen. L. Jones moved that **HB 5 BE CONCURRED IN AS AMENDED**. Motion carried 12-8 by roll call vote with Sen. Essmann, Sen. Moore, Sen. Priest, Sen. Rosendale, Sen. Walker, Sen. Wanzenried, Sen. Webb and Sen. Windy Boy voting no. Sen. Essmann and Sen. Priest voted by proxy. Sen. Lewis will carry the bill.

EXECUTIVE ACTION ON HB 627

01:51:16 **Motion:** Sen. Buttrey moved to **RECONSIDER COMMITTEE ACTION** on **HB 627**. (*See minutes of April 11, 2013*)

Discussion:

01:51:24 Sen. Buttrey
 01:51:34 Chairman Ripley
 01:51:36 Sen. Buttrey
 01:51:47 Chairman Ripley
 01:51:52 Sen. Buttrey
 01:51:59 Taryn Purdy, Legislative Fiscal Division (LFD)
 01:52:16 Sen. Buttrey
 01:52:27 Kris Wilkinson, Legislative Fiscal Division (LFD)
 01:53:46 Sen. Wanzenried
 01:54:38 Sen. Olson
 01:55:26 Sen. Brenden
 01:55:45 Ms. Wilkinson, LFD

01:56:18 **Vote:** Motion carried 13-7 by roll call vote with Sen. Caferro, Sen. Hamlett, Sen. Keane, Sen. Sesso, Sen. Tropila, Sen. Wanzenried and Sen. Windy Boy voting no. Sen. Essmann and Sen. Priest voted by proxy.

Discussion:

01:56:08 Sen. Buttrey
 01:57:31 Sen. Lewis
 01:57:34 Sen. Buttrey
 01:58:01 Ms. Purdy, LFD

01:58:16 **Motion:** Sen. Buttrey moved that **HB 627 BE CONCURRED IN AS AMENDED**.

Discussion:

01:58:33 Sen. Wanzenried

01:59:20 Sen. Olson

02:00:00 Sen. Sesso

02:00:45 Sen. Buttrey

02:00:55 Sen. Wanzenried

02:01:37 Sen. Buttrey

02:02:29 **Vote:** Motion carried 14-6 by roll call vote with Sen. Caferro, Sen. Hamlett, Sen. Keane, Sen. Tropila, Sen. Wanzenried and Sen. Windy Boy voting no. Sen. Essmann and Sen. Priest voted by proxy. Sen. Buttrey will carry the bill.

ADJOURNMENT

Adjournment: 7:27 p.m.

Prudence Gildroy, Secretary

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Additional Documents:

EXHIBIT([fcs77bad.pdf](#))