

**MINUTES**

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

**COMMITTEE ON FINANCE AND CLAIMS**

**Call to Order:** Chairman Keith Bales, on March 23, 2009 at 10:00  
A.M., in Room 317 Capitol

**ROLL CALL**

**Members Present:**

Sen. Keith Bales, Chairman (R)  
Sen. Dave Lewis, Vice Chairman (R)  
Sen. Debby Barrett (R)  
Sen. John Brenden (R)  
Sen. Mike Cooney (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. Wanzenried (D)  
Sen. Ryan Zinke (R)

**Members Excused:**

Sen. Gregory D. Barkus (R)  
Sen. John Brueggeman (R)  
Sen. John Esp (R)  
Sen. Steven Gallus (D)  
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: HB 135, 3/19/2009; HJ 33, 3/19/2009

Executive Action: SB 238; HB 123; SB 238; SB 234

00:00:50 Chairman Bales

**HEARING ON HJ 33**

**Opening Statement by Sponsor:**

00:01:05 Rep. Bob Bergren (D), HD 33, opened the hearing on HJ 33, Address receipt and expenditure of federal jobs and economic stimulus package.

**Proponents' Testimony:**

None

**Opponents' Testimony:**

None

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

00:03:43 Chairman Bales  
00:04:15 Rep. Bergren  
00:04:39 Chairman Bales  
00:04:52 Rep. Bergren  
00:05:08 Chairman Bales  
00:05:14 Sen. Zinke  
00:05:54 Rep. Bergren  
00:06:24 Sen. Zinke  
00:07:05 Rep. Bergren  
00:07:27 Sen. Zinke  
00:08:53 Rep. Bergren  
00:10:01 Sen. Williams  
00:10:56 Sen. Story  
00:13:52 Sen. Barrett  
00:14:09 Sen. Story  
00:14:54 Chairman Bales  
00:15:15 Rep. Bergren

00:15:51 Chairman Bales  
00:16:31 Rep. Bergren  
00:16:49 Taryn Purdy, Legislative Fiscal Division (LFD)

**Closing by Sponsor:**

00:17:04 Rep. Bergren  
00:17:21 Chairman Bales

**HEARING ON HB 135**

**Opening Statement by Sponsor:**

00:18:29 Rep. Tony Belcourt (D), HD 32, opened the hearing on HB 135, Revise laws implementing the Fort Belknap-Montana Water Rights Compact.

**Proponents' Testimony:**

00:20:20 Susan Cottingham, Reserve Water Rights Compact Commission  
00:24:48 Andrew Huff, Attorney, Governor's Office

**Opponents' Testimony:**

None

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

00:25:23 Sen. Hansen  
00:25:55 Ms. Cottingham  
00:26:47 Sen. Ripley  
00:27:07 Ms. Cottingham  
00:27:46 Sen. Tropila  
00:27:59 Ms. Cottingham  
00:28:20 Sen. Tropila  
00:28:31 Ms. Cottingham  
00:29:04 Chairman Bales  
00:29:08 Ms. Purdy, LFD  
00:29:21 Sen. Tropila  
00:29:32 Ms. Cottingham  
  
00:29:48 Chairman Bales

00:29:50 Sen. Barrett  
00:30:01 Ms. Cottingham  
00:30:22 Sen. Laible  
00:30:44 Ms. Cottingham  
00:31:09 Chairman Bales  
00:31:41 Ms. Cottingham  
00:32:25 Chairman Bales  
00:33:29 Ms. Cottingham

**Closing by Sponsor:**

00:35:45 Rep. Belcourt  
00:37:34 Chairman Bales

**EXECUTIVE ACTION ON SB 238**

00:38:16 **Motion:** Sen. Brueggeman moved that **SB 238 BE TABLED.**  
00:37:19 Sen. Bales  
00:38:30 Sen Brueggeman withdrew his motion to table.  
00:38:43 Chairman Bales  
00:39:24 Sen. Ripley  
00:41:55 Chairman Bales  
00:42:07 Sen. Ripley  
00:42:17 Chairman Bales

**EXECUTIVE ACTION ON HB 123**

00:42:56 **Motion:** Sen. Ripley moved that **HB 123 BE CONCURRED IN.**

**Discussion:**

00:43:35 Sen. Cooney  
00:43:38 Chairman Bales  
00:43:41 Sen. Ripley

00:43:56 **Motion:** Sen. Ripley moved that **HB 123 BE AMENDED.**  
**EXHIBIT (fcs64a01)**

**Discussion:**

00:44:21 Ms. Purdy  
00:45:09 Chairman Bales  
00:45:19 Sen. Ripley  
00:45:34 Chairman Bales  
00:46:03 Sen. Ripley

00:46:08 Ms. Purdy  
00:46:47 Sen. Ripley  
00:46:54 Ms. Purdy  
00:47:06 Sen. Ripley  
00:47:19 Sen. Lewis  
00:47:45 Sen. Ripley  
00:48:00 Sen. Brendan  
00:48:25 Chairman Bales  
00:49:32 Sen. Ripley  
00:49:52 Ms. Purdy  
00:50:40 Sen. Ripley  
00:50:54 Sen. Brueggeman  
00:52:18 Chairman Bales  
00:53:00 Sen. Ripley  
00:53:03 Sen. Brueggeman  
00:53:13 Chairman Bales  
00:53:17 Sen. Ripley withdrew his motion on the amendment and his Do Pass motion on HB 123.

Sen. Esp and Sen. Peterson not present

**EXECUTIVE ACTION ON SB 238**

00:53:41 **Motion/Vote:** Sen. Brueggeman moved that **SB 238 BE TABLED**. Motion carried 16-2 by voice vote with Sen. Cooney and Sen. Wanzenried voting no. Sen. Esp and Sen. Peterson voted by proxy.

00:54:48 Sen. Bales

**EXECUTIVE ACTION ON SB 234**

00:55:07 **Motion:** Sen. Schmidt moved that **SB 234 DO PASS**.

**Discussion:**

00:55:22 Sen. Lewis  
00:55:54 Ms. Purdy  
00:56:20 Sen. Lewis  
00:56:35 Bob Robinson, Montana Unified School Trust (MUST)  
00:57:50 Ms. Purdy  
00:58:43 Sen. Lewis  
00:59:14 Chairman Bales  
00:59:23 Sen. Hawks  
00:59:47 Chairman Bales  
  
00:59:52 Recess

01:14:55 Reconvene

01:15:00 Chairman Bales

01:15:01 Sen. Cooney

01:15:43 Sen. Bales

01:16:01 Sen. Wanzenried

01:16:16 Greg Petesch, Legislative Counsel

01:17:06 Chairman Bales

01:17:35 **Motion:** Sen. Lewis moved that **SB 234 BE AMENDED** conceptually to add an applicability date section.

**Discussion:**

01:18:22 Sen. Williams

01:18:49 Sen. Lewis

01:19:15 Mr. Robinson, MUST

01:20:10 Sen. Lewis

01:20:20 Chairman Bales

01:20:22 Sen. Williams

01:20:54 Sen. Wanzenried

01:21:26 Mr. Petesch

01:22:20 Sen. Wanzenried

01:22:21 Chairman Bales

01:22:33 Sen. Lewis

01:22:46 Chairman Bales

01:22:48 **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. Esp and Sen. Peterson voted by proxy.

01:23:58 **Motion:** Sen. Schmidt moved that **SB 234 DO PASS AS AMENDED.**

**Discussion:**

01:24:00 Sen. Zinke

01:27:09 Sen. Lewis

01:29:11 Sen. Hawks

01:30:25 Sen. Laible

01:32:34 Sen. Williams

01:33:48 Sen. Barkus

01:35:08 Sen. Cooney

01:36:09 Sen. Tropila

01:36:46 Sen. Barrett

01:37:29 Sen. Hansen

01:38:09 Chairman Bales

01:38:13 Sen. Brendan  
01:39:53 Sen. Wanzenried  
01:41:50 Chairman Bales  
01:43:39 Sen. Williams  
01:44:30 Sen. Schmidt

01:46:02 **Vote:** Motion carried 11-8 by roll call vote with Sen. Bales, Sen. Barkus, Sen. Barrett, Sen. Brenden, Sen. Esp, Sen. Lewis, Sen. Peterson, Sen. Ripley voting no. Sen. Esp and Sen. Peterson voted by proxy.

01:47:15 Sen. Tropila  
01:47:23 Chairman Bales  
01:49:05 Sen. Tropila  
01:49:15 Chairman Bales  
01:51:07 Sen. Schmidt  
01:51:13 Chairman Bales  
01:51:58 Sen. Schmidt  
01:52:07 Chairman Bales

**ADJOURNMENT**

Adjournment: 11:55 P.M.

---

Prudence Gildroy, Secretary

pg

Additional Documents:

**EXHIBIT ([fcs64aad.pdf](#))**