

**MINUTES**

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

**FREE CONFERENCE COMMITTEE ON HOUSE BILL 5**

**Call to Order:** Chairman Gregory D. Barkus, on April 27, 2009 at  
11:00 A.M., in Room 350 Capitol

**ROLL CALL**

**Members Present:**

Sen. Gregory D. Barkus, Chairman (R)  
Rep. Duane Ankney (R)  
Sen. Debby Barrett (R)  
Rep. Dennis Getz (D)  
Rep. Dave Kasten (R)

**Members Excused:** Rep. Galen Hollenbaugh, Chairman (D)  
Sen. Carol Williams (D)

**Members Absent:** None

**Staff Present:** Nadine Spencer, Committee Secretary  
Cathy Duncan, Legislative Fiscal 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: HB 5

**EXECUTIVE ACTION ON HB 5**

**Discussion:**

00:00:01 Chairman Barkus  
00:00:29 Cathy Duncan  
00:02:10 Chairman Barkus  
00:02:24 Rep. Hollenbaugh entered the hearing.  
00:02:25 Sen. Williams entered the hearing.  
  
00:02:31 **Motion:** Rep. Barrett moved that **HB 5 BE ADOPTED AS AMENDED.** (refer to Conference Committee meeting on 4/21/2009)  
**EXHIBIT (frs90hb0005a01)**

00:02:35 Chairman Barkus

00:02:47 **Motion:** Rep. Ankney moved that **HB 5 BE AMENDED.**  
**EXHIBIT (frs90hb0005a02)**

**Discussion:**

00:05:16 Chairman Barkus  
00:05:23 Rep. Ankney  
00:05:30 Rep. Kasten  
00:06:15 Rep. Hollenbaugh  
  
00:07:05 **Substitute Motion:** Rep. Kasten moved a **CONCEPTUAL AMENDMENT** to read on Page 3, Line 15 striking "1,310,000 and inserting 1,210,000 and striking 2,010,000 and inserting 1,910,000"; on Page 3, Line 19 striking in both places "2,000,000 and inserting 1,150,000"; on Page 6, Line 4 following Line 3 insert "UM-Helena College of Technology Project Completion 1,050,000"; and Page 14, Line 10 striking "400,000 in both places and inserting 300,000" in both places.

**Discussion:**

00:08:31 Cathy Duncan  
00:08:53 Rep. Kasten  
00:09:25 Cathy Duncan  
00:09:46 Rep. Kasten  
00:09:52 Cathy Duncan  
00:09:58 Rep. Kasten  
00:10:06 Rep. Hollenbaugh  
00:10:15 Chairman Barkus  
00:10:43 Cathy Duncan

00:11:00 Chairman Barkus  
00:11:13 Cathy Duncan  
00:11:41 Rep. Hollenbaugh  
00:12:29 Rep. Kasten  
00:12:39 Chairman Barkus  
00:12:50 Cathy Duncan  
00:14:20 Sen. Williams  
00:14:38 Cathy Duncan  
00:14:54 Sen. Williams  
00:15:01 Cathy Duncan  
00:15:31 Sen. Williams  
00:15:38 Cathy Duncan  
00:15:47 Rep. Getz  
00:16:01 Rep. Kasten  
00:17:05 Rep. Getz  
00:17:22 Rep. Kasten  
00:17:50 Sen. Barrett  
00:18:04 Rep. Kasten  
00:18:20 Sen. Barrett  
00:18:33 Rep. Kasten  
00:18:49 Chairman Barkus  
00:18:59 Joe Triem, Montana Department of Administration,  
Architecture and Engineering Division  
00:20:18 Chairman Barkus  
00:21:21 Rep. Hollenbaugh  
00:22:12 Chairman Barkus  
00:22:17 Rep. Kasten  
00:22:52 Chairman Barkus  
00:23:10 **Vote:** Motion failed to pass (by the Senate) by roll  
call vote 4-3 with Sen. Barrett, Sen. Barkus and Rep.  
Kasten voting no.  
00:23:51 **Motion:** Rep Kasten moved a **CONCEPTUAL AMENDMENT** to HB  
5 to Page 3, Line 19, striking in both places  
"2,000,000 and inserting in both places 1,150,000, and  
Page 6, Line 4 following Line 3 insert "UM-Helena  
College of Technology Project Completion 850,000.

**Discussion:**

00:23:59 Cathy Duncan  
00:24:23 Rep. Kasten  
00:24:25 Chairman Barkus  
00:24:28 Cathy Duncan  
00:24:42 Chairman Barcus  
00:24:51 Cathy Duncan

00:24:52 **Vote:** Motion carried 6-1 by roll call vote with Sen. Barkus voting no.

00:25:25 **Motion:** Chairman Barkus moved that **HB 2 BE AMENDED. EXHIBIT (frs90hb0005a03)**

00:25:59 Rep. Hollenbaugh

00:26:14 **Vote:** Motion carried unanimously by voice vote.

00:26:42 **Motion:** Chairman Barkus moved that **HB 2 BE AMENDED. EXHIBIT (frs90hb0005a04)**

**Discussion:**

00:26:54 Cathy Duncan

00:28:00 Rep. Hollenbaugh

00:28:12 Chairman Barkus

00:28:35 **Vote:** Motion carried unanimously by voice vote.

00:28:40 **Motion:** Rep. Hollenbaugh moved that **HB 5 BE ADOPTED AS AMENDED.**

**Discussion:**

00:28:59 Rep. Getz

00:29:11 Chairman Barkus

00:29:25 Cathy Duncan

00:29:32 Chairman Barkus

00:29:51 **Vote:** Motion that the **CONFERENCE COMMITTEE REPORT HB 5 AS AMENDED BE ADOPTED** carried 6-1 by roll call vote with Rep. Kasten voting no.

**ADJOURNMENT**

Adjournment: 11:30 P.M.

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Nadine Spencer, Secretary

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Additional Documents:

**EXHIBIT ([frs90hb0005aad.pdf](#))**