

BUSINESS REPORT

MONTANA SENATE  
61st LEGISLATURE - REGULAR SESSION

SENATE FINANCE AND CLAIMS COMMITTEE

Date: Tuesday, March 17, 2009  
Place: Capitol

Time: 8:00 am  
Room: 317

**BILLS and RESOLUTIONS HEARD:**

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Add Postponed (PP) when appropriate:

SB 183

\_\_\_\_\_  
\_\_\_\_\_

**EXECUTIVE ACTION TAKEN:**

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Enter P(pass) F(failed) DPAA (do pass as amended) BC(be concurred in) BCAA (be concurred in as amended):

<u>SB 452</u>	<u>DPAA</u>	<u>SB 343</u>	<u>DPAA</u>
<u>SB 500</u>	<u>DPAA</u>	<u>SB 350</u>	<u>DP</u>
<u>SB 203</u>	<u>DPAA</u>	<u>SB 429</u>	<u>DPAA</u>
<u>SB 22</u>	<u>DPAA</u>		

**COMMENTS:**

  
\_\_\_\_\_  
SEN. Keith Bales, Chairman

**MONTANA STATE SENATE**  
**Roll Call**  
**FINANCE AND CLAIMS COMMITTEE**

DATE: 3-17-09

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
SENATOR KEITH BALES, CHAIRMAN	✓	
SENATOR DAVE LEWIS, VICE CHAIRMAN		✓
SENATOR GREGORY BARKUS		✓
SENATOR DEBBY BARRETT		✓
SENATOR JOHN BRENDEN		✓
SENATOR JOHN BRUEGGEMAN	✓	
SENATOR MIKE COONEY	✓	
SENATOR JOHN ESP		✓
SENATOR STEVE GALLUS	✓	
SENATOR KEN HANSEN	✓	
SENATOR BOB HAWKS	✓	
SENATOR RICK LAIBLE	✓	
SENATOR JIM PETERSON	✓	
SENATOR RICK RIPLEY		✓
SENATOR TRUDI SCHMIDT	✓	
SENATOR MITCH TROPILA		✓
SENATOR DAVID WANZENRIED	✓	
SENATOR CAROL WILLIAMS		✓
SENATOR RYAN ZINKE	✓	



SENATE STANDING COMMITTEE REPORT

March 17, 2009

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Mr. President:

We, your committee on **Finance and Claims** recommend that **Senate Bill 402** (first reading copy -- white) **do pass as amended.**

Signed: \_\_\_\_\_

*Keith Bales*  
Senator Keith Bales, Chair

**And, that such amendments read:**

1. Title, lines 7 and 8.

**Following:** "DATE" on line 7

**Strike:** remainder of line 7 through "DATE" on line 8

2. Page 2, line 1.

**Strike:** subsection (h) in its entirety

**Renumber:** subsequent subsections

3. Page 2, line 19.

**Following:** line 18

**Insert:** "(4) (a) This section does not affect the:

(i) enforcement of the terms of a license, permit, or authorization;

(ii) power or authority of a county, city, or town to lawfully enact valid zoning, subdivision, other land use regulations or ordinances that are required by law or that are necessary to protect the public health, safety, or welfare.

(b) Compensation may not be claimed under subsection (2) for actions taken pursuant to subsection (4) (a)."

4. Page 2, line 26 through line 28.

**Strike:** section 4 in its entirety

- END -

**Committee Vote:**

**Yes 12, No 7**

Fiscal Note Required

SB0402001SC.sdr

*DR*



**SENATE STANDING COMMITTEE REPORT**

**March 17, 2009**

**Page 1 of 1**

Mr. President:

We, your committee on **Finance and Claims** recommend that **Senate Bill 500** (first reading copy -- white) **do pass as amended.**

Signed: \_\_\_\_\_

*Keith Bales*  
Senator Keith Bales, Chair

**And, that such amendments read:**

1. Page 1, line 12 through line 15.

**Following:** "DA 08-0506" on line 12

**Strike:** ":" on line 12 through "5%" on line 15

**Insert:** ", 100%"

- END -

**Committee Vote:**

**Yes 11, No 8**

Fiscal Note Required \_\_\_

SB0500001SC.sdr

OR



## SENATE STANDING COMMITTEE REPORT

March 17, 2009

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Mr. President:

We, your committee on **Finance and Claims** recommend that **Senate Bill 263** (second reading copy -- yellow) **do pass as amended.**

Signed: \_\_\_\_\_

*Keith Bales*  
Senator Keith Bales, Chair

**And, that such amendments read:**

1. Title, line 4 through line 5.

**Following:** "~~GOVERNING~~" on line 4

**Strike:** remainder of line 4 through "BY" on line 5

**Insert:** "REVISING LAWS GOVERNING"

2. Title, line 8.

**Strike:** "REQUIRING PUBLIC DEFENDER COSTS TO BE INCLUDED IN A CRIMINAL JUDGMENT;"

**Insert:** "REQUIRING ASSIGNED COUNSEL TO FILE CERTAIN COSTS WITH THE DISTRICT COURT;"

3. Page 1, line 19 through line 20.

**Following:** "costs" on line 19

**Strike:** remainder of line 19 through "JUDGMENT" on line 20

**Insert:** "costs to be filed with district court"

4. Page 1, line 24.

**Following:** "proceeding"

**Insert:** "."

**Strike:** ", as"

5. Page 1, line 25 through line 26.

**Following:** "~~47-1-104(5).~~" on line 25

**Strike:** remainder of line 25 through "ATTORNEY." on line 26

**Insert:** "If the criminal proceeding is in the district court, counsel assigned by the office of state public defender

**Committee Vote:**

Yes 16, No 0

Fiscal Note Required \_\_\_

SB0263002SC.sdr

OR

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shall file with the district court a statement of the hours spent on the case and the costs and expenses incurred."

6. Page 2, line 5 through line 10.

**Strike:** subsection (5) in its entirety

- END -



**SENATE STANDING COMMITTEE REPORT**

**March 17, 2009**

**Page 1 of 1**

Mr. President:

We, your committee on **Finance and Claims** recommend that **Senate Bill 22** (second reading copy -- yellow) **do pass as amended.**

Signed: \_\_\_\_\_

*Keith Bales*  
Senator Keith Bales, Chair

**And, that such amendments read:**

1. Page 1, line 24.

**Following:** "MUST"

**Strike:** "HOLD A WATER RIGHT IN MONTANA AND"

- END -

**Committee Vote:**

**Yes 12, No 7**

Fiscal Note Required \_\_\_

SB0022004SC.sdr

OR



## SENATE STANDING COMMITTEE REPORT

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Mr. President:

We, your committee on **Finance and Claims** recommend that **Senate Bill 343** (second reading copy -- yellow) **do pass as amended**.

Signed: \_\_\_\_\_

Handwritten signature of Keith Bales in cursive script.

*Senator Keith Bales, Chair*

**And, that such amendments read:**

1. Page 1, line 18.

**Following:** "wreak"

**Strike:** "catastrophic"

2. Page 2, line 20.

**Following:** "wreak"

**Strike:** "catastrophic"

3. Page 3, line 24.

**Strike:** "AN"

**Insert:** "a nonnative,"

4. Page 3, line 25.

**Following:** "cause"

**Strike:** "catastrophic"

5. Page 4, line 17.

**Following:** "individually,"

**Strike:** "may"

**Insert:** "shall"

**Following:** "other or"

**Insert:** "may enter into an agreement with"

6. Page 4, line 23.

**Insert:** "(4) The overall coordinating authority is the department of agriculture."

**Committee Vote:**

**Yes 19, No 0**

Fiscal Note Required \_\_\_

SB0343002SC.sdr

DR

7. Page 4, line 30.

**Following:** "collectively,"

**Strike:** "may"

**Insert:** "shall develop and"

8. Page 7, line 8.

**Following:** "Departments"

**Strike:** "may"

**Insert:** "shall"

**Following:** "establish"

**Insert:** "a"

**Strike:** "stations"

**Insert:** "station"

- END -



**SENATE STANDING COMMITTEE REPORT**

**March 17, 2009**

**Page 1 of 1**

Mr. President:

We, your committee on **Finance and Claims** recommend that **Senate Bill 350** (second reading copy -- yellow) **do pass**.

Signed: \_\_\_\_\_

*Keith Bales*  
Senator Keith Bales, Chair

- END -

**Committee Vote:**

**Yes 18, No 1**

Fiscal Note Required

SB0350002SC.sdr

DR



**SENATE STANDING COMMITTEE REPORT**

**March 17, 2009**

**Page 1 of 1**

Mr. President:

We, your committee on **Finance and Claims** recommend that **Senate Bill 429** (first reading copy -- white) **do pass as amended.**

Signed: \_\_\_\_\_

*Keith Bales*  
Senator Keith Bales, Chair

**And, that such amendments read:**

1. Page 1, line 19.

**Insert:** "(3) The department of administration shall make these transfers by July 15, 2009."

- END -

**Committee Vote:**

**Yes 18, No 1**

Fiscal Note Required \_\_\_

SB0429001SC.sdr

*DR*

**MONTANA STATE SENATE**  
**Roll Call Vote**  
**FINANCE AND CLAIMS COMMITTEE**

DATE 3-17-09 BILL NO SB 402 MOTION NO. \_\_\_\_\_  
 MOTION: SB 402 AS AMENDED 12-7

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR GREGORY BARKUS	✓		✓
SENATOR DEBBY BARRETT	✓		
SENATOR JOHN BRENDEN	✓		✓
SENATOR JOHN BRUEGGEMAN	✓		
SENATOR MIKE COONEY		✓	
SENATOR JOHN ESP	✓		
SENATOR STEVE GALLUS		✓	
SENATOR KEN HANSEN	✓		
SENATOR BOB HAWKS		✓	
SENATOR RICK LAIBLE	✓		
SENATOR JIM PETERSON	✓		
SENATOR RICK RIPLEY	✓		
SENATOR TRUDI SCHMIDT		✓	
SENATOR MITCH TROPILA		✓	
SENATOR DAVID WANZENRIED		✓	
SENATOR CAROL WILLIAMS		✓	✓
SENATOR RYAN ZINKE	✓		
SENATOR DAVE LEWIS, VICE CHAIRMAN	✓		
SENATOR KEITH BALES, CHAIRMAN	✓		

**MONTANA STATE SENATE**  
**Roll Call Vote**  
**FINANCE AND CLAIMS COMMITTEE**

DATE 3-17-09 BILL NO SB 500 MOTION NO. \_\_\_\_\_  
 MOTION: HB 500 Amend 50001. ATP 11-8

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR GREGORY BARKUS	✓		✓
SENATOR DEBBY BARRETT	✓		
SENATOR JOHN BRENDEN	✓		✓
SENATOR JOHN BRUEGGEMAN	✓		
SENATOR MIKE COONEY		✓	
SENATOR JOHN ESP	✓		
SENATOR STEVE GALLUS		✓	
SENATOR KEN HANSEN		✓	
SENATOR BOB HAWKS		✓	
SENATOR RICK LAIBLE	✓		
SENATOR JIM PETERSON	✓		
SENATOR RICK RIPLEY	✓		
SENATOR TRUDI SCHMIDT		✓	
SENATOR MITCH TROPILA		✓	
SENATOR DAVID WANZENRIED		✓	
SENATOR CAROL WILLIAMS		✓	✓
SENATOR RYAN ZINKE	✓		
SENATOR DAVE LEWIS, VICE CHAIRMAN	✓		
SENATOR KEITH BALES, CHAIRMAN	✓		

**MONTANA STATE SENATE**  
**Roll Call Vote**  
**FINANCE AND CLAIMS COMMITTEE**

DATE 3-17-09 BILL NO SB 500 MOTION NO. \_\_\_\_\_  
 MOTION: SB 500 as amended 11-8

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	<u>If Proxy Vote, check here &amp; include signed Proxy Form with minutes</u>
SENATOR GREGORY BARKUS	✓		✓
SENATOR DEBBY BARRETT	✓		
SENATOR JOHN BRENDEN	✓		✓
SENATOR JOHN BRUEGGEMAN	✓		
SENATOR MIKE COONEY		✓	
SENATOR JOHN ESP	✓		
SENATOR STEVE GALLUS		✓	
SENATOR KEN HANSEN		✓	
SENATOR BOB HAWKS		✓	
SENATOR RICK LAIBLE	✓		
SENATOR JIM PETERSON	✓		
SENATOR RICK RIPLEY	✓		
SENATOR TRUDI SCHMIDT		✓	
SENATOR MITCH TROPILA		✓	
SENATOR DAVID WANZENRIED		✓	
SENATOR CAROL WILLIAMS		✓	✓
SENATOR RYAN ZINKE	✓		
SENATOR DAVE LEWIS, VICE CHAIRMAN	✓		
SENATOR KEITH BALES, CHAIRMAN	✓		

**MONTANA STATE SENATE**  
**Roll Call Vote**  
**FINANCE AND CLAIMS COMMITTEE**

DATE 3-17-09 BILL NO SB 22 MOTION NO. \_\_\_\_\_  
 MOTION: Amend SB 22 22001.4tp 11-8

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	<u>If Proxy Vote, check here &amp; include signed Proxy Form with minutes</u>
SENATOR GREGORY BARKUS		✓	
SENATOR DEBBY BARRETT		✓	
SENATOR JOHN BRENDEN		✓	✓
SENATOR JOHN BRUEGGEMAN		✓	✓
SENATOR MIKE COONEY	✓		
SENATOR JOHN ESP		✓	
SENATOR STEVE GALLUS	✓		
SENATOR KEN HANSEN	✓		
SENATOR BOB HAWKS	✓		
SENATOR RICK LAIBLE		✓	
SENATOR JIM PETERSON		✓	
SENATOR RICK RIPLEY	✓		
SENATOR TRUDI SCHMIDT	✓		
SENATOR MITCH TROPILA	✓		
SENATOR DAVID WANZENRIED	✓		
SENATOR CAROL WILLIAMS	✓		
SENATOR RYAN ZINKE	✓		
SENATOR DAVE LEWIS, VICE CHAIRMAN	✓		
SENATOR KEITH BALES, CHAIRMAN		✓	

**MONTANA STATE SENATE**  
**Roll Call Vote**  
**FINANCE AND CLAIMS COMMITTEE**

DATE 3-17-09 BILL NO SB22 MOTION NO. 12-7  
 MOTION: SB 22 as amended

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	<u>If Proxy Vote, check here &amp; include signed Proxy Form with minutes</u>
SENATOR GREGORY BARKUS		✓	
SENATOR DEBBY BARRETT	✓		
SENATOR JOHN BRENDEN		✓	✓
SENATOR JOHN BRUEGGEMAN	✓		
SENATOR MIKE COONEY	✓		
SENATOR JOHN ESP		✓	
SENATOR STEVE GALLUS		✓	
SENATOR KEN HANSEN	✓		
SENATOR BOB HAWKS	✓		
SENATOR RICK LAIBLE	✓		
SENATOR JIM PETERSON	✓		
SENATOR RICK RIPLEY		✓	
SENATOR TRUDI SCHMIDT	✓		
SENATOR MITCH TROPILA	✓		
SENATOR DAVID WANZENRIED	✓		
SENATOR CAROL WILLIAMS	✓		
SENATOR RYAN ZINKE	✓		
SENATOR DAVE LEWIS, VICE CHAIRMAN		✓	
SENATOR KEITH BALES, CHAIRMAN		✓	



## AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from F&C Committee because of other commitments. I desire to leave my proxy vote with:

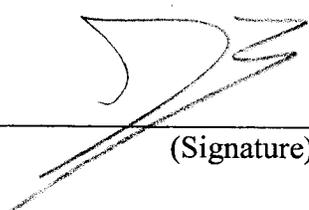
David Lewis

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT                      AYE      NO

SB 263	X	
SB 22 amend		X
<del>SB 22</del>		

BILL/AMENDMENT                      AYE      NO


sen.   
(Signature) Briggeman

Date 3/12/09

## AUTHORIZED COMMITTEE PROXY

I request to be excused from the SEN FIN COM

Committee because of other commitments. I desire to leave my proxy vote with:  
Sen Schmidt

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO
SB343 Amendment 34302 ANS	X	
SB343	X	
SB350	A	
SB 424	X	

BILL/AMENDMENT	AYE	NO

Rep. Olafson  
(Signature)

Date 3/17/09



## AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from F & C Committee because of other commitments. I desire to leave my proxy vote with:

Dave Lewis

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO
SB 73 <sup>as</sup> Amend <sup>ed</sup>	X	
SB 149	X	
SB 402	X	
SB 500 Amend	X	
SB 500 as Amend	X	
SB 263	X	
SB 22 Amend		X
SB 22 as Amend		X

BILL/AMENDMENT	AYE	NO
Voice Votes		
SB 350	X	
302.ahs 302.atp + amend	343	X
429 amend	429	X
SB 343	X	

sen. John A. Brenden  
(Signature) Brenden

Date 3/17/09



**MONTANA STATE SENATE**  
Visitors Register

Finance and Claims Committee

Date 3-17-2009

Bill No. SB 183 Sponsor(s) Senator Balyeat

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Name and Address	Representing	Support	Oppose	Inf.
Janet Ellis	MT Audubon		X	
Ben Lamb	MT Wildlife Fed		X	
CHRIS SMITH	FWP		X	
<del>Donna D. ...</del>	<del>...</del>	X		
Chris Tweeter	Attorney General		X sec. 15	
George Edwards	LLAMB			X
George Harris	DOL			X
Tom RAVNDAL	MMWA	X		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.