

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON FINANCE AND CLAIMS

Call to Order: Chair Dave Lewis, on April 5, 2011 at 8:00 AM, in Room 317 Capitol

ROLL CALL

Members Present:

Sen. Dave Lewis, Chairman (R)
Sen. Rick Ripley, Vice Chairman (R)
Sen. Debby Barrett (R)
Sen. John Brenden (R)
Sen. Taylor Brown (R)
Sen. Edward Buttrey (R)
Sen. Bob Hawks (D)
Sen. Llew Jones (R)
Sen. Jim Keane (D)
Sen. Carol Williams (D)
Sen. Ryan Zinke (R)

Members Excused:

Sen. Mary Caferro (D)
Sen. Steven Gallus (D)
Sen. Bradley Hamlett (D)
Sen. Alan Olson (R)
Sen. Jason Priest (R)
Sen. Jon Sonju (R)
Sen. Edward Walker (R)
Sen. David E. Wanzenried (D)

Members Absent: None

Staff Present: Jaret Coles, Legislative Branch
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 317, 3/31/2011; HB 343, 3/31/2011; HB 140, 3/31/2011; HB 439, 3/31/2011

Executive Action: HB 10; HB 604

HEARING ON HB 317**Opening Statement by Sponsor:**

00:03:25 Rep. Rob Cook (R), HD 27, opened the hearing on HB 317, Sunset statutory appropriations over certain periods.

Proponents' Testimony:

None

Opponents' Testimony:

00:06:11 James Davison, Montana Economic Developers Association

00:06:47 Paul Tuss, Bear Paw Development and Tourism Advisory Council

EXHIBIT(fcs76a01)

00:07:22 Peter Bovingdon, Montana Ski Areas Association

00:07:55 Jane Hamman, representing herself

00:10:42 Director Mary Sexton, Department of Natural Resources and Conservation (DNRC)

00:11:43 Stuart Doggett, Montana Lodging and Hospitality Association

00:14:11 Jeff Welch, Mercury CSC

00:17:09 Jeri Duran, Montana Lottery

00:18:56 Harold Blattie, Executive Director, Montana Association of Counties (MACo)

Informational Testimony:

00:20:11 Denise King, Montana Historical Society

00:20:56 Joe Foster, Montana Veterans Affairs Division

Questions from Committee Members and Responses:

00:22:21 Sen. Brown

00:22:45 Director Sexton, DNRC

00:23:38 Sen. Brown

00:23:49 Director Sexton

00:24:14 Sen. Caferro

00:24:28 Rep. Cook

00:26:37 Sen. Caferro

00:27:15 Rep. Cook

00:27:59 Sen. Caferro

00:28:23 Sen. Hawks

00:29:36 Rep. Cook

00:30:36 Sen. Hawks

00:31:14 Rep. Cook

00:31:50 Sen. Hawks

00:32:00 Jaret Coles, Legislative Services Division

00:33:02 Sen. Barrett

00:34:43 Rep. Cook

00:35:59 Sen. Barrett

00:36:18 Taryn Purdy, Legislative Fiscal Division (LFD)

Closing by Sponsor:

00:36:55 Rep. Cook

HEARING ON HB 343

Opening Statement by Sponsor:

00:37:29 Rep. Rob Cook (R), HD 27, opened the hearing on HB 343, Partial zero-based budgeting for state agency budgets.

Proponents' Testimony:

None

Opponents' Testimony:

00:40:10 Director David Ewer, Office of Budget and Program Planning

00:54:29 Jane Hamman, representing herself

Informational Testimony:

None

Questions from Committee Members and Responses:

00:56:28 Sen. Keane

00:57:09 Rep. Cook

01:00:34 Sen. Keane

01:00:58 Rep. Cook

01:01:47 Chairman Lewis

01:02:16 Sen. Jones

01:03:23 Rep. Cook

01:04:24 Sen. Jones

01:04:46 Rep. Cook

01:04:53 Sen. Brown

01:06:12 Rep. Cook

01:07:08 Sen. Priest

01:07:34 Rep. Cook

01:07:38 Sen. Williams

01:08:46 Director Ewer, OBPP

01:10:23 Sen. Williams

01:10:58 Director Ewer

01:12:03 Sen. Ripley

01:13:03 Rep. Cook

01:13:22 Sen. Ripley

01:13:34 Rep. Cook

01:14:04 Sen. Keane
01:14:19 Rep. Cook
01:14:44 Sen. Keane
01:15:09 Director Ewer
01:16:25 Sen. Keane
01:16:41 Director Ewer
01:17:02 Sen. Hamlett
01:19:28 Rep. Cook
01:19:53 Sen. Hamlett
01:20:12 Rep. Cook
01:20:46 Chairman Lewis
01:20:55 Sen. Hamlett

Closing by Sponsor:

01:21:20 Rep. Cook

HEARING ON HB 140

Opening Statement by Sponsor:

01:22:48 Rep. Cynthia Hiner (D), HD 85, opened the hearing on HB 140, Transfer funds from the economic development special revenue account.

Proponents' Testimony:

01:25:01 Director David Ewer, Office of Budget and Program Planning (OBPP)

Opponents' Testimony:

01:25:34 James Davison, President, Montana Economic Developers Association

EXHIBIT(fcs76a02)

01:27:14 Paul Tuss, Executive Director, Bear Paw Development Corporation

01:28:10 Mike Coryell, Miles City Economic Development Corporation

01:29:40 Sarah Converse, Executive Director, Sweetgrass Development Corporation

EXHIBIT(fcs76a03)

01:30:48 Els Van Weorg

01:32:08 Jim Atchison, Southeastern Montana Development Corporation

01:33:32 Gary Amestoy, Richland County Economic Development Corporation

Informational Testimony:

01:34:01 Andy Poole, Department of Commerce (COM)

Questions from Committee Members and Responses:

01:34:19 Sen. Brown

01:35:08 Mr. Coryell

01:36:15 Sen. Brown

01:37:17 Mr. Davison
 01:38:30 Sen. Brown
 01:38:53 Mr. Davison
 01:39:56 Sen. Zinke
 01:40:16 Rep. Hiner
 01:40:36 Sen. Zinke
 01:40:45 Rep. Hiner
 01:40:51 Chairman Lewis
 01:41:01 Mr. Poole, COM
 01:41:11 Sen. Zinke
 01:41:21 Mr. Poole
 01:41:53 Sen. Ripley
 01:42:30 Mr. Poole
 01:43:32 Sen. Ripley
 01:43:53 Mr. Poole

Closing by Sponsor:

01:44:57 Rep. Hiner

HEARING ON HB 439

Opening Statement by Sponsor:

01:46:08 Rep. Galen Hollenbaugh (D), HD 81, opened the hearing on HB 439, General obligation bonds for state government.

Proponents' Testimony:

01:47:59 Betty Babcock, representing herself
EXHIBIT(fcs76a04)
 01:56:17 Cary Hegreberg, Montana Contractor's Association (MCA)
EXHIBIT(fcs76a05)
 02:00:46 J.D. Lynch, Montana State Construction Trade, Pacific Northwest Council of Carpenters and Teamsters Local #2
 02:01:41 Jennifer James, Montana Building Industry Association and American Institute of Architects
 02:02:06 Chris Cavazos, Montana State AFL-CIO
 02:02:43 Bob Pavlovich, Southwest Montana Veterans Nursing Home Committee
 02:03:46 Paul Babb, Chief Executive, Butte Silverbow Local Government
 02:04:26 Brent Campbell, WGM Group
 02:05:02 Jay Skoog, Executive Director, American Council of Engineering Companies of Montana
 02:06:30 John Youngberg, Montana Farm Bureau Federation (MFBF)
 02:07:25 Ed Bartlett, Montana Chamber of Commerce, Billings Chamber of Commerce and Bozeman Chamber of Commerce
 02:07:57 John MacDonald, City of Missoula
 02:08:32 Jeff Kanning, Collaborative Design Architects, Billings
 02:09:15 Russ Ritter, representing Montana Military Museum

02:17:00 Eric Burke, MEA-MFT
 02:19:16 Mike Foster, Catholic Hospitals of Montana
 02:20:08 Shaun Tatarka, Great Falls Development Authority
 02:21:52 Jim Davison, President, Montana Economic Developers Association
 02:22:41 Paul Tuss, Bear Paw Economic Development Corporation

EXHIBIT(fcs76a06)

02:23:28 Rep. John Sesso, HD 76
 02:25:16 Blake Robertson, Associated Students, Montana State University, Billings
 02:26:05 Jennifer Gursky, Associated Students, University of Montana and UM College of Technology
 02:27:24 Sheila Stearns, Commissioner of Higher Education
 02:28:01 Royce Engstrom, President, University of Montana
 02:29:03 Waded Cruzado, President, Montana State University
 02:31:29 Sen. Carol Williams, Co-Sponsor and representing Bill Crandall, Modern Machinery

EXHIBIT(fcs76a07)

EXHIBIT(fcs76a08)

Opponents' Testimony:

None

Informational Testimony:

02:33:56 Joe Triem, Architectural and Engineering Division
 02:34:10 Anna Miller, Department of Natural Resources, DNRC

Questions from Committee Members and Responses:

02:34:28 Sen. Keane
 02:35:02 Rep. Hollenbaugh
 02:36:36 Sen. Keane
 02:36:55 Sen. Priest
 02:37:23 Rep. Hollenbaugh
 02:37:43 Ms. Miller, DNRC
 02:37:59 Sen. Priest
 02:38:48 Rep. Hollenbaugh
 02:41:15 Sen. Priest
 02:41:25 Rep. Hollenbaugh
 02:41:42 Sen. Keane
 02:42:04 Mr. Youngberg, MFBF
 02:42:29 Sen. Keane
 02:43:05 Cary Hegreburg, Montana Contractors Association
 02:44:19 Sen. Brenden
 02:45:44 Rep. Hollenbaugh
 02:47:33 Sen. Brenden
 02:48:39 Rep. Hollenbaugh
 02:49:42 Sen. Zinke
 02:49:58 Commissioner Stearns
 02:51:22 Sen. Zinke

02:51:41 Commissioner Stearns
 02:52:33 Sen. Zinke
 02:52:42 Commissioner Stearns
 02:52:50 Sen. Barrett
 02:53:55 Rep. Hollenbaugh
 02:55:09 Sen. Barrett
 02:55:50 Rep. Hollenbaugh
 02:56:09 Sen. Barrett
 02:57:29 Commissioner Stearns
 02:57:57 Sen. Barrett
 02:58:11 Commissioner Stearns
 02:58:48 Sen. Williams
 02:59:37 Chairman Lewis
 03:00:50 Rep. Hollenbaugh
 03:01:54 Sen. Ripley
 03:02:29 Rep. Hollenbaugh
 03:03:05 Sen. Ripley
 03:03:14 Rep. Hollenbaugh
 03:03:18 Rep. Sesso

Closing by Sponsor:

03:04:58 Rep. Hollenbaugh
 03:07:58 Chairman Lewis
 03:08:02 Sen. Zinke
 03:08:27 Chairman Lewis

EXECUTIVE ACTION ON HB 10

Sen. Gallus and Sen. Olson not present

03:09:26 **Motion:** Sen. Sonju moved that **HB 10 BE CONCURRED IN.**

03:09:35 **Motion:** Sen. Sonju moved that **HB 10 BE AMENDED.**
EXHIBIT(fcs76a09)

Discussion:

03:10:21 Sen. Sonju
 03:12:34 Pam Bucy, Chief Legal Counsel, Department of Labor and Industry (DLI)
 03:14:13 Sen. Sonju
 03:14:23 Jaret Coles, Legislative Services Division (LSD)
 03:15:44 Sen. Sonju
 03:16:11 Sen. Keane
 03:16:28 Mr. Coles, LSD
 03:17:06 Chairman Lewis

03:17:25 **Vote:** Motion carried 17-0 by voice vote by those present and voting.

03:17:36 **Motion/Vote:** Sen. Sonju moved that **HB 10 BE CONCURRED IN AS AMENDED**. Motion carried 17-0 by voice vote of those present and voting. Sen. Sonju will carry the bill.

EXECUTIVE ACTION ON HB 604

Sen. Olson and Sen. Williams not present.

03:17:54 **Motion:** Sen. Zinke moved that **HB 604 BE CONCURRED IN**.

03:19:00 **Motion:** Sen. Zinke moved that **HB 604 BE AMENDED**.
EXHIBIT(fcs76a10)

Discussion:

03:19:10 Sen. Zinke
03:24:37 Chairman Lewis
03:24:58 Sen. Zinke
03:25:44 Chairman Lewis
03:25:54 Sen. Wanzenried
03:26:03 Sen. Zinke
03:26:14 Sen. Wanzenried
03:26:25 Kris Wilkinson, Legislative Fiscal Division (LFD)
03:29:09 Sen. Wanzenried
03:30:21 Pat Murdo, Legislative Services Division (LSD)
03:31:36 Sen. Wanzenried
03:31:59 Ms. Murdo
03:32:58 Sen. Keane
03:33:23 Sen. Zinke
03:34:23 Mr. Coles, LSD
03:34:57 Chairman Lewis
03:35:09 Mr. Coles

03:35:22 **Vote:** Motion carried 13-4 by roll call vote with Sen. Caferro, Sen. Priest, Sen. Sonju and Sen. Wanzenried voting no. Sen. Olson and Sen. Williams abstained from vote.

03:36:42 Sen. Brenden
03:36:43 Taryn Purdy, Legislative Fiscal Division (LFD)

03:37:00 **Motion:** Sen. Brenden moved that **HB 604 BE AMENDED**.
EXHIBIT(fcs76a11)

Discussion:

03:37:27 Ms. Purdy, LFD
03:38:47 Sen. Brenden
03:39:15 Ms. Purdy
03:39:40 Sen. Brenden

03:40:03 Sen. Williams
 03:41:21 Sen. Brenden

Sen. Olson and Sen. Wanzenried not present.

03:42:00 **Vote:** Motion carried 10-8 by roll call vote with Sen. Caferro, Sen. Gallus, Sen. Hamlett, Sen. Hawks, Sen. Keane, Sen. Priest, Sen. Wanzenried and Sen. Williams voting no. Sen. Wanzenried voted by proxy. Sen. Olson abstained from vote.

03:43:03 **Motion:** Sen. Jones moved that **HB 604 BE AMENDED.**
[EXHIBIT\(fcs76a12\)](#)

Discussion:

03:43:33 Sen. Ripley

03:43:49 **Vote:** Motion carried 11-7 by voice vote with Sen. Caferro, Sen. Gallus, Sen. Hamlett, Sen. Hawks, Sen. Keane, Sen. Wanzenried and Sen. Williams voting no. Sen. Wanzenried voted by proxy.

03:44:16 Ms. Purdy, LFD
 03:44:36 Sen. Gallus
 03:43:32 Sen. Ripley
 03:45:05 Chairman Lewis
 03:45:10 Sen. Williams

Sen. Olson, Sen. Priest, Sen. Ripley, Sen. Wanzenried and Sen. Williams not present.

03:45:22 **Motion/Vote:** Sen. Ripley moved that **HB 604 BE AMENDED.** Motion failed 6-13 by roll call vote with Sen. Barrett, Sen. Brenden, Sen. Gallus, Sen. Keane, Sen. Olson, and Sen. Walker voting aye. Sen. Olson, Sen. Priest, Sen. Ripley, Sen. Wanzenried and Sen. Williams voted by proxy.

[EXHIBIT\(fcs76a13\)](#)

Sen. Olson, Sen. Priest, Sen. Sonju, Sen. Wanzenried not present.

03:47:03 **Motion/Vote:** Sen. Zinke moved that **HB 604 BE CONCURRED IN AS AMENDED.** Motion carried 12-7 by roll call vote with Sen. Caferro, Sen. Gallus, Sen. Hamlett, Sen. Hawks, Sen. Keane, Sen. Wanzenried and Sen. Williams voting no. Sen. Olson, Sen. Priest, Sen. Sonju and Sen. Wanzenried voted by proxy. Sen. Zinke will carry the bill.

Additional Exhibit:

Legislative Fiscal Division spreadsheet HB 317
[EXHIBIT\(fcs76a14\)](#)

ADJOURNMENT

Adjournment: 11:51 a.m.

Prudence Gildroy, Secretary

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Additional Documents:

EXHIBIT([fcs76aad.pdf](#))