

## MINUTES

### MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON FINANCE AND CLAIMS

**Call to Order:** Chair Rick Ripley, on February 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. Mary Caferro (D)  
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. Jon C. Sesso (D)  
Sen. Mitch Tropila (D)  
Sen. David E. Wanzenried (D)  
Sen. Roger Webb (R)  
Sen. Jonathan Windy Boy (D)

**Members Excused:**

Sen. Jeff Essmann (R)  
Sen. Jason Priest (R)

**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 18, 2/7/2013; HB 81, 2/7/2013; SB 236, 2/7/2013

Executive Action: SB 58 - Do Pass as Amended; SB 114 - Do Pass; SB 135 (bill not reported out of committee); SB 192 - Do Pass as Amended;  
SB 1- Tabled

**HEARING ON HB 81**

**Opening Statement by Sponsor:**

00:05:29 Rep. Duane Ankney (R), HD 43, opened the hearing on HB 81, Revise securities restitution assistance fund laws.

[EXHIBIT\(fcs31a01\)](#)

**Proponents' Testimony:**

00:08:29 Jesse Laslovich, Office of the Commissioner of Securities and Insurance, State Auditor (CSI)

00:10:26 Marilyn Lemm, AARP Montana

[EXHIBIT\(fcs31a02\)](#)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:11:22 Sen. Olson

00:11:40 Sen. Brown

00:12:00 Mr. Laslovich (CSI)

**Closing by Sponsor:**

00:12:24 Rep. Ankney

**HEARING ON HB 18**

**Opening Statement by Sponsor:**

00:12:51 Rep. Galen Hollenbaugh (D), HD 81, opened the hearing on HB 18, Clarify general fund transfers to the research and commercialization account.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:14:36 Sen. Tropila

00:14:58 Rep. Hollenbaugh

**Closing by Sponsor:**

00:15:11 Rep. Hollenbaugh

**HEARING ON SB 236**

**Opening Statement by Sponsor:**

00:15:35 Sen. Alan Olson (R), SD 23, opened the hearing on SB 236, Increase coal board funding until June 30, 2019.

**Proponents' Testimony:**

00:17:11 Rep. Duane Ankney, HD 43  
00:18:13 Bill Kennedy, Yellowstone County Commissioner  
00:19:42 Robert Lee, Rosebud County Commissioner  
00:20:25 Larry Lekse, Musselshell County Commissioner  
00:21:21 Ellen Hampa, Southeast Montana Development Corporation (SEMDC), and representing herself

**EXHIBIT(fcs31a03)**

00:22:17 Bob Gilbert, Montana Association of Oil, Gas and Coal Counties (MAOG&CC)  
00:22:55 Keith Holmlund, Custer County Commissioner  
00:24:12 Chad Sealey, Roundup Superintendent of Schools  
00:24:57 Rep. Tom Berry, HD 45  
00:25:36 Monty Sealey, Central Montana Resource Conservation and Development (CMTRC&D)  
00:27:36 Bob Goffena, Musselshell County Commissioner  
00:28:35 Bill Edwards, Mayor, City of Roundup  
00:29:05 Sidney Fitzpatrick, Bighorn County Commissioner (BCC)

**Opponents' Testimony:** None

**Informational Testimony:**

00:29:32 Chris Wilkinson, Legislative Fiscal Division (LFD)

**Questions from Committee Members and Responses:**

00:29:45 Sen. Windy Boy  
00:30:16 Mr. Fitzpatrick, BCC  
00:30:38 Sen. Brendan  
00:31:22 Sen. Olson

**Closing by Sponsor:**

00:31:47 Sen. Olson

**EXECUTIVE ACTION ON SB 58**

00:34:31 **Motion:** Sen. Windy Boy moved that **SB 58 DO PASS.**

00:34:52 Taryn Purdy, Legislative Fiscal Division (LFD)  
**EXHIBIT(fcs31a04)**

**Motion/Vote:** Sen. Windy Boy moved that **SB 58 BE AMENDED**. Motion carried 18-0 by voice vote. Sen. Essmann and Sen. Priest were excused.

00:35:55 **Motion:** Sen. Windy Boy moved that **SB 58 DO PASS AS AMENDED**.

**Discussion:**

00:36:04 Sen. Windy Boy

00:36:42 Sen. Olson

00:37:34 Sen. Sesso

00:37:52 Sen. Olson

00:38:03 Sen. Sesso

00:38:10 Sen. Olson

00:38:23 Sen. Sesso

00:38:50 **Motion:** Sen. Sesso moved that **SB 58 BE AMENDED CONCEPTUALLY striking "there is transferred \$10 million" and inserting "there is transferred \$1 million."**

**Discussion:**

00:39:13 Sen. Hamlett

00:39:19 Chairman Ripley

00:39:23 Sen. Olson

00:40:17 Chairman Ripley

00:40:36 Sen. Brendan

00:41:24 Sen. Lewis

00:42:19 Sen. Brendan

00:42:43 Chairman Ripley

00:43:06 **Vote:** Motion carried 14-4 by voice vote with Sen. Brenden, Sen. Brown, Sen. Walker and Sen. Webb voting no. Sen. Essmann and Sen. Priest were excused.

00:43:44 **Motion:** Sen. Sesso moved that **SB 58 DO PASS AS AMENDED**.

**Discussion:**

00:43:51 Sen. Olson

00:44:40 Sen. Tropila

00:45:20 **Vote:** Motion carried 14-6 by roll call vote with Sen. Brenden, Sen. Essmann, Sen. Jones, Sen. Rosendale, Sen. Walker and Sen. Webb voting no. Sen. Essmann and Sen. Priest voted by proxy.

**EXECUTIVE ACTION ON SB 114**

00:46:58 **Motion:** Sen. Keane moved that **SB 114 DO PASS**.

**Discussion:**

00:47:13 Sen. Jones  
00:48:10 Sen. Olson  
00:48:40 Sen. Keane  
00:49:00 Sen. Brendan  
00:50:09 Sen. Brown  
00:50:34 Sen. Brendan

00:50:40 **Vote:** Motion carried 18-2 by roll call vote with Sen. Ripley and Sen. Wanzenried voting no. Sen. Essmann and Sen. Priest voted by proxy.

**EXECUTIVE ACTION ON SB 135**

00:52:34 **Motion:** Sen. Walker moved that **SB 135 DO PASS**

00:52:41 **Motion:** Sen. Walker moved that **SB 135 BE AMENDED.**  
**EXHIBIT(fcs31a05)**

**Discussion:**

00:53:03 Taryn Purdy, Legislative Fiscal Division (LFD)  
00:54:35 Sen. Brown  
00:54:49 Ms. Purdy, LFD  
00:55:24 Chairman Ripley  
00:55:41 Ms. Purdy  
00:56:04 Chairman Ripley  
00:56:21 Ms. Purdy  
00:56:42 Sen. Keane

00:57:01 **Vote:** Motion carried 18-0 by voice vote. Sen. Essmann and Sen. Priest were excused.

00:57:22 **Motion:** Sen. Walker moved that **SB 135 DO PASS AS AMENDED.**

**Discussion:**

00:57:28 Sen. Keane  
00:57:55 Sen. Walker  
00:58:03 Ms. Purdy  
00:58:31 Chairman Ripley  
00:58:41 Sen. Windy Boy  
01:01:22 Chairman Ripley  
01:01:34 Sen. Windy Boy  
01:01:51 Chairman Ripley  
01:01:54 Sen. Buttrey  
01:02:56 Sen. Sesso  
01:05:37 Chairman Ripley

01:05:59 **Vote:** Motion failed 7-13 by roll call vote with Sen. Caferro, Sen. Essmann, Sen. Moore, Sen. Priest, Sen. Rosendale, Sen. Walker and Sen. Windy Boy voting aye. Sen. Essmann and Sen. Priest voted by proxy. (Vote was not reported out of Committee.)

**EXECUTIVE ACTION ON SB 192**

01:07:49 **Motion:** Sen. Wanzenried moved that **SB 192 DO PASS.**

01:07:59 **Motion:** Sen. Wanzenried moved that **SB 192 BE AMENDED.**  
**EXHIBIT(fcs31a06)**

**Discussion:**

01:08:24 Taryn Purdy, Legislative Fiscal Division (LFD)

01:08:58 **Vote:** Motion carried 18-0 by voice vote. Sen. Essmann and Sen. Priest were excused.

01:09:06 **Motion:** Sen. Wanzenried moved that **SB 192 DO PASS AS AMENDED.**

**Discussion:**

01:09:15 Sen. Wanzenried  
01:09:45 Ms. Purdy, LFD  
01:11:23 Sen. Wanzenried  
01:12:20 Sen. Walker  
01:12:28 Sen. Wanzenried  
01:12:43 Sen. Olson  
01:13:58 Sen. Keane  
01:14:12 Sen. Wanzenried  
01:15:16 Sen. Keane  
01:15:25 Sen. Wanzenried  
01:16:37 Sen. Keane  
01:16:51 Sen. Wanzenried  
01:17:16 Sen. Brown  
01:17:49 Sen. Wanzenried

01:19:01 **Vote:** Motion carried 11-9 by roll call vote with Sen. Brenden, Sen. Essmann, Sen. Jones, Sen. Lewis, Sen. Priest, Sen. Ripley, Sen. Rosendale, Sen. Walker and Sen. Webb voting no. Sen. Essmann and Sen. Priest voted by proxy.

**EXECUTIVE ACTION ON SB 1**

01:20:56 **Motion/Vote:** Sen. Hamlett moved that **SB 1 BE TABLED.** Motion carried 18-0 by voice vote. Sen. Essmann and Sen. Priest were excused.

**ADJOURNMENT**

Adjournment: 6:19 p.m.

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Prudence Gildroy, Secretary

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Additional Documents:

**EXHIBIT([fcs31aad.pdf](#))**