

MINUTES

MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON FINANCE AND CLAIMS

Call to Order: Chair Rick Ripley, on March 25, 2013 at 9:00 A.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. Mary Caferro (D)
Sen. Jim Keane (D)
Sen. Dave Lewis (R)
Sen. Frederick (Eric) Moore (R)
Sen. Matthew M. Rosendale Sr (R)
Sen. Mitch Tropila (D)
Sen. David E. Wanzenried (D)
Sen. Roger Webb (R)

Members Excused:

Sen. Edward Buttrey (R)
Sen. Jeff Essmann (R)
Sen. Bradley Hamlett (D)
Sen. Llew Jones (R)
Sen. Alan Olson (R)
Sen. Jason Priest (R)
Sen. Jon C. Sesso (D)
Sen. Jonathan Windy Boy (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 9, 3/22/2013; HB 11, 3/22/2013; HB 97, 3/22/2013

Executive Action: HB 3 Be Concurred in As Amended; HB 170 Be Concurred In; HB 256 Be Concurred In

HEARING ON HB 9

Opening Statement by Sponsor:

00:10:21 Rep. Roy Hollandsworth (R), HD 28, opened the hearing on HB 9, Cultural and aesthetic grants.

Proponents' Testimony:

00:11:51 Denise King, Montana Historical Society (MHS)

00:13:13 Carleen Layne, Montana Arts Council (MAC)

Opponents' Testimony: None

Informational Testimony:

00:14:03 Cathy Duncan, Legislative Fiscal Division (LFD)

[EXHIBIT\(fcs64a01\)](#)

Questions from Committee Members and Responses:

00:16:28 Sen. Brenden

00:17:16 Ms. Duncan, LFD

00:17:29 Chairman Ripley

00:18:06 Sen. Wanzenried

00:18:14 Ms. Duncan

00:18:30 Sen. Wanzenried

00:18:45 Sen. Walker

00:18:49 Sen. Sesso, Sen. Windy Boy and Sen. Hamlett now present.

00:19:14 Ms. Duncan

00:20:19 Sen. Walker

00:20:41 Sen. Lewis

00:21:13 Ms. Duncan

Closing by Sponsor:

00:22:08 Rep. Hollandsworth

HEARING ON HB 11

Opening Statement by Sponsor:

00:22:24 Rep. Steve Gibson (R), HD 78, opened the hearing on HB 11, Treasure state endowment program.

Proponents' Testimony:

00:24:26 Steve Wade, Montana Rural Water Systems (MRWS) and North Central Montana Regional Water Authority (NCMRWA)

[EXHIBIT\(fcs64a02\)](#)

00:27:53 Krista Lee Evans, Dry Prairie Regional Water Authority (DPRWA)
00:28:41 Cary Hegreberg, Montana Contractors Association (MCA)
00:30:00 Bob Gilbert, City of Glendive, Dawson County, Richland Economic Development Corporation, Montana Association of Oil and Gas Counties
00:31:07 Gordon Morris, Lewis and Clark County, Montana Association of County Road Supervisors
00:31:35 Gary Spaeth, Jefferson County
00:32:08 Alec Hansen, Montana League of City and Towns
00:34:20 Maureen Connor, Montana Association of Counties (MACo)

Opponents' Testimony: None

Informational Testimony:

00:35:41 Cathy Duncan, Legislative Fiscal Division (LFD)
[EXHIBIT\(fcs64a03\)](#)
00:38:10 Kelly Lynch, Montana Department of Commerce (COM)
00:39:18 Ray Beck, Montana Department of Natural Resources and Conservation (DNRC)

Questions from Committee Members and Responses:

00:40:14 Sen. Rosendale
00:40:32 Ms. Lynch, COM
00:41:32 Sen. Rosendale
00:41:55 Ms. Lynch
00:42:52 Sen. Tropila
00:43:12 Ms. Duncan, LFD
00:43:26 Sen. Tropila
00:43:31 Ms. Duncan
00:44:02 Rep. Gibson
00:44:22 Sen. Caferro
00:44:44 Ms. Duncan
00:46:32 Sen. Caferro
00:46:49 Ms. Duncan
00:47:55 Chairman Ripley
00:48:16 Sen. Caferro
00:48:32 Rep. Gibson
00:48:45 Sen. Windy Boy
00:49:48 Mr. Wade, MRWS
00:50:32 Sen. Windy Boy
00:51:43 Anna Miller, Montana Department of Natural Resources and Conservation (DNRC)
00:54:10 Sen. Walker
00:54:25 Ms. Miller, DNRC
00:54:58 Sen. Walker
00:55:16 Mr. Wade
00:56:29 Sen. Brenden
00:56:50 Ms. Miller
00:57:03 Sen. Webb

00:57:19 Ms. Miller
00:57:54 Sen. Lewis
00:58:30 Ms. Lynch
00:59:14 Sen. Lewis
00:59:28 Ms. Lynch
00:59:34 Sen. Caferro
01:00:31 Mr. Wade
01:03:14 Sen. Keane
01:03:40 Mr. Wade
01:03:58 Sen. Webb
01:04:19 Mr. Wade

Closing by Sponsor:

01:05:13 Rep. Gibson

HEARING ON HB 97

Opening Statement by Sponsor:

01:05:50 Rep. Franke Wilmer (D), HD 63, opened the hearing on HB 97, Cap highest/final average compensation in MPERA retirement systems.

Proponents' Testimony:

01:08:27 Michael O'Connor, Montana Public Employees Retirement Board (PERB)
[EXHIBIT\(fcs64a04\)](#)

01:14:51 Tom Schneider, Montana Public Employees Association (MPEA), American Federation of State, County and Municipal Employees (AFSCME)

01:16:30 Sheryl Wood, Montana Association of Counties (MACo)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:17:50 Sen. Brenden
01:19:17 Mr. Schneider, MPEA, AFSCME
01:19:33 Sen. Lewis
01:19:54 Sen. Tropila`
01:20:44 Mr. Schneider
01:21:03 Sen. Keane
01:21:27 Mr. O'Connor, PERB
01:23:10 Sen. Keane
01:23:24 Mr. O'Connor
01:23:44 Sen. Windy Boy
01:24:14 Mr. O'Connor
01:25:18 Sen. Walker

01:25:42 Mr. O'Connor
01:26:07 Sen. Keane
01:26:32 Rep. Wilmer
01:27:55 Sen. Keane
01:28:26 Rep. Wilmer
01:28:40 Sen. Keane
01:28:46 Sen. Tropila
01:30:01 Doug Neil, Montana State Fireman's Association
01:32:31 Sen. Caferro
01:33:07 Mr. O'Connor
01:33:53 Sen. Caferro
01:34:20 Mr. O'Connor
01:34:57 Sen. Caferro

Closing by Sponsor:

01:35:09 Rep. Wilmer

EXECUTIVE ACTION ON HB 3

01:37:14 **Motion:** Sen. Walker moved that **HB 3 BE CONCURRED IN..**
EXHIBIT(fcs64a05)

01:37:47 **Motion:** Sen. Wanzenried moved that **HB 3 BE AMENDED.**
EXHIBIT(fcs64a06)

Discussion:

01:37:48 Sen. Wanzenried
01:39:18 Clayton L. Coker, Montana Public Safety Officers and Training Council (POST)
01:43:10 Sen. Tropila
01:43:21 Mr. Coker, POST
01:43:58 Sen. Tropila
01:44:27 Mr. Coker
01:44:45 Sen. Walker
01:45:06 Mr. Coker
01:46:39 Sen. Walker
01:46:53 Mr. Coker
01:46:59 Sen. Tropila
01:47:22 Mr. Coker
01:47:32 Sen. Tropila
01:48:03 Mr. Coker
01:48:39 Chairman Ripley
01:48:46 Sen. Tropila
01:49:19 Sen. Wanzenried

00:49:40 **Vote:** Motion carried 11-7 by roll call vote with Sen. Brown, Sen. Essmann, Sen. Moore, Sen. Priest, Sen. Rosendale, Sen. Walker and Sen. Webb voting no. Sen. Essmann, Sen. Jones and Sen. Priest voted by proxy. Sen. Buttrey and Sen. Olson were excused.

01:51:22 **Motion:** Sen. Tropila moved that **HB 3 BE AMENDED.**

[EXHIBIT\(fcs64a07\)](#)

Discussion:

01:51:24 Sen. Tropila
01:53:28 Sen. Walker
01:54:30 Sen. Wanzenried

01:54:59 **Vote:** Motion carried 14-1 by voice vote with Sen. Rosendale voting no. Sen. Buttrey, Sen. Essmann, Sen. Jones, Sen. Olson and Sen. Priest were excused.

01:55:57 **Motion:** Sen. Webb moved that **HB 3 BE AMENDED.**

[EXHIBIT\(fcs64a08\)](#)

Discussion:

01:56:04 Sen. Webb
01:57:13 Sen. Sesso
01:58:28 Sen. Tropila
01:59:18 Sen. Webb
01:59:51 Sen. Sesso
02:01:24 Chairman Ripley
02:01:32 Rhonda Schaffer, Montana Department of Corrections (COR)
02:02:54 Chairman Ripley
02:03:19 Sen. Walker
02:03:38 Ms. Schaffer, COR
02:04:36 Sen. Walker
02:04:55 Ms. Schaffer
02:05:44 Sen. Brenden
02:06:09 Ms. Schaffer
02:06:28 Sen. Webb
02:06:39 Ms. Schaffer
02:07:20 Sen. Wanzenried
02:07:31 Chairman Ripley
02:07:43 Sen. Wanzenried
02:08:08 Sen. Webb
02:09:18 Sen. Wanzenried
02:09:29 Sen. Webb
02:09:41 Sen. Tropila

02:11:00 **Vote:** Motion failed 6-14 by roll call vote with Sen. Brenden, Sen. Essmann, Sen. Moore, Sen. Priest, Sen. Walker and Sen. Webb voting aye. Sen. Buttrey, Sen. Essmann, Sen. Jones, Sen. Olson and Sen. Priest voted by proxy.

02:12:29 **Motion:** Sen. Lewis moved that **HB 3 BE AMENDED.**

[EXHIBIT\(fcs64a09\)](#)

Discussion:

02:12:31 Sen. Lewis
02:14:04 Sen. Brenden

02:14:22 **Vote:** Motion carried 15-0 by voice vote. Sen. Buttrey, Sen. Essmann, Sen. Jones, Sen. Olson and Sen. Priest were excused.

02:14:41 **Motion:** Sen. Walker moved that **HB 3 BE CONCURRED IN AS AMENDED.**

Discussion:

02:14:53 Sen. Brenden
02:15:27 Sen. Lewis
02:15:36 Taryn Purdy, Legislative Fiscal Division (LFD)
02:16:13 Sen. Brenden
02:16:24 Ms. Purdy, LFD
02:16:35 Sen. Sesso
02:17:38 Sen. Brenden
02:17:48 Sen. Sesso
02:18:27 Sen. Windy Boy
02:18:45 Sen. Sesso
02:19:00 Chairman Ripley

02:19:24 **Vote:** Motion carried 13-7 by roll call vote with Sen. Brenden, Sen. Essmann, Sen. Moore, Sen. Priest, Sen. Rosendale, Sen. Walker and Sen. Webb voting no. Sen. Buttrey, Sen. Essmann, Sen. Jones, Sen. Olson and Sen. Priest voted by proxy. Sen. Jones will carry the bill.

EXECUTIVE ACTION ON HB 170

02:20:48 **Motion/Vote:** Sen. Walker moved that **HB 170 BE CONCURRED IN.** Motion carried 13-2 by voice vote with Sen. Sesso and Sen. Tropila voting no. Sen. Buttrey, Sen. Essmann, Sen. Jones, Sen. Olson and Sen. Priest were excused. Sen. Brenden will carry the bill.

EXECUTIVE ACTION ON HB 256

02:21:55 **Motion:** Sen. Walker moved that **HB 256 BE CONCURRED IN.**

Discussion:

02:22:09 Sen. Sesso
02:23:15 Sen. Ripley
02:23:17 Sen. Brenden
02:23:35 Sen. Keane
02:23:46 Sen. Tropila
02:24:07 Sen. Brenden

02:24:25 **Vote:** Motion carried 15-0 by voice vote. Sen. Buttrey, Sen. Essmann, Sen. Jones, Sen. Olson and Sen. Priest were excused. Sen. Hamlett will carry the bill.

Committee Business:

02:25:00 Chairman Ripley
02:25:33 Taryn Purdy
02:27:43 Sen. Sesso
02:28:18 Ms. Purdy
02:28:45 Chairman Ripley
02:29:03 Sen. Sesso

ADJOURNMENT

Adjournment: 11:23

Prudence Gildroy, Secretary

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Additional Documents:

EXHIBIT([fcs64aad.pdf](#))