

**SENATE JOURNAL
61ST LEGISLATURE
FIFTY-SIXTH LEGISLATIVE DAY**

Helena, Montana
March 13, 2009

Senate Chambers
State Capitol

Senate convened at 1:00 p.m. President Story presiding. Invocation by Pastor Keith Johnson. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Senators Squires and Windy Boy, excused. Quorum present.

BILLS AND JOURNALS:

3/13/2009

Correctly printed: **SB 377, SR 11, SR 12, SR 13, SR 14, HB 23, HB 24, HB 39, HB 44, HB 45, HB 70, HB 136, HB 163, HB 192, HB 204, HB 278, HB 283, HB 545.**

Correctly engrossed: **SB 244, SB 264, SR 2, HB 119, HB 304.**

Correctly enrolled: **SB 5, SB 182, SB 201, SB 296, SB 331, SB 390, SJR 8.**

Examined by the sponsor and found to be correct: **SB 155, SB 160, SB 196.**

Signed by the Speaker at 1:45 p.m., March 12, 2009: **SB 91, SB 103, SB 256, SJR 2, SJR 14.**

Signed by the Secretary of the Senate at 4:19 p.m., March 12, 2009: **SB 155, SB 160, SB 196.**

Signed by the President at 4:20 p.m., March 12, 2009: **SB 155, SB 160, SB 196.**

Delivered to the Governor for approval at 4:10 p.m., March 12, 2009: **SB 72, SB 91, SB 103, SB 157, SB 161, SB 252.**

REPORTS OF STANDING COMMITTEES

FISH AND GAME (Barkus, Chairman):

3/13/2009

HB 366, be amended as follows:

1. Page 1, line 17 through line 18.

Strike: "body" on line 17 through "all" on line 18

2. Page 1, line 18.

Following: "water"

Strike: "similarly defined"

Insert: "designated in a reciprocal agreement as authorized in subsection (2)"

3. Page 2, line 1.

Following: "streams"

Insert: ", subject to the terms of a reciprocal agreement as authorized in 87-2-1001"

And, as amended, be concurred in. Report adopted.

LOCAL GOVERNMENT (Esp, Chairman):

3/12/2009

HB 324, be amended as follows:

1. Title, line 11.

Strike: "A FIREARM"

Insert: "CERTAIN FIREARMS"

2. Page 1, line 17.

Strike: "any firearm"

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Insert: "firearms that have been"

3. Page 1, line 18.

Following: "officer"

Insert: "and that are legal for a private citizen to possess"

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE OTHER HOUSE

House bills passed and transmitted to the Senate for concurrence: 3/12/2009

HB 588, introduced by Ankney

HB 630, introduced by Sands

Senate amendments to House bill concurred in: 3/12/2009

HB 287, introduced by Driscoll

Senate bills concurred in and returned to the Senate: 3/12/2009

SB 5, introduced by Erickson

SB 182, introduced by Esp

SB 201, introduced by Laslovich

SB 296, introduced by Essmann

SB 331, introduced by Balyeat

SB 390, introduced by McGee

Senate joint resolution concurred in and returned to the Senate: 3/12/2009

SJR 8, introduced by Hawks

Senate bill concurred in as amended and returned to the Senate for concurrence in House amendments: 3/12/2009

SB 47, introduced by Steinbeisser

Delivered to the Secretary of State at 3:58 p.m., March 12, 2009: **SJR 2, SJR 14.**

FIRST READING AND COMMITMENT OF BILLS

The following Senate bill was introduced, read first time, and referred to committee:

SB 507, introduced by Story, referred to Taxation.

The following House bills were introduced, read first time, and referred to committees:

HB 588, introduced by Ankney, Berry, referred to Taxation.

HB 630, introduced by Sands, Driscoll, Gillan, MacDonald, referred to Local Government.

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MOTIONS

Senator Cooney moved to reconsider action on **HB 30** and that **HB 30** be placed on second reading on the 58th Legislative Day.

Senator Cooney withdrew his motion.

Senator Cooney moved that **HB 30** be scheduled for second reading on the 58th Legislative Day.

Senator Peterson made a substitute motion that **HB 30** be indefinitely postponed. Motion **failed** as follows:

Yeas: Bales, Barkus, Barrett, Black, Brenden, R. Brown, T. Brown, Curtiss, Esp, Essmann, Gebhardt, Hinkle, Jackson, Laible, Lewis, McGee, Murphy, Perry, Peterson, Ripley, Shockley, Steinbeisser, Tutvedt, Zinke, Mr. President.

Total 25

Nays: Balyeat, Branae, Brueggeman, Cooney, Erickson, Gallus, Gillan, Hamlett, Hansen, Hawks, Jent, Juneau, Kaufmann, Keane, Larsen, Laslovich, Moss, Schmidt, Squires, Stewart-Peregoy, J. Tropila, M. Tropila, Wanzenried, Williams, Windy Boy.

Total 25

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator McGee made a substitute motion that **HB 30** be tabled. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Brenden, R. Brown, T. Brown, Curtiss, Esp, Essmann, Gebhardt, Hinkle, Jackson, Laible, Lewis, McGee, Murphy, Perry, Peterson, Ripley, Shockley, Steinbeisser, Tutvedt, Windy Boy, Zinke, Mr. President.

Total 27

Nays: Branae, Brueggeman, Cooney, Erickson, Gallus, Gillan, Hamlett, Hansen, Hawks, Jent, Juneau, Kaufmann, Keane, Larsen, Laslovich, Moss, Schmidt, Squires, Stewart-Peregoy, J. Tropila, M. Tropila, Wanzenried, Williams.

Total 23

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SPECIAL ORDERS OF THE DAY

A Joint Proclamation of the Senate and the House of Representatives of the State of Montana was read commending Zachary Bell, an 11-year-old Great Falls boy, who was treated at Shodair Children's Hospital, and who will be Montana's representative to the Children's Miracle Network for 2009.

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THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 377 passed as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Brenden, R. Brown, T. Brown, Brueggeman, Curtiss, Esp, Essmann, Gallus, Gebhardt, Hawks, Hinkle, Jackson, Jent, Keane, Laible, Laslovich, Lewis, McGee, Murphy, Perry, Peterson, Ripley, Shockley, Steinbeisser, Tutvedt, Windy Boy, Zinke, Mr. President.
Total 33

Nays: Branae, Cooney, Erickson, Gillan, Hamlett, Hansen, Juneau, Kaufmann, Larsen, Moss, Schmidt, Squires, Stewart-Peregoy, J. Tropila, M. Tropila, Wanzenried, Williams.
Total 17

Paired: Essmann, Aye; Squires, No.

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 23 concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.
Total 48

Nays: Gallus.
Total 1

Absent or not voting: None.
Total 0

Excused: Squires.
Total 1

HB 39 concurred in as follows:

Yeas: Barkus, Barrett, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Essmann, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.
Total 42

Nays: Bales, Balyeat, Black, Esp, Gallus, Hinkle, Jackson.

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Total 7

Absent or not voting: None.

Total 0

Excused: Squires.

Total 1

HB 44 concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 48

Nays: Gallus.

Total 1

Absent or not voting: None.

Total 0

Excused: Squires.

Total 1

HB 70 concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 49

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Squires.

Total 1

HB 136 concurred in as follows:

Yeas: Balyeat, Barrett, Branae, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Essmann, Gillan, Hamlett, Hansen, Hawks, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke.

Total 39

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Nays: Bales, Barkus, Black, Brenden, Esp, Gallus, Gebhardt, Hinkle, McGee, Mr. President.
Total 10

Absent or not voting: None.
Total 0

Excused: Squires.
Total 1

HB 192 concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Curtiss, Erickson, Esp, Essmann, Gebhardt, Gillan, Hamlett, Hinkle, Jackson, Keane, Laible, Lewis, McGee, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Steinbeisser, Stewart-Peregoy, M. Tropila, Tutvedt, Wanzenried, Zinke, Mr. President.
Total 36

Nays: Cooney, Gallus, Hansen, Hawks, Jent, Juneau, Kaufmann, Larsen, Laslovich, Moss, Squires, J. Tropila, Williams, Windy Boy.
Total 14

Paired: Essmann, Aye; Squires, No.

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 278 concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Curtiss, Esp, Essmann, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Steinbeisser, Stewart-Peregoy, Tutvedt, Williams, Windy Boy, Zinke, Mr. President.
Total 39

Nays: Cooney, Erickson, Gallus, Jent, Juneau, Kaufmann, Moss, J. Tropila, M. Tropila, Wanzenried.
Total 10

Absent or not voting: None.
Total 0

Excused: Squires.
Total 1

SPECIAL ORDERS OF THE DAY

U.S. Army Sergeant Mary Dague, a war veteran from Superior, who was injured in Iraq, was introduced by Representative Hendrick, and spoke to the body.

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**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Senator Peterson moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator Brenden in the chair.

Senator Squires present by telephone.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 288 - Senator McGee moved consideration of **HB 288** be placed at the bottom of the second reading board. Without objection, motion carried.

HB 285 - Senator Kaufmann moved **HB 285** be concurred in. Motion carried as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HJR 29 - Senator Moss moved **HJR 29** be concurred in. Motion carried as follows:

Yeas: Black, Branae, T. Brown, Brueggeman, Cooney, Erickson, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Jent, Juneau, Kaufmann, Keane, Larsen, Laslovich, Lewis, Moss, Murphy, Perry, Peterson, Schmidt, Shockley, Squires, Stewart-Peregoy, J. Tropila, M. Tropila, Wanzenried, Williams, Windy Boy, Mr. President.

Total 34

Nays: Bales, Balyeat, Barkus, Barrett, Brenden, R. Brown, Curtiss, Esp, Hinkle, Jackson, Laible, McGee, Ripley, Steinbeisser, Tutvedt, Zinke.

Total 16

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 27 - Senator Lewis moved **HB 27** be concurred in. Motion carried as follows:

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Yeas: Black, Branae, R. Brown, Brueggeman, Cooney, Curtiss, Erickson, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Jackson, Jent, Juneau, Kaufmann, Keane, Larsen, Laslovich, Lewis, Moss, Murphy, Peterson, Schmidt, Squires, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy.
Total 33

Nays: Bales, Balyeat, Barkus, Barrett, Brenden, T. Brown, Esp, Essmann, Hinkle, Laible, McGee, Perry, Ripley, Shockley, Steinbeisser, Zinke, Mr. President.
Total 17

Absent or not voting: None.
Total 0

Excused: None.
Total 0

Senator Peterson moved the committee rise and report. Motion carried. Committee arose. Senate resumed. President Story in the chair. Chairman Brenden moved the Committee of the Whole report be adopted. Report adopted unanimously.

SPECIAL ORDERS OF THE DAY

Senator Barkus thanked the Pages for their work during the week of March 9-14, 2009.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Peterson moved that the Senate recess and proceed to the house of Representatives to hear an address by Congressman Dennis Rehberg. Upon adjournment of the joint session, the Senate will be adjourned until the hour of 8:00 a.m., Saturday, March 14, 2009. Motion carried.

The Senate recessed to the House of Representatives.

After the Senate was introduced in the House chambers, President Story assumed the chair. Senator Peterson moved that the body resolve itself into a joint session for the purpose of receiving an address by Congressman Denny Rehberg. Motion carried.

Senator Peterson moved that the President be authorized to appoint a committee of four to notify Congressman Rehberg that the House and Senate are in joint session and ready to receive his address. Motion carried.

President Story appointed Senator Barkus, Senator Hamlett, Representative Miller, and Representative A. Noonan, and the committee escorted Congressman Rehberg into the House chambers.

Congressman Rehberg delivered the following address:

Thank you, Speaker Bergren and President Story. It's always good to be back. I stand here in admiration and appreciation of all of you in this legislative body, who serve our great state with such commitment and diligence. I am proud to have been a part of this process. I learned a great deal here. In fact some of those lessons would be helpful to the folks who serve with me in the Congress of the United States. The way you conduct business in this chamber has distinct advantages over the way things have been done lately in Washington, D.C. Part of that is because you work in the state you serve, while Washington, D.C. is 2,000 miles away. Here, you are held accountable

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for transparency, while in Washington, it's become the norm to negotiate in the dark of night behind closed doors. That's why I've been in the export business for the last nine years. I've been in the business of exporting some Montana common sense - and some values to boot.

And I'll tell you what, you never know when you'll get the opportunity to share a little bit of Montana with someone. Last September, then-Senator Obama tracked me down on the House floor. He didn't want to talk about the campaign or the economic crisis. He wanted to talk about fly-fishing and his new found love of Montana. He asked me to teach him how to of fly-fish, so I simply told him lesson 1: 10 and 2; 10 and 2. This story illustrates something we instinctively already know. We know it because we see the number of California license plates on Montana roads every summer (and then most of them quickly heading back south when it starts getting cold). The rest of the country sees something special here. They see something they want to be a part of. And yet, I am also aware the challenges facing our country and the world are as serious as they are real. The well-being of millions of people is at stake. I believe the ideals and values that govern this building are the answer to the bigger problems that impact us all. What are the lessons of this building? In Montana, we shoot straight, and I mean that literally and figuratively. Just as you are, I'm motivated to do my best for the good of our state and country. I'm guided by my beliefs, the history of our great Nation, my philosophy of government, and by the lessons I learned in this very Chamber. I believe there is clearly a role for government in our lives, but there is also the need for individual responsibility, effort, and accountability. I believe in capitalism - free markets - as the economic engine that has provided the greatest material benefits and opportunities for mankind. But, I recognize the role of government in preventing or punishing abuses of the system. And when things get tough, you don't throw your values out the window. That's the time when you need to cling to them the tightest. I'm under no illusions that things aren't tough right now. In February alone, another 650,000 Americans lost their jobs. Those figures bring total job losses in the last year to a staggering 5 million. The national unemployment rate now stands at the highest level since December of 1983. Some economists think it could hit 10 percent by the end of next year. And personal wealth of American families has plummeted. Home values are dropping while energy costs are rising and consumer confidence is at an all-time low.

But these are just numbers that politicians and economists use to objectively measure the real pain that people are feeling. A few weeks ago, I held a town hall meeting in Kalispell to talk to real Montanans about the economy. I wanted to hear their thoughts and feelings because numbers on an economic spreadsheet don't give you that insight. More than 300 people filled that room. And everyone in this room knows what they told me because like me, you talk to them every day. They were scared. They were confused. They were angry. They were frustrated. They were our families, our neighbors, and our friends, and while I had to tell them that I didn't have all the answers, I promised them that no one in Washington would work harder to get them the real help they needed. Montanans expect hard work and honesty. These folks told me in a few hours what economists have been trying to find a formula to express for months. Our economy is in serious trouble, and we need to find a way to break the cycle of bad headlines.

I'm reminded of what Franklin Delano Roosevelt said in a similar situation. He said, "The only thing we have to fear is fear itself." What a remarkable statement. It means that fear itself is often the source - not the result - of our problems. In a crisis, any survival manual will tell you that the worst thing you can do is panic. If you find yourself drowning, the worst thing you can do as the water engulfs you is to thrash around in every direction at once. And yet the best word to describe the recent response in Washington, D.C. has been panic. Almost daily more and more proposals and actions for the federal government to borrow, spend, and tax are pushed forward. There have been so many, that it can be difficult to keep track of the total dollars involved. Remember the Fannie Mae & Freddie Mac bailout which cost taxpayers \$200 billion? Then the Bear Stearns bailout: \$29 billion. The AIG bailout: \$60 billion. The banking bailout: \$700 billion. We were promised salvation lay in a \$827 billion stimulus package and a massive \$410 billion appropriations bill. I voted against all of them. And just this week Speaker Pelosi was talking about the next stimulus. Let me be absolutely clear here. I was just as critical of the Bush Administration's panic-induced policies as I have been of President Obama's. Last fall, for example, I voted against President Bush's \$700 billion TARP proposal to rescue banks in 47 states (Montana was not one of them). I advocated alternatives. I publically said that there were less drastic solutions. I fought for bipartisan restraint. But panic ruled the day. Like a drowning swimmer, we were told the consequence of inaction was to sink and drown. Financial experts like Secretary Paulson,

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Federal Reserve Chairman Ben Bernanke, and the current Treasury Secretary, Tim Geithner, told us that the bailout needed to be passed immediately. And so, like a panicked swimmer, Congress and the White House thrashed about wildly, spent \$700 billion and sank deeper into the water. By the way, it's important to remember that no one was advocating inaction. There were measured alternatives that were never given a chance. The idea that it was the bailout or nothing is a false choice that politicians invented to justify their votes to irate constituents back home. And you all know that I also voted against the \$827 billion stimulus package. Because again, Congress and the White House flailed around like a panicked swimmer, spending too much money on too many programs that have very little chance of stimulating the economy. I worked on and voted for an alternative stimulus package that focused on tax relief, not only for individuals but for small business as well. In fact, President Obama's own economic analysis showed that our alternative would have created twice as many jobs – for half the cost. I also asked House leadership to split the bill into two parts – the stimulus proposals in one part that could be quickly adopted, the other proposals for increasing social program spending to be considered more deliberately in the ordinary appropriations process. But panic again ruled the day, and we continued to deal with the symptoms and not the cause. The \$800 billion stimulus bill was pushed through the House without so much as a committee hearing. The House even ignored its own rule requiring the bill be put on the internet, so you could see it at least 48 hours before the vote. We were in such a panicked rush, we had only a few hours overnight to look through a 1,074-page bill. So I'm not surprised to hear there were miscalculations. A typical example came from right here in Montana where we were told that \$1.3 million taxpayer dollars were going to create 40 new jobs for the Flathead City-County Health Department. Turns out, the money will actually pay another year's salary for ten existing jobs and add only two more jobs during the next year. And while I don't think anyone was intentionally lying, we passed a bill that few understood, so it's not surprising that the numbers aren't panning out. We came up 38 jobs short of the estimate. Where's the accountability in that?

What a contrast to what you do in your appropriations process in Montana. The process is thorough – each line item is scrutinized and transparent. There are few, if any, secrets. When the committee's work is done, all the members of the Legislature have a good understanding of what is being spent and why. That is a marked difference from the process in the Congress, and, as a result, Congress does not produce as good a product as you do. I know there are some differences of opinion in Montana over how quickly the legislature should consider its bill regarding the stimulus and how much oversight the legislature should exercise as the money is spent. With the lack of transparency on this issue at the federal level, and the questionable estimates of the stimulus benefits we've seen, I would encourage you to provide as much public exposure, participation, and comment as possible during the legislative process. And I encourage you to do this by creating a broad-based stimulus oversight committee that includes policy-makers and members of the public. As a former Lt. Governor, I know that the executive branch has an inherently different perspective from that of the legislature, regardless of political party. Both perspectives should be involved throughout.

And that brings us to today, in this chamber, where all of us together are charged with plotting a path forward. No one is suggesting that we do nothing, but it's time to rethink the policies of panic. Now, more than ever, we need bipartisan restraint. Consider this as we look forward to the next major spending battle: The President's budget for the next fiscal year spends \$3.94 trillion. Almost half of this is deficit spending, creating the largest federal deficit ever – by a huge margin, and building the federal debt to more than \$12 trillion. It's difficult to imagine a number as large as a trillion. A trillion dollars is a million million. A one followed by 12 zeros. It's hard to get our minds around this figure, but here's one way to look at it. If you had a trillion dollars to spend, you could buy enough Chevrolet Malibu automobiles to comfortably seat about half the American population. And the President's budget spends almost four trillion dollars – almost half of it borrowed. Let's think about it another way. If we borrow the \$1.75 trillion in deficit spending contained in the President's budget, at an interest rate of just 3 percent, we could pay \$143 million every single day and still never be able to repay the debt. That's right, never. In fact, \$143 million dollars a day wouldn't even cover the interest.

You see, all we seem to be talking about these days is the need for action: pay any price, bear any burden. The need to work together to do – “something.” What's missing is an examination of the consequences of this action. There's no talk of bipartisan restraint. From spending policy to energy policy to tax policy – we need to show some restraint. The President's budget calls for trillions of dollars in future spending – such as the \$634 billion “down payment” in

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his budget for a yet to be determined “overhaul” of the American healthcare system. On Tuesday, he called for a new massive overhaul of our education system that would spend even more federal dollars in amounts yet to be determined. And so far, the policies that have been promoted in Washington, D.C. have asked rural states like Montana to subsidize urban states like California. While we all pay for the bank bailout, remember that Montana banks didn’t get a penny of TARP funds. And in the stimulus bill, every California resident received almost twice as much as every Montana resident even though we all pay the same federal taxes. Washington, D.C. is robbing Plentywood to pay Hollywood.

The lack of bipartisan restraint is also creeping into our energy policy in the form of so called “cap and trade” policies. Let me say right up front that I support a balanced energy plan that includes developing traditional fossil fuels, as well as alternatives such as wind, solar and geothermal, while at the same time also providing incentives for conservation and the development of new technologies. These “cap and trade” policies for greenhouse emissions, like the ones advocated in the President’s budget and in the Western Governors Climate Change Initiative, are touted as market-based solutions to the threat of catastrophic climate change. Unfortunately, the solutions the cap and trade policies offer would increase taxes on traditional energy sources -- like coal, oil and gas -- until they become so expensive that alternatives like wind and solar -- which are currently more costly to consumers -- look like a great deal. Make no mistake about it, this is a carbon tax and some advocates of cap and trade even boast about bankrupting the coal industry. Now is definitely not the time to be talking about bankrupting any industry -- especially one that’s currently responsible for more than half of Montana’s electricity production. Montana cannot afford to hamstring our own economy, and whether its at the state or federal level, we need to refrain from choosing winners and losers in our energy marketplace.

Finally, the budget would repeal much of the tax relief we passed earlier this decade. Tax relief, by the way, which was not responsible for our current economic situation. Of course, a large percentage of the taxpayers targeted for an increase are small business owners. By raising their taxes, we are taking away opportunities and incentives for Americans to invest, compete, advance and grow in the private sector. We are strangling the goose that laid the golden egg. Worse, there are also efforts to limit charitable deductions and mortgage interest deductions for taxpayers. The last thing we should be doing right now is making home ownership more difficult and charitable contributions less advantageous. If some of these policies don’t sound like a good idea to you, you’re not alone. Members of Congress from both parties are beginning to realize that thrashing about in a panic is equally as ineffective as doing nothing. And doing the wrong thing is far more costly.

I know we have some differences of opinion in this room. Reasonable people can disagree. In fact, it’s that disagreement that gives us strength. It’s our ability to keep each other honest that gives democracy its edge. Our economic situation is not hopeless. We need to rise above party, but not principle, in dealing with these issues. We need bipartisan action, and we need bipartisan restraint. As Americans, we have more in common than we have differences as Republicans and Democrats, and I have always been willing to reach across the aisle to work with anyone that would come to the table. In fact, just a few weeks ago, when Congress passed the new SCHIP bill, which I crossed party lines to support, I was one of a handful of Republicans invited to the White House for the bill signing ceremony. You know what the first thing the President said to me when I showed up? He didn’t want to talk about SCHIP. He said “Hey, Rehberg, look: 10 and 2; 10 and 2.” And the President’s comment is the hope that Montana’s values stick with us in Washington, and that somewhere between 10 and 2 we’ll find the right answer so we can stop acting like panicked swimmers, begin to tread water, then swim safely to shore. And history tells us that we’ll be stronger for the effort. Thank you for the opportunity to be here today. God bless Montana and God bless America.

Senator Peterson moved that the joint session be adjourned. Motion carried.

MARILYN MILLER
Secretary of the Senate

ROBERT STORY
President of the Senate