

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: Chair Elsie Arntzen, on March 25, 2011 at 9:00 A.M., in Room 172
Capitol

ROLL CALL

Members Present:

Rep. Elsie Arntzen, Chairman (R)
Rep. Tom Berry, Vice Chairman (R)
Rep. Chuck Hunter, Vice Chairman (D)
Rep. Carlie Boland (D)
Rep. Christy Clark (R)
Rep. Virginia Court (D)
Rep. Lila Walter Evans (R)
Rep. Timothy Furey (D)
Rep. Edward Greef (R)
Rep. Harry Klock (R)
Rep. Michele Reinhart (D)
Rep. Matthew M. Rosendale Sr (R)
Rep. Daniel R. Salomon (R)
Rep. Sterling Small (R)
Rep. Cary Smith (R)
Rep. Carolyn Squires (D)
Rep. Gordon Vance (R)
Rep. Jeffery W. Welborn (R)

Members Excused: None

Members Absent: Rep. Jonathan McNiven (R)
Rep. Pat Noonan (D)
Rep. Scott Reichner (R)

Staff Present: Bart Campbell, Legislative Branch
KarenDe Herman, Committee Secretary

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 634, 3/24/2011; SB 389, 3/24/2011

Executive Action: HB 427; HB 634; SB 228; SB 389

00:02:01 Chairwoman Arntzen

HEARING ON SB 389

Opening Statement by Sponsor:

00:02:25 Sen. Kendall Van Dyk (D), SD 25, opened the hearing on SB 389, Revising use and tax of alcohol based ingredients by brewers and distillers.

Proponents' Testimony:

00:07:39 George Moncure, Spirit of Montana Distilling

Opponents' Testimony: none

Informational Testimony:

00:11:18 Shauna Helfert, Department of Revenue (DOR)

Questions from Committee Members and Responses:

00:12:13 Chairwoman Arntzen

00:12:22 Senator Van Dyk

Closing by Sponsor:

00:12:30 Senator Van Dyk

00:13:42 Chairwoman Arntzen

00:13:47 Senator Van Dyk

00:13:54 Chairwoman Arntzen

00:14:04 Senator Van Dyk

00:14:11 Chairwoman Arntzen

00:14:37 Senator Van Dyk

00:14:41 Chairwoman Arntzen

00:14:50 Rep. Squires

HEARING ON HB 634

Opening Statement by Sponsor:

00:15:19 Rep. Bryce Bennett (D), HD 92, opened the hearing on HB 634, Generally revise law relating to data privacy.

00:16:00 Chairwoman Arntzen

00:16:30 Rep. Bryce Bennett
[EXHIBIT\(buh67a01\)](#)
00:18:35 Rep. Noonan entered
00:21:28 Chairwoman Arntzen

Proponents' Testimony:

00:22:57 Sherri Davidoff
[EXHIBIT\(buh67a02\)](#)
00:26:54 Rep. McNiven entered.
00:29:46 Chairwoman Arntzen
00:30:05 Eric Fulton
00:40:05 Jonathan Ham, Consultant and Professor, Sans Institute

Opponents' Testimony:

00:47:12 Candace West, Chief Counsel, Department of Natural Resources and Conservation (DNRC)
00:49:20 Chairwoman Arntzen
00:49:28 Ms West
00:49:52 Denise Pizzini, Legal Counsel, Montana Teachers Retirement System
00:51:59 Rep. Klock left.
00:55:39 Rep. Hunter and Rep. Small left.
00:56:51 Mick Karls, Rocky Mountain Credit Union
00:57:57 Rep. Noonan left.
00:59:33 Rep. James Knox, HD 47
01:02:39 Chairwoman Arntzen
01:02:46 Mark Murphy, Montana County Attorneys Association, Montana Chiefs of Police Association, Montana Police Protective Association
01:04:42 Bruce Spencer
[EXHIBIT\(buh67a03\)](#)
01:07:01 Riley Johnson, Montana Newspaper Association
01:07:54 Rep. Hunter returned.
01:08:01 Jan Anderson, Editor and Publisher, Boulder Monitor and Jefferson County Courier

EXHIBIT(buh67a04)

01:09:08 Rep. Boland and Rep. Klock left.
01:10:17 Kelly Casillas, Deputy Chief Counsel, Montana Department of Commerce
01:10:44 Jeff Feiss, Montana Telecommunications Association
01:12:04 Jorge Quintana, Chief Legal Counsel, Secretary of State
[EXHIBIT\(buh67a05\)](#)
01:13:39 David Gibson, Quest Communications
01:13:47 Tom Ebzery
01:14:33 Bonnie Lorang, General Manager, Montana Independent Telecommunications Systems (MITS)
01:14:56 Rep. Boland entered.
01:15:09 Clyde Dailey, Montana Credit Unions

Informational Testimony: none

Questions from Committee Members and Responses:

01:15:55 Rep. Furey
01:16:20 Mr. Ham
01:17:38 Rep. Smith, Rep. Welborn, Rep. Evans, and Rep. Salomon left.
01:19:18 Rep. Reinhart
01:19:24 Rep. Ham
01:19:32 Rep. Reinhart
01:19:38 Rep. Smith returned.
01:19:39 Mr. Ham
01:20:47 Rep. Reinhart
01:20:57 Mr. Ham
01:21:52 Rep. Reinhart
01:22:05 Mr. Ham
01:22:47 Rep. Reinhart
01:23:11 Rep. Evans returned.
01:23:19 Ms. Davidoff
01:24:33 Rep. Reinhart
01:24:46 Ms Davidoff
01:24:54 Rep. Boland left.
01:25:39 Chairwoman Arntzen

Closing by Sponsor:

01:25:50 Rep. Bryce Bennett

01:26:05 Rep. Noonan entered.
01:26:58 Chairwoman Arntzen

01:27:41 Recess

01:44:32 Resume

01:44:40 Chairwoman Arntzen

EXECUTIVE ACTION ON HB 634

01:44:57 **Motion:** Rep. Berry moved that **HB 634 DO PASS.**

01:45:17 **Substitute Motion/Vote:** Rep. Klock made a substitute motion that **HB 634 BE TABLED.** Substitute Motion carried unanimously by voice vote. Rep. McNiven, Rep. Reichner, Rep. Reinhart, Rep. Rosendale, Rep. Salomon, Rep. Small, Rep. Vance and Rep. Welborn voted by proxy.

01:46:05 Chairwoman Arntzen

EXECUTIVE ACTION SB 389

01:46:51 **Motion:** Rep. Berry moved that **SB 389 BE CONCURRED IN.**

Discussion:

01:47:07 Chairwoman Arntzen

01:47:13 **Motion:** Rep. Squires moved that **SB 389 BE AMENDED.**
EXHIBIT(buh67a06)

Discussion:

01:48:25 Rep. Berry

01:48:44 **Vote:** Motion carried unanimously by voice vote, present and voting.

01:48:58 **Motion/Vote:** Rep. Berry moved that **SB 389 BE CONCURRED IN AS AMENDED.** Motion carried 12-9 by roll call vote with Rep. Berry, Rep. Evans, Rep. Greef, Rep. McNiven, Rep. Reichner, Rep. Salomon, Rep. Small, Rep. Smith and Rep. Welborn voting no. Rep. Furey, Rep. McNiven, Rep. Reichner, Rep. Salomon and Rep. Small voted by proxy. Rep. Noonan will carry the bill.

01:51:18 Chairwoman Arntzen

EXECUTIVE ACTION ON HB 427
(Tabled February 16, 2011)

01:51:48 Rep. Reinhart

01:52:03 Chairwoman Arntzen

01:52:18 Rep. Squires

01:52:30 Chairwoman Arntzen

01:52:54 Rep. Squires

01:53:00 **Motion/Vote:** Rep. Arntzen moved that **HB 427 BE REMOVED FROM TABLED.** Motion failed 4-17 by roll call vote with Rep. Arntzen, Rep. Berry, Rep. Salomon and Rep. Vance voting aye. Rep. McNiven, Rep. Reichner and Rep. Small voted by proxy.

01:55:01 Chairwoman Arntzen

01:55:08 Rep. Boland

01:55:19 Chairwoman Arntzen

01:55:50 Rep. Rosendale

01:56:03 Chairwoman Arntzen

01:56:05 Rep. Klock

01:56:09 Chairwoman Arntzen

01:56:30 Rep. Boland

01:56:36 Chairwoman Arntzen

01:57:32 Rep. Noonan

01:57:36 Chairwoman Arntzen

ADJOURNMENT

Adjournment: 01:58:41

KarenDe Herman, Secretary

kdh

Additional Documents:

EXHIBIT([buh67aad.pdf](#))