

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: Chair Tom Berry, on February 5, 2015 at 8:30 A.M., in Room 172 Capitol

ROLL CALL

Members Present:

Rep. Tom Berry, Chair (R)
Rep. Ryan Lynch, Vice Chair (D)
Rep. Daniel R. Salomon, Vice Chair (R)
Rep. Willis Curdy (D)
Rep. Chuck Hunter (D)
Rep. George G. Kipp III (D)
Rep. Mike Lang (R)
Rep. David (Doc) Moore (R)
Rep. Mark Noland (R)
Rep. Christopher Pope (D)
Rep. Vince Ricci (R)
Rep. Tom Richmond (R)
Rep. Scott Staffanson (R)
Rep. Tom Steenberg (D)
Rep. Jeffrey W. Welborn (R)

Members Excused: Rep. Christy Clark (R)
Rep. Steve Fitzpatrick (R)
Rep. Andrea Olsen (D)
Rep. Gordon Pierson Jr (D)

Members Absent: None

Staff Present: Karen Armstrong, Committee Secretary
Pat Murdo, 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 343, 2/5/2015; HB 347, 2/5/2015; HB 363, 2/5/2015

Executive Action: HB 119, HB 259, HB 273, HB 324, SB 4, SB 35, SB 36

00:00:01 Chairman Berry

HEARING ON HB 347

Opening Statement by Sponsor:

00:01:30 Rep. Virginia Court (D), HD 50, opened the hearing on HB 347, Establish qualifications for & continuing education of Bd of Investments members.

00:02:22 Rep. Olsen arrived.

00:08:44 Rep. Fitzpatrick arrived.

Proponents' Testimony:

00:11:24 Rep. Randy Brodehl

00:15:03 Gary Buchanan, self

00:20:31 Dave Lewis, Self

Opponents' Testimony:

00:25:11 Diane Fladmo, Director of Research, Montana Education Association-Montana Federation of Teachers (MEA-MFT)

EXHIBIT(buh26a01)

EXHIBIT(buh26a02)

00:33:09 Karl Englund, Self

00:48:41 Tom Schneider, Montana Public Employees Association (MPEA)

Informational Testimony:

00:50:26 John Harrington, Performance Auditor, Legislative Audit Division (LAD)

00:51:00 Rep. Kelly McCarthy, House of Representatives Liaison, Board of Investments (BOI)

Questions from Committee Members and Responses:

00:51:32 Rep. Moore

00:52:35 Karl Englund, Self

00:53:46 Rep. Curdy

00:54:06 Gary Buchanan, Self

00:54:41 Rep. Hunter

00:55:22 David Ewer, Executive Director, Montana Board of Investments (BOI)

00:57:56 Rep. Hunter

00:58:41 Tom Schneider, MPEA

00:59:01 Rep. Hunter

00:59:48 Karl Englund, Self

01:00:13 Rep. Curdy

01:00:35 John Harrington, LAD

01:00:44 Rep. Lang

01:01:26 Karl Englund, Self

01:01:41 Rep. Lang

01:02:06 Gary Buchanan, Self

01:04:13 Rep. Pope

01:04:53 John Harrington, LAD

01:07:22 Rep. Pope

01:07:46 John Harrington, LAD

Closing by Sponsor:

01:08:08 Rep. Court

HEARING ON HB 343**Opening Statement by Sponsor:**

01:13:11 Rep. Bryce Bennett (D), HD 91, opened the hearing on HB 343, Prohibit request of online passwords as a condition of hiring or employment.

[EXHIBIT\(buh26a03\)](#)[EXHIBIT\(buh26a04\)](#)**Proponents' Testimony:**

01:17:47 Glenn Oppel, Montana Chamber of Commerce (MCC)

01:17:53 Rep. Lang left the meeting.

01:20:20 Jake Brown, Montana Public Interest Research Group (MontPIRG)

01:21:14 Niki Zupanic, Public Policy Director, American Civil Liberties Union (ACLU)

01:22:52 Donya Parrish, Montana Credit Unions (MCA)

Opponents' Testimony: None**Informational Testimony:** None**Questions from Committee Members and Responses:**

01:24:29 Rep. Ricci

01:25:05 Rep. B. Bennett

01:25:30 Rep. Lynch

01:25:39 Rep. B. Bennett

01:26:27 Rep. Moore

01:26:53 Rep. B. Bennett

Closing by Sponsor:

01:27:26 Rep. B. Bennett

HEARING ON HB 363**Opening Statement by Sponsor:**

01:28:28 Rep. Moffie Funk (D), HD 82, opened the hearing on HB 363, Revise laws regarding default of student loans.

[EXHIBIT\(buh26a05\)](#)**Proponents' Testimony:**

01:31:44 Sheena Rice, Montana Organizing Project

[EXHIBIT\(buh26a06\)](#)

01:34:52 Jake Brown, Montana Public Interest Research Group (MontPIRG)

01:35:54 Rep. Zolnikov

01:37:56 Garrett Lankford, Associated Students of Montana State University (ASMSU)

Opponents' Testimony: None

Informational Testimony:

01:38:50 Robin Graham, Operations Director, Montana Guaranteed Student Loan Program (MGSLP)

Questions from Committee Members and Responses:

01:39:14 Rep. Olsen
01:39:42 Robin Graham, MGSLP
01:41:13 Rep. Moore
01:41:22 Robin Graham, MGSLP
01:41:55 Rep. Pope
01:42:10 Robin Graham, MGSLP
01:42:39 Rep. Pope
01:43:12 Robin Graham, MGSLP
01:43:37 Rep. Pope
01:43:48 Robin Graham, MGSLP
01:44:01 Rep. Lynch
01:44:25 Robin Graham, MGSLP
01:45:46 Rep. Lynch
01:46:01 Robin Graham, MGSLP
01:46:28 Rep. Kipp
01:49:05 Robin Graham, MGSLP
01:49:36 Rep. Kipp
01:49:44 Robin Graham, MGSLP
01:49:50 Rep. Salomon
01:50:49 Robin Graham, MGSLP
01:51:30 Rep. Olsen
01:51:53 Robin Graham, MGSLP
01:53:23 Rep. Olsen
01:53:58 Robin Graham, MGSLP
01:54:25 Cheryl Poelman-Allen, Montana Guaranteed Student Loan Program (MGSLP)
01:55:33 Rep. Olsen
01:55:49 Cheryl Poelman-Allen, MGSLP
01:55:58 Rep. Olsen
01:56:01 Cheryl Poelman-Allen, MGSLP

Closing by Sponsor:

01:56:41 Rep. Funk

01:59:18 Chairman Berry

02:00:03 Recessed.
02:23:14 Reconvened with Rep. Clark, Rep. Hunter, Rep. Lang, Rep. Staffanson and Rep. Wilborn absent.

EXECUTIVE ACTION ON HB 119

02:23:29 **Motion:** Rep. Salomon moved that **HB 119 DO PASS.**

Discussion:

02:23:44 Pat Murdo, LSD

02:24:07 **Motion:** Rep. Salomon moved that **HB 119 BE AMENDED.**

EXHIBIT(buh26a07)

Discussion:

02:24:17 Jesse Laslovich, Chief Legal Counsel, State Auditor's Office (SAO)

02:27:28 Jacqueline Lenmark, American Insurance Association, American Council of Life Insurers

02:29:36 Rep. Curdy

02:29:50 Pat Murdo, LSD

02:30:06 **Vote:** Motion carried unanimously by voice vote. Rep. Clark, Rep. Hunter, Rep. Lang, Rep. Staffanson and Rep. Welborn voted by proxy.

02:30:34 **Motion/Vote:** Rep. Salomon moved that **HB 119 DO PASS AS AMENDED.** Motion carried unanimously by voice vote. Rep. Clark, Rep. Hunter, Rep. Lang, Rep. Staffanson and Rep. Welborn voted by proxy.

EXECUTIVE ACTION ON HB 259

02:31:27 **Motion:** Rep. Salomon moved that **HB 259 DO PASS.**

Discussion:

02:31:36 Pat Murdo, LSD

02:32:39 **Motion:** Rep. Salomon moved that **HB 259 BE AMENDED.**

EXHIBIT(buh26a08)

Discussion:

02:32:54 Rep Moore

02:33:26 Chairman Berry

02:33:29 Rep. Moore

02:33:34 Pat Murdo, LSD

02:35:13 Rep. Olsen

02:36:16 Pat Murdo, LSD

02:36:37 Rep. Olsen

02:36:51 Pat Murdo, LSD

02:37:20 Rep. Olsen

02:37:38 Pat Murdo, LSD

02:38:08 Rep. Olsen

02:38:42 Rep. Moore
02:38:51 Chairman Berry
02:39:40 Rep. Olsen
02:42:28 Sarah Garcia, Administrator, Office of Motor Vehicle Division (OMVD)
02:44:29 Rep. Olsen
02:45:17 Sarah Garcia, OMVD
02:45:36 Rep. Olsen
02:46:08 Sarah Garcia, OMVD
02:46:54 Rep. Pope
02:47:32 Pat Murdo, LSD
02:48:43 Rep. Pope
02:49:09 Pat Murdo, LSD

02:49:34 **Vote:** Motion carried 18-1 by roll call vote with Rep. Olsen voting no. Rep. Clark, Rep. Hunter, Rep. Lang, Rep. Staffanson and Rep. Welborn voted by proxy.

02:51:06 **Motion:** Rep. Salomon moved that **HB 259 BE AMENDED.**

[EXHIBIT\(buh26a09\)](#)

Discussion:

02:51:23 Rep. Olsen
02:54:03 Rep. Moore

02:54:36 **Vote:** Motion failed 8-11 by roll call vote with Rep. Curdy, Rep. Hunter, Rep. Kipp, Rep. Lynch, Rep. Olsen, Rep. Pierson, Rep. Pope and Rep. Steenberg voting aye. Rep. Clark, Rep. Hunter, Rep. Lang, Rep. Staffanson and Rep. Welborn voted by proxy.

02:55:52 **Motion:** Rep. Salomon moved that **HB 259 DO PASS AS AMENDED.**

Discussion:

02:56:21 Rep. Olsen

02:56:34 **Vote:** Motion carried 18-1 by roll call vote with Rep. Olsen voting no. Rep. Clark, Rep. Hunter, Rep. Lang, Rep. Staffanson and Rep. Welborn voted by proxy.

EXECUTIVE ACTION ON HB 273

02:57:41 **Motion:** Rep. Salomon moved that **HB 273 DO PASS.**

Discussion:

02:57:58 Chairman Berry

02:58:29 **Motion:** Rep. Salomon moved that **HB 273 BE AMENDED.**

[EXHIBIT\(buh26a10\)](#)

Discussion:

02:58:43 Pat Murdo, LSD

02:59:12 **Vote:** Motion carried unanimously by voice vote. Rep. Clark, Rep. Hunter, Rep. Lang, Rep. Staffanson and Rep. Welborn voted by proxy.

02:59:40 **Motion:** Rep. Salomon moved that **HB 273 DO PASS AS AMENDED.**

Discussion:

02:59:47 Rep. Lynch

03:00:05 Rep. Ricci

03:00:54 **Vote:** Motion failed 4-15 by roll call vote with Rep. Clark, Rep. Moore, Rep. Ricci and Rep. Richmond voting aye. Rep. Clark, Rep. Hunter, Rep. Lang Rep. Staffanson and Rep. Welborn voted by proxy.

03:02:17 **Motion/Vote:** Rep. Salomon moved that **HB 273 BE TABLED.** Motion carried 14-0 by voice vote of those present and voting.

EXECUTIVE ACTION ON HB 324

03:02:32 **Motion/Vote:** Rep. Salomon moved that **HB 324 DO PASS.** Motion carried unanimously by voice vote. Rep. Clark, Rep. Hunter, Rep. Lang, Rep. Staffanson and Rep. Welborn voted by proxy.

EXECUTIVE ACTION ON SB 4

03:03:12 **Motion/Vote:** Rep. Salomon moved that **SB 4 BE CONCURRED IN.** Motion carried unanimously by voice vote. Rep. Clark, Rep. Hunter, Rep. Lang, Rep. Staffanson and Rep. Welborn voted by proxy. Rep. Olsen will carry the bill.

EXECUTIVE ACTION ON SB 35

03:03:54 **Motion/Vote:** Rep. Salomon moved that **SB 35 BE CONCURRED IN.** Motion carried unanimously by voice vote. Rep. Clark, Rep. Hunter, Rep. Lang, Rep. Staffanson and Rep. Welborn voted by proxy. Rep. Pope will carry the bill.

EXECUTIVE ACTION ON SB 36

03:04:40 **Motion/Vote:** Rep. Salomon moved that **SB 36 BE CONCURRED IN**. Motion carried unanimously by voice vote. Rep. Clark, Rep. Hunter, Rep. Lang, Rep. Staffanson and Rep. Welborn voted by proxy. Rep. Steenberg will carry the bill.

03:05:26 Chairman Berry

ADJOURNMENT

Adjournment: 03:05:52

Karen Armstrong, Secretary

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Additional Documents:

EXHIBIT([buh26aad.pdf](#))