

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: Chair Tom Berry, on February 13, 2015 at 8:30 A.M., in Room 172
Capitol

ROLL CALL

Members Present:

Rep. Tom Berry, Chair (R)
Rep. Daniel R. Salomon, Vice Chair (R)
Rep. Ryan Lynch, Vice Chair (D)
Rep. Willis Curdy (D)
Rep. Steve Fitzpatrick (R)
Rep. Chuck Hunter (D)
Rep. George G. Kipp III (D)
Rep. Mike Lang (R)
Rep. Mark Noland (R)
Rep. Andrea Olsen (D)
Rep. Gordon Pierson Jr (D)
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. David (Doc) Moore (R)

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: SB 41; SB 52; SB 135, 2/9/2015

Executive Action: HB 358; HB 363; HB 396; HB 435; SB 52, SB 76, SB 77, SB 105,
SB 135

00:00:02 Chairman Berry

00:01:43 Vice Chair Salomon assumed the chair.

HEARING ON SB 41

Opening Statement by Sponsor:

00:01:47 Sen. Tom Facey (D), SD 50, opened the hearing on SB 41, Revise secretary of state business services laws

EXHIBIT(buh33a01)

Proponents' Testimony:

00:06:03 Tim Busby, Business Services Operations Supervisor, Secretary of State's Office (SOS)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:08:31 Rep. Fitzpatrick

00:09:01 Tim Busby, SOS

00:09:19 Rep. Lang

00:10:01 Tim Busby, SOS

00:10:36 Rep. Lang

00:10:57 Tim Busby, SOS

00:11:14 Rep. Lang

00:11:19 Tim Busby, SOS

00:12:29 Rep. Olsen

00:12:49 Tim Busby, SOS

Closing by Sponsor:

00:13:04 Sen. Facey

HEARING ON SB 135

Opening Statement by Sponsor:

00:14:37 Sen. Tom Facey (D), SD 50, opened the hearing on SB 135, Extend overtime exemption to certain air carrier employees.

Proponents' Testimony:

00:17:59 Rick Gilliland, station manager for an airline, Self

00:21:27 Erik Resel, airline employee, Self

00:24:49 Linda Allen, airline employee, Self

00:28:30 Mark Baker, Delta Airlines, Inc.

EXHIBIT(buh33a02)

00:29:33 Webb Brown, Montana Chamber of Commerce (MCC)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:30:09 Rep. Ricci
00:30:42 Erik Resel, Self
00:31:12 Rep. Ricci
00:31:37 Mark Baker, Delta Airlines, Inc.
00:32:08 Rep. Hunter
00:32:38 Mark Baker, Delta Airlines, Inc.
00:33:06 Chairman Salomon
00:33:13 Rick Gilliland, Self
00:33:17 Rep. Hunter
00:33:20 Rick Gilliland, Self
00:33:31 Rep. Hunter
00:33:45 Rick Gilliland, Self
00:34:06 Rep. Hunter
00:34:12 Mark Baker, Delta Airlines, Inc.
00:34:20 Rep. Curdy
00:34:36 Rick Gilliland, Self

Closing by Sponsor:

00:34:56 Sen. Facey

00:36:24 Chairman Salomon

HEARING ON SB 52

Opening Statement by Sponsor:

00:36:46 Sen. Jill Cohenour (D), SD 42, opened the hearing on SB 52, Revise captive insurance laws.

Proponents' Testimony:

00:41:18 Jeff Barber, State Auditor's Office (SAO)
00:44:01 John Huth, Member, Board of Directors, Montana Captive Insurance Association (MCIA)

[EXHIBIT\(buh33a03\)](#)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:45:43 Rep. Staffanson
00:45:59 Sen Cohenour
00:47:38 Rep. Hunter
00:48:10 John Huth, MCIA
00:50:10 Chairman Salomon
00:49:51 Rep. Pope

00:50:19 John Huth, MCIA
00:51:22 Rep. Pope
00:51:29 Chairman Salomon
00:51:35 John Huth, MCIA
00:51:39 Chairman Salomon
00:51:43 Rep. Pope
00:51:56 John Huth, MCIA

Closing by Sponsor:

00:52:44 Sen. Cohenour

00:53:45 Chairman Salomon
00:54:02 Recessed.
01:25:39 Reconvened with Rep. Clark and Rep. Moore absent

EXECUTIVE ACTION ON SB 52

01:26:01 **Motion/Vote:** Rep. Fitzpatrick moved that **SB 52 BE CONCURRED IN**. Motion carried unanimously by voice vote. Rep. Clark and Rep. Moore voted by proxy. Rep. Hunter will carry the bill.

EXECUTIVE ACTION ON SB 135

01:26:50 **Motion/Vote:** Rep. Fitzpatrick moved that **SB 135 BE CONCURRED IN**. Motion carried unanimously by voice vote. Rep. Clark and Rep. Moore voted by proxy. Rep. Hunter will carry the bill.

EXECUTIVE ACTION ON HB 363

01:28:03 **Motion:** Rep. Fitzpatrick moved that **HB 363 DO PASS**.

Discussion:

01:28:16 Rep. Lynch

01:28:47 **Vote:** Motion carried 14-5 by roll call vote with Rep. Berry, Rep. Moore, Rep. Noland, Rep. Staffanson and Rep. Welborn voting no. Rep. Clark and Rep. Moore voted by proxy.

EXECUTIVE ACTION ON HB 358

01:30:31 **Motion:** Rep. Fitzpatrick moved that **HB 358 DO PASS**.

Discussion:

01:30:37 Rep. Berry
01:30:54 Rep. Lynch
01:31:05 Rep. Pierson

01:31:18 **Vote:** Motion carried 14-5 by voice vote with Rep. Berry, Rep. Fitzpatrick, Rep. Noland, Rep. Staffanson and Rep. Welborn voting no. Rep. Clark and Rep. Moore voted by proxy.

EXECUTIVE ACTION ON HB 396

01:32:10 **Motion:** Rep. Fitzpatrick moved that **HB 396 DO PASS.**

Discussion:

01:32:26 Rep. Lynch

01:32:48 **Vote:** Motion carried unanimously by voice vote. Rep. Clark and Rep. Moore voted by proxy.

EXECUTIVE ACTION ON HB 413

01:33:14 **Motion:** Rep. Fitzpatrick moved that **HB 413 DO PASS.**

Discussion:

01:33:19 Rep. Hunter
01:35:03 Rep. Berry
01:35:47 Rep. Lang
01:36:26 Rep. Hunter
01:37:43 Rep. Curdy
01:40:07 Rep. Pierson
01:40:34 Rep. Hunter
01:41:05 Rep. Staffanson
01:42:04 Rep. Pope
01:44:24 Rep. Kipp
01:46:14 Rep. Fitzpatrick
01:47:15 Rep. Steenberg
01:48:09 Rep. Noland
01:48:52 Rep. Ricci
01:50:01 Rep. Curdy
01:50:12 Rep. Ricci
01:50:46 Rep. Richmond
01:54:54 Rep. Olsen

01:55:50 **Vote:** Motion carried 10-9 by roll call vote with Rep. Clark, Rep. Fitzpatrick, Rep. Lang, Rep. Moore, Rep. Noland, Rep. Ricci, Rep. Salomon, Rep. Staffanson and Rep. Welborn voting no. Rep. Clark and Rep. Moore voted by proxy.

01:57:11 Rep. Hunter

Note: HB 413 is awaiting the arrival of fiscal note in Committee. Bill will remain in Committee until further notice.

EXECUTIVE ACTION ON HB 435

01:57:35 **Motion/Vote:** Rep. Fitzpatrick moved that **HB 435 DO PASS**. 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 and Rep. Moore voted by proxy.

01:59:00 **Motion/Vote:** Rep. Fitzpatrick moved that **HB 435 BE TABLED AND THE VOTE REVERSED**. Motion carried by voice vote of those present and voting.

01:59:221 Rep. Moore arrived.

EXECUTIVE ACTION ON SB 76

01:59:13 **Motion/Vote:** Rep. Fitzpatrick moved that **SB 76 BE CONCURRED IN**. Motion carried unanimously by voice vote. Rep. Clark voted by proxy. Rep. Pierson will carry the bill.

EXECUTIVE ACTION ON SB 77

02:00:01 **Motion/Vote:** Rep. Fitzpatrick moved that **SB 77 BE CONCURRED IN**. Motion carried unanimously by voice vote. Rep. Clark voted by proxy. Rep. Clark will carry the bill.

EXECUTIVE ACTION ON SB 105

02:00:38 **Motion/Vote:** Rep. Fitzpatrick moved that **SB 105 BE CONCURRED IN**. Motion carried 18-1 by voice vote with Rep. Moore voting no. Rep. Clark voted by proxy. Rep. Salomon will carry the bill.

02:01:27 Rep. Olsen
02:01:58 Chairman Berry took the gavel for announcements.
02:02:06 Rep. Lynch
02:02:31 Chairman Berry

ADJOURNMENT

Adjournment: 02:02:46

Karen Armstrong, Secretary

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Additional Documents:

EXHIBIT([buh33aad.pdf](#))