

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

#### JOINT SELECT COMMITTEE ON PENSIONS

**Call to Order:** Chair Dave Lewis, on February 14, 2013 at 8:30 AM, in Room 317A & B Capitol

#### ROLL CALL

**Members Present:**

Sen. Dave Lewis, Chair (R)  
Rep. Joanne G. Blyton (R)  
Rep. Rob Cook (R)  
Rep. Carl Glimm (R)  
Rep. Keith Regier (R)  
Rep. Kathy Swanson (D)  
Sen. Chas Vincent (R)

**Members Excused:** Sen. Ron Arthun (R)  
Sen. Tom Facey (D)  
Sen. Larry Jent (D)  
Rep. Bill McChesney (D)  
Sen. Scott Sales (R)

**Members Absent:** None

**Staff Present:** Dave Bohyer, Legislative Services Division  
Mary Ann Mackay, Committee Secretary  
Joe Triem, Legislative Fiscal Division  
Ginger Aldrich, Legislative Services Division, Legal  
Julie Johnson, Legislative Services Division, Legal  
Shawn Graham, Office of Budget and Program Planning

**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 54, 2/11/2013; HB 282, 2/11/2013; HB 382, 2/11/2013  
Executive Action: HB 54

00:10:04 Chair Lewis  
00:12:25 Sen. Arthun arrived.  
00:12:28 Chair Lewis

[EXHIBIT\(jph33a01\)](#)

[EXHIBIT\(jph33a02\)](#)

[EXHIBIT\(jph33a03\)](#)

### HEARING ON HB 382

#### Opening Statement by Sponsor:

00:13:45 Rep. Liz Bangerter (R), HD 80, opened the hearing on HB 382, Provide coal tax funding for actuarially unsound retirement systems.

#### Proponents' Testimony:

00:16:15 Russel Wrigg, President, Association of Montana Retired Public Employees (AMRPE)  
00:18:39 Rep. McChesney arrived.  
00:19:33 Leo Berry, Attorney and AMRPE  
00:22:21 Sen. Lewis  
00:22:28 Mr. Berry, AMRPE  
00:22:32 Sen. Lewis  
00:22:39 Rep. Cook  
00:23:01 Sen. Lewis  
00:23:27 Roxanne Minnehan, Executive Director, Montana Public Employees Association (MPERA) and Public Employees Retirement Board (PERB)  
00:23:48 Sen. Lewis  
00:23:52 Ms. Minnehan, MPERA  
00:24:28 Sen. Lewis  
00:24:42 Ms. Minnehan, MPERA  
00:25:31 Sen. Vincent left.  
00:25:58 Sen. Jent arrived.  
00:27:17 Sen. Lewis  
00:27:24 Bob Bugni, former member, Montana Board of Investments(MBOI), Department of Commerce (COMM)  
00:29:03 Sen. Sales arrived.  
00:31:37 Chair Lewis  
00:32:09 Tom Schneider, MPERA and American Federation of State, County and Municipal Employees (AFSME)  
00:34:36 Chair Lewis  
00:34:53 Mary Phippen, Self  
00:35:18 Diane Fladmo, Director of Research, Montana Education Association-Montana Federation of Teachers (MEA-MFT)  
00:37:15 David Senn, Executive Director, Teachers Retirement Board (TRB) and Teachers Retirement System (TRS)

[EXHIBIT\(jph33a04\)](#)

[EXHIBIT\(jph33a05\)](#)

00:41:01 Sen. Facey arrived.  
00:42:03 Jim Smith, Montana Sheriffs and Peace Officers Association (MSPOA)  
00:45:47 Sen. Facey left.

**Questions from Committee Members and Responses:**

00:46:36 Rep. Cook  
00:46:56 Sen. Facey returned.  
00:47:03 Mr. Senn, TRS  
00:47:21 Rep. Cook  
00:47:27 Mr. Senn, TRS

**Comments:**

00:47:44 Rep. Cook

**Questions from Committee Members and Responses:**

00:48:47 Rep. Glimm  
00:49:29 Chair Lewis  
00:49:46 Rep. Glimm  
00:50:32 Mr. Bugni  
00:50:55 Rep. Glimm  
00:51:06 Sen. Lewis  
00:51:21 Mr. Bugni  
00:51:44 Rep. Glimm  
00:51:55 Rep. Cook  
00:52:11 Mr. Bugni  
00:53:30 Rep. Cook  
00:53:46 Mr. Bugni  
00:53:49 Rep. Cook  
00:53:59 Rep. Glimm  
00:54:09 Mr. Bugni  
00:54:45 Chair Lewis  
00:55:03 Mr. Bugni  
00:55:24 Chair Lewis  
00:55:35 Mr. Bugni  
00:55:43 Chair Lewis  
00:55:56 Rep. Cook  
00:56:10 Mr. Bugni  
00:56:14 Rep. Cook  
00:56:35 Chair Lewis  
00:56:53 Mr. Bugni  
00:57:03 Chair Lewis

**Closing by Sponsor:**

00:57:38 Rep. Bangerter

**Comments:**

00:58:13 Chair Lewis  
00:58:28 Rep. Cook  
00:59:06 Chair Lewis

**HEARING ON HB 54****Opening Statement by Sponsor:**

00:59:26 Rep. Pat Ingraham (R), HD 13, opened the hearing on HB 54, Revise teacher's retirement system administrative and tax qualification laws.

**Proponents' Testimony:**

01:01:59 David Senn, Executive Director, TRS, and TRB

**EXHIBIT(jph33a06)**

01:02:30 Chair Lewis

01:02:33 Mr. Senn, TRS

01:08:11 Sen. Arthun left.

01:08:14 Chair Lewis

**Closing by Sponsor:**

01:08:43 Rep. Ingraham

**HEARING ON HB 282****Opening Statement by Sponsor:**

01:09:25 Rep. Kirk Wagoner (R), HD 77, opened the hearing on HB 282, Constitutional amendment regarding public employee retirement systems.

01:10:45 Sen. Arthun returned.

**Informational Testimony:**

01:14:22 Melanie Symons, Chief Legal Council, MPERA

**Questions from Committee Members and Responses:**

01:15:19 Sen. Jent

01:16:01 Rep. Wagoner

01:16:20 Sen. Jent

01:16:34 Rep. Wagoner

01:17:03 Sen. Jent

01:17:08 Sen. Facey

01:17:31 Rep. Wagoner

01:17:48 Chair Lewis

01:17:56 Rep. Wagoner

01:18:06 Chair Lewis

**Closing by Sponsor:**

01:18:21 Rep. Wagoner

**Discussion:**

01:18:39 Chair Lewis

01:19:06 Mr. Triem, Legislative Fiscal Division (LFD)

01:19:25 Sen. Facey

01:19:35 Chair Lewis

01:20:22 Sen. Facey

01:20:35 Chair Lewis

**EXECUTIVE ACTION ON HB 54**

01:21:30 **Motion/Vote:** Sen. Facey moved that **HB 54 BE CONCURRED IN**. Motion carried unanimously by voice vote. Sen. Vincent voted aye by proxy.

**Discussion:**

01:22:11 Mr. Triem, LFD  
01:22:39 Chair Lewis  
01:22:57 Sen. Facey  
01:23:10 Chair Lewis  
01:23:55 Sen. Arthun  
01:24:03 Chair Lewis  
01:24:06 Rep. Regier  
01:24:13 Chair Lewis  
01:24:17 Shawn Graham, Office of Budget and Program Planning  
01:24:34 Chair Lewis  
01:24:41 Mr. Graham, OBPP  
01:25:14 Chair Lewis

**ADJOURNMENT**

Adjournment: 01:25:47

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Mary Ann Mackay, Secretary

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Additional Documents:

**EXHIBIT([jph33aad.pdf](#))**