

## MINUTES

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

#### JOINT SELECT COMMITTEE ON PENSIONS

**Call to Order:** Chair Dave Lewis, on March 12, 2013 at 8:00 AM, in Room 317A Capitol

#### ROLL CALL

**Members Present:**

Sen. Dave Lewis, Chair (R)  
Sen. Ron Arthun (R)  
Rep. Joanne G. Blyton (R)  
Rep. Rob Cook (R)  
Rep. Carl Glimm (R)  
Sen. Larry Jent (D)  
Rep. Bill McChesney (D)  
Rep. Keith Regier (R)  
Sen. Scott Sales (R)  
Sen. Chas Vincent (R)

**Members Excused:** Sen. Tom Facey (D)  
Rep. Kathy Swanson (D)

**Members Absent:** None

**Staff Present:** Sheri Scurr, Legislative Services Division  
Mary Ann Mackay, Committee Secretary  
Joe Triem, Legislative Fiscal Division  
Julie Johnson, Legislative Services Division, Legal  
Shawn Graham, Office of Budget and Program Planning  
McKenzie Chambers, 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: SB 376, 3/7/2013  
Executive Action: SB 376, HB 338, HB 454, HB 377, HB 253, HB 234, HB 382, HB 175,  
HB167, HB 97, SB 82, HB 90, HB 96, HB 112, SB 333

00:22:01 Chair Lewis

### HEARING ON SB 376

#### **Opening Statement by Sponsor:**

00:22:35 Sen. Larry Jent (D), SD 32, opened the hearing on SB 376, Executive budget proposal to include actuarial funding for pension systems.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

#### **Informational Testimony:**

00:25:11 Roxanne Minnehan, Executive Director, Montana Public Employee Retirement Administration (MPERA)

00:25:29 David Senn, Executive Director, Teachers' Retirement System (TRS)

#### **Questions from Committee Members and Responses:**

00:25:48 Chair Lewis

00:25:52 Rep. Cook

00:26:02 Sen. Jent

00:26:15 Chair Lewis

00:26:51 Sen. Jent

00:27:16 Chair Lewis

#### **Closing by Sponsor:**

00:27:48 Sen. Jent

#### **Questions from Committee Members and Responses:**

00:28:07 Chair Lewis

00:28:50 Sen. Jent

00:28:58 Sen. Arthun

00:28:03 Chair Lewis

00:30:00 Roll Call

#### **Committee Business:**

00:31:20 Sheri Scurr, Legislative Services Division (LSD)

[EXHIBIT\(jph53a01\)](#)

[EXHIBIT\(jph53a02\)](#)

[EXHIBIT\(jph53a03\)](#)

00:34:42 Chair Lewis

00:35:00 Recessed.

00:37:38 Resumed.

00:37:46 Sheri Scurr, Legislative Services Division (LSD)

00:39:38 Chair Lewis

00:39:45 Joe Triem, Legislative Fiscal Division (LSD)

[EXHIBIT\(jph53a04\)](#)

00:40:34 Rep. Swanson arrived.

00:41:15 Chair Lewis

#### EXECUTIVE ACTION ON SB 376

00:41:27 Chair Lewis

00:41:36 **Motion/Vote:** Sen. Jent moved that **SB 376 DO PASS**. Motion carried unanimously by voice vote. Sen. Facey voted by proxy.

00:42:03 Chair Lewis

#### EXECUTIVE ACTION ON HB 338

00:42:07 **Motion:** Rep. Regier moved that **HB 338 DO PASS**.

00:42:11 **Motion:** Rep. Regier moved that **HB 338 BE AMENDED**.

[EXHIBIT\(jph53a05\)](#)

#### Discussion:

00:42:41 Chair Lewis

00:42:55 Rep. Regier

00:43:36 Chair Lewis

00:43:47 **Vote:** Motion carried unanimously by voice vote. Sen. Facey voted by proxy.

00:43:57 Chair Lewis

00:43:59 **Motion:** Rep. Regier moved that **HB 338 BE AMENDED**.

[EXHIBIT\(jph53a06\)](#)

#### Discussion:

00:44:43 Chair Lewis

00:44:51 Rep. Regier

[EXHIBIT\(jph53a07\)](#)

00:45:03 **Vote:** Motion carried unanimously by voice vote. Sen. Facey voted by proxy.

00:45:13 **Motion:** Rep. Regier moved that **HB 338 BE AMENDED**.

[EXHIBIT\(jph53a08\)](#)

00:48:24 Chair Lewis

00:48:29 **Vote:** Motion carried unanimously by voice vote. Sen. Facey voted by proxy.

00:48:38 **Motion:** Rep. Regier moved that **HB 338 DO PASS AS AMENDED**.

**Discussion:**

00:48:42 Rep. Regier

00:52:19 Chair Lewis

00:53:40 **Vote:** Motion carried 8-4 by roll call vote with Sen. Facey, Sen. Jent, Rep. McChesney and Rep. Swanson voting no. Sen. Facey voted by proxy.

00:54:37 Chair Lewis

**EXECUTIVE ACTION ON HB 454**00:54:44 **Motion:** Rep. McChesney moved that **HB 454 DO PASS.****Discussion:**

00:54:51 Chair Lewis

00:55:00 Rep. McChesney

00:55:02 Sen. Jent

00:55:51 Ms. Scurr, LSD

00:56:31 **Motion:** Sen. Jent moved that **HB 454 BE AMENDED.**[EXHIBIT\(jph53a09\)](#)**Discussion:**

00:56:42 Chair Lewis

00:56:46 Ms. Scurr, LSD

00:57:18 Rep. Cook

00:57:30 Sen. Jent

00:57:46 Chair Lewis

00:57:51 Rep. McChesney

00:58:11 **Vote:** Motion carried unanimously by voice vote. Sen. Facey voted by proxy.

00:58:21 Chair Lewis

00:58:41 **Motion:** Rep. Cook moved that **HB 454 BE AMENDED.**[EXHIBIT\(jph53a10\)](#)**Discussion:**

00:59:37 Chair Lewis

00:59:48 **Vote:** Motion carried unanimously by voice vote. Sen. Facey voted by proxy.**Discussion:**

00:59:56 Sen. Jent

01:00:10 Rep. McChesney

01:00:18 Sen Lewis

01:00:31 Sen. Jent

01:00:44 **Motion/Vote:** Rep. McChesney moved that **HB 454 DO PASS AS AMENDED.** Motion carried 7-5 by roll call vote with Rep. Glimm, Sen. Lewis, Rep. Regier, Sen. Sales and Sen. Vincent voting no. Sen. Facey voted by proxy.

01:01:58 Chair Lewis

**Questions:**

01:02:11 Sen. Arthun

01:02:26 Chair Lewis

**EXECUTIVE ACTION ON HB 377**

01:03:29 **Motion:** Sen. Jent moved that **HB 377 DO PASS.**

01:03:40 Chair Lewis

01:04:48 **Motion:** Sen. Jent moved that **HB 377 BE AMENDED.**

[EXHIBIT\(jph53a11\)](#)

[EXHIBIT\(jph53a12\)](#)

**Discussion:**

01:05:03 Sen. Facey arrived.

01:07:32 Rep. Cook

01:07:43 Chair Lewis

01:08:35 Rep. Cook

01:08:50 Chair Lewis

01:08:57 Sen. Jent

01:11:16 **Vote:** Motion carried 7-5 by roll call vote with Rep. Glimm, Sen. Lewis, Rep. Regier, Sen. Sales and Sen. Vincent voting no.

01:11:33 Chair Lewis

01:11:36 **Motion:** Rep. Cook moved that **HB 377 BE AMENDED.**

[EXHIBIT\(jph53a13\)](#)

**Discussion:**

01:12:06 Chair Lewis

01:12:08 Sen. Facey

01:12:17 Rep. Cook

01:12:24 Ms. Johnson, LFD

01:12:45 **Vote:** Motion carried unanimously by voice vote.

01:12:58 **Motion/Vote:** Sen. Jent moved that **HB 377 DO PASS AS AMENDED.** Motion carried 7-5 by roll call vote with Rep. Glimm, Sen. Lewis, Rep. Regier, Sen. Sales and Sen. Vincent voting no.

**EXECUTIVE ACTION ON HB 253**

01:14:18 **Motion:** Rep. Cook moved that **HB 253 DO PASS.**

**Discussion:**

01:14:34 Ms. Scurr, LFD

01:15:34 **Motion:** Rep. Cook moved that **HB 253 BE AMENDED.**  
**EXHIBIT(jph53a14)**

**Discussion:**

01:16:07 Chair Lewis  
01:16:39 Rep. Cook  
01:16:59 Chair Lewis  
01:17:17 Rep. Cook  
01:17:40 Chair Lewis  
01:18:02 Rep. Cook  
01:18:48 Chair Lewis  
01:18:54 Rep. McChesney  
01:19:05 Chair Lewis  
01:19:20 Rep. Cook  
01:19:23 Chair Lewis

01:19:52 **Vote:** Motion carried unanimously by voice vote.

01:20:05 **Motion:** Rep. McChesney moved that **HB 253 DO PASS AS AMENDED.**

**Discussion:**

01:20:07 Rep. Cook  
01:20:17 Chair Lewis

01:20:35 **Vote:** Motion failed 5-7 by roll call vote with Rep. Cook, Sen. Facey, Sen. Jent, Rep. McChesney and Rep. Swanson voting aye.

01:21:54 **Motion:** Sen. Sales moved that **HB 253 BE TABLED AND THE VOTE REVERSED.** Without objection.

01:21:57 Chair Lewis

**EXECUTIVE ACTION ON HB 234**

01:22:10 **Motion/Vote:** Sen. Sales moved that **HB 234 BE TABLED.** Motion carried unanimously by voice vote.

01:22:53 Chair Lewis

**EXECUTIVE ACTION ON HB 382**

01:22:59 **Motion/Vote:** Sen. Facey moved that **HB 382 BE TABLED.** Motion carried unanimously by voice vote.

01:23:17 Chair Lewis

**EXECUTIVE ACTION ON HB 175**

01:23:25 **Motion/Vote:** Sen. Sales moved that **HB 175 BE TABLED**. Motion carried 8-4 by voice vote with Sen. Facey, Sen. Jent, Rep. McChesney and Rep. Swanson voting no.

01:23:54 Chair Lewis

**EXECUTIVE ACTION ON HB 167**

01:24:02 **Motion/Vote:** Sen. Sales moved that **HB 167 BE TABLED**. Motion carried unanimously by voice vote.

01:24:20 Chair Lewis

**EXECUTIVE ACTION ON HB 97**

01:24:26 **Motion/Vote:** Rep. Cook moved that **HB 97 DO PASS**. Motion carried unanimously by voice vote.

01:25:01 Chair Lewis

**EXECUTIVE ACTION ON SB 82**

01:25:03 **Motion/Vote:** Sen. Sales moved that **SB 82 BE TABLED**. Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 90**

**Discussion:**

01:25:36 Rep. Cook

01:25:44 Chair Lewis

01:25:57 **Motion/Vote:** Rep. Cook moved that **HB 90 BE TABLED**. Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 96**

01:26:08 **Motion/Vote:** Rep. Cook moved that **HB 96 BE TABLED**. Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 112**

01:26:41 **Motion:** Rep. Cook moved that **HB 112 BE TABLED**.

**Discussion:**

01:26:39 Rep. Cook

01:27:03 Chair Lewis

01:28:27 Chair Lewis

01:28:30 Rep. Cook

01:28:45 Chair Lewis

**01:29:00** **Vote:** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SB 333**

01:29:50 **Motion:** Sen. Arthun moved that **SB 333 DO PASS.**

**Discussion:**

01:30:13 Chair Lewis

01:30:22 Rep. Regier

01:30:31 Chair Lewis

01:30:37 Sen. Arthun

01:30:40 Chair Lewis

01:30:44 **Motion:** Sen. Arthun moved that **SB 333 BE AMENDED.**

**EXHIBIT(jph53a15)**

**Discussion:**

01:31:29 Ms. Scurr, LFD

01:33:00 Chair Lewis

01:33:30 Sen. Arthun

01:34:39 Chair Lewis

01:34:40 **Vote:** Motion carried unanimously by voice vote.

01:33:55 **Motion/Vote:** Sen. Arthun moved that **SB 333 DO PASS AS AMENDED.**  
Motion carried unanimously by voice vote.

**Discussion:**

01:35:11 Chair Lewis

01:35:32 Rep. Blyton

01:36:11 Chair Lewis

**EXHIBIT(jph53a16)**

**ADJOURNMENT**

Adjournment: 01:36:29

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Mary Ann Mackay, Secretary

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Additional Documents:

**EXHIBIT([jph53aad.pdf](#))**