

MINUTES

**MONTANA SENATE
59th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: By **CHAIRMAN VICKI COCCHIARELLA**, on February 19, 2005 at 8:00 A.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Vicki Cocchiarella, Chairman (D)
Sen. Joe Balyeat (R)
Sen. Duane Grimes (R)
Sen. Dave Lewis (R)
Sen. Glenn Roush (D)
Sen. Frank Smith (D)
Sen. Carolyn Squires (D)
Sen. Donald J. Steinbeisser (R)
Sen. Bill Tash (R)
Sen. Joseph (Joe) Tropila (D)

Members Excused:

Sen. Jon Tester (D)

Members Absent: None.

Staff Present: Pat Murdo, Legislative Branch
Annie Glover, 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 488, 2/15/2005; SB 497,
2/15/2005; SB 486, 2/15/2005
Executive Action: SB 497, SB 488, SB 486, SB 457, SB
444, SB 311

00:00:00

HEARING ON SB 488

Opening Statement by Sponsor:

SEN. JOSEPH (JOE) TROPILA (D), SD 13, opened the hearing on **SB 488**, Revise small employer health insurance availability act premium rate.

Proponents' Testimony: None.

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses: None.

00:00:52

Closing by Sponsor:

00:03:08

DISCUSSION ON SB 311

Ms. Jacqueline Lenmark, American Insurance Association

00:05:20

HEARING ON SB 497

Opening Statement by Sponsor:

SEN. JOSEPH (JOE) TROPILA (D), SD 13, opened the hearing on **SB 497**, Restrict liquor license locations if within 5 miles of city upon an annexation.

EXHIBIT (bus41a01)

00:07:26

Proponents' Testimony:

00:07:41 **Mr. Mark Staples, Montana Tavern Association**

00:10:45 **Mr. Tom Heisler, Tavern Owner**

Opponents' Testimony: None.

Informational Testimony:

00:13:55 **Mr. Neil Peterson, Department of Revenue**

EXHIBIT (bus41a02)

00:16:11

Questions from Committee Members and Responses:

00:28:10

Closing by Sponsor:

00:29:39

HEARING ON SB 486

Opening Statement by Sponsor:

SEN. VICKI COCCHIARELLA (D), SD 47, opened the hearing on SB 486, Revise viatical settlement law.

Proponents' Testimony:

00:31:34

Mr. Frank Cote, Life Settlement Institute

00:38:56

Ms. Jacqueline Lenmark, American Council of Life Insurers

Opponents' Testimony: None.

Informational Testimony:

00:39:21

Ms. Alicia Pichette, State Auditor's Office

00:40:25

Ms. Karen Powell, Deputy Securities Officer, State Auditor's Office

00:40:55

Questions from Committee Members and Responses:

00:42:56

Closing by Sponsor:

00:45:12

EXECUTIVE ACTION ON SB 497

Motion: SEN. LEWIS moved that SB 497 DO PASS.

Motion/Vote: SEN. BALYEAT moved that SB 497 BE AMENDED. Motion carried unanimously by voice vote.

Motion: SEN. LEWIS moved that SB 497 DO PASS AS AMENDED.

Vote: Motion carried unanimously by voice vote.

SEN. COCCHIARELLA proxied for SEN. TESTER.

00:46:01

EXECUTIVE ACTION ON SB 488

Motion/Vote: SEN. TROPILA made a motion that SB 488 BE TABLED.
Substitute motion carried unanimously by voice vote.
SEN. COCCHIARELLA proxied for SEN. TESTER.

00:46:27

EXECUTIVE ACTION ON SB 486

Motion/Vote: SEN. TASH moved that SB 486 DO PASS. Motion carried
unanimously by voice vote.
SEN. COCCHIARELLA proxied for SEN. TESTER.

00:46:58

EXECUTIVE ACTION ON SB 457

Motion: SEN. TROPILA moved that SB 457 DO PASS.

Discussion:

Mr. Larry Kibbee, Property Casualty Insurers Association of
America

Motion: SEN. TROPILA moved that SB 457 BE AMENDED WITH
SB045702.APM.

Discussion:

[EXHIBIT](#) (bus41a03)

Ms. Jacqueline Lenmark, American Insurance Association
Ms. Alicia Pichette, State Auditor's Office
SEN. KELLY GEBHARDT, SD 23, ROUNDUP

Motion: SEN. TROPILA withdrew his motion.

Motion/Vote: SEN. GRIMES moved that SB 457 BE AMENDED. Motion
carried unanimously by voice vote.

Motion/Vote: SEN. GRIMES moved that SB 457 DO PASS AS AMENDED.
Motion carried unanimously by voice vote.
SEN. COCCHIARELLA proxied for SEN. TESTER.

01:12:52

EXECUTIVE ACTION ON SB 444

Motion: SEN. SMITH moved that SB 444 DO PASS.

Motion: SEN. SMITH moved that SB 444 BE AMENDED WITH SB044401.APM.

[EXHIBIT](#) (bus41a04)

Discussion:

Vote: Motion failed 1-10 by voice vote with SEN. SMITH voting aye.

Substitute Motion/Vote: SEN. SQUIRES made a substitute motion that SB 444 BE TABLED. Substitute motion carried 9-2 with SEN. GRIMES and SEN. TROPILA voting no. SEN. COCCHIARELLA proxied for SEN. TESTER.

01:26:12 SEN. LEWIS exited.

01:26:15

EXECUTIVE ACTION ON SB 311

Motion: SEN. GRIMES moved that SB 311 DO PASS.

Motion: SEN. GRIMES moved that SB 311 BE AMENDED WITH 1.

Discussion:

[EXHIBIT](#) (bus41a05)

Vote: Motion carried unanimously by voice vote.

Motion: SEN. TROPILA moved that SB 311 BE AMENDED WITH 2.

Discussion:

Ms. Jacqueline Lenmark, American Insurance Association

[EXHIBIT](#) (bus41a06)

Motion: SEN. TROPILA withdrew his motion.

Motion: SEN. GRIMES moved that SB 311 BE AMENDED WITH SB031103.APM.

Discussion:

EXHIBIT(bus41a07)

Ms. Jacqueline Lenmark, American Insurance Association

Vote: Motion carried unanimously by voice vote.

SEN. STEINBEISSER proxied for **SEN. LEWIS**.

Ms. Alicia Pichette, State Auditor's Office

EXHIBIT(bus41a08)

01:52:25 **SEN. LEWIS** entered.

Motion/Vote: SEN. GRIMES moved that SB 311 DO PASS AS AMENDED.

Motion carried unanimously by voice vote.

SEN. COCCHIARELLA proxied for **SEN. TESTER**.

ADJOURNMENT

Adjournment: 10:00 A.M.

SEN. VICKI COCCHIARELLA, Chairman

ANNIE GLOVER, Secretary

VC/ag

Additional Exhibits:

EXHIBIT ([bus41aad0.PDF](#))