

MINUTES

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

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: By **CHAIRMAN VICKI COCCHIARELLA**, on February 4, 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: Annie Glover, 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: None.
Executive Action: SB 217, SB 238, SB 239, SB 274
SB 280, SB 286, SB 315, SB 329

00:00:00

EXECUTIVE ACTION ON SB 192

Motion: SEN. SQUIRES moved that SB 192 DO NOT PASS.

Discussion:

Substitute Motion: SEN. LEWIS made a substitute motion that SB 192 DO PASS.

Discussion:

00:07:10 SEN. GRIMES entered.

SEN. LEWIS withdrew his motion. The committee delayed action for amendment preparation.

00:23:45

EXECUTIVE ACTION ON SB 217

Motion: SEN. ROUSH moved that SB 217 DO PASS.

Discussion:

Motion: SEN. ROUSH moved that SB 217 BE AMENDED BY SB021701.APM. Motion carried unanimously by voice vote.

Discussion:

Mr. Keith Allen, International Brotherhood of Electrical Workers
Mr. Jerry Driscoll, Montana AFL-CIO

00:28:36 SEN. TASH entered.

00:32:25 SEN. GRIMES exited.

00:34:13 SEN. GRIMES entered.

Motion/Vote: SEN. COCCHIARELLA moved that SB 217 BE AMENDED BY SB021702.APM. Motion carried unanimously by voice vote.

[EXHIBIT \(bus28a01\)](#)

Motion: SEN. ROUSH moved that SB 217 DO PASS AS AMENDED.

Discussion:

Ms. Margaret Morgan, Treasure State Independent Electrical Contractors

Motion/Vote: SEN. SQUIRES CALLED THE QUESTION ON SB 217. Motion carried 6-5 by roll call vote with SEN. BALYEAT, SEN. GRIMES, SEN. LEWIS, SEN. STEINBEISSER, and SEN. TASH voting no.

SEN. COCCHIARELLA proxied for SEN. TESTER.
SEN. TROPILA proxied for SEN. SMITH.

00:53:59 SEN. TASH exited.

00:53:43 SEN. GRIMES exited.

00:56:02 SEN. GRIMES entered.

00:54:04

EXECUTIVE ACTION ON SB 238

Motion: SEN. ROUSH moved SB 238 DO PASS.

Motion/Vote: SEN. TROPILA moved that SB 238 BE AMENDED WITH SB023802.APM. Motion carried unanimously by voice vote.

EXHIBIT (bus28a02)

Motion: SEN. BALYEAT moved that SB 238 BE AMENDED WITH SB023803.APM 2,4.

EXHIBIT (bus28a03)

Discussion:

01:19:43 SEN. SMITH entered.

01:19:50 SEN. TASH entered.

Vote: Motion carried 6-5 by roll call vote with SEN. COCCHIARELLA, SEN. ROUSH, SEN. SQUIRES, SEN. TESTER, and SEN. TROPILA voting no.

Motion/Vote: SEN. BALYEAT moved that SB 238 BE AMENDED WITH SB023803.APM 1,3,5. Motion failed 5-6 by roll call vote with SEN. BALYEAT, SEN. GRIMES, SEN. LEWIS, SEN. STEINBEISSER, and SEN. TASH voting aye.

Motion/Vote: SEN. GRIMES moved that SB 238 BE AMENDED WITH SB023804.APM. Motion carried unanimously by voice vote.

[EXHIBIT \(bus28a04\)](#)

Discussion:

Ms. Karen Powell, State Auditor's Office

Motion/Vote: SEN. COCCHIARELLA moved that SB 238 BE AMENDED WITH SB023801.APM. Motion carried 9-1 by voice vote with SEN. BALYEAT voting no.

[EXHIBIT \(bus28a05\)](#)

Motion: SEN. ROUSH moved that SB 238 DO PASS AS AMENDED.

Discussion:

Ms. Karen Powell, State Auditor's Office

Vote: Motion carried 6-5 by roll call vote with SEN. BALYEAT, SEN. GRIMES, SEN. LEWIS, SEN. STEINBEISSER, and SEN. TASH voting no.

SEN. COCCHIARELLA proxied for SEN. TESTER.

01:56:50

EXECUTIVE ACTION ON SB 239

Motion: SEN. SQUIRES moved that SB 239 DO PASS.

Discussion:

Motion/Vote: SEN. GRIMES moved that SB 239 BE AMENDED WITH SB023904.APM. Motion carried unanimously by voice vote.

[EXHIBIT \(bus28a06\)](#)

Motion/Vote: SEN. COCCHIARELLA moved that SB 239 BE AMENDED WITH SB023901.APM. Motion carried 9-1 by voice vote with SEN. BALYEAT voting no.

[EXHIBIT \(bus28a07\)](#)

Motion/Vote: SEN. BALYEAT moved that SB 239 BE AMENDED WITH SB023903.APM 2,4. Motion carried 6-5 by voice vote with SEN. COCCHIARELLA, SEN. ROUSH, SEN. SQUIRES, SEN. TESTER, and SEN. TROPILA voting no.

[EXHIBIT \(bus28a08\)](#)

Motion/Vote: SEN. SQUIRES moved that SB 239 BE AMENDED WITH SB023902.APM. Motion carried unanimously by voice vote.

EXHIBIT (bus28a09)

Motion/Vote: SEN. SQUIRES moved that SB 239 DO PASS AS AMENDED. Motion carried 6-5 by voice vote with SEN. BALYEAT, SEN. GRIMES, SEN. LEWIS, SEN. STEINBEISSER, and SEN. TASH voting no.

02:06:06 Break
02:30:00 Resume

02:30:07

EXECUTIVE ACTION ON SB 274

Motion: SEN. TROPILA moved that SB 274 DO PASS.

Discussion:

Mr. Steve Turkiewicz, Montana Bankers Association

Motion/Vote: SEN. STEINBEISSER moved that SB 274 BE AMENDED. Motion carried unanimously by voice vote.

Discussion:

Ms. Kristi Blazer, Montana Association of Mortgage Brokers

Motion/Vote: SEN. STEINBEISSER moved that SB 274 DO PASS AS AMENDED. Motion carried unanimously by voice vote.

02:37:40

EXECUTIVE ACTION ON SB 280

Motion: SEN. SQUIRES moved that SB 280 DO PASS.

Discussion:

Substitute Motion/Vote: SEN. GRIMES made a substitute motion that SB 280 BE TABLED. Substitute motion carried unanimously by voice vote.

02:43:18

EXECUTIVE ACTION ON SB 286

Motion: SEN. SQUIRES moved that SB 286 DO PASS.

Discussion:

Motion: SEN. SQUIRES moved that SB 286 BE AMENDED WITH SB028601.APM.

EXHIBIT(bus28a10)

Discussion:

Vote: Motion carried unanimously by voice vote.

Motion/Vote: SEN. SQUIRES moved that SB 286 DO PASS AS AMENDED. Motion carried unanimously by voice vote.

02:50:33

EXECUTIVE ACTION ON SB 315

Motion: SEN. SQUIRES moved that SB 315 DO NOT PASS.

Discussion:

Mr. Matthew Cohn, Montana State Fund

EXHIBIT(bus28a11)

Substitute Motion/Vote: SEN. TROPILA made a substitute motion that SB 315 BE TABLED. Substitute motion carried 6-5 by roll call vote with SEN. BALYEAT, SEN. GRIMES, SEN. LEWIS, SEN. STEINBEISSER, and SEN. TASH voting no.

SEN. COCCHIARELLA proxied for SEN. TESTER.

03:17:56

EXECUTIVE ACTION ON SB 329

Motion/Vote: SEN. SQUIRES moved that SB 329 DO PASS. Motion carried unanimously by voice vote.

SEN. COCCHIARELLA proxied for SEN. TESTER.

ADJOURNMENT

Adjournment: 11:35 A.M.

SEN. VICKI COCCHIARELLA, Chairman

ANNIE GLOVER, Secretary

VC/ag

Additional Exhibits:

EXHIBIT ([bus28aad0.PDF](#))