

MINUTES

**MONTANA SENATE
61st LEGISLATURE - REGULAR SESSION**

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chairman Joe Balyeat, on March 6, 2009 at 10 A.M.,
in Room 422 Capitol

ROLL CALL

Members Present:

Sen. Joe Balyeat, Chairman (R)
Sen. Gregory D. Barkus (R)
Sen. Roy Brown (R)
Sen. Jim Keane (D)
Sen. Donald J. Steinbeisser (R)
Sen. Sharon Stewart-Peregoy (D)
Sen. Joseph (Joe) Tropila (D)

Members Excused: Sen. Verdell Jackson, Vice Chairman (R)
Sen. Jim Peterson (R)
Sen. Carolyn Squires (D)
Sen. Jonathan Windy Boy (D)

Members Absent: None

Staff Present: Linda Keim, 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: HB 101, HB 114, 2/24/2009

Executive Action: HJ 12, HB 101, HB 114, HB 80, HB
94, and partial on HB 195, HB 119

HEARING ON HB 101

Opening Statement by Sponsor:

00:00:01 Rep. Jeffery Welborn (R), HD 72, opened the hearing on HB 101, Extend deadlines related to wage withholding in cases of theft.

EXHIBIT (bus50a01)

Proponents' Testimony:

00:03:10 Jerry Keck, Administrator, Employment Relations Division, Department of Labor and Industry (DOLI)

EXHIBIT (bus50a02)

00:04:26 Jon Bennion, Montana Chamber of Commerce

00:05:00 Riley Johnson, National Federation of Independent Business

00:05:18 Clyde Dailey, Montana Credit Union Network

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:05:56 Sen. Tropila

00:06:14 Jerry Keck

Closing by Sponsor:

00:06:24 Rep. Welborn

HEARING ON HB 114

Opening Statement by Sponsor:

00:06:50 Rep. Teresa Henry (D), HD 96, opened the hearing on HB 114, Clarify licensure and liability in public health emergencies.

Proponents' Testimony:

00:12:25 Bob Olsen, Montana Hospital Association
00:14:29 Jim Murphy, Bureau Chief, Communicable Disease Control
and Prevention Bureau, Department of Public Health and
Human Services (DPHHS)

EXHIBIT (bus50a03)

00:18:28 Don Judge, Montana Nurses Association
00:19:40 Brigadier General Stan Putnam, Assistant Adjutant
General, Army National Guard
00:21:05 Erin MacLean, Montana Medical Association
00:21:48 Melanie Reynolds, Health Officer, Association of
Montana Public Health Officials (AMPHO)

EXHIBIT (bus50a04)

00:23:17 Marge Levine, Montana Primary Care Association
00:23:41 Mike Foster, Wheatland Memorial Hospital, and all
Catholic Hospitals in Montana
00:24:30 Amy Grmoljez, Billings Clinic
00:24:50 Linda Stoll, Missoula County

EXHIBIT (bus50a05)

Opponents' Testimony: None

Informational Testimony:

00:25:22 Al Smith, Montana Trial Lawyers Association

Questions from Committee Members and Responses:

00:26:59 Sen. Brown
00:28:15 Rep. Henry
00:28:22 Sen. Barkus
00:30:30 Jim Murphy
00:30:51 Sen. Tropila
00:31:13 Rep. Henry
00:31:39 Sen. Tropila
00:31:45 Al Smith
00:31:55 Chairman Balyeat
00:32:10 Rep. Henry

Closing by Sponsor:

00:32:35 Rep. Henry

EXECUTIVE ACTION ON HJ 12

00:33:20 **Motion:** Sen. Keane moved **TO TABLE HJ 12.**

Note: The bill sponsor, Rep. Steenson made a written request not to have a hearing and to Table HJ 12 because the resolution had become obsolete.

EXHIBIT (bus50a06)

Discussion:

00:33:00 Chairman Balyeat

00:33:47 **Vote:** Motion carried unanimously 11-0 by voice vote. Sen. Peterson, Sen. Squires, and Sen. Windy Boy voted by proxy.

EXECUTIVE ACTION ON HB 101

00:34:06 **Motion/Vote:** Sen. Keane moved that **HB 101 BE CONCURRED IN.** Motion carried unanimously 11-0 by voice vote. Sen. Peterson, Sen. Squires, and Sen. Windy Boy voted by proxy. Sen. Steinbeisser will carry the bill in the Senate.

EXECUTIVE ACTION ON HB 114

00:34:53 **Motion:** Sen. Keane moved that **HB 114 BE CONCURRED IN.**

Discussion:

00:35:13 Sen. Brown

00:35:31 Pat Murdo

00:36:04 Chairman Balyeat

00:36:54 **Vote:** Motion carried unanimously 11-0 by voice vote. Sen. Peterson, Sen. Squires, and Sen. Windy Boy voted by proxy. Sen. Stewart-Peregoy will carry the bill in the Senate.

EXECUTIVE ACTION ON HB 119

00:37:30 Chairman Balyeat

00:38:17 Pat Murdo

00:38:44 **Motion:** Sen. Keane moved that **HB 119 BE CONCURRED IN.**

Discussion:

00:39:00 Pat Murdo

00:39:34 **Motion:** Sen. Barkus moved **TO AMEND HB 119.**

EXHIBIT (bus50a07)

Discussion:

00:40:19 Pat Murdo

00:40:40 **Vote:** Motion carried unanimously 11-0 by voice vote.
Sen. Peterson, Sen. Squires, and Sen. Windy Boy voted
by proxy.

00:41:13 **Motion:** Sen. Keane moved **TO FURTHER AMEND HB 119.**

EXHIBIT (bus50a08)

Discussion:

00:41:30 Pat Murdo

00:42:40 **Vote:** Motion carried unanimously 11-0 by voice vote.
Sen. Peterson, Sen. Squires, and Sen. Windy Boy voted
by proxy.

00:43:08 **Motion:** Sen. Barkus moved **TO FURTHER AMEND HB 119.**

EXHIBIT (bus50a09)

EXHIBIT (bus50a10)

Discussion:

00:43:05 Jerry Keck

00:45:10 Chairman Balyeat

00:45:53 Sen. Barkus

00:46:17 Chairman Balyeat

Note: A preliminary voice vote was taken that was not favorable and Chairman Balyeat asked for more discussion.

Discussion:

00:47:53 Sen. Barkus
00:47:59 Sen. Jackson
00:48:28 Sen. Keane
00:49:54 Sen. Steinbeisser
00:50:17 Chairman Balyeat
00:50:22 Sen. Tropila
00:50:37 Chairman Balyeat
00:53:51 Jerry Keck

00:53:51 Sen. Barkus withdrew his motion on the amendment.

00:54:01 Sen. Brown
00:54:30 Chairman Balyeat
00:54:54 Sen. Keane
00:55:38 Chairman Balyeat

00:55:44 Sen. Keane withdrew his motion on the bill.

EXECUTIVE ACTION ON HB 94

00:56:10 **Motion:** Sen. Keane moved that **HB 94 BE CONCURRED IN.**

00:56:47 **Motion:** Sen. Balyeat moved **TO AMEND HB 94.**

EXHIBIT (bus50a11)

Discussion:

00:57:19 Pat Murdo
01:00:56 Sen. Tropila
01:01:02 Shauna Helfert, Department of Revenue
01:01:09 Chairman Balyeat

01:02:03 **Substitute Motion:** Chairman Balyeat made a substitute motion to segregate the amendments and discuss #1,2,3 only.

Discussion:

01:02:47 Chairman Balyeat

01:02:50 Pat Murdo

01:03:57 Chairman Balyeat

01:04:03 **Vote:** Motion failed 4-7 by roll call vote. Sen. Squires, Sen. Stewart-Peregoy, Sen. Tropila, and Sen. Windy Boy voted aye. Sen. Peterson, Sen. Squires, and Sen. Windy Boy voted by proxy.

01:05:20 **Motion:** Chairman Balyeat moved #4 of the amendments (Exhibit 11).

Discussion:

01:05:46 Pat Murdo

01:06:01 Chairman Balyeat withdrew his motion.

01:06:38 **Vote:** Motion carried 7-4 by roll call vote. Sen. Squires, Sen. Stewart-Peregoy, Sen. Tropila, and Sen. Windy Boy voted no. Sen. Peterson, Sen. Squires, and Sen. Windy Boy voted by proxy. Sen. Steinbeisser will carry.

EXECUTIVE ACTION ON HB 195

01:08:04 **Motion:** Sen. Steinbeisser moved that **HB 195 BE CONCURRED IN.**

01:08:42 **Motion:** Chairman Balyeat moved **TO AMEND HB 195. [EXHIBIT \(bus50a12\)](#)**

Discussion:

01:09:58 Pat Murdo

01:10:47 Chairman Balyeat

01:12:40 Shauna Helfert

01:13:02 Chairman Balyeat withdrew his motion.

01:13:35 **Motion:** Chairman Balyeat moved **TO AMEND HB 195** by segregating the amendments and to discuss #1.

Discussion:

01:13:26 Sen. Barkus
01:13:58 Chairman Balyeat
01:14:23 Sen. Barkus
01:14:28 Sen. Tropila

01:14:39 Chairman Balyeat withdrew his motion.

01:14:49 **Motion/Vote:** Chairman Balyeat moved #2 and #3 of the amendments. Motion carried unanimously 11-0 by voice vote. Sen. Peterson, Sen. Squires, and Sen. Windy Boy voted by proxy.

01:15:27 **Motion:** Sen. Barkus moved that **HB 195 BE CONCURRED IN AS AMENDED.**

Discussion:

01:15:44 Sen. Brown
01:16:10 Chairman Balyeat
01:17:03 Sen. Stewart-Peregoy
01:17:59 Chairman Balyeat
01:18:21 Sen. Stewart-Peregoy
01:19:11 Sen. Barkus
01:19:58 Pat Murdo
01:21:00 Chairman Balyeat
01:22:09 Sen. Keane
01:23:29 Chairman Balyeat
01:24:26 Sen. Keane
01:24:41 Chairman Balyeat
01:25:07 Sen. Barkus
01:30:34 Shauna Helfert
01:30:39 Chairman Balyeat
01:31:20 Shauna Helfert
01:32:09 Sen. Barkus
01:32:36 Pat Murdo
01:33:38 Chairman Balyeat
01:34:34 Pat Murdo
01:35:01 Chairman Balyeat
01:35:08 Sen. Brown
01:35:46 Chairman Balyeat

01:36:25 Sen. Barkus withdrew his motion.

EXECUTIVE ACTION ON HB 80

01:36:38 **Motion:** Sen. Barkus moved that **HB 80 BE CONCURRED IN.**

01:37:41 **Motion:** Sen. Steinbeisser moved **TO AMEND HB 80.**
EXHIBIT (bus50a13)

Discussion:

01:38:45 Pat Murdo

01:39:09 **Vote:** Motion carried unanimously 11-0 by voice vote.
Sen. Peterson, Sen. Squires, and Sen. Windy Boy voted
by proxy.

01:39:26 **Motion/Vote:** Sen. Brown moved **TO FURTHER AMEND HB 80.**
Motion carried unanimously 11-0 by voice vote. Sen.
Peterson, Sen. Squires, and Sen. Windy Boy voted by
proxy.

EXHIBIT (bus50a14)

01:40:39 **Motion:** Sen. Steinbeisser moved that **HB 80 BE**
CONCURRED IN AS AMENDED.

Discussion:

01:41:07 Chairman Balyeat

01:41:36 Sen. Brown

01:42:15 Sen. Tropila

01:42:23 Pat Keim, Alternatives, Inc.

01:42:41 **Vote:** Motion carried unanimously 11-0 by voice vote.
Sen. Peterson, Sen. Squires, and Sen. Windy Boy voted
by proxy. Sen. Barkus will carry the bill in the
Senate.

01:44:45 Pat Murdo

01:45:27 Chairman Balyeat

Additional Exhibits:

EXHIBIT (bus50a15) Pertains to HB 354 scheduled for 3/12/09.

ADJOURNMENT

Adjournment: 11:50 A.M.

Linda Keim, Secretary

lk

Additional Documents:

EXHIBIT ([bus50aad.pdf](#))