

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chair Joe Balyeat, on March 3, 2011 at 9:00 A.M., in Room 303 Capitol

ROLL CALL

Members Present:

Sen. Joe Balyeat, Chairman (R)
Sen. Verdell Jackson, Vice Chairman (R)
Sen. Tom Facey (D)
Sen. Frederick (Eric) Moore (R)
Sen. Carmine Mowbray (R)
Sen. Mitch Tropila (D)
Sen. Gene Vuckovich (D)

Members Excused: Sen. Donald J. Steinbeisser (R)
Sen. Sharon Stewart-Peregoy (D)
Sen. Bruce Tutvedt (R)
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 100, 2/23/2011; HB 307, 2/23/2011; HB 359, 2/23/2011

HEARING ON HB 307**Opening Statement by Sponsor:**

00:01:39 Rep. Tom Burnett (R), HD 63, opened the hearing on HB 307, Prohibit building codes from requiring some mandatory sprinkler systems.

00:04:30 Sen. Tropila left the room.

Proponents' Testimony:

00:05:07 Dustin Stewart, Executive Director, Montana Building Industry Association (MBIA)

EXHIBIT(bus48a01)

00:12:46 Bill Pierce, Homebuilder, Helena

00:20:25 Terry Kramer, Kramer Enterprises, Commercial and Homebuilding

EXHIBIT(bus48a02)

00:24:19 Jim More, Homebuilder, Helena

EXHIBIT(bus48a03)

00:28:47 Jeff Engel, Homebuilder, Billings

EXHIBIT(bus48a04)

00:31:17 Byron Anderson, Willow Creek

EXHIBIT(bus48a05)

00:34:47 Kimberly Chambers, Realtor, Missoula

00:38:40 John Harding, S&H Aluminum Products, Fire Suppression, Great Falls

00:40:01 Elaine Marcille, Homebuilder

EXHIBIT(bus48a06)

00:40:37 Bob Lee, Contractor, White Sulphur

00:43:10 Brian Popiel, Southwest Montana Homebuilding Association, Bozeman

EXHIBIT(bus48a07)

00:44:43 Eugene Graf, Bozeman Builders

EXHIBIT(bus48a08)

00:46:49 Ed Wheating, Big Sky Homes

00:50:47 David Graham, Homebuilder, Helena

EXHIBIT(bus48a09)

00:52:31 Leon Chambers, Builder, Missoula

00:53:54 Robert Bartsch, Builder, Helena

00:57:18 Glenn Oppel, Montana Association of Realtors

EXHIBIT(bus48a10)**Opponents' Testimony:**

00:58:09 Deputy State Fire Marshall Pat Clinch

EXHIBIT(bus48a11)

01:01:35 Craig Trapp, Fire Marshall, Helena Fire Department

01:06:23 Mitchell Smith, Sprinkler Fitters, fire suppression industry

EXHIBIT(bus48a12)

01:10:33 Joseph Sands, Professional Fire Fighters in Montana

01:15:07 Sen. Steinbeisser, Sen. Tropila, and Sen. Stewart-Peregoy arrived

01:15:13 Leonard Lundby, Montana Fire Alliance, Montana Fire Chiefs Association,
Montana State Volunteer Firefighters Association

01:17:17 Greg Van Horssen, State Farm Insurance Company (SFI)

01:18:58 John Forkan, Montana State Association of Pipefitters (MSAP)

01:20:10 Maria Figueroa, National Fire Protection Association (NFPA)

EXHIBIT(bus48a13)

01:27:32 Jessi Maloney Norman, Sprinkler Technology Design, fire sprinkler designer,
Bozeman

01:30:33 Bob Drake, Fire Chief, Tri-Lakes Fire Department, East Helena

Informational Testimony: None

Questions from Committee Members and Responses:

01:38:26 Sen. Jackson

01:40:02 Mr. Kramer, Builder

01:42:06 Sen. Jackson

01:44:53 Mr. Trapp, Fire Marshall

01:46:34 Sen. Moore

01:46:39 Rep. Burnett

01:47:20 Chairman Balyeat, without objection, defer question

01:47:30 Mr. Stewart, MBIA

01:48:47 Chairman Balyeat

01:51:26 Mr. Van Horssen, SFI

01:52:00 Chairman Balyeat

01:52:05 Mr. Clinch, Deputy State Fire Marshall

01:52:58 Sen. Facey

01:53:07 Sen. Moore

01:54:03 Mr. Van Horssen

Closing by Sponsor:

01:55:47 Rep. Burnett

01:57:46 Chairman Balyeat

01:57:54 Recess

02:06:53 Resume

HEARING ON HB 359

Opening Statement by Sponsor:

02:07:00 Rep. Gordon Vance (R), HD 67, opened the hearing on HB 359, Revise workers' compensation law on settlements & lump-sum payments.

Proponents' Testimony:

02:08:18 Rick Clark, employee of Plum Creek Timber Company
02:09:59 Bruce Spencer, Property Casualty Insurance (PCI) ; also speaking for
Jacqueline Lenmark, American Insurance Association (AIA)
02:10:25 Jon Bennion, Montana Chamber of Commerce
02:10:59 Kevin Braun, Montana State Fund (MSF)
02:11:34 Larry Jones, Liberty Mutual Northwest
02:11:45 Andrea Olsen, Montana Trial Lawyers Association (MTLA)
02:12:24 Brad Griffin, Montana Retail Association (MRA)
02:12:43 Dwight Easton, Farmers Insurance Companies (FIC)
02:12:56 Riley Johnson, National Federation of Independent Business (NFIB)
02:13:11 Steve Wade, Montana Contractors Association

Opponents' Testimony: None

Informational Testimony:

02:13:36 Diana Ferriter, Department of Labor and Industry (DOLI)
02:13:58 Don Judge, self, Montana Injured Workers Resource Council (MIWRC)

Questions from Committee Members and Responses:

02:16:20 Sen. Facey, without objection, asked to question Mr. Worthington
02:21:33 Bob Worthington, Montana Municipal Insurance Authority (MMIA)
02:22:53 Sen. Facey
02:22:58 Mr. Spencer, PCI
02:23:10 Sen. Facey
02:24:07 Mr. Braun, MSF
02:24:12 Sen. Tropila
02:24:34 Rep. Vance
02:25:12 Chairman Balyeat
02:26:07 Mr. Judge, MIWRC

Closing by Sponsor:

02:26:47 Rep. Vance

HEARING ON HB 100

Opening Statement by Sponsor:

02:27:57 Rep. Gordon Vance (R), HD 67, opened the hearing on HB 100, Require fiscal notes to include business impact.

EXHIBIT(bus48a14)

Proponents' Testimony:

02:30:09 Jon Bennion, Montana Chamber of Commerce
02:34:25 Terry Kramer, Kalispell Chamber of Commerce, small businessman

02:35:27 Brad Griffin, Montana Retail Association (MRA)
02:35:49 Riley Johnson, National Federation of Independent Business (NFIB)
02:36:18 Steve Wade, Montana Contractors Association (MCA)
02:36:56 Margaret Morgan, Montana Independent Electrical Contractors (MIEC)
02:37:29 Patrick Heffernan, Montana Wood Products Association (MWPA)

Opponents' Testimony:

02:38:03 David Ewer, Director, Budget and Program Planning Office, Office of the Governor

Informational Testimony: None

Questions from Committee Members and Responses:

02:44:43 Sen. Facey
02:44:56 Mr. Ewer, Budget Director
02:45:10 Sen. Facey
02:45:21 Rep. Vance
02:47:04 Sen. Tropila
02:48:10 Mr. Johnson, NFIB
02:48:41 Sen. Tropila
02:52:07 Mr. Bennion
02:52:44 Sen. Tropila
02:53:17 Mr. Ewer
02:55:30 Chairman Balyeat

Closing by Sponsor:

02:55:49 Rep. Burnett
02:56:59 Chairman Balyeat

ADJOURNMENT

Adjournment: 11:59 A.M.

Linda Keim, Secretary

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Additional Documents:

EXHIBIT([bus48aad.pdf](#))