

## MINUTES

### MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

**Call to Order:** Chair Joe Balyeat, on March 18, 2011 at 9:00 AM, in Room 422 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. Donald J. Steinbeisser (R)  
Sen. Mitch Tropila (D)

**Members Excused:** Sen. Sharon Stewart-Peregoy (D)  
Sen. Bruce Tutvedt (R)  
Sen. Gene Vuckovich (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 428, 3/11/2011; HB 432, 3/9/2011; SB 331, 3/11/11

Executive Action: HB 428, Do Concur; HB 432, Do Concur.

**HEARING ON HB 428**

**Opening Statement by Sponsor:**

00:01:13 Rep. Tom Berry (R), HD 45, opened the hearing on HB 428, Revise business filing with Secretary of State.

**Proponents' Testimony:**

00:03:23 Linda McCulloch, Secretary of State (SOS)  
[EXHIBIT\(bus61a01\)](#)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:06:33 Sen. Tropila  
00:06:39 Ms. McCulloch, SOS  
00:07:05 Sen. Mowbray  
00:07:19 Ms. McCulloch  
00:07:45 Chairman Balyeat  
00:08:30 Ms. McCulloch, redirect, without objection  
00:11:09 Jorge Quintana, Attorney

**Closing by Sponsor:**

00:11:42 Rep. Berry

**HEARING ON HB 432**

**Opening Statement by Sponsor:**

00:12:29 Rep. Tom Berry (R), HD 45, opened the hearing on HB 432. Allow banks to offer debt cancellation programs-exempting from insurance law.

**Proponents' Testimony:**

00:13:57 Steve Turkiewicz, Montana Bankers Association (MBA)  
00:16:02 Steve Yeakel, Montana Independent Bankers  
00:16:38 Clyde Dailey, Montana Credit Union Network

**Opponents' Testimony:** None

**Informational Testimony:**

00:17:25 Lorraine Schneider, Division of Banking and Institutions, Department of Administration (DOA)

**Questions from Committee Members and Responses:**

00:17:54 Chairman Balyeat  
00:22:28 Mr. Turkiewicz, MBA  
00:22:39 Sen. Facey  
00:22:45 Rep. Berry, redirect, without objection  
00:24:00 Mr. Turkiewicz  
00:24:16 Sen. Moore  
00:24:35 Mr. Turkiewicz  
00:25:29 Sen. Facey  
00:26:01 Mr. Turkiewicz  
00:26:16 Chairman Balyeat

**Closing by Sponsor:**

00:27:11 Rep. Berry

**HEARING ON SB 331**

**Opening Statement by Sponsor:**

00:27:50 Sen. Larry Jent (D), SD 32, opened the hearing on SB 331. Generally revise surplus lines insurance law.

**Proponents' Testimony:**

00:33:13 Jacqueline Lenmark, explaining temporary absence of proponent Jesse Laslovich (His testimony appears below after Informational)  
00:33:47 Bruce Spencer, Property Casualty Insurance Association of America (PCIAA)  
00:35:03 Jacqueline Lenmark, American Insurance Association (AIA), National Association of Professional Surplus Lines Offices (NAPSLO)

[EXHIBIT\(bus61a02\)](#)

**Opponents' Testimony:**

00:40:44 Bob Biskupiak, Independent Insurance Agents (IIA), Montana Association of Professional Surplus Lines Agents (MAPSLA)  
00:45:47 Former Rep. Bill Price, MAPSLA, Bozeman

[EXHIBIT\(bus61a03\)](#)

00:50:27 Brief clarification question by Chairman Balyeat  
00:50:54 Mr. Price, MAPSLA

**Informational Testimony:** None

**Additional Proponents' Testimony:**

00:51:53 Jesse Laslovich, State Auditor's Office (SAO)

**Questions from Committee Members and Responses:**

00:59:44 Sen. Facey  
 01:02:24 Mr. Biskupiak, IIA  
 01:03:28 Sen. Mowbray  
 01:03:34 Chairman Balyeat  
 01:08:06 Mr. Laslovich, SAO  
 01:08:37 Chairman Balyeat  
 01:09:13 Mr. Biskupiak  
 01:09:52 Chairman Balyeat  
 01:09:57 Mr. Price, MAPSLA  
 01:10:38 Sen. Facey  
 01:11:38 Ms. Lenmark, AIA  
 01:13:01 Chairman Balyeat  
 01:13:45 Ms. Lenmark  
 01:14:23 Sen. Facey  
 01:16:27 Mr. Laslovich  
 01:16:42 Chairman Balyeat  
 01:18:15 Mr. Laslovich, redirect, without objection  
 01:18:29 Tim Morris, Insurance Examiner, SAO  
 01:19:08 Chairman Balyeat  
 01:19:13 Mr. Morris  
 01:20:23 Sen. Moore  
 01:20:27 Sen. Jent

**Closing by Sponsor:**

01:20:49 Sen. Jent  
[\*\*EXHIBIT\(bus61a04\)\*\*](#)

**EXECUTIVE ACTION ON HB 428**

01:23:55 **Motion/Vote:** Sen. Facey moved that **HB 428 BE CONCURRED IN**. Motion carried unanimously by voice vote. Sen. Stewart-Peregoy, Sen. Tutvedt, Sen. Vuckovich and Sen. Windy Boy voted by proxy. Sen. Olson will carry the bill.

**EXECUTIVE ACTION ON HB 432**

01:25:06 **Motion:** Sen. Jackson moved that **HB 432 BE CONCURRED IN**.

**Discussion:**

01:25:37 Chairman Balyeat  
 01:25:39 Sen. Facey  
 01:25:53 **Vote:** Motion carried unanimously by voice vote. Sen. Stewart-Peregoy, Sen. Tutvedt, Sen. Vuckovich and Sen. Windy Boy voted by proxy. Sen. Mowbray will carry the bill.  
 01:26:41 Chairman Balyeat

**ADJOURNMENT**

Adjournment: 10:29 A.M.

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Linda Keim, Secretary

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Additional Documents:

**EXHIBIT([bus61aad.pdf](#))**