

**BUSINESS REPORT**

**MONTANA SENATE  
62nd LEGISLATURE - REGULAR SESSION**

**SENATE BUSINESS, LABOR, AND ECONOMIC AFFAIRS COMMITTEE**

**Date:** Friday, January 28, 2011  
**Place:** Capitol

**Time:** 10:00 A.M.  
**Room:** 422

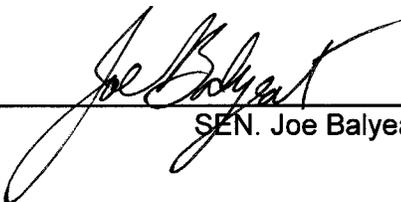
**BILLS and RESOLUTIONS HEARD:**

SB 221 - Provide waiver for accountable care organizations in HMO laws  
SB 223 - Revise volunteer firefighter pensions

**EXECUTIVE ACTION TAKEN:**

SB 201 Do Pass  
SB 29 Do Pass As Amended  
SB 168 Tabled  
SB 221 Do Pass

**Comments:**

  
\_\_\_\_\_  
SEN. Joe Balyeat, Chair

MONTANA STATE SENATE  
**ROLL CALL**  
 BUSINESS, LABOR, AND  
 ECONOMIC AFFAIRS

DATE: 1-28-, 2011

NAME	PRESENT	ABSENT/ EXCUSED
Vice Chair Jackson	✓	
Senator Facey	✓	
Senator Steinbeisser	✓	
Senator Moore	✓	
Senator Stewart-Peregoy	✓	
Senator Tropila	✓	
Senator Tutvedt		✓
Senator Mowbray	✓	
Senator Vuckovich	✓	
Senator Windy Boy		✓
Chairman Balyeat	✓	

*11 Committee Members*



**SENATE STANDING COMMITTEE REPORT**

**January 28, 2011**

**Page 1 of 1**

Mr. President:

We, your committee on **Business, Labor, and Economic Affairs** recommend that **Senate Bill 201** (first reading copy -- white) **do pass**.

Signed: \_\_\_\_\_

*Joe Balyeat*  
Senator Joe Balyeat, Chair

- END -

**Committee Vote:**

**Yes 6, No 5**

Fiscal Note Required

SB0201001SC.sdr

## BILL TABLED NOTICE

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

The SENATE BUSINESS, LABOR, AND ECONOMIC AFFAIRS COMMITTEE TABLED SB 168 - Eliminate certain committees and councils in Dept. of Commerce, by motion, on Friday, January 28, 2011.

Linda Keim  
(For the Committee)

Susan Anderson  
(For the Secretary of the Senate)

10:50 / 1/28/11  
(Time) (Date)

January 28, 2011

Linda Keim, Secretary

Phone: 444-4618



**SENATE STANDING COMMITTEE REPORT**

**January 28, 2011**

**Page 1 of 4**

Mr. President:

We, your committee on **Business, Labor, and Economic Affairs** recommend that **Senate Bill 29** (first reading copy -- white) **do pass as amended.**

Signed:

  
Senator Joe Balyeat, Chair

**And, that such amendments read:**

1. Title, page 1, line 7.

**Strike:** "AN APPLICABILITY DATE"

**Insert:** "THAT THE DEPARTMENT OF REVENUE HAS SOLE JURISDICTION FOR THE TRAINING PROGRAM"

2. Page 1, line 11.

**Strike:** "8"

**Insert:** "9"

3. Page 1, line 14.

**Strike:** "8"

**Insert:** "9"

4. Page 1, line 15.

**Following:** "licensed to"

**Strike:** "serve or"

**Following:** "sell"

**Insert:** "or serve"

**Following:** "ensure that"

**Insert:** "all licensees and their"

**Strike:** "and their supervisors"

**Insert:** "that sell or serve alcoholic beverages"

5. Page 1, line 19.

**Strike:** "8"

**Insert:** "9"

**Committee Vote:**

**Yes 6, No 5**

Fiscal Note Required

6. Page 1, line 28.

**Strike:** "and post signs"

7. Page 1, line 23 through line 26.

**Strike:** section 4 in its entirety

**Insert:** "NEW SECTION. **Section 4. Notification -- violation --**

**penalty.** (1) A licensee shall certify annually on its license renewal form that the licensee is in compliance with the provisions of [sections 1 through 9].

(2) A license renewal form that falsely includes information that the licensee and all employees have been trained pursuant to [sections 1 through 9] is a violation of this code.

(3) If, after an investigation under 16-4-406, a licensee is determined to have violated subsection (2), the licensee must be assessed an administrative penalty under 16-4-406 or the penalty for false swearing under 45-7-202."

8. Page 2, line 2.

**Strike:** "5"

**Insert:** "3"

9. Page 2, line 4 through line 6.

**Strike:** "; and" on line 4 through "intoxicated" on line 6

10. Page 2, line 8.

**Following:** "program."

**Insert:** "(1)"

11. Page 2, line 9.

**Strike:** "establish"

**Insert:** "certify all server and sales training programs that include the following:

(a) effects of alcohol on the human body;

(b) information, including criminal, civil, and administrative penalties, related to 27-1-710 and this code;

(c) procedures for checking identification;

(d) procedures for gathering proper documentation that may affect the licensee's liability;

(e) training for skills to handle difficult situations and to learn evaluation techniques regarding intoxicated persons or others that pose potential liability;

(f) a final test; and

(g) a certificate of completion, which must be provided to participants who pass the final test.

(2) The department may have"

12. Page 2, line 9 through line 10.

**Strike:** "consisting of" on line 9 through "through 8]" on line 10

**Insert:** "if the program meets the standards set forth in subsection (1)"

13. Page 2.

**Following:** line 11

**Insert:** "NEW SECTION. **Section 7. Jurisdiction.** The implementation and enforcement of any mandatory server and sales training programs in this state is under the exclusive authority and jurisdiction of the department."

**Renumber:** subsequent sections

14. Page 2, line 12.

**Strike:** "during"

**Insert:** "as a result of"

**Following:** "with"

**Insert:** "16-3-301,"

15. Page 2, line 13.

**Following:** "16-6-304"

**Insert:** ", "

**Strike:** "\$50"

**Insert:** "\$200"

16. Page 2, line 13 through line 15.

**Following:** "section 5" on line 13

**Strike:** "(1) or (2)"

**Strike:** "for each" on line 13 through "[section 5(1)]" on line 15

17. Page 2, line 16.

**Strike:** "8"

**Insert:** "9"

18. Page 2, line 19.

**Strike:** "8"

**Insert:** "9"

19. Page 2, line 25.

**Strike:** "8"

**Insert:** "9"

20. Page 2, line 27.

**Strike:** "8"

**Insert:** "9"

21. Page 2, line 29 through line 30.

**Strike:** section 11 in its entirety

- END -



**SENATE STANDING COMMITTEE REPORT**

**January 28, 2011**

**Page 1 of 1**

Mr. President:

We, your committee on **Business, Labor, and Economic Affairs** recommend that **Senate Bill 221** (first reading copy -- white) **do pass**.

Signed: \_\_\_\_\_

*Joe Balyeat*  
*Senator Joe Balyeat, Chair*

- END -

**Committee Vote:**

**Yes 9, No 2**

Fiscal Note Required

SB0221001SC.sdr

MONTANA STATE SENATE  
 ROLL CALL VOTE  
 BUSINESS, LABOR, AND  
 ECONOMIC AFFAIRS

DATE: 1-28-, 2011

BILL NO. SB201 DP

NAME	AYE	NO
Vice Chair Jackson	✓	
Senator Facey		✓
Senator Steinbeisser	✓	
Senator Moore	✓	
Senator Stewart-Peregoy		✓
Senator Tropila		✓
Senator Tutvedt	✓ pw	
Senator Mowbray	✓	
Senator Vuckovich		✓
Senator Windy Boy		✓ pw
Chairman Balyeat	✓	

*11 Committee Members*

MONTANA STATE SENATE  
 ROLL CALL VOTE  
 BUSINESS, LABOR, AND  
 ECONOMIC AFFAIRS

DATE: 1-28-, 2011

BILL NO. *amendment failed* SB002904, a pm 5-6

NAME	AYE	NO
Vice Chair Jackson	✓	
Senator Facey	✓	
Senator Steinbeisser		✓
Senator Moore		✓
Senator Stewart-Peregoy		✓
Senator Tropila		✓
Senator Tutvedt	✓ <i>pm</i>	
Senator Mowbray	✓	
Senator Vuckovich		✓
Senator Windy Boy		✓ <i>pm</i>
Chairman Balyeat	✓	

11 Committee Members

# MONTANA STATE SENATE ROLL CALL VOTE

## BUSINESS, LABOR, AND ECONOMIC AFFAIRS

DATE: 1-28, 2011

BILL NO. SB 168 DP *sub* 5-6 *Reverse 1/2/6*

NAME	AYE	NO
Vice Chair Jackson		✓
Senator Facey	✓	
Senator Steinbeisser		✓
Senator Moore		✓
Senator Stewart-Peregoy	✓	
Senator Tropila	✓	
Senator Tutvedt		✓ <i>tu</i>
Senator Mowbray		✓ <i>mu</i>
Senator Vuckovich	✓	
Senator Windy Boy	✓ <i>wb</i>	
Chairman Balyeat		✓

*11 Committee Members*

MONTANA STATE SENATE  
 ROLL CALL VOTE  
 BUSINESS, LABOR, AND  
 ECONOMIC AFFAIRS

DATE: 1-28-, 2011

BILL NO. SB 29 DPAA 6-5

NAME	AYE	NO
Vice Chair Jackson	✓	
Senator Facey	✓	
Senator Steinbeisser		✓
Senator Moore		✓
Senator Stewart-Peregoy	✓	
Senator Tropila	✓	
Senator Tutvedt	<del>✓</del>	✓ <i>rw</i>
Senator Mowbray	✓	
Senator Vuckovich	✓	
Senator Windy Boy		✓ <i>rw</i>
Chairman Balyeat		✓

*11 Committee Members*

# AUTHORIZED SENATE COMMITTEE PROXY

I, Senator Jonathon Windy Boy, request to be excused from the  
**Business, Labor, and Economic Affairs**  
**COMMITTEE**

due to my other commitment. I desire to leave my proxy vote with:

Mitch Tropina

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

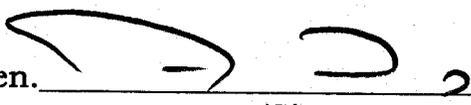
BILL/AMENDMENT                      AYE      NO

BILL/AMENDMENT	AYE	NO
SR 201		X
SB 168	X	
SR 29 AMENDMENT		X
SR 29 AMEND		X
SB 29		X
SB 221	X	

[Mowbray]

BILL/AMENDMENT                      AYE      NO

BILL/AMENDMENT	AYE	NO

Sen.   
(Signature)

Date 1-27-11

SENATE BUSINESS, LABOR, AND ECONOMIC AFFAIRS COMMITTEE

PROXY

I request to be excused from the Senate Business, Labor, and Economic Affairs Committee because of other commitments. I desire to leave my proxy vote with: Senator Jackson.

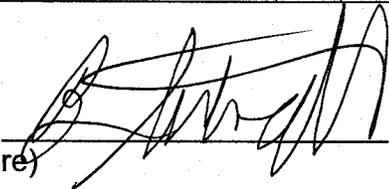
Indicate bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

House Bill/Amendment      Aye No

House Bill/Amendment	Aye	No

Senate Bill/Amendment      Aye No

SB 201	X	
SB 168		X
SB 29	X	X
amendment (SB 00290)	X	
amendment (SB 00290)	X	
SB 221	X	

Senator  Date 1/28/11  
 (Signature)



