

## MINUTES

### MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

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

**Call to Order:** Chair Joe Balyeat, on March 28, 2011 at 8:00 A.M., in Room 422 Capitol

#### ROLL CALL

**Members Present:**

Sen. Joe Balyeat, Chairman (R)  
Sen. Verdell Jackson, Vice Chairman (R)  
Sen. Frederick (Eric) Moore (R)  
Sen. Carmine Mowbray (R)  
Sen. Donald J. Steinbeisser (R)  
Sen. Sharon Stewart-Peregoy (D)  
Sen. Mitch Tropila (D)  
Sen. Gene Vuckovich (D)

**Members Excused:** Sen. Tom Facey (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: SB 418, 3/25/2011; SB 429, 3/25/2011; HB 458, 3/25/2011

Executive Action: SB 429, SB 418, Do Pass; SB 331, Do Pass As Amended; SB 375 Tabled; HB 458 Do Concur.

**HEARING ON SB 418**

**Opening Statement by Sponsor:**

00:00:47 Sen. Art Wittich (R), SD 35, opened the hearing on SB 418. Referendum to prohibit health insurance purchase requirement.

**Proponents' Testimony:**

00:02:58 Tim Ravndal, Lewis and Clark Conservative Tea Party

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:03:54 Sen. Mowbray

00:04:01 Sen. Wittich

**Closing by Sponsor:**

00:04:24 Sen. Wittich

**HEARING ON SB 429**

**Opening Statement by Sponsor:**

00:04:47 Sen. Art Wittich (R), SD 35, opened the hearing on SB 429. Revised uniform limited liability company act.

**Proponents' Testimony:**

00:08:52 John Bennett, Attorney, Bennett Law Office, P.C., Missoula

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:10:48 Chairman Balyeat

00:12:02 Sen. Tropila

00:12:15 Sen. Wittich

00:14:41 Sen. Vuckovich

00:17:47 Chairman Balyeat

**Closing by Sponsor:**

00:18:00 Sen. Wittich

**EXECUTIVE ACTION ON SB 429**

00:18:19 **Motion/Vote:** Sen. Moore moved that **SB 429 DO PASS**. Motion carried 10-1 by voice vote with Sen. Vuckovich voting no. Sen. Facey, Sen. Tutvedt and Sen. Windy Boy voted by proxy.

00:19:18 Sen. Facey entered the meeting.

**EXECUTIVE ACTION ON SB 418**

00:19:20 **Motion:** Sen. Mowbray moved that **SB 418 DO PASS**.

**Discussion:**

00:20:35 Chairman Balyeat

00:20:37 Sen. Vuckovich

00:21:07 Sen. Mowbray

00:21:16 Sen. Jackson

00:21:25 Chairman Balyeat

00:21:35 Sen. Jackson

00:22:05 **Vote:** Motion carried 6-5 by roll call vote with Sen. Facey, Sen. Stewart-Peregoy, Sen. Tropila, Sen. Vuckovich and Sen. Windy Boy voting no. Sen. Tutvedt and Sen. Windy Boy voted by proxy.

**HEARING ON HB 458**

**Opening Statement by Sponsor:**

00:23:42 Rep. Jeffery Welborn (R), HD 72, opened the hearing on HB 458. Revise laws related to outfitting and net client hunter use.

**Proponents' Testimony:**

00:25:56 Jean Johnson, Montana Outfitters and Guides Association (MOGA)

00:30:00 Chairman Balyeat, Sen. Facey, and Sen. Moore left the room. Vice Chair Jackson took over as Chair.

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:31:03 Sen. Mowbray

00:31:38 Ms. Johnson, MOGA

00:32:10 Sen. Tropila

00:32:20 Sen. Welborn

00:32:36 Vice Chair Jackson  
 00:32:48 Rep. Welborn

**Closing by Sponsor:**

00:33:21 Rep. Welborn  
[EXHIBIT\(bus69a01\)](#)  
 00:34:08 Vice Chairman Jackson

00:34:08 Sen. Balyeat and Sen. Moore returned. Sen. Balyeat resumed the position of Chairman.

**EXECUTIVE ACTION ON HB 458**

00:34:18 Chairman Balyeat

00:34:31 **Motion/Vote:** Sen. Mowbray moved that **HB 458 BE CONCURRED IN**. Motion carried unanimously by voice vote. Sen. Facey, Sen. Tutvedt and Sen. Windy Boy voted by proxy. Sen. Moore will carry the bill.

00:35:15 Sen. Facey returned.

**EXECUTIVE ACTION ON SB 331**

00:35:24 Chairman Balyeat

00:36:30 **Motion:** Sen. Tropila moved that **SB 331 DO PASS**.

00:36:38 **Motion:** Sen. Tropila moved that **SB 331 BE AMENDED**.  
[EXHIBIT\(bus69a02\)](#)

**Discussion:**

00:36:54 Chairman Balyeat  
 00:37:07 Ms. Murdo  
 00:38:45 Sen. Tropila  
 00:38:49 Ms. Murdo  
 00:39:08 Chairman Balyeat

00:39:30 **Vote:** Motion carried unanimously by voice vote. Sen. Tutvedt and Sen. Windy Boy voted by proxy.

00:39:46 **Motion:** Sen. Facey moved that **SB 331 DO PASS AS AMENDED**.

**Discussion:**

00:40:06 Ms. Murdo  
 00:40:39 Sen. Mowbray

00:40:59 **Vote:** Motion carried unanimously by voice vote. Sen. Tutvedt and Sen. Windy Boy voted by proxy.

**EXECUTIVE ACTION ON SB 375**

00:42:04 **Motion:** Sen. Moore moved that **SB 375 DO PASS.**

00:42:15 **Motion:** Sen. Moore moved that **SB 375 BE AMENDED.**  
**EXHIBIT(bus69a03)**

**Discussion:**

00:42:29 Ms. Murdo  
00:42:55 Chairman Balyeat  
00:43:55 Sen. Moore  
00:43:01 Ms. Murdo  
00:45:04 Chairman Balyeat  
00:45:43 Ms. Murdo  
00:46:43 Sen. Facey

00:46:46 **Vote:** Motion carried 6-5 by roll call vote with Sen. Facey, Sen. Stewart-Peregoy, Sen. Tropila, Sen. Vuckovich and Sen. Windy Boy voting no. Sen. Tutvedt and Sen. Windy Boy voted by proxy.

00:48:00 **Motion:** Sen. Moore moved that **SB 375 DO PASS AS AMENDED.**

**Discussion:**

00:48:13 Sen. Facey  
00:49:41 Sen. Moore  
00:50:32 Chairman Balyeat  
00:51:00 Sen. Tropila  
00:52:12 Chairman Balyeat  
00:54:53 Ms. Murdo  
00:55:01 Sen. Moore  
00:55:06 Sen. Facey  
00:55:36 Sen. Mowbray  
00:56:24 Chairman Balyeat

00:56:30 **Vote:** Motion failed 2-9 by roll call vote with Sen. Balyeat and Sen. Mowbray voting aye. Sen. Tutvedt and Sen. Windy Boy voted by proxy. Without objection, Chairman Balyeat moved to **REVERSE THE VOTE and TABLE SB 375.**

**Discussion:**

00:57:51 Chairman Balyeat  
00:58:34 Ms. Murdo  
00:58:44 Chairman Balyeat

**ADJOURNMENT**

Adjournment: 9:05 A.M.

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Linda Keim, Secretary

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Additional Documents:

**EXHIBIT([bus69aad.pdf](#))**