

**BUSINESS REPORT**

**MONTANA SENATE  
63rd LEGISLATURE - REGULAR SESSION**

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

**Date:** Wednesday, February 6, 2013  
**Place:** Capitol

**Time:** 9:00 AM  
**Room:** 422

**BILLS and RESOLUTIONS HEARD:**

HB 58 - Creating a brew on-premises license - Rep. Pat Noonan

SJ 11 - Calls on Governor to establish a Canada trade center - Sen. Dee Brown

**EXECUTIVE ACTION TAKEN:**

SJ 11 - Do Pass

SB 139, HB 57, SB 128 - Partial

HB 58 - Be Concurred In

SB 183, SB 174 - Do Pass

SB 120, SB 127 - Do Pass As Amended

**Comments:**



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SEN. Jon Sonju, Chair

MONTANA STATE SENATE  
ROLL CALL

BUSINESS, LABOR, AND  
ECONOMIC AFFAIRS

DATE: 2-6-, 2013

NAME	PRESENT	ABSENT/ EXCUSED
Vice Chair Jackson	✓	
Senator Facey	✓	
Senator Arntzen	✓	
Senator Moore		✓
Senator Stewart-Peregoy	✓	
Senator Barrett	✓	
Senator Brown	✓	
Senator Van Dyk	✓	
Senator Vuckovich	✓	
Chairman Sonju	✓	

*10 Committee Members*



**SENATE STANDING COMMITTEE REPORT**

**February 6, 2013**

**Page 1 of 1**

Mr. President:

We, your committee on **Business, Labor, and Economic Affairs** recommend that **Senate Joint Resolution 11** (first reading copy -- white) **do pass**.

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

A handwritten signature in black ink, appearing to read "Jon Sonju".

*Senator Jon Sonju, Chair*

- END -

**Committee Vote:**

**Yes 10, No 0**

Fiscal Note Required

SJ0011001SC.swr



**SENATE STANDING COMMITTEE REPORT**

**February 6, 2013**

**Page 1 of 1**

Mr. President:

We, your committee on **Business, Labor, and Economic Affairs** recommend that **House Bill 58** (third reading copy -- blue) **be concurred in.**

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

*Senator Jon Sonju, Chair*

To be carried by Senator Tom Facey

- END -

**Committee Vote:**

**Yes 7, No 3**

Fiscal Note Required

HB0058001SC12553.swr



**SENATE STANDING COMMITTEE REPORT**

**February 6, 2013**

**Page 1 of 1**

Mr. President:

We, your committee on **Business, Labor, and Economic Affairs** recommend that **Senate Bill 183** (first reading copy -- white) **do pass**.

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

A handwritten signature in black ink, appearing to read "Jon A.", written over a horizontal line.

*Senator Jon Sonju, Chair*

- END -

**Committee Vote:**

**Yes 10, No 0**

Fiscal Note Required

SB0183001SC.swr



**SENATE STANDING COMMITTEE REPORT**

**February 6, 2013**

**Page 1 of 1**

Mr. President:

We, your committee on **Business, Labor, and Economic Affairs** recommend that **Senate Bill 174** (first reading copy -- white) **do pass**.

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

A handwritten signature in black ink, appearing to read "Jon Sonju".

*Senator Jon Sonju, Chair*

- END -

**Committee Vote:**

**Yes 10, No 0**

Fiscal Note Required

SB0174001SC.swr



## SENATE STANDING COMMITTEE REPORT

February 6, 2013

Page 1 of 2

Mr. President:

We, your committee on **Business, Labor, and Economic Affairs** recommend that **Senate Bill 120** (first reading copy -- white) **do pass as amended.**

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

*Senator Jon Sonju, Chair*

### And, that such amendments read:

1. Title, page 1, line 4.

**Following:** "NUMBER OF"

**Insert:** "CERTAIN"

2. Title, page 1, line 6.

**Following:** "CONSUMPTION;"

**Insert:** "LIMITING EXPANSION TO OWNERSHIP OF 50% OR LESS OF THE ALLOWABLE LICENSES IN A QUOTA AREA;"

**Strike:** "SECTION"

**Insert:** "SECTIONS 16-4-205 AND"

3. Page 1.

**Following:** line 9

**Insert:** "**Section 1.** Section 16-4-205, MCA, is amended to read:

**"16-4-205. Limit one license to person Limitation on number of licenses -- business in name of licensee. (1) A Subject to the provisions of 16-4-401, a person may not be issued more than one three all-beverages license in any year licenses, with the exception of a secured party issued an additional all-beverages license as the result of a default. A secured party shall transfer ownership of any additional all-beverages license within 180 days of issuance. A business may not be carried on under any license issued under this chapter except in the name of the licensee.**

(2) The provisions of this section do not apply to licenses held by the Montana heritage preservation and development

### Committee Vote:

**Yes 6, No 4**

Fiscal Note Required

commission under the provisions of 16-4-305.""

**Renumber:** subsequent section

4. Page 1, line 13.

**Following:** "section"

**Insert:** "and subject to subsection (8)"

5. Page 1, line 17.

**Following:** "(i)"

**Insert:** "and the application is approved,"

6. Page 2, line 5.

**Following:** the second "corporation"

**Insert:** "except that the provisions of subsection (8) apply"

7. Page 2, line 17.

**Following:** the second "corporation"

**Insert:** "except that the provisions of subsection (8) apply"

8. Page 2, line 29.

**Following:** "consumption"

**Insert:** "and subject to subsection (8)"

9. Page 3, line 3.

**Following:** "(i)"

**Insert:** "and the application is approved,"

10. Page 6.

**Following:** line 1

**Insert:** "(8) An individual applying for an all-beverages license or having any ownership interest in an entity applying for an all-beverages license may not, if the application were to be approved, own an interest in more than half the total number of allowable all-beverages licenses in any quota area described in 16-4-201."

**Insert:** "NEW SECTION. **Section 2. Notification to tribal governments.** The secretary of state shall send a copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell Chippewa tribe."

- END -



## SENATE STANDING COMMITTEE REPORT

February 6, 2013

Page 1 of 2

Mr. President:

We, your committee on **Business, Labor, and Economic Affairs** recommend that **Senate Bill 127** (first reading copy -- white) **do pass as amended.**

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

*Senator Jon Sonju, Chair*

### **And, that such amendments read:**

1. Title, page 1, line 4.

**Strike:** "GENERALLY" through "LAW;"

**Following:** the second "REVISING"

**Insert:** "THE"

2. Title, page 1, line 5 through line 6.

**Following:** "MISCONDUCT" on line 5

**Insert:** "FOR UNEMPLOYMENT INSURANCE PURPOSES"

**Strike:** "REVISING" on line 5 through "BENEFITS;" on line 6

**Strike:** "SECTIONS" on line 6

**Insert:** "SECTION"

**Strike:** "AND 39-51-2104" on line 6

3. Page 4, line 9.

**Following:** "employer"

**Insert:** ", including:

(A) insubordination showing a deliberate, willful, or purposeful refusal to follow the reasonable directions, processes, or instructions of the employer;

(B) repeated inexcusable tardiness following warnings by the employer;

(C) dishonesty related to employment, including but not limited to deliberate falsification of company records, theft, deliberate deception, or lying;

(D) false statements made as part of a job application

### **Committee Vote:**

**Yes 10, No 0**

Fiscal Note Required

process, including but not limited to deliberate falsification of the individual's criminal history, work record, or educational or licensure achievements;

(E) repeated and inexcusable absences, including absences for which the employee was able to give advance notice and failed to do so;

(F) deliberate acts that are illegal, provoke violence or violation of the law, or violate a collective bargaining agreement by which the employee is covered. However, an employee who engages in lawful union activity may not be disqualified because of misconduct under this subsection (19)(a)(i)(F).

(G) violations of a company rule if the rule is reasonable and if the claimant knew or should have known of the existence of the rule; or

(H) actions by the claimant who, while acting within the scope of employment, commits violations of law that significantly affect the claimant's job performance or that significantly harm the employer's ability to do business"

4. Page 6, line 1 through page 7, line 5.

**Strike:** section 2 in its entirety

- END -

# MONTANA STATE SENATE ROLL CALL VOTE

## BUSINESS, LABOR, AND ECONOMIC AFFAIRS

DATE: 2-6-, 2013      HB/~~SB~~# 58

BCI ~~DR~~ 7-3

NAME	YES	NO
Vice Chair Jackson	✓	
Senator Facey	✓	
Senator Arntzen	✓	
Senator Moore		✓ P
Senator Stewart-Peregoy	✓	
Senator Barrett	✓	
Senator Brown		✓
Senator Van Dyk	✓	
Senator Vuckovich	✓	
Chairman Sonju		✓

*10 Committee Members*

# MONTANA STATE SENATE ROLL CALL VOTE

## BUSINESS, LABOR, AND ECONOMIC AFFAIRS

DATE: 2-6-, 2013      HB/~~SB~~ # 57

*Tie*

*BCIAA*

NAME	YES	NO
Vice Chair Jackson		✓
Senator Facey	✓	
Senator Arntzen	✓	
Senator Moore		✓ P
Senator Stewart-Peregoy	✓	
Senator Barrett		✓
Senator Brown		✓
Senator Van Dyk	✓	
Senator Vuckovich	✓	
Chairman Sonju		✓

*10 Committee Members*

# MONTANA STATE SENATE ROLL CALL VOTE

## BUSINESS, LABOR, AND ECONOMIC AFFAIRS

DATE: 2-6-, 2013      ~~HB~~/SB # 120

DPAA      6-4

NAME	YES	NO
Vice Chair Jackson	✓	
Senator Facey		✓
Senator Arntzen	✓	
Senator Moore	✓ P	
Senator Stewart-Peregoy	✓	
Senator Barrett	✓	
Senator Brown		✓
Senator Van Dyk		✓
Senator Vuckovich		✓
Chairman Sonju	✓	

*10 Committee Members*

# SENATE PROXY

I, Senator ERIC MOORE, hereby authorize Senator Verdell Jackson to vote my proxy before the Senate Business, Labor and Economic Affairs meeting held on 2/6/, 2013.

Eric Moore  
 \_\_\_\_\_  
 Senator Signature

2/6/2013  
 \_\_\_\_\_  
 Date

Said authorization is as follows: *(mark only one)*

- All votes, including amendments.
- All votes as directed below on the listed bills, and all other votes.
- Votes only as directed below.

Bill No./Amendment No.	Aye	No
SJ 11	X	
HB 58		X
SB 183	X	
SB 174	X	
HB 005701.apm	X	
SB 57		X
SB 012002.apm	X	
SB 120003.apm	X	
SB 120	X	
SB 012703.apm	X	
SB 127	X	
SB 012802.apm	X	

SB 128 later







