

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: Chair Tom Berry, on February 19, 2013 at 8:30 A.M., in Room 172
Capitol

ROLL CALL

Members Present:

Rep. Tom Berry, Chair (R)
Rep. Carlie Boland, Vice Chair (D)
Rep. Daniel R. Salomon, Vice Chair (R)
Rep. Christy Clark (R)
Rep. Amanda Curtis (D)
Rep. Steve Fitzpatrick (R)
Rep. Edward Greef (R)
Rep. Roger A. Hagan (R)
Rep. Chuck Hunter (D)
Rep. Mike Lang (R)
Rep. Jonathan McNiven (R)
Rep. David (Doc) Moore (R)
Rep. Reilly Neill (D)
Rep. Rae Peppers (D)
Rep. Gordon Pierson Jr (D)
Rep. Scott Reichner (R)
Rep. Cary Smith (R)
Rep. Carolyn Squires (D)
Rep. Tom Steenberg (D)
Rep. Jeffrey W. Welborn (R)

Members Excused: None

Members Absent: None

Staff Present: Ellen Bush, Committee Secretary
Bart Campbell, 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 488, 2/15/2013; HB 501, 2/15/2013; HB 503, 2/15/2013; HB
473, 2/15/2013; HB 482, 2/15/201
Executive Action: HB 460, HB 464, HB 501, HB 503, HB 450, HB 415, HB 482

00:16:59 Chair Berry

HEARING ON HB 503

Opening Statement by Sponsor:

00:17:33 Rep. Champ Edmunds (R), HD 100, opened the hearing on HB 503, Allow certain nonprofits to opt out of unemployment insurance.

Proponents' Testimony:

00:18:46 Brent Gyuricza, Executive Director, Greater Missoula Youth for Christ

00:22:49 Roy Mulvaney, Administrator, Unemployment Insurance Division, Department of Labor and Industry (DLI)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:23:11 Rep. Clark

00:23:24 Mr. Mulvaney, DLI

00:23:34 Rep. Clark

00:23:42 Rep. Squires

00:23:52 Mr. Mulvaney, DLI

00:24:00 Rep. Squires

00:24:44 Mr. Mulvaney, DLI

00:25:09 Rep. Squires

00:26:06 Mr. Mulvaney, DLI

00:26:30 Rep. Squires

00:27:02 Mr. Mulvaney, DLI

00:27:10 Rep. Squires

00:27:17 Mr. Mulvaney, DLI

00:27:30 Don Gilbert, DLI

Closing by Sponsor:

00:29:03 Rep. Edmunds

HEARING ON HB 482

Opening Statement by Sponsor:

00:29:58 Rep. Kelly McCarthy (D), HD 51, opened the hearing on HB 482, Generally revise laws related to the board of investments to create a state bank.

Proponents' Testimony:

00:36:07 Jennifer Caves, Montana Organizing Project (MOP) and Indian People Project

00:37:24 Bert Chessin, Missoula, MOP

00:39:12 Walter Gulick, First Congregational Church in Billings, MOP

00:43:41 Sheena Rice, MOP

[EXHIBIT\(buh37a01\)](#)

Opponents' Testimony:

00:47:13 Steve Turkiewicz, Montana Banking Association (MBA)
00:50:14 Donya Parrish, Montana Credit Union Network (MCUN)

Informational Testimony:

00:51:40 Melanie Hall, Commissioner of Division of Banking and Financial Institutions,
Department of Administration (DOA)
00:53:34 David Ewer, Executive Director, Board of Investments

Questions from Committee Members and Responses:

00:59:55 Rep. Moore
01:00:36 Ms. Parrish, RMCU
01:01:00 Rep. Fitzpatrick
01:01:57 Rep. McCarthy
01:03:09 Rep. Fitzpatrick
01:03:31 Rep. McCarthy
01:04:23 Rep. Fitzpatrick
01:05:16 Rep. McCarthy
01:06:19 Chair Berry
01:06:46 Mr. Turkiewicz, MBA
01:07:20 Chair Berry
01:07:31 Mr. Turkiewicz, MBA
01:07:46 Rep. Curtis
01:08:08 Rep. McCarthy

Closing by Sponsor:

01:09:18 Rep. McCarthy

HEARING ON HB 501**Opening Statement by Sponsor:**

01:12:20 Rep. Tom Berry (R), HD 45, opened the hearing on HB 501, Revise insurance laws on limiting midterm premium increases.

Proponents' Testimony:

01:16:00 Greg Van Horssen, State Farm Insurance Company
01:22:06 Dwight Easton, Farmers Insurance Companies
01:23:15 Bob Biskupiak, Executive Director, Independent Insurance Agents Association of Montana

Opponents' Testimony: None**Informational Testimony:**

01:24:23 Jesse Laslovich, Office of the Commissioner of Securities and Insurance (CSI)

Questions from Committee Members and Responses:

01:25:27 Rep. Boland
01:25:51 Mr. Van Horssen, State Farm
01:26:50 Rep. Boland

01:27:02 Mr. Van Horssen, State Farm
01:28:45 Rep. Boland
01:29:03 Rep. Clark
01:29:42 Mr. Van Horssen, State Farm
01:30:37 Rep. McNiven
01:31:07 Mr. Van Horssen, State Farm
01:33:03 Rep. McNiven
01:34:30 Mr. Van Horssen, State Farm

Closing by Sponsor:

01:36:06 Rep. Berry

HEARING ON HB 488

Opening Statement by Sponsor:

01:38:12 Rep. Jenifer Gursky (D), HD 98, opened the hearing on HB 488, Establish a mandatory posting of national trafficking resource center hotline.

EXHIBIT(buh37a02)

Proponents' Testimony:

01:42:49 Joan Vetter Ehrenberg, Whitefish Resident
01:44:31 Diane Yarus, Soroptimist International of Kalispell (SI)

EXHIBIT(buh37a03)

01:53:19 Sarah Rossi, Public Policy Director, State wide Advocacy, Montana Coalition Against Domestic and Sexual Violence (MCADSV)
01:55:01 Leslie Scott, National Trafficking Hot Line and SI
01:57:05 Abigail St. Lawrence, Montana Association of Churches
01:58:42 Bonnie Baker, SI of Whitefish

Opponents' Testimony:

01:59:53 Neil Peterson, Gaming Industry Association
02:03:17 Ronna Alexander, Convenience Store Association
02:06:04 Brad Griffin, Montana Retail Association and Montana Restaurant Association
02:07:08 Ronda Wiggers, Montana Coin Machine Operators
02:08:44 John Iverson, Montana Tavern Association (MTA)
02:09:35 Barry "Spook" Stang , Executive Vice President, Montana Motor Carriers

Informational Testimony:

02:10:22 Shauna Helfert, Liquor Control Division, Department of Revenue (DOR)

Questions from Committee Members and Responses:

02:10:40 Rep. Hagan
02:11:05 Mr. Iverson, MTA
02:12:27 Ms. Helfert, DOR
02:13:52 Rep. Gursky
02:14:56 Rep. Hagan
02:15:30 Rep. Gursky
02:16:07 Rep. Lang
02:16:54 Ms. Helfert, DOR

Closing by Sponsor:

02:18:21 Rep. Gursky

HEARING ON HB 473

Opening Statement by Sponsor:

02:20:29 Rep. Scott Reichner (R), HD 9, opened the hearing on HB 473, Revise medical lien laws.

Proponents' Testimony:

02:22:45 Mark Taylor, Montana Hospital Association (MHA)

02:24:06 Mark Baker, Kalispell Regional Healthcare

EXHIBIT(buh37a04)

02:25:40 Mike Foster, Catholic Hospitals

02:26:03 Aimee Grmoljez, Billings Clinic

02:26:17 Gary Spaeth, Montana Health Care Association, Montana Podiatry Association and Montana Optometric Association

Opponents' Testimony:

02:27:32 Pat Fox, Attorney, Doubek, Pyfer and Fox

02:35:26 Al Smith, Montana Trial Lawyers Association (MTLA)

Informational Testimony: None

Questions from Committee Members and Responses:

02:42:31 Rep. Boland

02:42:59 Rep. Reichner

02:43:04 Mr. Taylor, MHA

02:43:21 Rep. Hunter

02:43:37 Mr. Taylor, MHA

02:44:14 Rep. Hunter

02:44:35 Mr. Taylor, MHA

02:44:56 Rep. Hunter

02:45:08 Rep. Squires

02:45:44 Chair Berry

02:45:51 Rep. Squires

02:46:00 Chair Berry

Closing by Sponsor:

02:46:16 Rep. Reichner

02:47:00 Chair Berry`

02:49:35 Recessed.

03:19:00 Reconvened. Rep. Neill did not return.

EXECUTIVE ACTION ON HB 460

Motion: Rep. Salomon moved that **HB 460 DO PASS.**

Discussion:

03:19:24 Rep. Smith
03:19:53 Chair Berry
03:20:08 Rep. Hagan

03:20:56 **Vote:** Motion carried 17-3 by voice vote with Rep. Fitzpatrick, Rep. Moore and Rep. Smith voting no. Rep. Neill voted by proxy.

EXECUTIVE ACTION ON HB 464

03:21:21 **Motion:** Rep. Salomon moved that **HB 464 DO PASS.**

Discussion:

03:21:34 Rep. Boland
03:21:41 Rep. Clark
03:22:37 Rep. Boland
03:22:45 Chair Berry
03:22:59 Diana Ferriter, DLI

03:23:11 **Vote:** Motion carried unanimously by voice vote. Rep. Neill voted by proxy.

EXECUTIVE ACTION ON HB 415

03:23:32 **Motion:** Rep. Salomon moved that **HB 415 DO PASS.**

03:23:51 **Motion:** Rep. Salomon moved that **HB 415 BE AMENDED.**
[EXHIBIT\(buh37a05\)](#)

Discussion:

03:24:22 Rep. Hagan
03:25:59 Rep. Hunter
03:26:21 Rep. Hagan

03:26:44 **Vote:** Motion carried unanimously by voice vote. Rep. Neill voted by proxy.

03:26:55 **Motion:** Rep. Salomon moved that **HB 415 DO PASS AS AMENDED.**

Discussion:

03:27:08 Rep. Hagan

03:27:29 **Vote:** Motion carried unanimously by voice vote. Rep. Neill voted by proxy.

EXECUTIVE ACTION ON HB 450

03:27:45 **Motion:** Rep. Salomon moved that **HB 450 DO PASS.**

03:28:07 **Motion:** Rep. Salomon moved that **HB 450 BE AMENDED.**
EXHIBIT(buh37a06)

Discussion:

03:28:13 Rep. Hagan

03:31:34 **Vote:** Motion carried unanimously by voice vote. Rep. Neill voted by proxy.

03:31:48 **Motion:** Rep. Salomon moved that **HB 450 DO PASS AS AMENDED.**

Discussion:

03:31:56 Rep. Boland

03:32:30 Rep. Hagan

03:34:10 Rep. Hunter

03:35:06 Rep. Hagan

03:36:45 **Vote:** Motion carried 11-9 by roll call vote with Rep. Boland, Rep. Curtis, Rep. Hunter, Rep. McNiven, Rep. Neill, Rep. Peppers, Rep. Pierson, Rep. Squires and Rep. Steenberg voting no. Rep. Neill voted by proxy.

EXECUTIVE ACTION ON HB 503

03:36:57 **Motion:** Rep. Salomon moved that **HB 503 DO PASS.**

Discussion:

03:37:39 Mr. Mulvaney, DLI

03:38:03 Rep. Squires

03:38:53 Chair Berry

03:39:00 **Vote:** Motion failed 7-13 by roll call vote with Rep. Fitzpatrick, Rep. Greef, Rep. Hagan, Rep. Moore, Rep. Reichner, Rep. Salomon and Rep. Smith voting aye. Rep. Neill voted by proxy.

03:40:00 **Motion/Vote:** Rep. Salomon moved that **HB 503 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote. Rep. Neill voted by proxy.

EXECUTIVE ACTION ON HB 482

03:40:16 **Motion:** Rep. Salomon moved that **HB 482 DO PASS.**

Discussion:

03:40:25 Rep. Boland

03:41:17 **Substitute Motion/Vote:** Rep. Clark made a substitute motion that **HB 482 BE TABLED.** Substitute Motion carried 19-0 by voice vote.

EXECUTIVE ACTION ON HB 501

03:41:55 **Motion:** Rep. Salomon moved that **HB 501 DO PASS.**

Discussion:

03:42:10 Chair Berry

03:43:55 **Vote:** Motion carried 17-3 by roll call vote with Rep. Boland, Rep. McNiven and Rep. Neill voting no. Rep. Neill voted by proxy.

03:44:01 Chair Berry

ADJOURNMENT

Adjournment: 03:44:46

Ellen Bush, Secretary

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Additional Documents:

EXHIBIT([buh37aad.pdf](#))