

MINUTES

MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chair Jon Sonju, on February 1, 2013 at 9:00 AM, in Room 422 Capitol

ROLL CALL

Members Present:

Sen. Jon Sonju, Chair (R)
Sen. Verdell Jackson, Vice Chair (R)
Sen. Elsie Arntzen (R)
Sen. Debby Barrett (R)
Sen. Dee Brown (R)
Sen. Tom Facey (D)
Sen. Sharon Stewart-Peregoy (D)
Sen. Kendall Van Dyk (D)
Sen. Gene Vuckovich (D)

Members Excused: Sen. Frederick (Eric) Moore (R)

Members Absent: None

Staff Present: Linda Keim, Committee Secretary
Pat Murdo, Legislative Services Division

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 56, 1/29/2013; HB 57, 1/29/2013; HB 93, 1/29/2013

Executive Action: SB 173, Do Pass As Amended; SB 174, Partial; HB 56, Be
Concurred In; SB 171, Do Pass As Amended.

HEARING ON HB 93

Opening Statement by Sponsor:

00:28:27 Rep. Edith (Edie) McClafferty (D), HD 75, opened the hearing on HB 93.
Authorize fixed-fee contracts in certain cases.

Proponents' Testimony:

00:29:22 William Hooks, Office of State Public Defender (OPD)
00:35:28 Fritz Gillespie, Chair, Public Defender Commission (PDC)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:36:42 Sen. Facey
00:37:49 Mr. Hooks, OPD
00:39:04 Harry Freebourn, Administrative Director, Office of State Public Defender (OPD)
00:39:10 Sen. Arntzen
00:40:41 Mr. Hooks
00:42:14 Sen. Facey
00:42:33 Mr. Hooks
00:44:11 Mr. Gillespie, PDC
00:44:36 Sen. Vuckovich
00:53:44 Mr. Hooks
00:54:04 Chairman Sonju
00:58:00 Mr. Hooks
00:58:08 Sen. Facey
00:58:43 Rep. McClafferty
00:59:06 Sen. Facey
00:59:49 Sen. Brown
01:03:14 Mr. Hooks
01:03:47 Sen. Barrett
01:06:38 Mr. Freebourn, OPD
01:07:12 Sen. Stewart-Peregoy
01:07:43 Mr. Freebourn

Closing by Sponsor:

01:09:29 Rep. McClafferty

Committee Business:

01:09:55 Sen. Brown
01:10:13 Sen. Sonju
01:10:28 Sen. Barrett
01:10:36 Pat Murdo, Legislative Services Division (LSD)

01:11:02 Sen. Arntzen
01:11:20 Sen. Barrett
01:11:34 Chairman Sonju
01:12:24 Sen. Stewart-Peregoy
01:12:33 Chairman Sonju

HEARING ON HB 56

Opening Statement by Sponsor:

01:12:59 Rep. Pat Noonan (D), HD 73, opened the hearing on HB 56. Clarify existing agency liquor store laws.

Proponents' Testimony:

01:13:54 Shauna Helfert, Department of Revenue, Liquor Control Division (DOR)
01:15:27 John Iverson, Montana Tavern Association (MTA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:15:52 Rep. Noonan

HEARING ON HB 57

Opening Statement by Sponsor:

01:16:10 Rep. Pat Noonan (D), HD 73, opened the hearing on HB 57. Provide for equal treatment of licensees under liquor control penalty.

Proponents' Testimony:

01:17:05 Shauna Helfert, Department of Revenue, Liquor Control Division (DOR)
01:18:06 John Iverson, Montana Tavern Association (MTA)
01:18:30 Kristi Blazer, Montana Beer and Wine Distributors Association (MBWDA)
01:18:48 Tony Herbert, Executive Director, Montana Brewers Association (MBA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:19:13 Sen. Arntzen
01:20:42 Ms. Helfert, DOR

01:21:17 Sen. Stewart-Peregoy
01:21:38 Ms. Helfert
01:22:04 Sen. Facey
01:22:22 Ms. Helfert
01:22:30 Sen. Barrett
01:23:04 Ms. Helfert

Closing by Sponsor:

01:24:17 Rep. Noonan

01:25:01 Recess
01:34:09 Reconvened

EXECUTIVE ACTION ON SB 173

Discussion:

01:34:16 Kris Wilkinson, Legislative Fiscal Division (LFD)
[EXHIBIT\(bus22a01\)](#)

01:36:12 Sen. Brown
01:36:37 Ms. Wilkinson, LFD
01:37:00 Pat Murdo, Legislative Services Division (LSD)
01:37:04 Sen. Brown
[EXHIBIT\(bus22a02\)](#)

01:38:00 Chairman Sonju

01:38:41 **Motion:** Sen. De. Barrett moved that **SB 173 DO PASS.**

Discussion:

01:38:54 Chairman Sonju

01:39:41 **Motion:** Sen. De. Barrett moved that **SB 173 BE AMENDED.**
[EXHIBIT\(bus22a03\)](#)

Discussion:

01:39:29 Pat Murdo, LSD

01:42:08 **Vote:** Motion carried unanimously by voice vote. Sen. Moore voted by proxy.

01:42:18 **Motion:** Sen. De. Barrett moved that **SB 173 DO PASS AS AMENDED.**

Discussion:

01:42:36 Sen. Arntzen
01:42:42 Pat Murdo

01:43:37 Sen. Facey
01:44:20 Sen. Barrett
01:44:47 Chairman Sonju
01:44:52 Sen. Brown
01:45:24 Sen. Van Dyk
01:46:37 Sen. Brown

01:47:23 **Vote:** Motion carried 8-2 by roll call vote with Sen. Arntzen and Sen. Facey voting no. Sen. Moore voted by proxy.

EXECUTIVE ACTION ON SB 174

01:48:43 **Motion:** Sen. De. Barrett moved that **SB 174 DO PASS.**

Discussion:

01:48:57 Chairman Sonju
01:49:10 Sen. Brown
01:49:21 Ms. Murdo, LSD

01:49:38 Sen. De. Barrett **WITHDREW MOTION SB 174 DO PASS.**

Committee Business:

01:50:01 Chairman Sonju
01:50:08 Sen. Arntzen
01:50:27 Chairman Sonju

EXECUTIVE ACTION ON HB 56

01:50:41 **Motion/Vote:** Sen. D. Brown moved that **HB 56 BE CONCURRED IN.** Motion carried unanimously by voice vote. Sen. Moore voted by proxy. Sen. Vuckovich will carry the bill.

EXECUTIVE ACTION ON SB 171

01:51:26 **Motion:** Sen. Vuckovich moved that **SB 171 DO PASS.**

01:51:50 **Motion:** Sen. Jackson moved that **SB 171 BE AMENDED.**
EXHIBIT(bus22a04)

Discussion:

01:52:33 Sen. Jackson
01:53:51 Sen. Brown
01:54:01 Sen. Vuckovich

01:54:09 **Vote:** Motion carried unanimously by voice vote. Sen. Moore voted by proxy.

01:54:22 **Motion:** Sen. Facey moved that **SB 171 DO PASS AS AMENDED.**

Discussion:

01:54:35 Chairman Sonju
01:55:25 Sen. Vuckovich
01:55:59 Sen. Arntzen
01:56:10 Sen. Vuckovich
01:56:24 Sen. Arntzen
01:56:29 Chairman Sonju
01:56:33 Sen. Arntzen
01:56:55 Sen. Vuckovich
01:57:56 Sen. Brown
01:58:27 Chairman Sonju
01:58:35 Sen. Brown
01:58:49 Sen. Vuckovich
01:59:51 Sen. Stewart-Peregoy
02:00:37 Sen. Jackson
02:01:11 Sen. Arntzen
02:01:37 Sen. Jackson

02:02:01 **Vote:** Motion carried 6-4 by roll call vote with Sen. Barrett, Sen. Brown, Sen. Moore and Sen. Sonju voting no. Sen. Moore voted by proxy.

Committee Business:

02:03:04 Sen. Facey
02:03:12 Sen. Brown
02:03:20 Chairman Sonju
02:03:28 Sen. Brown
02:03:31 Chairman Sonju
02:03:36 Sen. Facey
02:03:58 Chairman Sonju
02:05:01 Sen. Vuckovich
02:05:11 Chairman Sonju
02:05:22 Sen. Brown
02:05:30 Sen. Arntzen
02:05:50 Chairman Sonju

ADJOURNMENT

Adjournment: 10:42 A.M.

Linda Keim, Secretary

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Additional Documents:

EXHIBIT([bus22aad.pdf](#))