

MINUTES

MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chair Jon Sonju, on February 15, 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. Frederick (Eric) Moore (R)

Members Excused: Sen. Sharon Stewart-Peregoy (D)
Sen. Kendall Van Dyk (D)
Sen. Gene Vuckovich (D)

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 82, 2/8/2013; HB 130, 2/8/2013; HB 141, 2/8/2013; HB 190, 2/8/2013; HB 212, 2/8/2013

Executive Action: SB 222, Table; HB 202, Be Concurred In; HB 138, Be Concurred In; HB 141, Be Concurred In.

EXECUTIVE ACTION ON SB 222

00:19:09 **Motion:** Sen. D. Brown moved that **SB 222 DO PASS.**

Discussion:

00:19:20 Sen. Brown
00:20:02 Chairman Sonju
00:20:06 Kevin Braun, Montana State Fund (MSF)
00:21:46 Sen. Arntzen
00:21:50 Mr. Braun, MSF
00:22:28 Sen. Brown

00:24:21 **Vote:** Motion failed 2-8 by roll call vote with Sen. Brown and Sen. Jackson voting aye. Sen. Stewart-Peregoy, Sen. Van Dyk and Sen. Vuckovich voted by proxy.

00:24:33 **Motion/Vote:** Sen. D. Brown moved that **SB 222 BE TABLED AND THE VOTE REVERSED.** Motion carried 8-2 by voice vote with Sen. Brown and Sen. Jackson voting no.

EXECUTIVE ACTION ON HB 202

00:25:15 **Motion/Vote:** Sen. D. Brown moved that **HB 202 BE CONCURRED IN.** Motion carried 10-0 by voice vote. Sen. Stewart-Peregoy, Sen. Van Dyk and Sen. Vuckovich voted by proxy. Sen. Stewart-Peregoy will carry the bill.

EXECUTIVE ACTION ON HB 138

00:27:11 **Motion:** Sen. D. Brown moved that **HB 138 BE CONCURRED IN.**

Discussion:

00:27:39 Sen. Brown
00:28:12 Chairman Sonju

00:28:32 **Vote:** Motion carried 10-0 by voice vote. Sen. Stewart-Peregoy, Sen. Van Dyk and Sen. Vuckovich voted by proxy. Sen. Van Dyk will carry the bill.

Committee Business:

00:29:40 Chairman Sonju
00:30:19 Sen. Arntzen
00:30:24 Sen. Brown
00:30:33 Chairman Sonju
00:30:53 Pat Murdo, Legislative Services Division (LSD)
00:31:20 Sen. Arntzen
00:31:34 Chairman Sonju

HEARING ON HB 130

Opening Statement by Sponsor:

00:32:00 Rep. Steve Fitzpatrick (R), HD 20, opened the hearing on HB 130. Revise uninsured employer's fund laws.

00:36:13 Sen. Stewart-Peregoy entered the hearing.

Proponents' Testimony:

00:37:18 Dianna Ferriter, Administrator, Employment Relations Division, Department of Labor and Industry (DLI)

[EXHIBIT\(bus34a01\)](#)

Opponents' Testimony:

00:40:25 Kim Schulke, FairClaim Workers' Compensation (FCWC), a Division of Linnell, Newhall, Martin and Schulke, PC, Great Falls, Montana

[EXHIBIT\(bus34a02\)](#)

00:42:27 Sen. Vuckovich entered the hearing.

00:51:04 Andrea Olson, Montana Trial Lawyers (MTL)

Informational Testimony: None

Questions from Committee Members and Responses:

00:54:33 Sen. Barrett

00:54:41 Rep. Fitzpatrick

00:55:05 Sen. Facey

00:55:47 Rep. Fitzpatrick

00:56:00 Sen. Facey

01:00:14 Ms. Ferriter, DLI

01:00:23 Sen. Brown

01:02:43 Ms. Ferriter

01:02:59 Chairman Sonju

01:03:27 Ms. Schulke, FCWC

01:03:31 Sen. Barrett

01:03:42 Ms. Ferriter

01:04:30 Sen. Facey

01:05:08 Ms. Schulke

Closing by Sponsor:

01:05:28 Rep. Fitzpatrick

HEARING ON HB 190

Opening Statement by Sponsor:

01:06:49 Rep. Austin Knudsen (R), HD 36, opened the hearing on HB 190. Revise uniform commercial code laws on funds transfer.

Proponents' Testimony:

01:09:42 Karen Powell, Volunteer, Uniform Law Commission (ULC)

01:11:22 Aimee Grmoljez, Montana Bankers Association (MBA)

01:12:01 Donya Parrish, Montana Credit Union Network (MCUN)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:12:44 Rep. Knudsen

HEARING ON HB 212

Opening Statement by Sponsor:

01:13:02 Rep. Austin Knudsen (R), HD 36, opened the hearing on HB 212. Revise Uniform Commercial Code laws.

Proponents' Testimony:

01:14:50 Karen Powell, Volunteer, Uniform Law Commission (ULC)

01:17:50 Aimee Grmoljez, Montana Bankers Association (MBA)

01:18:34 Donya Parrish, Montana Credit Union Network (MCUN)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:19:05 Sen. Arntzen

01:19:15 Ms. Powell, ULC

01:20:11 Sen. Moore

01:20:40 Rep. Knudsen

01:21:03 Sen. Brown

01:22:06 Rep. Knudsen

01:22:43 Ms. Powell

01:23:16 Sen. Brown

01:24:18 Ms. Powell
01:25:26 Chairman Sonju

Closing by Sponsor:

01:25:38 Rep. Knudsen

HEARING ON HB 82

Opening Statement by Sponsor:

01:26:35 Rep. Scott Reichner (R), HD 9, opened the hearing on HB 82. Revise applicability of extraterritorial worker's compensation agreements.

Proponents' Testimony:

01:29:01 Diana Ferriter, Administrator, Employment Relations Division, Department of Labor and Industry (DLI)
01:31:10 Steve Wade, Montana Contractor Compensation Fund (MCCF); Montana Contractors Association (MCA)
01:31:44 Nancy Butler, Montana State Fund (MSF)
01:32:19 Glenn Oppel, Montana Chamber of Commerce (MCC)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:32:40 Sen. Arntzen
01:35:13 Ms. Ferriter, DLI

Closing by Sponsor:

01:35:31 Rep. Reichner
01:36:15 Recess
01:44:22 Reconvene

HEARING ON HB 141

Opening Statement by Sponsor:

01:44:41 Rep. Pat Noonan (D), HD 73, opened the hearing on HB 141. Revise gambling control laws.

[EXHIBIT\(bus34a03\)](#)

Proponents' Testimony:

01:48:43 Rick Ask, Administrator, Gambling Control Division, Department of Justice (DOJ)
01:50:13 Neil Peterson, Gaming Industry Association (GIA)
01:50:50 John Iverson, Montana Tavern Association (MTA)
01:51:11 Ronda Wiggers, Montana Coin Machine Operators Association (MCMOA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:53:39 Sen. Facey
01:54:33 Mr. Ask, DOJ
01:54:39 Sen. Brown
01:55:02 Rep. Noonan
01:55:25 Sen. Vuckovich
01:55:54 Rep. Noonan
01:56:33 Chairman Sonju

Closing by Sponsor:

01:56:52 Rep. Noonan

EXECUTIVE ACTION ON HB 141

01:57:37 **Motion:** Sen. Facey moved that **HB 141 BE CONCURRED IN.**

Discussion:

01:57:40 Sen. Facey
01:57:51 Sen. Arntzen
01:57:54 Chairman Sonju

01:57:59 **Vote:** Motion carried 9-0 by voice vote. Sen. Van Dyk was excused. Sen. Sonju will carry the bill.

Committee Business:

01:58:25 Chairman Sonju
01:58:46 Pat Murdo, Legislative Services Division (LSD)
01:59:00 Sen. Arntzen

ADJOURNMENT

Adjournment: 10:20 A.M.

Linda Keim, Secretary

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Additional Documents:

EXHIBIT([bus34aad.pdf](#))