

MINUTES

MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chair Jon Sonju, on February 20, 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. Gene Vuckovich (D)

Members Excused: Sen. Frederick (Eric) Moore (R)
Sen. Sharon Stewart-Peregoy (D)
Sen. Kendall Van Dyk (D)

Members Absent: None

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

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 22, 2/14/2013; HB 127, 2/14/2013; HB 133, 2/14/2013; HB 261, 2/14/2013; SB 289, 2/14/2013; SB 294, 2/14/2013

Executive Action: SB 294, Do Pass; HB 261, Be Concurred In; SB 289, Tabled; SB 128 Do Pass As Amended.

HEARING ON HB 127

Opening Statement by Sponsor:

00:10:37 Rep. Tom Berry (R), HD 45, opened the hearing on HB 127. Revise unemployment insurance laws.

00:11:43 Sen. Stewart-Peregoy entered the hearing.

Proponents' Testimony:

00:11:56 Roy Mulvaney, Administrator, Unemployment Insurance Program, Department of Labor and Industry (DLI)

00:16:33 Lonnie Olson, Administrator, Child Support Enforcement Division, Department of Health and Human Services (DPHHS)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:18:25 Sen. Brown

00:18:33 Mr. Olson, DPHHS

00:19:59 Chairman Sonju

00:22:15 Mr. Mulvaney, DLI

Closing by Sponsor:

00:22:32 Rep. Berry

HEARING ON HB 133

Opening Statement by Sponsor:

00:23:18 Rep. Tom Berry (R), HD 45, opened the hearing on HB 133. Generally revise licensing board laws.

Proponents' Testimony:

00:24:14 Jack Kane, Administrator, Business Standards Division, Department of Labor and Industry (DLI)

00:31:59 Susan Good Geise, Montana Hearing Aid Dispensers (MHAD)

00:36:27 Sharon Nason, President, Montana Licensed Clinical Professional Counselors Association (MLCPCA)

EXHIBIT(bus38a01)

00:38:39 Holly Franz, Montana Society of CPAs (MSCPA)

- 00:40:27 John Forkan, Montana State Association of Plumbers and Pipe Fitters
(MSAPPF)
- 00:41:05 Dr. Jean Lindley, Veterinarian, Montana Board of Veterinary Medicine (MBVM)
[EXHIBIT\(bus38a02\)](#)
- 00:43:22 Stuart Doggett, Montana Veterinary Association (MVA), Montana Pharmacy
Association (MPA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

- 00:44:32 Sen. Jackson
- 00:45:05 Ms. Franz, MSCPA
- 00:45:35 Pat Murdo, Legislative Services Division (LSD)
- 00:46:13 Sen. Arntzen
- 00:47:53 Mr. Kane, DLI
- 00:47:54 Sen. Moore entered the hearing.
- 00:48:08 Chairman Sonju
- 00:49:26 Mr. Kane
- 00:49:38 Sen. Brown
- 00:50:53 Mr. Kane

Closing by Sponsor:

- 00:51:57 Rep. Berry

HEARING ON HB 261

Opening Statement by Sponsor:

- 00:53:02 Rep. Tom Berry (R), HD 45, opened the hearing on HB 261. Revise
unemployment insurance laws for business impacted by natural disaster.
[EXHIBIT\(bus38a03\)](#)

Proponents' Testimony:

- 00:56:05 Riley Johnson, National Federation of Independent Business (NFIB)

Opponents' Testimony: None

Informational Testimony:

- 00:56:41 Roy Mulvaney, Administrator, Unemployment Insurance Program, Department of
Labor and Industry (DLI)

Questions from Committee Members and Responses:

00:57:01 Sen. Facey
00:58:37 Mr. Mulvaney, DLI

Closing by Sponsor:

00:58:52 Rep. Berry

HEARING ON HB 22

Opening Statement by Sponsor:

00:59:50 Rep. Kimberly Dudik (D), HD 99, opened the hearing on HB 22. Generally revise state auditor laws on insurance.

Proponents' Testimony:

01:00:56 Adam Schafer, Office of the Commissioner of Securities and Insurance, State Auditor (CSI)

EXHIBIT(bus38a04)

01:02:09 Bob Biskupiak, Executive Director, Independent Insurance Agents Association of Montana (IIAAM)

01:03:00 Dwight Easton, Farmers Insurance Group (FIG); also speaking for Bruce Spencer, Property Casualty Insurance Association of America (PCIAA), and Allstate Insurance Company (AIC)

01:03:39 Roger McGlenn, Attorney Liability Professional Society (ALPS)

01:04:16 Jacqueline Lenmark, American Insurance Association (AIA), American Council of Life Insurers (ACLI), American Family Life Assurance Company (AFLAC), Homesteaders Life Insurance Company (HLIC)

EXHIBIT(bus38a05)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:07:31 Sen. Brown
01:07:46 Pat Murdo, Legislative Services Division (LSD)
01:07:58 Chairman Sonju
01:08:02 Pat Murdo, LSD
01:08:28 Chairman Sonju

Closing by Sponsor:

01:08:44 Rep. Dudik

HEARING ON SB 289

Opening Statement by Sponsor:

01:09:43 Sen. Tom Facey (D), SD 48, opened the hearing on SB 289. Prohibit licensing boards from increasing fees to implement LR-121.

[EXHIBIT\(bus38a06\)](#)

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

01:14:59 Jack Kane, Division Administrator, Business Standards Division, Department of Labor and Industry (DLI)

Questions from Committee Members and Responses:

01:15:18 Sen. Brown
01:16:45 Mr. Kane, DLI
01:17:17 Sen. Vuckovich
01:17:30 Mr. Kane
01:17:46 Sen. Moore
01:18:03 Sen. Facey
01:18:41 Sen. Stewart-Peregoy
01:18:56 Sen. Facey
01:19:22 Sen. Jackson
01:23:27 Sen. Facey
01:23:50 Sen. Barrett
01:24:46 Sen. Facey

Closing by Sponsor:

01:24:52 Sen. Facey

[EXHIBIT\(bus38a07\)](#)

01:25:11 Recess

01:35:45 Reconvened

HEARING ON SB 294

Opening Statement by Sponsor:

01:35:48 Sen. Elsie Arntzen (R), SD 27, opened the hearing on SB 294. Generally revise alcohol enforcement laws regarding penalties.

[EXHIBIT\(bus38a08\)](#)

Proponents' Testimony:

01:40:06 Ronna Alexander, Convenience Store Association (CSA)

EXHIBIT(bus38a09)

01:46:32 Neil Peterson, Gaming Industry Association (GIA)

01:47:42 Brad Griffin, Montana Retail Association, Montana Restaurant Association

01:48:54 Kristi Blazer, Montana Beer and Wine Distributors Association (MBWDA)

01:50:38 John Iverson, Montana Tavern Association (MTA)

01:50:47 Ronda Wiggers, Montana Coin Machine Operators (MCMO)

01:51:32 Tony Herbert, Montana Brewers Association (MBA)

Opponents' Testimony:

01:52:26 Shauna Helfert, Administrator, Liquor Control Division, Department of Revenue (DOR)

Informational Testimony: None

Questions from Committee Members and Responses:

01:57:25 Chairman Sonju

01:59:01 Ms. Helfert, DOR

01:59:22 Sen. Jackson

02:00:42 Ms. Helfert

02:01:02 Sen. Brown

02:02:34 Ms. Helfert

02:02:41 Sen. Barrett

02:02:45 Sen. Arntzen

02:05:02 Ms. Alexander, CSA

02:05:39 Sen. Moore

02:06:19 Ms. Helfert

02:06:50 Sen. Facey

02:08:41 Ms. Helfert

02:09:14 Sen. Barrett

02:09:18 Ms. Helfert

02:09:30 Sen. Facey

02:10:54 Mr. Peterson, GIA

02:11:09 Sen. Vuckovich

02:12:17 Ms. Alexander

Closing by Sponsor:

02:14:06 Sen. Arntzen

EXECUTIVE ACTION ON SB 294

02:16:01 **Motion:** Sen. De. Barrett moved that **SB 294 DO PASS.**

Discussion:

02:16:14 Sen. Arntzen

02:17:14 Sen. Brown

02:17:31 **Vote:** Motion carried 9-1 by roll call vote with Sen. Vuckovich voting no. Sen. Van Dyk voted by proxy.

02:18:00 Sen. Arntzen left the hearing.

EXECUTIVE ACTION ON HB 261

02:18:57 **Motion:** Sen. Facey moved that **HB 261 BE CONCURRED IN.**

Discussion:

02:19:29 Sen. Brown

02:19:44 **Vote:** Motion carried 10-0 by voice vote. Sen. Arntzen and Sen. Van Dyk voted by proxy. Sen. Brown will carry the bill.

EXECUTIVE ACTION ON SB 289

02:20:05 **Motion:** Sen. Facey moved that **SB 289 DO PASS.**

02:20:09 **Motion:** Sen. Facey moved that **SB 289 BE AMENDED.**
(See Exhibit 7)

Discussion:

02:22:00 Sen. Barrett

02:23:04 **Vote:** Motion carried 7-3 by roll call vote with Sen. Barrett, Sen. Brown and Sen. Moore voting no. Sen. Arntzen and Sen. Van Dyk voted by proxy.

02:24:05 **Motion:** Sen. Facey moved that **SB 289 DO PASS AS AMENDED.**

Discussion:

02:24:14 Chairman Sonju

02:24:21 Sen. Facey

02:24:48 **Vote:** Motion failed 4-6 by roll call vote with Sen. Facey, Sen. Stewart-Peregoy, Sen. Van Dyk and Sen. Vuckovich voting aye. Sen. Arntzen and Sen. Van Dyk voted by proxy.

02:25:57 **Motion/Vote:** Sen. Facey moved that **SB 289 BE TABLED AND THE VOTE REVERSED.** Motion carried 6-4 by voice vote with Sen. Facey, Sen. Stewart-Peregoy, Sen. Van Dyk and Sen. Vuckovich voting no.

EXECUTIVE ACTION ON SB 128

02:26:23 **Motion:** Sen. De. Barrett moved that **SB 128 DO PASS.**

Discussion:

02:26:34 Chairman Sonju

02:27:29 Pat Murdo, Legislative Services Division (LSD)

02:29:00 **Motion:** Sen. De. Barrett moved that **SB 128 DO PASS AS AMENDED.**
(SB 128 previously amended on 2/6/2013)

Discussion:

02:29:13 Sen. Jackson

02:29:18 Pat Murdo, LSD

02:29:42 Sen. Stewart-Peregoy

02:30:07 Chairman Sonju

02:30:12 Sen. Facey

02:30:31 Mr. Mulvaney, Department of Labor and Industry (DLI)

02:30:46 Sen. Facey

02:30:54 Sen. Barrett

02:31:15 **Vote:** Motion carried 10-0 by voice vote. Sen. Arntzen and Sen. Van Dyk voted by proxy.

Discussion on Possible Committee Bill:

02:32:26 Pat Murdo

02:32:32 Chairman Sonju

02:33:33 Sen. Brown

02:33:55 Chairman Sonju

02:34:12 Sen. Facey

02:34:29 Chairman Sonju

02:34:42 Sen. Stewart-Peregoy

02:34:48 Sen. Barrett

02:34:59 Sen. Facey

02:35:05 Chairman Sonju

02:35:34 Sen. Brown

ADJOURNMENT

Adjournment: 11:00 A.M.

Linda Keim, Secretary

lk

Additional Documents:

EXHIBIT([bus38aad.pdf](#))