

## MINUTES

### MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

**Call to Order:** Chair Jon Sonju, on April 3, 2013 at 8:30 A.M., 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. Kendall Van Dyk (D)  
Sen. Gene Vuckovich (D)

**Members Excused:** Sen. Tom Facey (D)  
Sen. Frederick (Eric) Moore (R)  
Sen. Sharon Stewart-Peregoy (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 501, 3/27/2013; HB 284, 3/27/2013; SB 404, 3/27/2013; SJ 24, 3/27/2013

Executive Action: HB 501, Tabled; SJ 24, Do Pass; HB 460, Tabled; HB 464, Be Concurred In As Amended

**HEARING ON HB 501**

**Opening Statement by Sponsor:**

00:11:34 Rep. Tom Berry (R), HD 45, opened the hearing on HB 501. Revise insurance laws on limiting midterm premium increases.

**Proponents' Testimony:**

00:14:55 Greg Van Horssen, State Farm Insurance Company (SFIC)

00:18:08 Dwight Easton, Farmers Insurance Group (FIG)

**Opponents' Testimony:** None

**Informational Testimony:**

00:18:54 Brett O'Neill, Office of the Commissioner of Securities and Insurance, State Auditor (CSI)

**Questions from Committee Members and Responses:**

00:19:07 Sen. Stewart-Peregoy entered the hearing.

00:19:09 Sen. Brown

00:22:40 Mr. Van Horssen, SFIC

00:23:17 Sen. Jackson

00:24:42 Mr. Van Horssen

00:24:59 Sen. Barrett

00:25:26 Rep. Berry

00:25:43 Chairman Sonju

00:25:53 Mr. Van Horssen

**Closing by Sponsor:**

00:26:11 Rep. Berry

**HEARING ON HB 284**

**Opening Statement by Sponsor:**

00:26:59 Rep. Rob Cook (R), HD 27, opened the hearing on HB 284. Provide increases to commissions for agency liquor stores.

00:28:45 Sen. Facey entered the hearing.

**Proponents' Testimony:**

00:28:58 Tracy Prescott, owner, Helena Liquor Store #1; President, Liquor Store Owners Association of Montana (LSOAM)

00:29:56 Mike Soule, owner, Belgrade Liquor (BL)

00:30:31 Chad Ouellette, owner, Big Sky Liquor Store #190 (BSLS)  
00:31:32 S. Dale Hartman, owner, Lewistown Liquor Store #15 (LLS)  
00:33:24 Brent Stoos, owner, East Helena Liquor (EHL)

**Opponents' Testimony:**

00:33:50 Mike Kadas, Director, Department of Revenue (DOR)  
**EXHIBIT(bus69a01)**

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:38:45 Sen. Brown  
00:39:25 Shauna Helfert, Department of Revenue (DOR)  
00:39:58 Sen. Facey  
00:40:20 Ms. Helfert, DOR  
00:43:37 Sen. Brown  
00:44:11 Ms. Helfert  
00:44:51 Sen. Barrett  
00:45:57 Ms. Helfert  
00:46:03 Chairman Sonju  
00:46:56 Ms. Helfert  
00:47:05 Sen. Facey  
00:47:17 Ms. Helfert  
00:47:38 Sen. Facey  
00:47:44 Mr. Hartman, LLS

**Closing by Sponsor:**

00:48:14 Rep. Cook

**EXECUTIVE ACTION ON HB 501**

00:50:34 **Motion:** Sen. De. Barrett moved that **HB 501 BE CONCURRED IN.**

**Discussion:**

00:51:15 Chairman Sonju  
00:51:21 Sen. Arntzen  
00:51:52 Sen. Brown

00:52:53 **Vote:** Motion failed 2-8 by roll call vote with Sen. Arntzen and Sen. Barrett voting aye. Sen. Moore voted by proxy.

00:53:50 **Substitute Motion/Vote:** Sen. Van Dyk made a substitute motion that **HB 501 BE TABLED AND THE VOTE REVERSED.** Substitute motion carried unanimously by voice vote of those present and voting.

**HEARING ON SB 404**

**Opening Statement by Sponsor:**

00:54:16 Sen. Fred Thomas (R), SD 45, opened the hearing on SB 404. Revise insurance laws to clarify certain fees not taxes for premium tax purposes.

**Proponents' Testimony:**

00:59:59 William (Bill) R. Price, Independent Insurance Agent; also speaking for Bob Biskupiak, Independent Insurance Agents of America Incorporated (IIAAI)

01:02:42 Scott Tuxbury, Big Sky Underwriters (BSU)

**Opponents' Testimony:**

01:05:26 Greg Van Horssen, State Farm Insurance Company (SFIC)

01:09:21 Dwight Easton, Farmers Insurance Group (FIG)

**Informational Testimony:**

01:10:00 Brett O'Neil, attorney, Office of Commissioner of Securities and Insurance, State Auditor (CSI)

**Questions from Committee Members and Responses:**

01:10:30 Sen. Brown left the hearing.

01:10:32 Sen. Vuckovich

01:16:27 Sen. Thomas

01:17:47 Sen. Facey

01:18:29 Mr. Van Horssen, SFIC

01:19:14 Sen. Facey

01:19:20 Sen. Thomas

01:20:31 Sen. Facey

01:21:43 Mr. Van Horssen

01:22:36 Sen. Jackson

01:25:01 Mr. O'Neil, CSI

01:26:05 Chairman Sonju

01:27:26 Mr. O'Neill

01:27:52 Sen. Jackson

01:27:57 Sen. Arntzen

01:28:53 Mr. O'Neill

**Closing by Sponsor:**

01:29:01 Sen. Thomas

**Discussion on HB 284:**

01:32:30 Chairman Sonju  
01:33:02 Sen. Facey  
  
01:33:26 Sen. Brown returned to the hearing.  
  
01:34:17 Sen. Brown  
01:35:02 Sen. Facey  
01:35:10 Chairman Sonju  
01:35:30 Pat Murdo, Legislative Services Division (LSD)

**HEARING ON SJ 24**

**Opening Statement by Sponsor:**

01:35:55 Sen. Edward Buttrey (R), SD 13, opened the hearing on SJ 24. Requesting an interim study of military training applicability to civilian jobs.

**Proponents' Testimony:**

01:39:14 Dan Antonietti, legislative representative, Veterans of Foreign Wars of the United States (VFW)  
01:40:06 Jessica Nolan, Montana Chamber of Commerce (MCC)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

01:41:09 Sen. Buttrey

**EXECUTIVE ACTION ON SJ 24**

01:41:48 **Motion/Vote:** Sen. D. Brown moved that **SJ 24 DO PASS**. Motion carried 10-0 by voice vote. Sen. Moore voted by proxy.

**EXECUTIVE ACTION ON HB 460**

01:43:23 **Motion:** Sen. Van Dyk moved that **HB 460 BE CONCURRED IN**.

**Discussion:**

01:43:35 Chairman Sonju  
01:44:04 Sen. Brown  
01:44:33 Sen. Van Dyk  
01:45:14 Sen. Facey

- 01:45:25 Sen. Brown  
 01:46:21 Sen. Arntzen  
 01:47:03 Sen. Van Dyk  
 01:48:19 Sen. Barrett  
 01:48:51 Pat Murdo, LSD  
 01:50:02 Sen. Brown  
 01:50:25 Pat Murdo  
 01:50:57 Sen. Barrett
- 01:51:32 **Vote:** Motion failed 4-6 by roll call vote with Sen. Arntzen, Sen. Facey, Sen. Van Dyk and Sen. Vuckovich voting aye. Sen. Moore voted by proxy.
- 01:52:00 **Substitute Motion/Vote:** Sen. Van Dyk made a substitute motion that **HB 460 BE TABLED AND THE VOTE REVERSED**. Substitute motion carried unanimously by voice vote of those present and voting.

**EXECUTIVE ACTION ON HB 464**

- 01:52:36 **Motion:** Sen. D. Brown moved that **HB 464 BE CONCURRED IN**.

**Discussion:**

- 01:53:09 Chairman Sonju  
 01:53:11 Sen. Brown  
 01:53:23 Pat Murdo
- 01:53:41 **Motion/Vote:** Sen. D. Brown moved that **HB 464 BE AMENDED**. Motion carried 10-0 by voice vote. Sen. Moore voted by proxy.

**EXHIBIT(bus69a02)**

- 01:55:14 **Motion:** Sen. D. Brown moved that **HB 464 BE CONCURRED IN AS AMENDED**.

**Discussion:**

- 01:55:31 Sen. Brown  
 01:56:46 Pat Murdo  
 01:59:08 Sen. Facey  
 01:59:13 Sen. Jackson  
 01:59:30 Sen. Vuckovich  
 02:00:09 Sen. Brown  
 02:00:42 Chairman Sonju  
 02:01:24 Sen. Brown  
 02:01:47 Sen. Arntzen  
 02:02:36 Sen. Brown  
 02:03:00 Chairman Sonju  
 02:03:55 Sen. Barrett

02:04:23 **Vote:** Motion carried 6-4 by voice vote with Sen. Barrett, Sen. Brown, Sen. Jackson and Sen. Moore voting no. Sen. Moore voted by proxy. Sen. Facey will carry the bill.

**Discussion:**

02:05:26 Chairman Sonju  
02:07:50 Pat Murdo  
02:08:04 Sen. Facey  
02:08:36 Chairman Sonju

**ADJOURNMENT**

Adjournment: 10:28 A.M.

---

Linda Keim, Secretary

lk

Additional Documents:

**EXHIBIT([bus69aad.pdf](#))**