

MINUTES

MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: By **CHAIRMAN VICKI COCCHIARELLA**, on January 25, 2007 at 9:00 A.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Vicki Cocchiarella, Chairman (D)
Sen. Roy Brown (R)
Sen. John Esp (R)
Sen. Verdell Jackson (R)
Sen. Lane L. Larson (D)
Sen. Don Ryan (D)
Sen. Frank Smith (D)
Sen. Carolyn Squires (D)
Sen. Donald J. Steinbeisser (R)
Sen. Joseph (Joe) Tropila (D)

Members Excused:

Sen. Joe Balyeat (R)

Members Absent: None.

Staff Present: Claudia Johnson, Committee Secretary
Pat Murdo, 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: SB 230, 1/15/2007; SB 258,
1/23/2007
Executive Action: SB 230, SB 68, SB 127, SB 214, SB
116

00:23:20 Chairwoman Cocchiarella

HEARING ON SB 230

Opening Statement by Sponsor:

00:24:46 **SEN. JOSEPH (JOE) TROPILA (D), SD 13**, opened the hearing on **SB 230**, Establish fee for liquor license quota area transfers -- recent license sales.

Proponents: None.

Opponents: None.

Informational Testimony: None.

Questions from Committee Members and Responses: None.

Closing by Sponsor:

00:25:10 Sen. Tropila

HEARING ON SB 258

Opening Statement by Sponsor:

00:25:57 **SEN. JIM SHOCKLEY (R), SD 45**, opened the hearing on **SB 258**, Deny licenses and license renewal to illegal aliens.

Proponents:

00:30:19 Keith Allen, International Brotherhood of Electrical Workers Local 233 (IBEW)

Opponents:

00:30:41 Debbie Smith, Attorney, American Civil Liberties Union (ACLU)

00:39:01 Cathy Day, Public Information Officer, American Civil Liberties Union (ACLU)

EXHIBIT (bus17a01)

00:43:06 Amanda Arnold, Montana Human Rights Works

Informational Testimony:

00:44:10 Mark Cadwallader, Staff Attorney, Department of Labor
and Industry (DLI)

Questions from Committee Members and Responses:

00:45:35 Sen. Larson to Debbie Smith, ACLU

00:51:06 Sen. Esp to Debbie Smith, ACLU

00:52:35 Sen. Esp to Sen. Shockley

00:53:59 Sen. Brown to Sen. Shockley

00:55:46 Sen. Smith to Cathy Day, ACLU

00:57:25 Sen. Tropila to Sen. Shockley

00:58:02 Sen. Squires to Mark Cadwallader, DLI

01:00:57 Sen. Squires to Sen. Shockley

01:02:47 Sen. Balyeat to Mark Cadwallader, DLI

01:04:21 Sen. Balyeat to Sen. Shockley

01:05:31 Sen. Jackson to Sen. Shockley

01:07:50 Sen. Balyeat to Debbie Smith, ACLU

01:08:17 Sen. Squires to Sen. Shockley

Closing by Sponsor:

01:10:38 Sen. Shockley

EXECUTIVE ACTION ON SB 230

01:12:34 **Motion:** SEN. BALYEAT moved that SB 230 DO PASS.

Discussion:

01:12:50 **Motion/Vote:** SEN. TROPILA moved that SB 230 BE TABLED.
Motion carried unanimously by voice vote. SEN. RYAN
voted by proxy.

EXECUTIVE ACTION ON SB 68

01:13:29 Motion: SEN. BROWN moved that SB 68 DO PASS.

Discussion:

01:14:19 Sen. Balyeat

01:16:33 Vote: Motion that SB 68 DO PASS carried 10-1 by voice vote with SEN. COCCHIARELLA voting no. SEN. RYAN voted by proxy.

EXECUTIVE ACTION ON SB 127

01:17:32 Motion: SEN. BROWN moved that SB 127 DO PASS.

Discussion:

01:17:58 Motion: SEN. SQUIRES moved that AMENDMENT SB012701.APM BE ADOPTED.

EXHIBIT(bus17a02)

01:20:09 Sen. Squires

01:20:19 Sen. Cocchiarella

01:20:24 Vote: Motion carried unanimously by voice vote.

01:20:33 Motion/Vote: SEN. SQUIRES moved that SB 127 DO PASS AS AMENDED. Motion carried unanimously by voice vote. SEN. RYAN voted by proxy.

EXECUTIVE ACTION ON SB 214

Discussion:

01:21:53 Pat Murdo, LSD

EXHIBIT(bus17a03)

01:22:35 Motion: SEN. SQUIRES moved that SB 214 DO PASS.

Discussion:

01:22:53 **Motion:** SEN. SQUIRES moved that AMENDMENT SB021401.APM BE ADOPTED.

Discussion:

01:24:17 Pat Murdo, LSD

01:24:42 Sen. Ryan arrived

01:25:51 Sen. Squires to Sen. Cocchiarella

01:26:35 Sen. Balyeat to Pat Murdo, LSD

01:28:09 **Vote:** Motion that AMENDMENT SB021401.APM BE ADOPTED carried unanimously by voice vote.

01:28:22 **Motion/Vote:** SEN. SQUIRES moved that SB 214 DO PASS AS AMENDED. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 116

Discussion:

01:29:07 Sen. Cocchiarella

01:29:39 Pat Murdo, LSD

[EXHIBIT](#)(bus17a04)

[EXHIBIT](#)(bus17a05)

01:29:45 **Motion:** SEN. ESP moved that SB 116 DO PASS.

Discussion:

01:29:59 Sen. Larson

01:31:28 **Motion:** SEN. ESP moved that AMENDMENT SB011604.APM BE ADOPTED.

[EXHIBIT](#)(bus17a06)

Discussion:

01:32:37 Sen. Cocchiarella to Sen. Esp

01:34:21 Sen. Squires to Sen. Esp

01:35:05 Sen. Cocchiarella to Sen. Squires

01:37:33 Sen. Ryan to Sen. Squires

01:38:28 Sen. Cocchiarella

01:38:37 Sen. Ryan

01:40:01 Sen. Esp

01:40:53 Sen. Balyeat to Sen. Esp

01:41:32 Sen. Smith to Sen. Esp

01:42:19 **Vote: Motion that AMENDMENT SB011604.APM BE ADOPTED carried 9-2 by voice vote with SEN. RYAN and SEN. SMITH voting no. SEN. BALYEAT voted by proxy.**

01:43:02 **Motion: SEN. TROPILA moved that AMENDMENT SB011601.APM BE ADOPTED.**

EXHIBIT (bus17a07)

Discussion:

01:45:06 Sen. Squires to Sen. Esp

01:46:54 Sen. Squires to Sen. Cocchiarella

01:48:17 Sen. Esp

01:48:33 Pat Murdo, LSD

01:49:10 Sen. Cocchiarella

01:49:25 Sen. Ryan

01:51:40 Sen. Cocchiarella to Sen. Esp

01:52:08 **Motion: SEN. COCCHIARELLA moved that CONCEPTUAL AMENDMENT SB011601.APM #15, #16, and #17 BE ADOPTED.**

Discussion:

01:52:32 Sen. Esp

01:54:00 Sen. Cocchiarella

01:54:17 Sen. Cocchiarella to Sen. Brueggeman

01:55:28 Sen. Ryan to Sen. Brueggeman

01:59:19 Pam Bucy, Department of Justice, DOJ

02:00:30 Sen. Cocchiarella to Pam Bucy, DOJ

02:01:04 Sen. Esp

02:01:20 Sen. Cocchiarella

02:01:27 Sen. Jackson to Sen. Cocchiarella

02:01:51 **Vote:** Motion to ADOPT AMENDMENT SB011601 #15, #16, and #17 carried 6-5 by roll call vote with SEN. BALLYEAT, SEN. BROWN, SEN. ESP, SEN. JACKSON, and SEN. STEINBEISSER voting no. SEN. BALLYEAT voted by proxy.

Discussion:

02:04:00 Sen. Brown

02:05:25 Sen. Cocchiarella

02:05:53 **Motion:** SEN. COCCHIARELLA moved that a CONCEPTUAL AMENDMENT TO SB011601.APM BE ADOPTED.

Discussion:

02:06:70 **Vote:** Motion that the CONCEPTUAL AMENDMENT BE ADOPTED carried 10-1 by voice vote. Sen. Esp voted no. SEN. BALLYEAT voted by proxy.

Discussion:

02:06:28 Sen. Squires

02:06:34 **Motion:** SEN. STEINBEISSER moved that AMENDMENT SB011602.APM BE ADOPTED.

02:06:70 **Motion/Vote:** SEN. SQUIRES CALLED THE QUESTION ON AMENDMENT SB011602.APM. Motion failed 4-7 by roll call vote with SEN. BALLYEAT, SEN. ESP, SEN. JACKSON, and SEN. STEINBEISSER voting aye. SEN. BALLYEAT voted by proxy.

Discussion:

02:07:31 Pat Murdo, LSD

02:12:26 Sen. Squires to Sen. Cocchiarella

02:13:12 Sen. Esp to Sen. Brueggeman

02:14:22 **Motion:** SEN. COCCHIARELLA moved that AMENDMENT
SB011602.APM #5 BE ADOPTED.

Discussion:

02:15:15 Sen. Cocchiarella

02:17:52 **Vote:** MOTION that AMENDMENT SB011602 #5 BE ADOPTED
carried unanimously by voice vote. SEN. BALYEAT voted
by proxy.

02:18:14 Discussion:

02:18:21 **Motion:** SEN. STEINBEISSER moved that AMENDMENT
SB011603.APM BE ADOPTED.

Discussion:

02:18:39 Pat Murdo, LSD

02:21:50 Sen. Brown to Ed Bartlett, New West Health Services

02:23:26 Sen. Ryan to Ed Bartlett, New West Health Services

02:24:53 Sen. Smith to Ed Bartlett, New West Health Services

02:25:27 Sen. Esp

02:25:47 Sen. Ryan

02:27:05 Sen. Cocchiarella to Sen. Brueggeman

02:29:19 **Motion/Vote:** SEN. COCCHIARELLA moved that AMENDMENT SB
011603.APM #1 BE ADOPTED. Motion carried 9-2 by voice
vote with SEN. COCCHIARELLA and SEN. SQUIRES voting no.
SEN. BALYEAT voted by proxy.

02:29:41 **Motion/Vote:** SEN. ESP moved that AMENDMENT
SB0011603.APM #2 BE ADOPTED. Motion carried unanimously
by voice vote. SEN. BALYEAT voted by proxy.

Discussion:

02:30:33 Sen. Squires to Pam Bucy, DOJ

02:31:21 **Motion/Vote:** SEN. STEINBEISSER moved that AMENDMENT SB011603.APM #3 BE ADOPTED.

02:31:53 Sen. Squires to Sen. Brueggemann

02:33:11 Sen. Brown to Sen. Brueggemann

02:34:26 Sen. Cocchiarella to Sen. Brueggeman

02:36:36 **Motion/Vote:** SEN. SQUIRES CALLED THE QUESTION ON AMENDMENT SB011603.APM #3. Motion failed 4-7 by voice vote with SEN. BALYEAT, SEN. JACKSON, SEN. ESP, and SEN. STEINBEISSER voting aye. SEN. BALYEAT voted by proxy.

02:37:40 **Motion:** SEN. ESP moved a CONCEPTUAL AMENDMENT to SB 116 BE ADOPTED.

Discussion:

02:38:53 Pat Murdo, LSD

02:39:19 Sen. Esp to Pat Murdo

02:39:31 Sen. Esp

02:41:31 Sen. Esp to Pat Murdo, LSD

02:42:10 Sen. Ryan

02:44:41 Pat Murdo, LSD

02:45:38 Sen. Esp

02:46:03 **Vote:** MOTION that the CONCEPTUAL AMENDMENT BE ADOPTED carried 6-5 by roll call vote with SEN. BALYEAT, SEN. BROWN, SEN. ESP, SEN. JACKSON, and SEN. STEINBEISSER voting no. SEN. BALYEAT voted by proxy.

02:47:56 **Motion/Vote:** SEN. STEINBEISSER moved that SB 116 DO PASS AS AMENDED. Motion carried 9-2 by voice vote with SEN. BALYEAT and SEN. ESP voting no. SEN. BALYEAT voted by proxy.

Discussion:

02:58:01 Sen. Cocchiarella

ADJOURNMENT

Adjournment: 11:30 A.M.

SEN. VICKI COCCHIARELLA, Chairman

CLAUDIA JOHNSON, Secretary

VC/cj

Additional Exhibits:

EXHIBIT ([bus17aad.pdf](#))