

MINUTES

**MONTANA SENATE
60th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: By **CHAIRMAN VICKI COCCHIARELLA**, on January 30, 2007 at 9:00 A.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Vicki Cocchiarella, Chairman (D)
Sen. Joe Balyeat (R)
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: None.

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 296, 1/22/2007
Executive Action: SB 296, SB 108, SB 151, SB 250, SB 161

00:00:00 Chairwoman Cocchiarella

HEARING ON SB 296

Opening Statement by Sponsor:

00:01:47 **SEN. DAN WEINBERG (D), SD 2**, opened the hearing on **SB 296**, Revise beer and wine licensing laws.

Proponents:

00:04:46 Mark Staples, Montana Tavern Association (MTA)

00:14:41 Jupe Compton, President, MTA

00:15:02 Bob Miller, Bear Cub Bar and Grill

00:15:32 Sen. Greg Lind, Self

00:16:05 Neil LaFeaver, Yellowstone County Tavern Association

00:16:29 Stuart Doggett, Montana Innkeepers Association (MIA)

00:17:48 Brad Griffin, Montana Restaurant Association (MRA)

Opponents:

00:18:26 Walter Nickerson, Pollo Bar and Grill

Informational Testimony:

00:21:36 Jason Wood, Unit Manager, Liquor Division, Department of Revenue (DOR)

Questions from Committee Members and Responses:

00:22:51 Sen. Esp to Sen. Weinberg

00:28:02 Sen. Ryan to Mark Staples

00:36:31 Sen. Brown to Walter Nickerson

Closing by Sponsor:

00:39:56 Sen. Weinberg

EXECUTIVE ACTION ON SB 296

Discussion:

00:46:10 Pat Murdo, LSD
00:48:26 Sen. Balyeat
00:49:02 Sen. Cocchiarella
00:49:17 Sen. Ryan
00:51:03 Sen. Cocchiarella
00:51:14 **Motion:** SEN. SQUIRES moved that SB 296 DO PASS.

Discussion:

00:51:22 **Motion/Vote:** SEN. SQUIRES moved that AMENDMENT SB029601.APM BE ADOPTED. Motion carried unanimously by voice vote.

EXHIBIT (bus20a01)

00:52:09 **Motion/Vote:** SEN. TROPILA moved that AMENDMENT SB029602.APM BE ADOPTED. Motion carried unanimously by voice vote.
00:52:26 **Motion/Vote:** SEN. SQUIRES moved that SB 296 DO PASS AS AMENDED. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 108

00:52:46 Sen. Cocchiarella

EXHIBIT (bus20a02)

EXHIBIT (bus20a03)

00:54:40 **Motion:** SEN. LARSON moved that SB 108 DO PASS.

Discussion:

00:54:52 **Motion:** SEN. COCCHIARELLA moved that AMENDMENT SB010804.APM BE ADOPTED.

Discussion:

00:55:44 Sen. Brown to Dick Brown, Senior VP, An Association of Montana Health Care Providers (MHA)

EXHIBIT (bus20a04)

00:56:41 Nancy Butler, Montana State Fund (MSF)

EXHIBIT (bus20a05)

01:01:53 Sen. Ryan to Dick Brown, MHA

01:02:20 Sen. Squires to Sen. Cocchiarella

01:05:36 Pat Murdo, LSD

01:06:14 Sen. Esp to Sen. Cocchiarella

01:08:15 Sen. Squires to Sen. Cocchiarella

01:10:55 **Vote: Motion that AMENDMENT SB010804.APM BE ADOPTED carried unanimously by voice vote. SEN. BALYEAT voted by proxy.**

01:11:08 **Motion: SEN. SQUIRES moved that AMENDMENT SB010803.APM BE ADOPTED.**

Discussion:

01:13:28 Sen. Cocchiarella to Sen. Squires

01:14:41 Sen. Esp to Pat Murdo, LSD

01:17:33 **Sen. Squires withdrew her motion on AMENDMENT SB010803.APM.**

01:18:05 Sen. Cocchiarella to Sen. Squires

01:18:49 Sen. Cocchiarella to Nancy Butler, MSF

01:20:21 Sen. Squires

01:21:37 **Motion: SEN. ESP moved that SB 108 DO PASS AS AMENDED.**

Discussion:

01:22:03 Sen. Squires to Jerry Keck, DLI

01:24:43 Sen. Tropila

01:25:03 **Motion/Vote:** SEN. ESP CALLED THE QUESTION ON SB 108.
Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 151

01:25:47 **Motion:** SEN. RYAN moved that SB 151 DO PASS.

Discussion:

01:26:33 Sen. Jackson to Pat Murdo, LSD

EXHIBIT (bus20a06)

01:27:36 Sen. Jackson

01:28:56 Sen. Balyeat

01:32:15 Sen. Ryan

01:35:17 Sen. Esp

01:36:14 Sen. Cocchiarella

01:38:47 Sen. Ryan

01:39:55 **Motion/Vote:** SEN. RYAN moved that SB 151 DO PASS.
**Motion failed 4-7 by roll call vote with SEN. LARSON,
SEN. RYAN, SEN. STEINBEISSER, and SEN. TROPILA voting
aye. SEN. SQUIRES voted by proxy.**

01:41:30 **Motion/Vote:** SEN. ESP moved that SB 151 BE TABLED AND
**THE VOTE REVERSED. Motion carried 7-4 by roll call vote
with SEN. LARSON, SEN. RYAN, SEN. STEINBEISSER, and
SEN. TROPILA voting no. SEN. SQUIRES voted by proxy.**

EXECUTIVE ACTION ON SB 250

01:42:09 **Motion:** SEN. LARSON moved that SB 250 DO NOT PASS.

Discussion:

01:42:28 Sen. Cocchiarella to Sen. Larson

01:45:38 Sen. Jackson

- 01:48:53 Substitute Motion/Vote: SEN. ESP made a substitute motion that SB 250 BE TABLED. Substitute motion failed 3-8 by roll call vote with SEN. BROWN, SEN. ESP, and SEN. STEINBEISSER voting aye. SEN. SQUIRES voted by proxy.
- 01:50:22 Motion/Vote: SEN. COCCHIARELLA CALLED THE QUESTION ON SB 250 DO NOT PASS motion. Motion carried 6-5 by roll call vote with SEN. BALYEAT, SEN. BROWN, SEN. ESP, SEN. JACKSON, and SEN. STEINBEISSER voting no. SEN. SQUIRES voted by proxy.

EXECUTIVE ACTION ON SB 161

- 01:52:09 Motion: SEN. BROWN moved that SB 161 DO PASS.
- Discussion:
- 01:52:38 Pat Murdo, LSD
- 01:53:19 Motion/Vote: SEN. BROWN moved that AMENDMENT SB016101.APM BE ADOPTED. Motion carried unanimously by voice vote. SEN. SQUIRES voted by proxy.
- Discussion:
- 01:54:03 Sen. Cocchiarella to John Huth, State Auditor's Office (SAO)
- 01:54:48 Sen. Tropila to John Huth, SAO
- 01:55:03 Motion/Vote: SEN. RYAN moved that AMENDMENT SB016102.APM BE ADOPTED. Motion carried unanimously by voice vote. SEN. SQUIRES voted by proxy.
- 01:55:27 Motion/Vote: SEN. BROWN moved that SB 161 DO PASS AS AMENDED. Motion carried 10-1 with SEN. BALYEAT voting no. SEN. SQUIRES voted by proxy.

ADJOURNMENT

Adjournment: 11:30 A.M.

SEN. VICKI COCCHIARELLA, Chairman

CLAUDIA JOHNSON, Secretary

VC/cj

Additional Exhibits:

EXHIBIT ([bus20aad.pdf](#))