

MINUTES

MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: By **CHAIRMAN VICKI COCCHIARELLA**, on February 21, 2007 at 8:00 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 524, 2/19/2007; SB 467,
2/19/2007; SB 468, 2/19/2007; SB
489, 2/19/2007; SB 474, 2/19/2007
Executive Action: SB 524, SB 475, SB 352, SB 455, SB
465

00:19:48 Chairwoman Cocchiarella

HEARING ON SB 524

Opening Statement by Sponsor:

00:21:19 **SEN. DAVID WANZENRIED (D), SD 49**, opened the hearing on **SB 524**, Revise brewery regulation and beer distribution laws.

EXHIBIT(bus39a01)

Proponents:

00:23:36 Shauna Helfert, Administrator, Liquor Division, Department of Revenue (DOR)

00:28:11 Brian Smith, Montana State Brewery Association

00:29:21 Kristi Blazer, Montana Beer and Wine Distributor's Association

EXHIBIT(bus39a02)

Opponents: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

00:31:25 Sen. Balyeat to Kristi Blazer, Montana Beer and Wine Distributors Association

00:32:39 Sen. Balyeat to Shauna Helfert, DOR

Closing by Sponsor:

00:34:41 Sen. Wanzenried

EXECUTIVE ACTION ON SB 524

00:35:30 **Motion:** **SEN. LARSON** moved that **SB 524 DO PASS.**

00:35:50 **Motion/Vote:** **SEN. LARSON** moved that **AMENDMENT SB052401.APM BE ADOPTED.** Motion carried unanimously by voice vote. **SEN. ESP** voted by proxy.

00:37:41 **Motion:** SEN. LARSON moved that SB 524 DO PASS AS AMENDED.

00:37:57 SEN. BALYEAT moved a CONCEPTUAL AMENDMENT BE ADOPTED then withdrew his motion.

Discussion:

00:38:18 Sen. Larson

00:38:36 Sen. Cocchiarella

00:38:59 Sen. Ryan

00:39:52 Sen. Cocchiarella

00:40:02 Sen. Brown

00:40:20 **Motion/Vote:** SEN. LARSON CALLED THE QUESTION ON SB 524 DO PASS AS AMENDED. Motion carried 10-1 by voice vote with SEN. BROWN voting no. Sen. Esp voted by proxy.

EXECUTIVE ACTION ON SB 475

00:42:12 **Motion:** SEN. LARSON moved that SB 475 DO PASS.

Discussion:

00:42:34 Sen. Brown

00:43:12 Sen. Jackson

00:44:47 Sen. Balyeat to Sen. Larson

00:51:42 Sen. Cocchiarella

00:51:53 Sen. Tropila

00:52:24 Sen. Balyeat to Sen. Cocchiarella

00:53:35 Sen. Larson

00:54:44 **Motion/Vote:** SEN. COCCHIARELLA moved that SB 475 DO PASS. Motion carried 6-5 by roll call vote with SEN. BALYEAT, SEN. BROWN, SEN. ESP, SEN. JACKSON, and SEN. STEINBEISSER voting no. SEN. ESP voted by proxy.

HEARING ON SB 467, SB 468, SB 489

Opening Statement by Sponsor:

00:57:10 **SEN. VICKI COCCHIARELLA (D), SD 47**, opened the hearing on **SB 467**, Revise membership and meetings of board of investments; **SB 468**, Move certain investment programs from board of investments to Dept. of Commerce; AND **SB 489**, Constitutional amendment, allow investment of public funds in corporate stock.

EXHIBIT (bus39a03)

EXHIBIT (bus39a04)

EXHIBIT (bus39a05)

Proponents: None.

Opponents:

01:13:44 Terrill Moore, Executive Vice President, First Interstate Bank

01:21:18 Carroll South, Chief CEO, Board of Investments (BOI)

Informational Testimony: None.

Questions from Committee Members and Responses:

01:34:09 Sen. Balyeat to Carroll South, BOI

01:42:38 Sen. Ryan to Carroll South, BOI

01:45:06 Sen. Brown to Carroll South, BOI

01:48:14 Sen. Smith to Carroll South, BOI

01:51:45 Sen. Jackson to Carroll South, BOI

01:54:49 Sen. Balyeat to Sen. Cocchiarella

01:59:17 Sen. Balyeat to Carroll South, BOI

02:07:49 Sen. Ryan to Terrill Moore, First Interstate Bank

02:09:27 Sen. Brown to Sen. Cocchiarella

02:16:44 Sen. Balyeat to Sen. Cocchiarella

02:21:08 Sen. Balyeat to Carroll South, BOI

Closing by Sponsor:

02:26:39 Sen. Cocchiarella

HEARING ON SB 474

Opening Statement by Sponsor:

02:39:58 **SEN. DAVID WANZENRIED (D), SD 49**, opened the hearing on **SB 474**, Revising State Fund's rate-setting to be under insurance code.

Proponents:

02:45:25 Larry Jones, Liberty Northwest Insurance

EXHIBIT (bus39a06)

02:54:41 Jacqueline Lenmark, American Insurance Association (AIA)

02:59:02 Don Judge, Montana Injured Workers Research Council (MIWRC)

03:00:11 Andrea Olsen, Montana Trial Lawyers Association

03:01:49 Larry Kibbee, Property Casualty Insurers Association of America (PCIAA)

Opponents:

03:02:07 Laurence Hubbard, President, Montana State Fund (MSF)

03:08:17 Nancy Butler, Montana State Fund (MSF)

03:11:54 John Youngberg, Montana Farm Bureau Federation

03:13:49 Riley Johnson, National Federation of Independent Business (NFIB)

03:15:25 Byron Roberts, Montana Building Industry Association

EXHIBIT (bus39a07)

03:17:17 Steve Pilcher, Montana Stockgrowers Association

03:17:53 Ed Heine, Payne Financial Group

03:18:24 Keith Olson, Montana Loggers Association

EXHIBIT (bus39a08)

03:18:40 Barry "Spook" Stang, Montana Motor Carriers Association

Informational Testimony:

03:19:05 Mary Kindberg, State Auditor's Office (SAO)

03:19:34 Stan Kaleczyc, National Council on Compensation Insurance (NCCI)

Questions from Committee Members and Responses:

03:20:39 Sen. Cocchiarella to Jacqueline Lenmark, AIA

03:21:41 Sen. Smith to Laurence Hubbard, President, MSF

03:24:47 Sen. Brown to Andrea Olson, State Auditor's Office

03:25:56 Sen. Brown to Laurence Hubbard, MSF

03:27:10 Sen. Esp to Sen. Wanzenried

03:28:31 Sen. Esp to Nancy Butler, MSF

03:29:36 Sen. Balyeat to Laurence Hubbard, MSF

03:34:40 Sen. Balyeat to Sen. Wanzenried

03:38:29 Sen. Cocchiarella to Jacqueline Lenmark, AIA

03:48:28 Sen. Balyeat to Sen. Wanzenried

03:50:28 Sen. Balyeat to Larry Jones, Liberty Northwest Insurance

03:51:24 Sen. Balyeat to Laurence Hubbard, MSF

03:54:20 Sen. Squires to Laurence Hubbard, MSF

03:56:24 Sen. Squires to Don Judge, MIWRC

Closing by Sponsor:

03:59:21 Sen. Wanzenried

EXECUTIVE ACTION ON SB 352

04:04:47 **Motion:** SEN. BROWN moved that SB 352 DO PASS.

Discussion:

04:04:56 **Motion:** SEN. BROWN moved that AMENDMENT SB035201.APM
BE ADOPTED.

EXHIBIT(bus39a09)

Discussion:

04:05:36 Sen. Brown

04:06:24 Sen. Cocchiarella to Pat Murdo, LSD

04:07:13 Sen. Balyeat to Pat Murdo, LSD

04:08:03 Sen. Cocchiarella to Sen. Brown

04:08:40 **Vote:** Motion carried 8-3 with SEN. LARSON, SEN. RYAN,
and SEN. SQUIRES voting no. SEN. TROPILA and SEN.
STEINBEISSER voted by proxy.

04:08:53 **Motion:** SEN. BROWN moved that SB 352 DO PASS AS
AMENDED.

Discussion:

04:10:25 Sen. Cocchiarella

04:10:41 Sen. Squires

04:11:10 Sen. Balyeat

04:13:35 **Motion/Vote:** SEN. SQUIRES called the question that SB
352 DO PASS AS AMENDED. Motion carried 6-5 by roll call
vote with SEN. BALYEAT, SEN. BROWN, SEN. ESP, SEN.
JACKSON, SEN. SMITH, and SEN. STEINBEISSER voting no.
SEN. TROPILA and SEN. STEINBEISSER voted by proxy.

EXECUTIVE ACTION ON SB 455

04:14:29 **Motion:** SEN. RYAN moved that SB 455 DO PASS.

Discussion:

04:16:33 Sen. Cocchiarella

04:16:59 Sen. Squires

04:18:49 Sen. Esp

04:19:05 Sen. Ryan

04:19:33 Sen. Smith

04:20:09 **Motion/Vote:** SEN. JACKSON moved that SB 455 BE TABLED.
Motion carried 8-3 by voice vote with SEN. LARSON,
SEN. RYAN and SEN. SQUIRES voting no. SEN. STEINBEISSER
and SEN. TROPILA voted by proxy.

EXECUTIVE ACTION ON SB 465

04:21:04 **Motion:** SEN. COCCHIARELLA moved that SB 465 DO PASS.

Discussion:

04:21:36 John Youngberg, Montana Farm Bureau Federation

04:22:19 **Motion:** SEN. COCCHIARELLA moved that AMENDMENT
SB046502.APM BE ADOPTED.

EXHIBIT (bus39a10)

Discussion:

04:23:10 Nancy Butler, MSF

04:23:42 **Vote:** Motion that AMENDMENT SB046502.APM BE ADOPTED
carried 10-0 by voice vote. SEN. STEINBEISSER
voted by proxy. SEN. TROPILA was absent.

04:24:05 **Motion:** SEN. COCCHIARELLA moved that SB 465 DO PASS AS
AMENDED.

Discussion:

04:24:55 Sen. Balyeat to Sen. Cocchiarella

04:26:00 Sen. Brown to Laurence Hubbard, MSF

04:28:10 **Motion/Vote:** SEN. COCCHIARELLA CALLED THE QUESTION ON
SB 465. Motion carried 10-0 by voice vote. SEN.
STEINBEISSER voted by proxy. SEN. TROPILA was
absent.

Discussion:

04:28:41 Sen. Cocchiarella

ADJOURNMENT

Adjournment: 12:45 P.M.

SEN. VICKI COCCHIARELLA, Chairman

CLAUDIA JOHNSON, Secretary

VC/cj

Additional Exhibits:

EXHIBIT ([bus39aad.pdf](#))