

**MINUTES**

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

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

**Call to Order:** By **CHAIRMAN VICKI COCCHIARELLA**, on March 27, 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: HJ 28, 3/21/2007; HB 738,  
3/21/2007; HB 786, 3/21/2007; HJ  
39, 3/21/2007  
Executive Action: HJ 39, HB 786, HB 738

00:02:08 Chairwoman Cocchiarella

**HEARING ON HJ 28**

**Opening Statement by Sponsor:**

00:02:57 **REP. JILL COHENOUR (D), HD 78**, opened the hearing on **HJ 28**, Study state business infrastructure.

**Proponents:**

00:04:41 Jim Kembel, American Institute of Architects (AIA)

00:05:10 Spook Stang, Executive Vice President, Montana Motor Carriers Association (MMCA)

**Opponents:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

00:06:09 Sen. Ryan to Rep. Cohenour

**Closing by Sponsor:**

00:06:43 Rep. Cohenour

**HEARING ON HB 738**

**Opening Statement by Sponsor:**

00:07:21 **REP. SCOTT MENDENHALL (R), HD 77**, opened the hearing on **HB 738**, Revise work comp law for claim closure and medical services rates.

**Proponents:**

00:14:19 Jerry Keck, Administrator, Employment Relations Division, Department of Labor and Industry (DLI)

**[EXHIBIT \(bus65a01\)](#)**

**[EXHIBIT \(bus65a02\)](#)**

00:27:58 Jon Bennion, Montana Chamber of Commerce (MCC)

- 00:29:10 Jason Todhunter, Montana Logging Association (MLA)
- 00:30:56 Bob Olson, Montana Hospital Association (MHA)
- 00:33:00 Jason Miller, Montana AFL-CIO
- 00:34:09 Riley Johnson, National Federation of Independent Business (NFIB)
- 00:35:17 Bob Worthington, Montana Municipal Insurance Authority
- 00:36:06 Mona Jamison, Montana Physical Therapy Association
- 00:37:45 Gail Abercrombie, Montana Contractor's Association (MCA)
- 00:38:23 Don Judge, Montana Injured Workers Resource Council, and Teamsters Local 190; also representing Andrea Olson, Montana Trial Lawyers Association
- 00:39:52 Jacqueline Lenmark, American Insurance Association (AIA)
- 00:41:10 Larry Kibbee, Property Casualty Insurers Association of America (PCIAA)
- 00:41:49 Spook Stang, Executive Vice President, Montana Motor Carriers Association
- 00:42:08 George Wood, Executive Secretary, Montana Self Insurers Association; also representing Shawn Bubb, Montana School Board Association
- 00:43:20 Nancy Butler, Montana State Fund (MSF)
- 00:44:05 Doug Nulle, Retired Attorney

**Opponents:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

- 00:45:25 Sen. Jackson to Rep. Mendenhall
- 00:47:03 Sen. Cocchiarella to Jerry Keck, DLI

**Closing by Sponsor:**

00:47:51 Rep. Mendenhall

**HEARING ON HB 786**

**Opening Statement by Sponsor:**

00:50:43 **REP. MARK BLASDEL (R), HD 10**, opened the hearing on **HB 786**, Exempt from work comp law certain motor carriers.

**Proponents:**

00:51:56 Spook Stang, Executive Vice President, Montana Motor Carriers Association

**EXHIBIT (bus65a03)**

**Opponents:** None.

**Informational Testimony:**

00:55:57 Nancy Butler, MSF

00:56:51 Jerry Keck, DLI

**Questions from Committee Members and Responses:**

00:58:30 Sen. Tropila to Rep. Blasdel

**Closing by Sponsor:**

00:59:11 Rep. Blasdel

**HEARING ON HJ 39**

**Opening Statement by Sponsor:**

00:59:41 **REP. RON ERICKSON (D), HD 93**, opened the hearing on **HJ 39**, Study economic development.

**Proponents:**

01:05:53 Dr. Walt Hill, Retired Professor of University of Montana (U of M)

**EXHIBIT (bus65a04)**

01:12:57 Bill Johnston, Montana University System

**Opponents:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

01:14:35 Sen. Jackson to Walt Hill, U of M

01:17:45 Sen. Balyeat to Rep. Erickson

01:18:30 Sen. Balyeat to Walt Hill, U of M

01:19:06 Sen. Esp

**Closing by Sponsor:**

01:20:35 Rep. Erickson

**EXECUTIVE ACTION ON HJ 39**

01:23:07 **Motion:** SEN. TROPILA moved that HJ 39 BE CONCURRED IN.

**Discussion:**

01:23:16 Sen. Balyeat

01:24:29 **Motion:** SEN. TROPILA withdrew his motion for HJ 39.

**EXECUTIVE ACTION ON HB 786**

01:24:44 **Motion:** SEN. SQUIRES moved that HB 786 BE CONCURRED IN.

**Discussion:**

01:25:02 Sen. Jackson

01:25:35 Sen. Cocchiarella to Sen. Jackson

01:28:02 Sen. Esp to Sen. Jackson

01:28:29 Sen. Cocchiarella

01:29:30 **Motion/Vote:** SEN. TROPILA moved that HB 786 BE CONCURRED IN. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 738

01:30:05 Motion: SEN. SQUIRES moved that HB 738 BE CONCURRED IN.

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Discussion:

01:30:14 Motion/Vote: SEN. ESP moved that AMENDMENT HB073803.APM BE ADOPTED. Motion carried unanimously by voice vote.

01:30:34 Motion/Vote: SEN. SQUIRES moved that HB 738 BE CONCURRED IN AS AMENDED. Motion carried unanimously by voice vote.

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Discussion:

01:31:59 Sen. Cocchiarella to Sen. Balyeat

01:32:09 Sen. Ryan to Sen. Esp

01:33:42 Sen. Squires

01:34:16 Sen. Cocchiarella

**ADJOURNMENT**

Adjournment: 10:35 A.M.

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SEN. VICKI COCCHIARELLA, Chairman

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CLAUDIA JOHNSON, Secretary

VC/cj

Additional Exhibits:

**EXHIBIT ([bus65aad.pdf](#))**