

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: CHAIRMAN JOE BALYEAT, on January 15, 2009 at 10 A.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Joe Balyeat, Chairman (R)
Sen. Verdell Jackson, Vice Chairman (R)
Sen. Gregory D. Barkus (R)
Sen. Roy Brown (R)
Sen. Jim Keane (D)
Sen. Carolyn Squires (D)
Sen. Donald J. Steinbeisser (R)
Sen. Sharon Stewart-Peregoy (D)
Sen. Joseph (Joe) Tropila (D)

Members Excused: Sen. Jim Peterson (R)
Sen. Jonathan Windy Boy (D)

Members Absent: None.

Staff Present: Linda Keim, 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 134, SB 194, 1/9/2009

Executive Action: SB 150

00:00:53 Chairman Balyeat

00:01:33 Pat Murdo, Legislative Services

[EXHIBIT \(bus09a01\)](#) pertaining to SB 144, 145: Hearing 1/14/09

[EXHIBIT \(bus09a02\)](#) pertaining to SB 137, 138, 144, 145: Hearing
1/14/09

[EXHIBIT \(bus09a03\)](#) pertaining to SB 145: Hearing 1/14/09

[EXHIBIT \(bus09a04\)](#) pertaining to SB 75: Hearing 1/14/09

HEARING ON SB 134

Opening Statement by Sponsor:

00:03:31 **SEN. DAVE LEWIS (R), SD 42**, opened the hearing on **SB 134**, Require notice of compliance from associations offering health plans.

Proponents' Testimony:

00:04:30 John Mudd, Executive Counsel, State Auditor's Office

00:07:23 Susan Witte, Vice President and General Counsel,
Allegiance Benefit Plan Management, Inc.

[EXHIBIT \(bus09a05\)](#)

00:08:48 Steve Turkiewicz, Montana Bankers Association

[EXHIBIT \(bus09a06\)](#)

00:13:22 Chelsea Fagen, Montana Chamber of Commerce

00:14:47 Bruce Spencer, Montana Automobile Dealers Association
also for Mary Mc Cue, American Dental Association

Opponents' Testimony:

00:15:30 Tanya Ask, New West Health Services (NWHS)

00:19:19 Brad Griffin, Montana Retail Association

00:20:47 Dennis Lopach, America's Health Insurance Plans

00:22:02 Riley Johnson, National Federation of Business (NFB)

Informational Testimony: None

Questions from Committee Members and Responses:

00:23:45 Sen. Barkus

00:25:27 John Mudd

00:26:20 Sen. Keane

00:26:49 Mr. Mudd

00:26:59 Sen. Keane

00:30:27 Christina Goe, Chief Legal Counsel, State Auditor's
Office

00:31:13 Chairman Balyeat

00:33:52 Tanya Ask
00:34:14 Sen. Squires
00:35:17 Ms. Goe
00:36:37 Chairman Balyeat
00:37:28 Mr. Mudd
00:38:20 Sen. Squires
00:42:21 Mr. Turkiewicz
00:42:59 Sen. Jackson
00:44:42 Ms. Goe
00:44:59 Chairman Balyeat

Closing by Sponsor:

00:45:37 Sen. Lewis

HEARING ON SB 194

Opening Statement by Sponsor:

00:49:10 **SEN. DAN MCGEE (R), SD 29**, opened the hearing on **SB 194**, Exempt land surveyors from public employee labor unions & collective bargaining.

Proponents' Testimony:

00:51:32 Dave Davis, Self, Professional Land Surveyor since 1974
00:52:21 Ralph Jones, Self, Professional Land Surveyor

Opponents' Testimony:

00:53:00 Robert Johnson, AFL/CIO
00:53:31 Terry Minow, MEA/MFT
00:55:41 Quintin Nyman, Executive Director, Public Employees Association
00:56:15 Keith Allen, International Brotherhood Electrical Workers, Local #233

Informational Testimony: None

Questions from Committee Members and Responses:

00:56:53 Sen. Jackson
00:57:32 Sen. McGee
01:00:06 Sen. Barkus
01:00:29 Mr. Jones
01:00:49 Sen. Barkus
01:02:21 Keith Allen
01:03:06 Sen. Steinbeisser
01:03:14 Sen. McGee

01:03:27 Sen. Stewart-Peregoy
01:04:15 Mr. Jones
01:05:07 Sen. Squires
01:05:20 Mr. Jones
01:05:50 Sen. Squires
01:09:20 Mr. Nyman
01:10:24 Sen. Keane
01:13:02 Ms. Minow

Closing by Sponsor:

01:13:46 Sen. McGee

01:15:45 Chairman Balyeat
01:15:55 Sen. McGee

EXECUTIVE ACTION ON SB 150

01:27:04 **Motion:** Sen. Keane moved **SB 150 DO PASS.**
EXHIBIT (bus09a07) Exhibit provided by Department of Labor and
Industry at the request of Chairman Balyeat

01:27:25 **Motion:** Sen. Keane moved **TO AMEND SB 150.**
EXHIBIT (bus09a08)

Discussion:

01:28:15 Sen. Keane
01:29:27 Sen. Barkus
01:29:35 Chairman Balyeat
01:29:48 Sen. Keane
01:30:51 Sen. Barkus
01:30:56 Chairman Balyeat
01:31:08 Sen. Brown
01:31:13 Pat Murdo, LSD
01:31:36 Sen. Barkus
01:32:05 Chairman Balyeat
01:32:29 Sen. Stewart-Peregoy
01:33:03 Chairman Balyeat
01:33:27 Roy Mulvaney, Administrator, Unemployment Insurance
Program
01:34:06 Chairman Balyeat
01:34:41 Mr. Mulvaney
01:34:46 Sen. Barkus

01:36:12 **Vote:** Motion failed 4-7 by roll call vote. Sen.
Keane, Sen. Squires, Sen. Tropila, and Sen. Windy Boy
voted aye. Sen. Peterson and Sen. Windy Boy voted by
proxy.

01:37:49 **Motion:** Sen. Keane moved **TO AMEND SB 150.**
[EXHIBIT \(bus09a09\)](#)

Discussion:

01:38:18 Ms. Murdo

01:40:34 **Vote:** Motion carried unanimously by voice vote, 11-0.
Sen. Peterson and Sen. Windy Boy voted by proxy.

01:40:56 **Motion:** Chairman Balyeat moved **TO AMEND SB 150.**
[EXHIBIT \(bus09a10\)](#)

01:41:25 Chairman Balyeat withdrew his motion.

01:41:54 **Motion:** Chairman Balyeat moved **TO AMEND SB 150.**
[EXHIBIT \(bus09a11\)](#)

Discussion:

01:42:28 Chairman Balyeat
01:44:50 Sen. Keane
01:45:20 Chairman Balyeat
01:45:52 Mr. Mulvaney

01:46:29 **Vote:** Motion carried unanimously by voice vote, 11-0.
Sen. Peterson and Sen. Windy Boy voted by proxy.

01:47:11 **Motion:** Chairman Balyeat moved **TO AMEND SB 150.**

Discussion:

01:47:50 Chairman Balyeat
01:49:12 Mr. Mulvaney
01:50:17 Chairman Balyeat withdrew the motion to amend.

01:50:36 **Motion/Vote:** Sen. Keane moved that SB 150 **DO PASS AS AMENDED.** Motion carried 9-2 by roll call vote, with Sen. Brown and Sen. Balyeat voting no. Sen. Peterson and Sen. Windy Boy voted by proxy.

ADJOURNMENT

Adjournment: 11:55 A.M.

LINDA KEIM, Secretary

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Additional Exhibits:

EXHIBIT ([bus09aad.pdf](#))