

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chairman Joe Balyeat, on February 13, 2009 at 8:30 A.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Joe Balyeat, Chairman (R)
Sen. Verdell Jackson, Vice Chairman (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. Gregory D. Barkus (R)
Sen. Roy Brown (R)
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 356, SB 363, SB 397, SB 410,
2/6/2009

Executive Action: SB 323, SB 335, SB 371

EXECUTIVE ACTION ON SB 323

00:01:31 **Motion:** Sen. Squires moved **SB 323 DO PASS.**

Discussion:

00:01:49 Sen. Squires

00:01:55 Chairman Balyeat

00:02:08 **Motion:** Sen. Squires moved **TO AMEND SB 323.**

EXHIBIT(bus34a01)

00:02:08 Sen. Barkus arrived.

Discussion:

00:02:46 Sen. Squires

00:02:49 Chairman Balyeat

00:02:57 **Vote:** Motion carried unanimously 11-0 by voice vote. Sen. Windy Boy, Sen. Peterson, and Sen. Brown voted by proxy.

00:03:22 **Motion:** Sen. Squires moved **TO FURTHER AMEND SB 323.**

EXHIBIT(bus34a02)

Discussion:

00:03:46 Chairman Balyeat

00:03:52 **Vote:** Motion carried unanimously 11-0 by voice vote. Sen. Windy Boy, Sen. Peterson, and Sen. Brown voted by proxy.

00:04:40 **Motion/Vote:** Sen. Squires moved **SB 323 DO PASS AS AMENDED.** Motion carried unanimously 11-0 by voice vote. Sen. Windy Boy, Sen. Peterson, and Sen. Brown voted by proxy.

EXECUTIVE ACTION ON SB 335

00:05:49 Chairman Balyeat

00:05:58 **Motion:** Chairman Balyeat moved **SB 335 DO PASS.**

00:06:29 **Motion:** Chairman Balyeat moved **TO AMEND SB 335.**

EXHIBIT(bus34a03)

00:06:30 Sen. Windy Boy arrived.

Discussion:

00:07:56 Sen. Squires

00:09:57 Pat Murdo

00:10:43 Sen. Keane

00:11:54 Chairman Balyeat

00:12:55 **Vote:** Motion carried unanimously 11-0 by voice vote.
Sen. Peterson and Sen. Brown voted aye by proxy.

00:13:16 **Motion/Vote:** Chairman Balyeat moved **SB 335 DO PASS AS AMENDED**. Motion carried 7-4 by roll call vote. Sen. Keane, Sen. Squires, Sen. Tropila, and Sen. Windy Boy voted no. Sen. Brown and Sen. Peterson voted by proxy.

EXECUTIVE ACTION ON SB 371

00:15:05 **Motion:** Sen. Barkus moved **SB 371 DO PASS**.

00:15:58 **Motion:** Sen. Jackson moved **TO AMEND SB 371**.
[EXHIBIT \(bus34a04\)](#)

Discussion:

00:16:49 Pat Murdo

00:18:23 Chairman Balyeat

00:21:39 Sen. Barkus

00:22:28 **Vote:** Motion carried unanimously 11-0 by voice vote. Sen. Peterson and Sen. Brown voted by proxy.

00:22:47 **Motion/Vote:** Sen. Barkus moved **SB 371 DO PASS AS AMENDED**. Motion carried 6-5 by roll call vote. Sen. Keane, Sen. Keane, Sen. Stewart-Peregoy, Sen. Tropila, and Sen. Windy Boy voted no. Sen. Peterson and Sen. Brown voted by proxy.

00:26:30 Recess

00:26:32 Resume

00:26:41 Chairman Balyeat

HEARING ON SB 397

Opening Statement by Sponsor:

00:27:22 Sen. Kim Gillan (D), SD 24, opened the hearing on SB 397, Revise payday & title loan law by capping interest rate & provide repayment plan.

EXHIBIT (bus34a05)

Proponents' Testimony:

00:31:00 Chris Peterson, law professor, University of Utah

EXHIBIT (bus34a06)

00:31:00 Sen. Barkus left the room.

00:36:40 Sen. Brown arrived.

00:38:44 Troy Smith, self, employed in Department of Justice, Office of Consumer Protection

00:41:32 Tim Robbins, Director of Counseling, Consumer Counseling of Montana

EXHIBIT (bus34a07)

00:45:45 Andy Heiman, AARP Montana

EXHIBIT (bus34a08)

00:47:20 Aiden Myhre, Montana Community Foundation, also brought letter from Montana Catholic Conference

EXHIBIT (bus34a09)

00:48:12 Linda Gryczan, Business and Professional Women

00:48:59 Jamee Greer, Montana Human Rights Network

00:49:32 Sheena Rice, Montana Public Interest Research Group (MONTPIRG) and University of Montana students

00:50:05 Mary Kay Craig, self, Butte representing victims

EXHIBIT (bus34a10)

00:52:35 Sen. Barkus returned.

00:52:40 Sen. Windy Boy left the room.

00:53:18 Ted Dick, Service Employees International Union (SEIU) Healthcare

00:54:07 Ali Bovingdon, Attorney General's office

Opponents' Testimony:

00:55:41 Bernie Harrington, President, Montana Financial
Service Centers Association

EXHIBIT (bus34a11)

01:11:46 Riley Johnson, Community Financial Services of America

EXHIBIT (bus34a12)

01:17:25 Kaitlin Lopez, Manager, Montana Title Loans, Helena

EXHIBIT (bus34a13)

01:18:05 Roxanne Bollinger, self, teacher

01:19:54 Darel Graves, self, attorney

01:21:39 Lillian Tovey, self

EXHIBIT (bus34a14)

01:23:55 Athena Mercer, Area Manager, Montana Title Loan

01:24:43 Jessie Luther, Select Management Resources

EXHIBIT (bus34a15)

01:29:29 Mark Staples, Montana Title Loans

01:35:46 Shelley Gould, owner, Pay Day Loan, Kalispell

01:37:13 Judy Will, Cash Advantage

EXHIBIT (bus34a16)

01:39:51 J. D. Lynch, Montana Financial Service Centers
Association

Informational Testimony:

01:43:15 Annie Goodwin, Commissioner, Banking and Financial
Institutions Division, Department of Labor and Industry

Questions from Committee Members and Responses:

01:44:02 Sen. Squires

01:44:47 Sen. Gillan

01:46:19 Sen. Squires

01:47:20 Tim Robbins

01:48:15 Chairman Balyeat

01:53:13 Chris Peterson

01:53:34 Chairman Balyeat

01:56:49 Troy Smith

01:56:59 Sen. Stewart-Peregoy

01:57:14 Chris Peterson

02:00:29 Sen. Barkus

02:03:06 Annie Goodwin

02:03:43 Chairman Balyeat
02:03:47 Annie Goodwin
02:04:03 Sen. Keane
02:04:23 Annie Goodwin
02:04:29 Sen. Squires
02:05:11 Chris Peterson
02:07:14 Chairman Balyeat
02:07:35 Chris Peterson
02:08:00 Chairman Balyeat
02:09:28 Bernie Harrington
02:09:36 Chairman Balyeat
02:09:40 Annie Goodwin
02:09:55 Sen. Keane
02:11:25 Bernie Harrington
02:11:43 Sen. Tropila
02:11:51 Mark Staples
02:12:28 Sen. Windy Boy
02:13:07 Bernie Harrington
02:14:33 Sen. Windy Boy
02:14:39 Chris Peterson

02:15:17 Sen. Jackson returned.

02:17:17 Chairman Balyeat
02:17:42 Chris Peterson

Closing by Sponsor:

02:19:02 Sen. Gillan
[EXHIBIT \(bus34a17\)](#)

02:25:04 Sen. Balyeat

02:25:21 Recess
02:32:00 Resume

HEARING ON SB 363

Opening Statement by Sponsor:

02:32:22 Sen. Sharon Stewart-Peregoy (D), SD 21, opened the hearing on SB 363, Exempt speaking at public function from work comp covered employment.

Proponents' Testimony:

02:36:15 Gwen Anderson, Business Manager, Browning Public Schools

02:39:51 Mary Johnson, Superintendent of Schools, Browning
02:43:29 Shawn Bubb, Director of Insurance Services, Montana
School Board Association

02:45:16 Ann Gilkey, Office of Public Instruction
02:46:05 Sen. Denise Juneau, SD 8, Browning

Opponents' Testimony:

02:45:49 Jason Miller, Teamsters and Carpenters Union
02:47:10 Don Judge, Montana Injured Workers Resource Council

Informational Testimony:

02:49:41 Jerry Keck, Administrator, Employment Relations
Division, Department of Labor and Industry (DOLI)

EXHIBIT (bus34a18)

02:52:38 Kevin Braun, Montana State Fund

Questions from Committee Members and Responses:

02:52:55 Sen. Jackson
02:54:29 Jerry Keck
02:54:47 Chairman Balyeat
02:55:27 Jerry Keck
02:56:18 Sen. Barkus
02:58:40 Sen. Stewart-Peregoy
02:58:54 Sen. Keane
03:00:50 Shaun Bubb
03:01:05 Chairman Balyeat
03:03:03 Shaun Bubb
03:03:17 Sen. Barkus
03:03:25 Shaun Bubb
03:03:43 Pat Murdo
03:04:18 Chairman Balyeat
03:04:22 Shaun Bubb
03:04:33 Sen. Squires
03:05:22 Shaun Bubb
03:06:30 Chairman Balyeat

Closing by Sponsor:

03:07:00 Sen. Stewart-Peregoy

HEARING ON SB 356

Opening Statement by Sponsor:

03:08:46 Sen. Ryan Zinke (R), SD 2, opened the hearing on SB 356, Licensure for manufactured housing dealers.

Proponents' Testimony:

03:10:46 Josh Wallery, owner, Mountain West Home Sales, Board Member, Manufactured Housing Association.

03:14:52 Stuart Doggett, Montana Manufactured Housing and RV Association

EXHIBIT (bus34a19)

Opponents' Testimony: None

Informational Testimony:

03:15:54 Brenda Nordlund, Acting Director, Motor Vehicle Division, Department of Justice (DOJ)

Questions from Committee Members and Responses:

03:16:57 Sen. Keane
03:17:02 Brenda Nordlund
03:17:40 Sen. Brown
03:18:16 Brenda Nordlund
03:18:23 Sen. Brown
03:18:27 Stuart Doggett
03:19:24 Chairman Balyeat
03:26:44 Stuart Doggett
03:26:59 Sen. Barkus
03:27:54 Stuart Doggett
03:28:05 Sen. Brown
03:28:19 Stuart Doggett

Closing by Sponsor:

03:28:38 Sen. Zinke

HEARING ON SB 410

Opening Statement by Sponsor:

03:30:41 Sen. John Brueggeman (R), SD 6, opened the hearing on SB 410, Revise definition of interest on credit transactions and consumer loans.

Proponents' Testimony:

03:31:45 Jerry Loendorf, Consumer Finance Association

03:41:26 Amy Grmoljez, Montana Bankers Association

03:41:41 Clyde Daily, Montana Credit Union Network

Opponents' Testimony: None

Informational Testimony:

03:42:11 Annie Goodwin, Commissioner of Banking and Financial Institutions, Department of Administration (DOA)

Questions from Committee Members and Responses:

03:42:36 Sen. Keane

03:44:03 Annie Goodwin

03:44:09 Sen. Barkus

03:44:26 Sen. Brueggeman

03:45:24 Sen. Barkus

03:45:27 Jerry Loendorf

03:46:34 Chairman Balyeat

03:47:04 Sen. Barkus

03:47:11 Annie Goodwin

03:47:16 Sen. Barkus

03:50:41 Chris Olson, Deputy Commissioner, Division of Banking and Financial Institutions, (DOA

)

03:51:50 Sen. Windy Boy returned.

Closing by Sponsor:

03:52:12 Sen. Brueggeman

03:52:51 Sen. Balyeat

EXHIBIT (bus34a20) Pertains to SB 373 heard 2/12/09.

EXHIBIT (bus34a21) Pertains to SB 122 heard 2/6/09.

ADJOURNMENT

Adjournment: 12:25 P.M.

Linda Keim, Secretary

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Additional Documents:

EXHIBIT ([bus34aad.pdf](#))