

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chairman Joe Balyeat, on February 18, 2009 at 8 P.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Joe Balyeat, Chairman (R)
Sen. Verdeell 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. Joseph (Joe) Tropila (D)

Members Excused: Sen. Jim Peterson (R)
Sen. Sharon Stewart-Peregoy (D)
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 438, SB 416, SB 388, SB 398
2/9/2009

Executive Action: SB 397, SB 389

HEARING ON SB 438

Opening Statement by Sponsor:

00:01:40 Sen. Carol Juneau (D), SD 8, opened the hearing on SB 438, Regulate sale of alcoholic energy drinks.

EXHIBIT (bus38a01)

Proponents' Testimony:

00:07:31 Patricia Welch and Honey Davis, Blackfeet Nation
00:15:25 Anna Whiting Sorrell, Director, Department of Public Health and Human Services (DPHHS)
00:19:13 Tony Herbert, Executive Director, Montana Brewers Association
00:19:52 Kris Minard, self, Clancy

EXHIBIT (bus38a02)

00:24:02 Michael Des Rosier, Chairman, Glacier County Commissioners
00:28:43 Linda Stoll, Association of Montana Public Health Officials

Opponents' Testimony: None

Informational Testimony:

00:29:29 Shauna Helfert, Administrator, Liquor Control Division, Department of Revenue (DOR)

Questions from Committee Members and Responses:

00:31:03 Chairman Balyeat
00:31:57 Shauna Helfert
00:33:15 Chairman Balyeat
00:34:13 Linda Stoll
00:35:23 Sen. Squires
00:37:24 Shauna Helfert

Closing by Sponsor:

00:38:11 Sen. Juneau
00:38:30 Sen. Stewart-Peregoy arrived.

HEARING ON SB 416

Opening Statement by Sponsor:

00:40:16 Sen. Rick Laible (R), SD 44, opened the hearing on SB 416, Encourage construction of affordable housing.

Proponents' Testimony:

00:48:46 Linda Stoll, Montana Area Agencies on Aging

00:53:31 Mike McGinley, County Commissioner, Beaverhead County

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:55:57 Sen. Brown

00:57:13 Sen. Laible

00:59:08 Chairman Balyeat

01:00:29 Sen. Laible

01:02:42 Sen. Squires

01:08:34 Sen. Laible

01:08:48 Chairman Balyeat

01:08:59 Sen. Laible

Closing by Sponsor:

01:09:57 Sen. Laible

HEARING ON SB 388

Opening Statement by Sponsor:

01:12:16 Sen. Kim Gillan (D), SD 24, opened the hearing on SB 388, Incumbent workforce training.

Proponents' Testimony:

01:15:19 Michael O'Rourke, Co-Director, Montana Business Expansion and Retention (BEAR) Program

EXHIBIT (bus38a03)

01:20:09 Gloria O'Rourke, Co-Director, Montana BEAR Program

EXHIBIT (bus38a04)

01:20:58 Mike McGinley, Commissioner, Beaverhead County

01:23:09 Linda Beck, Director, Business Outreach and
Recruitment, Yellowstone County

Note: Chairman Balyeat left the room and Sen. Jackson assumed
the Chair position.

01:24:46 Jon Bennion, Montana Chamber of Commerce

01:25:31 Kathy Moody, BEAR Program, Billings

01:26:09 Gary Amestoy, Richland County Economic Development
Corporation

01:27:28 Bruce MacIntyre, Billings Chamber of Commerce

[EXHIBIT \(bus38a05\)](#)

01:32:33 Vanessa Clark, Great Falls Chamber of Commerce

[EXHIBIT \(bus38a06\)](#)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:34:08 Sen. Tropila

01:34:26 Vanessa Clark

01:34:48 Sen. Squires

01:36:44 Mike McGinley

01:38:14 Sen. Squires

01:42:34 Sen. Gillan

01:42:41 Vice Chair Jackson

01:43:34 Sen. Gillan

01:43:48 Vice Chair Jackson

01:44:59 Bruce MacIntyre

01:45:09 Sen. Squires

01:45:14 Bruce MacIntyre

01:45:39 Vice Chair Jackson

01:45:52 Bruce MacIntyre

01:46:10 Sen. Tropila

01:46:22 Bruce MacIntyre

01:46:41 Sen. Keane

01:50:00 Sen. Gillan

Closing by Sponsor:

01:50:20 Sen. Gillan

[EXHIBIT \(bus38a07\)](#)

01:53:32 Vice Chairman Jackson

01:54:15 Recess

02:02:06 Resume

HEARING ON SB 398

Opening Statement by Sponsor:

02:02:11 Sen. Ryan Zinke (R), SD 2, opened the hearing on SB 398, Revise work comp and unemployment law.

Note: Sen. Balyeat returned and assumed the Chair.

Proponents' Testimony:

02:07:02 Brad Griffin, Montana Restaurant Association
02:12:18 Mark Anderlik, Executive Officer, UNITE HERE Local #427
02:14:11 Jon Bennion, Montana Chamber of Commerce
02:14:27 Riley Johnson, National Federation of Independent Business (NFIB)
02:14:38 Bruce MacIntyre, Billings Chamber of Commerce
02:14:49 Robert Johnson, Montana AFL-CIO

EXHIBIT (bus38a08)

Opponents' Testimony:

02:15:13 Don Judge, Montana Injured Workers Resource Council

Informational Testimony:

02:19:19 Jerry Keck, Administrator, Employment Relations Division, Department of Labor and Industry (DOLI)
02:19:38 Don Gilbert, Unemployment Insurance Division, DOLI
02:19:52 Nancy Butler, Montana State Fund

Questions from Committee Members and Responses:

02:20:37 Sen. Keane
02:20:43 Brad Griffin
02:21:03 Sen. Keane
02:21:06 Mark Anderlik
02:21:22 Sen. Barkus
02:22:50 Don Judge
02:23:12 Sen. Barkus
02:26:27 Jerry Keck
02:27:01 Sen. Stewart-Peregoy
02:27:37 Jerry Keck
02:27:46 Sen. Stewart-Peregoy
02:27:53 Mark Anderlik
02:28:25 Chairman Balyeat

02:29:47 Don Judge
02:29:57 Chairman Balyeat
02:34:50 Don Gilbert

Closing by Sponsor:

02:35:10 Sen. Zinke

02:37:00 Break

Note: Sen. Windy Boy arrived. Sen. Brown, Sen. Jackson, Sen. Peterson and Sen. Steinbeisser were not present.

EXECUTIVE ACTION ON SB 397

02:39:24 **Motion:** Sen. Keane moved **SB 397 DO PASS.**

02:41:12 **Motion:** Sen. Keane moved **TO AMEND SB 397.**
EXHIBIT(bus38a09)

Discussion:

02:41:45 Pat Murdo
02:43:37 Chairman Balyeat
02:45:12 Pat Murdo
02:45:37 Sen. Keane

02:45:52 **Vote:** Motion failed 2-9 by roll call vote. Sen. Squires and Sen. Balyeat voted aye. Sen. Brown, Sen. Steinbeisser, Sen. Jackson and Sen. Peterson voted by proxy.

02:49:15 Sen. Brown returned.

Discussion:

02:49:17 Sen. Keane
02:50:09 Sen. Barkus
02:50:51 Sen. Squires
02:51:21 Chairman Balyeat

02:51:31 **Vote:** Motion failed 2-9 by roll call vote. Sen. Squires and Sen. Windy Boy voted aye. Sen. Peterson, Sen. Steinbeisser, and Sen. Jackson voted by proxy.

02:52:15 **Motion/Vote:** Chairman Balyeat moved that **SB 397 BE TABLED AND THE VOTE REVERSED.** Without objection, the vote was reversed and the bill was tabled by unanimous agreement of those present.

EXECUTIVE ACTION ON SB 389

02:54:38 **Motion:** Sen. Squires moved **SB 389 DO PASS.**

02:54:47 **Motion:** Sen. Squires moved **TO AMEND SB 389.**
EXHIBIT(bus38a10)

02:54:49 Sen. Steinbeisser returned.

Discussion:

02:55:54 Chairman Balyeat

02:56:20 Sen. Squires

02:56:37 Pat Murdo

02:57:18 Sen. Squires

02:57:21 Chairman Balyeat

02:57:56 Sen. Squires

02:59:13 Sen. Barkus

02:59:59 Sen. Squires

03:00:18 Chairman Balyeat

03:01:33 Sen. Squires

03:01:41 **Vote:** Motion carried 9-2 by roll call vote. Sen. Brown and Sen. Balyeat voted no. Sen. Peterson voted by proxy.

03:03:17 **Motion/Vote:** Sen. Squires moved **TO FURTHER AMEND SB 389.** Motion carried unanimously 11-0 by voice vote. Sen. Peterson voted by proxy.

EXHIBIT(bus38a11)

03:04:53 **Motion:** Chairman Balyeat moved **TO FURTHER AMEND SB 389.** Motion carried unanimously 11-0 by voice vote. Sen. Peterson voted by proxy.

EXHIBIT(bus38a12)

Discussion:

03:05:19 Chairman Balyeat

03:06:30 Sen. Squires

03:07:21 Chairman Balyeat

03:08:09 Sen. Squires

03:08:39 Sen. Barkus

03:09:25 Pat Murdo

03:09:44 **Vote:** Motion carried 10-1 by voice vote. Sen. Windy Boy voted no. Sen. Peterson voted by proxy.

03:10:08 **Motion:** Sen. Squires moved **SB 389 DO PASS AS AMENDED.**

Discussion:

03:10:25 Sen. Squires

03:11:01 Sen. Jackson

03:11:45 Chairman Balyeat

03:13:23 **Vote:** Motion failed 3-8 by roll call vote. Sen. Squires, Sen. Tropila, and Sen. Windy Boy voted aye. Sen. Peterson voted by proxy.

03:15:05 **Motion/Vote:** Chairman Balyeat moved that **SB 389 BE TABLED AND THE VOTE REVERSED.** Without objection, the vote was reversed and the bill was tabled by unanimous agreement of those present.

03:17:00 Chairman Balyeat

ADJOURNMENT

Adjournment: 11:20 A.M.

Linda Keim, Secretary

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Additional Documents:

EXHIBIT ([bus38aad.pdf](#))