

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chairman Joe Balyeat, on March 20, 2009 at 9 A.M.,
in Room 422 Capitol

ROLL CALL

Members Present:

Sen. Joe Balyeat, Chairman (R)
Sen. Verdell Jackson, Vice Chairman (R)
Sen. Roy Brown (R)
Sen. Jim Keane (D)
Sen. Donald J. Steinbeisser (R)
Sen. Joseph (Joe) Tropila (D)

Members Excused: Sen. Gregory D. Barkus (R)
Sen. Jim Peterson (R)
Sen. Carolyn Squires (D)
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: HB 404, HB 451, HB 544, 3/13/2009

Executive Action: HB 412, HB 378, HB 567 (partial),
HB 390 (partial)

EXECUTIVE ACTION ON HB 412

00:01:52 **Motion:** Sen. Steinbeisser moved that **HB 412 BE CONCURRED IN.**

00:02:15 **Motion:** Sen. Keane moved **TO AMEND HB 412.**
EXHIBIT (bus62a01)

Discussion:

00:02:49 Sen. Keane

00:03:16 Pat Murdo

00:03:43 **Substitute Motion/Vote:** Chairman Balyeat made a substitute motion that **HB 412 BE AMENDED** by segregating the amendments (Exhibit 1) and voting on #1, #4, #5. Motion carried unanimously 11-0 by voice vote. Sen. Peterson, Sen. Barkus, Sen. Squires, Sen. Stewart-Peregoy, and Sen. Windy Boy voted by proxy.

00:04:26 **Motion:** Chairman Balyeat moved that **HB 412 AS AMENDED BE CONCURRED IN.**

00:04:46 Pat Murdo

00:04:50 **Substitute Motion:** Sen. Keane made a substitute motion that **HB 412 AS AMENDED BE FURTHER AMENDED** by segregating the amendments (Exhibit 1) and voting on #2 and #3.

Discussion:

00:05:16 Sen. Keane

00:05:48 Chairman Balyeat

00:05:52 Sen. Keane

00:05:53 Sen. Barkus arrived.

00:05:56 Sen. Jackson

00:06:27 Sen. Brown

00:07:10 Chairman Balyeat

00:07:57 Pat Murdo

00:08:31 Chairman Balyeat

00:08:53 Sen. Brown

00:09:05 Sen. Keane

00:09:50 Chairman Balyeat

00:10:00 **Vote:** Motion on amendment failed 5-6 by roll call vote. Sen. Keane, Sen. Squires, Sen. Stewart-Peregoy, Sen. Tropila, and Sen. Windy Boy voted aye. Sen. Squires, Sen. Peterson, Sen. Stewart-Peregoy, and Sen. Windy Boy voted by proxy.

00:12:09 **Vote:** Motion on HB 412 AS AMENDED carried unanimously 11-0 by voice vote. Sen. Peterson, Sen. Squires, Sen. Stewart-Peregoy, and Sen. Windy Boy voted by proxy. Sen. Barkus will carry the bill on the Senate floor.

EXECUTIVE ACTION ON HB 378

00:13:00 Chairman Balyeat

00:13:20 **Motion:** Sen. Tropila moved that **HB 378 BE CONCURRED IN.**

Discussion:

00:13:39 Sen. Jackson

00:14:05 Chairman Balyeat

00:14:51 **Vote:** Motion carried 10-1 by voice vote. Sen. Keane voted no. Sen. Squires, Sen. Peterson, Sen. Stewart-Peregoy, and Sen. Windy Boy voted by proxy. Sen. Wanzonried will carry the bill on the Senate floor.

EXECUTIVE ACTION ON HB 567

00:16:08 **Motion:** Sen. Barkus moved that **HB 567 BE CONCURRED IN.**

00:16:32 **Motion:** Sen. Brown moved **TO AMEND HB 567.**

EXHIBIT (bus62a02)

Discussion:

00:17:00 Chairman Balyeat

00:17:31 Pat Murdo

00:17:37 **Vote:** Motion carried unanimously 11-0 by voice vote. Sen. Squires, Sen. Peterson, Sen. Stewart-Peregoy, and Sen. Windy Boy voted by proxy.

00:17:59 **Motion:** Sen. Keane moved that **HB 567 AS AMENDED BE CONCURRED IN.**

Discussion:

00:18:33 Sen Tropila
00:18:36 Sen. Keane
00:18:58 Sen. Barkus
00:19:42 Sen. Jackson
00:21:28 Sen. Tropila
00:21:42 Chairman Balyeat
00:21:50 Pat Murdo
00:22:10 Chairman Balyeat
00:24:59 Sen. Keane
00:25:50 Sen. Barkus
00:26:45 Chairman Balyeat
00:27:13 Sen. Brown
00:28:32 Sen. Barkus
00:29:49 Chairman Balyeat
00:29:53 Pat Murdo
00:31:24 Sen. Barkus
00:32:01 Sen. Brown
00:32:37 Sen. Steinbeisser
00:32:47 Pat Murdo
00:33:22 Chairman Balyeat
00:36:12 Sen. Jackson
00:36:34 Chairman Balyeat
00:36:41 Sen. Jackson
00:37:24 Pat Murdo
00:37:55 Sen. Brown
00:38:04 Chairman Balyeat

00:38:25 Sen. Keane withdrew his motion on HB 567 AS AMENDED.

Note: The Committee wants to get more information
before proceeding with HB 567.

00:38:54 Chairman Balyeat

Discussion on HB 390:

00:39:47 Chairman Balyeat
00:41:46 Pat Murdo

EXHIBIT (bus62a03)

00:42:19 Chairman Balyeat
00:42:43 Sen. Brown
00:43:03 Pat Murdo
00:43:51 Chairman Balyeat
00:44:55 Pat Murdo
00:45:01 Sen. Tropila
00:45:13 Pat Murdo
00:45:31 Sen. Keane

00:46:00 Pat Murdo
00:48:06 Chairman Balyeat
00:48:15 Sen. Keane
00:48:37 Chairman Balyeat

00:49:12 Recess
00:58:23 Resume

Note: Sen. Jackson assumed the position of Chair.

HEARING ON HB 544

Opening Statement by Sponsor:

00:59:28 Rep. Chas Vincent (R), HD 2, opened the hearing on HB 544, Require disability insurers to refund prepaid premiums without fees or penalties.

EXHIBIT (bus62a04)

Proponents' Testimony:

01:01:21 Susan Witte, Allegiance Life and Health Insurance; also speaking for Tanya Ask, New West Insurance, and Dennis Lopach, America's Health Insurance Plans

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:03:07 Rep. Vincent

HEARING ON HB 451

Opening Statement by Sponsor:

01:04:20 Rep. Bob Ebinger (D), HD 62, opened the hearing on HB 451, Require disclosure and warranties by builder or developer of new residences.

EXHIBIT (bus62a05)

Proponents' Testimony:

01:07:02 Rick Hill, Montana Building Industry Association
01:10:56 Byron Roberts, retired Helena home builder, Montana
Building Industry Association (MBIA)
01:14:02 Jack Walsh, Helena Building Industry Association
01:15:52 Glen Oppel, Montana Association of Realtors

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:16:35 Sen. Brown
01:18:17 Rick Hill
01:18:37 Sen. Tropila
01:18:41 Byron Roberts
01:18:53 Vice Chairman Jackson
01:18:59 Rep. Ebinger
01:19:13 Vice Chairman Jackson
01:20:54 Rick Hill
01:21:49 Sen. Keane
01:21:54 Rick Hill
01:22:30 Vice Chairman Jackson
01:23:11 Byron Roberts

Closing by Sponsor:

01:23:46 Rep. Ebinger

HEARING ON HB 404

Opening Statement by Sponsor:

01:28:34 Rep. Michele Reinhart (D), HD 97, opened the hearing on
HB 404, Uniform standards for certificates of survey
and final subdivision plats.

Proponents' Testimony:

01:30:09 Myra Shults, land use attorney consultant, Montana
Association of Counties
01:31:25 Sen. Dan McGee, SD 29
01:32:09 Joe Roberts, Montana Association of Registered Land
Surveyors (MARLS) and former Senator
01:32:30 Tim Davis, Montana Smart Growth Coalition

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:33:06 Vice Chairman Jackson

01:33:39 Joe Roberts

01:34:11 Sen. Tropila

Closing by Sponsor:

01:34:47 Rep. Reinhart

01:35:24 Vice Chairman Jackson

ADJOURNMENT

Adjournment: 10:38 A.M.

Linda Keim, Secretary

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Additional Documents:

EXHIBIT ([bus62aad.pdf](#))