

## **MINUTES**

### **MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION**

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

**Call to Order:** Chair Joe Balyeat, on February 4, 2011 at 10:00 A.M., in Room 422  
Capitol

#### **ROLL CALL**

**Members Present:**

Sen. Joe Balyeat, Chair (R)  
Sen. Verdell Jackson, Vice Chair (R)  
Sen. Tom Facey (D)  
Sen. Carmine Mowbray (R)  
Sen. Donald J. Steinbeisser (R)  
Sen. Sharon Stewart-Peregoy (D)  
Sen. Gene Vuckovich (D)

**Members Excused:** Sen. Frederick "Eric" Moore (R)  
Sen. Mitch Tropila (D)  
Sen. Bruce Tutvedt (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 242, 2/1/2011; SB 256, 2/1/2011

Executive Action: SB 256 Do Pass

**HEARING ON SB 242**

**Opening Statement by Sponsor:**

00:01:11 Sen. John Brenden (R), SD 18, opened the hearing on SB 242, Lower renewal fee for independent contractors.

**Proponents' Testimony:** None

**Opponents' Testimony:**

00:06:19 Jerry Keck, Administrator, Employment Relations, Department of Labor and Industry (DOLI)

**EXHIBIT(bus28a01)**

**EXHIBIT(bus28a02)**

00:14:23 Jason Miller, Teamsters Local #190

00:16:39 Cary Hegreberg, Montana Contractors Association (MCA)

00:18:33 Dustin Stewart, Montana Building Industry Association (MBIA)

00:19:56 Bob Worthington, Montana Self Insurers Association (MSIA), Montana Contractors Compensation Foundation (MCCF)

00:21:40 Riley Johnson, National Association of Independent Businesses (NAIB), Montana State Chamber of Commerce (MSCC)

00:24:17 Carl Schweitzer, Montana Sub-Contractors Association (MSCA)

00:25:05 Barry 'Spook' Stang, Motor Carriers Association (MCA)

00:25:45 Vicki Cocchiarella, self

00:28:21 Nancy Butler, Montana State Fund (MSF)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:29:22 Sen. Jackson

00:31:25 Mr. Keck, DOLI

00:31:44 Chairman Balyeat

00:32:38 Mr. Keck

00:32:53 Sen. Vuckovich

00:36:20 Mr. Worthington, MSIA

00:36:44 Chairman Balyeat

00:43:06 Mr. Keck

00:43:25 Sen. Facey

00:43:45 Sen. Jackson

00:44:38 Mr. Keck

00:45:26 Chairman Balyeat

00:45:31 Sen. Mowbray

00:45:47 Sen. Facey

**Closing by Sponsor:**

00:46:12 Sen. Brenden

00:51:37 Chairman Balyeat

**HEARING ON SB 256**

**Opening Statement by Sponsor:**

00:52:33 Sen. Kim Gillan (D), SD 24, opened the hearing on SB 256, Revise laws relating to real estate brokers.

**Proponents' Testimony:**

00:54:51 Jaymie Bowditch, General Counsel, Montana Association of Realtors (MAR), Missoula

**EXHIBIT(bus28a03)**

00:57:21 Dan Wagner, Montana Association of Realtors (MAR), Billings

00:58:56 Zane Sullivan, Missoula Attorney

**Opponents' Testimony:** None

**Informational Testimony:**

01:04:42 Jeannie Worsech, Department of Labor and Industry (DOLI), Board of Business and Occupational Licensing

**Questions from Committee Members and Responses:**

01:05:15 Sen. Facey  
01:05:59 Mr. Sullivan, Attorney  
01:06:24 Sen. Mowbray  
01:06:55 Mr. Sullivan  
01:07:52 Sen. Jackson  
01:09:27 Mr. Sullivan

**Closing by Sponsor:**

01:09:37 Sen. Gillan  
01:10:19 Chairman Balyeat

**EXECUTIVE ACTION ON SB 256**

01:10:44 **Motion/Vote:** Sen. Mowbray moved that **SB 256 DO PASS**. Motion carried unanimously by voice vote. Sen. Tropila, Sen. Tutvedt and Sen. Windy Boy voted by proxy.

01:10:55 Chairman Balyeat

**ADJOURNMENT**

Adjournment: 11:13 A.M.

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Linda Keim, Secretary

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Additional Documents:

**EXHIBIT([bus28aad.pdf](#))**