

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chair Joe Balyeat, on March 8, 2011 at 9:00 AM, in Room 422 Capitol

ROLL CALL

Members Present:

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

Members Excused: 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: HB 300, 3/2/2011; HB 118, 3/2/2011; HB 419; 3/2/2011

Executive Action: HB 419, Do Concur; HB 118, Do Concur; HB 29; Do Concur As Amended; HB 94, Do Concur As Amended.

HEARING ON HB 300

Opening Statement by Sponsor:

00:01:03 Rep. Kelly Flynn (R), HD 68, opened the hearing on HB 300, Allow more than 8 hour workday for certain industries if agreed to.

Proponents' Testimony:

00:04:02 Bud Clinch, Executive Director, Montana Coal Council (MCC)

00:08:51 Todd O'Hair, Cloud Peak Energy

EXHIBIT(bus52a01)

00:12:07 Steve Wade, Montana Contractors Association (MCA)

00:13:20 Chris Cavazos, Political Director, Montana American Federation of Labor-Congress of Industrial Organizations (AFL-CIO)

00:13:50 Jason Ellis, Plant Manager, Graymont Mine

00:15:28 Dave Cornor, laborer, safety director, Graymont

00:16:57 Dan Zipperian, Graymont

00:17:48 Steve Gross, Assistant Business Manager, International Union of Operating Engineers (IUOE) Local #400

00:18:56 Terry Minow, Montana Education Association-American Federation of Teachers (MEA-MFT)

00:19:32 Joseph Sands, Montana State Council of Professional Firefighters (MSCOPFF)

00:19:53 Don Judge, Boilermakers Local D239, Trident and Three Forks

Opponents' Testimony:

00:24:02 Margaret Morgan, Holcim Trident

Informational Testimony: None

Questions from Committee Members and Responses:

00:28:48 Sen. Tropila

00:28:53 Mr. Judge, Local #D239

00:31:26 Chairman Balyeat

00:33:36 Ms. Morgan, Holcim Trident

00:35:08 Mr. Judge

00:35:15 Sen. Mowbray

00:35:22 Chairman Balyeat

00:35:39 Sen. Mowbray

00:36:15 Ms. Morgan

Closing by Sponsor:

00:37:20 Rep. Flynn

HEARING ON HB 118

Opening Statement by Sponsor:

00:39:41 Rep. Chuck Hunter (D), HD 79, opened the hearing on HB 118, Require Montana State Fund board member w/ exec management insurance experience.

Proponents' Testimony:

00:42:43 Nancy Butler, Montana State Fund (MSF)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:43:09 Chairman Balyeat
00:43:43 Ms. Butler, MSF
00:44:16 Sen. Moore
00:44:32 Ms. Butler

Closing by Sponsor:

00:45:02 Rep. Hunter

HEARING ON HB 419

Opening Statement by Sponsor:

00:47:50 Rep. Bill Beck (R), HD 6, opened the hearing on HB 419, Generally revise captive insurance law.

EXHIBIT(bus52a02)

Proponents' Testimony:

00:53:09 Brenda Olson, Chairwoman of Montana Captive Insurance Association (MCIA)
00:56:26 Steve Matthews, Chief Financial Examiner, Commissioner of Insurance Office
00:56:45 Dick Brown, Montana Hospital Association (MHA)
00:58:34 John Huth, Board of Directors, MCIA

EXHIBIT(bus52a03)

00:59:46 Steve Turkiewicz, President and CEO, Montana Bankers Association (MBA)
01:00:54 Jon Bennion, Montana Chamber of Commerce
01:01:11 Roger McGlenn, Attorney Liability Protection Society (ALPS)
01:01:49 Ed Bartlett, Employee Benefit Management Service (EBMS)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:02:18 Chairman Balyeat
 01:05:13 Ms. Olson
 01:06:15 Sen. Mowbray
 01:06:33 Mr. Brown
 01:07:15 Sen. Facey
 01:07:22 Ms. Olson
 01:07:52 Chairman Balyeat
 01:08:13 Sen. Facey
 01:08:16 Chairman Balyeat
 01:08:51 Ms. Brown
 01:11:56 Chairman Balyeat

Closing by Sponsor:

01:12:11 Rep. Beck
 01:12:52 Chairman Balyeat

EXECUTIVE ACTION ON HB 419

01:12:58 **Motion:** Sen. Facey moved that **HB 419 BE CONCURRED IN.**
 01:13:12 **Motion/Vote:** Sen. Facey moved that **HB 419 BE CONCURRED IN.** Motion carried unanimously by voice vote. Sen. Tutvedt and Sen. Windy Boy voted by proxy. Sen. Arthun will carry the bill.

EXECUTIVE ACTION ON HB 118

01:13:36 **Motion:** Sen. Facey moved that **HB 118 BE CONCURRED IN.**

Discussion:

01:13:54 Chairman Balyeat
 01:13:58 Sen. Vuckovich
 01:14:26 **Vote:** Motion carried unanimously by voice vote. Sen. Tutvedt and Sen. Windy Boy voted by proxy. Sen. Vuckovich will carry.

EXECUTIVE ACTION ON HB 29

Discussion:

01:15:00 Sen. Tropila
 01:15:29 Chairman Balyeat
 01:15:32 Ms. Murdo
 01:16:03 Chairman Balyeat
 01:16:08 Sen. Tropila
 01:16:18 Chairman Balyeat
 01:16:21 Ms. Murdo

01:16:41 **Motion:** Sen. Facey moved that **HB 29 BE CONCURRED IN.**

01:17:05 **Motion:** Sen. Balyeat moved that **HB 29 BE AMENDED.**
[EXHIBIT\(bus52a04\)](#)

Discussion:

01:18:11 Ms. Murdo
01:19:07 Chairman Balyeat

01:19:36 **Vote:** Motion carried unanimously by voice vote. Sen. Tutvedt and Sen. Windy Boy voted by proxy.

01:19:52 **Motion/Vote:** Sen. Facey moved that **HB 29 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Sen. Tutvedt and Sen. Windy Boy voted by proxy. Sen. Balyeat will carry the bill.

01:20:00 Sen. Facey left the room.

EXECUTIVE ACTION ON HB 94

01:21:22 **Motion:** Sen. Tropila moved that **HB 94 BE CONCURRED IN.**

Discussion:

01:21:38 Chairman Balyeat
01:21:42 Jack Kane, Department of Labor and Industry (DOLI)
01:21:50 Sen. Tropila
01:24:28 Mr. Kane
01:24:42 Ms. Murdo
01:25:05 Sen. Tropila
01:25:40 Mr. Kane
01:26:55 Chairman Balyeat
01:27:01 Mr. Kane

01:27:20 **Motion/Vote:** Sen. Mowbray moved that **HB 94 BE AMENDED.** Motion carried unanimously by voice vote. Sen. Facey, Sen. Tutvedt and Sen. Windy Boy voted by proxy.

[EXHIBIT\(bus52a05\)](#)

01:27:55 Sen. Facey returned.

01:28:07 **Motion/Vote:** Sen. Mowbray moved that **HB 94 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Sen. Tutvedt and Sen. Windy Boy voted by proxy. Sen. Mowbray will carry the bill.

01:28:50 Chairman Balyeat
01:29:17 Sen. Facey
01:31:30 Chairman Balyeat

ADJOURNMENT

Adjournment: 10:35 A.M.

Linda Keim, Secretary

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Additional Documents:

EXHIBIT([bus52aad.pdf](#))