

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Vice Chair Verdell Jackson, on April 5, 2011 at 9:00 AM, in Room 422 Capitol

ROLL CALL

Members Present:

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. Joe Balyeat, Chair (R)
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 186, 3/30/2011; HB 188, 3/30/2011; SR 18, 3/30/2011; SR 16, 3/30/2011

Executive Action: SR16, Be Adopted; HB 188 and HB 354, partial Executive Action

HEARING ON HB 186

Opening Statement by Sponsor:

00:01:11 Rep. Chuck Hunter (D), HD 79, opened the hearing on HB 186. Continue allocation to Worksafe Montana thru assessment on work comp insurer.

[EXHIBIT\(bus76a01\)](#)

[EXHIBIT\(bus76a02\)](#)

Proponents' Testimony:

00:08:10 Jason Miller, Co-Vice Chair Labor Management Advisory Council (LMAC)

00:09:03 Bob Worthington, Co-Vice Chair LMAC; Montana Contractor's Compensation Fund (MCCF)

00:09:53 Bruce Spencer, Property Casualty Insurers Association of America (PCIAA); also speaking for Jacqueline Lenmark, American Insurance Association (AIA)

00:10:27 Pam Bucy, Department of Labor and Industry (DOLI)

[EXHIBIT\(bus76a03\)](#)

00:11:45 Barry 'Spook' Stang, Executive Vice President, Montana Motor Carrier's Association (MMCA)

00:12:22 Nancy Butler, Montana State Fund (MSF)

00:12:48 Vicki Cocchiarella, Montana Hospital Association (MHA), Montana Medical Association (MMA)

00:14:17 Leah Tietz, Director, Montana University System's Self-Funded Insurance Program; Board Member, Worksafe Montana

00:17:24 Mona Jamison, Montana Chapter, American Physical Therapy Association

[EXHIBIT\(bus76a04\)](#)

00:18:34 Al Smith, Montana Trial Lawyers Association (MTLA); Board Member, Worksafe Montana

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:19:58 Sen. Moore

00:20:24 Rep. Hunter, redirect, without objection

00:21:50 Ms. Tietz, MUS

00:24:07 Sen. Moore

00:24:17 Ms. Tietz, redirect, without objection

00:24:31 Ms. Butler, MSF

00:25:05 Sen. Vuckovich

00:26:30 Mr. Miller, LMAC

00:27:37 Sen. Facey

00:28:44 Ms. Tietz, redirect, without objection

00:30:15 Mr. Smith, MTLA

00:30:50 Sen. Facey

00:30:53 Rep. Hunter

00:31:09 Sen. Balyeat entered the meeting.

00:31:56 Sen. Facey

00:32:50 Ms. Butler

00:34:07 Sen. Moore

00:34:40 Vice Chair Jackson

Closing by Sponsor:

00:34:50 Rep. Hunter

00:38:56 Vice Chair Jackson closed the Hearing. Sen. Balyeat took over as Chair.

HEARING ON HB 188

Opening Statement by Sponsor:

00:38:44 Rep. Cleve Loney (R), HD 25, opened the hearing on HB 188. Provide licensure and regulation of real estate appraisal management companies.

Proponents' Testimony:

00:39:49 Darwin Ernst, Montana Chapter, Appraisal Institute

[**EXHIBIT**](#)(bus76a05)

00:40:51 Steve Yeakel, Montana Independent Bankers (MIB)

00:43:26 Steve Turkiewicz, Montana Bankers Association

00:44:30 Sue Hoell, self; Licensed Real Estate Appraiser

Opponents' Testimony: None

Informational Testimony:

00:45:20 Billie Veerkamp, Board of Real Estate Appraisers

[**EXHIBIT**](#)(bus76a06)

Questions from Committee Members and Responses:

00:46:00 Sen. Facey

00:46:15 Mr. Ernst

00:46:52 Sen. Tropila

00:46:56 Rep. Loney

00:47:23 Sen. Facey

00:48:03 Mr. Yeakel

00:48:45 Sen. Tropila

00:48:59 Rep. Loney

Closing by Sponsor:

00:50:23 Rep. Loney

00:51:07 Chairman Balyeat

HEARING ON SR 18

Opening Statement by Sponsor:

00:52:10 Sen. Tom Facey (D), SD 48, opened the hearing on SR 18. Confirm appointee Elizabeth Best to State Compensation Insurance Fund Board.

Proponents' Testimony:

00:53:36 Patti Keebler, Board and Commission Appointments, Office of the Governor

EXHIBIT(bus76a07)

00:56:22 Al Smith, self; Montana Trial Lawyers Association (MTLA)

00:57:03 Elizabeth Best, self

00:57:25 Sen. Tutvedt entered the hearing.

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:57:52 Sen. Mowbray
00:59:30 Chairman Balyeat
00:59:41 Sen. Moore
00:59:51 Chairman Balyeat
01:00:15 Sen. Tropila
01:00:33 Sen. Tutvedt
01:00:51 Chairman Balyeat
01:00:58 Sen. Tutvedt
01:05:50 Ms. Best
01:06:47 Sen. Mowbray
01:07:20 Chairman Balyeat
01:07:28 Ms. Best
01:07:38 Ms. Murdo
01:08:07 Chairman Balyeat
01:08:16 Sen. Facey
01:11:16 Sen. Tutvedt
01:13:42 Ms. Best
01:13:55 Sen. Stewart-Peregoy
01:14:18 Chairman Balyeat
01:14:21 Sen. Tropila
01:14:29 Ms. Best
01:15:07 Sen. Vuckovich
01:18:38 Chairman Balyeat
01:18:45 Sen. Tutvedt
01:18:50 Sen. Mowbray
01:21:44 Ms. Keebler
01:22:04 Chairman Balyeat

01:22:35 Ms. Keebler
01:23:07 Sen. Tropila
01:24:55 Ms. Best

Closing by Sponsor:

01:25:35 Sen. Facey

HEARING ON SR 16

Opening Statement by Sponsor:

01:27:23 Sen. Tom Facey (D), SD 48, opened the hearing on SR 16. Confirm certain Governor's appointees.

Proponents' Testimony:

01:28:33 Patti Keebler, Board and Commission Appointments, Office of the Governor

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:29:24 Sen. Tutvedt
01:33:43 Ms. Keebler
01:35:01 Chairman Balyeat
01:35:06 Ms. Murdo
01:35:46 Sen. Tutvedt
01:35:55 Chairman Balyeat

Closing by Sponsor:

01:36:04 Sen. Facey

01:37:39 Chairman Balyeat

01:38:01 Recess
01:46:22 Resume. Sen. Tutvedt did not return to the meeting.

Miscellaneous Discussion:

01:46:27 Chairman Balyeat
01:46:33 Ms. Murdo
01:47:00 Sen. Facey
01:47:09 Sen. Moore

EXECUTIVE ACTION ON HB 188

01:47:14 Chairman Balyeat

01:47:22 **Motion:** Sen. Facey moved that **HB 188 BE CONCURRED IN.**

Discussion:

01:47:45 Ms. Murdo

01:48:49 Chairman Balyeat

01:49:00 Ms. Murdo (This refers to Exhibit 6)

01:49:33 Sen. Tropila

01:49:39 Chairman Balyeat

01:49:42 Sen. Facey **WITHDREW THE MOTION** on HB 188.

EXECUTIVE ACTION ON SR 16

01:50:05 **Motion:** Sen. Facey moved that **SR 16 BE ADOPTED.**

Discussion:

01:50:32 Sen. Mowbray

01:51:17 Chairman Balyeat

01:51:32 Ms. Murdo

01:52:48 Sen. Facey

01:52:51 Ms. Murdo

01:53:09 Chairman Balyeat

01:53:38 Sen. Facey

01:53:48 Ms. Murdo

01:54:20 **Vote:** Motion carried unanimously by voice vote. Sen. Tutvedt and Sen. Windy Boy voted by proxy.

EXECUTIVE ACTION ON HB 354

01:55:21 Chairman Balyeat

01:55:54 **Motion:** Sen. Mowbray moved that **HB 354 BE CONCURRED IN.**

01:56:10 **Motion:** Sen. Mowbray moved that **HB 354 BE AMENDED.**

EXHIBIT(bus76a08)

Discussion:

01:56:49 Ms. Murdo

01:57:48 Sen. Tropila

01:58:10 Ms. Murdo

02:00:02 Chairman Balyeat

02:00:28 Sen. Mowbray

02:01:44 Sen. Stewart-Peregoy
02:03:16 Ms. Murdo
02:03:48 Sen. Facey
02:04:32 Chairman Balyeat
02:04:58 Sen. Tropila
02:05:18 Sen. Mowbray
02:06:18 Sen. Moore
02:06:44 Sen. Mowbray
02:07:08 Sen. Tropila
02:08:00 Chairman Balyeat
02:08:55 Sen. Tropila

02:09:07 Sen. Mowbray **WITHDREW THE MOTIONS on HB 354.**

02:09:27 Chairman Balyeat

Note: Ms. Murdo handed out information for tomorrow's Hearing on SR 19 regarding Dore Schwinden, the Governor's appointee as Department of Commerce Director.
[EXHIBIT](#)(bus76a09)

ADJOURNMENT

Adjournment: 11:12 A.M.

Linda Keim, Secretary

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Additional Documents:

EXHIBIT([bus76aad.pdf](#))