

MINUTES

MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chair Jon Sonju, on February 6, 2013 at 9:00 AM, in Room 422 Capitol

ROLL CALL

Members Present:

Sen. Jon Sonju, Chair (R)
Sen. Verdell Jackson, Vice Chair (R)
Sen. Elsie Arntzen (R)
Sen. Debby Barrett (R)
Sen. Dee Brown (R)
Sen. Tom Facey (D)
Sen. Sharon Stewart-Peregoy (D)
Sen. Kendall Van Dyk (D)
Sen. Gene Vuckovich (D)

Members Excused: Sen. Frederick (Eric) Moore (R)

Members Absent: None

Staff Present: Linda Keim, Committee Secretary
Pat Murdo, Legislative Services Division

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 58, 1/30/2013; SJ 11, 1/30/2013

Executive Action: SJ 11, Do Pass; HB 58, Be Concurred In; SB 183, Do Pass; SB 174, Do Pass; SB 139, Partial; HB 57, Partial; SB 120, Do Pass As Amended; SB 127, Do Pass As Amended; SB 128, Partial.

HEARING ON HB 58

Opening Statement by Sponsor:

- 00:25:35 Rep. Pat Noonan (D), HD 73, opened the hearing on HB 58. Creating a brew on-premises license.
- 00:27:00 Chairman Sonju left the hearing and Vice Chair Jackson assumed the role of Chair.

Proponents' Testimony:

- 00:28:41 Shauna Helfert, Administrator, Liquor Control Division, Department of Revenue (DOR)
- 00:34:48 Kristi Blazer, Montana Beer and Wine Distributors Association (MBWDA)
- 00:35:31 John Iverson, Montana Tavern Association (MTA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

- 00:36:15 Sen. Brown
- 00:39:43 Ms. Helfert, DOR
- 00:40:26 Sen. Facey
- 00:41:32 Ms. Helfert
- 00:41:46 Sen. Arntzen
- 00:42:53 Ms. Helfert
- 00:42:56 Chairman Sonju returned to the hearing.
- 00:43:12 Sen. Stewart-Peregoy
- 00:43:28 Ms. Helfert
- 00:43:59 Sen. Vuckovich
- 00:44:42 Rep. Noonan
- 00:45:22 Vice Chairman Jackson
- 00:46:39 Rep. Noonan
- 00:47:00 Ms. Helfert
- 00:47:20 Vice Chairman Jackson
- 00:47:43 Ms. Helfert
- 00:48:00 Sen. Sonju
- 00:48:22 Ms. Helfert

Closing by Sponsor:

- 00:48:39 Rep. Noonan
- 00:49:27 Chairman Sonju assumed the role of Chair at this time.

HEARING ON SJ 11

Opening Statement by Sponsor:

00:49:39 Sen. Dee Brown (R), SD 2, opened the hearing on SJ 11. Calls on Governor to establish a Canada trade center.

[EXHIBIT\(bus26a01\)](#)

[EXHIBIT\(bus26a02\)](#)

[EXHIBIT\(bus26a03\)](#)

[EXHIBIT\(bus26a04\)](#)

Proponents' Testimony:

00:57:01 Chairman Sonju noted he received a letter of support from Kelly Danielson, copy was not available for the record.

00:57:13 Aidan Myhre, Kalispell Chamber of Commerce, Kalispell Regional Medical Center

00:59:15 Jessica Nolan, Montana Chamber of Commerce (MCC)

01:00:06 Pat Murdo, Legislative Services Division (LSD)

[EXHIBIT\(bus26a05\)](#)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:00:41 Sen. Facey

01:00:49 Sen. Barrett

01:01:25 Sen. Brown

Closing by Sponsor:

01:01:36 Sen. Brown

EXECUTIVE ACTION ON SJ 11

01:03:05 **Motion/Vote:** Sen. D. Brown moved that **SJ 11 DO PASS**. Motion carried unanimously by voice vote. Sen. Moore voted by proxy.

EXECUTIVE ACTION ON HB 58

01:03:44 **Motion:** Sen. De. Barrett moved that **HB 58 BE CONCURRED IN**.

Discussion:

01:04:04 Sen. Brown

01:04:54 Sen. Arntzen

01:05:44 Sen. Facey

01:06:00 Shauna Helfert, Department of Revenue (DOR)

01:06:40 Sen. Arntzen
 01:07:42 Ms. Helfert, DOR
 01:08:14 Chairman Sonju
 01:09:10 Ms. Helfert
 01:09:13 Sen. Facey
 01:09:39 Sen. Arntzen
 01:09:53 Sen. Facey
 01:10:25 Sen. Arntzen
 01:10:34 Sen. Facey
 01:11:03 Sen. Brown

 01:11:11 **Vote:** Motion carried 7-3 by roll call vote with Sen. Brown, Sen. Moore and Sen. Sonju voting no. Sen. Moore voted by proxy. Sen. Facey will carry the bill.

EXECUTIVE ACTION ON SB 183

01:12:37 **Motion:** Sen. Arntzen moved that **SB 183 DO PASS.**

Discussion:

01:12:52 Sen. Arntzen
[EXHIBIT\(bus26a06\)](#)
[EXHIBIT\(bus26a07\)](#)

 01:15:13 Sen. Brown
 01:15:21 Sen. Arntzen
 01:16:13 Sen. Jackson
 01:16:21 Sen. Brown
 01:16:45 Sen. Arntzen
 01:16:51 Jack Kane, Department of Labor and Industry (DLI)
 01:18:27 Sen. Brown
 01:19:09 Mr. Kane, DLI
 01:19:52 Sen. Arntzen.

 01:20:41 **Vote:** Motion carried unanimously by voice vote. Sen. Moore voted by proxy.

Committee Business:

01:21:16 Chairman Sonju
 01:21:18 Pat Murdo, Legislative Services Division (LSD)
 01:21:50 Chairman Sonju

EXECUTIVE ACTION ON SB 174

01:22:37 **Motion:** Sen. Facey moved that **SB 174 DO PASS.**

Discussion:

01:23:06 Chairman Sonju
 01:23:14 Sen. Facey

01:23:38 **Vote:** Motion carried unanimously by voice vote. Sen. Moore voted by proxy.

EXECUTIVE ACTION ON SB 139

01:24:08 **Motion:** Sen. Facey moved that **SB 139 DO PASS.**

01:24:17 **Motion:** Sen. Facey moved that **SB 139 BE AMENDED.**
EXHIBIT(bus26a08)

Discussion:

01:24:25 Pat Murdo, LSD

01:26:09 Sen. Facey

01:26:12 Chairman Sonju

01:26:17 Sen. Brown

01:26:29 Chairman Sonju

01:26:51 Sen. Facey

01:27:03 Chairman Sonju

01:27:06 Sen. Facey **WITHDREW MOTION SB 139 BE AMENDED.**

01:27:20 Sen. Facey **WITHDREW MOTION SB 139 DO PASS.**

Note: More information is needed; further action will be taken at a later date.

EXECUTIVE ACTION ON HB 57

01:27:59 **Motion:** Sen. Jackson moved that **HB 57 BE CONCURRED IN.**

01:28:23 **Motion/Vote:** Sen. Arntzen moved that **HB 57 BE AMENDED.** Motion carried unanimously by voice vote. Sen. Moore voted by proxy.

EXHIBIT(bus26a09)

01:29:27 **Motion:** Sen. Arntzen moved that **HB 57 BE CONCURRED IN AS AMENDED.**

Discussion:

01:29:54 Sen. Barrett

01:30:51 **Vote:** Motion failed 5-5 by roll call vote with Sen. Arntzen, Sen. Facey, Sen. Stewart-Peregoy, Sen. Van Dyk and Sen. Vuckovich voting aye. Sen. Moore voted by proxy. (Vote not reported out of committee.)

EXECUTIVE ACTION ON SB 120

01:33:29 **Motion:** Sen. Van Dyk moved that **SB 120 DO PASS.**

01:33:38 **Motion:** Sen. Van Dyk moved that **SB 120 BE AMENDED.**
EXHIBIT(bus26a10)

Discussion:

01:34:30 Pat Murdo, LSD

01:35:45 Sen. Brown

01:36:40 Pat Murdo

01:37:11 **Vote:** Motion carried 9-1 by voice vote with Sen. Brown voting no. Sen. Moore voted by proxy.

01:37:31 **Motion:** Sen. Van Dyk moved that **SB 120 DO PASS AS AMENDED.**

01:37:41 **Motion:** Sen. Van Dyk moved that **SB 120 BE AMENDED.**

[**EXHIBIT\(bus26a11\)**](#)

Discussion:

01:37:49 Pat Murdo

01:38:46 Sen. Stewart-Peregoy

01:39:20 **Vote:** Motion carried unanimously by voice vote. Sen. Moore voted by proxy.

01:39:31 **Motion:** Sen. Van Dyk moved that **SB 120 DO PASS AS AMENDED.**

Discussion:

01:39:46 Sen. Facey

01:40:17 Sen. Brown

01:40:48 Sen. Jackson

01:41:13 Sen. Barrett

01:41:33 Sen. Brown

01:42:00 Sen. Barrett

01:42:39 Chairman Sonju

01:42:57 **Vote:** Motion carried 6-4 by roll call vote with Sen. Brown, Sen. Facey, Sen. Van Dyk and Sen. Vuckovich voting no. Sen. Moore voted by proxy.

EXECUTIVE ACTION ON SB 127

01:44:22 **Motion:** Sen. D. Brown moved that **SB 127 DO PASS.**

01:44:36 Sen. Van Dyk left the hearing.

01:44:44 **Motion:** Sen. Jackson moved that **SB 127 BE AMENDED.**

[**EXHIBIT\(bus26a12\)**](#)

Discussion:

01:45:42 Pat Murdo

01:47:50 Chairman Sonju

01:47:59 Pat Murdo
01:48:13 Sen. Facey

01:48:33 **Vote:** Motion carried unanimously by voice vote. Sen. Moore and Sen. Van Dyk voted by proxy.

01:48:53 **Motion/Vote:** Sen. Jackson moved that **SB 127 DO PASS AS AMENDED.** Motion carried unanimously by voice vote. Sen. Moore and Sen. Van Dyk voted by proxy.

EXECUTIVE ACTION ON SB 128

01:49:52 **Motion:** Sen. Jackson moved that **SB 128 DO PASS.**

Discussion:

01:50:21 Sen. Brown
01:50:30 Pat Murdo

01:50:32 **Motion:** Sen. Jackson moved that **SB 128 BE AMENDED.**
EXHIBIT(bus26a13)

Discussion:

01:50:47 Pat Murdo

01:52:45 Sen. Van Dyk returned to the hearing.

01:53:13 **Vote:** Motion carried unanimously by voice vote. Sen. Moore voted by proxy.

01:53:40 **Motion:** Sen. Jackson moved that **SB 128 DO PASS AS AMENDED.**

Discussion:

01:54:02 Sen. Brown
01:54:21 Pat Murdo
01:54:53 Chairman Sonju
01:55:04 Pat Murdo
01:55:13 Chairman Sonju
01:55:46 Roy Mulvaney, Administrator, Unemployment Insurance Division, Department of Labor and Industry (DLI)
01:56:41 Chairman Sonju
01:56:51 Mr. Mulvaney, DLI
01:57:06 Sen. Brown
01:57:23 Mr. Mulvaney
01:56:57 Don Gilbert, Department of Labor and Industry (DLI)
02:01:21 Chairman Sonju
02:01:23 Sen. Brown
02:01:43 Mr. Gilbert, DLI
02:02:25 Mr. Mulvaney

02:02:47 Sen. Arntzen
02:03:05 Mr. Mulvaney
02:03:19 Mr. Gilbert
02:05:06 Sen. Arntzen
02:05:29 Mr. Gilbert
02:06:31 Chairman Sonju
02:07:20 Pat Murdo
02:07:33 Sen. Barrett
02:08:01 Chairman Sonju
02:08:35 Pat Murdo
02:10:02 Sen. Barrett
02:10:20 Chairman Sonju

Note: Further Executive Action on SB 128 will be taken at a later date.
An amended Fiscal Note will be ordered today.

Committee Business:

02:10:38 Sen. Stewart-Peregoy
02:11:02 Chairman Sonju
02:11:14 Mr. Mulvaney, DLI
02:11:44 Sen. Arntzen

ADJOURNMENT

Adjournment: 10:48 A.M.

Linda Keim, Secretary

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Additional Documents:

EXHIBIT([bus26aad.pdf](#))