

MINUTES

MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chair Jon Sonju, on March 27, 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. Debby Barrett (R)
Sen. Dee Brown (R)
Sen. Tom Facey (D)
Sen. Frederick (Eric) Moore (R)
Sen. Sharon Stewart-Peregoy (D)

Members Excused: Sen. Elsie Arntzen (R)
Sen. Kendall Van Dyk (D)
Sen. Gene Vuckovich (D)

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 415, 3/22/2013; HB 460, 3/22/2013; HB 464, 3/22/2013; SB 400, 3/22/2013

Executive Action: HB 415, Be Concurred In; HB 321, Tabled; HB 259, Be Concurred In As Amended.

HEARING ON HB 415

Opening Statement by Sponsor:

00:25:38 Rep. Roger Hagan (R), HD 19, opened the hearing on HB 415. Revise guaranteed asset protection waiver laws.

00:25:59 Sen. Moore left the hearing.

Proponents' Testimony:

00:28:17 Jacqueline Lenmark, Guaranteed Asset Protection Association (GAPA)

00:31:30 Bruce Spencer, Montana Automobile Dealers Association (MADA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:33:17 Sen. Brown

00:34:40 Ms. Lenmark, GAPA

00:34:56 Sen. Brown

00:35:20 Mr. Spencer, MADA

Closing by Sponsor:

00:35:48 Rep. Hagan

HEARING ON HB 460

Opening Statement by Sponsor:

00:36:19 Rep. Roger Hagan (R), HD 19, opened the hearing on HB 460. Provide residential roofing repair protection for insurance policyholders.

Proponents' Testimony:

00:38:18 Dwight Easton, Farmers Insurance Group of Companies (FIGC)

00:40:45 Bruce Spencer, Property Casualty Insurance Association of America (PCIAA); Allstate Insurance (AI)

00:41:07 Sen. Arntzen entered the hearing; Sen. Jackson left the hearing.

00:42:46 Greg VanHorssen, State Farm Insurance Company (SFIC)

00:43:18 Jacqueline Lenmark, American Insurance Association (AIA)

00:43:31 Bob Biskupiak, Independent Insurance Agents Association of Montana Inc. (IIAAMI)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:45:19 Sen. Facey
00:47:40 Rep. Hagan
00:48:34 Sen. Facey
00:48:38 Mr. VanHorssen, SFIC
00:49:20 Chairman Sonju
00:54:05 Mr. VanHorssen
00:54:30 Sen. Brown
00:54:45 Rep. Hagan
00:56:05 Sen. Brown
00:56:24 Sen. Barrett
00:56:46 Rep. Hagan
00:57:19 Sen. Barrett
00:57:54 Mr. Easton, FIGC
00:58:03 Mr. Spencer, PCIAA
00:59:24 Sen. Barrett
00:59:27 Sen. Facey
01:02:01 Rep. Hagan

01:02:04 Sen. Moore and Sen. Vuckovich entered the hearing.

Closing by Sponsor:

01:02:49 Rep. Hagan
[EXHIBIT\(bus66a01\)](#)

HEARING ON HB 464

Opening Statement by Sponsor:

01:03:56 Rep. Christy Clark (R), HD 17, opened the hearing on HB 464. Generally revise laws related to prevailing wage.
[EXHIBIT\(bus66a02\)](#)

Proponents' Testimony:

01:07:48 Cary Hegreberg, Executive Director, Montana Contractors Association (MCA)
[EXHIBIT\(bus66a03\)](#)

01:10:13 Marty Schuma, President, Dick Anderson Construction (DAC)
01:12:10 Bob Nommensen, Sletten Construction Company (SCC)
01:14:30 Keith Allen, International Brotherhood of Electrical Workers (IBEW), Local #233
01:15:12 Chris Cavazos, Political Director, Montana State American Federation of Labor-Congress of Industrial Organizations (AFL-CIO)
01:15:40 John Forkan, Montana Association of Plumbers and Pipe Fitters (MAPPF)

01:16:06 Diana Ferriter, Administrator, Employment Relations Division, Department of Labor and Industry (DLI)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:17:50 Sen. Barrett
01:18:31 Rep. Clark
01:18:34 Ms. Ferriter, DLI

01:18:55 Sen. Van Dyk entered the hearing.

Closing by Sponsor:

01:19:06 Rep. Clark

HEARING ON SB 400

Opening Statement by Sponsor:

01:20:43 Sen. Elsie Arntzen (R), SD 27, opened the hearing on SB 400. Generally revise laws regarding bail bonds.

[EXHIBIT\(bus66a04\)](#)

[EXHIBIT\(bus66a05\)](#)

[EXHIBIT\(bus66a06\)](#)

Proponents' Testimony:

01:27:30 Adam Schafer, Office of Commissioner of Securities and Insurance (CSI),
Montana State Auditor

01:28:33 Richard Friddel, General Agent, Bail Bonds Industry (BBI)

01:28:35 Chairman Sonju left the hearing and Sen. Van Dyk took over as chair.

Opponents' Testimony: None

Informational Testimony:

01:45:16 Kevin Maki, Attorney, Department of Labor and Industry (DLI)

Questions from Committee Members and Responses:

01:45:54 Sen. Moore
01:49:03 Mr. Maki, DLI
01:50:20 Sen. Barrett
01:50:25 Mr. Maki

Closing by Sponsor:

01:53:43 Sen. Arntzen

01:54:33 Sen. Sonju returned to the hearing and took over as chair.

EXECUTIVE ACTION ON HB 415

01:56:21 **Motion:** Sen. Facey moved that **HB 415 BE CONCURRED IN.**

Discussion:

01:56:40 Sen. Moore

01:56:57 Chairman Sonju

01:57:36 Sen. Brown

01:58:40 Sen. Moore

01:58:45 Chairman Sonju

01:58:50 Pat Murdo, Legislative Services Division (LSD)

01:58:55 Sen. Van Dyk

02:00:08 Pat Murdo, LSD

02:00:40 Sen. Facey

02:01:20 Sen. Barrett

02:02:40 Pat Murdo

02:03:08 Sen. Facey

02:03:39 **Vote:** Motion carried 6-4 by roll call vote with Sen. Barrett, Sen. Brown, Sen. Jackson and Sen. Van Dyk voting no. Sen. Jackson voted by proxy. Sen. Facey will carry the bill.

Discussion:

02:05:00 Chairman Sonju

02:05:38 Sen. Facey

02:06:25 Pat Murdo

02:06:39 Sen. Arntzen

02:06:43 Chairman Sonju

02:07:11 Pat Murdo

EXECUTIVE ACTION ON HB 321

02:07:41 **Motion:** Sen. D. Brown moved that **HB 321 BE CONCURRED IN.**

Discussion:

02:07:50 Pat Murdo

02:11:18 **Motion:** Sen. D. Brown moved that **HB 321 BE AMENDED.**

[EXHIBIT\(bus66a07\)](#)

Discussion:

02:11:44 Sen. Barrett

02:11:49 Jessie Luther, Consumer Data Insurance Association (CDIA)

02:12:34 **Vote:** Motion carried 10-0 by voice vote. Sen. Jackson voted by proxy.

02:12:49 **Motion:** Sen. D. Brown moved that **HB 321 BE CONCURRED IN AS AMENDED.**

02:12:55 **Motion:** Sen. D. Brown moved that **HB 321 BE AMENDED.**
EXHIBIT(bus66a08)

Discussion:

02:13:31 Pat Murdo

02:16:30 Sen. Brown

02:16:55 Chairman Sonju

02:17:35 Pat Murdo

02:17:42 Sen. Brown

02:17:52 Chairman Sonju

02:18:05 Pat Murdo

02:18:10 Chairman Sonju

02:18:38 Pat Murdo

02:18:53 Sen. Moore

02:19:04 Pat Murdo

02:19:21 Without objection from the committee, Sen. D. Brown withdrew the BE AMENDED motion.

Discussion:

02:19:41 Chairman Sonju

02:19:45 Pat Murdo

02:20:09 **Motion:** Sen. D. Brown moved that **HB 321 BE AMENDED.**
EXHIBIT(bus66a09)

Discussion:

02:20:25 Sen. Stewart-Peregoy

02:20:44 Pat Murdo

02:21:13 Sen. Barrett

02:21:17 Pat Murdo

02:22:04 **Vote:** Motion carried 9-1 by voice vote with Sen. Barrett voting no. Sen. Jackson voted by proxy.

02:22:17 **Motion:** Sen. D. Brown moved that **HB 321 BE CONCURRED IN AS AMENDED.**

Discussion:

02:22:35 Pat Murdo
02:22:40 Chairman Sonju

02:22:54 **Vote:** Motion carried 8-2 by voice vote with Sen. Barrett and Sen. Moore voting no. Sen. Jackson voted by proxy.

Discussion:

02:23:15 Sen. Brown
02:23:37 Sen. Facey

02:23:46 **Substitute Motion:** Sen. Stewart-Peregoy made a substitute motion that **HB 321 BE TABLED.**

02:23:57 **Vote:** Motion carried 8-2 by voice vote with Sen. Barrett and Sen. Moore voting no. Sen. Jackson voted by proxy.

EXECUTIVE ACTION ON HB 259

02:24:32 **Motion:** Sen. Arntzen moved that **HB 259 BE CONCURRED IN.**

02:25:16 **Motion:** Sen. Arntzen moved that **HB 259 BE AMENDED.**
[EXHIBIT\(bus66a10\)](#)

Discussion:

02:26:00 Sen. Brown
02:26:04 Sen. Arntzen
02:26:47 Sen. Brown
02:26:53 Sen. Arntzen

02:27:02 **Vote:** Motion carried 10-0 by voice vote. Sen. Jackson voted by proxy.

02:27:15 **Motion/Vote:** Sen. Facey moved that **HB 259 BE CONCURRED IN AS AMENDED.** Motion carried 10-0 by voice vote. Sen. Jackson voted by proxy. Sen. Arntzen will carry the bill.

Discussion:

02:28:05 Chairman Sonju
02:28:23 Pat Murdo
02:28:43 Chairman Sonju

ADJOURNMENT

Adjournment: 11:08 A.M.

Linda Keim, Secretary

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Additional Documents:

EXHIBIT([bus66aad.pdf](#))