

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: Chair Tom Berry, on January 23, 2015 at 8:30 A.M., in Room 172 Capitol

ROLL CALL

Members Present:

Rep. Tom Berry, Chair (R)
Rep. Daniel R. Salomon, Vice Chair (R)
Rep. Ryan Lynch, Vice Chair (D)
Rep. Christy Clark (R)
Rep. Willis Curdy (D)
Rep. Steve Fitzpatrick (R)
Rep. Chuck Hunter (D)
Rep. George G. Kipp III (D)
Rep. Mike Lang (R)
Rep. David (Doc) Moore (R)
Rep. Mark Noland (R)
Rep. Andrea Olsen (D)
Rep. Christopher Pope (D)
Rep. Vince Ricci (R)
Rep. Tom Richmond (R)
Rep. Scott Staffanson (R)
Rep. Tom Steenberg (D)
Rep. Jeffrey W. Welborn (R)

Members Excused: Rep. Gordon Pierson Jr (D)

Members Absent: None

Staff Present: Karen Armstrong, 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 29, 1/20/2015; HB 240, 1/20/2015

Executive Action: HB 94, HB 117, HB 205

00:00:14 Chairman Berry
00:01:49 Pat Murdo, Legislative Services Division (LSD)
00:02:01 Chairman Berry
00:02:11 Vice Chair Lynch
00:02:21 Chairman Berry

HEARING ON HB 29

Opening Statement by Sponsor:

00:02:28 Rep. Tom Jacobson (D), HD 21, opened the hearing on HB 29, Revise regulation and duties regarding real estate appraisers.

[EXHIBIT\(buh15a01\)](#)

[EXHIBIT\(buh15a02\)](#)

[EXHIBIT\(buh15a03\)](#)

Proponents' Testimony:

00:06:12 Tom Stevens, Chair, Montana Board of Real Estate Appraisers (MBREA)
00:08:08 Chairman Berry
00:08:26 Pete Fontana, Certified Residential Appraiser; member, Montana Board of Real Estate Appraisers (MBREA)
00:13:24 Donya Parrish, Montana Credit Union Network
00:15:28 Steve Turkiewicz, Montana Bankers Association (MBA)
00:17:06 Jim Brown, Montana Independent Bankers Association (MIBA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:17:58 Rep. Staffanson
00:18:57 Pete Fontana, (MBREA)
00:19:29 Rep. Staffanson
00:19:52 Pete Fontana, (MBREA)
00:20:11 Rep. Staffanson
00:20:32 Rep. Ricci
00:21:03 Pete Fontana, (MBREA)
00:22:15 Rep. Lang
00:22:41 Pete Fontana, (MBREA)

Closing by Sponsor:

00:25:18 Rep. Jacobson

00:25:41 Vice Chairman Salomon assumed chairmanship.

HEARING ON HB 240

Opening Statement by Sponsor:

00:26:25 Rep. Tom Berry (R), HD 40, opened the hearing on HB 240, Revise laws related to fee charges for surplus lines property/casualty insurance.

Proponents' Testimony:

00:30:26 Mike Sell, Independent Insurance Agents Association of Montana (IIAA)
00:33:33 Scott Tuxbury, Surplus Lines Agents of Montana and Big Sky Underwriters, Inc.

[EXHIBIT\(buh15a04\)](#)

[EXHIBIT\(buh15a05\)](#)

[EXHIBIT\(buh15a06\)](#)

Opponents' Testimony: None

Informational Testimony:

00:40:15 Brett O'Neil, State Auditor's Office (SAO)

Questions from Committee Members and Responses:

00:40:36 Rep. Olsen
00:41:11 Brett O'Neil, SAO
00:42:00 Rep. Hunter
00:42:50 Scott Tuxbury, Big Sky Underwriters, Inc.
00:43:03 Rep. Hunter
00:43:23 Scott Tuxbury, Big Sky Underwriters, Inc.
00:44:25 Rep. Curdy
00:44:48 Scott Tuxbury, Big Sky Underwriters, Inc.
00:45:32 Rep. Curdy
00:45:56 Scott Tuxbury, Big Sky Underwriters, Inc.
00:46:21 Rep. Staffanson
00:46:46 Scott Tuxbury, Big Sky Underwriters, Inc.
00:47:31 Rep. Staffanson
00:47:48 Scott Tuxbury, Big Sky Underwriters, Inc.
00:48:46 Rep. Staffanson
00:49:01 Scott Tuxbury, Big Sky Underwriters, Inc.
00:49:14 Rep. Staffanson
00:49:46 Scott Tuxbury, Big Sky Underwriters, Inc.
00:50:45 Rep. Pope
00:51:29 Scott Tuxbury, Big Sky Underwriters, Inc.
00:51:55 Rep. Pope
00:52:26 Scott Tuxbury, Big Sky Underwriters, Inc.
00:52:36 Rep. Lang
00:53:05 Brett O'Neil, SAO
00:53:25 Rep. Steenberg
00:53:40 Brett O'Neil, SAO

Closing by Sponsor:

00:54:01 Rep. Berry

00:55:06 Vice Chair Salomon
00:55:15 Recessed.
01:21:29 Reconvened with Chairman Berry and Rep. Pierson absent.

EXECUTIVE ACTION ON HB 94

01:21:45 **Motion:** Rep. Fitzpatrick moved that **HB 94 DO PASS.**

Discussion:

01:22:03 Rep. Curdy

01:22:57 **Vote:** Motion carried unanimously by roll call vote. Rep. Berry and Rep. Pierson voted by proxy.

EXECUTIVE ACTION ON HB 117

01:24:28 **Motion:** Rep. Fitzpatrick moved that **HB 117 DO PASS.**

01:25:26 **Motion:** Rep. Fitzpatrick moved that **HB 117 BE AMENDED.**
EXHIBIT(buh15a07)

Discussion:

01:25:37 Rep. Lynch

01:26:01 Vice Chair Salomon

01:26:27 Rep. Lynch

01:26:37 **Vote:** Motion carried unanimously by voice vote. Rep. Berry and Rep. Pierson voted by proxy.

01:27:08 Vice Chair Salomon

01:27:29 **Motion:** Rep. Fitzpatrick moved that **HB 117 BE AMENDED**
EXHIBIT(buh15a08)

Discussion:

01:27:38 Rep. Moore

01:29:15 Rep. Lynch

01:30:05 Rep. Hunter

01:30:57 Rep. Richmond

01:31:55 **Vote:** Motion carried 10-9 by roll call vote with Rep. Curdy, Rep. Hunter, Rep. Kipp, Rep. Lynch, Rep. Olsen, Rep. Pierson, Rep. Pope, Rep. Steenberg and Rep. Welborn voting no. Rep. Berry and Rep. Olsen voted by proxy.

01:33:22 **Motion/Vote:** Rep. Fitzpatrick moved that **HB 117 DO PASS AS AMENDED.** Motion carried 14-5 by roll call vote with Rep. Fitzpatrick, Rep. Moore, Rep. Noland, Rep. Ricci and Rep. Staffanson voting no. Rep. Berry and Rep. Pierson voted by proxy.

EXECUTIVE ACTION ON HB 205

01:35:01 **Motion:** Rep. Fitzpatrick moved that **HB 205 DO PASS.**

Discussion:

01:35:14 Rep. Clark

01:35:49 Rep. Staffanson

01:36:27 Rep. Moore

01:37:05 Rep. Ricci

01:37:35 Rep. Steenberg

01:38:11 Rep. Curdy

01:38:31 **Vote:** Motion failed 6-13 by roll call vote with Rep. Berry, Rep. Fitzpatrick, Rep. Lang, Rep. Moore, Rep. Ricci and Rep. Richmond voting aye. Rep. Berry and Rep. Pierson voted by proxy.

01:39:51 **Motion/Vote:** Rep. Fitzpatrick moved that **HB 205 BE TABLED.** Motion carried 18-1 by voice vote with Rep. Moore voting no. Rep. Berry and Rep. Pierson voted by proxy.

01:40:31 Vice Chair Salomon

01:40:47 Pat Murdo, Legislative Services Division (LSD)

01:41:12 Vice Chair Salomon

ADJOURNMENT

Adjournment: 01:41:40

Karen Armstrong, Secretary

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Additional Documents:

EXHIBIT([buh15aad.pdf](#))