

MINUTES

MONTANA SENATE 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chair Edward Buttrey, on January 23, 2015 at 8:00 AM, in Room 422
Capitol

ROLL CALL

Members Present:

Sen. Edward Buttrey, Chair (R)
Sen. Elsie Arntzen, Vice Chair (R)
Sen. Dee Brown (R)
Sen. Pat Connell (R)
Sen. Tom Facey (D)
Sen. Cary Smith (R)
Sen. Sharon Stewart-Peregoy (D)
Sen. Gordon Vance (R)
Sen. Gene Vuckovich (D)
Sen. Lea Whitford (D)

Members Excused: None

Members Absent: None

Staff Present: Linda Keim, Committee Secretary
Jameson Walker, 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: SB 84, 1/12/2015; SB 85, 1/12/2015; SB 99, 1/12/2015; SB 164,
1/20/2015

Executive Action: SB 2, SB 52, SB 76, SB 77, SB 104, SB 105

HEARING ON SB 84

Opening Statement by Sponsor:

00:00:41 Sen. Mary McNally (D), SD 24, opened the hearing on SB 84. Revise claims history considerations in insurance policies.

[EXHIBIT\(bus15a01\)](#)

Proponents' Testimony:

00:03:45 Monica Lindeen, Commissioner of Securities and Insurance, Montana State Auditor (CSI)

00:06:37 Brian Close, Bozeman citizen

[EXHIBIT\(bus15a02\)](#)

Opponents' Testimony:

00:13:15 Greg VanHorssen, State Farm Insurance Company (SFIC)

00:16:35 Jacqueline Lenmark, American Insurance Association (AIA), Property Casualty Insurer's Association of America (PCIAA)

Informational Testimony: None

Questions from Committee Members and Responses:

00:21:14 Sen. Brown

00:22:01 Ms. Lindeen, CSI (redirect)

00:22:12 Michael Kakuk, CSI

00:23:19 Sen. Facey

00:28:27 Ms. Lenmark, AIA

00:28:40 Sen. Facey

00:29:00 Ms. Lindeen

00:30:42 Sen. Connell

00:32:07 Ms. Lindeen

00:32:58 Sen. Connell

00:33:41 Ms. Lenmark

00:34:56 Sen. Facey

00:35:32 Mr. VanHorssen, SFIC

00:36:19 Sen. Vuckovich

00:36:53 Mr. VanHorssen

00:37:25 Chairman Buttrey

Closing by Sponsor:

00:37:31 Sen. McNally

[EXHIBIT\(bus15a03\)](#)

00:41:14 Chairman Buttrey

[EXHIBIT\(bus15a04\)](#)

HEARING ON SB 99

Opening Statement by Sponsor:

00:42:04 Sen. Jill Cohenour (D), SD 42, opened the hearing on SB 99. Revise Insure Montana small business health insurance laws.

Proponents' Testimony:

00:43:48 Sen. Eric Moore, (R), SD 19, testifying as a small business ranch owner.

[EXHIBIT\(bus15a05\)](#)

[EXHIBIT\(bus15a06\)](#)

00:48:14 Monica Lindeen, Commissioner of Securities and Insurance, Montana State Auditor (CSI)

[EXHIBIT\(bus15a07\)](#)

00:52:33 Kit Johnson, small business owner

00:54:29 Jenny Yannone, small business owner

00:55:50 Jim Nys, human resource consultant, small business owner; also representing Montana State Chamber of Commerce (MSCC)

00:57:41 Riley Johnson, National Federation of Independent Businesses (NFIB)

00:59:16 Billie Shepard, owner, "The Panhandler", a retail business

[EXHIBIT\(bus15a08\)](#)

01:00:51 Bill Lombardi, Blue Cross Blue Shield of Montana (BCBS-MT)

Opponents' Testimony: None

Informational Testimony:

01:01:35 Micah Christensen, Department of Revenue (DOR)

Questions from Committee Members and Responses:

01:02:03 Sen. Smith

01:05:06 Ms. Lindeen, CSI

01:05:35 Sen. Brown

01:06:03 Ms. Lindeen

01:06:18 Sen. Facey

01:07:02 Ms. Lindeen (redirect)

01:07:13 Sen. Facey

01:08:17 Christina Goe, CSI

01:09:13 Chairman Buttrey

01:09:27 Ms. Goe

Closing by Sponsor:

01:09:38 Sen. Cohenour

01:11:39 Chairman Buttrey

HEARING ON SB 164

Opening Statement by Sponsor:

01:12:44 Sen. Brian Hoven (R), SD 13, opened the hearing on SB 164. Revise definitions for risks of skiing.

Proponents' Testimony:

01:16:53 Aimee Grmoljez, Montana Ski Area Association (MSAA)
EXHIBIT(bus15a09)

01:18:07 Randy Elliott, general manager, Bridger Bowl ski area
EXHIBIT(bus15a10)

01:22:52 Ed Adams, professor of engineering, Montana State University (MSU)

01:26:45 George Willette, owner, Showdown Montana ski area

01:30:22 Stuart Doggett, Montana Lodging and Hospitality Association (MLHA)

01:31:15 Peter Bovingdon, attorney, Montana Ski Area Association (MSAA)

Opponents' Testimony:

01:34:05 Al Smith, Montana Trial Lawyer's Association (MTLA)

Informational Testimony: None

Questions from Committee Members and Responses:

01:39:11 Sen. Facey

01:45:01 Mr. Bovingdon, MSAA

01:46:29 Sen. Facey

01:46:32 Sen. Brown

01:49:46 Mr. Bovingdon

01:49:57 Sen. Facey

EXHIBIT(bus15a11)

01:51:03 Mr. Bovingdon

01:51:32 Sen. Arntzen

01:53:49 Mr. Bovingdon

01:54:28 Chairman Buttrey

01:54:44 Sen. Hoven

Closing by Sponsor:

01:54:59 Sen. Hoven

01:55:58 Chairman Buttrey

01:56:12 Jameson Walker, Legislative Services Division (LSD)

01:56:49 Recess
02:07:49 Reconvene

02:08:00 Vice Chair Arntzen assumed the position of Chair.

HEARING ON SB 85

Opening Statement by Sponsor:

02:08:26 Sen. Edward Buttrey (R), SD 11, opened the hearing on SB 85. Revise unemployment insurance collections and integrity oversight laws.

Proponents' Testimony:

02:11:30 Brenda Nordlund, administrator, Unemployment Insurance Division, Department of Labor and Industry (DLI)

EXHIBIT(bus15a12)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

02:21:09 Sen. Buttrey

02:22:18 Vice Chair Arntzen
02:22:27 Chairman Buttrey resumed his role as chair.

EXECUTIVE ACTION ON SB 2

02:23:28 **Motion:** Sen. C. Smith moved that **SB 2 BE TABLED.**

Discussion:

02:23:41 Chairman Buttrey
02:23:48 Sen. Arntzen

02:23:57 **Vote:** Motion carried 6-4 by roll call vote with Sen. Facey, Sen. Stewart-Peregoy, Sen. Vuckovich and Sen. Whitford voting no.

EXECUTIVE ACTION ON SB 39

02:25:09 **Motion:** Sen. Arntzen moved that **SB 39 DO PASS.**

Discussion:

02:25:27 Chairman Buttrey
02:25:43 Jameson Walker, Legislative Services Division (LSD)
02:25:54 Chairman Buttrey

02:25:58 Without objection, Sen. Arntzen withdrew the DO PASS motion.

EXECUTIVE ACTION ON SB 52

02:26:09 **Motion:** Sen. Arntzen moved that **SB 52 DO PASS.**

Discussion:

02:26:21 Chairman Buttrey
02:26:27 Mr. Walker, LSD
EXHIBIT(bus15a13)

02:28:06 **Motion:** Sen. Arntzen moved that **SB 52 BE AMENDED.**

Discussion:

02:28:31 Mr. Walker
02:29:30 Sen. Brown
02:29:46 Mr. Walker

02:29:54 **Vote:** Motion carried unanimously by voice vote.

02:30:09 **Motion:** Sen. Arntzen moved that **SB 52 DO PASS AS AMENDED.**

Discussion:

02:30:21 Sen. Arntzen
02:30:31 Mr. Walker

02:30:47 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 76

02:31:06 **Motion:** Sen. Arntzen moved that **SB 76 DO PASS.**

Discussion:

02:31:23 Sen. Vuckovich
EXHIBIT(bus15a14)

02:33:16 Sen. Brown
02:35:15 Sen. Vuckovich

02:36:15 **Motion:** Sen. Vuckovich moved that **SB 76 BE AMENDED.**

Discussion:

02:36:34 J Walker, LSD

02:38:32 **Vote:** Motion carried unanimously by voice vote.

02:38:43 **Motion:** Sen. Vuckovich moved that **SB 76 DO PASS AS AMENDED.**

Discussion:

02:39:06 Sen. Brown

02:39:58 Sen. Vuckovich

02:40:33 Chairman Buttrey

02:40:46 **Vote:** Motion carried 6-4 by roll call vote with Sen. Arntzen, Sen. Brown, Sen. Smith and Sen. Vance voting no.

EXECUTIVE ACTION ON SB 77

02:42:18 **Motion:** Sen. Arntzen moved that **SB 77 DO PASS.**

Discussion:

02:42:40 Mr. Walker

02:43:16 Chairman Buttrey

02:43:31 Mr. Walker

EXHIBIT(bus15a15)

02:43:54 Sen. Brown

02:43:59 Mr. Walker

02:44:11 Chairman Buttrey

02:44:29 Sen. Brown

02:45:09 Sen. Facey

02:45:41 Mr. Walker

02:46:05 Chairman Buttrey

02:46:26 Sen. Facey

02:46:45 Chairman Buttrey

02:47:06 Sen. Brown

02:47:15 Chairman Buttrey

02:47:26 **Motion:** Sen. Arntzen moved that **SB 77 BE AMENDED.**

Discussion:

02:48:54 Sen. Smith

02:49:16 Chairman Buttrey

02:49:20 Sen. Smith

02:49:24 Sen. Arntzen

02:49:56 Chairman Buttrey

02:50:02 **Vote:** Motion carried unanimously by voice vote.

02:50:10 **Motion/Vote:** Sen. Arntzen moved that **SB 77 DO PASS AS AMENDED.**
Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 104

02:50:30 **Motion:** Sen. Arntzen moved that **SB 104 DO PASS.**

Discussion:

02:51:12 Sen Arntzen

02:51:25 Sen. Facey

02:51:30 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 105

02:51:41 **Motion:** Sen. Arntzen moved that **SB 105 DO PASS.**

Discussion:

02:51:49 Sen. Arntzen

[EXHIBIT\(bus15a16\)](#)

02:52:46 **Motion:** Sen. Buttrey moved that **SB 105 BE AMENDED.**

Discussion:

02:53:25 Chairman Buttrey

02:53:40 Mr. Walker

02:54:06 Sen. Facey

02:54:12 Chairman Buttrey

02:54:17 Sen. Arntzen

02:54:35 **Vote:** Motion carried unanimously by voice vote.

02:54:47 **Motion:** Sen. Arntzen moved that **SB 105 BE AMENDED.**

Discussion:

02:54:50 Sen. Arntzen

[EXHIBIT\(bus15a17\)](#)

Discussion:

02:55:29 Mr. Walker

02:55:37 **Vote:** Motion carried unanimously by voice vote.

02:55:45 **Motion:** Sen. Arntzen moved that **SB 105 DO PASS AS AMENDED.**

Discussion:

02:56:00 Sen. Brown
02:56:13 Chairman Buttrey
02:56:49 Sen. Arntzen
02:57:15 Chairman Buttrey
02:57:31 Sen. Vance
02:57:48 Chairman Buttrey

02:57:55 **Vote:** Motion carried 8-2 by voice vote with Sen. Brown and Sen. Smith voting no.

Committee Business:

02:58:32 Sen. Brown
02:58:35 Chairman Buttrey
02:59:08 Sen. Arntzen
02:59:20 Chairman Buttrey

ADJOURNMENT

Adjournment: 11:03 A.M.

Linda Keim, Secretary

lk

Additional Documents:

EXHIBIT([bus15aad.pdf](#))