

MINUTES

MONTANA SENATE 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: By **CHAIRMAN VICKI COCCHIARELLA**, on February 14, 2005 at 9:00 A.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Vicki Cocchiarella, Chairman (D)
Sen. Joe Balyeat (R)
Sen. Duane Grimes (R)
Sen. Dave Lewis (R)
Sen. Glenn Roush (D)
Sen. Frank Smith (D)
Sen. Carolyn Squires (D)
Sen. Donald J. Steinbeisser (R)
Sen. Bill Tash (R)
Sen. Joseph (Joe) Tropila (D)

Members Excused:

Sen. Jon Tester (D)

Members Absent: None.

Staff Present: Annie Glover, 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: SB 409, 2/10/2005; SB 422,
2/10/2005; SB 72, 2/10/2005; SB 401
, 2/10/2005
Executive Action: SB 409, SB 265

00:00:00

HEARING ON SB 409

Opening Statement by Sponsor:

SEN. STEVEN GALLUS (D), SD 37, opened the hearing on **SB 409**, Eliminate requirement of medical examination for issuance of marriage license.

EXHIBIT(bus36b01)

Proponents' Testimony: None.

Opponents' Testimony: None.

Informational Testimony: None.

00:04:03

Questions from Committee Members and Responses:

00:06:02

Closing by Sponsor:

00:06:06

HEARING ON SB 422

Opening Statement by Sponsor:

SEN. JOE BALLYEAT (R), SD 34, opened the hearing on **SB 422**, Revise provisions regarding real estate appraiser trainees.

EXHIBIT(bus36b02)

Proponents' Testimony:

00:15:30 **Mr. Glenn Oppel, Montana Association of Realtors**

Opponents' Testimony:

00:17:35 **Mr. Keith O'Reilly, Board of Real Estate Appraisers**

EXHIBIT(bus36b03)

00:25:42 **Ms. Jan Martin, Public Member, Board of Real Estate Appraisers**

00:26:52 **Mr. Dennis Hoeger, Real Estate Appraiser**

EXHIBIT(bus36b04)

00:31:20 **Mr. Tim Moore, Chairman, Board of Real Estate
Appraisers**

EXHIBIT(bus36b05)

Informational Testimony: None.

00:36:15

Questions from Committee Members and Responses:

00:51:36

Closing by Sponsor:

01:01:21

HEARING ON SB 72

Opening Statement by Sponsor:

SEN. JEFF MANGAN (D), SD 12, opened the hearing on **SB 72**,
Continuation of health insurance as a retirement incentive.

Proponents' Testimony:

01:05:18 **Mr. Tom Schneider, Montana Public Employees
Association**

01:08:26 **Mr. Leo Berry, Self**

01:10:22 **SEN. DAVE LEWIS, SD 42, HELENA**

Opponents' Testimony:

01:10:36 **Mr. Rod Sunsted, Associate Commissioner of
Financial Affairs, Montana University System**

Informational Testimony:

01:11:57 **Mr. Randy Morris, Department of Administration**

01:12:13

Questions from Committee Members and Responses:

01:16:14

Closing by Sponsor:

01:18:50 Break

01:31:40 Resume

01:31:54

HEARING ON SB 401

Opening Statement by Sponsor:

SEN. JESSE LASLOVICH (D), SD 43, opened the hearing on SB 401, Revise UCC.

[EXHIBIT](#) (bus36b06)

[EXHIBIT](#) (bus36b07)

[EXHIBIT](#) (bus36b08)

[EXHIBIT](#) (bus36b09)

Proponents' Testimony:

01:43:34 Mr. Joe Masurek, National Conference of
Commissioners on Uniform State Laws

01:52:02 Mr. Steve Turkiewicz, Montana Banker's Association

Opponents' Testimony: None.

Informational Testimony: None.

01:53:04

Questions from Committee Members and Responses:

02:04:55

Closing by Sponsor:

02:06:43

EXECUTIVE ACTION ON SB 409

Motion/Vote: SEN. TROPILA moved that SB 409 DO PASS. Motion carried unanimously by voice vote.

[EXHIBIT](#) (bus36b10)

SEN. COCCHIARELLA proxied for SEN. TESTER.

02:11:50

EXECUTIVE ACTION ON SB 265

Motion: SEN. SQUIRES moved that SB 265 DO PASS.

Motion: SEN. COCCHIARELLA moved that SB 265 BE AMENDED WITH SB026401.APM.

[EXHIBIT](#) (bus36b11)

Discussion:

SEN. LANE LARSON, SD 22, BILLINGS

Mr. Keith Allen, International Brotherhood of Electrical Workers

Vote: Motion carried unanimously by voice vote.

Motion: SEN. BALLYEAT moved that SB 265 BE AMENDED CONCEPTUALLY TO ADD A GRANDFATHER CLAUSE FOR CURRENT BOARD MEMBERS.

Discussion:

Vote: Motion carried unanimously by voice vote.

Motion: SEN. GRIMES moved that SB 265 BE AMENDED CONCEPTUALLY TO STRIKE SECTION 4.

Discussion:

Vote: Motion carried unanimously by voice vote.

Discussion:

Mr. Keith Allen, International Brotherhood of Electrical Workers

Motion: SEN. BALLYEAT moved that SB 265 BE AMENDED CONCEPTUALLY TO STRIKE SECTION 8 SUBSECTION 2.

Discussion:

Mr. Keith Allen, International Brotherhood of Electrical Workers

Vote: Motion failed 5-6 by voice vote with SEN. BALLYEAT, SEN. GRIMES, SEN. LEWIS, SEN. STEINBEISSER, and SEN. TASH voting aye.

Motion: SEN. COCCHIARELLA moved that SB 265 BE AMENDED THAT REMOVAL IS NOT DEMOLITION.

Discussion:

Vote: Motion carried unanimously by voice vote.

02:50:27 SEN. GRIMES exited.

Motion: SEN. SMITH moved that SB 265 DO PASS AS AMENDED.

Discussion:

Vote: Motion carried 6-5 by voice vote with SEN. BALYEAT, SEN. GRIMES, SEN. LEWIS, SEN. STEINBEISSER, and SEN. TASH voting no. SEN. COCCHIARELLA proxied for SEN. TESTER. SEN. BALYEAT proxied for SEN. GRIMES.

ADJOURNMENT

Adjournment: 11:00 A.M.

SEN. VICKI COCCHIARELLA, Chairman

ANNIE GLOVER, Secretary

VC/ag

Additional Exhibits:

EXHIBIT ([bus36bad0.PDF](#))