

## **MINUTES**

### **MONTANA SENATE 59th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS**

**Call to Order:** By **CHAIRMAN VICKI COCCHIARELLA**, on March 15, 2005  
at 9:00 A.M., in Room 422 Capitol.

#### **ROLL CALL**

**Members Present:**

Sen. Vicki Cocchiarella, Chairman (D)  
Sen. Joe Balyeat (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:** Sen. Duane Grimes (R)

**Staff Present:** Annie Glover, Committee Secretary  
Pat Murdo, Legislative Branch

**Please Note.** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing & Date Posted: HB 631, 3/11/2005; HB 638,  
3/11/2005; HB 502, 3/11/2005; HB  
418, 3/11/2005; HB 306, 3/11/2005  
Executive Action: HB 502, HB 631, HB 638

00:00:00

**HEARING ON HB 631**

**Opening Statement by Sponsor:**

REP. WAYNE STAHL (R), HD 35, opened the hearing on HB 631, Revise surplus lines insurance law.

**Proponents' Testimony:**

00:03:33            Mr. Roger McGlenn, Independent Insurance Agents of Montana

[EXHIBIT](#)(bus57a01)

[EXHIBIT](#)(bus57a02)

[EXHIBIT](#)(bus57a03)

00:12:55            Mr. Jason Todhunter, Montana Logging Association

**Opponents' Testimony:** None.

**Informational Testimony:** None.

00:14:18

**Questions from Committee Members and Responses:**

00:16:27

**Closing by Sponsor:**

SEN. TROPILA will carry HB 631 on the Senate Floor.

00:17:37

**HEARING ON HB 638**

**Opening Statement by Sponsor:**

REP. ELSIE ARNTZEN (R), HD 53, opened the hearing on HB 638, Revise barber and cosmetology law.

[EXHIBIT](#)(bus57a04)

**Proponents' Testimony:** None.

**Opponents' Testimony:** None.

**Informational Testimony:**

00:23:45            Ms. Grace Berger, Department of Labor and Industry

00:24:24

Questions from Committee Members and Responses:

00:33:30

Closing by Sponsor:

00:35:06

HEARING ON HB 502

Opening Statement by Sponsor:

REP. BRADY WISEMAN (D), HD 65, opened the hearing on HB 502, Eliminate background check for off-premises beer and wine licenses.

Proponents' Testimony:

00:40:34 Mr. Kelly Wiseman, General Manager, Bozeman  
Community Food Co-op

00:45:48 Ms. Ronna Alexander, Petroleum Marketers  
Convenience Store Association

Opponents' Testimony: None.

Informational Testimony:

00:48:32 Mr. Neil Peterson, Department of Revenue

00:51:33 Mr. Gene Huntington, Department of Justice

00:51:56

Questions from Committee Members and Responses:

00:56:44

Closing by Sponsor:

00:58:46\_\_\_\_\_

EXECUTIVE ACTION ON HB 502

Motion: SEN. BALYEAT moved that HB 502 BE CONCURRED IN.

Motion: SEN. SMITH moved that HB 502 BE AMENDED TO ADD AN IMMEDIATE EFFECTIVE DATE.

Motion/Vote: SEN. BALYEAT moved that HB 502 BE CONCURRED IN AS AMENDED. Motion carried unanimously by voice vote.

01:00:01\_\_\_\_\_

EXECUTIVE ACTION ON HB 631

**Motion/Vote:** SEN. LEWIS moved that HB 631 BE CONCURRED IN.  
**Motion carried** unanimously by voice vote.

01:00:44

EXECUTIVE ACTION ON HB 638

**Motion:** SEN. SMITH moved that HB 638 BE CONCURRED IN.

Discussion:

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

01:05:51\_\_\_\_\_

HEARING ON HB 418

Opening Statement by Sponsor:

**REP. JIM KEANE (D), HD 75**, opened the hearing on **HB 418**, Revise the definition of supervisory employee regarding collective bargaining.

Proponents' Testimony:

01:09:01        **Mr. J.C. Weingartner, Montana Education Association-Montana Federation of Teachers (MEA-MFT)**

01:18:17        **Mr. Tom Schneider, Montana Public Employees Association**

**EXHIBIT**(bus57a05)

01:22:20        **Mr. Jerry Driscoll, Montana American Federation of Labor-Congress of Industrial Organizations (AFL-CIO)**

Opponents' Testimony:

01:24:35        **Mr. Randy Morris, Administrator, State Personnel Division, Department of Administration, also on behalf of the Departments of Corrections and Public Health and Human Services**

01:28:37        **Mr. Ken McElroy, Department of Corrections**

01:34:39        **Mr. Mike Mahoney, Warden, Montana State Prison**

01:40:15        **Mr. Ed Amberg, Director, State Hospital at Warm Springs**

01:42:13           **Mr. Bill Slaughter, Department of Corrections**

**Informational Testimony:**

01:45:20           **Mr. John Andrew, Department of Labor and Industry**

01:45:40           **Col. Paul Grimstad, Montana Highway Patrol**

01:47:35

**Questions from Committee Members and Responses:**

02:16:52

**Closing by Sponsor:**

02:20:43       \_\_\_\_\_

**HEARING ON HB 306**

**Opening Statement by Sponsor:**

**REP. DAVE GALLIK (D), HD 79,** opened the hearing on **HB 306**, Made in Montana virtual store.

**Proponents' Testimony:** None.

**Opponents' Testimony:** None.

**Informational Testimony:**

02:24:33           **Mr. Mark Bisom, Department of Commerce**

02:24:49

**Questions from Committee Members and Responses:**

02:28:33

**Closing by Sponsor:**

**ADJOURNMENT**

Adjournment: 11:00 A.M.

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SEN. VICKI COCCHIARELLA, Chairman

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ANNIE GLOVER, Secretary

VC/ag

Additional Exhibits:

**EXHIBIT ([bus57aad0.PDF](#))**