

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: By Chairman Scott Mendenhall, on January 24, 2007
at 8:00 A.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Scott Mendenhall, Chairman (R)
Rep. Jim Keane, Vice Chairman (D)
Rep. Mike Milburn, Vice Chairman (R)
Rep. Elsie Arntzen (R)
Rep. Shannon Augare (D)
Rep. Scott Boggio (R)
Rep. Ernie Dutton (R)
Rep. Kevin T. Furey (D)
Rep. Ralph Heinert (R)
Rep. Llew Jones (R)
Rep. Harry Klock (R)
Rep. Michele Reinhart (D)
Rep. Wayne Stahl (R)
Rep. Bill Thomas (D)
Rep. Kendall Van Dyk (D)
Rep. Jonathan Windy Boy (D)

Members Excused: None

Members Absent: None

Staff Present: Bart Campbell, Legislative Branch
Nancy Kraft, Committee Secretary

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 358, 1/23/2007; HB 378,
1/23/2007; HB 393, 1/23/2007

Executive Action: Committee Bill; HB 65; HB 72; HB
145; HB 158; HB 190; HB 286; HB
319; HB 333; HJ 11

HEARING ON HB 358

Opening Statement by Sponsor:

00:02:38 Rep. Ernie Dutton (R), HD 56, opened the hearing on HB
358, Revise service fee for issuing bad check.

Proponents' Testimony:

00:04:46 Bruce Spencer, Montana Automobile Dealers

Opponents' Testimony:

00:05:26 Denver Henderson, Associated Students University of
Montana

00:07:44 Andrea Olson

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:12:42 Rep. Dutton

HEARING ON HB 378

Opening Statement by Sponsor:

00:14:47 Rep. Jonathan Windy Boy (D), HD 32, opened the hearing
on HB 378, Revise nursing home administration laws.

Proponents' Testimony:

00:16:13 Rose Hughes, Montana Health Care Association

[EXHIBIT\(buh16a01\)](#)

00:20:10 Casey Blumenthal, Montana Hospital Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:21:22 Rep. Keane
00:21:47 Ms. Hughes
00:23:56 Rep. Arntzen
00:24:29 Ms. Hughes

Closing by Sponsor:

00:25:18 Rep. Windy Boy

HEARING ON HB 393

Opening Statement by Sponsor:

00:26:00 Rep. Teresa Henry (D), HD 96, opened the hearing on HB 393, Registration and regulation of home inspectors.

Proponents' Testimony:

00:32:12 Steve Jacoby, Montana Association of Real Estate
Inspectors
00:35:17 Bill Burnett
00:36:45 Tom Clement, National Association of Certified Home
Inspectors

Opponents' Testimony: None

Informational Testimony:

00:40:45 Jill Caldwell, Department of Labor & Industry

Questions from Committee Members and Responses:

00:41:10 Rep. Keane
00:41:42 Mr. Jacoby
00:42:57 Rep. Henry
00:43:25 Ms. Caldwell
00:44:10 Rep. Keane
00:44:23 Ms. Caldwell
00:45:26 Rep. Arntzen
00:46:14 Ms. Caldwell
00:46:53 Rep. Milburn
00:47:12 Mr. Jacoby
00:48:08 Rep. Reinhart
00:48:25 Mr. Jacoby
00:53:30 Rep. Dutton
00:53:45 Mr. Jacoby
01:04:00 Rep. Dutton

01:05:00 Mr. Jacoby
01:05:54 Rep. Mendenhall
01:06:25 Ms. Caldwell
01:07:43 Rep. Mendenhall

Closing by Sponsor:

01:08:19 Rep. Henry
01:09:10 Break

EXECUTIVE ACTION ON COMMITTEE BILL

Sub-Committee Report on Criminal Justice Agency Designation
Meeting on January 19, 2007

01:24:40 Rep. Stahl
01:26:49 Bart Campbell
01:30:02 Rep. Mendenhall

01:30:13 **Motion:** Rep. Stahl moved the Business & Labor Committee draft a Committee Bill regarding the criminal justice agency status designation.

Discussion:

01:30:39 Mr. Campbell
01:31:55 Rep. Keane
01:32:48 Rep. Mendenhall
01:33:13 Rep. Windy Boy
01:33:33 Rep. Mendenhall
01:34:05 Mr. Campbell
01:34:31 Rep. Stahl
01:34:57 Rep. Dutton
01:35:33 Mr. Campbell
01:37:54 Rep. Dutton
01:38:54 Mr. Campbell
01:40:17 Rep. Mendenhall
01:40:41 Rep. Keane

01:41:25 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 65

01:42:13 **Motion:** Rep. Keane moved that HB 65 **DO PASS**.
01:42:26 **Motion:** Rep. Keane moved that HB 65 **BE AMENDED**.

EXHIBIT (buh16a02)

Discussion:

01:43:04 Mr. Campbell
01:46:40 Rep. Mendenhall
01:47:00 Mr. Campbell
01:48:14 Rep. Keane
01:48:44 Jerry Keck, Department of Labor & Industry

01:50:41 **Vote:** Motion carried unanimously by voice vote. Rep. Windy Boy voted by proxy.
01:51:05 **Motion/Vote:** Rep. Keane moved that HB 65 **DO PASS AS AMENDED**. Motion carried unanimously by voice vote. Rep. Windy Boy voted by proxy.

EXECUTIVE ACTION ON HB 72

01:52:11 **Motion:** Rep. Van Dyk moved that HB 72 **DO PASS**.
01:53:00 **Motion:** Rep. Van Dyk that HB 72 **BE AMENDED**.
[EXHIBIT \(buh16a03\)](#)

Discussion:

01:53:05 Rep. Dutton
01:53:11 Mr. Campbell

01:53:47 **Vote:** Motion carried 15-1 by voice vote with Rep. Dutton voting no.
01:54:14 **Motion:** Rep. Van Dyk moved that HB 72 **DO PASS AS AMENDED**

Discussion:

01:54:39 Rep. Mendenhall
01:54:43 Rep. Van Dyk
01:55:06 Mr. Keck
01:55:43 Rep. Keane
01:56:23 Rep. Van Dyk

01:57:03 **Vote:** Motion carried unanimously by roll call vote.

EXECUTIVE ACTION ON HB 145

01:59:06 **Motion:** Rep. Keane moved that HB 145 **DO PASS**.
01:59:27 **Motion/Vote:** Rep. Keane moved that HB 145 **BE AMENDED**. Motion carried unanimously by voice vote.
[EXHIBIT \(buh16a04\)](#)

02:00:03 **Motion:** Rep. Keane moved that HB 145 **DO PASS AS AMENDED**

Discussion:

02:00:13 Rep. Stahl

02:01:18 Rep. Reinhart

02:02:35 **Vote:** Motion carried 14-2 by roll call vote with Reps. Heinert and Stahl voting no.

EXECUTIVE ACTION ON HB 158

02:03:52 **Motion:** Rep. Jones moved that HB 158 **DO PASS**

Discussion:

02:04:10 Mr. Campbell

02:04:54 Rep. Jones **WITHDREW THE MOTION**

EXECUTIVE ACTION ON HB 190

02:05:14 **Motion:** Rep. Thomas moved that HB 190 **DO PASS**

02:05:33 **Motion/Vote:** Rep. Thomas moved that HB 190 **BE AMENDED**.
Motion carried unanimously by voice vote.

EXHIBIT(buh16a05)

02:07:10 **Motion:** Rep. Thomas moved HB 190 **DO PASS AS AMENDED**.

02:07:35 **Motion/Vote:** Rep. Windy Boy moved HB 190 **BE AMENDED**.
Motion carried unanimously by voice vote.

EXHIBIT(buh16a06)

Discussion

02:09:05 Rep. Thomas

02:09:30 Mr. Campbell

02:09:58 Rep. Keane

02:10:29 **Vote:** Motion carried unanimously by voice vote.

02:10:46 **Motion:** Rep. Windy Boy moved HB 190 **BE AMENDED**.

EXHIBIT(buh16a07)

Discussion:

02:11:58 Rep. Thomas

02:12:06 Mr. Campbell

02:13:30 Rep. Thomas

02:14:33 Rep. Augare

02:15:04 Rep. Thomas

02:15:13 Rep. Klock
02:15:30 Rep. Arntzen
02:15:47 Rep. Thomas
02:17:07 Rep. Dutton
02:17:47 Rep. Stahl
02:18:39 Rep. Thomas
02:19:21 Rep. Augare
02:19:58 Rep. Thomas
02:20:38 Rep. Milburn
02:20:54 Rep. Thomas

02:23:01 **Vote:** Motion failed 2-14 by roll call vote. Reps.
Windy Boy and Augare voted aye.

02:24:29 **Motion/Vote:** Rep. Thomas moved that HB 190 **DO PASS AS
AMENDED**. Motion carried 15-1 by voice vote. Rep. Windy
Boy voted no.

EXHIBIT (buh16a08)

EXECUTIVE ACTION ON HB 286

02:25:31 **Motion:** Rep. Augare moved that HB 286 **DO PASS**

02:25:42 **Motion:** Rep. Jones moved that HB 286 **BE AMENDED**.

EXHIBIT (buh16a09)

Discussion:

02:26:45 Rep. Jones
02:29:58 Rep. Augare

02:30:24 **Vote:** Motion carried unanimously by voice vote. Rep.
Keane voted by proxy.

02:30:41 **Motion:** Rep. Augare moved HB 286 **DO PASS AS AMENDED**.

Discussion:

02:31:00 Rep. Milburn
02:31:24 Rep. Jones
02:31:52 Rep. Windy Boy
02:33:03 Rep. Jones
02:33:20 Rep. Dutton
02:34:17 Rep. Mendenhall

02:34:36 **Vote:** Motion carried unanimously by voice vote.
Rep. Keane voted by proxy

EXECUTIVE ACTION ON HB 319

02:35:52 **Motion:** Rep. Heinert moved that HB 319 **DO PASS.**
02:36:00 **Motion:** Rep. Heinert moved that HB 319 **BE AMENDED.**
EXHIBIT(buh16a10)

Discussion:

02:36:15 Mr. Campbell
02:36:48 **Vote:** Motion carried unanimously by voice vote. Rep.
Keane voted by proxy
02:37:09 **Motion:** Rep. Heinert moved that HB 319 **DO PASS AS**
AMENDED.

Discussion:

02:37:00 Rep. Stahl
02:37:37 Rep. Thomas
02:38:03 Rep. Mendenhall
02:38:27 **Vote:** Motion carried unanimously by voice vote. Rep.
Keane voted by proxy.

EXECUTIVE ACTION ON HB 333

02:39:38 **Motion:** Rep. Augare moved that HB 333 **DO PASS.**

Discussion:

02:40:13 Rep. Jones
02:42:09 **Vote:** Motion carried 15-1 by roll call vote with Rep.
Mendenhall voting no. Rep. Keane voted by proxy.

EXECUTIVE ACTION ON HJ 11

02:42:30 **Motion:** Rep. Windy Boy moved that HJ 11 **DO PASS.**

Discussion:

02:43:06 Rep. Milburn

02:43:15 **Vote:** Motion failed 5-11 by roll call vote. Reps. Keane, Windy Boy, Reinhart, Furey, and Van Dyk voted aye.

02:44:23 **Substitute Motion/Vote:** Rep. Klock moved that HJ 11 **BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote.

ADJOURNMENT

Adjournment: 10:50 A.M.

REP. SCOTT MENDENHALL, Chairman

NANCY KRAFT, Secretary

SM/nk

Additional Exhibits:

EXHIBIT ([buh16aad.pdf](#))