

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: By Chairman Scott Mendenhall, on February 14, 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. 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: Rep. Ralph Heinert (R)

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 412, 2/9/2007; HB 600, 2/9/2007
Executive Action: HB 492; HB 508; HB 538; HB 542;
HB 553; HB 565; HJ 28

HEARING ON HB 412

Opening Statement by Sponsor:

00:02:58 Rep. Bob Ebinger (D), HD 62, opened the hearing on HB 412, Allow transfer of funds between public benefit corporations.

EXHIBIT (buh33a01)

Proponents' Testimony:

00:06:23 Sam Pleshar, Livingston Health Care, Livingston Memorial Hospital
00:08:42 Ken Frazier, Attorney, Billings Clinic
00:14:23 Jim Ahrens, Montana Hospital Association
00:14:50 Anthony Johnstone, Attorney General's Office
00:15:54 Aimee Grmoljez, Montana Non-Profits' Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:16:39 Rep. Dutton
00:17:07 Mr. Frazier
00:18:19 Rep. Keane
00:21:01 Mr. Johnstone
00:21:40 Rep. Reinhart
00:21:55 Mr. Johnstone
00:22:41 Rep. Mendenhall
00:23:29 Mr. Frazier
00:28:19 Rep. Keane
00:28:50 Mr. Johnstone

Closing by Sponsor:

00:30:56 Rep. Ebinger

HEARING ON HB 600

Opening Statement by Sponsor:

00:32:10 Rep. Holly Raser (D), HD 98, opened the hearing on HB 600, Restrict cell phone use while driving.

Proponents' Testimony:

00:42:11 Tom Butler, Captain, Montana Highway Patrol, Belgrade,
Montana
00:43:10 Aimee Grmoljez, Verizon Wireless

Opponents' Testimony:

00:45:50 Bob Gilbert, Montana Tow Truck Association
00:47:29 Margaret Morgan, Alltel Communications
00:51:41 Jason Todhunter, Montana Logging Association
00:52:32 Rep. Joey Jayne, House District 15

Informational Testimony: None

Questions from Committee Members and Responses:

00:53:48 Rep. Dutton
00:54:07 Brook McLendon, Bozeman
00:55:19 Rep. Mendenhall
00:59:09 Ms. Grmoljez
01:00:24 Rep. Keane
01:00:39 Ms. Grmoljez
01:01:00 Rep. Raser

Closing by Sponsor:

01:01:39 Rep. Raser
01:08:33 Break

Discussion on Consumer Loan and Mortgage Lender Legislation

01:41:06 Rep. Mendenhall
01:43:57 Annie Goodwin, Commissioner, Division of Banking and
Financial Institutions, Department of Administration
Ms. Goodwin submitted a document pertaining to five
bills introduced in the 2007 Legislative Session
regarding banking and licensing.

EXHIBIT (buh33a02)

01:53:11 Rep. Arntzen
01:53:57 Ms. Goodwin
01:55:00 Rep. Dutton
01:55:26 Ms. Goodwin

EXECUTIVE ACTION ON HB 492

02:01:03 **Motion:** Rep. Stahl moved that HB 492 **DO PASS.**

Discussion:

02:01:28 Rep. Dutton
02:02:23 Rep. Keane
02:02:42 Rep. Reinhart
02:03:19 Rep. Mendenhall
02:04:28 Rep. Van Dyk

02:05:06 **Vote:** Motion carried 9-7 with Reps. Augare, Furey, Keane, Reinhart, Thomas, Van Dyk, and Windy Boy voting no. Reps. Heinert and Windy Boy voted by proxy.

EXECUTIVE ACTION ON HB 508

02:06:34 **Motion:** Rep. Milburn moved that HB 508 **DO PASS.**

Discussion:

02:06:49 Rep. Keane
02:07:32 Rep. Klock
02:07:51 Rep. Stahl

02:08:39 **Vote:** Motion failed 8-8 by roll call vote with Reps. Boggio, Dutton, Heinert, Jones, Klock, Mendenhall, Milburn, and Stahl voting aye. Reps. Heinert and Windy Boy voted by proxy.

EXECUTIVE ACTION ON HB 538

02:10:07 **Motion:** Rep. Furey moved that HB 538 **DO PASS.**

Discussion:

02:10:34 Bart Campbell

02:11:30 **Motion:** Rep. Furey moved that HB 538 **BE AMENDED.**
EXHIBIT (buh33a03)

Discussion:

02:13:06 Rep. Stahl
02:13:20 Rep. Dutton

02:13:43 **Vote:** Motion failed 7-9 by roll call vote with Reps. Augare, Furey, Jones, Keane, Reinhart, Van Dyk, and Windy Boy voting aye.

Discussion:

02:15:34 Rep. Mendenhall

02:15:50 Rep. Keane

02:16:56 **Vote:** Motion failed 5-11 by roll call vote with Rep. Augare, Furey, Reinhart, Van Dyk, and Windy Boy voting aye. Reps. Heinert and Windy Boy voted by proxy.

02:17:01 **Substitute Motion/Vote:** Rep. Milburn made a substitute motion that HB 538 **BE TABLED AND THE VOTE REVERSED.** Substitute motion carried unanimously by voice vote. Reps. Heinert and Windy Boy voted by proxy.

EXECUTIVE ACTION ON HB 542

02:17:30 **Motion:** Rep. Furey moved that HB 542 **DO PASS.**

02:17:58 **Motion:** Rep. Furey moved that HB 542 **BE AMENDED.**

EXHIBIT (buh33a04)

Discussion:

02:18:09 Bart Campbell

02:19:07 **Vote:** Motion carried unanimously by voice vote. Reps. Heinert and Windy Boy voted by proxy.

02:19:34 **Motion:** Rep. Furey moved that HB 542 **DO PASS AS AMENDED.**

Discussion:

02:19:54 Rep. Furey

02:20:58 Rep. Milburn

02:21:43 Rep. Keane

02:22:48 Rep. Dutton

02:23:22 Rep. Reinhart

02:24:40 Rep. Mendenhall

02:25:07 Rep. Furey

02:25:39 Rep. Mendenhall

02:26:19 Rep. Arntzen

02:26:48 Rep. Reinhart

02:27:36 Rep. Keane

02:28:02 Rep. Arntzen

02:28:33 **Vote:** Motion failed 7-9 by roll call vote with Reps. Augare, Furey, Keane, Reinhart, Thomas, Van Dyk, and Windy Boy voting aye. Rep. Heinert voted by proxy.

02:29:36 **Substitute Motion/Vote:** Rep. Furey made a substitute motion that HB 542 **BE TABLED AND THE VOTE REVERSED**. Substitute motion carried unanimously by voice vote. Rep. Heinert voted by proxy.

EXECUTIVE ACTION ON HB 553

02:30:16 **Motion:** Rep. Keane moved that HB 553 **DO PASS**.
EXHIBIT (buh33a05)

Discussion:

02:30:50 Rep. Keane

EXHIBIT (buh33a06)

02:32:33 Rep. Jones

02:33:42 Rep. Mendenhall

02:34:05 **Vote:** Motion failed 3-13 by roll call vote with Reps. Augare, Furey, and Van Dyk voting aye. Rep. Heinert voted by proxy.

02:35:06 **Substitute Motion/Vote:** Rep. Milburn made a substitute motion that HB 553 **BE TABLED AND THE VOTE REVERSED**. Substitute motion carried unanimously by voice vote. Rep. Heinert voted by proxy.

EXECUTIVE ACTION ON HB 565

02:35:32 **Motion:** Rep. Milburn moved that HB 565 **DO PASS**.
EXHIBIT (buh33a07)

Discussion:

02:35:52 Rep. Keane

02:36:33 Rep. Dutton

02:37:41 Rep. Keane

02:38:18 Rep. Dutton

02:39:08 Rep. Jones

02:41:00 **Vote:** Motion carried 10-6 by roll call vote with Reps. Augare, Furey, Keane, Reinhart, Van Dyk, and Windy Boy voting no. Rep. Heinert voted by proxy.

EXECUTIVE ACTION ON HJ 28

02:42:46 **Motion/Vote:** Rep. Furey moved that HJ 28 **BE ADOPTED**. Motion carried 10-6 by roll call vote with Reps. Arntzen, Boggio, Heinert, Klock, Milburn, and Stahl voting no. Rep. Heinert voted by proxy.

ADJOURNMENT

02:44:39 Adjournment: 10:50 A.M.

REP. SCOTT MENDENHALL, Chairman

NANCY KRAFT, Secretary

SM/nk

Additional Exhibits:

EXHIBIT ([buh33aad.pdf](#))