

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: By Chairman Scott Mendenhall, on February 22, 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)

Members Excused: Rep. Jonathan Windy Boy (D)

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 655, 2/15/2007; HB 704,
2/15/2007; HB 707, 2/15/2007; HB
766, 2/19/2007; HB 774, 2/19/2007;
HB 790, 2/21/2007

Executive Action: HB 704; HB 707; HB 655; HB 774; HB
766; HB 412

HEARING ON HB 655

Opening Statement by Sponsor:

00:03:45 Rep. Gary Branae (D), HD 54, opened the hearing on HB
655, Establishing incumbent worker training program.

Proponents' Testimony:

00:05:50 Bruce MacIntyre, Billings Chamber of Commerce
00:06:48 Joe McClure, Economic Development Authority, Billings
00:07:18 Gary Amestoy, Richland County Economic Development
Corporation
00:07:42 Charles Brooks, Yellowstone County Commission, Billings
Clinic; City of Billings
00:08:22 Emily Lipp Sirota, Governor's Economic Development
Office

Opponents' Testimony: None

Informational Testimony:

00:09:24 Ingrid Childress, Department of Labor and Industry

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:09:55 Rep. Branae

HEARING ON HB 774

Opening Statement by Sponsor:

00:10:43 Rep. Bill Glaser (R), HD 44, opened the hearing on HB
774, Revise raffle laws.

Proponents' Testimony:

00:15:33 Curt Kephart, Billings, Montana
00:20:48 George Graham, Billings, Montana

Opponents' Testimony:

00:22:08 Rich Miller, Gaming Industry Association of Montana
00:27:29 Ronda Wiggers, Montana Coin Machine Operators

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:29:11 Rep. Glaser

[**EXHIBIT**](#) (buh40a01)

HEARING ON HB 707

Opening Statement by Sponsor:

00:34:42 Rep. Robin Hamilton (D), HD 92, opened the hearing on HB 707, Combining licensing for pump installers with water well contractors.

Proponents' Testimony:

00:37:47 Jon Norcross, Camp Well Drilling and Pump Supply

Opponents' Testimony:

00:43:57 Jack Fisher, Chairman, State Electrical Board

00:44:33 Rick Hutchinson, Licensed State Electrician

00:46:31 Jacqueline Lenmark, Montana Water Well Drillers' Association

[**EXHIBIT**](#) (buh40a02)

00:53:41 Keith Allen, International Brotherhood of Electrical Workers

00:54:33 Steve Wade, Montana Rural Water Systems

[**EXHIBIT**](#) (buh40a03)

00:55:34 John Forkan, Montana State Association of Plumbing and Pipe Fitters

00:56:18 Mark Golz, Board of Plumbers

00:58:29 Pat Torgerson, Women Involved in Farm Economics

00:59:23 J. D. Lynch, Montana State Building Trades

01:00:24 Lorraine Schneider, Department of Labor and Industry; Board of Plumbers

01:03:25 Carl Schweitzer, Associated Plumbing and Heating Contractors of Montana

Informational Testimony: None

Questions from Committee Members and Responses:

01:04:05 Rep. Dutton

01:04:36 Mr. Lynch

01:04:44 Rep. Mendenhall

01:06:34 Ms. Schneider
01:07:01 Rep. Mendenhall
01:07:23 Mr. Fisher
01:09:41 Rep. Reinhart
01:09:54 Mr. Fisher
01:10:56 Rep. Boggio
01:11:16 Mr. Fisher
01:12:44 Rep. Augare
01:12:58 Mr. Norcross

Closing by Sponsor:

01:14:23 Rep. Hamilton

HEARING ON HB 790

Opening Statement by Sponsor:

01:16:39 Rep. Llew Jones (R), HD 27, opened the hearing on HB 790, Revise unemployment insurance contribution rates & administrative assessments.

Proponents' Testimony:

01:22:48 Jon Bennion, Montana Chamber of Commerce
01:23:08 Riley Johnson, National Federation of Independent Business

Opponents' Testimony: None

Informational Testimony:

01:23:48 Roy Mulvaney, Department of Labor and Industry
[EXHIBIT \(buh40a04\)](#)

Questions from Committee Members and Responses:

01:28:16 Rep. Keane
01:28:26 Mr. Mulvaney
01:29:19 Rep. Mendenhall
01:29:37 Rep. Jones
01:29:58 Rep. Dutton
01:30:06 Rep. Jones
01:31:09 Rep. Mendenhall
01:31:19 Keith Kelly, Commissioner, Department of Labor and Industry
01:33:38 Rep. Keane
01:34:17 Rep. Mendenhall

Closing by Sponsor:

01:34:43 Rep. Jones

01:35:49 Break

HEARING ON HB 766

Opening Statement by Sponsor:

02:01:20 Rep. Jon Sonju (R), HD 7, opened the hearing on HB 766, Revise insure Montana law regarding employer size & association health plans.

Proponents' Testimony:

02:03:49 Daren Engellant, Montana Retail Association

[EXHIBIT \(buh40a05\)](#)

02:07:51 Brad Griffin, Montana Retail Association

02:08:14 Webb Brown, Montana Chamber of Commerce

02:11:26 Riley Johnson, National Federation of Independent Business

02:13:50 Angela Huschka, New West Health Services

02:14:35 Don Allen, Association of Insurance and Financial Advisors

02:15:35 Frank Cote, Montana Health Insurance Plans

Opponents' Testimony: None

Informational Testimony:

02:17:44 Erin McGowan Fincham, State Auditor's Office

Questions from Committee Members and Responses:

02:19:36 Rep. Reinhart

02:19:51 Ms. McGowan Fincham

02:22:17 Rep. Furey

02:23:09 Mr. Cote

02:27:49 Rep. Furey

02:28:36 Ms. McGowan Fincham

02:30:30 Rep. Furey

02:30:45 Christina Goe, State Auditor's Office

02:31:47 Rep. Boggio

02:32:01 Ms. McGowan Fincham

02:34:03 Rep. Jones

02:34:46 Mr. Cote

02:37:02 Rep. Mendenhall

02:37:08 Ms. Huschka

02:38:28 Rep. Mendenhall
02:39:29 Ms. McGowan Fincham
02:41:40 Ms. Goe

Closing by Sponsor:

02:42:49 Rep. Sonju

HEARING ON HB 704

Opening Statement by Sponsor:

02:44:14 Rep. Jim Keane (D), HD 75, opened the hearing on HB 704, Revise prevailing wage laws.

Informational Testimony:

02:51:20 Keith Kelly, Commissioner, Department of Labor and Industry

Proponents' Testimony:

02:53:03 Cary Hegreberg, Montana Contractor's Association

Opponents' Testimony:

02:58:44 Carl Schweitzer, Montana Subcontractors' Association
03:02:55 Rick Hutchinson, Hutchinson Electric, Treasure State Independent Contractors' Union
03:05:24 Margaret Morgan, Greater Montana Independent Electrical Contractors

Questions from Committee Members and Responses: None

Closing by Sponsor:

03:10:36 Rep. Keane

03:13:40 Break

EXECUTIVE ACTION ON HB 704

03:34:33 **Motion:** Rep. Keane moved that HB 704 **DO PASS**.
03:34:40 **Substitute Motion/Vote:** Rep. Keane made a substitute motion that HB 704 **BE TABLED**. Substitute motion carried 13-3 by voice vote with Reps. Furey, Van Dyk, and Rep. Windy Boy voting no. Rep. Windy Boy voted by proxy.

EXECUTIVE ACTION ON HB 707

03:35:52 **Motion:** Rep. Keane moved that HB 707 **DO PASS**.
03:36:00 **Substitute Motion:** Rep. Keane made a substitute motion
that HB 707 **BE TABLED**.
03:36:09 Without objection, Rep. Keane withdrew his motion to
table HB 707.

Discussion:

03:36:43 Rep. Mendenhall
03:37:27 **Motion/Vote:** Rep. Keane moved that HB 707 **BE TABLED**.
Motion carried 15-1 by voice vote with Rep. Furey
voting no. Rep. Windy Boy voted by proxy.

EXECUTIVE ACTION ON HB 655

03:38:08 **Motion:** Rep. Keane moved that HB 655 **DO PASS**.
03:38:16 **Substitute Motion/Vote:** Rep. Keane made a substitute
motion that HB 655 **BE TABLED**. Substitute motion carried
16-0 by voice vote. Rep. Windy Boy voted by proxy.

EXECUTIVE ACTION ON HB 774

03:39:01 **Motion:** Rep. Milburn moved that HB 774 **DO PASS**.
03:39:22 **Substitute Motion/Vote:** Rep. Milburn made a substitute
motion that HB 774 **BE TABLED**. Substitute motion carried
10-6 by roll call vote with Reps. Dutton, Furey, Jones,
Heinert, Van Dyk, and Mendenhall voting no. Rep.
Windy Boy voted by proxy.

EXECUTIVE ACTION ON HB 766

03:40:51 **Motion:** Rep. Keane moved that HB 766 **DO PASS**.
03:41:15 **Motion:** Rep. Stahl moved that HB 766 **BE AMENDED**.
[EXHIBIT \(buh40a06\)](#)

Discussion:

03:41:41 Rep. Furey
03:42:27 Rep. Keane
03:43:11 Rep. Reinhart
03:43:33 Rep. Dutton
03:44:04 Rep. Keane

03:45:18 **Vote:** Motion carried 11-5 by roll call vote with Reps. Augare, Furey, Jones, Reinhart, and Van Dyk voting no. Rep. Windy Boy voted by proxy.

03:46:16 **Motion/Vote:** Rep. Keane moved that HB 766 **DO PASS AS AMENDED**. Motion carried unanimously by roll call vote. Rep. Windy Boy voted by proxy.

EXECUTIVE ACTION ON HB 412

03:47:45 **Motion:** Rep. Arntzen moved that HB 412 **DO PASS**.

Discussion:

03:48:01 Rep. Dutton

03:48:53 Bart Campbell

03:49:00 **Motion:** Rep. Stahl moved that HB 412 **BE AMENDED**.
[EXHIBIT \(buh40a07\)](#)

Discussion:

03:51:00 Rep. Keane

03:51:40 Mr. Campbell

03:52:14 Rep. Furey

03:52:27 Janie McCall, Billings Clinic

03:52:48 Anthony Johnstone

03:54:20 **Vote:** Motion carried 15-1 by voice vote with Rep. Mendenhall voting no. Rep. Windy Boy voted by proxy.

03:54:49 **Motion/Vote:** Rep. Arntzen moved that HB 412 **DO PASS AS AMENDED**. Motion carried 13-3 by voice vote with Reps. Heinert, Keane, and Mendenhall voting no. Rep. Windy Boy voted by proxy.

ADJOURNMENT

03:56:09 Adjournment: 12:00 P.M.

REP. SCOTT MENDENHALL, Chairman

NANCY KRAFT, Secretary

SM/nk

Additional Exhibits:

EXHIBIT ([buh40aad.pdf](#))