

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: By Chairman Scott Mendenhall, on February 23, 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 745, 2/19/2007; HB 749,
2/19/2007; HB 756, 2/19/2007; HB
779, 2/19/2007

Executive Action: HB 730; HB 738; HB 764; HB 790; HB 745;
HB 749; HB 756; HB 779; HB 605; HB 29;
HB 654

HEARING ON HB 749

Opening Statement by Sponsor:

00:02:58 Rep. Jill Cohenour (D), HD 78, opened the hearing on HB 749, Government storage, display of social security numbers.

[EXHIBIT \(buh41a01\)](#)

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

00:08:05 Cheryl Wood, Montana Association of Counties

Questions from Committee Members and Responses:

00:09:10 Rep. Milburn
00:09:22 Rep. Cohenour
00:09:40 Rep. Mendenhall
00:09:54 Rep. Cohenour

Closing by Sponsor:

00:10:09 Rep. Cohenour

HEARING ON HB 756

Opening Statement by Sponsor:

00:11:06 Rep. Llew Jones (R), HD 27, opened the hearing on HB 756, Revise workforce training grant eligibility.

[EXHIBIT \(buh41a02\)](#)

Proponents' Testimony:

00:19:15 Andy Poole, Department of Commerce
00:21:38 Gary Amestoy, Richland County Economic Development Corporation

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:22:55 Rep. Mendenhall
00:23:39 Rep. Jones
00:24:19 Rep. Furey
00:24:13 Rep. Jones
00:24:44 Rep. Mendenhall
00:25:08 Mr. Poole
00:27:05 Rep. Keane
00:27:22 Mr. Poole

Closing by Sponsor:

00:30:15 Rep. Jones

HEARING ON HB 745

Opening Statement by Sponsor:

00:34:24 Rep. JP Pomnichowski (D), HD 63, opened the hearing on
HB 745, Authorize county occupancy permits.

Proponents' Testimony:

00:37:09 Michael Harris, Gallatin County Legislative Liaison
[EXHIBIT \(buh41a03\)](#)
00:40:39 Brett Waters, Fire Chief, Central Fire District,
Gallatin County Fire Warden
00:42:48 Cheryl Wood, Montana Association of Counties

Opponents' Testimony: None

Informational Testimony:

00:43:34 Tim Lloyd, Department of Labor and Industry

Questions from Committee Members and Responses:

00:43:56 Rep. Milburn
00:44:10 Rep. Pomnichowski
00:44:51 Rep. Dutton
00:45:24 Mr. Harris
00:46:13 Rep. Arntzen
00:46:37 Ms. Wood
00:46:55 Mr. Harris
00:48:40 Rep. Arntzen
00:48:55 Mr. Harris

00:49:38 Rep. Heinert
00:50:10 Rep. Pomnichowski
00:50:51 Harold Blattie, Montana Association of Counties
00:52:17 Rep. Heinert
00:52:10 Bart Campbell
00:53:56 Rep. Mendenhall
00:54:31 Rep. Pomnichowski
00:54:34 Mr. Harris
00:55:24 Rep. Mendenhall
00:55:50 Mr. Harris
00:57:15 Mr. Blattie
00:58:01 Mr. Harris
00:59:15 Rep. Heinert
00:59:45 Mr. Harris
01:01:03 Rep. Reinhart
01:01:30 Mr. Harris
01:02:30 Rep. Keane
01:02:48 Mr. Blattie

Closing by Sponsor:

01:03:18 Rep. Pomnichowski

HEARING ON HB 779

Opening Statement by Sponsor:

01:05:26 Rep. Betsy Hands (D), HD 99, opened the hearing on HB 779, Regulate mercury-added thermostats.

Proponents' Testimony:

01:11:07 Erin Thompson, Women's Voices for the Earth

EXHIBIT (buh41a04)

01:14:42 Anna Peterson, Montana Environmental Information Center

Opponents' Testimony:

01:15:49 Brad Griffin, Montana Retail Association

01:19:03 Carl Schweitzer, Associated Plumbing and Heating Contractors of Montana

Informational Testimony:

01:20:27 Louise Moore, Department of Environmental Quality

Questions from Committee Members and Responses:

01:20:51 Rep. Mendenhall
01:21:12 Ms. Moore
01:21:48 Rep. Dutton
01:22:28 Ms. Moore

Closing by Sponsor:

01:23:18 Rep. Hands
01:24:17 Break

EXECUTIVE ACTION ON HB 730

01:55:45 **Motion:** Rep. Heinert moved that HB 730 **DO PASS**.
01:56:31 **Motion:** Rep. Heinert moved that HB 730 **BE AMENDED**.
EXHIBIT (buh41a05)

Discussion:

01:58:25 Rep. Dutton
01:59:47 Rep. Milburn
02:00:51 **Vote:** Motion failed 8-8 by roll call vote with Reps. Furey, Heinert, Keane, Reinhart, Stahl, Thomas, Van Dyk, and Windy Boy voting aye. Rep. Windy Boy voted by proxy.

Discussion:

02:02:03 Rep. Keane
02:02:24 Rep. Heinert
02:04:17 Rep. Jones
02:05:00 **Vote:** Motion failed 7-9 by roll call vote with Reps. Boggio, Furey, Heinert, Reinhart, Thomas, Van Dyk, and Windy Boy voting aye. Rep. Windy Boy voted by proxy.
02:05:57 **Substitute Motion/Vote:** Rep. Milburn made a substitute motion that HB 730 **BE TABLED AND THE VOTE REVERSED**. Substitute motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 738

02:06:42 **Motion:** Rep. Milburn moved that HB 738 **DO PASS**.
02:06:52 **Motion:** Rep. Milburn moved that HB 738 **BE AMENDED**.
EXHIBIT (buh41a06)
EXHIBIT (buh41a07)

Discussion:

02:09:44 Rep. Mendenhall

02:10:29 **Vote:** Motion carried unanimously by voice vote. Rep. Windy Boy voted by proxy.

02:10:50 **Motion:** Rep. Milburn moved that HB 738 **DO PASS AS AMENDED.**

02:11:08 **Motion:** Rep. Stahl moved that HB 738 **BE AMENDED.**
EXHIBIT (buh41a08)

Discussion:

02:13:13 Rep. Arntzen

02:13:29 Rep. Stahl

02:14:13 Rep. Dutton

02:14:27 Bart Campbell

02:15:28 Rep. Mendenhall

02:15:43 Rep. Stahl

02:16:07 **Vote:** Motion carried unanimously by voice vote. Rep. Windy Boy voted by proxy.

02:16:28 **Motion:** Rep. Milburn moved that HB 738 **DO PASS AS AMENDED.**

EXHIBIT (buh41a09)

Discussion:

02:16:46 Rep. Mendenhall

02:17:52 Rep. Arntzen

02:18:27 Rep. Van Dyk

02:20:27 Rep. Jones

02:22:26 Rep. Dutton

02:24:09 Rep. Keane

02:24:52 **Vote:** Motion carried 14-2 by roll call vote with Reps. Augare and Van Dyk voting no. Reps. Windy Boy and Augare voted by proxy.

EXECUTIVE ACTION ON HB 764

02:26:08 **Motion:** Rep. Milburn moved that HB 764 **DO PASS.**

02:26:24 **Motion:** Rep. Furey moved that HB 764 **BE AMENDED.**

EXHIBIT (buh41a10)

02:26:37 **Substitute Motion:** Rep. Milburn made a substitute motion that the amendment to HB 764 **BE AMENDED.**

Discussion:

02:27:05 Bart Campbell

02:28:12 **Vote:** Motion carried unanimously by voice vote. Rep. Windy Boy voted by proxy.

02:28:35 **Motion:** Rep. Milburn moved that HB 764 **DO PASS AS AMENDED.**

EXHIBIT (buh41a11)

Discussion:

02:28:55 Rep. Mendenhall

02:29:21 Rep. Augare

02:30:14 Rep. Milburn

02:30:41 **Vote:** Motion carried 15-1 by voice vote with Rep. Augare voting no. Rep. Windy Boy voted by proxy.

EXECUTIVE ACTION ON HB 790

02:31:28 **Motion:** Rep. Jones moved that HB 790 **DO PASS.**

02:31:42 **Motion:** Rep. Jones moved that HB 790 **BE AMENDED.**

EXHIBIT (buh41a12)

Discussion:

02:33:41 Bart Campbell

02:34:02 **Vote:** Motion carried unanimously by voice vote. Rep. Windy Boy voted by proxy.

02:34:13 **Motion:** Rep. Jones moved that HB 790 **DO PASS AS AMENDED.**

Discussion:

02:34:24 Rep Keane

02:34:59 Rep. Mendenhall

02:35:17 **Vote:** Motion carried unanimously by voice vote. Rep. Windy Boy voted by proxy.

EXECUTIVE ACTION ON HB 745

02:36:37 **Motion:** Rep. Keane moved that HB 745 **DO PASS.**

Discussion:

02:36:55 Rep. Keane
02:37:16 Rep. Dutton
02:38:16 Rep. Reinhart
02:38:57 Rep. Mendenhall
02:39:30 Bart Campbell
02:40:12 Rep. Keane
02:41:29 Rep. Milburn
02:41:45 Rep. Furey
02:42:15 Rep. Reinhart

02:42:35 **Vote:** Motion failed 7-9 by roll call vote with Reps. Augare, Furey, Keane, Reinhart, Thomas, Van Dyk, and Windy Boy voting aye. Rep. Windy Boy voted by proxy.

02:43:25 **Substitute Motion/Vote:** Rep. Milburn made a substitute motion that HB 745 **BE TABLED AND THE VOTE REVERSED**. Substitute motion carried unanimously by voice vote. Rep. Windy Boy voted by proxy.

EXECUTIVE ACTION ON HB 749

02:44:02 **Motion:** Rep. Milburn moved that HB 749 **DO PASS**.

Discussion:

02:44:13 Rep. Boggio
02:44:37 Rep. Van Dyk
02:45:19 Rep. Keane
02:46:22 Rep. Augare
02:46:55 Rep. Mendenhall
02:48:11 Rep. Keane

02:48:45 **Vote:** Motion failed 8-8 by roll call vote with Reps. Augare, Furey, Jones, Klock, Reinhart, Thomas, Van Dyk, and Windy Boy voting aye. Rep. Windy Boy voted by proxy.

EXECUTIVE ACTION ON HB 756

02:49:50 **Motion:** Rep. Jones moved that HB 756 **DO PASS**.

Discussion:

02:50:24 Rep. Mendenhall
02:51:03 Rep. Milburn
02:51:25 Rep. Jones

02:52:08 **Vote:** Motion carried unanimously by voice vote. Rep. Windy Boy voted by proxy.

EXECUTIVE ACTION ON HB 779

02:52:43 **Motion:** Rep. Van Dyk moved that HB 779 **DO PASS**.

Discussion:

02:52:58 Rep. Stahl

02:53:36 Rep. Reinhart

02:53:57 **Substitute Motion/Vote:** Rep. Milburn made a substitute motion that HB 779 **BE TABLED**. Substitute motion carried 10-6 by roll call vote with Reps. Augare, Furey, Keane, Reinhart, Van Dyk, and Windy Boy voting no. Rep. Windy Boy voted by proxy.

EXECUTIVE ACTION ON HB 605

02:55:03 **Motion:** Rep. Keane moved to **RECONSIDER HB 605** previously tabled on 02/20/07.

Discussion:

02:55:57 Rep. Stahl

02:56:02 Rep. Keane

02:56:32 Rep. Milburn

02:56:48 Rep. Arntzen

02:58:27 **Vote:** Motion failed 8-8 by roll call vote with Reps. Arntzen, Augare, Furey, Keane, Reinhart, Thomas, Van Dyk, and Windy Boy voting aye. Rep. Windy Boy voted by proxy.

EXECUTIVE ACTION ON HB 29

02:58:30 **Motion:** Rep. Augare moved to **RECONSIDER HB 29** previously tabled on 01/18/07.

Discussion:

02:59:40 Rep. Arntzen

03:01:21 Rep. Mendenhall

03:01:52 Rep. Van Dyk

03:04:15 Rep. Dutton

03:05:07 Rep. Reinhart

03:06:13 Rep. Keane

03:07:29 Rep. Augare

03:09:48 Rep. Jones
03:12:13 Rep. Mendenhall

03:13:27 **Vote:** Motion failed 6-10 by roll call vote with Reps. Augare, Furey, Reinhart, Thomas, Van Dyk, and Windy Boy voting aye. Rep. Windy Boy voted by proxy.

EXECUTIVE ACTION ON HB 654

03:14:16 **Motion:** Rep. Reinhart moved to **RECONSIDER HB 654** previously tabled on 02/20/07.

Discussion:

03:15:06 Rep. Reinhart
03:16:23 Rep. Jones
03:18:21 Rep. Dutton
03:19:37 Rep. Milburn
03:20:38 Rep. Keane

03:21:29 **Vote:** Motion failed 7-9 by roll call vote with Reps. Augare, Dutton, Furey, Keane, Reinhart, Van Dyk, and Windy Boy voting aye. Rep. Windy Boy voted by proxy.

ADJOURNMENT

03:22:40 Adjournment: 12:00 P.M.

REP. SCOTT MENDENHALL, Chairman

NANCY KRAFT, Secretary

SM/nk

Additional Exhibits:

EXHIBIT ([buh41aad.pdf](#))