

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: By Chairman Scott Mendenhall, on March 22, 2007
at 8:00 A.M., in Room 102 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. Harry Klock (R)
Rep. Michele Reinhart (D)
Rep. Wayne Stahl (R)
Rep. Bill Thomas (D)

Members Excused: Rep. Llew Jones (R)
Rep. Kendall Van Dyk (D)
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: SB 341, 3/16/2007; SB 485,
3/16/2007; SB 537, 3/16/2007; SJR
10, 3/16/2007
Executive Action: SJR 10; SB 209; SB 214; SB 341; SB
485; SB 153; SB 339

HEARING ON SB 341

Opening Statement by Sponsor:

00:01:57 Sen. Dave Lewis (R), SD 42, opened the hearing on SB 341, Biennial selection of certain contractors by counties.

Proponents' Testimony:

00:03:48 Gordon Morris, Lewis and Clark County

00:04:47 Janet Pallister, Lewis and Clark County Public Works
[EXHIBIT\(buh61a01\)](#)

00:06:16 Jay Skoog, American Council of Engineering Companies of Montana

00:07:18 Cheryl Wood, Montana Association of Counties

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:07:56 Rep. Keane

00:08:19 Sen. Lewis

00:08:28 Rep. Mendenhall

00:08:00 Sen. Lewis

00:09:02 Rep. Arntzen

00:09:31 Mr. Skoog

Closing by Sponsor:

00:11:38 Sen. Lewis

HEARING ON SB 537

Opening Statement by Sponsor:

00:12:37 Sen. Roy Brown (R), SD 25, opened the hearing on SB 537, Revise laws governing prepaid legal plan.

Proponents' Testimony:

00:14:18 Jacqueline Lenmark, Prepaid Legal Services Incorporated

Opponents' Testimony: None

Informational Testimony:

00:18:46 Mark Cadwallader, Department of Labor and Industry
00:19:50 Mary Arnold, State Auditor's Office
00:20:29 Lynne Egan, State Auditor's Office

Questions from Committee Members and Responses:

00:21:30 Rep. Dutton
00:21:50 Ms. Egan
00:23:05 Rep. Dutton
00:23:19 Ms. Lenmark
00:27:15 Rep. Furey
00:27:58 Ms. Lenmark
00:30:16 Rep. Keane
00:30:33 Ms. Arnold
00:31:06 Ms. Egan
00:31:43 Rep. Mendenhall
00:32:42 Ms. Lenmark

Closing by Sponsor:

00:34:11 Sen. Brown

HEARING ON SJR 10

Opening Statement by Sponsor:

00:35:57 Sen. Roy Brown (R), SD 25, opened the hearing on SJR
10, Study uninsured motorist solutions.

Proponents' Testimony:

00:39:40 Larry Kibbee, Property Casualty Insurance Association
of America

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:43:52 Rep. Keane
00:44:04 Sen. Brown

Closing by Sponsor:

00:44:16 Sen. Brown

HEARING ON SB 485

Opening Statement by Sponsor:

00:46:04 Sen. John Brueggeman (R), SD 6, opened the hearing on SB 485, Revise prohibition on mailing lists for certain professions and occupations.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

00:47:57 Marilyn Kelly-Clark, Department of Labor and Industry

Questions from Committee Members and Responses:

00:48:29 Rep. Arntzen
00:48:58 Sen. Brueggeman
00:49:19 Ms. Kelly-Clark
00:50:40 Rep. Arntzen
00:50:56 Mark Cadwallader, Department of Labor and Industry
00:53:08 Rep. Reinhart
00:53:20 Sen. Brueggeman
00:54:22 Rep. Reinhart
00:54:34 Ms. Kelly Clark
00:55:23 Rep. Dutton
00:55:43 Ms. Kelly Clark

Closing by Sponsor:

00:57:37 Sen. Brueggeman
00:58:25 Break

EXECUTIVE ACTION ON SJR 10

01:33:42 **Motion:** Rep. Keane moved that SJR 10 **BE CONCURRED IN.**

Discussion:

01:33:59 Rep. Arntzen
01:34:00 Rep. Keane
01:34:53 **Vote:** Motion carried unanimously by voice vote. Reps. Augare, Jones, Stahl, Windy Boy, and Van Dyk voted by proxy. Rep. Heinert will carry this bill.

EXECUTIVE ACTION ON SB 209

01:35:59 **Motion:** Rep. Boggio moved that SB 209 **BE CONCURRED IN.**

Discussion:

01:36:11 Rep. Reinhart
01:36:15 Rep. Keane
01:36:40 Rep. Mendenhall
01:37:20 Rep. Arntzen
01:37:43 Rep. Dutton

01:38:06 **Vote:** Motion carried unanimously by voice vote. Reps. Augare, Jones, Stahl, Windy Boy, and Van Dyk voted by proxy. Rep. Boggio will carry this bill.

EXECUTIVE ACTION ON SB 214

01:38:49 **Motion:** Rep. Milburn moved that SB 214 **BE CONCURRED IN.**

01:39:20 **Motion:** Rep. Keane moved that SB 214 **BE AMENDED.**
(Exhibit 3 in Business and Labor Hearing 3/21/07)

Discussion:

01:39:30 Bart Campbell
01:40:23 Rep. Keane

01:40:28 **Vote:** Motion carried unanimously by voice vote. Reps. Augare, Jones, Stahl, Windy Boy, and Van Dyk voted by proxy.

01:40:51 **Motion:** Rep. Milburn moved that SB 214 **BE CONCURRED IN AS AMENDED.**

Discussion:

01:41:01 Rep Heinert
01:41:18 Rep. Mendenhall
01:42:04 Rep. Keane

01:42:43 **Vote:** Motion carried unanimously by voice vote. Reps. Augare, Jones, Stahl, Windy Boy, and Van Dyk voted by proxy. Rep. Keane will carry this bill.

EXECUTIVE ACTION ON SB 341

01:43:42 **Motion:** Rep. Keane moved that SB 341 **BE CONCURRED IN.**

Discussion:

01:43:52 Rep. Mendenhall
01:44:56 Rep. Dutton
01:45:23 Rep. Keane
01:46:34 Rep. Mendenhall
01:46:53 Rep. Boggio
01:47:27 Rep. Arntzen

01:47:44 **Vote:** Motion carried unanimously by voice vote. Reps. Augare, Jones, Stahl, Windy Boy, and Van Dyk voted by proxy. Rep. Klock will carry this bill.

EXECUTIVE ACTION ON SB 485

01:48:26 **Motion/Vote:** Rep. Keane moved that SB 485 **BE CONCURRED IN**. Motion carried unanimously by voice vote. Reps. Augare, Jones, Stahl, Windy Boy, and Van Dyk voted by proxy. Rep. Jones will carry this bill.

EXECUTIVE ACTION ON SB 153

01:50:56 **Motion:** Rep. Milburn moved that SB 153 **BE CONCURRED IN**.

01:51:38 **Motion:** Rep. Milburn moved that SB 153 **BE AMENDED**.
[EXHIBIT\(buh61a02\)](#)

Discussion:

01:51:44 Rep. Mendenhall

01:53:05 **Vote:** Motion carried unanimously by voice vote. Reps. Augare, Jones, Stahl, Windy Boy, and Van Dyk voted by proxy.

01:53:37 **Motion:** Rep. Keane moved that SB 153 **BE CONCURRED IN AS AMENDED**.

01:53:50 **Motion:** Rep. Arntzen moved that SB 153 **BE AMENDED**.
[EXHIBIT\(buh61a03\)](#)

Discussion:

01:55:13 Rep. Keane
01:55:20 Rep. Arntzen
01:56:19 Rep. Keane
01:56:29 Rep. Arntzen
01:56:44 Rep. Mendenhall

01:56:53 **Vote:** Motion carried unanimously by voice vote. Reps. Augare, Jones, Stahl, Windy Boy, and Van Dyk voted by proxy.

01:57:16 **Motion:** Rep. Keane moved that SB 153 **BE CONCURRED IN AS AMENDED.**

Discussion:

01:57:25 Rep. Dutton

01:58:04 Without objection, Rep. Keane withdrew his motion on HB 153

02:00:37 Break

EXECUTIVE ACTION ON SB 339

02:17:58 Rep. Milburn moved **DO CONCUR** on SB 339

Discussion:

02:18:20 Rep. Mendenhall

02:19:25 Rep. Mendenhall moved a **CONCEPTUAL AMENDMENT** to SB 339.

Discussion:

02:19:57 Rep. Furey

02:20:35 Rep. Mendenhall

02:21:22 Rep. Furey

02:21:52 Rep. Mendenhall

02:22:04 Rep. Reinhart

02:25:35 Rep. Mendenhall

02:28:13 Rep. Furey

02:28:56 Rep. Keane

02:29:54 Rep. Arntzen

02:30:42 Rep. Reinhart

02:32:53 Rep. Mendenhall

02:33:05 Rep. Reinhart

02:33:43 Mr. Campbell

02:33:52 Rep. Mendenhall

02:34:35 Rep. Furey

02:35:00 Rep. Reinhart

02:36:03 Rep. Mendenhall

02:36:52 **Vote:** Motion carried 9-7 by roll call vote with Reps. Augare, Furey, Keane, Reinhart, Thomas, Van Dyk, and Windy Boy voting no. Reps. Augare, Jones, Stahl, and Windy Boy, voted by proxy.

02:38:18 **Motion/Vote:** Rep. Milburn moved that SB 339 **BE CONCURRED IN AS AMENDED**. Motion carried 9-7 by roll call vote with Reps. Augare, Furey, Keane, Reinhart, Thomas, Van Dyk, and Windy Boy voting no. Reps. Augare, Jones, Stahl, and Windy Boy, voted by proxy. (Without objection, Chairman Mendenhall held the Standing Committee Report, pending further amendments. Final Executive Action was taken on SB 339 on 3/26/07.)

Additional Exhibits:

Document pertaining to SB 258; Hearing 03/20/07

EXHIBIT(buh61a04)

Document pertaining to SB 258; Hearing 03/20/07

EXHIBIT(buh61a05)

Document pertaining to SB 206; Hearing 03/20/07

EXHIBIT(buh61a06)

ADJOURNMENT

02:39:41 Adjournment: 10:40 A.M.

REP. SCOTT MENDENHALL, Chairman

NANCY KRAFT, Secretary

SM/nk

Additional Exhibits:

EXHIBIT ([buh61aad.pdf](#))