

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order:

CHAIRMAN BILL WILSON, on January 9, 2009 at 8:00 A.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Bill Wilson, Chairman (D)
Rep. Michele Reinhart, Vice Chairwoman (D)
Rep. Jon Sonju, Vice Chairman (R)
Rep. Elsie Arntzen (R)
Rep. Shannon Augare (D)
Rep. Paul Beck (D)
Rep. Tom Berry (R)
Rep. Carlie Boland (D)
Rep. John Fleming (D)
Rep. Timothy Furey (D)
Rep. Chuck Hunter (D)
Rep. Harry Klock (R)
Rep. Mike Milburn (R)
Rep. Pat Noonan (D)
Rep. Scott Reichner (R)
Rep. Cary Smith (R)
Rep. Gordon Vance (R)
Rep. Jeffery Welborn (R)

Members Excused: None

Members Absent: None

Staff Present: Santella Baglivo, Committee Secretary
Bart Campbell, Legislative Branch

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 76, 1/6/2009; HB 148, 1/6/2009

Executive Action: HB 101, HB 116

Announcements:

00:01:17 Jerry Keck, Administrator, Employment Relations
Division, Department of Labor and Industry DLI

[EXHIBIT\(buh05a01\)](#)

00:03:13 Chairman Wilson

[EXHIBIT\(buh05a02\)](#)

Presentation from the Pacific Northwest Economic Region:

00:03:34 Mike Schaufler, Assistant Vice President Pacific
Northwest Economic Region (PNWER)

00:06:19 Len Mitzle, Member, Alberta Legislative Assembly (MLA)

00:08:21 Mike Chisholm, Assistant Vice President (PNWER), Member,
Saskatchewan Legislative Assembly

[EXHIBIT\(buh05a03\)](#)

00:10:26 Chairman Wilson

00:10:56 MLA Mitzle

00:11:46 MLA Chisholm

00:14:22 Mr. Schaufler

00:15:54 Chairman Wilson

00:16:08 Mr. Campbell

00:16:49 Rep. Furey

00:17:10 MLA Mitzle

HEARING ON HB 76

Opening Statement by Sponsor:

00:19:23 **REP. PAUL BECK (D), HD 59**, opened the hearing on **HB 76**,
Generally revise unemployment insurance laws.

Proponents' Testimony:

00:20:34 Roy Mulvaney, Administrator, Unemployment Insurance
Division, Department of Labor and Industry (DLI)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:22:34 Rep. Beck

00:22:36 Chairman Wilson calls for recess.

00:48:02 Chairman Wilson resumes meeting.

HEARING ON HB 148

Opening Statement by Sponsor:

00:49:46 **REP. DEE BROWN (R), HD 3**, opened the hearing on **HB 148**,
Clarify work comp going and coming to work status.
[EXHIBIT \(buh05a04\)](#)

Proponents' Testimony:

00:51:46 Jon Bennion, Montana Chamber of Commerce
00:55:42 Reily Johnson, National Federation of Independent
Business (NFIB)
00:57:13 Jason Todhunter, Montana Logging Association
00:58:06 Rick Hill, Montana Building Industry Association
00:59:13 Nancy Schlep, Montana Farm Bureau Organization
01:00:04 Ronda Wigger, Great Falls and Helena Chambers of
Commerce
01:01:41 Bob Worthington, Montana Self Insurers Association,
Labor Management Advisory Council

Opponents' Testimony:

01:02:38 Al Smith, Montana Trial Lawyers Association
01:13:53 Don Judge, Montana Injured Workers Resource Council
01:21:05 Robert Johnson, AFL-CIO
01:21:39 Dave Flynn, Self
01:22:38 Kim Rickard, Local 1686
01:23:01 Doug Neil, Montana State Firemen's Association

Informational Testimony:

01:27:13 Jerry Keck, Administrator, DLI

Questions from Committee Members and Responses:

01:27:41 Rep. Milburn
01:29:10 Mr. Smith
01:29:55 Rep. Milburn
01:30:52 Mr. Smith
01:31:51 Rep. Fleming
01:32:05 Mr. Smith
01:33:54 Rep. Fleming
01:34:06 Mr. Bennion
01:37:45 Rep. Reichner
01:38:20 Mr. Keck
01:39:37 Rep. Reichner
01:40:07 Mr. Keck
01:41:25 Rep. Furey
01:43:49 Mr. Keck
01:44:34 Rep. Arntzen
01:45:16 Mr. Worthington
01:46:24 Rep. Arntzen
01:46:34 Mr. Judge
01:47:33 Rep. Arntzen
01:48:11 Mr. Smith
01:48:47 Rep. B. Beck
01:51:07 Rep. Brown
01:52:06 Rep. B. Beck
01:52:59 Rep. Brown
01:53:15 Chairman Wilson
01:53:25 Rep. Vance
01:53:47 Rep. Brown
01:54:35 Rep. Vance
01:54:44 Mr. Campbell, Legislative Services Division
01:55:23 Rep. Reinhart
01:55:40 Mr. Hill
01:57:57 Rep. Reinhart
01:58:38 Mr. Bennion
01:59:10 Rep. Reinhart
01:59:49 Mr. Smith
02:00:35 Rep. Reinhart
02:00:46 Mr. Smith
02:01:24 Rep. Reinhart
02:01:30 Mr. Smith
02:02:11 Rep. Reichner
02:02:43 Mr. Smith

Closing by Sponsor:

02:03:57 Rep. Brown

Discussion:

02:04:30 Chairman Wilson

02:05:55 Rep. Brown

02:06:16 Chairman Wilson

EXECUTIVE ACTION ON HB 116

02:19:56 **Motion:** Rep. Milburn moved that **HB 116 DO PASS.**

02:20:08 **Motion:** Rep. Vance moved that **HB 116 BE AMENDED.**

EXHIBIT(buh05a05)

02:21:21 Rep. Milburn

02:21:34 Rep. Vance

02:23:23 Chairman Wilson

02:23:43 Rep. Vance

02:24:31 Chairman Wilson

02:25:29 Ms. Nordland

02:28:47 Rep. Vance

02:29:12 Ms. Nordland

02:29:40 Rep. Welborn

02:29:45 Ms. Nordland

02:30:58 Rep. Vance

02:31:17 Ms. Nordland

02:32:15 Rep. Vance

02:32:50 Ms. Nordland

02:34:24 Rep. Augare calls for the question.

02:34:32 **Vote:** Motion failed 1-15 by voice vote, with Rep. Vance voting aye.

02:34:40 **Motion:** Rep. Milburn moved that **HB 116 DO PASS.**

02:35:34 **Vote:** Motion carried 16-2 by voice vote with Reps. Vance and Augare voting no.

EXECUTIVE ACTION ON HB 101

02:36:26 **Motion:** REP. REINHART moved that **HB 101 DO PASS.**

02:36:48 **Vote:** Motion carried unanimously by voice vote.

ADJOURNMENT

02:37:14 Adjournment: 10:37 A.M.

SANTELLA BAGLIVO, Secretary

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Additional Documents:

EXHIBIT ([buh05aad.pdf](#))