

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON BUSINESS AND LABOR**

#### **Call to Order:**

**CHAIRMAN BILL WILSON**, on January 15, 2009 at 8:03 A.M., in Room 172 Capitol.

#### **ROLL CALL**

#### **Members Present:**

Rep. Bill Wilson, Chairman (D)  
Rep. Bill Beck, Vice Chairman (R)  
Rep. Michele Reinhart, Vice Chairman (D)  
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 159, 1/9/2009; HB 114, 1/9/2009

Executive Action: None

**HEARING ON HB 188**

**Opening Statement by Sponsor:**

00:01:48 **REP. DEBORAH KOTTEL (D), HD 20**, opened the hearing on **HB 188**, Treble damages for wrongful withholding of security deposits.

**Proponents' Testimony:**

00:05:57 Lucas Hamilton, Associated Students of Montana  
University of Montana

**EXHIBIT (buh09a01)**

00:08:18 Sheena Rice, Montana Public Interest Research Group  
MontPIRG

00:11:49 Maureen Weiland, Associated Students of Montana,  
Montana State University

00:12:24 Judy Smith, Montana Women Vote

00:14:05 Ford Johnson, Barber

**EXHIBIT (buh09a02)**

00:18:47 Eric Anderson, Student Association, MSU Billings

00:19:19 Roger Thompson, Volunteer Advocate, AARP Montana

00:20:40 Annie Hamilton, Attorney, Associated Students Legal  
Services, University of Montana

00:24:51 Curt Radiff, Student, University of Montana

00:26:18 Klaus Sitte, Director, Montana Legal Services

00:27:15 Andrea Olsen, Montana Trial Lawyers Association

00:31:59 Denver Henderson, Off-Campus Renters Center, University  
of Montana

00:34:10 Dale Fetz, Renter

**Opponents' Testimony:**

00:36:53 Roger Halver, Montana Landlords Association

00:42:09 John Van Norman, Past President, Montana Landlords  
Association

00:44:14 Glen Oppel, Montana Association of Realtors

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

00:45:09 Chairman Wilson  
00:45:24 Rep. Kottel  
00:47:14 Rep. Fleming  
00:47:24 Rep. Kottel  
00:48:13 Chairman Wilson  
00:48:18 Rep. Kottel  
00:48:31 Rep. Beck  
00:49:13 Rep. Kottel  
00:49:30 Rep. Berry  
00:49:55 Mr. Halver

**Closing by Sponsor:**

00:51:09 Rep. Kottel

**HEARING ON HB 189**

**Opening Statement by Sponsor:**

00:53:30 **REP. DEBORAH KOTTEL (D), HD 20**, opened the hearing on  
**HB 189**, Revise landlord-tenant laws.

**Proponents' Testimony:**

00:59:49 Sheena Rice, Montana Public Interest Research Group  
MontPIRG  
01:02:39 William McCausald, Renter  
01:04:27 Lucas Hamilton, Associated Students of Montana  
University of Montana  
01:04:54 Maureen Weiland, Associated Students of Montana,  
Montana State University  
01:05:27 Jane Walsh, Student, University of Montana  
01:08:01 Denver Henderson, Director, Off-Campus Renter Center at  
the University of Montana  
01:09:57 Roger Thompson, Volunteer Advocate, AARP Montana  
01:11:08 Judy Smith, Montana Women Vote  
01:12:41 Andrea Olsen, Montana Trial Lawyers Association  
01:13:28 Annie Hamilton, Attorney, Associated Students Legal  
Services, University of Montana  
01:14:23 Ashley Korslien, Student, University of Montana  
01:15:43 Klaus Sitte, Director, Montana Legal Services

**Opponents' Testimony:**

01:16:44 Roger Halver, Montana Landlords Association

01:20:07 John Van Norman, Past President, Montana Landlords  
Association  
01:22:02 Glen Oppel, Montana Association of Realtors

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

01:23:16 Rep. Reichner  
01:23:53 Rep. Kottel  
01:25:26 Rep. Reichner  
01:26:24 Rep. Kottel  
01:27:55 Rep. P. Beck  
01:28:50 Rep. Kottel  
01:29:10 Rep. P. Beck  
01:29:22 Rep. Kottel  
01:29:35 Rep. B. Beck  
01:30:26 Rep. Kottel  
01:31:40 Rep. B. Beck  
01:31:57 Rep. Kottel  
01:32:09 Rep. B. Beck  
01:32:32 Rep. Kottel  
01:33:40 Rep. Welborn  
01:34:08 Rep. Kottel  
01:34:39 Rep. Welborn  
01:34:48 Bart Campbell, LSD  
01:35:29 Rep. Welborn  
01:35:59 Rep. Kottel  
01:36:55 Rep. Reinhart  
01:37:10 Rep. Kottel  
01:38:30 Rep. Reinhart  
01:38:43 Rep. Kottel  
01:38:57 Rep. Arntzen  
01:39:38 Rep. Kottel  
01:40:27 Rep. Arntzen  
01:40:41 Rep. Kottel

**Closing by Sponsor:**

01:41:36 Rep. Kottel  
01:42:54 Chairman Wilson calls for a recess.  
02:00:26 Chairman Wilson resumes hearing.

**HEARING ON HB 143**

**Opening Statement by Sponsor:**

02:00:42 REP. DAVE MCALPIN (D) , HD 94, opened the hearing on HB 143, Nonprofit corporation registry.  
[EXHIBIT](#) (buh09a03)

**Proponents' Testimony:**

02:03:45 Ali Bovington, Assistant Attorney General  
02:05:33 Anthony Johnstone, Department of Justice  
02:10:43 Amy Grmoljez, Montana Nonprofit Association  
[EXHIBIT](#) (buh09a04)  
02:12:33 Tana Gormely, Secretary of State's Office

**Opponents' Testimony:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

02:13:53 Rep. Reinhart  
02:14:04 Rep. McAlpin  
02:14:32 Rep. Reinhart  
02:15:09 Mr. Johnstone  
02:15:40 Rep. Reinhart  
02:15:48 Mr. Johnstone  
02:15:50 Rep. Reinhart  
02:16:12 Mr. Johnstone  
02:16:55 Rep. Reinhart  
02:17:04 Mr. Johnstone  
02:17:39 Rep. Hunter  
02:19:07 Mr. Johnstone  
02:19:45 Rep. B. Beck  
02:20:12 Mr. Johnstone  
02:20:16 Rep. Beck  
02:21:06 Mr. Johnstone  
02:21:14 Rep. Furey  
02:21:49 Mr. Johnstone  
02:21:58 Rep. Furey  
02:22:32 Mr. Johnstone  
02:22:46 Rep. Furey  
02:23:23 Mr. Johnstone  
02:23:44 Rep. Furey  
02:23:59 Mr. Johnstone

**Closing by Sponsor:**

02:24:37 Rep. McAlpin

02:25:34 Chairman Wilson calls for a recess.

02:40:22 Chairman Wilson resumes hearing.

**HEARING ON HB 159**

**Opening Statement by Sponsor:**

02:40:49 **REP. SHANNON AUGARE (D), HD 16**, opened the hearing on **HB 159**, Require actuarial opinion summary for domestic property and casualty insurers.

**Proponents' Testimony:**

02:43:33 John Mudd, State Auditors Office

02:45:32 Jacqueline Lenmark, American Insurance Association

[EXHIBIT](#) (buh09a05)

**Opponents' Testimony:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:** None.

**Closing by Sponsor:**

02:49:28 Rep. Augare

02:50:03 Chairman Wilson calls for a recess.

02:52:03 Chairman Wilson resumes hearing.

**HEARING ON HB 114**

**Opening Statement by Sponsor:**

02:52:14 **REP. TERESA HENRY (D), HD 96**, opened the hearing on **HB 114**, Clarify licensure and liability in public health emergencies.

**Proponents' Testimony:**

02:57:51 Jim Murphy, Manager, Public Health Emergency

Preparedness, Public Health and Safety Division, DPHHS

[EXHIBIT](#) (buh09a06)

03:02:30 Bob Olsen, Montana Hospital Association

**EXHIBIT (buh09a07)**

03:07:26 Brigadier General Stan Putman, DMA

03:09:03 Erin MacLean, Montana Medical Association

03:09:53 Darrell James, City of Missoula

**EXHIBIT (buh09a08)**

03:10:24 John Pisk, Montana Association of DES Coordinators

03:10:57 Melanie Reynolds, Health Officer, Lewis and Clark  
County

**EXHIBIT (buh09a09)**

03:12:40 Mary-Beth Frideres, Montana Primary Care Association

03:14:50 Mike Foster, Wheatland Memorial Hospital and Catholic  
Hospitals in Montana

**Opponents' Testimony:** None.

**Informational Testimony:**

03:16:19 Al Smith, Montana Trial Lawyers Association

**Questions from Committee Members and Responses:**

03:19:49 Rep. B. Beck

03:20:17 Mr. Murphy

03:21:03 Rep. Arntzen

03:21:13 Mr. Murphy

03:22:28 Rep. Arntzen

03:22:40 Mr. Murphy

03:23:21 Rep. Arntzen

03:23:33 Mr. Murphy

03:24:04 Rep. Reinhart

03:24:28 Mr. Murphy

03:25:07 Rep. Reinhart

03:25:19 Mr. Murphy

**Closing by Sponsor:**

03:26:00 Rep. Henry

**Discussion:**

03:27:58 Chairman Wilson

**ADJOURNMENT**

03:28:29 Adjournment: 11:31 A.M.

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SANTELLA BAGLIVO, Secretary

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Additional Documents:

**EXHIBIT** ([buh09aad.pdf](#))