

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: Chairman Bill Wilson, on February 16, 2009 at 7:06 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 Chairwoman (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 444, 2/5/2009, HB 481, 2/5/2009,
HB 542, 2/5/2009, HB 565, 2/5/2009,
HB 587, 2/5/2009

Executive Action: HB 284, HB 323, HB 408, HB 451

EXECUTIVE ACTION ON HB 284

00:00:51 **Motion:** Rep. Reinhart moved that **HB 284 DO PASS.**

00:01:47 **Motion:** Rep. Reinhart moved that **HB 284 BE AMENDED.**
EXHIBIT (buh36a01)

Discussion:

00:04:25 Rep. Milburn
00:05:03 Rep. Reinhart
00:05:18 Rep. Arntzen
00:06:22 Rep. Reinhart
00:06:42 Rep. Reichner

00:07:53 **Vote:** Motion failed 9-9 by roll call vote with
Rep. Augare, Rep. Beck, Rep. Boland, Rep. Fleming, Rep.
Furey, Rep. Hunter, Rep. Noonan, Rep. Reinhart, and
Rep. Wilson voting aye. Rep. Berry voted by proxy.

Discussion:

00:08:25 Rep. Milburn
00:10:05 Rep. Smith
00:10:46 Rep. Furey
00:11:14 Rep. Reinhart
00:12:20 Rep. B. Beck

00:13:07 **Vote:** Motion failed 6-12 by roll call vote, with Rep.
Reinhart, Rep. Augare, Rep. Boland, Rep. Hunter, Rep.
Noonan, and Rep. Wilson voting aye. Rep. Berry voted by
proxy.

00:14:12 **Motion/Vote:** Rep. Welborn moved that **HB 284 BE TABLED
AND THE VOTE REVERSED.** Motion carried unanimously by
voice vote. Rep. Berry voted by proxy.

EXECUTIVE ACTION ON HB 323

00:14:56 **Motion:** Rep. Milburn moved that **HB 323 DO PASS.**

00:15:50 **Motion:** Rep. Milburn moved that **HB 323 BE AMENDED.**
EXHIBIT(buh36a02)

Discussion:

00:17:00 Mr. Campbell

00:19:10 Rep. Smith

00:19:32 Rep. Milburn

00:19:42 **Vote:** Motion carried unanimously by voice vote.
Rep. Berry voted by proxy.

00:19:58 **Motion:** Rep. Milburn moved that **HB 323 DO PASS AS**
AMENDED.

Discussion:

00:20:08 Rep. Vance

00:20:30 Rep. B. Beck

00:21:18 Rep. Augare

00:21:46 **Vote:** Motion failed 9-9 by roll call vote with Rep.
Arntzen, Rep. Beck, Rep. Klock, Rep. Milburn, Rep.
Reichner, Rep. Smith, Rep. Vance, Rep. Welborn voting
aye. Rep. Berry voted by proxy.

EXECUTIVE ACTION ON HB 408

00:23:08 **Motion:** Rep. Reinhart moved that **HB 408 DO PASS.**

Discussion:

00:23:28 Rep. Arntzen

00:24:49 Rep. Smith

00:25:34 Rep. Hunter

00:26:19 Rep. P. Beck

00:26:59 Chairman Wilson

00:27:22 Rep. Reinhart

00:28:02 Rep. Augare

00:29:51 Rep. Boland

00:30:22 Rep. Fleming

00:31:00 Rep. Milburn called the question.

00:31:06 Chairman Wilson

00:31:22 **Vote:** Motion failed 8-10 by roll call vote with Rep. Augare, Rep. Boland, Rep. Furey, Rep. Klock, Rep. Noonan, Rep. Reinhart, Rep. Welborn, and Rep. Wilson voting aye.

00:32:29 **Motion/Vote:** Rep. Welborn moved that **HB 408 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 451

00:32:51 **Motion:** Rep. Reinhart moved that **HB 451 DO PASS**.

Discussion:

00:34:02 Mr. Campbell
00:35:19 Rep. B. Beck
00:35:40 Mr. Campbell
00:36:18 Chairman Wilson

00:36:33 **Motion:** Rep. Beck moved that **HB 451 BE AMENDED**.
EXHIBIT(buh36a03)

Discussion:

00:36:51 Rep. Milburn
00:37:38 Chairman Wilson
00:37:46 Rep. Smith
00:38:30 Rep. Furey
00:39:33 Rep. Hunter
00:39:54 Rep. P. Beck

00:40:28 **Vote:** Motion carried 13-5 by roll call vote with Rep. Milburn, Rep. Reichner, Rep. Smith, Rep. Vance, and Rep. Welborn voting no.

00:41:17 **Vote:** Motion carried unanimously.

00:42:28 **Motion:** Rep. Reinhart moved that **HB 451 DO PASS AS AMENDED**.

00:42:48 **Vote:** Motion carried 14-4 by voice vote with Rep. Milburn, Rep. Reichner, Rep. Smith, and Rep. Vance voting no.

00:44:00 Chairman Wilson calls a recess.
01:02:04 Chairman Wilson resumes hearing.

HEARING ON HB 587

Opening Statement by Sponsor:

01:03:22 Rep. David Howard (R), HD 60, opened the hearing on
HB 587, Prohibit illegal aliens from securing
professional or occupational license.

EXHIBIT (buh36a04)

Proponents' Testimony:

01:06:31 Mary Beveridge, Self, Helena, Montana

Opponents' Testimony:

01:08:23 Jamee Greer, Montana Human Rights Network

01:10:43 Shahid Haque-Hausrath, Immigration Attorney, Helena,
Montana

Informational Testimony: None

Questions from Committee Members and Responses:

01:19:43 Rep. Smith
01:20:13 Rep. Howard
01:20:37 Rep. Smith
01:20:49 Rep. Howard
01:21:11 Rep. Furey
01:21:13 Rep. Howard
01:22:08 Rep. Furey
01:22:18 Rep. Howard
01:22:27 Rep. Furey
01:22:37 Rep. Howard
01:23:08 Rep. Furey
01:23:10 Rep. Howard
01:23:12 Rep. B. Beck
01:23:50 Rep. Howard
01:24:07 Rep. B. Beck
01:24:16 Rep. Howard
01:24:30 Rep. B. Beck
01:24:43 Rep. Howard
01:25:18 Rep. Noonan
01:25:47 Rep. Howard
01:26:25 Rep. Hunter
01:26:42 Rep. Howard
01:26:46 Rep. Hunter
01:26:57 Rep. Howard
01:27:03 Rep. Hunter

01:27:22 Rep. Howard
01:27:55 Rep. Smith
01:28:37 Rep. Howard
01:29:13 Rep. Arntzen
01:29:28 Jerry Keck, Administrator, Employment Relations
Division, Department of Labor and Industry (DLI)
01:29:39 Rep. Arntzen
01:29:46 Mr. Keck
01:30:27 Rep. Arntzen
01:30:31 Mr. Keck
01:30:38 Rep. Reinhart
01:30:57 Mr. Haque-Hausrath
01:32:00 Rep. Reinhart
01:32:14 Mr. Haque-Hausrath
01:32:53 Rep. Reinhart
01:33:08 Rep. Howard

Closing by Sponsor:

01:33:30 Rep. Howard

HEARING ON HB 565

Opening Statement by Sponsor:

01:34:22 Rep. Timothy Furey (D), HD 91, opened the hearing on
HB 565, Implement Montana veterans supplemental health
insurance program.

Proponents' Testimony:

01:37:40 Charlie Cromwell, Self, Missoula, Montana
01:40:47 Sen. Cliff Larsen, SD 50
01:41:39 Frank Cote, Blue Cross Blue Shield Montana

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:42:26 Rep. Smith
01:42:43 Rep. Furey
01:43:32 Rep. B. Beck
01:43:52 Mr. Cromwell
01:44:43 Rep. B. Beck
01:44:58 Mr. Cromwell
01:45:26 Rep. B. Beck
01:45:31 Mr. Cromwell

01:45:31 Rep. B. Beck
01:45:37 Mr. Cromwell
01:45:56 Rep. Reinhart
01:46:01 Mr. Cromwell
01:46:41 Rep. Reinhart
01:46:50 Rep. Furey
01:47:00 Mr. Campbell
01:47:15 Rep. Reinhart
01:47:19 Rep. Furey
01:48:27 Rep. Reinhart
01:48:36 Rep. Furey
01:48:36 Rep. Reinhart
01:48:46 Rep. Furey
01:49:22 Rep. Smith
01:49:50 Rep. Furey
01:50:06 Rep. Smith

Closing by Sponsor:

01:50:20 Rep. Furey

01:51:15 Chairman Wilson calls a recess.
02:08:28 Vice Chairwoman Reinhart resumes hearing.

HEARING ON HB 481

Opening Statement by Sponsor:

02:08:42 Rep. Gordon Hendrick (R), HD 14, opened the hearing on HB 481, Work comp coverage for volunteer public safety workers.

Proponents' Testimony:

02:14:53 Bruce Charles, Volunteer Fire Chief
[EXHIBIT \(buh36a05\)](#)
02:30:15 Leonard Lundby, Montana Fire Alliance

Opponents' Testimony:

02:31:22 Bob Worthington, Montana Municipal Insurance Agency
02:41:27 Harold Blattie, Montana Association of Counties
02:43:56 Nancy Butler, Montana State Fund
02:46:52 Jacqueline Lenmark, American Insurance Association

Informational Testimony:

02:47:56 Jerry Keck, Administrator, Employment Relations
Division, DLI

Questions from Committee Members and Responses:

02:48:16 Rep. Smith
02:48:29 Mr. Charles
02:48:32 Rep. Smith
02:48:55 Mr. Charles
02:49:19 Rep. Furey
02:49:47 Mr. Charles
02:50:12 Rep. Furey
02:50:39 Ms. Butler
02:51:03 Rep. Furey
02:51:24 Ms. Butler
02:51:42 Rep. Furey
02:51:55 Mr. Charles
02:52:13 Rep. Arntzen
02:52:31 Mr. Charles
02:54:13 Rep. Noonan
02:55:05 Mr. Worthington
02:55:19 Rep. Hunter
02:55:28 Mr. Worthington
02:55:35 Rep. Smith
02:55:58 Mr. Charles

Closing by Sponsor:

02:59:21 Rep. Hendrick

03:03:42 Rep. Arntzen
03:03:52 Chairman Wilson

HEARING ON HB 444

Opening Statement by Sponsor:

03:04:13 Rep. Deborah Kottel (D), HD 20, opened the hearing on
HB 444, Require prevailing union wage in local
government privatization contracts.

Proponents' Testimony:

03:07:23 Jim Stone, International Brotherhood of Teamsters,
Local 2
03:11:05 Allan Ekblad, International Brotherhood of Teamsters,
Local 400
03:12:47 Terry Minow, MEA-MFT

03:13:29 Keith Allen, International Brotherhood of Teamsters,
Local 233
03:14:02 JD Lynch, Montana State Building Trades
03:14:16 Robert Bergsing, International Brotherhood of
Teamsters, Local 103
03:14:45 Robert Johnson, Montana AFL-CIO
03:14:59 Jerry Keck, Administrator, Employment Relations
Division, Department of Labor and Industry

Opponents' Testimony:

03:15:33 Harold Blattie, Montana Association of Counties
03:17:48 Ronda Wiggers, County Treasurers
03:18:47 Tim Ravandal, Self, Business Owner
03:20:16 Margaret Morgan, Montana Independent Electrical
Contractors
03:20:57 Reily Johnson, National Federation of Independent
Business

Informational Testimony: None

Questions from Committee Members and Responses:

03:22:48 Rep. B. Beck
03:23:16 Rep. Kottel
03:23:27 Rep. B. Beck

Closing by Sponsor:

03:23:33 Rep. Kottel

03:25:24 Chairman Wilson calls recess.
03:42:58 Chairman Wilson resumes hearing.

HEARING ON HB 542

Opening Statement by Sponsor:

03:43:04 Rep. Gordon Vance (R), HD 67, opened the hearing on
HB 542, Revise motorsports manufacturers unfair trade
practices laws.

Proponents' Testimony:

03:45:10 Kurt Lance, General Manager, Team Bozeman Motor Sports
03:52:44 Sue McCombs, Motorcycle Dealer, Billings, Montana
03:55:25 Steve Kaste, Motorsports Dealer, Great Falls, Montana

03:56:42 Glen Middlestead, Self, Helena Montana
03:57:26 Brad Griffin, Montana Equipment Dealers Association
03:59:53 Jackie VanBuren, Sports City Cyclery, Great Falls,
Montana
04:02:42 Brad Griffin, Montana Equipment Dealers Association
[EXHIBIT \(buh36a06\)](#)
04:03:04 Ronda Wiggers, Montana Snowmobile Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

04:05:06 Rep. Berry
04:05:29 Mr. Griffin
04:05:40 Rep. Berry
04:05:44 Mr. Griffin

Closing by Sponsor:

04:06:02 Rep. Vance

ADJOURNMENT

04:08:05 Adjournment 11:14 A.M.

Santella Baglivo, Secretary

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Additional Exhibits

Additional Documents:

EXHIBIT ([buh36aad.pdf](#))