

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: Chairman Bill Wilson, on February 20, 2009 at 7:25 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 435, 2/11/2009; HB 450,
2/11/2009; HB 618, 2/11/2009;
HB 621, 2/11/2009; HB 633,
2/11/2009; HB 572, 2/11/2009

Executive Action: HB 451, HB 390, HB 507, HB 589,
HB 618, HB 603, HB 608, HB 633

EXECUTIVE ACTION ON HB 451

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

00:01:24 **Motion:** Rep. Reinhart moved that **HB 451 BE AMENDED.**
EXHIBIT (buh40a01)

Discussion:

00:01:40 Rep. Ebinger, HD 62
00:03:03 Rep. Reichner
00:04:01 Rep. Ebinger
00:04:22 Rep. Reichner
00:04:40 Rep. Ebinger

00:04:52 **Vote:** Motion carried unanimously by voice vote.

00:05:08 **Motion:** Rep. Reinhart moved that **HB 451 DO PASS AS**
AMENDED.

00:05:20 **Vote:** Motion carried 14-4 by voice vote, with Rep.
Milburn, Rep. Smith, Rep. Vance and Rep. Welborn voting
no.

EXECUTIVE ACTION ON HB 390

00:05:57 **Motion:** Rep. Reinhart moved that **HB 390 DO PASS.**

00:06:11 **Motion:** Rep. Reinhart moved that **HB 390 BE AMENDED.**
EXHIBIT (buh40a02)

Discussion:

00:10:46 Rep. Smith
00:11:11 Rep. Reinhart
00:11:44 Michael-Ann Caywood-Baerge
00:12:38 Rep. Smith
00:13:03 Rep. Reinhart
00:14:05 Rep. Arntzen

00:14:55 Rep. Reinhart

00:16:02 Rep. Reichner

00:16:36 **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 voted aye.

Discussion:

00:17:23 Rep. Reinhart

00:19:10 Rep. Fleming

00:19:31 Rep. Smith

00:20:25 **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 voted aye.

EXECUTIVE ACTION ON HB 507

00:21:33 **Motion:** Rep. Reinhart moved that **HB 507 DO PASS.**

00:22:57 **Motion:** Rep. Reinhart moved that **HB 507 BE AMENDED.**
EXHIBIT (buh40a03)

Discussion:

00:24:01 Rep. B. Beck

00:25:11 Rep. Reinhart

00:25:35 Rep. Berry

00:26:30 Rep. Augare called the question.

00:26:42 Rep. Hunter

00:27:30 **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 voted aye.

Discussion:

00:28:15 Rep. Milburn

00:29:44 Rep. Reinhart

00:30:13 **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 voted aye.

EXECUTIVE ACTION ON HB 589

00:31:12 **Motion:** Rep. Reinhart moved that **HB 589 DO PASS.**

00:32:31 **Vote:** Motion failed 5-13 by roll call vote with Rep. Boland, Rep. Furey, Rep. Noonan, Rep. Reinhart, and Rep. Wilson voting aye. Rep. Welborn voted by proxy.

00:33:45 **Motion/Vote:** Rep. Klock moved that **HB 589 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote. Rep. Welborn voted by proxy.

00:34:02 Chairman Wilson calls a recess.

00:47:08 Chairman Wilson resumes hearing.

HEARING ON HB 435

Opening Statement by Sponsor:

00:47:49 Rep. Franke Wilmer (D), HD 64, opened the hearing on HB 435, Close gender wage gap.

[EXHIBIT \(buh40a04\)](#)

Proponents' Testimony:

00:52:45 Rep. Betsy Hands, HD 99, Montana Democratic Women's Caucus

00:54:28 Sen. Carol Juneau, SD 8, Montana Democratic Women's Caucus

00:55:18 Elizabeth Besb, Attorney, Great Falls, Montana

00:56:12 Pat Simmons, President, Montana Business and Professional Women's Association

00:57:21 Stacey Scott, Self, Bozeman, Montana

00:58:06 Jan Strout, Self, Bozeman, Montana

00:59:02 Susan Lovers, Self, Billings

00:59:42 Coral Ann Bush, Self, Bozeman

01:00:50 Jodi Meldar, Self, Bozeman Montana

01:01:04 Peggy Davis, Bureau Chief, Human Resources Standards and Services Division, Department of Administration

01:01:31 Debra Rosa, Self, Bozeman, Montana

01:02:10 Robert Johnson, Montana AFL-CIO

01:02:33 Sally Babcock, Self, Bozeman, Montana

01:03:14 Carol Scott, Self, Bozeman, Montana

Opponents' Testimony: None

Informational Testimony:

01:04:09 Jerry Keck, Administrator, Employment Relations
Division, Department of Labor and Industry

Questions from Committee Members and Responses:

01:04:35 Rep. Reinhart
01:04:45 Rep. Wilmer
01:06:35 Rep. Reinhart
01:06:50 Rep. Wilmer

EXHIBIT (buh40a05)

01:07:55 Rep. Reinhart
01:07:19 Ms. Davis
01:07:47 Rep. Smith
01:08:13 Mr. Keck
01:09:32 Rep. Smith
01:09:42 Mr. Keck
01:09:59 Rep. Reichner
01:10:26 Rep. Wilmer
01:11:03 Rep. Reichner
01:11:09 Rep. Reinhart
01:11:42 Rep. Smith
01:12:05 Mr. Keck
01:12:41 Rep. B. Beck
01:13:04 Mr. Keck
01:14:04 Rep. B. Beck
01:14:19 Mr. Keck
01:14:30 Rep. B. Beck
01:14:41 Mr. Keck
01:14:49 Rep. B. Beck
01:15:05 Mr. Keck
01:15:13 Rep. Hunter
01:15:47 Mr. Keck
01:16:12 Rep. Hunter
01:16:44 Ms. Davis
01:17:08 Rep. Hunter
01:17:18 Rep. Wilmer
01:17:25 Rep. Arntzen
01:18:05 Mr. Keck
01:18:35 Rep. Arntzen
01:18:56 Rep. Wilmer
01:19:24 Rep. Arntzen
01:19:54 Rep. Wilmer
01:21:39 Rep. Arntzen
01:21:50 Rep. Wilmer
01:22:03 Ms. Besb

01:23:07 Rep. Arntzen
01:23:13 Ms. Besb
01:23:25 Rep. Smith
01:23:44 Rep. Wilmer
01:24:20 Rep. Smith
01:24:28 Rep. Wilmer
01:24:46 Rep. Smith
01:25:03 Rep. Wilmer
01:25:29 Rep. Reinhart
01:26:02 Rep. Wilmer
01:27:33 Rep. Reinhart
01:27:41 Rep. Wilmer

Closing by Sponsor:

01:28:50 Rep. Wilmer

HEARING ON HB 450

Opening Statement by Sponsor:

01:32:35 Rep. Julie French (D), HD 36, opened the hearing on
HB 450, Prohibit retaliation over job-related
grievances.

[EXHIBIT \(buh40a06\)](#)

Proponents' Testimony:

01:39:38 Elizabeth Besb, Attorney, Great Falls, Montana
01:40:58 J.C. Weingartner, Director of Member Rights, MEA-MFT
01:42:50 Sen. Carol Juneau, SD 8, Montana Democratic Women's
Caucus
01:43:09 Lynn Allison, Montana Women's Lobby
01:44:44 Rita Schmidtt, Self, Great Falls, Montana
01:45:43 Caroline Carouch, Self, Billings, Montana
01:46:39 Linda Gryczan, American Association of University Women
01:47:42 Peggy Davis, Bureau Chief, Human Resources Standards
and Services Division, Department of Administration

Opponents' Testimony:

01:48:15 Ronda Wigger, Helena and Great Falls Chamber of
Commerce
01:49:45 Webb Brown, Montana Chamber of Commerce
01:50:06 Bruce Spencer, Attorney, Helena, Montana

Informational Testimony:

01:52:22 Jerry Keck, Administrator, Employment Relations
Division, Department of Labor and Industry

01:52:54 Robert Johnson, Montana AFL-CIO

Questions from Committee Members and Responses:

01:53:17 Rep. Boland
01:53:44 Mr. Johnson
01:54:01 Rep. Boland
01:54:56 Rep. Noonan
01:55:23 Mr. Brown
01:55:56 Rep. Reinhart
01:56:15 Rep. Wilmer
01:56:33 Mr. Keck
01:56:46 Rep. Reinhart
01:56:55 Mr. Keck
01:57:03 Rep. Reinhart
01:57:07 Mr. Keck
01:57:49 Rep. Reinhart
01:58:08 Rep. French

Closing by Sponsor:

01:59:41 Rep. French

02:00:25 Chairman Wilson calls a recess.
02:12:43 Chairman Wilson resumes hearing.

HEARING ON HB 572

Opening Statement by Sponsor:

02:14:34 Rep. JP Pomnichowski (D), HD 63, opened the hearing on
HB 572, Small Business Innovative Research.

Proponents' Testimony:

02:29:11 Anne Marie Quinn, Bio-Science Alliance, Bozeman,
Montana

[**EXHIBIT \(buh40a07\)**](#)

02:39:07 Webb Brown, Montana Chamber of Commerce

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

02:41:00 Rep. Arntzen
02:41:18 Rep. Pomnichowski

02:42:46 Rep. Furey
02:43:31 Ms. Quinn
02:45:21 Rep. Furey
02:45:40 Rep. Quinn
02:45:44 Rep. B. Beck
02:46:17 Rep. Pomnichowski
02:47:54 Rep. B. Beck
02:48:05 Rep. Pomnichowski
02:49:00 Rep. Reinhart

Closing by Sponsor:

02:49:11 Rep. Pomnichowski

HEARING ON HB 618

Opening Statement by Sponsor:

02:51:25 Rep. Shannon Augare (D), HD 16, opened the hearing on
HB 618, Require % of health insurance premiums spent on
health care.

Proponents' Testimony:

02:54:00 Kim Abbott, Montana Human Rights Network

Opponents' Testimony: None

Informational Testimony:

02:54:32 John Mudd, Executive Counsel, State Auditor's Office

Questions from Committee Members and Responses: None

Closing by Sponsor:

02:55:21 Rep. Augare

EXECUTIVE ACTION ON HB 618

02:55:36 **Motion/Vote:** Rep. Reichner moved that **HB 618 BE
TABLED**. Motion carried unanimously by voice vote. Rep.
Beck, Rep. Milburn, Rep. Welborn, Rep. Wilson voted by
proxy.

02:55:58 Vice Chairwoman Reinhart calls a recess.

03:03:17 Chairman Wilson resumes hearing.

HEARING ON HB 633

Opening Statement by Sponsor:

03:03:39 Rep. Edward Butcher (R), HD 29, opened the hearing on HB 633, Require testing in English for professional and driver's licenses.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

03:07:45 Jeannie Worsech, Bureau Chief, Business and Professional Licencing Division, Department of Labor

Questions from Committee Members and Responses:

03:08:10 Rep. Smith
03:08:18 Rep. Butcher
03:08:45 Rep. Smith
03:09:06 Rep. Butcher
03:10:14 Rep. Fleming
03:10:51 Ms. Worsech

Closing by Sponsor:

03:11:00 Rep. Butcher

HEARING ON HB 621

Opening Statement by Sponsor:

03:11:49 Rep. Bill Wilson (D), HD 22, opened the hearing on HB 621, Authorize local government beer and wine license for certain facilities.

Proponents' Testimony:

03:13:14 Joe Briggs, Chairman, Cascade County Commission
[EXHIBIT \(buh40a08\)](#)
03:17:21 John Hayes, Cascade County Tavern Association, Great Falls, Montana

Opponents' Testimony: None

Informational Testimony:

03:18:42 Shauna Helfert, Administrator, Liquor Control Division,
Department of Revenue

Questions from Committee Members and Responses:

03:19:43 Rep. Vance
03:20:03 Mr. Briggs
03:20:18 Rep. Arntzen
03:20:45 Ms. Helfert
03:21:14 Rep. Arntzen
03:21:19 Ms. Helfert

Closing by Sponsor:

03:21:49 Rep. Wilson

EXECUTIVE ACTION ON HB 633

03:24:07 **Motion:** Rep. Reinhart moved that **HB 633 DO PASS.**

Discussion:

03:24:16 Rep. Smith
03:24:54 Rep. Berry
03:25:26 Rep. Arntzen

03:25:35 **Vote:** Motion failed 9-9 by roll call vote with Rep. Arntzen, Rep. Beck, Rep. Berry, Rep. Klock, Rep. Milburn, Rep. Reichner, Rep. Smith, Rep. Vance, and Rep. Welborn voting aye. Rep. Augare and Rep. Milburn voted by proxy.

EXECUTIVE ACTION ON HB 603

03:27:16 **Motion:** Rep. Reinhart moved that **HB 603 DO PASS.**

Discussion:

03:27:31 Rep. B. Beck
03:28:12 Rep. P. Beck
03:28:38 Chairman Wilson

03:29:09 **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. Augare and Rep. Milburn voted by proxy.

EXECUTIVE ACTION ON HB 608

03:30:34 **Motion:** Rep. Reinhart moved that **HB 608 DO PASS.**

Discussion:

03:30:44 Rep. Klock
03:31:36 Rep. Reinhart
03:32:08 Rep. Klock
03:32:19 Chairman Wilson
03:32:32 Rep. Noonan
03:32:50 Rep. B. Beck
03:33:23 Chairman Wilson
03:33:31 Rep. Berry

03:34:12 **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. Augare and Rep. Milburn voted by proxy.

Additional Discussion:

03:35:23 Rep. Noonan
03:35:35 Rep. Reichner
03:36:17 Chairman Wilson
03:37:11 Rep. Vance
03:37:18 Rep. Klock
03:37:27 Chairman Wilson

ADJOURNMENT

03:37:47 Adjournment: 11:02 A.M.

Santella Baglivo, Secretary

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Additional Documents:

EXHIBIT ([buh40aad.pdf](#))