

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: Chairman Bill Wilson, on March 27, 2009 at 8:30
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 656, 3/11/2009; HB 662,
3/11/2009; SB 335, 3/11/2009;
SB 462, 3/11/2009

Executive Action: SB 462, SB 398

HEARING ON HB 662

Opening Statement by Sponsor:

00:01:08 Rep. Elsie Arntzen (R), HD 53, opened the hearing on
HB 662, License massage therapists.

EXHIBIT (buh68a01)

Proponents' Testimony:

00:10:03 Rachel Romanelli, Massage Therapy Government Relations
Committee

EXHIBIT (buh68a02)

00:15:02 Mike Lairs, Massage Therapist

00:17:06 Ruth Marion, Health Works Institute

00:20:39 Steven Biggs, Chiropractor

00:23:37 Robbie Gammack, Self

00:24:40 Gary Lusin, Physical Therapy Association

EXHIBIT (buh68a03)

00:25:32 Lorena Pettet, Physical Therapy Association

00:26:05 Kerrick Murray, Self, Helena, Montana

00:28:07 Robert Allen, Executive Director, Montana Nurses
Association

EXHIBIT (buh68a04)

00:29:44 Sue Benjamin, Massage Therapy Government Relations
Committee

00:30:12 Kyle Forman, Massage Therapist

00:31:45 Arin St. Cyr, Massage Therapist

00:32:05 Nicole Kay, Massage Therapist

00:32:16 Mark Staples, Montana Chiropractic Association

00:32:58 Nicole Methot, Massage Therapist

00:33:38 Aimee Grmoljez, Billings Clinic

Opponents' Testimony:

00:34:17 Patricia Murphy, Business League of Massage Therapy

EXHIBIT (buh68a05)

00:40:46 Henry Cloud, Massage Therapist

00:45:02 Jennifer Daily, Massage Therapist

EXHIBIT(buh68a06)

00:47:25 Teresa Thormahlen, Massage Therapist

00:49:15 Debra Shorrock, Massage Therapist

00:51:38 Susan Carlson, Massage Therapist

00:54:53 Sally Beale, Massage Therapist

EXHIBIT(buh68a07)

00:57:07 Rose Stoudt, Massage Therapist

00:58:51 Erik Anderson, Massage Therapist

01:00:33 Patty Johnson, Massage Therapist

01:00:50 Codi Carpenter, Massage Therapist

01:01:04 Suzie Benjamin, Massage Therapist

Informational Testimony:

01:01:20 Deborah Kimmet, Montana Health Freedom Coalition

01:03:02 Marilyn Kelly-Clark, Chief, Health Care Licensing
Bureau, Department of Labor and Industry (DLI)

Questions from Committee Members and Responses:

01:03:30 Chairman Wilson

01:05:35 Ms. Romanelli

01:05:53 Chairman Wilson

01:05:54 Rep. Arntzen

01:07:18 Chairman Wilson

01:07:36 Rep. Reinhart

01:07:54 Rep. Arntzen

01:08:19 Rep. Reinhart

01:08:58 Rep. Arntzen

01:09:39 Rep. Reinhart

01:09:49 Rep. Arntzen

01:10:00 Rep. Reinhart

01:10:18 Ms. Murphy

01:11:21 Rep. Reinhart

01:11:53 Chairman Wilson

01:12:02 Ms. Murphy

01:12:08 Rep. Reinhart

01:12:57 Ms. Murphy

01:12:59 Rep. Reinhart

01:13:34 Ms. Kelly-Clark

01:13:49 Rep. Reinhart

01:14:03 Ms. Kelly-Clark

01:16:51 Rep. Reinhart

01:17:00 Ms. Kelly-Clark

01:17:41 Rep. Reinhart

01:18:08 Ms. Kelly-Clark

01:19:34 Rep. Reinhart

01:19:36 Chairman Wilson

01:19:41 Rep. B. Beck
01:20:21 Rep. Arntzen
01:20:29 Rep. Smith
01:20:55 Rep. Arntzen
01:21:43 Rep. Boland
01:22:03 Ms. Stoudt
01:22:17 Rep. Boland
01:22:21 Ms. Stoudt
01:23:31 Rep. Boland
01:23:39 Ms. Stoudt
01:24:48 Rep. Furey
01:25:33 Ms. Thormahlen
01:25:58 Rep. Furey
01:26:40 Ms. Thormahlen
01:28:05 Rep. Furey
01:28:35 Mr. Cloud
01:29:33 Chairman Wilson
01:30:18 Mr. Cloud

Closing by Sponsor:

01:31:01 Rep. Arntzen

01:32:43 Chairman Wilson called a recess.
01:34:43 Chairman Wilson resumed hearing.

01:35:24 Chairman Wilson turned the gavel over to Vice Chairman Beck.

HEARING ON SB 462

Opening Statement by Sponsor:

01:36:24 Sen. Donald Steinbeisser (R), SD 19, opened the hearing on SB 462, Create lien on oil and gas proceeds for owners of interest.

Proponents' Testimony:

01:38:41 Ed Bartlett, Attorney, Billings, Montana
01:44:32 Dave Galt, Executive Director, Montana Petroleum Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:46:09 Sen. Steinbeisser

HEARING ON HB 656

Opening Statement by Sponsor:

01:47:51 Rep. Wayne Stahl (R), HD 35, opened the hearing on
HB 656, Revise liquor store commissions -- special
sales to liquor stores.

Proponents' Testimony:

01:51:35 Mark Staples, Montana Tavern Association

Opponents' Testimony: None

Informational Testimony:

01:54:42 Shawna Helfert, Administrator, Liquor Control Division,
Department of Revenue

Questions from Committee Members and Responses:

01:57:08 Rep. Furey
01:57:22 Rep. Stahl
01:57:57 Rep. Furey
01:58:30 Rep. Stahl

Closing by Sponsor:

01:58:54 Rep. Stahl
01:59:39 Rep. Wilson
01:59:50 Mr. Campbell, Legislative Services Division
02:00:00 Rep. Stahl
02:00:35 Rep. Wilson

02:00:47 Vice Chairman Beck called a recess.
02:23:38 Chairman Wilson resumed hearing.

HEARING ON SB 335

Opening Statement by Sponsor:

02:23:49 Sen. Joe Balyeat (R), SD 34, opened the hearing on
SB 335, Prohibit professional board discrimination.

Proponents' Testimony: None

Opponents' Testimony:

02:26:46 Don Judge, Montana Nurses Association
02:29:37 Pat Melby, Montana Medical Association
02:33:32 Robert Johnson, Montana AFL-CIO
02:34:01 JD Lynch, Montana State Building Trades
02:35:24 Mary McCue, Montana Dental Association
02:37:34 Candace Payne, Rimrock Foundation
02:38:44 Olaf Stimac, Montana Board of Plumbers

Informational Testimony:

02:39:19 Gene Allison, Deputy Chief Counsel, DLI

Questions from Committee Members and Responses: None

Closing by Sponsor:

02:40:04 Sen. Balyeat

EXECUTIVE ACTION ON SB 462

02:46:52 **Motion:** Rep. Reinhart moved that **SB 462 BE CONCURRED IN.**

02:47:09 Rep. Klock called the question.

02:47:13 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 398

02:47:52 **Motion:** Rep. Reinhart moved that **SB 398 BE CONCURRED IN.**

Discussion:

02:48:12 Chairman Wilson
02:48:30 Rep. B. Beck
02:48:40 Chairman Wilson

02:49:27 **Vote:** Motion carried 13-5 by roll call vote with Rep. Augare, Rep. Boland, Rep. Furey, Rep. Reinhart, and Rep. Wilson voting no.

ADJOURNMENT

2:52:13 Adjournment: 11:22 A.M.

Santella Baglivo, Secretary

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Additional Exhibits

EXHIBIT ([buh68a08](#)) Letter from Board of Physical Therapy re: SB 335

EXHIBIT ([buh68a09](#)) Letter from Dan Sullivan re: SB 142

EXHIBIT ([buh68a10](#)) Letter from Russell Fagg re: SB 235

Additional Documents:

EXHIBIT ([buh68aad.pdf](#))