

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: By **CHAIRMAN JIM KEANE**, on February 8, 2005 at 8:00 A.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Jim Keane, Chairman (D)
Rep. Kathleen Galvin-Halcro, Vice Chairman (D)
Rep. Joe McKenney, Vice Chairman (R)
Rep. Elsie Arntzen (R)
Rep. Bob Bergren (D)
Rep. Tim Dowell (D)
Rep. Kevin T. Furey (D)
Rep. Dave Gallik (D)
Rep. Ralph Heinert (R)
Rep. Llew Jones (R)
Rep. Mike Jopek (D)
Rep. Harry Klock (R)
Rep. Scott Mendenhall (R)
Rep. Mike Milburn (R)
Rep. Don Roberts (R)
Rep. Wayne Stahl (R)
Rep. Dan Villa (D)

Members Excused:

Rep. Jonathan Windy Boy (D)

Members Absent: None.

Staff Present: Bart Campbell, Legislative Branch
Kyanne Kelly, Committee Secretary

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 532, 2/2/2005; HB 483, 2/2/2005;
HB 481, 2/2/2005; HB 493, 2/2/2005
Executive Action: HB 140, HB 331, HB 419

HEARING ON HB 532

Opening Statement by Sponsor:

REP. DAVE GALLIK (D), HD 79, opened the hearing on **HB 532**,
Pharmaceutical advertising act.
00:03:25

Proponents' Testimony:

00:07:53 Claudia Clifford, AARP
[EXHIBIT\(buh31a01\)](#)

Opponents' Testimony:

00:14:32 Russ Spencer, Pfizer Drug Company
[EXHIBIT\(buh31a02\)](#)
00:30:47 Barbara Ranf, Montana Chamber of Commerce

Informational Testimony: None

Questions from Committee Members and Responses:

00:32:06

Closing by Sponsor:

00:46:02

HEARING ON HB 483

Opening Statement by Sponsor:

REP. BOB BERGREN (D), HD 33, opened the hearing on **HB 483**,
Binding arbitration for police officers.
00:52:15

Proponents' Testimony:

00:59:17 Jerry Williams, Police Protective Association
01:02:55 Levi Talkington, Lewistown Police Department
01:05:26 David Cardillio, Billings Police Officer
01:07:44 Pat Clinch, Montana State Council of Professional
Firefighters
01:08:55 Tom Schneider, Public Employees Association
01:11:08 Jim Whitaker, Great Falls
01:11:36 Don Kingman, State, County and Municipal Employees

Opponents' Testimony:

01:13:06 Harry Payne, City of Helena Human Resource
Department
01:15:50 Janie McCall, City of Billings
01:16:50 Steve Golnar, City of Livingston
01:17:56 Alec Hansen, League of Cities and Towns

Informational Testimony:

01:21:47 John Andrew, Department of Labor and Industry

Questions from Committee Members and Responses:

01:22:19

Closing by Sponsor:

01:35:26

HEARING ON HB 481

Opening Statement by Sponsor:

REP. MONICA LINDEEN (D), HD 43, opened the hearing on HB 481,
Create main street program.

01:51:04

Proponents' Testimony:

01:56:09 Andy Poole, Department of Commerce
[EXHIBIT \(buh31a03\)](#)
01:58:22 Chere Jiusto, Montana Preservation Alliance
[EXHIBIT \(buh31a04\)](#)
02:05:07 Sarah Hansen, National Trust for Historic
Preservation
02:10:11 Alec Hansen, Montana League of Cities and Towns
02:13:38 Tom Kaiserski, Governor's Office of Economic
Development
02:15:13 Steve Golnar, City of Livingston
[EXHIBIT \(buh31a05\)](#)
02:16:23 Janie McCall, City of Billings
02:17:10 Mike McGinly, Beaverhead County
02:18:12 Hal Fossum, Downtown Helena
02:22:23 Stephanie Ambrose Tubbs, Helena
02:23:39 James Patrick, Kalispell
02:24:41 Cindi Fargo, Livingston
02:26:19 Gary Amestoy, Richland County Economic Development
Corporation
02:26:53 Duane Ferdinand, Livingston
02:27:27 Mark Baumler, Montana Historical Society
[EXHIBIT \(buh31a06\)](#)
02:27:54 Marsha Youngman, Bozeman City Commission
02:28:11 Randy Gray, Mayor Great Falls

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

02:28:40

Closing by Sponsor:

02:30:06

HEARING ON HB 493

Opening Statement by Sponsor:

REP. ART NOONAN (D), HD 73, opened the hearing on **HB 493**, Revise aerospace technology bond program.

02:32:35

Proponents' Testimony:

02:35:27 Andy Poole, Department of Commerce

02:36:10 Will Swearingen, Montana State University

02:40:33 Ralph Hutchenson, Scientific Materials Corporation

EXHIBIT (buh31a07)

02:48:46 Don Peoples, MSE, Inc

02:53:44 Randy Gray, Mayor of Great Falls

02:57:09 Jim Kambich, Montana Aerospace Development
Association

02:58:50 Bill Johnston, Montana University System

02:59:15 Tom Kaiserski, Governor's Office of Economic
Opportunity

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

03:01:12

Closing by Sponsor:

03:14:36

EXECUTIVE ACTION ON HB 140

Motion: REP. GALVIN-HALCRO moved that HB 140 DO PASS.

Discussion:

03:30:18

Motion: REP. GALVIN-HALCRO moved that HB 140 BE AMENDED.

Discussion:

03:31:14

[EXHIBIT](#)(buh31a08)

Vote: Motion carried unanimously by voice vote. REP WINDY BOY voted by proxy.

Motion/Vote: REP. GALVIN-HALCRO moved that HB 140 DO PASS AS AMENDED. Motion carried unanimously by voice vote. REP WINDY BOY voted by proxy.

EXECUTIVE ACTION ON HB 331

Motion: REP. GALVIN-HALCRO moved that HB 331 DO PASS.

Motion: REP. GALVIN-HALCRO moved that HB 331 BE AMENDED.

Discussion:

03:34:02

[EXHIBIT](#)(buh31a09)

Motion: REP. GALLIK moved to segregate 1,2,3,4 from 5, 6,7, 8

Vote: Motion carried unanimously by voice vote.

Motion/Vote: REP. GALLIK moved that HB 1, 2, 3, 4, DO PASS. Motion carried unanimously by voice vote. REP WINDY BOY voted by proxy.

03:37:38

Motion/Vote: REP. GALVIN-HALCRO moved that 5,6,7,8 DO PASS. Motion carried 15-3 by voice vote with REPS. DOWELL, GALLIK, and VILLA voting no. REP WINDY BOY voted by proxy.

Motion: REP. GALVIN-HALCRO moved that HB 331 DO PASS AS AMENDED.

Discussion:

03:41:30

Vote: Motion carried unanimously by voice vote. REP WINDY BOY voted by proxy.

EXECUTIVE ACTION ON HB 419

Motion: REP. GALLIK moved that HB 419 DO PASS.

Discussion:

03:43:11

Motion: REP. GALLIK moved that HB 419 BE AMENDED.

Discussion:

03:43:38

[EXHIBIT](#) (buh31a10)

REP. MCKENNEY asked to segregate the amendment

Motion/Vote: REP. MCKENNEY moved that 1,2,3 DO PASS. Motion carried 15-3 by voice vote with REPS. DOWELL, GALLIK, and VILLA voting no. REP WINDY BOY voted by proxy.

Motion: REP. GALLIK moved that Part 4 DO PASS.

Vote: Motion failed 8-10 by voice vote with REPS. BERGREN, DOWELL, FUREY, GALLIK, GALVIN-HALCRO, JOPEK, VILLA, and WINDY BOY voting aye. REP WINDY BOY voted by proxy.

Motion: REP. GALLIK moved that HB 419 DO PASS AS AMENDED.

Discussion:

03:52:12

Motion: REP. GALLIK moved that HB 419 BE AMENDED.

Discussion:

03:52:53

Vote: Motion failed 8-10 by voice vote with REPS. BERGREN, DOWELL, FUREY, GALLIK, GALVIN-HALCRO, JOPEK, VILLA, and WINDY BOY voting aye. REP WINDY BOY voted by proxy.

Motion/Vote: REP. GALLIK moved that HB 419 BE AMENDED. Motion failed 9-9 by voice vote with REPS. BERGREN, DOWELL, FUREY, GALLIK, GALVIN-HALCRO, JOPEK, KEANE, VILLA, and WINDY BOY voting aye.

Motion: REP. GALLIK moved that HB 419 DO PASS AS AMENDED.

04:01:59

Vote: Motion failed 9-9 by roll call vote with REPS. BERGREN, DOWELL, FUREY, GALLIK, GALVIN-HALCRO, JOPEK, KEANE, VILLA, and WINDY BOY voting aye. REP WINDY BOY voted by proxy.

ADJOURNMENT

Adjournment: 12:10 A.M.

REP. JIM KEANE, Chairman

KYANNE KELLY, Secretary

JK/kk

Additional Exhibits:

EXHIBIT ([buh31aad0.PDF](#))