

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: By **CHAIRMAN JIM KEANE**, on February 10, 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. Dan Villa (D)
Rep. Jonathan Windy Boy (D)

Members Excused:

Rep. Wayne Stahl (R)

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: HJ 14, 2/2/2005; HB 508, 2/2/2005;
HB 557, 2/2/2005; HB 461, 2/2/2005
Executive Action: HJ 14, HB 508, HB 557, HB 422, HB
382, HB 467, HB 527

HEARING ON HJ 14

Opening Statement by Sponsor:

REP. KEVIN FUREY (D), HD 91, opened the hearing on HJ 14, Urge congress to pass employee freedom of choice act.

00:02:02

[EXHIBIT](#)(buh33a01)

Proponents' Testimony:

00:06:52 Darrell Holzer, AFL-CIO

00:10:06 Gene Fenderson, Montana Council of Laborers

00:17:07 Jed Fitch, Montana Trial Lawyers Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:18:09

Closing by Sponsor:

00:19:30

HEARING ON HB 508

Opening Statement by Sponsor:

REP. GORDON HENDRICK (R), HD 14, opened the hearing on HB 508, Clarify application of Voluntary Employee Benefit Association.

00:23:56

[EXHIBIT](#)(buh33a02)

Proponents' Testimony:

00:25:27 Randy Morris, Department of Administration

00:27:22 REP. ALAN OLSON, HD 45, ROUNDUP

Opponents' Testimony: None

Informational Testimony:None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:28:33

HEARING ON HB 557

Opening Statement by Sponsor:

REP. EDWARD BUTCHER (R), HD 29, opened the hearing on HB 557,
Restrict insurance required by lender.

00:29:36

Proponents' Testimony:

00:31:55 Dwight Easton, Farmers Insurance

[EXHIBIT](#)(buh33a03)

00:36:35 Roger McGlenn, Independent Insurance Agents of
Montana

00:38:32 Greg Van Horrsen, State Farm Insurance Company

Opponents' Testimony: None

Informational Testimony:

00:38:58 Annie Goodwin, Commissioner of Banking

Questions from Committee Members and Responses:

00:39:19

Closing by Sponsor:

00:55:11

HEARING ON HB 461

Opening Statement by Sponsor:

REP. ELSIE ARNTZEN (R), HD 53, opened the hearing on HB 461,
Licensure of athletic trainers.

01:09:26

Proponents' Testimony:

01:11:31 Patrick Hughes, Montana State University

[EXHIBIT](#)(buh33a04)

01:14:42 Tom Koto, National Athletic Trainers Association

01:20:30 Scott Richter, University of Montana

01:25:59 Manuel Garza, Helena High School

01:30:25 Dr. David Shenton, Self

01:36:59 Steve Yeakel, Montana Athletic Association

[EXHIBIT](#)(buh33a05)

01:37:35 Connie Summers, Associated Students of Billings
[EXHIBIT \(buh33a06\)](#)
 01:38:03 Chuck Carnoft, Retired Trainer
 01:38:20 John Townsend, Student MSU
 01:38:38 Jodie Smith, Beartooth Hospital
 01:38:54 Roy Strong, Montana Orthopedic and Sports Medicine
 01:39:05 Suzette Nynas, Rocky Mountain College
 01:39:26 JC Weida, University of Montana
 01:39:47 Dennis Murphy, University of Montana
 01:40:07 Chris Heard, St James Healthcare
 01:40:27 Brian Coble, Carroll College
 01:40:43 Justin Hunt, University of Montana
 01:41:00 Rob Higgs, Montana State University
 01:41:13 Jamie McCafferty, Montana State University
 01:41:28 Travis Swick, Montana State University
 01:41:50 Janet Trethewey, MSU Northern
 01:42:15 Mark Meredith, Bozeman High School
 01:42:34 Mike Diede, Billings

Opponents' Testimony:

01:43:03 Joe Smith, Montana Physical Therapy Association
[EXHIBIT \(buh33a07\)](#)
 01:48:03 Gary Lusin, Physical Therapist
[EXHIBIT \(buh33a08\)](#)
 01:51:34 Beth Ikeda, University of Montana Professor
[EXHIBIT \(buh33a09\)](#)
 01:55:26 Lisa Grossman, Physical Therapist
 01:58:46 Jim McLean, Physical Therapist
[EXHIBIT \(buh33a10\)](#)
 02:00:12 Mona Jamison, Montana Physical Therapy Association
[EXHIBIT \(buh33a11\)](#)
 02:05:23 Richard Smith, Physical Therapist from Missoula
 02:07:07 Clark Hansen, Physical Therapist
 02:07:31 Susan Jurovich, Billings
 02:07:47 Patricia Mangan, Physical Therapist
 02:08:08 Louis Molen, Physical Therapist from Great Falls
 02:08:41 George Wood, Montana Self Insurers Association
 02:08:58 Nancy Butler, State Fund Insurance

Informational Testimony:

02:09:14 Lance Melton, Montana School Boards Association
[EXHIBIT \(buh33a12\)](#)
 02:10:56 Jeannie Worsect, Department of Labor and Industry

Questions from Committee Members and Responses:

02:11:20

Closing by Sponsor:

02:25:38

EXECUTIVE ACTION ON HJ 14

Motion: REP. VILLA moved that HJ 14 DO PASS.

Discussion:

02:46:01

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. REPS. DOWELL, JONES, ROBERTS, STAHL, WINDY BOY voted by proxy.

EXECUTIVE ACTION ON HB 508

Motion: REP. ARNTZEN moved that HB 508 DO PASS.

Discussion:

02:54:06

Vote: Motion carried 11-7 by roll call vote with REPS. DOWELL, FUREY, GALVIN-HALCRO, JOPEK, KEANE, VILLA, and WINDY BOY voting no. REPS. DOWELL, JONES, ROBERTS, STAHL, WINDY BOY voted by proxy.

EXECUTIVE ACTION ON HB 557

Motion: REP. ARNTZEN moved that HB 557 DO PASS.

Discussion:

02:57:58

Vote: Motion failed 9-9 by roll call vote with REPS. ARNTZEN, HEINERT, JONES, KLOCK, MCKENNEY, MENDENHALL, MILBURN, ROBERTS, and STAHL voting aye. REPS. DOWELL, JONES, ROBERTS, STAHL, WINDY BOY voted by proxy.

EXECUTIVE ACTION ON HB 422

Motion: REP. GALLIK moved that HB 422 DO PASS.

Motion: REP. GALLIK moved that HB 422 BE AMENDED.

Discussion:

03:05:31

[EXHIBIT](#)(buh33a13)

Vote: Motion carried unanimously by voice vote. REPS. DOWELL, JONES, ROBERTS, STAHL, WINDY BOY voted by proxy.

Motion: REP. GALLIK moved that HB 422 DO PASS AS AMENDED.

Discussion:

03:12:31

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. REPS. DOWELL, JONES, ROBERTS, STAHL, WINDY BOY voted by proxy.

REP. ROBERTS re-entered the room

REP. STAHL entered the room

EXECUTIVE ACTION ON HB 382

Motion: REP. GALVIN-HALCRO moved that HB 382 DO PASS.

Discussion:

03:25:20

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. REPS. DOWELL, JONES, WINDY BOY voted by proxy.

EXECUTIVE ACTION ON HB 467

Motion: REP. VILLA moved that HB 467 DO PASS.

Discussion:

03:37:32

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. REPS. DOWELL, JONES, WINDY BOY voted by proxy.

REP. JONES entered the room

EXECUTIVE ACTION ON HB 527

Motion: REP. MENDENHALL moved that HB 527 DO PASS.

Discussion:

03:44:39

REP. MENDENHALL withdrew his motion

ADJOURNMENT

Adjournment: 12:00 P.M.

REP. JIM KEANE, Chairman

KYANNE KELLY, Secretary

JK/kk

Additional Exhibits:

EXHIBIT ([buh33aad0.PDF](#))