HOUSE OF REPRESENTATIVES
Roll Call
BUSINESS AND LABOR COMMITTEE

DATE 1-31-05

NAME	PRESENT	ABSENT	EXCUSED
REP. JIM KEANE, CHAIR.			✓
REP. KATHLEEN GALVIN-HALCRO, VICE CHAIR	✓		
REP. JOE McKENNEY, VICE CHAIR	✓		
REP. ELSIE ARNTZEN	✓		
REP. BOB BERGREN	✓		
REP. TIM DOWELL	✓		
REP. KEVIN FUREY	✓		
REP. DAVE GALLIK	✓		
REP. RALPH HEINERT	✓		
REP. LLEW JONES	✓		
REP. MIKE JOPEK	✓		
REP. HARRY KLOCK	✓		
REP. SCOTT MENDENHALL	✓		
REP. MIKE MILBURN	✓		
REP. DON ROBERTS	✓		
REP. WAYNE STAHL	✓		
REP. DAN VILLA	✓		
REP. JONATHAN WINDY BOY	✓		

HOUSE STANDING COMMITTEE REPORT

Mr. Speaker:

We, your committee on **Business and Labor** recommend that **House Bill 295** (first reading copy -- white) **do pass as amended**.

Signed: Jim Keane
Representative Jim Keane, Chair

And, that such amendments read:

1. Title, line 6 through line 8.
Strike: "REQUIRING" on line 6 through "CERTIFICATES;" on line 8

2. Title, line 8.
Strike: "SECTIONS"
Insert: "SECTION"

3. Title, line 9.
Strike: "70-9-802, AND 70-9-803,"

4. Page 1, line 24 through line 25.
Strike: subsection (5) in its entirety

5. Page 2, line 8.
Following: "(5)"
Insert: "(a)"
Strike: "has" through "70-9-802"
Insert: "means a record, including a gift card, that is provided for paid consideration and that indicates a promise by the issuer or seller of the record that goods or services will be provided to the possessor of the record for the value that is shown on the record or contained within the record by means of a microprocessor chip, magnetic stripe, bar code, or other electronic information storage device. The

Committee Vote:
Yes 18, No 0.

241414SC.hkh
1/31/05

consideration provided for the gift certificate must be made in advance. The value of the gift certificate is reduced by the amount spent with each use. A gift certificate is considered trust property of the possessor if the issuer or seller of the gift certificate declares bankruptcy after issuing or selling the gift certificate. The value represented by the gift certificate belongs to the possessor, to the extent provided by law, and not to the issuer or seller.

(b) The term does not mean:

(i) prepaid telecommunications and technology cards, including but not limited to prepaid telephone calling cards, prepaid technical support cards, and prepaid internet disks that have been distributed to or purchased by a consumer;

(ii) a coupon provided to a consumer pursuant to any award, loyalty, or promotion program without any money or consideration being given in exchange for the card; or

(iii) a gift certificate usable with multiple sellers of goods or services"

6. Page 2, line 17 through page 8, line 4.
Strike: sections 3 and 4 in their entirety
Renumber: subsequent sections

- END -

COMMITTEE FILE COPY

per Marilyn Miller
removed from Tabled
Bills - done by Marilynn Petek
fg

TABLED BILL

The **HOUSE BUSINESS AND LABOR COMMITTEE** TABLED **HB 189, HB 315, HB 328, HB 412**, by motion, on **Monday, January 31, 2005.**

Kyanne Kelly
(For the Committee)

jbm
(Chief Clerk of the House)

1:10 / 1/31
(Time) (Date)

January 31, 2005 Kyanne Kelly, Secretary Phone: 1512

HOUSE OF REPRESENTATIVES
Roll Call Vote
BUSINESS AND LABOR COMMITTEE

DATE 1-31-05 BILL NO 328 MOTION NO. 1

MOTION: BE AMENDED

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. KATHLEEN GALVIN-HALCRO, VICE CHAIR	✓		
REP. JOE McKENNEY, VICE CHAIR		✓	
REP. ELSIE ARNTZEN		✓	
REP. BOB BERGREN	✓		
REP. TIM DOWELL	✓	✓	
REP. KEVIN FUREY	✓		
REP. DAVE GALLIK	✓		
REP. RALPH HEINERT		✓	
REP. LLEW JONES		✓	
REP. MIKE JOPEK	✓		
REP. HARRY KLOCK		✓	
REP. SCOTT MENDENHALL		✓	
REP. MIKE MILBURN		✓	
REP. DON ROBERTS		✓	
REP. WAYNE STAHL		✓	
REP. DAN VILLA	✓		
REP. JONATHAN WINDY BOY	✓		
REP. JIM KEANE, CHAIR	✓		
	9	9	

s:/Bus&LaborRollCallVote2005

HOUSE OF REPRESENTATIVES
Roll Call Vote
BUSINESS AND LABOR COMMITTEE

DATE 1-31-05 BILL NO 328 MOTION NO. 2

MOTION: DO PASS

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. KATHLEEN GALVIN-HALCRO, VICE CHAIR		✓	
REP. JOE McKENNEY, VICE CHAIR	✓		
REP. ELSIE ARNTZEN	✓		
REP. BOB BERGREN		✓	
REP. TIM DOWELL		✓	
REP. KEVIN FUREY		✓	
REP. DAVE GALLIK		✓	
REP. RALPH HEINERT	✓		
REP. LLEW JONES	✓		
REP. MIKE JOPEK		✓	
REP. HARRY KLOCK	✓		
REP. SCOTT MENDENHALL	✓		
REP. MIKE MILBURN	✓		
REP. DON ROBERTS	✓		
REP. WAYNE STAHL	✓		
REP. DAN VILLA		✓	
REP. JONATHAN WINDY BOY		✓	
REP. JIM KEANE, CHAIR		✓	
	9	9	

s:/Bus&LaborRollCallVote2005

HOUSE OF REPRESENTATIVES
Roll Call Vote
BUSINESS AND LABOR COMMITTEE

DATE 1-31-05 BILL NO 315 MOTION NO. 1
MOTION: BE Tabled

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. KATHLEEN GALVIN-HALCRO, VICE CHAIR	✓		
REP. JOE McKENNEY, VICE CHAIR	✓		
REP. ELSIE ARNTZEN	✓		
REP. BOB BERGREN	✓		
REP. TIM DOWELL		✓	
REP. KEVIN FUREY		✓	
REP. DAVE GALLIK		✓	
REP. RALPH HEINERT	✓		
REP. LLEW JONES	✓		
REP. MIKE JOPEK		✓	
REP. HARRY KLOCK	✓		
REP. SCOTT MENDENHALL	✓		
REP. MIKE MILBURN	✓		
REP. DON ROBERTS	✓		
REP. WAYNE STAHL	✓		
REP. DAN VILLA	✓		
REP. JONATHAN WINDY BOY	✓		
REP. JIM KEANE, CHAIR	✓		
	14	4	

s:/Bus&LaborRollCallVote2005

HOUSE OF REPRESENTATIVES
Roll Call Vote
BUSINESS AND LABOR COMMITTEE

DATE 1-31-05 BILL NO 364 MOTION NO. 1
MOTION: DO PASS AS AMENDED

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. KATHLEEN GALVIN-HALCRO, VICE CHAIR	✓		
REP. JOE McKENNEY, VICE CHAIR		✓	
REP. ELSIE ARNTZEN		✓	
REP. BOB BERGREN	✓		
REP. TIM DOWELL	✓		
REP. KEVIN FUREY	✓		
REP. DAVE GALLIK	✓		
REP. RALPH HEINERT		✓	
REP. LLEW JONES		✓	
REP. MIKE JOPEK	✓		
REP. HARRY KLOCK		✓	
REP. SCOTT MENDENHALL		✓	
REP. MIKE MILBURN		✓	
REP. DON ROBERTS		✓	
REP. WAYNE STAHL		✓	
REP. DAN VILLA	✓		
REP. JONATHAN WINDY BOY	✓		
REP. JIM KEANE, CHAIR	✓		
	9	9	

s:/Bus&LaborRollCallVote2005

HOUSE OF REPRESENTATIVES
Roll Call Vote
BUSINESS AND LABOR COMMITTEE

DATE 1-31-0 BILL NO 189 MOTION NO. 1
MOTION: DO PASS

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. KATHLEEN GALVIN-HALCRO, VICE CHAIR		✓	
REP. JOE McKENNEY, VICE CHAIR		✓	
REP. ELSIE ARNTZEN		✓	
REP. BOB BERGREN		✓	
REP. TIM DOWELL		✓	
REP. KEVIN FUREY		✓	
REP. DAVE GALLIK		✓	
REP. RALPH HEINERT		✓	
REP. LLEW JONES		✓	
REP. MIKE JOPEK		✓	
REP. HARRY KLOCK		✓	
REP. SCOTT MENDENHALL		✓	
REP. MIKE MILBURN		✓	
REP. DON ROBERTS		✓	
REP. WAYNE STAHL		✓	
REP. DAN VILLA		✓	
REP. JONATHAN WINDY BOY		✓	
REP. JIM KEANE, CHAIR	✓		

VISITORS REGISTER

Montana

House of Representatives

Business & Labor Committee

Bill Number: HB 419 Date: 1/31/05

Please print ~ Please print ~ Please print ~ Please print

Name	Representing	Support	Oppose	Informational
Jim NYS	Self		X	
ANNA KAZMIEROWSKI	self		X	
Harry Payne	self		X	
Mona Jamieson	Shodair		X	
Gary Spaeth	Liability Coalition		X	
Riley Johnson	NFIB		X	
Jennifer Hendricks	self	X		
Elizabeth Best	self	X		
Dennis Lopach	"		X	
~~Mary Phippen~~	~~Mt. Assn. Clerks of Dist Ct~~		~~X~~	
Gordon Morris	MACo		X	
[illegible]		X		
Phil Maxwell	3 Rivers		X	
Car Schweitzer	Bozeman & Kalispell Chambers of Com		X	
John Fitzpatrick	Northwestern Energy		X	
WEBB BROWN	MT CHAMBER		X	

Please leave prepared testimony with Committee Secretary. Witness Statement forms are available if you care to submit written testimony.

VISITORS REGISTER

Montana
House of Representatives
Business & Labor Committee

Bill Number: HB 419 Date: 1/31/05

Please print ~ Please print ~ Please print ~ Please print

Name	Representing	Support	Oppose	Informational
LANCE MELTON	MTSBA		X	
Cary Hegreberg	Contractors Asso.		X	
Ronda Carpenter-Wiggers	Gt Fls & Helena Chamber		X	
Jerry Driscoll	AFL-CIO	X		
Jed Fitch	Mont Trial Lawyers Assn.	X		
Jacqueline Lenmark	Am. Ins. Assn		X	
Frank Cote LNTL	Farmers Union		X	
Don Allen	CHS Inc		X	
Greg Van Horssen LNTL	State Farm		X	
Dave Fenderson	Progressive Labor	X		
Steve Turkiewicz	MT Bankers		X	
Charles Brooks	Blue Cross		X	

Please leave prepared testimony with Committee Secretary. Witness Statement forms are available if you care to submit written testimony.

VISITORS REGISTER

Montana

House of Representatives

Business & Labor Committee

Bill Number: HB 424 Date: 1/31/05

Please print ~ Please print ~ Please print ~ Please print

Name	Representing	Support	Oppose	Informational
~~[illegible]~~ Monica Jamison	Boyd Andrew	✓		
Becky Robideaux	Alcohol & Drug Services	Informational		✓
Jim Kembel	MT ASSOC of Chiefs of Police	✓		
Bill Barron	Lake Co. Sheriff Office	✓		
Roland Mena	Mt. Board of Crime Control	✓		
Steve Pretat	Great Falls Police	✓		
Cory Reeves	" " "	✓		
Patti Jacques	MT Board of Crime Cont			✓
Lee Baerlocher	Dept of Rev			✓
Roger Curtiss	A&D Services	✓		

Please leave prepared testimony with Committee Secretary. Witness Statement forms are available if you care to submit written testimony.