

HOUSE OF REPRESENTATIVES
Roll Call
BUSINESS AND LABOR COMMITTEE

DATE 2-16-05

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT</u>	<u>EXCUSED</u>
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

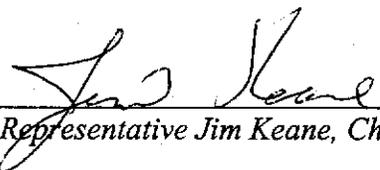
February 16, 2005

Page 1 of 1

Mr. Speaker:

We, your committee on **Business and Labor** recommend that **House Bill 638** (first reading copy -- white) **do pass**.

Signed:


Representative Jim Keane, Chair

- END -

Committee Vote:
Yes 17, No 1.

381307SC.hkh

2/16/05
jkn

COMMITTEE FILE COPY

TABLED BILL

The **HOUSE BUSINESS AND LABOR COMMITTEE** TABLED **HB 494**, by motion, on **Wednesday, February 16, 2005**.



(For the Committee)



(Chief Clerk of the House)

1:00 / 2/16
(Time) (Date)

February 16, 2005

Kyanne Kelly, Secretary

Phone: 1512



HOUSE STANDING COMMITTEE REPORT

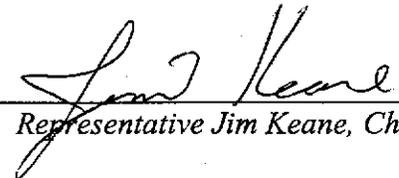
February 16, 2005

Page 1 of 1

Mr. Speaker:

We, your committee on **Business and Labor** recommend that **House Bill 521** (first reading copy -- white) do pass as amended.

Signed:


Representative Jim Keane, Chair

And, that such amendments read:

1. Page 2, line 19.

Following: "harvested,"

Insert: "or"

Following: "raised"

Strike: ", collected,"

Insert: "in Montana, or if packaged"

Following: "manufactured"

Insert: ", it must be packaged or manufactured in Montana and the contents must be at least 50% produced in Montana"

- END -

Committee Vote:

Yes 10, No 8.

381308SC.hkh

2/16/05

JK



HOUSE STANDING COMMITTEE REPORT

February 16, 2005

Page 1 of 3

Mr. Speaker:

We, your committee on **Business and Labor** recommend that **House Bill 549** (first reading copy -- white) do pass as amended.

Signed:


Representative Jim Keane, Chair

And, that such amendments read:

1. Title, line 8.

Strike: "SECTION"

Insert: "SECTIONS"

2. Title, line 9.

Following: "2-8-303"

Insert: "AND 18-4-302"

3. Page 1, line 19.

Strike: "Except as provided in 18-4-302, a"

Insert: "A"

4. Page 2, following line 20.

Insert: "Section 3. Section 18-4-302, MCA, is amended to read:

"18-4-302. **Methods of source selection -- authorization for alternative procurement methods.** (1) Unless otherwise authorized by law, all state contracts for supplies and services must be awarded by a source selection method provided for in this title. Supplies or services offered for sale, lease, or rental by public utilities are exempt from this requirement if the prices of the supplies or services are regulated by the public service commission or other governmental authority.

(2) When the department or another agency opens bids or proposals, if a supplier's current publicly advertised or established catalog price is received at or before the time that

Committee Vote:

Yes 14, No 4.

381309SC.hkh

2/16/05

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the bids or proposals are opened and is less than the bid of the lowest responsible and responsive bidder or offeror or improves upon the conditions for the best proposal received using the same factors and weights included in the proposal, the department or agency may reject all bids and purchase the supply from that supplier without meeting the requirements of 18-4-303 through 18-4-306.

~~(3) An office supply procured by the department's central stores program may be purchased by an agency, without meeting the requirements of 18-4-303 through 18-4-306, from a supplier whose publicly advertised price, established catalog price, or discount price offered to the agency is less than the price offered by the central stores program if the office supply conforms in all material respects to the terms, conditions, and quality offered by the central stores program. A state office supply term contract must include a provision by which the contracting parties acknowledge and agree to the provisions of this subsection.~~

~~(4)~~(3) (a) Under rules adopted by the department, an agency may request from the department authorization for an alternative procurement method.

(b) A request for authorization must specify:

- (i) the problem to be solved;
- (ii) the proposed alternative procurement method;
- (iii) the reasons why the alternative procurement method may be more appropriate than a method authorized by law; and
- (iv) how competition and fairness will be achieved by the alternative procurement method.

(c) Within 30 days after receiving the request, the department shall:

- (i) evaluate the request;
- (ii) approve or deny the request; and
- (iii) issue a written statement providing the reasons for its decision.

(d) Whenever the department approves a request submitted under this section, the department:

- (i) may authorize the alternative procurement method on a trial basis; and
- (ii) if the alternative procurement method is employed, shall make a written determination as to the success of the method.

(e) If the department determines that the alternative procurement method is successful and should be an alternative that is generally available, it shall promulgate rules that establish the use of the alternative procurement method as an additional source selection method. The rules promulgated by the department under this subsection must reflect the purposes described in 18-4-122. (Subsection ~~(4)~~ (3) terminates June 30, 2005--sec. 29, Ch. 181, L. 2001.)"

Renumber: subsequent sections

- END -

HOUSE OF REPRESENTATIVES

Roll Call Vote

BUSINESS AND LABOR COMMITTEE

DATE 2-16-05 BILL NO 494 MOTION NO. _____

MOTION: _____
DC PAGES

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		✓	

8 10

Cal has review table.

HOUSE OF REPRESENTATIVES

Roll Call Vote

BUSINESS AND LABOR COMMITTEE

DATE 2-16-05 BILL NO. 521 MOTION NO. _____

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		✓	

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HOUSE OF REPRESENTATIVES

Roll Call Vote

BUSINESS AND LABOR COMMITTEE

DATE 2-16-05 BILL NO 549 MOTION NO. _____

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	✓		

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VISITORS REGISTER

Montana

House of Representatives

Business & Labor Committee

Bill Number: HB 677

Date: 2/16/05

Please print ~ Please print ~ Please print ~ Please print

Name	Representing	Support	Oppose	Informational
Reley Johnson	NFIB		X	
Brad Eldredge	Labor & Industry			X
Barbara Rant	mt Chamber		X	
Charles Brooks	Bigs Chamber		X	
Ronda Carpenter-Wiggers	Art Fls Helena Chamber		X	
Linda Gryczem	MT 9's Lobby	✓		
Terry Mow	MEA - MT	✓		
Don Judge	Teamsters Local 190	X		
Carl Schweitzer	Boren & Kellogg Chamber of Com		X	
Brad Griffin	MT Retail/Rust Assoc		X	
Bethy Beverly	MSCA	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 533

Date: 2/16/05

Please print ~ Please print ~ Please print ~ Please print

Name	Representing	Support	Oppose	Informational
Jed C. FITCH	MT Trial Lawyers	X		
Reley Johnson	NFIB		X	
Larry Jones	Liberty Northwest		X	
Bob Worthington	IIA, IIA		X	
Barbara Ranf	MT Chamber		X	
NORM NEWHALL	CLAIMANTS	X		
Jason Todhunter	MT Logging Assoc		X	
Charles Brooks	Billing, Chambers		X	
Doc Judge	Teamsters Local 190	X		
George Neal	MT SELFEMPLOYED ASSOC		X	
Jacqueline Denmark	AIA; MT Health Systems		X	
Warry Butler	MT State Fund		X	
Doug Rulle	SELF		X	
Aidan Myhr	EIG		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 534

Date: 2/16/05

George Wood - Mt. Self Insurers Assoc

X

Please print ~ Please print ~ Please print ~ Please print

Name	Representing	Support	Oppose	Informational
Pat Clinch	MSCFFA	X		
Jed C. FITCH	MT Trial Lawyers	X		
Liz Gunderson	DR KEN EDER	X		
Riley Johnson	NFIB		X	
DAUG NALLE	SELF		X	
T. Gregory Hunsz	SELF	X		
Sydney McKenna	Self	X		
Ed Zerbst	SELF	X		
Larry Jones	L. Liberty Mutual		X	
Bob Whittington	MT IA		X	
Barbara Rant	Mt. Chamber		X	
Jason Todhunter	MT Logging Assoc		X	
Charles Brooks	Billing & Insurance		X	
Ronda Carpenter-Wiggers	GrFs - Helena Chamber		X	
Beda Kovitt	Mt Psychiatric Assn			X
Judy Smith	WURO / MOUNTAIN VIEW	X		

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

Roger McGowan

IIA

X

Don Judge

Teachers Local 170

X

Henry Kendrick

MT Human Rights

X

Kim Abbott

WFEI

X

OVER

VISITORS REGISTER

Montana

House of Representatives

Business & Labor Committee

Bill Number: HB 563

Date: 2/16/05

Please print ~ Please print ~ Please print ~ Please print

Name	Representing	Support	Oppose	Informational
SPENCER GUTHRIE	PHRMA		X	
Liz Gundersen	Dr Ken Eden	X		
Betty Beverly	MSCA	X		
Beda Lovitt	MMA	X		
Eric Schiedermayer	MT Catholic Conference American Diabetes Association		X as written	
Blair Williams	Big Fish PR		X	
Steve	Salvation Army		X	
Bonnie Stevens	LeBocha Clinic		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 533 & 534
~~538~~

Date: 2/16/05

Please print ~ Please print ~ Please print ~ Please print

Name	Representing	Support	Oppose	Informational
GARY FORRESTER	MT CONTRACTORS ASSN		X	533
GARY FORRESTER	MT CONTRACTORS ASSN		X	534
DORRY SLING	MMCA		X	533
DORRY SLING	MMCA		X	534
MARY C. ALLEN	CHS, Inc		X	534
Claudia Clifford	DARP	✓		563
Neil Haight				563
Neil Haight	self	✓		

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