

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: By **VICE CHAIRMAN KATHLEEN GALVIN-HALCRO**, on
January 31, 2005 at 9:30 A.M., in Room 172 Capitol.

ROLL CALL

Members Present:

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)
Rep. Jonathan Windy Boy (D)

Members Excused: Rep. Jim Keane, Chairman (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 425, 1/24/2005; HB 424,
1/24/2005; HB 419, 1/24/2005
Executive Action: HB 295, HB 189, HB 328, HB 315, HB
412, HB 364

HEARING ON HB 424

Opening Statement by Sponsor:

REP. ROSALIE (ROSIE) BUZZAS (D), HD 93, opened the hearing on **HB 424**, Liquor licensee fees to be used to fund program to stop drinking by minors.

00:03:06

Proponents' Testimony:

00:06:58 Roland Mena, Board of Crime Control

00:11:39 Steve Pretet, Police Officer Great Falls

00:14:59 William Barron, Lake County Sheriff

EXHIBIT (buh24a01)

00:19:16 Roger Curtiss, Alcohol and Drug Services, Anaconda

Opponents' Testimony: None

Informational Testimony:

00:21:37 Becky Robeaux, Prevention Specialist, Gallatin
County

00:25:31 Patty Jacques, Prevention Program Manager, Board
of Crime Control

EXHIBIT (buh24a02)

EXHIBIT (buh24a03)

00:34:39 Lee Bearlocher, Department of Revenue

Questions from Committee Members and Responses:

00:35:33

Closing by Sponsor:

00:52:30

REP. JIM KEANE, HD 75, BUTTE came into the meeting

HEARING ON HB 419**Opening Statement by Sponsor:**

REP. JILL COHENOUR (D), HD 78, opened the hearing on **HB 419**,
Expand damages for wrongful discharge.
00:58:13

Proponents' Testimony:

00:59:40 Jennifer Hendricks, Meloy & Triweller Law firm
01:08:19 Elizabeth Best, Lawyer from Great Falls
01:14:16 Jed Fitch, Montana Trial Lawyers Association
01:15:17 Jerry Driscoll, Montana AFL-CIO

Opponents' Testimony:

01:16:13 Gary Spaeth, Liability Coalition
01:23:51 Webb Brown, Montana Chamber of Commerce
01:24:17 Jim Nys, Self Employed Human Resource Officer

EXHIBIT (buh24a04)

01:26:14 Dennis Lopach, Representing Self
01:28:05 Riley Johnson, National Federation of Independent
Business
01:29:12 Charles Brooks, Billings Chamber of Commerce,
Yellowstone County Commissioners
01:29:53 Carl Schweitzer, Bozeman, Kalispell, and Great
Falls Chambers of Commerce

EXHIBIT (buh24a05)

01:30:28 Cary Hegreberg, Montana Contractors Association
01:30:53 Brad Griffin, Montana Retail Association
01:31:13 Jack Feiss, Self
01:31:21 Phil Maxwell, Three Rivers Communiations
01:31:38 Don Allen, CHS, Inc
01:32:00 Jacqueline Lenmark, American Insurance Association

EXHIBIT (buh24a06) Lance Melton, Montana School Board (paper
testimony only)

EXHIBIT (buh24a07) Bruce Spencer, Attorney (paper testimony
only)

Informational Testimony: None

Questions from Committee Members and Responses:

01:32:29

Closing by Sponsor:

01:40:18

EXECUTIVE ACTION ON HB 295

Motion: REP. GALVIN-HALCRO moved that HB 295 DO PASS.

Motion: REP. GALVIN-HALCRO moved that HB 295 BE AMENDED.

Discussion:

02:03:47

[EXHIBIT](#) (buh24a08)

Vote: Motion carried unanimously by voice vote.

Motion/Vote: REP. GALVIN-HALCRO moved that HB 295 DO PASS AS AMENDED. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 189

Motion: REP. GALVIN-HALCRO moved that HB 189 DO PASS.

Discussion:

02:09:38

Vote: Motion failed 1-17 by roll call vote.

Motion/Vote: REP. MCKENNEY moved that HB 189 BE TABLED AND THE VOTE REVERSED. Motion passed 17-1.

EXECUTIVE ACTION ON HB 328

Motion: REP. MCKENNEY moved that HB 328 DO PASS.

Motion: REP. GALLIK moved that HB 328 BE AMENDED.

[EXHIBIT](#) (buh24a09)

Discussion:

02:15:06

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

Motion: REP. MCKENNEY moved that HB 328 DO PASS.

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

EXECUTIVE ACTION ON HB 315

Motion: REP. JOPEK moved that HB 315 DO PASS.

Discussion:

02:27:47

Substitute Motion: REP. BERGREN made a substitute motion that HB 315 BE TABLED. Withdrew his motion for discussion purposes.

Discussion:

02:33:19

Substitute Motion: REP. MENDENHALL made a substitute motion that HB 315 BE TABLED.

Vote: Motion carried 14-4 by roll call vote with REPS. DOWELL, FUREY, GALLIK, and JOPEK voting no.

EXECUTIVE ACTION ON HB 412

Motion: REP. MENDENHALL moved that HB 412 DO PASS.

Discussion:

02:39:11

Vote: Motion failed 1-17 by voice vote with REP. FUREY voting aye.

Motion/Vote: REP. WINDY BOY moved that HB 412 BE TABLED AND THE VOTE REVERSED. Motion carried 17-1 by voice vote with REP. FUREY voting no.

EXECUTIVE ACTION ON HB 364

Motion: REP. GALVIN-HALCRO moved that HB 364 DO PASS.

Motion: REP. GALVIN-HALCRO moved that HB 364 BE AMENDED.

Discussion:

02:43:48

[EXHIBIT](#) (buh24a10)

Vote: Motion carried unanimously by voice vote.

Motion: REP. GALVIN-HALCRO moved that HB 364 DO PASS AS AMENDED.

Discussion:

02:47:11

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.

ADJOURNMENT

Adjournment: 12:25 A.M.

REP. JIM KEANE, Chairman

KYANNE KELLY, Secretary

JK/kk

Additional Exhibits:

EXHIBIT ([buh24aad0.PDF](#))