

**MINUTES**

**MONTANA HOUSE OF REPRESENTATIVES  
59th LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON BUSINESS AND LABOR**

**Call to Order:** By **REP. MIKE JOPEK**, on March 7, 2005 at 9:00  
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:** None.

**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: SB 132, 3/2/2005; SB 78, 3/2/2005  
Executive Action: SB 132, SB 84, HB 364

**HEARING ON SB 132**

**Opening Statement by Sponsor:**

**SEN. MIKE COONEY (D), SD 40**, opened the hearing on **SB 132**, Repeal independent contractor exemption reporting.

00:02:21

**Proponents' Testimony:**

00:04:16 Jerry Keck, Department of Labor and Industry

00:05:00 Nancy Butler, State Fund

00:05:17 John Northey, Legislative Audit Division

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:05:58

**Closing by Sponsor:**

00:06:37

**HEARING ON SB 78**

**Opening Statement by Sponsor:**

**SEN. DAN HARRINGTON (D), SD 38**, opened the hearing on **SB 78**, Increase minimum wage.

00:07:15

**Proponents' Testimony:**

00:15:34 Keith Kelly, Department of Labor and Industry

[EXHIBIT \(buh50a01\)](#)

00:22:14 Jackie Helt, Local 427

[EXHIBIT \(buh50a02\)](#)

00:28:08 Lynn Graham, Local 427

00:31:08 Mitch Ronshaugan, Local 427

00:33:03 Chelsea Kemp, Northern Hotel Billings

00:33:58 Carmody Sloan, Union Club Grill, Missoula

00:35:44 Sheryl Stevenson, 4 B's in Deer Lodge

[EXHIBIT \(buh50a03\)](#)

00:37:34 Gene Fenderson, Council of Laborers

00:41:24 Linda Gryczan, Montana Womens Lobby

00:42:56 Jerry Driscoll, AFL-CIO

00:43:19 Terri Minow, MEA-MFT

00:44:09 Bob Ream, Montana Democratic Party

00:44:43 J.D. Lynch, Montana Building Trades

00:45:03 Don Judge, Teamsters Local 190  
00:45:50 Terry Kendrick, Montana Human Rights Network  
00:46:10 Erick Schiedermayer, Montana Catholic Conference

**EXHIBIT (buh50a04)**

00:46:37 Jessica Grennen, Association of Women Students  
00:47:00 Keith Allen, Electrical Workers

**Opponents' Testimony:**

00:47:27 Jeff Knowles, Pizza Hut  
00:51:59 Gary Dupuis, Montana Association of Theater Owners

**EXHIBIT (buh50a05)**

00:55:19 Dan Erving, Association of Theater Owners

**EXHIBIT (buh50a06)**

00:57:05 Riley Johnson, National Federation of Independent Business  
01:00:18 Merisa Saunders, Pizza Hut  
01:05:00 Barbara Ranf, Montana Chamber of Commerce  
01:07:28 Charles Brooks, Billings Chamber of Commerce  
01:10:47 Stewart Doggett, Innkeepers Association  
01:12:32 Rhonda Carpenter Wiggers, Coin Operators  
01:13:46 Carl Schweitzer, Bozeman Chamber of Commerce

**Informational Testimony:**

01:15:13 John Andrew, Department of Labor and Industry  
01:16:40 **SEN. VICKI COCCHIARELLA, SD 47, MISSOULA**

**Questions from Committee Members and Responses:**

01:18:15

**Closing by Sponsor:**

01:43:30

**EXECUTIVE ACTION ON SB 132**

**Motion/Vote:** REP. MENDENHALL moved that SB 132 BE CONCURRED IN. Motion carried unanimously by voice vote. REP. MENDENHALL to carry.

**Motion/Vote:** REP. MENDENHALL moved that SB 132 BE PLACED ON THE CONSENT CALENDAR. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 84

Motion: REP. GALVIN-HALCRO moved that SB 84 BE CONCURRED IN.

Discussion:

02:06:41

Without objection REP. GALVIN-HALCRO withdrew her motion.

EXECUTIVE ACTION ON HB 364

Motion: REP. STAHL moved that HB 364 DO PASS.

Motion: REP. STAHL moved that HB 364 BE AMENDED.

Discussion:

02:09:30

[EXHIBIT](#) (buh50a07)

Vote: Motion carried 15-3 by voice vote with REP. DOWELL, REP. JOPEK, and REP. VILLA voting no.

Motion: REP. STAHL moved that HB 364 DO PASS AS AMENDED.

Discussion:

02:15:04

Vote: Motion carried 11-7 by roll call vote with REP. JOPEK, REP. KEANE, REP. MCKENNEY, REP. MENDENHALL, REP. MILBURN, REP. ROBERTS, and REP. VILLA voting no.

**ADJOURNMENT**

Adjournment: 11:20 A.M.

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REP. JIM KEANE, Chairman

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KYANNE KELLY, Secretary

JK/kk

Additional Exhibits:

**EXHIBIT ([buh50aad0.PDF](#))**