

MINUTES

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

COMMITTEE ON BUSINESS AND LABOR

Call to Order: By **CHAIRMAN JIM KEANE**, on March 15, 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. Wayne Stahl (R)
Rep. Dan Villa (D)
Rep. Jonathan Windy Boy (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 105, 3/10/2005; HB 135,
3/10/2005; SB 326, 3/10/2005; SB
375, 3/10/2005; SB 411, 3/10/2005
Executive Action: SB 105, SB 135, SB 326, SB 209

HEARING ON SB 326

Opening Statement by Sponsor:

SEN. JESSE LASLOVICH (D), SD 43, opened the hearing on **SB 326**,
Revise law on excavation near underground utility facility.
00:03:19

Proponents' Testimony:

00:08:35 Bud Criner, Montana Dakota Utility Program
00:13:08 John Fitzpatrick, Northwestern Energy
00:17:45 Rick Hays, Qwest
00:18:39 Phil Maxwell, Three Rivers Communications
00:19:41 Jerry Driscoll, AFL-CIO

Opponents' Testimony:

00:19:55 Ron Ostberg, Independent Telecommunications
Systems

Informational Testimony: None

Questions from Committee Members and Responses:

00:23:32

Closing by Sponsor:

00:32:18

HEARING ON SB 375

Opening Statement by Sponsor:

SEN. MIKE WHEAT (D), SD 32, opened the hearing on **SB 375**, Revise
venue of out-of-state railroad defendants.
00:36:29

Proponents' Testimony:

00:42:36 Zander Blewett, Great Falls
EXHIBIT (buh57a01)
00:49:21 Fran Marceau, United Transportation Union
00:51:18 Craig Gilchrist, International Brotherhood of
Teamsters

00:53:23 James Mular, Transportation and Communications
Union
00:56:28 Keith Allen, Brotherhood of Electrical Workers
00:56:45 Jerry Driscoll, AFL-CIO
00:57:17 Al Smith, Montana Trial Lawyers Association

EXHIBIT (buh57a02)

00:57:44 Dave Paoli, from Missoula
00:57:58 James Shea, Railroaders

Opponents' Testimony:

00:58:24 Jeff Hedger, Burlington Northern Sante Fe
01:08:30 Matt Hayhurst, Montana Rail Link

EXHIBIT (buh57a03)

01:12:51 Bill Penn, Economic Development Director, Butte
01:13:42 George Paul, Port of Montana
01:14:10 Ed Bartlett, Union Pacific Railroad

EXHIBIT (buh57a04)

01:14:50 Webb Brown, Montana Chamber of Commerce

Informational Testimony: None

Questions from Committee Members and Responses:

01:15:23

Closing by Sponsor:

01:43:57

HEARING ON SB 105

Opening Statement by Sponsor:

SEN. JOHN COBB (R), SD 9, opened the hearing on **SB 105**, Expand health care providers available at ringside.

01:59:36

Proponents' Testimony:

02:05:25 Erin McGowan-Findram, State Auditors Office
02:09:33 Frank Cote, Blue Cross and Blue Shield
02:11:44 Don Allen,

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

02:15:42

Closing by Sponsor:

02:16:55

HEARING ON SB 135

Opening Statement by Sponsor:

SEN. CAROLYN SQUIRES (D), SD 48, opened the hearing on **SB 135**,
Revise penalty for false filing of annual statement.

02:17:40

EXHIBIT (buh57a05)

Proponents' Testimony:

02:19:05 Jim Brown, Department of Labor and Industry

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

02:22: 33

Closing by Sponsor:

02:24:45

HEARING ON SB 411

Opening Statement by Sponsor:

SEN. BOB KEENAN (R), SD 5, opened the hearing on **SB 411**,
Relocation and reimbursement for outdoor advertising.

02:25:05

Proponents' Testimony:

02:30:25 Tom Ebzery, Lamar Advertising

02:35:05 Paul Dennehy, Lamar Advertising

02:37:25 Peggy Grimes, Food Bank Network

02:40:35 Joe Spieker, Spieker Sprinklers

02:43:02 Stewart Doggett, Montana Innkeepers Association

02:44:25 Brad Griffin, Montana Retail Association

Opponents' Testimony:

02:45:05 Phyllis Bookbinder, Business Owner Ravalli County

EXHIBIT (buh57a06)

02:55:24 Sara Busey, Save Americas Visual Environment

EXHIBIT (buh57a07)

03:05:12 Alec Hansen, League of Cities and Towns

03:06:45 Jani McCall, City of Billings

03:06:55 Linda Stoll, Montana Association of Planners

03:09:12 Joe Mazurek, City of Great Falls

Informational Testimony: None

Questions from Committee Members and Responses:

03:10:02

Closing by Sponsor:

03:31:12

EXECUTIVE ACTION ON SB 105

Motion/Vote: REP. GALVIN-HALCRO moved that SB 105 BE CONCURRED IN. Motion carried unanimously by voice vote.

Motion: REP. GALVIN-HALCRO moved that SB 105 BE AMENDED.

Discussion:

03:37:02

Vote: Motion carried 12-6 by voice vote with REP. DOWELL, REP. FUREY, REP. GALLIK, REP. GALVIN-HALCRO, REP. JOPEK, and REP. WINDY BOY voting no.

Motion: REP. GALVIN-HALCRO moved that SB 105 BE CONCURRED IN AS AMENDED.

Discussion:

03:40:12

Vote: Motion carried by voice vote 14-4 with REP. DOWELL, REP. FUREY, REP. JOPEK, and REP. WINDY BOY voting no. REP. HENRY to carry.

EXECUTIVE ACTION ON SB 135

Motion/Vote: REP. GALVIN-HALCRO moved that SB 135 BE CONCURRED IN. Motion carried unanimously by voice vote. REP. GALVIN-HALCRO to carry.

EXECUTIVE ACTION ON SB 326

Motion: REP. VILLA moved that SB 326 BE CONCURRED IN.

Motion: REP. VILLA moved that SB 326 BE AMENDED.

Discussion:

03:44:06

[EXHIBIT](#) (buh57a08)

Vote: Motion carried 15-3 by voice vote with REP. MCKENNEY, REP. MENDENHALL, and REP. MILBURN voting no.

Motion: REP. VILLA moved that SB 326 BE CONCURRED IN AS AMENDED.

Discussion:

03:45:13

Vote: Motion carried 14-4 by voice vote with REP. HEINERT, REP. JONES, REP. MILBURN, and REP. STAHL voting no. REP. KEANE to carry.

EXECUTIVE ACTION ON SB 209

Motion: REP. WINDY BOY moved that SB 209 BE CONCURRED IN.

Discussion:

03:55:03

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

ADJOURNMENT

Adjournment: 12:00 A.M.

REP. JIM KEANE, Chairman

KYANNE KELLY, Secretary

JK/kk

Additional Exhibits:

EXHIBIT ([buh57aad0.PDF](#))