

MINUTES

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

COMMITTEE ON BUSINESS AND LABOR

Call to Order: By **CHAIRMAN JIM KEANE**, on January 25, 2005 at 8:00 A.M., in Room 102 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: HB 339, 1/20/2005; HB 300,
1/20/2005; HB 140, 1/20/2005; HB
328, 1/20/2005; HB 354, 1/20/2005
Executive Action: HB 354, HB 300, HB 339, HB 318, HB
270

HEARING ON HB 339

Opening Statement by Sponsor:

REP. TOM FACEY (D), HD 95, opened the hearing on **HB 339**,
Unemployment eligibility for person training job replacement.
00:04:00

Proponents' Testimony:

00:07:02 Jerry Driscoll, AFL-CIO

Opponents' Testimony: None

Informational Testimony:

00:08:51 Joanne Finstad, Department of Labor and Industry

Questions from Committee Members and Responses:

00:09:15

Closing by Sponsor:

00:13:49

HEARING ON HB 300

Opening Statement by Sponsor:

REP. DAVE GALLIK (D), HD 79, opened the hearing on **HB 300**,
Continuing education for insurance adjusters.
00:14:39

Proponents' Testimony:

00:15:59 John Bandy, Montana Adjusters Association
00:20:10 Roger McGlenn, Independent Insurance Agents
EXHIBIT (buh19a01)
00:20:50 Jed Fitch, Montana Trial Lawyer's Association
00:21:37 Kenneth Lind, Adjuster in Billings
00:22:30 Ted Scherf, Independent Insurance Adjuster

Opponents' Testimony: None

Informational Testimony:

00:24:33 Alicia Pichette, State Auditor's Office

Questions from Committee Members and Responses:

00:25:33

Closing by Sponsor:

00:25:43

HEARING ON HB 140

Opening Statement by Sponsor:

REP. JOHN PARKER (D), HD 23, opened the hearing on HB 140, Revise laws on consumer credit counseling.

00:26:28

Proponents' Testimony:

00:27:59 Debra Kottel, Consumer Credit Counseling of Montana

[EXHIBIT \(buh19a02\)](#)

[EXHIBIT \(buh19a03\)](#)

00:36:50 Tom Jacobson, Consumer Credit Counseling of Montana

[EXHIBIT \(buh19a04\)](#)

[EXHIBIT \(buh19a05\)](#)

00:45:28 Alex Ward, AARP Montana

[EXHIBIT \(buh19a06\)](#)

[EXHIBIT \(buh19a07\)](#)

00:51:31 Mike Hall, Take Charge America

[EXHIBIT \(buh19a08\)](#)

00:58:19 Melanie Graham, Self

01:00:20 Diana Zbinden, Helena Consumer Credit Counseling

[EXHIBIT \(buh19a09\)](#)

01:04:02 Cort Jensen, Consumer Protection

01:05:37 Jed Fitch, Montana Trial Lawyer's Association

Opponents' Testimony: None

Informational Testimony:

01:06:43 John Berglund, Association of Independent Consumer Credit Counseling Agencies

[EXHIBIT \(buh19a10\)](#)

Questions from Committee Members and Responses:

01:10:52

Closing by Sponsor:

01:28:24

HEARING ON HB 328

Opening Statement by Sponsor:

REP. PAT WAGMAN (R), HD 62, opened the hearing on HB 328, Revise laws concerning plumbing and plumbers.

01:46:08

Proponents' Testimony:

01:49:55 Carl Schweitzer, Associated Plumbing and Heating Contractor's of Montana

Opponents' Testimony:

01:52:55 John Forken, Montana Association of Plumbers and Pipefitters

Informational Testimony:

01:54:50 Jim Brown, Department of Labor and Industry

Questions from Committee Members and Responses:

01:55:37

Closing by Sponsor:

02:04:22

HEARING ON HB 354

Opening Statement by Sponsor:

REP. MARK NOENNIG (R), HD 46, opened the hearing on HB 354, Revise mobile home landlord tenant law.

02:08:02

Proponents' Testimony:

02:13:53 Chris Christiaens, Montana Landlords Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

02:15:38

Closing by Sponsor:

02:17:56

EXECUTIVE ACTION ON HB 354

Motion/Vote: REP. MENDENHALL moved that HB 354 DO PASS. Motion carried unanimously.

EXECUTIVE ACTION ON HB 300

Motion: REP. GALLIK moved that HB 300 DO PASS.

Discussion:

02:19:24

Vote: Motion carried unanimously.

EXECUTIVE ACTION ON HB 339

Motion: REP. JOPEK moved that HB 339 DO PASS.

Discussion:

02:26:32

Vote: Motion carried 13-5 by roll call vote with REPS. HEINERT, KLOCK, MCKENNEY, MENDENHALL, and STAHL voting no.

EXECUTIVE ACTION ON HB 318

Motion: REP. MCKENNEY moved that HB 318 DO PASS.

Motion/Vote: REP. MCKENNEY moved that HB 318 BE AMENDED. Motion carried unanimously.

[EXHIBIT](#) (buh19a11)

Motion: REP. MCKENNEY moved that HB 318 DO PASS AS AMENDED.

Discussion:

02:43:08

Vote: Motion carried 17-1 by voice vote with REP. WINDY BOY voting no.

EXECUTIVE ACTION ON HB 270

Motion: REP. GALVIN-HALCRO moved that HB 270 DO PASS.

Motion: REP. KEANE moved that HB 270 BE AMENDED.
[EXHIBIT](#) (buh19a12)

Discussion:

02:57:25

Motion: REP. VILLA moved that amendments to HB 270 be segregated.

Motion: REP. KEANE moved that the first part of the amendment to HB 270 DO PASS.

Vote: Motion carried unanimously.

Motion: REP. KEANE moved that the second part of HB 270 DO PASS.

Discussion:

03:03:13

Vote: Motion carried 15-3 by voice vote with REPS. GALLIK, VILLA, and WINDY BOY voting no.

Motion: REP. MCKENNEY moved that HB 270 BE AMENDED.
[EXHIBIT](#) (buh19a13)

Discussion:

03:08:55

Vote: Motion carried unanimously.

Motion/Vote: REP. MCKENNEY moved that HB 270 DO PASS AS AMENDED.
Motion carried unanimously.

ADJOURNMENT

Adjournment: 11:15 A.M.

REP. JIM KEANE, Chairman

KYANNE KELLY, Secretary

JK/KK

Additional Exhibits:

EXHIBIT ([buh19aad0.PDF](#))