

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
60th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON BUSINESS AND LABOR

Call to Order: By Chairman Scott Mendenhall, on February 7, 2007
at 8:00 A.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Scott Mendenhall, Chairman (R)
Rep. Jim Keane, Vice Chairman (D)
Rep. Elsie Arntzen (R)
Rep. Shannon Augare (D)
Rep. Scott Boggio (R)
Rep. Ernie Dutton (R)
Rep. Kevin T. Furey (D)
Rep. Ralph Heinert (R)
Rep. Llew Jones (R)
Rep. Harry Klock (R)
Rep. Michele Reinhart (D)
Rep. Wayne Stahl (R)
Rep. Bill Thomas (D)
Rep. Kendall Van Dyk (D)

Members Excused: Rep. Mike Milburn, Vice Chairman (R)
Rep. Jonathan Windy Boy (D)

Members Absent: None

Staff Present: Bart Campbell, Legislative Branch
Nancy Kraft, 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 530, 2/2/2007; HB 538, 2/2/2007;
HB 542, 2/2/2007
Executive Action: HB 58; HB 299; HB 325; HB 471; HB
482

HEARING ON HB 542

Opening Statement by Sponsor:

00:02:43 Rep. Dave Gallik (D), HD 79, opened the hearing on HB 542, Authorize insurance commissioner to adopt rules protecting military persons.

Hearing postponed to a later date at request of sponsor.

HEARING ON HB 530

Opening Statement by Sponsor:

00:04:52 Rep. Ken Peterson (R), HD 46, opened the hearing on HB 530, Require paid rest breaks for certain employees.

Proponents' Testimony:

00:07:53 Don Judge, Teamsters' Local 190
00:10:52 Jason Miller, Montana State AFL-CIO
00:11:51 Andrea Olsen, Montana Trial Lawyers' Association

Opponents' Testimony:

00:12:22 Jon Bennion, Montana Chamber of Commerce
00:14:35 Riley Johnson, National Federation of Independent Businesses
00:15:38 Jason Todhunter, Montana Logging Association
00:16:51 Tom England
00:18:57 Margaret Morgan, Greater Montana Independent Electrical Contractors
00:20:41 Bruce Spencer, Montana Automobile Dealers' Association
00:23:28 Carl Schweitzer, Kalispell and Bozeman Chambers of Commerce

Informational Testimony:

00:24:44 Court Jensen
00:25:08 Jerry Keck, Department of Labor and Industry

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:25:48 Rep. Peterson

HEARING ON HB 538

Opening Statement by Sponsor:

00:31:08 Rep. Dan Villa (D), HD 86, opened the hearing on HB 538, Home loan protection.

Proponents' Testimony:

00:35:49 Court Jensen, Department of Justice

Opponents' Testimony:

01:01:51 Jerry Loendorf, Montana Consumer Finance Association

Informational Testimony:

00:37:03 Kris Leitheiser, Banking and Financial Institutions, Department of Administration

Questions from Committee Members and Responses:

00:37:36 Rep. Mendenhall
00:38:00 Mr. Jensen
00:38:44 Rep. Mendenhall
00:40:38 Ms. Leitheiser
00:41:02 Rep. Dutton
00:47:37 Ms. Leitheiser
00:49:07 Rep. Heinert
00:49:28 Ms. Leitheiser
00:50:41 Rep. Reinhart
00:54:26 Mr. Jensen
00:55:54 Rep. Dutton
00:57:26 Mr. Jensen
01:00:25 Rep. Reinhart
01:00:38 Rep. Villa
01:24:18 Rep. Furey
01:24:48 Mr. Loendorf
01:25:27 Rep. Reinhart
01:25:52 Ms. Leitheiser
01:27:01 Rep. Mendenhall
01:27:23 Ms. Leitheiser01:28:26 Rep. Dutton
01:28:53 Ms. Leitheiser

Closing by Sponsor:

01:29:56 Rep. Villa

EXHIBIT (buh27a01)

01:34:22 Break

EXECUTIVE ACTION ON HB 58

01:59:22 **Motion:** Rep. Keane moved that HB 58 **DO PASS.**

02:00:06 **Motion/Vote:** Rep. Keane moved that HB 58 **BE AMENDED.**
Motion carried unanimously by voice vote. Reps.
Milburn, Windy Boy, Jones, and Augare voted by proxy.

EXHIBIT (buh27a02)

02:02:45 **Motion:** Rep. Keane moved that HB 58 **DO PASS AS
AMENDED.**

Discussion:

02:03:08 Rep. Dutton

02:05:49 Rep. Keane

02:06:18 Rep. Mendenhall

02:07:42 **Vote:** Motion carried 11-5 by roll call vote with Reps.
Boggio, Dutton, Mendenhall, Milburn, and Stahl voting
no. Reps. Milburn, Windy Boy, Jones, and Augare voted
by proxy.

EXECUTIVE ACTION ON HB 299

02:09:13 **Motion:** Rep. Arntzen moved that HB 299 **DO PASS.**

02:10:29 **Motion:** Rep. Stahl moved that HB 299 **BE AMENDED.**
Motion carried unanimously by voice vote. Reps.
Milburn, Windy Boy, Jones, and Augare voted by proxy.

EXHIBIT (buh27a03)

02:11:46 **Motion:** Rep. Stahl moved that HB 299 **DO PASS AS
AMENDED.**

Discussion:

02:12:18 Mr. Campbell

02:12:47 Rep. Furey

02:13:01 Peter Bovingdon, Ski Areas' Association

02:14:10 Without objection Rep. Stahl withdrew his motion on HB
299.

02:15:38 Without objection, the Committee suspended further
action on HB 299 to obtain additional amendments.

EXECUTIVE ACTION ON HB 325

02:16:17 **Motion:** Rep. Dutton moved that HB 325 **DO PASS.**

02:16:40 **Motion:** Rep. Dutton moved that HB 325 **BE AMENDED.**

EXHIBIT (buh27a04)

Discussion:

02:17:05 Bart Campbell
02:18:22 Rep. Dutton
02:20:49 Rep. Arntzen
02:21:07 Rep. Dutton

02:22:45 **Vote:** Motion carried unanimously by voice vote. Reps. Milburn, Windy Boy, and Jones voted by proxy.

02:23:15 **Motion:** Rep. Dutton moved that HB 325 **DO PASS AS AMENDED.**

Discussion:

02:23:29 Rep. Dutton
02:24:35 Rep. Furey
02:25:19 Rep. Augare
02:26:05 Rep. Klock
02:26:27 Rep. Dutton

02:27:55 **Vote:** Motion failed 6-10 by roll call vote with Reps. Boggio, Dutton, Heinert, Mendenhall, Milburn, and Van Dyk voting aye. Reps. Milburn, Windy Boy, and Jones voted by proxy.

02:27:59 **Substitute Motion/Vote:** Rep. Stahl made a substitute motion that HB 325 **BE TABLED AND THE VOTE REVERSED.** Substitute motion carried unanimously by voice vote. Reps. Milburn, Windy Boy, and Jones voted by proxy.

EXECUTIVE ACTION ON HB 299 CONTINUED

02:28:38 **Motion:** Rep. Stahl moved that HB 299 **DO PASS.**

02:29:53 **Motion:** Rep. Stahl moved that HB 299 **BE AMENDED.**

EXHIBIT (buh27a05)

Discussion:

02:30:00 Mr. Bovingdon
02:41:38 Rep. Furey
02:42:19 Mr. Bovingdon
02:43:34 Rep. Mendenhall
02:43:43 Mr. Bovingdon

02:43:48 **Vote:** Motion carried unanimously by voice vote. Reps. Milburn, Windy Boy, and Jones voted by proxy.

02:44:22 **Motion:** Rep. Stahl moved that HB 299 **DO PASS AS AMENDED.**

Discussion:

02:44:35 Rep. Keane
02:45:12 Rep. Furey
02:46:14 **Vote:** Motion carried 12-4 by roll call vote with Reps. Augare, Keane, Van Dyk, and Windy Boy voting no. Reps. Milburn, Windy Boy, and Jones voted by proxy.

EXECUTIVE ACTION ON HB 471

02:48:51 **Motion:** Rep. Keane moved that HB 471 **DO PASS.**
02:49:01 **Motion:** Rep. Keane moved that HB 471 **BE AMENDED.**
EXHIBIT (buh27a06)

Discussion:

02:49:22 Bart Campbell
02:50:28 Rep. Mendenhall
02:51:00 Rep. Furey
02:51:47 **Vote:** Motion carried unanimously by voice vote. Reps. Milburn, Windy Boy, and Jones voted by proxy.
02:52:16 **Motion:** Rep. Keane moved that HB 471 **DO PASS AS AMENDED.**

Discussion:

02:52:32 Rep. Stahl
02:53:24 Rep. Keane
02:54:31 Rep. Thomas
02:56:21 **Vote:** Motion failed 3-13 by voice vote with Reps. Augare, Reinhart, and Windy Boy voting aye. Reps. Milburn, Windy Boy, and Jones voted by proxy.
02:57:06 **Substitute Motion/Vote:** Rep. Stahl made a substitute motion that HB 471 **BE TABLED AND THE VOTE REVERSED.** Substitute motion carried unanimously by voice vote. Reps. Milburn, Windy Boy, and Jones voted by proxy.

EXECUTIVE ACTION ON HB 482

02:57:55 **Motion:** Rep. Keane moved that HB 482 **DO PASS.**
02:58:10 **Motion:** Rep. Keane moved that HB 482 **BE AMENDED.**
EXHIBIT (buh27a07)

Discussion:

02:58:26 Bart Campbell
02:58:53 Rep. Dutton
02:59:17 Mr. Campbell
03:00:27 Rep. Dutton

03:00:38 **Vote:** Motion carried unanimously by voice vote. Reps. Milburn, Windy Boy, and Jones voted by proxy.

Discussion:

03:01:02 Rep. Keane

03:01:20 **Motion:** Rep. Keane moved that HB 482 **DO PASS AS AMENDED.**

Discussion:

03:01:34 Rep. Keane
03:02:58 Rep. Furey
03:03:50 Rep. Reinhart
03:05:55 Rep. Mendenhall
03:08:14 Rep. Dutton
03:09:28 Rep. Keane
03:11:19 Rep. Furey

03:11:33 **Vote:** Motion failed 5-11 by roll call vote with Reps. Augare, Dutton, Reinhart, Van Dyk, and Windy Boy voting aye. Reps. Milburn, Windy Boy, and Jones voted by proxy.

03:12:43 **Substitute Motion/Vote:** Rep. Keane made a substitute motion that HB 482 **BE TABLED AND THE VOTE REVERSED.** Substitute motion carried unanimously by voice vote. Reps. Milburn, Windy Boy, and Jones voted by proxy.

Additional Exhibits:

Document pertaining to HB 299: Final Amendment approved by Committee 2/7/2007

[EXHIBIT \(buh27a08\)](#)

ADJOURNMENT

03:13:05 Adjournment: 11:25 A.M.

REP. SCOTT MENDENHALL, Chairman

NANCY KRAFT, Secretary

SM/nk

Additional Exhibits:

EXHIBIT ([buh27aad.pdf](#))