

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
61st LEGISLATURE - REGULAR SESSION**

COMMITTEE ON BUSINESS AND LABOR

Call to Order: Chairman Bill Wilson, on February 19, 2009 at 7:09
A.M., in Room 172 Capitol

ROLL CALL

Members Present:

Rep. Bill Wilson, Chairman (D)
Rep. Bill Beck, Vice Chairman (R)
Rep. Michele Reinhart, Vice Chairwoman (D)
Rep. Elsie Arntzen (R)
Rep. Shannon Augare (D)
Rep. Paul Beck (D)
Rep. Tom Berry (R)
Rep. Carlie Boland (D)
Rep. John Fleming (D)
Rep. Timothy Furey (D)
Rep. Chuck Hunter (D)
Rep. Harry Klock (R)
Rep. Mike Milburn (R)
Rep. Pat Noonan (D)
Rep. Scott Reichner (R)
Rep. Cary Smith (R)
Rep. Gordon Vance (R)
Rep. Jeffery Welborn (R)

Members Excused: None

Members Absent: None

Staff Present: Santella Baglivo, Committee Secretary
Bart Campbell, Legislative Branch

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 260, 2/10/2009; HB 438,
2/10/2009; HB460, 2/10/2009; HB
538, 2/10/2009; HB 571, 2/10/2009;
HB 580, 2/10/2009

Executive Action: HB 408, HB 542, HB 225, HB 417,
HB 544, HB 460, HB 571, HB 260,
HB 565, HB 582, HB 438, HB 538

EXECUTIVE ACTION ON HB 408

00:00:34 **Motion:** Rep. Reinhart moved to **RECONSIDER THE ACTION
ON HB 408.**

Discussion:

00:00:54 Rep. Welborn
00:01:16 Rep. Augare
00:01:39 Rep. Klock
00:01:40 Chairman Wilson
00:01:52 Rep. Reichner
00:02:13 Rep. Reinhart
00:02:18 Chairman Wilson
00:02:42 Doug Neil, Montana Fireman's Association
00:03:53 Chairman Wilson

00:04:13 **Vote:** Motion carried 13-5 by roll call vote with Rep.
Milburn, Rep. Reichner, Rep. Smith, Rep. Vance, and
Rep. Welborn voting no.

00:05:10 **Motion:** Rep. Reinhart moved that **HB 408 DO PASS.**

00:05:46 **Motion:** Rep. Augare moved that **HB 408 BE AMENDED.**
EXHIBIT (buh39a01)

Discussion:

00:05:57 Mr. Campbell
00:07:01 Rep. Berry
00:07:14 Mr. Campbell
00:07:17 Rep. Milburn
00:07:54 Rep. Augare
00:08:23 Rep. Milburn
00:08:41 Rep. Arntzen
00:09:49 Rep. Reinhart
00:10:23 Chairman Wilson

00:10:45 Rep. Augare
00:12:27 Rep. B. Beck
00:13:37 Rep. Reichner
00:14:22 Rep. P. Beck

00:15:45 **Vote:** Motion carried 12-6 by roll call vote with Rep. Beck, Rep. Berry, Rep. Fleming, Rep. Milburn, Rep. Smith, and Rep. Vance voting no.

00:16:47 **Motion:** Rep. Reinhart moved that **HB 408 DO PASS AS AMENDED.**

Discussion:

00:16:56 Rep. Milburn
00:18:48 Rep. Reinhart
00:19:17 Chairman Wilson

00:19:58 **Vote:** Motion carried 11-7 by roll call vote with Rep. Beck, Rep. Berry, Rep. Milburn, Rep. Reichner, Rep. Smith, Rep. Vance and Rep. Welborn voting no.

EXECUTIVE ACTION ON HB 542

00:21:38 **Motion:** Rep. Reinhart moved to **RECONSIDER THE ACTION ON HB 542.**

Discussion:

00:21:59 Rep. Augare
00:22:11 **Vote:** Motion carried unanimously by voice vote.
00:22:31 **Motion:** Rep. Reinhart moved that **HB 542 DO PASS AS AMENDED.**

Discussion:

00:23:00 Rep. Arntzen
00:23:31 **Vote:** Motion carried unanimously by roll call vote.

EXECUTIVE ACTION ON HB 225

00:25:18 **Motion:** Rep. Reinhart moved that **HB 225 DO PASS.**

Discussion:

00:25:34 Rep. Hunter

00:26:01 Rep. Milburn
00:26:52 Rep. B. Beck
00:27:19 Rep. Arntzen

00:28:57 **Vote:** Motion failed 9-9 by roll call vote with Rep. Augare, Rep. Beck, Rep. Boland, Rep. Fleming, Rep. Furey, Rep. Hunter, Rep. Noonan, Rep. Reinhart, and Rep. Wilson voting aye.

00:29:53 **Motion/Vote:** Rep. Hunter moved that **HB 225 BE TABLED**. Motion carried 17-1 by voice vote with Rep. Arntzen voting no.

EXECUTIVE ACTION ON HB 417

00:31:05 **Motion:** Rep. Reinhart moved that **HB 417 DO PASS**.

00:31:21 **Motion:** Rep. Reinhart moved that **HB 417 BE AMENDED**. [EXHIBIT \(buh39a02\)](#)

Discussion:

00:32:25 Mr. Campbell

00:34:03 **Vote:** Motion carried 17-1 by voice vote with Rep. Beck voting no.

00:34:26 **Motion:** Rep. Reinhart moved that **HB 417 DO PASS AS AMENDED**.

Discussion:

00:34:39 Rep. Vance
00:34:54 Rep. P. Beck
00:36:24 Rep. Milburn
00:39:02 Rep. Smith
00:39:33 Rep. Reinhart
00:41:00 Rep. Arntzen
00:41:19 Rep. P. Beck

00:43:06 **Vote:** Motion carried 11-7 by roll call vote with Rep. Beck, Rep. Berry, Rep. Fleming, Rep. Milburn, Rep. Reichner, Rep. Smith, and Rep. Welborn voting no.

EXECUTIVE ACTION ON HB 544

00:44:30 **Motion:** Rep. Reinhart moved that **HB 544 DO PASS**.

00:44:56 **Motion:** Rep. Reinhart moved that **HB 544 BE AMENDED.**
EXHIBIT (buh39a03)

Discussion:

00:44:57 Mr Campbell
00:45:57 Rep. Smith
00:46:29 Rep. Berry
00:46:58 Mr. Campbell

00:47:24 **Vote:** Motion carried unanimously by voice vote.

00:47:35 **Motion:** Rep. Reinhart moved that **HB 544 DO PASS AS AMENDED.**

00:47:45 **Vote:** Motion carried unanimously by voice vote.

00:48:04 Chairman Wilson calls a recess.
01:05:06 Chairman Wilson resumes hearing.

HEARING ON HB 460

Opening Statement by Sponsor:

01:06:00 Rep. Brady Wiseman (D), HD 65, opened the hearing on HB 460, Citizen data protection.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:06:32 Rep. Wiseman

EXECUTIVE ACTION ON HB 460

01:06:45 **Motion/Vote:** Rep. Augare moved that **HB 460 BE TABLED.**
Motion carried unanimously by voice vote.

HEARING ON HB 571

Opening Statement by Sponsor:

01:07:04 Rep. Scott Reichner (R), HD 9, opened the hearing on HB 571, Revise mortgage broker, lender, and loan originator law.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:07:33 Rep. Reichner

EXECUTIVE ACTION ON HB 571

01:07:40 **Motion/Vote:** Rep. Vance moved that **HB 571 BE TABLED.** Motion carried unanimously by voice vote.

HEARING ON HB 260

Opening Statement by Sponsor:

01:08:02 Rep. Bob Ebinger (D), HD 62, opened the hearing on HB 260, Require written estimates for vehicle repair.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:08:33 Rep. Ebinger

EXECUTIVE ACTION ON HB 260

01:08:40 **Motion/Vote:** Rep. Klock moved that **HB 260 BE TABLED.** Motion carried unanimously by voice vote.

HEARING ON HB 580

Opening Statement by Sponsor:

01:10:01 Rep. Mary Caferro (D), HD 80, opened the hearing on HB 580, Revise unemployment insurance benefits and eligibility.

Proponents' Testimony:

01:14:58 Tara Veazey, Montana Budget and Policy Center
01:18:32 Kelsen Young, Executive Director, Montana Coalition Against Domestic and Sexual Violence
01:19:42 Robert Johnson, Montana AFL-CIO
01:20:14 Jamee Greer, Montana Human Rights Network

Opponents' Testimony: None

Informational Testimony:

01:20:43 Don Gilbert, Unemployment Insurance

Questions from Committee Members and Responses:

01:21:02 Rep. Smith
01:21:52 Mr. Gilbert
01:23:38 Rep. Furey
01:24:10 Rep. Gilbert
01:26:46 Rep. Hunter
01:27:14 Rep. Caferro
01:27:26 Rep. Hunter
01:27:43 Rep. Caferro
01:28:44 Rep. Hunter
01:29:00 Mr. Gilbert
01:30:59 Rep. Hunter
01:31:09 Mr. Gilbert
01:31:18 Rep. Hunter
01:31:40 Mr. Gilbert
01:32:13 Rep. Hunter
01:32:46 Mr. Gilbert
01:32:56 Rep. Smith
01:33:15 Mr. Gilbert
01:34:47 Rep. Reinhart
01:35:12 Ms. Veazey

Closing by Sponsor:

01:37:44 Rep. Caferro

01:40:33 Rep. Vance
01:40:43 Lillian Ostendorf, Montana Farm Bureau

HEARING ON HB 538

Opening Statement by Sponsor:

01:42:04 Rep. Cheryl Steenson (D), HD 8, opened the hearing on
HB 538, Medicare gap coverage for disabled under 65.

Proponents' Testimony:

01:44:10 Alex Bokor, Self
01:53:31 Dale Shenefelt, Self
01:55:28 Travis Hoffman, Montana Independent Living Centers

Opponents' Testimony:

01:57:45 Tanya Ask, New West Health Services
02:03:03 Dennis Lopach, America's Health Insurance Plans

Informational Testimony:

01:57:18 Carol Roy, State Auditor's Office

Questions from Committee Members and Responses:

02:04:40 Rep. Furey
02:05:44 Chairman Wilson
02:05:55 Rep. Steenson
02:06:15 Ms. Roy
02:08:58 Chairman Wilson
02:09:28 Ms. Ask
02:10:14 Chairman Wilson
02:10:16 Ms. Ask
02:11:06 Chairman Wilson
02:11:10 Ms. Ask
02:11:39 Rep. Reinhart
02:11:55 Ms. Ask
02:12:07 Rep. Reinhart
02:12:13 Ms. Ask
02:12:34 Mr. Campbell
02:12:40 Rep. Reinhart
02:12:58 Rep. Steenson
02:13:31 Rep. Reinhart
02:13:42 Rep. Steenson
02:13:53 Rep. Reinhart
02:13:59 Ms. Roy
02:14:28 Rep. Reinhart

02:14:32 Ms. Roy
02:14:46 Chairman Wilson
02:15:11 Dr. Bokor

Closing by Sponsor:

02:17:46 Rep. Steenson

02:19:23 Chairman Wilson calls a recess.
02:40:14 Chairman Wilson resumes hearing.

HEARING ON HB 438

Opening Statement by Sponsor:

02:40:19 Rep. Diane Sands (D), HD 95, opened the hearing on
HB 438, Green lodging facility designation.

[EXHIBIT \(buh39a04\)](#)

Proponents' Testimony:

02:45:27 Robert Johnson, Montana AFL-CIO

Opponents' Testimony:

02:45:53 Stuart Doggett, Montana Innkeepers Association

Informational Testimony:

02:50:05 Betsy Baumgart, Department of Commerce

[EXHIBIT \(buh39a05\)](#)

Questions from Committee Members and Responses:

02:51:20 Rep. Smith
02:51:42 Mr. Doggett
02:52:22 Rep. Smith
02:52:30 Mr. Doggett
02:53:23 Rep. Smith
02:53:46 Ms. Baumgart

Closing by Sponsor:

02:54:23 Rep. Sands

02:56:04 Chairman Wilson calls a recess.
03:45:27 Chairman Wilson resumes hearing.

EXECUTIVE ACTION ON HB 565

03:46:01 **Motion:** Rep. Furey moved that **HB 565 DO PASS.**

03:46:22 **Motion:** Rep. Furey moved that **HB 565 BE AMENDED.**

Discussion:

03:46:56 Mr. Campbell

03:47:30 Rep. B. Beck

03:47:54 **Vote:** Motion carried unanimously by voice vote.

03:48:11 **Motion:** Rep. Furey moved that **HB 565 DO PASS AS AMENDED.**

Discussion:

03:48:22 Rep. Furey

03:49:29 Rep. Milburn

03:49:44 **Vote:** Motion carried unanimously by roll call vote.

EXECUTIVE ACTION ON HB 582

03:50:49 **Motion:** Rep. Reinhart moved that **HB 582 DO PASS.**

03:51:37 **Motion:** Rep. Reinhart moved that **HB 582 BE AMENDED.**
[EXHIBIT \(buh39a06\)](#)

Discussion:

03:51:51 Mr. Campbell

03:52:35 Rep. Reinhart

03:52:51 Rep. Furey

03:53:07 **Vote:** Motion carried unanimously by voice vote.

03:53:17 **Motion:** Rep. Reinhart moved that **HB 582 DO PASS AS AMENDED.**

Discussion:

03:53:26 Rep. Furey

03:54:18 Rep. Milburn

03:54:39 Rep. Hunter

03:54:46 Rep. Reinhart

03:55:46 Rep. B. Beck

03:56:36 Rep. Smith

03:57:13 **Vote:** Motion failed 9-9 by roll call vote with Rep. Augare, Rep. Beck, Rep. Boland, Rep. Fleming, Rep. Furey, Rep. Hunter, Rep. Noonan, Rep. Reinhart, and Rep. Wilson voting aye.

EXECUTIVE ACTION ON HB 438

03:58:28 Chairman Wilson

03:58:37 **Motion:** Rep. Reinhart moved that **HB 438 DO PASS.**

03:58:52 **Substitute Motion/Vote:** Rep. Berry moved that **HB 438 BE TABLED.** Substitute motion carried 10-8 by roll call vote with Rep. Augare, Rep. Boland, Rep. Fleming, Rep. Furey, Rep. Hunter, Rep. Noonan, Rep. Reinhart, and Rep. Wilson voting no.

EXECUTIVE ACTION ON HB 538

04:00:15 **Motion:** Rep. Reinhart moved that **HB 538 DO PASS.**

04:01:26 **Vote:** Motion failed 9-9 by roll call vote with Rep. Augare, Rep. Beck, Rep. Boland, Rep. Fleming, Rep. Furey, Rep. Hunter, Rep. Noonan, Rep. Reinhart, and Rep. Wilson voting aye.

Additional Discussion:

04:02:37 Rep. Reichner
04:03:22 Rep. Milburn
04:03:34 Mr. Campbell
04:03:38 Chairman Wilson
04:03:51 Rep. Arntzen
04:04:13 Chairman Wilson
04:04:25 Rep. Vance
04:04:45 Chairman Wilson
04:04:48 Rep. Vance
04:04:57 Chairman Wilson

ADJOURNMENT

04:05:33 Adjournment: 11:14 A.M.

Santella Baglivo, Secretary

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Additional Documents:

EXHIBIT ([buh39aad.pdf](#))