

**MINUTES**

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

**COMMITTEE ON BUSINESS AND LABOR**

**Call to Order:** Chairman Bill Wilson, on March 19, 2009 at 8:30  
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: SB 86, 3/3/2009; SB 371, 3/3/2009;  
SB 398, 3/3/2009

Executive Action: None

**HEARING ON SB 86**

**Opening Statement by Sponsor:**

00:01:01 Sen. Joseph (Joe) Tropila (D), SD 13, opened the  
hearing on SB 86, Revise gambling laws.

**EXHIBIT** (buh61a01)

**Proponents' Testimony:**

00:04:06 Rick Ask, Acting Administrator Gambling Control  
Division, Department of Justice  
00:04:40 Mark Staples, Montana Tavern Association  
00:06:13 Neil Peterson, Gaming Industry Association  
00:06:41 Sheryl Wood, Montana Association of Counties  
00:10:00 Ronda Wiggers, Montana Coin Machine Operators

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:10:53 Rep. Arntzen  
00:11:16 Mr. Ask  
00:12:09 Rep. Arntzen  
00:12:21 Mr. Ask  
00:12:40 Rep. Furey  
00:13:13 Sen. Tropila  
00:13:38 Rep. Furey  
00:13:44 Sen. Tropila

**Closing by Sponsor:**

00:13:54 Sen. Tropila

**HEARING ON SB 398****Opening Statement by Sponsor:**

00:14:38 Sen. Ryan Zinke (R), SD 2, opened the hearing on SB 398, Revise work comp and unemployment law.

**Proponents' Testimony:**

00:26:55 Brad Griffin, Montana Restaurant Association  
00:33:30 Mark Anderlik, Executive Officer, Montana Restaurant Workers Union Local 427  
00:42:29 Jim McGarvey, Montana AFL-CIO  
00:43:35 John Bennion, Montana Chamber of Commerce

**Opponents' Testimony:**

00:43:58 Don Judge, Montana Injured Workers Resource Council  
[EXHIBIT \(buh61a02\)](#)

**Informational Testimony:**

00:59:45 Jerry Keck, Employment Relations Division, Department of Labor and Industry (DLI)  
00:59:59 Rep. Reinhart left.  
01:00:06 Roy Mulvaney, Unemployment Insurance Division, DLI  
01:00:30 Nancy Butler, Montana State Fund

**Questions from Committee Members and Responses:**

01:00:48 Rep. Milburn  
01:01:04 Mr. Judge  
01:01:29 Rep. Milburn  
01:01:33 Mr. Judge  
01:01:36 Rep. Milburn  
01:01:45 Mr. Judge  
01:01:53 Rep. Boland  
01:02:17 Mr. Anderlik  
01:02:32 Rep. Boland  
01:02:33 Mr. Anderlik  
01:02:51 Rep. Klock  
01:02:52 Rep. B. Beck  
01:03:24 Sen. Zinke  
01:04:10 Rep. B. Beck  
01:04:32 Sen. Zinke  
01:05:34 Rep. B. Beck  
01:05:59 Sen. Zinke  
01:08:06 Rep. Hunter

01:08:34 Mr. Mulvaney  
01:08:51 Rep. Hunter  
01:09:10 Mr. Mulvaney  
01:10:03 Rep. Hunter  
01:10:39 Mr. Mulvaney  
01:10:56 Don Gilbert, Unemployment Insurance Division, DLI  
01:11:11 Rep. Hunter  
01:11:52 Mr. Gilbert  
01:11:54 Rep. B. Beck left.  
01:12:42 Rep. Hunter  
01:13:02 Mr. Gilbert  
01:13:53 Rep. Hunter  
01:14:56 Mr. Keck  
01:16:37 Rep. Hunter  
01:17:14 Mr. Anderlik  
01:18:29 Rep. Hunter  
01:19:04 Mr. Anderlik  
01:19:13 Chairman Wilson  
01:19:41 Mr. Anderlik  
01:20:11 Chairman Wilson  
01:20:25 Mr. Griffin  
01:21:41 Chairman Wilson  
01:22:13 Mr. Griffin  
01:22:15 Chairman Wilson  
01:22:24 Mr. Griffin  
01:22:28 Chairman Wilson  
01:22:40 Mr. Griffin  
01:22:52 Chairman Wilson  
01:23:02 Mr. Anderlik  
01:25:15 Chairman Wilson  
01:25:29 Mr. Anderlik  
01:25:35 Rep. Smith  
01:25:59 Mr. Griffin

**Closing by Sponsor:**

01:26:13 Sen. Zinke  
  
01:26:15 Chairman Wilson left, and turned chair over to Rep. Augare.  
  
01:33:45 Rep. Augare called a recess.  
01:45:48 Vice Chairman Beck resumed hearing.

**HEARING ON SB 371****Opening Statement by Sponsor:**

01:46:27 Sen. Gary Perry (R), SD 35, opened the hearing on SB 371, Clarify applicability of "at work" for work comp purposes.

**Proponents' Testimony:**

01:48:48 Larry Jones, Liberty Northwest Insurance  
01:48:54 Rep. Wilson enters.  
01:54:55 John Bennion, Montana Chamber of Commerce  
02:00:23 Bill Squires, Blackfoot Telecommunications

**EXHIBIT (buh61a03)**

02:06:13 Loretta Miller, Self, Helena, Montana  
02:09:38 Rick Hill, Montana Building Industry Association  
02:14:23 Phil Maxwell, 3 Rivers Communication

**EXHIBIT (buh61a04)**

02:16:39 Jeff Feiss, General Manager, Montana Telecommunications Association  
02:18:33 Bonnie Lorange, Montana Independent Telecommunications Systems  
02:19:04 Cory Swanson, Kalispell Chamber of Commerce  
02:20:52 David Smith, Bozeman Chamber of Commerce  
02:21:20 Ronda Wigger, Helena and Great Falls Chamber of Commerce  
02:23:27 Riley Johnson, National Federation of Independent Business  
02:23:59 Margaret Morgan, Independent Electrical Workers, Montana Physical Therapist Association, Montana Architects Association  
02:24:38 Marvin Jordan, Montana Contractors Compensation Fund  
02:25:01 Sean Bubb, Montana School Group Insurance Authority  
02:25:40 Bob Worthington, Montana Self Insurers Association  
02:26:32 Leah Tietz, Montana University System Workers Compensation Program  
02:27:17 Jesse Luther, Montana Contractors Association  
02:27:44 Spook Stang, Executive Director, Montana Motor Carriers Association  
02:28:14 Jason Todhunter, Montana Logging Association  
02:28:29 Jacqueline Lenmark, American Insurance Association  
02:29:45 Nancy Butler, Montana State Fund

**Opponents' Testimony:**

02:30:14 Jim Hunt, Self  
02:39:24 Jason Miller, International Brotherhood of Teamsters  
02:45:10 Don Judge, Montana Injured Workers Resource Council

02:48:10 Andrea Olsen, Montana Trial Lawyers Association  
[EXHIBIT \(buh61a05\)](#)

**Informational Testimony:**

02:58:50 Jerry Keck, Employment Relations Division, DLI  
[EXHIBIT \(buh61a06\)](#)

**Questions from Committee Members and Responses:**

03:02:07 Rep. B. Beck  
03:02:38 Mr. Hill  
03:05:07 Rep. Boland  
03:05:39 Mr. Keck  
03:05:42 Chairman Wilson  
03:05:48 Rep. Welborn  
03:06:29 Ms. Olsen  
03:06:57 Rep. Welborn  
03:07:14 Ms. Olsen  
03:07:36 Rep. Noonan  
03:08:04 Ms. Butler  
03:08:32 Rep. Noonan  
03:08:38 Ms. Butler  
03:09:23 Rep. Noonan  
03:09:25 Ms. Butler  
03:09:28 Rep. Noonan  
03:09:31 Ms. Butler  
03:09:43 Rep. Noonan  
03:10:04 Ms. Butler  
03:10:29 Rep. Noonan  
03:10:34 Ms. Butler  
03:11:12 Rep. Hunter  
03:12:19 Mr. Jones  
03:14:08 Rep. Hunter  
03:14:31 Mr. Jones  
03:15:06 Rep. Hunter  
03:15:19 Mr. Jones  
03:16:07 Rep. Hunter  
03:17:13 Mr. Jones  
03:17:52 Rep. Hunter  
03:18:17 Mr. Jones  
03:18:44 Rep. Hunter  
03:19:37 Mr. Jones  
03:20:13 Rep. Hunter  
03:20:40 Mr. Jones  
03:21:50 Rep. Hunter  
03:22:21 Ms. Butler  
03:22:27 Rep. Hunter  
03:22:33 Ms. Butler

03:22:40 Rep. Hunter  
03:23:18 Ms. Ferriter  
03:23:54 Rep. Hunter  
03:24:36 Ms. Ferriter  
03:25:11 Rep. Smith  
03:25:34 Mr. Bennion  
03:25:54 Rep. Smith  
03:26:11 Mr. Bennion  
03:27:01 Rep. Smith  
03:27:17 Mr. Feiss  
03:27:39 Rep. Smith  
03:27:51 Mr. Squires  
03:28:50 Rep. Smith  
03:29:02 Mr. Squires  
03:29:57 Rep. Smith  
03:30:12 Mr. Squires  
03:30:32 Rep. Smith  
03:30:46 Mr. Squires  
03:31:08 Rep. Smith  
03:31:21 Mr. Squires  
03:31:52 Rep. Furey  
03:33:30 Mr. Jones

**Closing by Sponsor:**

03:34:29 Sen. Perry

**ADJOURNMENT**

03:43:57 Adjournment: 12:13 P.M.

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Santella Baglivo, Secretary

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Additional Documents:

**EXHIBIT ([buh61aad.pdf](#))**