

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: Chair Elsie Arntzen, on January 27, 2011 at 8:00 AM, in Room 172
Capitol

ROLL CALL

Members Present:

Rep. Elsie Arntzen, Chairman (R)
Rep. Chuck Hunter, Vice Chairman (D)
Rep. Carlie Boland (D)
Rep. Christy Clark (R)
Rep. Virginia Court (D)
Rep. Lila Walter Evans (R)
Rep. Timothy Furey (D)
Rep. Edward Greef (R)
Rep. Harry Klock (R)
Rep. Jonathan McNiven (R)
Rep. Pat Noonan (D)
Rep. Scott Reichner (R)
Rep. Michele Reinhart (D)
Rep. Matthew M. Rosendale Sr (R)
Rep. Daniel R. Salomon (R)
Rep. Sterling Small (R)
Rep. Cary Smith (R)
Rep. Gordon Vance (R)
Rep. Jeffery W. Welborn (R)

Members Excused: Rep. Tom Berry, Vice Chairman (R)
Rep. Carolyn Squires (D)

Members Absent: None

Staff Present: Bart Campbell, Legislative Branch
Sandra Sullivan, 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 268, 1/24/2011

Executive Action: HB 73, HB 80, HB 110, HB118, HB 125, HB 236, HB 249, HB 258
HB 268

HEARING ON HB 268

Opening Statement by Sponsor:

00:03:53 Rep. Harry Klock (R), HD 83, opened the hearing on HB 268, Revise laws associated with bad check fees.

Proponents' Testimony:

00:05:09 Jesse Luther, Consumer Data Industry Association
00:07:41 Rep. Squires arrived.
00:08:17 Brad Griffin, President, Montana Retail Association
00:09:04 Aimee Grmoljez, Montana Bankers Association
00:10:46 Jon Bennion, Montana Chamber of Commerce

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:11:40 Rep. Klock

EXECUTIVE ACTION ON HB 73

00:13:26 **Motion:** Rep. Hunter moved that **HB 73 DO PASS.**

Discussion:

00:13:39 Rep. Rosendale

00:14:32 Rep. Clark

EXHIBIT(buh21a01)

00:15:01 **Motion:** Rep. Reichner moved that **HB 73 BE AMENDED.**

EXHIBIT(buh21a02)

Discussion:

00:15:02 Rep. Reichner

00:15:05 Mr. Campbell

00:16:09 Rep. Squires

00:16:18 Mr. Campbell

00:16:37 Rep. Squires

00:17:23 Rep. Furey

00:17:49 Rep. Reichner

00:18:00 Rep. Furey

00:18:12 Mr. Campbell

- 00:18:37 Chairwoman Arntzen
 00:18:56 Jack Kane, Business Standard Division, Department of Labor and Industry (DLI)
 00:19:42 Rep. Furey
 00:20:25 Rep. Squires
 00:21:34 Chairwoman Arntzen
 00:22:36 Vice Chairman Hunter
 00:23:56 Rep. Squires
- 00:24:48 **Vote:** Motion carried 18-3 by voice vote with Rep. Reinhart, Rep. Rosendale and Rep. Small voting no. Rep. Berry voted by proxy.
- 00:25:48 **Motion/Vote:** Rep. Hunter moved that **HB 73 DO PASS AS AMENDED**. Motion failed 7-14 by roll call vote with Rep. Boland, Rep. Court, Rep. Furey, Rep. Hunter, Rep. Noonan, Rep. Reinhart and Rep. Squires voting aye.
- 00:27:31 **Motion/Vote:** Rep. Reichner moved that **HB 73 BE TABLED**. Motion carried unanimously by voice vote, present and voting.

EXECUTIVE ACTION ON HB 80

- 00:27:46 **Motion:** Rep. Arntzen moved that **HB 80 DO PASS**.
- 00:32:17 **Motion:** Rep. Arntzen moved that **HB 80 BE AMENDED**.
[EXHIBIT\(buh21a03\)](#)
- Discussion:**
 00:32:20 Chairwoman Arntzen
 00:34:43 Rep. Reinhart
- 00:36:17 **Substitute Motion:** Rep. Reinhart made a substitute motion that **AMENDMENT BE SEGREGATED**.
- Discussion:**
 00:37:03 Rep. Court
 00:38:01 Rep. Rosendale
 00:38:30 Rep. Squires
 00:39:56 Rep. Reinhart
- 00:40:18 **Vote:** Motion carried 14-7 by roll call vote with Rep. Arntzen, Rep. Klock, Rep. McNiven, Rep. Reichner, Rep. Rosendale, Rep. Smith and Rep. Vance voting no. Rep. Berry voted by proxy.

- Discussion:**
 00:41:11 Chairwoman Arntzen
 00:41:20 Mr. Campbell
 00:41:45 Chairwoman Arntzen
 00:42:15 Rep. Reinhart
 00:42:36 Mr. Campbell
 00:43:13 Rep. Hunter
 00:43:20 Chairwomen Arntzen

00:43:27 Rep. Reinhart
00:43:39 Mr. Campbell
00:45:08 Rep. Rosendale
00:45:22 Mr. Campbell
00:45:43 Rep. Clark
00:45:54 Mr. Campbell
00:46:28 Chairwoman Arntzen
00:46:43 Rep. Reinhart

00:46:48 **Motion:** Rep. Rosendale moved that **HB 80 BE AMENDED** by Section 4 (of Exhibit 3).

Discussion:

00:47:00 Chairwomen Arntzen

00:48:03 **Vote:** Motion carried 12-9 by roll call vote with Rep. Boland, Rep. Clark, Rep. Court, Rep. Evans, Rep. Furey, Rep. Hunter, Rep. Noonan, Rep. Reinhart and Rep. Squires voting no. Rep. Berry voted by proxy.

00:50:28 **Motion:** Rep. Arntzen moved that **HB 80 BE AMENDED** by section 1-3 and 5-7 (of Exhibit 3).

Discussion:

00:51:24 Rep. Hunter
00:52:54 Roy Mulvaney, Unemployment Insurance Division, DLI
00:55:48 Rep. Smith
00:57:06 Rep. Squires
00:58:52 Chairwomen Arntzen
00:59:09 Mr. Mulvaney
00:59:35 Rep. Hunter

01:00:56 **Vote:** Motion failed 9-12 by roll call vote with Rep. Arntzen, Rep. Berry, Rep. Clark, Rep. Evans, Rep. Klock, Rep. Reichner, Rep. Rosendale, Rep. Small and Rep. Welborn voting aye. Rep. Berry voted by proxy.

01:01:56 Rep. Reichner and Rep. Rosendale left.

01:02:59 **Motion/Vote:** Rep. Arntzen moved that **HB 80 DO PASS AS AMENDED**. Motion carried 15-6 by roll call vote with Rep. Evans, Rep. Greef, Rep. McNiven, Rep. Smith, Rep. Vance and Rep. Welborn voting no. Rep. Berry, Rep. Reichner and Rep. Rosendale voted by proxy.

EXECUTIVE ACTION ON HB 118

01:05:08 **Motion/Vote:** Rep. Hunter moved that **HB 118 DO PASS**. Motion carried unanimously by voice vote. Rep. Berry, Rep. Reichner and Rep. Rosendale voted by proxy.

EXECUTIVE ACTION ON HB 125

01:07:15 **Motion:** Rep. Klock moved that **HB 125 DO PASS.**

01:07:56 **Motion:** Rep. Noonan moved that **HB 125 BE AMENDED.**

Discussion:

01:08:32 Mr. Campbell

01:10:14 **Vote:** Motion carried unanimously by voice vote. Rep. Berry, Rep. Reichner and Rep. Rosendale voted by proxy.

01:10:30 Rep. Reichner returned.

01:11:01 **Motion:** Rep. C. Smith moved that **HB 125 BE AMENDED.**

Discussion:

01:11:41 Rep. Smith

EXHIBIT(buh21a04)

01:12:11 Chairwoman Arntzen

01:12:49 Rep. Squires

01:13:52 Rep. Reinhart

01:14:19 Rep. Hunter

01:14:28 **Vote:** Motion failed 3-18 by roll call vote with Rep. Salomon, Rep. Smith and Rep. Vance voting aye. Rep. Berry and Rep. Rosendale voted by proxy.

01:16:09 **Motion/Vote:** Rep. Hunter moved that **HB 125 DO PASS AS AMENDED.** Motion carried 15-6 by roll call vote with Rep. Arntzen, Rep. Berry, Rep. Clark, Rep. Reichner, Rep. Smith and Rep. Vance voting no. Rep. Berry and Rep. Rosendale voted by proxy.

01:17:37 Recessed

01:30:53 Resumed

01:30:56 Rep. Rosendale and Rep. Berry returned.

01:30:57 Rep. Reichner left.

EXECUTIVE ACTION ON HB 110

01:31:32 **Motion:** Rep. Welborn moved that **HB 110 DO PASS.**

01:33:16 **Motion:** Rep. Welborn moved that **HB 125 BE AMENDED.**

EXHIBIT(buh21a05)

Discussion:

01:33:50 Rep. Welborn

01:34:10 Rep. Noonan

01:34:20 Rep. Smith

01:34:37 Mr. Campbell

01:35:58 **Vote:** Motion carried unanimously by voice vote. Rep. Reichner voted by proxy

01:36:10 **Motion/Vote:** Rep. Welborn moved that **HB 110 DO PASS AS AMENDED**.
Motion carried unanimously by voice vote. Rep. Reichner voted by proxy.

EXECUTIVE ACTION ON HB 236

01:37:50 **Motion:** Rep. Greef moved that **HB 236 DO PASS**.

Discussion:

01:38:14 Rep. Greef

EXHIBIT(buh21a06)

01:39:53 Rep. Reinhart

01:41:43 Mr. Campbell

01:42:26 Rep. Reinhart

01:42:36 Mr. Campbell

01:43:30 **Vote:** Motion carried 19-2 by voice vote with Rep. Court and Rep. Reinhart voting no. Rep. Reichner voted by proxy.

EXECUTIVE ACTION ON HB 249

01:44:45 **Motion:** Rep. Vance moved that **HB 268 DO PASS**.

Discussion:

01:44:57 Chairwomen Arntzen

01:45:33 Rep. Reinhart

01:47:53 Rep. Reichner returned.

01:48:49 **Vote:** Motion carried 14-7 by roll call vote with Rep. Boland, Rep. Court, Rep. Furey, Rep. Hunter, Rep. Noonan, Rep. Reinhart and Rep. Squires voting no.

EXECUTIVE ACTION ON HB 258

01:49:18 **Motion:** Rep. Vance moved that **HB 258 DO PASS**.

01:49:28 **Motion:** Rep. Vance moved that **HB 258 BE AMENDED**.

Discussion:

01:49:45 Mr. Campbell

01:50:48 Rep. Furey

01:51:24 Mr. Campbell

01:51:51 Rep. McNiven

01:52:34 Rep. Vance

01:52:51 Rep. McNiven

01:53:15 Chairwoman Arntzen

01:53:31 Rep. Furey
01:54:17 Rep. McNiven
01:55:20 Rep. Squires
01:57:00 Rep. Court
01:57:16 Rep. Clark

01:58:17 **Substitute Motion/Vote:** Rep. Hunter moved that **AMENDMENT BE SEGREGATED**. Motion carried unanimously by voice vote.

01:59:00 **Motion/Vote:** Rep. Hunter moved that **HB 258 BE AMENDED**. Motion carried unanimously by voice vote. (Section 1 and 4)

01:59:45 **Motion:** Rep. Rosendale moved that **HB 258 BE AMENDED**.(Section 2 and 3)

Discussion:

02:00:08 Rep. McNiven
02:00:13 Rep. Rosendale
02:00:42 Rep. McNiven

02:01:28 **Vote:** Motion failed unanimously by roll call vote.

02:03:40 **Motion/Vote:** Rep. Vance moved that **HB 258 DO PASS AS AMENDED**. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 268

02:04:16 **Motion/Vote:** Rep. Klock moved that **HB 268 DO PASS**. Motion carried unanimously by voice vote.

ADJOURNMENT

10:06:00 Adjournment

Sandra Sullivan, Secretary

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Additional Documents:

EXHIBIT([buh21aad.pdf](#))