

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 55th LEGISLATURE - REGULAR SESSION**

#### **JOINT SUBCOMMITTEE ON INSTITUTIONS**

**Call to Order:** By CHAIRMAN FELAND, on January 30, 1997, at 8:06  
A.M., in Room 405.

#### **ROLL CALL**

**Members Present:**

Rep. Gary Feland, Chairman (R)  
Sen. Arnie A. Mohl, Vice-Chairman (R)  
Sen. B.F. "Chris" Christiaens (D)  
Rep. William T. "Red" Menahan (D)  
Sen. Mike Taylor (R)  
Rep. Steve Vick (R)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Joanne Chance, Legislative Fiscal Division  
Hope Spriggs, Committee Secretary

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: DEPARTMENT OF LABOR AND  
INDUSTRY  
1/30/97; 1/27/97

-HUMAN RIGHTS COMMISSION

-EMPLOYMENT RELATIONS DIVISION

-WORKERS COMPENSATION COURT

Executive Action: None

#### **HEARING ON HUMAN RIGHTS COMMISSION**

Anne MacIntyre, Administrator, Human Rights Commission  
{Tape: 1; Side: A; Approx. Time Count: 2.2; Comments:  
Presentation and overview of commission.}

EXHIBIT 1

PUBLIC TESTIMONY: EMPLOYMENT RELATIONS DIVISION

Representative Brad Molnar

{Tape: 1; Side: A; Approx. Time Count: 38.0; Comments: Testimony,  
Opponent: Contractor registration program.}

{Tape: 1; Side: B; Approx. Time Count: 3.5-8.5; Comments: Rep.  
Molnar continued.}

PUBLIC TESTIMONY: HUMAN RIGHTS COMMISSION

Jim Nys, Volunteer Legislative Coordinator, Society For Human  
Resource Management

{Tape: 1; Side: B; Approx. Time Count: 7.6; Comments: Testimony,  
Proponent.}

EXHIBIT 2

Al Smith, Executive Director, Montana Advocacy Program

{Tape: 1; Side: B; Approx. Time Count: 11.3; Comments: Testimony,  
Proponent.}

Christine Kaufmann, Director, Montana Human Rights Network

{Tape: 1; Side: B; Approx. Time Count: 13.0; Comments: Testimony,  
Proponent.}

EXHIBIT 2A

David Owen, Montana Chamber of Commerce

{Tape: 1; Side: B; Approx. Time Count: 15.3; Comments: Testimony,  
Opponent.}

John Shontz, Montana Association of Realtors

{Tape: 1; Side: B; Approx. Time Count: 20.9; Comments: Testimony,  
Opponent.}

Bridgette Holland, Montana Building Industry Association

{Tape: 1; Side: B; Approx. Time Count: 33.0; Comments: Testimony,  
Opponent.}

EXHIBIT 3

COMMITTEE questions

{Tape: 1; Side: B; Approx. Time Count: 37; Comments: None.}

SEN. CHRISTIAENS

{Tape: 1; Side: B; Approx. Time Count: 43-end side B; Comments:  
Ms. MacIntyre answered questions on target enforcement,  
noncompliance and caseloads.}

{Tape: 2; Side: A; Approx. Time Count: 0.0-20.0; Comments: Ms. MacIntyre continued.}

Kathleen Schulte, Executive Officer, Northwest Montana Association of Realtors

{Tape: 2; Side: A; Approx. Time Count: 20.2; Comments: Testimony, Opponent, HRC.}

EXHIBITS 4-7

Jamie Neer, Jamie's Westside Autobody

{Tape: 2; Side: A; Approx. Time Count: 35.0; Comments: Testimony, Opponent, HRC.}

COMMITTEE questions

{Tape: 2; Side: A; Approx. Time Count: 40.3; Comments: Questions of Mr. Neer.}

SEN. MOHL

{Tape: 2; Side: A; Approx. Time Count: 42.3; Comments: Questions of Ms. Schulte.}

{Tape: 2; Side: B; Approx. Time Count: 3.6-17; Comments: Questions of Ms. MacIntyre on wrongful settlement agreements, funds for completed cases, and legal staffing.}

COMMITTEE questions continue

{Tape: 2; Side: B; Approx. Time Count: 17-end side B; Comments: Questions of Ms. MacIntyre and Ms. Schulte on extent of allowable discrimination, historic state special revenue levels, HRC investigation methods and education required by the Department of Housing and Urban Development.}

{Tape: 3; Side: A; Approx. Time Count: 0.0; Comments: Committee questions of Ms. MacIntyre continue.}

PUBLIC TESTIMONY: HUMAN RIGHTS COMMISSION continued

Kate Cholewa, Montana Womens Lobby

{Tape: 3; Side: A; Approx. Time Count: 6.0; Comments: Testimony, Proponent.}

PUBLIC TESTIMONY: EMPLOYMENT RELATIONS DIVISION

Russ Penkal, Independent Contractors of Montana

{Tape: 3; Side: A; Approx. Time Count: 7.4; Comments: Testimony, Opponent.}

REP. MENAHAN

{Tape: 3; Side: a; Approx. Time Count: 18.0; Comments: Mr. Penkal answered questions on the hiring unit's liability with unregistered contractors.}

HEARING ON WORKERS' COMPENSATION COURT

Mike McCarter, Judge, Workers' Compensation Court

{Tape: 3; Side: A; Approx. Time Count: 24.2; Comments: Presentation and overview.}

EXHIBIT 8


COMMITTEE questions

{Tape: 3; Side: A; Approx. Time Count: 41.2-end side A; Comments: Mr. McCarter answered questions on fraud cases, equipment and need for consulting funds.}

{Tape: 3; Side: B; Approx. Time Count: 3.5-11.5; Comments: Continued questions on funding for travel, and the use of state special revenue.}

ADJOURNMENT

Adjournment: 12:01 P.M.

  
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REP. GARY FELAND, Chairman

  
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HOPE SPRIGGS, Secretary

GF/hs