

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: Chair Elsie Arntzen, on January 31, 2011 at 9:00 AM, in Room 172
Capitol

ROLL CALL

Members Present:

Rep. Elsie Arntzen, Chair (R)
Rep. Tom Berry, Vice Chair (R)
Rep. Chuck Hunter, Vice Chair (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. Carolyn Squires (D)
Rep. Gordon Vance (R)
Rep. Jeffery W. Welborn (R)

Members Excused: None

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 334, 1/25/2011

HEARING ON HB 334**Opening Statement by Sponsor:**

00:01:22 Rep. Scott Reichner (R), HD 9, opened the hearing on HB 334, Generally revise workers' compensation.

EXHIBIT(buh24a01)**Proponents' Testimony:**

00:37:04 Jon Bennion, Montana Chamber of Commerce
00:40:03 Terry Kramer, Kramer Industries
00:43:12 Duane Mitchell, Mitchell Oil Field Services
00:45:28 Mike Nye, Applied Material
00:47:26 Riley Johnson, Montana Federation of Independent Business
00:48:25 Geoff Feiss, Montana Telecommunication Association
00:49:57 Rick Clark, Plumb Creek Timber Company
00:52:07 Gary Lusin, Montana Chapter, American Physical Therapist Association
00:55:26 Lorena Pettet, Montana Chapter, American Physical Therapist Association

EXHIBIT(buh24a02)

00:58:02 Joe Unterreiner, Kalispell Chamber of Commerce
00:58:51 Bob Olsen, Montana Hospital Association

EXHIBIT(buh24a03)

01:01:58 Gordon Davidson, Chief Financial Officer, Bozeman Deaconess Hospital
01:04:14 Erin MacLean, Montana Medical Association

EXHIBIT(buh24a04)

01:07:05 Darrell Miller, Marks-Miller Post and Pole
01:10:32 Karry Cross, D.S. Junior Trucking
01:12:16 Marty Schuma, Dick Anderson Construction
01:13:49 Trevor MacDonald, Sandy Mac Distributing and Helena Chamber of Commerce
01:14:35 Art Villa, Vice President, Mergenthaler Transit
01:15:34 Mike Foster, Montana Catholic Hospitals
01:15:53 Dustin Stewart, Montana Building Industry Association
01:16:29 Dave Galt, Executive Director, Montana Petroleum Association
01:16:47 Aimee Grmoljez, Montana Bankers Association and The Billings Clinic
01:17:25 Aidan Myhre, Kalispell Chamber of Commerce
01:17:41 Jason Todhunter, Montana Logging Association

EXHIBIT(buh24a05)**EXHIBIT(buh24a06)**

01:18:21 Barry "Spook" Stange, Executive Vice President, Motor Carries of Montana
01:18:33 Cary Hegreberg, Montana Contractors Association
01:18:47 Patrick Hefferan, Montana Wood Products Association
01:19:05 Bruce Spencer, State Fund
01:19:31 Bob Worthington, Montana Self Insurers Association
01:20:06 Allen Hulse, Montana Municipal Insurance Authority (MMIA)
01:20:25 Greg Jackson, Montana Association of Counties
01:20:53 Haley Beaudry, Columbia Falls Aluminum Company
01:21:10 Garry Matthews, Victory Insurance
01:21:32 Brad Griffin, Montana Retail and Restaurant Association

Opponents' Testimony:

01:22:09 Jerry Keck, Administrator, Employment Relations Division, Department of Labor and Industry(DLI)

EXHIBIT(buh24a07)**EXHIBIT(buh24a08)**

01:26:18 Wayne Dykstra, Liquid Engineering

01:31:10 Stacy Tempel-St. John, Injured Workers

EXHIBIT(buh24a09)

01:37:01 Rebecca Curtis, Injured Worker

01:39:50 Terri Gellespie, Injured Worker

01:41:48 Justin Gellespie, Injured Worker

01:43:56 Jason Miller, Local 190, International Brotherhood Teamsters

01:48:04 Rhonda Kenser, Injured Worker

01:51:26 Brian Page, Injured Worker

01:53:15 Kimberly Stanley, Injured Worker

01:56:55 Chris Cavazos, American Federation of Labor and Congress of Industrial Organization (AFL-CIO)

01:58:41 Jay Bonberger, Injured Worker

02:00:48 JD Lynch, Community Counseling and Corrections Services

02:02:48 Keith Allen, Local 233, International Brotherhood of Electrical Workers

02:05:27 Kim Rickard, Business Manager, Montana Chapter, Labor's International Union of North America

02:06:16 Don Judge, Montana Nurses Association

02:11:31 Jackie Helt, Service Employees International Union (SEIU)

02:12:14 Tom Murphy, Workers Compensation Attorney

02:17:19 Dick Martin, Fair Claim Law Firm

02:19:47 Rick Pyfer, Worker Compensation Attorney

02:26:09 Al Smith, Montana Trial Lawyers Association

02:28:53 Bonnie Lyytinen-Hale, Counselor, Headwaters Rehabilitation

02:29:33 John Roeber, Lodge 11, International Brotherhood of Boiler Makers

Informational Testimony:

02:31:01 Mark Bruno, Governor's Budget Office

Questions from Committee Members and Responses:

02:31:18 Rep. Rosendale

02:31:42 Rep. Reichner

02:31:56 Mr. Keck

02:32:05 Rep. Rosendale

02:32:19 Mr. Keck

02:32:35 Rep. Rosendale

02:33:01 Rep. Reichner

02:34:49 Rep. Welborn

02:35:29 Mr. Matthews

02:35:49 Rep. Welborn

02:36:42 Mr. Matthews

02:37:41 Rep. Squires

02:38:07 Rep. Reichner

02:38:57 Rep. Squires

02:40:14 Rep. Reichner

02:40:57 Rep. Squires
02:41:54 Mr. Smith
02:42:19 Rep. Squires
02:42:41 Mr. Smith
02:42:44 Rep. Squires
02:42:46 Mr. Smith
02:43:32 Rep. Squires
02:44:16 Mr. Smith
02:44:51 Rep. Squires
02:45:57 Mr. Smith
02:46:31 Rep. Squires
02:46:52 Larry Jones, Liberty Northwest Insurance
02:47:04 Rep. Squires
02:47:16 Mr. Jones
02:47:19 Rep. Squires
02:47:36 Mr. Jones
02:47:46 Rep. Squires
02:48:24 Mr. Miller
02:50:13 Rep. Squires
02:50:38 Rep. Boland
02:51:09 Rep. Reichner
02:52:13 Mr. Jones
02:53:18 Rep. McNiven
02:53:50 Mr. Miller
02:53:52 Rep. McNiven
02:54:19 Mr. Miller
02:54:23 Rep. McNiven
02:54:41 Mr. Miller
02:55:06 Mike Taylor, NCCI
02:55:18 Rep. McNiven
02:55:42 Mr. Taylor
02:56:19 Rep. Reinhart
02:57:21 Mr. Jones
02:58:20 Rep. Reinhart
02:58:46 Mr. Jones
02:59:58 Rep. Reinhart
03:00:12 Nancy Butler, Montana State Fund
03:00:16 Rep. Reinhart
03:00:33 Ms Butler
03:01:51 Rep. Reinhart
03:02:07 Ms Butler
03:02:42 Rep. Reinhart
03:02:54 Ms Butler
03:03:40 Rep. Reinhart
03:04:00 Mr. Smith
03:04:29 Rep. Reinhart
03:04:41 Mr. Smith
03:04:56 Rep. Reinhart
03:05:15 Mr. Keck, DLI
03:05:55 Rep. Reinhart

03:06:02 Mr. Bruno
03:08:16 Rep. Hunter
03:09:31 Ms. McLean
03:10:17 Rep. Hunter
03:10:48 Ms. McLean
03:11:05 Rep. Hunter
03:11:47 Ms. McLean
03:13:31 Rep. Hunter
03:13:42 Ms. McLean
03:13:49 Rep. Hunter
03:14:16 Ms. McLean
03:14:51 Rep. Hunter
03:15:09 Ms. McLean
03:15:15 Rep. Hunter
03:15:33 Ms. McLean
03:16:23 Rep. Hunter
03:16:50 Ms. McLean
03:17:15 Rep. Hunter
03:18:04 Ms. McLean
03:19:18 Rep. Hunter
03:19:28 Ms. McLean
03:19:59 Rep. Hunter
03:20:13 Mr. Keck
03:21:23 Rep. Hunter
03:22:45 Ms. Tempel-St. John
03:23:38 Rep. Hunter
03:23:54 Chairwoman Arntzen
03:23:59 Rep. Hunter
03:24:48 Mr. Keck
03:26:08 Rep. Hunter
03:27:25 Mr. Jones
03:28:11 Rep. Hunter
03:28:18 Mr. Jones
03:28:20 Rep. Hunter
03:28:32 Mr. Jones
03:28:34 Rep. Hunter
03:29:06 Mr. Jones
03:29:38 Rep. Hunter
03:30:07 Mr. Jones
03:30:22 Rep. Furey
03:31:31 Mr. Tailor
03:31:54 Rep. Furey
03:33:44 Ms. Butler
03:34:33 Rep. Furey
03:34:56 Ms. Butler
03:35:13 Rep. Furey
03:35:39 Ms. Butler
03:36:32 Rep. Furey
03:38:00 Mr. Murphy
03:39:50 Rep. Noonan

03:40:26 Rep. Reichner
03:40:28 Rep. Noonan
03:40:48 Rep. Reichner
03:40:53 Rep. Noonan
03:41:09 Rep. Reichner
03:41:21 Rep. Noonan
03:41:36 Rep. Reichner
03:42:20 Rep. Rosendale
03:42:48 Rep. Reichner
03:43:30 Rep. Court
03:43:37 Rep. Reichner
03:44:30 Rep. Court
03:44:54 Rep. Reichner
03:45:11 Rep. Court
03:45:18 Rep. Reichner
03:45:40 Rep. Court
03:46:11 Mr. Keck

Closing by Sponsor:

03:47:43 Rep. Reichner

ADJOURNMENT

12:55:00 Adjournment:

Sandra Sullivan, Secretary

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Additional Documents

[EXHIBIT\(buh24a10\)](#)

Additional Documents:

[EXHIBIT\(buh24aad.pdf\)](#)