

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON BUSINESS AND LABOR

**Call to Order:** Chair Tom Berry, on January 30, 2015 at 8:30 A.M., in Room 172 Capitol

#### ROLL CALL

**Members Present:**

Rep. Tom Berry, Chair (R)  
Rep. Daniel R. Salomon, Vice Chair (R)  
Rep. Ryan Lynch, Vice Chair (D)  
Rep. Christy Clark (R)  
Rep. Willis Curdy (D)  
Rep. Steve Fitzpatrick (R)  
Rep. Chuck Hunter (D)  
Rep. George G. Kipp III (D)  
Rep. Mike Lang (R)  
Rep. David (Doc) Moore (R)  
Rep. Mark Noland (R)  
Rep. Andrea Olsen (D)  
Rep. Christopher Pope (D)  
Rep. Vince Ricci (R)  
Rep. Tom Richmond (R)  
Rep. Scott Staffanson (R)  
Rep. Tom Steenberg (D)  
Rep. Jeffrey W. Welborn (R)

**Members Excused:** Rep. Gordon Pierson Jr (D)

**Members Absent:** None

**Staff Present:** Karen Armstrong, Committee Secretary  
Pat Murdo, 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 273, 1/26/2015; HB 285, 1/26/2015; HB 299, 1/26/2015

Executive Action: HB 118; HB 225: HB 291

00:00:01 Chairman Berry

### **HEARING ON HB 273**

#### **Opening Statement by Sponsor:**

00:01:15 Rep. Vince Ricci (R), HD 55, opened the hearing on HB 273, Revise liquor laws.

#### **Proponents' Testimony:**

00:02:21 Joel Silverman, Attorney

00:05:30 Tracy Prescott, M.T. Glass liquor store; President, Liquor Store Owners Association of Montana

00:06:26 Kriss Miller, Store 171 in Missoula

00:07:20 Richard Kramer, owner, Polson liquor store

00:08:45 Janet Prescott, owner, The Office Lounge and Liquor Store, Livingston; Secretary/Treasurer, Montana Tavern Association (MTA)

00:11:07 Leta McGann, liquor store owner, Secretary, Liquor Store Owners Association of Montana

#### **Opponents' Testimony:**

00:11:58 John Iverson, Montana Tavern Association (MTA)

00:14:15 Ronda Wiggers, Gaming Industry Association (GIA), Montana Restaurant Association (MRA)

00:17:18 Noah Castle, owner, Silver Slipper, Missoula

00:18:46 Josh Paffhausen, owner, Lolo Liquor

00:20:42 Glenn Oppel, Montana Chamber of Commerce (MCC)

00:21:48 Steve Turkiewicz, Montana Bankers Association (MBA)

**Informational Testimony:** None

#### **Questions from Committee Members and Responses**

00:23:14 Rep. Clark

00:23:37 Joel Silverman, Attorney

00:24:44 Rep. Hunter

00:25:32 Joel Silverman, Attorney

00:26:57 Rep. Pope

00:27:26 Chairman Berry

00:28:08 Joel Silverman, Attorney

00:28:41 Rep. Olsen

00:29:28 Glenn Oppel, MCC

00:29:39 Rep. Staffanson

00:29:37 Josh Paffhausen, Lolo Liquor

00:30:45 Chairman Berry

00:31:18 Josh Paffhausen, Lolo Liquor

#### **Closing by Sponsor:**

00:31:27 Rep. Ricci

**HEARING ON HB 285**

**Opening Statement by Sponsor:**

00:34:28 Rep. Kelly Flynn (R), HD 70, opened the hearing on HB 285, Revise definitions related to guest ranches.

[EXHIBIT\(buh21a01\)](#)

**Proponents' Testimony:**

00:44:31 Sterling Miller, co-owner, Dunrovin Guest Ranch

[EXHIBIT\(buh21a02\)](#)

[EXHIBIT\(buh21a03\)](#)

[EXHIBIT\(buh21a04\)](#)

[EXHIBIT\(buh21a05\)](#)

00:55:24 Jean Johnson, Montana Outfitters and Guides Association

00:58:08 Jim Murphy, Department of Public Health and Human Services (DPHHS)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:59:16 Rep. Olsen

01:00:08 Rep. Flynn

01:01:12 Rep. Olsen

01:01:56 Jim Murphy, DPHHS

01:02:27 Rep. Pope

01:03:05 Rep. Flynn

01:03:49 Rep. Hunter

01:04:47 Jim Murphy, DPHHS

01:05:04 Rep. Clark

01:05:38 Rep. Flynn

01:06:23 Rep. Lang

01:06:37 Pat Murdo, Legislative Services Division (LSD)

**Closing by Sponsor:**

01:07:29 Rep. Flynn

**HEARING ON HB 299**

**Opening Statement by Sponsor:**

01:08:17 Rep. Mark Noland (R), HD 10, opened the hearing on HB 299, Revise workers' compensation claim penalty laws.

**Proponents' Testimony:**

01:17:10 Kevin Braun, Montana State Fund (MSF)

01:17:46 Bob Worthington, Montana Self-Insurers Association

01:18:37 Glenn Oppel, Montana Chamber of Commerce (MCC)

**Opponents' Testimony:**

01:19:00 Lonnie Olson, Montana Trial Lawyers Association (MTLA)  
01:21:21 Chris Cavazos, Montana American Federation of Labor-Congress of Industrial Organizations (AFL-CIO)

**Informational Testimony:**

01:22:36 Diana Ferriter, Administrator, Employment Relations Division, Department of Labor and Industry (DLI)

**Questions from Committee Members and Responses:**

01:22:58 Rep. Olsen  
01:23:41 Diana Ferriter, DLI  
01:24:30 Rep. Olsen  
01:24:40 Rep. Pierson arrived.  
01:24:55 Diana Ferriter, DLI  
01:25:16 Chairman Berry  
01:25:24 Kevin Braun, MSF  
01:25:52 Rep. Hunter  
01:26:31 Kevin Braun, MSF  
01:27:00 Rep. Fitzpatrick  
01:27:20 Kevin Braun, MSF  
01:27:43 Rep. Pope  
01:28:14 Kevin Braun, MSF  
01:29:14 Rep. Pope  
01:29:44 Kevin Braun, MSF  
01:30:03 Rep. Olsen  
01:30:36 Kevin Braun, MSF  
01:30:50 Rep. Olsen  
01:31:04 Kevin Braun, MSF  
01:31:25 Rep. Hunter  
01:32:18 Rep. Noland  
01:32:58 Rep. Moore  
01:33:43 Lonnie Olson, MTLA  
01:34:16 Diana Ferriter, DLI  
01:35:47 Rep. Ricci  
01:36:17 Lonnie Olson, MTLA  
01:37:27 Rep. Ricci  
01:37:35 Lonnie Olson, MTLA  
01:38:34 Rep. Hunter  
01:39:25 Diana Ferriter, DLI  
01:39:54 Rep. Hunter  
01:40:08 Diana Ferriter, DLI  
01:40:16 Rep. Hunter  
01:40:20 Diana Ferriter, DLI  
01:40:36 Rep. Olsen  
01:41:29 Kevin Braun, MSF  
01:41:40 Rep. Olsen  
01:41:44 Kevin Braun, MSF  
01:41:55 Rep. Olsen  
01:42:13 Kevin Braun, MSF

01:42:40 Chairman Berry  
01:42:48 Rep. Olsen  
01:43:29 Kevin Braun, MSF

**Closing by Sponsor:**

01:43:47 Rep. Noland  
  
01:44:48 Chairman Berry  
  
01:45:42 Recessed.  
02:06:01 Reconvened with all members present.

02:06:47 Rep. Olsen  
**EXHIBIT(buh21a06)**  
02:07:44 Sarah Garcia, Administrator, Motor Vehicle Division (MVD)  
02:08:57 Chairman Berry  
02:09:13 Rep. Olsen  
02:09:45 Peter Funk, Assistant Attorney General (AG)  
02:11:49 Chairman Berry  
02:11:53 Rep. Olsen  
02:12:09 Rep. Moore  
02:12:20 Chairman Berry

**EXECUTIVE ACTION ON HB 118**

02:13:14 **Motion:** Rep. Salomon moved that **HB 118 DO PASS.**

**Discussion:**

02:13:26 Pat Murdo, Legislative Services Division (LSD)  
02:17:30 Rep. Clark  
02:17:36 Pat Murdo, LSD  
02:17:50 Rep. Clark  
02:18:13 Pat Murdo, LSD

02:18:22 **Motion:** Rep. Salomon moved that **HB 118 BE AMENDED.**

**EXHIBIT(buh21a07)**

**Discussion:**

02:18:45 Rep. Pope  
02:18:59 Pat Murdo, LSD  
02:19:46 Chairman Berry

02:19:52 **Vote:** Motion carried unanimously by voice vote.

02:20:04 Pat Murdo, LSD

02:21:03 **Motion:** Rep. Salomon moved that **HB 118 BE AMENDED.**

**EXHIBIT(buh21a08)**

**Discussion:**

02:21:15 Rep. Hunter

02:21:41 **Vote:** Motion failed unanimously by voice vote.

02:22:02 Pat Murdo, LSD

02:22:51 **Motion:** Rep. Salomon moved that **HB 118 BE AMENDED.**

**EXHIBIT(buh21a09)**

**Discussion:**

02:23:07 Rep. Hunter

02:23:45 Chairman Berry

02:24:13 **Vote:** Motion carried 10-9 by roll call vote with Rep. Berry, Rep. Clark, Rep. Fitzpatrick, Rep. Lang, Rep. Moore, Rep. Noland, Rep. Ricci Rep. Richmond and Rep. Staffanson voting no.

02:25:22 Rep. Olsen

02:25:49 **Motion:** Rep. Salomon moved that **HB 118 DO PASS AS AMENDED.**

**Discussion:**

02:25:54 Rep. Staffanson

02:26:02 Pat Murdo, LSD

02:26:27 Rep. Lynch

02:26:42 **Vote:** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 225**

02:26:59 **Motion/Vote:** Rep. Salomon moved that **HB 225 DO PASS.** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 291**

02:27:56 **Motion:** Rep. Salomon moved that **HB 291 DO PASS.**

**Discussion:**

02:28:06 Rep, Fitzpatrick

02:28:49 **Substitute Motion/Vote:** Rep. Fitzpatrick made a substitute motion that **HB 291 BE TABLED.** Substitute Motion carried 18-1 by voice vote with Rep. Olsen voting no.

02:29:12 Chairman Berry

02:30:44 Rep. Hunter

**ADJOURNMENT**

Adjournment: 02:30:49

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Karen Armstrong, Secretary

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Additional Documents:

**EXHIBIT([buh21aad.pdf](#))**