

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: Chair Mark Noland, on February 8, 2019 at 8:30 AM, in Room 172 Capitol

ROLL CALL

Members Present:

Rep. Mark Noland, Chair (R)
Rep. Sharon Stewart Peregoy, Vice Chair (D)
Rep. Fred Anderson (R)
Rep. Willis Curdy (D)
Rep. Neil Duram (R)
Rep. Ross H. Fitzgerald (R)
Rep. Moffie Funk (D)
Rep. Bruce Grubbs (R)
Rep. Steve Gunderson (R)
Rep. Derek J. Harvey (D)
Rep. Denley M. Loge (R)
Rep. Andrea Olsen (D)
Rep. Gordon Pierson Jr (D)
Rep. Christopher Pope (D)
Rep. Katie Sullivan (D)
Rep. Sue Vinton (R)

Members Excused:

Rep. Vince Ricci, Vice Chair (R)
Rep. Edward Buttrey (R)
Rep. Joel G. Krautter (R)

Members Absent: None

Staff Present: Joanne Kauzlarich, 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 313, 1/30/2019

Executive Action: HB 105, HB 185, HB 270, HB 277, HB 312, HB 320, HB 323, HB 345

08:32:20 Chair Noland
08:32:33 Rep. Krautter joined the meeting.

HEARING ON HB 313

Opening Statement by Sponsor:

08:33:17 Rep. Andrea Olsen (D), HD 100, opened the hearing on HB 313, Allow worker to choose treating physician in workers' compensation cases.

08:35:00 Chair Noland

Proponents' Testimony:

08:35:20 Rep. Dale Mortensen, HD 44

08:39:34 Paul Price, Self

[**EXHIBIT\(buh26a01\)**](#)

08:42:28 Rep. Pierson left the meeting.

08:43:28 Vice Chair Ricci joined the meeting.

08:43:39 Ben Snipes, Self

08:53:02 Jim Francetich, Self

09:01:25 Don Lundby, Self

[**EXHIBIT\(buh26a02\)**](#)

09:05:02 Rachel Englund, Self

[**EXHIBIT\(buh26a03\)**](#)

09:09:17 Michele Reinhart Levine, Self

[**EXHIBIT\(buh26a04\)**](#)

[**EXHIBIT\(buh26a05\)**](#)

[**EXHIBIT\(buh26a06\)**](#)

09:12:43 Rep. Buttrey joined the meeting.

09:25:48 Jean Branscum, Montana Medical Association (MMA)

09:31:43 Al Smith, Montana Trial Lawyers Association (MTLA)

[**EXHIBIT\(buh26a07\)**](#)

[**EXHIBIT\(buh26a08\)**](#)

09:43:54 Stacey Anderson, Montana Primary Care Association (MPCA)

09:46:51 Morgan Smith, Montana Federation of Public Employees (MFPE)

09:47:56 Adam Haight, American Federation of Labor and Congress of Industrial Organizations (AFL-CIO)

09:48:13 John Forkan, Montana State Association of Plumbers and Pipefitters, American Federation of State, County, and Municipal Employees (AFSCME), Teamsters Local Union 2.

09:49:59 Eric Anderson, Montana Nurses Association (MNA), Teamsters Local Union 190

Opponents' Testimony:

09:50:52 Kevin Braun, Montana State Fund (MSF)

09:58:45 Larry Jones, Montana Self Insurance Association (MSIA)

10:02:05 Bridger Mahlum, Montana Chamber of Commerce (MCC)

10:06:05 Riley Johnson, National Federation of Independent Business (NFIB)
 10:07:18 Kevin Bartsch, Montana School Group Insurance Authority (MSGIA)
 10:09:57 Andy Adamek, MHA Workers' Compensation Reciprocal (MHAWCR)
 10:17:59 Shannon Shanholtzer, Montana Association of Counties (MACo)
 10:18:38 Steve Wade, Montana Municipal Interlocal Authority (MMIA), Montana
 Contractors Association (MCA), Montana Contractors Compensation Fund
 (MCCF)
 10:19:55 Jason Todhunter, Montana Logging Association (MLA)
 10:21:22 Shane Scanlon, Kalispell Chamber of Commerce
 10:21:44 Chelcie Cargill, Montana Farm Bureau Federation (MFBF)
 10:22:26 Ronda Wiggers, Helena Chamber of Commerce, Montana Water Well Drillers
 Association (MWWDA)

Informational Testimony: None

Questions from Committee Members and Responses:

10:24:11 Rep. Vinton
 10:24:35 Michelle Reinhart Levine, Self
 10:24:39 Rep. Vinton
 10:25:00 Rep. Pope
 10:25:52 Kevin Braun, MSF
 10:26:13 Rep. Pope
 10:26:39 Kevin Braun, MSF
 10:26:58 Rep. Pope
 10:27:32 Kevin Braun, MSF
 10:28:14 Rep. Gunderson
 10:29:12 Kevin Braun, MSF
 10:30:26 Rep. Gunderson
 10:31:01 Kevin Braun, MSF
 10:31:20 Rep. Gunderson
 10:31:29 Kevin Braun, MSF
 10:32:03 Rep. Pierson joined the meeting.
 10:32:09 Rep. Loge
 10:32:32 Al Smith, MTLA
 10:33:02 Rep. Grubbs
 10:34:07 Michelle Reinhart Levine, Self
 10:37:21 Rep. Grubbs
 10:37:30 Michelle Reinhart Levine, Self

Closing by Sponsor:

10:38:35 Rep. Andrea Olsen (D), HD 100

Committee Business:

10:46:37 Chair Noland
 10:47:26 Pat Murdo, Legislative Services Division, LSD

 10:48:32 Recessed
 11:26:20 Reconvened

EXECUTIVE ACTION ON HB 105

11:26:35 **Motion:** Rep. Ricci moved that **HB 105 DO PASS.**

11:26:55 **Motion:** Rep. Sullivan moved that **HB 105 BE AMENDED.**
EXHIBIT(buh26a09)

Discussion:

11:27:22 Rep. Sullivan

11:27:33 **Vote:** Motion carried unanimously by voice vote.

11:27:58 **Motion:** Rep. Olsen moved that **HB 105 BE AMENDED.**
EXHIBIT(buh26a10)

Discussion:

11:28:23 Rep. Olsen

11:32:28 Rep. Loge

11:32:43 Rep. Sullivan

11:33:03 **Vote:** Motion failed 3-16 by roll call vote with Rep. Curdy, Rep. Olsen and Rep. Stewart Peregoy voting aye.

11:34:41 **Motion:** Rep. Ricci moved that **HB 105 DO PASS AS AMENDED.**

11:34:55 **Vote:** Motion carried 18-1 by voice vote with Rep. Olsen voting no.

EXECUTIVE ACTION ON HB 185

11:35:51 **Motion:** Rep. Ricci moved that **HB 185 DO PASS.**

11:35:55 **Substitute Motion/Vote:** Rep. Buttrey made a substitute motion that **HB 185 BE TABLED.** Substitute Motion carried 16-3 by voice vote with Rep. Grubbs, Rep. Pope and Rep. Sullivan voting no.

EXECUTIVE ACTION ON HB 270

11:36:41 **Motion:** Rep. Ricci moved that **HB 270 DO PASS.**

11:36:50 **Motion:** Rep. Funk moved that **HB 270 BE AMENDED.**
EXHIBIT(buh26a11)

Discussion:

11:37:05 Rep. Funk

11:38:00 **Vote:** Motion carried unanimously by voice vote.

11:38:11 **Motion:** Rep. Ricci moved that **HB 270 DO PASS AS AMENDED.**

Discussion:

11:38:22 Funk

11:38:51 **Vote:** Motion failed 8-11 by roll call vote with Rep. Curdy, Rep. Funk, Rep. Harvey, Rep. Olsen, Rep. Pierson, Rep. Pope, Rep. Stewart Peregoy and Rep. Sullivan voting aye.

11:40:29 **Substitute Motion/Vote:** Rep. Ricci made a substitute motion that **HB 270 BE TABLED**. Substitute Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 277

11:40:55 **Motion:** Rep. Ricci moved that **HB 277 DO PASS**.

11:41:19 **Motion:** Rep. Ricci moved that **HB 277 BE AMENDED**.
[EXHIBIT\(buh26a12\)](#)

Discussion:

11:41:49 Rep. Grubbs

11:41:56 Pat Murdo, Legislative Services Division (LSD)

11:43:10 **Vote:** Motion carried 18-1 by voice vote with Rep. Duram voting no.

11:43:26 **Motion:** Rep. Ricci moved that **HB 277 DO PASS AS AMENDED**.

Discussion:

11:43:35 Rep. Grubbs

11:44:35 **Vote:** Motion failed 4-15 by roll call vote with Rep. Grubbs, Rep. Olsen, Rep. Pope and Rep. Sullivan voting aye.

11:46:10 **Substitute Motion/Vote:** Rep. Ricci made a substitute motion that **HB 277 BE TABLED**. Substitute Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 312

11:46:52 **Motion:** Rep. Ricci moved that **HB 312 DO PASS**.

11:47:06 **Substitute Motion/Vote:** Rep. Gunderson made a substitute motion that **HB 312 BE TABLED**. Substitute Motion carried 17-2 by voice vote with Rep. Krautter and Rep. Olsen voting no.

EXECUTIVE ACTION ON HB 320

11:47:42 **Motion:** Rep. Ricci moved that **HB 320 DO PASS**.

11:47:55 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 323

11:48:20 **Motion:** Rep. Ricci moved that **HB 323 DO PASS.**

11:48:34 **Motion:** Rep. Buttrey moved that **HB 323 BE AMENDED.**
EXHIBIT(buh26a13)

Discussion:

11:48:49 Rep. Buttrey

11:49:16 **Vote:** Motion carried unanimously by voice vote.

11:49:28 **Motion:** Rep. Ricci moved that **HB 323 DO PASS AS AMENDED.**

11:49:43 **Substitute Motion/Vote:** Rep. Olsen made a substitute motion that **HB 323 BE TABLED.** Substitute Motion failed 8-11 by roll call vote with Rep. Curdy, Rep. Funk, Rep. Harvey, Rep. Olsen, Rep. Pierson, Rep. Pope, Rep. Stewart Peregoy and Rep. Sullivan voting aye.

11:51:31 **Vote:** Motion carried 11-8 by roll call vote with Rep. Curdy, Rep. Funk, Rep. Harvey, Rep. Olsen, Rep. Pierson, Rep. Pope, Rep. Stewart Peregoy and Rep. Sullivan voting no.

EXECUTIVE ACTION ON HB 345

11:53:16 **Motion:** Rep. Ricci moved that **HB 345 DO PASS.**

11:53:25 **Substitute Motion/Vote:** Rep. Gunderson made a substitute motion that **HB 345 BE TABLED.** Substitute Motion carried 11-8 by roll call vote with Rep. Curdy, Rep. Funk, Rep. Harvey, Rep. Olsen, Rep. Pierson, Rep. Pope, Rep. Stewart Peregoy and Rep. Sullivan voting no.

Committee Business:

11:55:13 Chair Noland

11:55:45 Vice Chair Stewart Peregoy

ADJOURNMENT

Adjournment: 11:56:05

Joanne Kauzlarich, Secretary

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Additional Documents:

EXHIBIT([buh26aad.pdf](#))