

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: Chair Mark Noland, on February 19, 2019 at 8:00 A.M., in Room 172
Capitol

ROLL CALL

Members Present:

Rep. Mark Noland, Chair (R)
Rep. Vince Ricci, Vice Chair (R)
Rep. Fred Anderson (R)
Rep. Edward Buttrey (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. Christopher Pope (D)
Rep. Katie Sullivan (D)
Rep. Sue Vinton (R)

Members Excused:

Rep. Sharon Stewart Peregoy, Vice Chair (D)
Rep. Joel G. Krautter (R)
Rep. Gordon Pierson Jr (D)

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 373, 2/6/2019; HB 413, 2/8/2019; HB 448, 2/12/2019; HB 468, 2/15/2019

Executive Action: HB 344, HB 370, HB 450, HB 382, HB 481, SB 58, SB 63, SB 77

08:00:04 Chair Noland
08:01:40 Vice Chair Stewart Peregoy joined the meeting.

HEARING ON HB 373

Opening Statement by Sponsor:

08:02:39 Rep. David Dunn (R), HD 9, opened the hearing on HB 373, Revising insurance producer affiliation regulatory requirements.

08:03:11 Rep. Krautter joined the meeting.

Proponents' Testimony:

08:04:51 Bob Biskupiak, State Auditor's Office, Commissioner of Securities and Insurance (CSI)
08:07:25 Jeannie Keller, State Auditor's Office, Commissioner of Securities and Insurance (CSI)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

08:13:06 Rep. David Dunn (R), HD 9

HEARING ON HB 413

Opening Statement by Sponsor:

08:14:10 Rep. Fred Anderson (R), HD 20, opened the hearing on HB 413, Address vaping in schools.

[**EXHIBIT\(buh35a01\)**](#)

[**EXHIBIT\(buh35a02\)**](#)

Proponents' Testimony:

08:16:53 Rick Duncan, School Administrators of Montana (SAM)
08:18:47 Candace Payne, Montana Statewide Alliance of YMCA
08:22:17 Brett Zanto, Capital High School (CHS)
08:25:53 Morgan Smith, Montana Federation of Public Employees (MFPE)
08:27:01 Heather O'Hara, Montana Hospital Association (MHA)
08:27:34 Scott Boulanger, Vapor Technology Association (VTA)
08:28:11 Stacey Anderson, Montana Primary Care Association (MPCA)
08:28:55 Jean Branscum, Montana Medical Association (MMA)
08:29:46 Erin McGowan, Association of Montana Public Health Officials (AMPHO),
Montana Public Health Association (MPHA), Montana Environmental Health
Association (MEHA)

08:30:31 Clint Houston, Great Falls Police Department (GFPD)
08:32:17 Ron Marshall, Montana Smoke Free Association (MSFA)

08:34:47 Deanna Marshall, Montana Smoke Free Association (MSFA)
[EXHIBIT\(buh35a03\)](#)

08:35:18 Nicole Aune, Department of Public Health and Human Services (DPHHS)

Opponents' Testimony: None

Informational Testimony:

08:38:47 Kris Minard, Office of Public Instruction (OPI)

Questions from Committee Members and Responses:

08:39:11 Rep. Loge
08:39:31 Rick Duncan, SAM
08:40:04 Rep. Buttrey
08:40:35 Brett Zanto, CHS
08:41:04 Rep. Buttrey
08:41:21 Brett Zanto, CHS
08:42:00 Rep. Buttrey
08:42:23 Rep. Anderson
08:43:14 Rep. Buttrey
08:43:45 Rep. Anderson
08:44:30 Rep. Curdy
08:44:50 Rep. Anderson
08:45:14 Rep. Curdy
08:45:22 Rep. Anderson
08:45:27 Rep. Curdy
08:45:36 Rep. Anderson
08:45:44 Rep. Curdy
08:45:48 Rep. Anderson
08:45:53 Vice Chair Ricci
08:46:15 Clint Houston, GFPD
08:46:59 Vice Chair Ricci
08:47:19 Clint Houston, GFPD
08:47:57 Vice Chair Ricci
08:48:09 Clint Houston, GFPD
08:48:27 Rep. Grubbs
08:49:05 Rick Duncan, SAM
08:50:25 Rep. Funk
08:50:52 Kris Minard, OPI
08:51:22 Rep. Funk
08:51:35 Kris Minard, OPI

Closing by Sponsor:

08:52:49 Rep. Fred Anderson (R), HD 20

08:53:55 Rep. Funk

HEARING ON HB 468**Opening Statement by Sponsor:**

08:55:44 Rep. Jade Bahr (D), HD 50, opened the hearing on HB 468, Involve certain state agencies in disability integrated employment programs.

Proponents' Testimony:

09:01:40 Shyla Patera, North Central Independent Living Services (NCILS)
09:04:46 Sheila Leigland, Self
09:08:59 Jim Marks, National Federation of the Blind Montana (NFBMT)
09:19:16 Joy Breslauer, National Federation of the Blind Montana (NFBMT)
09:24:03 Joel Peden, Center for Independent Living (CIL), Department of Public Human and Health Services (DPHHS)
09:30:19 Beth Brennehan, Disability Rights Montana

EXHIBIT(buh35a04)

09:33:59 Tom Osborn, North Central Independent Living Services
09:36:33 Jackie Jones, Montana Association of Community Disabilities Services (MACDS)
09:37:38 June Hermanson, Montana Association for Rehabilitation (MAR)
09:39:07 Gina Lytle, Self
09:44:52 Mitch Tropila, Self

Opponents' Testimony: None**Informational Testimony:**

09:48:16 Chanda Hermanson-Dudley, Department of Public Health and Human Services (DPHHS)
09:48:45 Scott Eychner, Department of Labor and Industry (DLI)

Questions from Committee Members and Responses:

09:49:10 Rep. Gunderson
09:49:30 Rep. Bahr
09:49:56 Chair Noland
09:50:09 Rep. Olsen
09:50:45 Chanda Hermanson-Dudley, DPHHS

Closing by Sponsor:

09:51:22 Rep. Jade Bahr (D), HD 50

09:53:11 Rep. Duram left the meeting.

HEARING ON HB 448**Opening Statement by Sponsor:**

09:57:51 Rep. Moffie Funk (D), HD 82, opened the hearing on HB 448, Provide that employers allow employees reasonable time off for voting.

EXHIBIT(buh35a05)**Proponents' Testimony:**

10:00:57 Michael Toppen, Montana Public Interest Group (MontPIG)

Opponents' Testimony:

10:01:57 Bridger Mahlum, Montana Chamber of Commerce (MCC)
10:06:33 Riley Johnson, National Federation of Independent Business (NFIB)

Informational Testimony: None**Questions from Committee Members and Responses:**

10:08:36 Rep. Olsen
10:09:50 Bridger Mahlum, MCC
10:11:40 Rep. Buttrey
10:12:06 Bridger Mahlum, MCC
10:12:19 Rep. Buttrey
10:12:31 Rep. Funk
10:12:44 Rep. Buttrey
10:12:52 Rep. Funk
10:13:12 Rep. Loge
10:13:50 Rep. Funk

Closing by Sponsor:

10:14:59 Rep. Moffie Funk (D), HD 82

Committee Business:

10:16:22 Chair Noland
10:16:45 Pat Murdo, Legislative Services Division (LSD)

[EXHIBIT\(buh35a06\)](#)**[EXHIBIT\(buh35a07\)](#)**

10:19:53 Chair Noland
10:20:12 Rep. Curdy
10:20:30 Chair Noland
10:20:52 Rep. Curdy
10:21:07 Pat Murdo, LSD

[EXHIBIT\(buh35a08\)](#)

10:23:01 Chair Noland
10:23:36 Rep. Olsen
10:23:45 Chair Noland
10:23:49 Rep. Olsen
10:24:01 Rep. Curdy
10:24:24 Chair Noland
10:25:00 Rep. Olsen
10:25:39 Rep. Grubbs
10:25:58 Chair Noland
10:26:19 Rep. Curdy
10:26:29 Chair Noland
10:26:48 Vice Chair Stewart Peregoy
10:27:01 Chair Noland
10:27:15 Vice Chair Stewart Peregoy
10:27:31 Rep. Olsen
10:27:51 Vice Chair Ricci

10:28:03 Rep. Anderson
10:28:23 Rep. Gunderson
10:28:40 Chair Noland
10:28:42 Rep. Gunderson
10:28:48 Chair Noland
10:28:55 Rep. Olsen
10:29:23 Vice Chair Ricci
10:29:30 Chair Noland
10:29:33 Rep. Olsen
10:29:37 Chair Noland
10:29:44 Pat Murdo, LSD
10:29:55 Chair Noland

10:31:34 Recessed
11:12:25 Reconvened

EXECUTIVE ACTION ON HB 344

11:12:37 **Motion:** Rep. Ricci moved that **HB 344 DO PASS.**

11:12:55 **Motion:** Rep. Ricci moved that **HB 344 BE AMENDED.**
(See Exhibit 6)

Discussion:

11:13:19 Pat Murdo, LSD

11:17:35 **Vote:** Motion carried unanimously by voice vote. Rep. Duram and Rep. Pierson voted by proxy.

11:17:55 **Motion/Vote:** Rep. Ricci moved that **HB 344 DO PASS AS AMENDED.** Motion carried 17-2 by roll call vote with Rep. Noland and Rep. Ricci voting no. Rep. Duram and Rep. Pierson voted by proxy.

EXECUTIVE ACTION ON HB 370

11:19:53 **Motion:** Rep. Ricci moved that **HB 370 DO PASS.**

11:20:15 **Motion:** Rep. Krautter moved that **HB 370 BE AMENDED.**
EXHIBIT(buh35a09)

Discussion:

11:21:00 Rep. Krautter
11:21:38 Rep. Sullivan
11:21:52 Rep. Vinton
11:22:04 Rep. Krautter
11:22:13 Pat Murdo, LSD

11:22:49 **Vote:** Motion carried unanimously by voice vote. Rep. Duram and Rep. Pierson voted by proxy.

11:23:06 **Motion:** Rep. Ricci moved that **HB 370 DO PASS AS AMENDED.**

11:23:19 **Vote:** Motion carried 18-1 by voice vote with Rep. Olsen voting no. Rep. Duram and Rep. Pierson voted by proxy.

EXECUTIVE ACTION ON HB 450

11:23:59 **Motion/Vote:** Rep. Ricci moved that **HB 450 DO PASS.** Motion carried unanimously by voice vote. Rep. Duram and Rep. Pierson voted by proxy.

EXECUTIVE ACTION ON HB 382

11:24:50 **Motion:** Rep. Ricci moved that **HB 382 DO PASS.**

Discussion:

11:25:06 Vice Chair Ricci

11:25:26 Rep. Curdy

11:25:55 Vice Chair Ricci

11:26:11 **Vote:** Motion carried 13-6 by roll call vote with Rep. Buttrey, Rep. Duram, Rep. Fitzgerald, Rep. Gunderson, Rep. Ricci and Rep. Vinton voting no. Rep. Duram and Rep. Pierson voted by proxy.

EXECUTIVE ACTION ON HB 481

11:28:05 **Motion:** Rep. Ricci moved that **HB 481 DO PASS.**

Discussion:

11:28:20 Rep. Curdy

11:30:07 Rep. Harvey

11:30:25 Vice Chair Stewart Peregoy

11:31:04 Rep. Buttrey

11:32:06 Rep. Krautter

11:32:50 Rep. Olsen

11:34:19 **Vote:** Motion carried 10-9 by roll call vote with Rep. Curdy, Rep. Funk, Rep. Harvey, Rep. Noland, Rep. Olsen, Rep. Pierson, Rep. Pope, Rep. Stewart Peregoy and Rep. Sullivan voting no. Rep. Duram and Rep. Pierson voted by proxy.

EXECUTIVE ACTION ON SB 58

11:36:19 **Motion:** Rep. Ricci moved that **SB 58 BE CONCURRED IN AS PREVIOUSLY AMENDED ON FEBRUARY 15, 2019.**

Discussion:

11:36:47 Rep. Olsen

11:38:41 **Motion:** Rep. Olsen moved that **SB 58 BE AMENDED.**
(See Exhibit 8)

Discussion:

11:39:09 Chair Noland
11:39:26 Rep. Buttrey
11:40:13 Rep. Loge

11:40:35 **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. Rep. Duram and Rep. Pierson voted by proxy.

11:42:23 **Motion/Vote:** Rep. Ricci moved that **SB 58 BE CONCURRED IN AS PREVIOUSLY AMENDED ON FEBRUARY 15, 2019**. Motion carried 18-1 by voice vote with Rep. Olsen voting no. Rep. Duram and Rep. Pierson voted by proxy. Rep. Buttrey will carry the bill.

EXECUTIVE ACTION ON SB 63

11:43:15 **Motion:** Rep. Ricci moved that **SB 63 BE CONCURRED IN**.

Discussion:

11:43:35 Vice Chair Stewart Peregoy

11:44:19 **Vote:** Motion carried unanimously by voice vote. Rep. Duram and Rep. Pierson voted by proxy. Rep. Curdy will carry the bill.

EXECUTIVE ACTION ON SB 77

11:45:27 **Motion/Vote:** Rep. Ricci moved that **SB 77 BE CONCURRED IN**. Motion carried unanimously by voice vote. Rep. Duram and Rep. Pierson voted by proxy. Rep. Olsen will carry the bill.

ADJOURNMENT

Adjournment: 11:46:40

Joanne Kauzlarich, Secretary

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Additional Documents:

EXHIBIT([buh35aad.pdf](#))