

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: Chair Mark Noland, on March 13, 2019 at 8:30 AM, in Room 172 Capitol

ROLL CALL

Members Present:

Rep. Mark Noland, Chair (R)
Rep. Vince Ricci, Vice Chair (R)
Rep. Sharon Stewart Peregoy, Vice Chair (D)
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. Joel G. Krautter (R)
Rep. Denley M. Loge (R)
Rep. Andrea Olsen (D)
Rep. Christopher Pope (D)
Rep. Katie Sullivan (D)
Rep. Sue Vinton (R)

Members Excused:

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: SB 55, 2/28/2019; SB 78, 2/28/2019; SB 240, 2/28/2019; SB 305, 2/28/2019

Executive Action: HB 515, HB 634

08:32:12 Chair Noland

HEARING ON SB 240

Opening Statement by Sponsor:

08:34:20 Sen. Jason Ellsworth (R), SD 43, opened the hearing on SB 240, Allow for rescission of insurance contracts under certain circumstances.

Proponents' Testimony:

08:36:30 David Bell, Attorney Liability Protection Society (ALPS)

08:41:16 Rep. Pierson joined the meeting.

08:44:10 Aimee Grmoljez, American Property Casualty Insurance Association (APCIA)

EXHIBIT(buh51a01)

08:46:02 Kendall Cotton, Commissioner of Securities and Insurance (CSI)

08:47:22 Bridger Mahlum, Montana Chamber of Commerce (MCC)

08:48:11 Greg Van Horssen, State Farm Insurance

Opponents' Testimony:

08:48:41 Al Smith, Montana Trial Lawyers Association (MTLA)

EXHIBIT(buh51a02)

Informational Testimony: None

Questions from Committee Members and Responses:

09:03:09 Rep. Grubbs

09:03:56 Greg Van Horssen, State Farm Insurance

09:04:24 Rep. Gunderson

09:04:51 Al Smith, MTLA

09:05:21 Rep. Gunderson

09:05:48 David Bell, ALPS

09:08:12 Rep. Krautter

09:08:43 David Bell, ALPS

09:10:51 Rep. Krautter

09:10:58 David Bell, ALPS

09:12:02 Rep. Krautter

09:12:53 David Bell, ALPS

09:13:12 Brad Dantic, Attorney Liability Protection Society (ALPS)

09:16:23 Rep. Krautter

09:16:39 Brad Dantic, ALPS

09:17:10 Rep. Duram

09:18:06 Brad Dantic, ALPS

09:20:25 Rep. Duram

09:20:56 Brad Dantic, ALPS

09:21:05 Rep. Duram

09:21:20 Brad Dantic, ALPS

09:22:43 Rep. Vinton

09:23:31 Brad Dantic, ALPS

09:24:35 Rep. Olsen

09:25:27 Brad Dantic, ALPS

09:26:51 Rep. Olsen
09:27:24 Al Smith, MTLA
09:28:40 Rep. Olsen
09:29:15 Al Smith, MTLA
09:30:01 Rep. Pope
09:31:30 Brad Dantic, ALPS
09:31:51 Rep. Pope
09:32:03 Brad Dantic, ALPS
09:32:32 Rep. Pope
09:34:03 Brad Dantic, ALPS
09:35:39 Rep. Pope
09:35:56 Brad Dantic, ALPS
09:36:10 Rep. Olsen
09:36:57 Brad Dantic, ALPS
09:38:43 Rep. Pierson
09:39:21 Al Smith, MTLA
09:40:14 Rep. Pierson
09:40:26 Al Smith, MTLA
09:40:34 Rep. Duram
09:41:35 Kendall Cotton, CSI
09:43:33 Rep. Duram
09:43:45 Kendall Cotton, CSI
09:45:07 Chair Noland
09:45:44 Aimee Grmoljez, APCIA
09:48:54 Rep. Curdy
09:49:17 Aimee Grmoljez, APCIA

Closing by Sponsor:

09:51:02 Sen. Ellsworth

09:56:49 Vice Chair Stewart Peregoy

HEARING ON SB 55

Opening Statement by Sponsor:

09:57:21 Sen. Daniel Salomon (R), SD 47, opened the hearing on SB 55, Generally revise captive insurance laws.

Proponents' Testimony:

09:58:58 Bob Biskupiak, Commissioner of Securities and Insurance (CSI)

[EXHIBIT\(buh51a03\)](#)

10:07:01 John Huth, Montana Captive Insurance Association (MCIA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

10:08:59 Rep. Olsen

10:09:56 Bob Biskupiak, CSI
10:11:17 Tal Redpath, Commissioner of Securities and Insurance (CSI)
10:14:05 Rep. Olsen
10:14:23 Tal Redpath, CSI

Closing by Sponsor:

10:15:28 Sen. Daniel Salomon

HEARING ON SB 78**Opening Statement by Sponsor:**

10:16:52 Sen. Mary McNally (D), SD 24, opened the hearing on SB 78, Require workers' comp insurers to provide notice to worker of claim closure.

Proponents' Testimony:

10:18:49 Eric Strauss, Department of Labor and Industry (DLI)
10:21:24 Kendall Cotton, Office of Commissioner of Securities and Insurance (CSI)
10:21:49 Al Smith, Montana Trial Lawyers Association (MTLA)
10:22:57 Adam Haight, American Federation of Labor and Congress of Industrial Organizations (AFL-CIO)

Opponents' Testimony:

10:23:31 Brian Thompson, Montana Contractor Compensation Fund (MCCF)

Informational Testimony:

10:25:19 Kevin Braun, Montana State Fund (MSF)

Questions from Committee Members and Responses:

10:25:35 Rep. Funk
10:26:06 Kevin Braun, MSF
10:27:07 Rep. Funk
10:27:17 Kevin Braun, MSF
10:27:34 Rep. Loge
10:27:54 Kevin Braun, MSF
10:28:36 Vice Chair Ricci
10:29:07 Brian Thompson, MCCF
10:29:26 Rep. Pope
10:29:54 Kevin Braun, MSF
10:30:46 Rep. Olsen
10:31:26 Kevin Braun, MSF
10:32:16 Rep. Olsen
10:32:25 Kevin Braun, MSF
10:33:06 Rep. Buttrey
10:34:04 Kevin Braun, MSF
10:34:59 Rep. Buttrey
10:35:11 Kevin Braun, MSF

Closing by Sponsor:

10:35:29 Sen. McNally

HEARING ON SB 305**Opening Statement by Sponsor:**

10:37:30 Sen. Terry Gauthier (R), SD 40, opened the hearing on SB 305, Revise the unemployment insurance appeals board membership.

Proponents' Testimony:

10:44:39 Brad Griffin, Montana Retail Association (MRA)
10:45:27 Cary Hegreberg, Montana Chamber of Commerce (MCC)

Opponents' Testimony:

10:46:10 Brenda Nordlund, Department of Labor and Industry (DLI)

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

10:52:52 Vice Chair Ricci
10:53:12 Brenda Nordlund, DLI
10:53:37 Rep. Vinton
10:54:06 Brenda Nordlund, DLI
10:54:25 Rep. Vinton
10:54:40 Brenda Nordlund, DLI

Closing by Sponsor:

10:55:00 Sen. Gauthier

Committee Business:

10:58:22 Chair Noland

10:59:42 Recessed
11:27:25 Reconvened with Rep. Pierson excused.

EXECUTIVE ACTION ON HB 634

11:27:58 **Motion:** Rep. Ricci moved that **HB 634 DO PASS.**

11:28:10 **Substitute Motion/Vote:** Rep. Buttrey made a substitute motion that **HB 634 BE TABLED.** Substitute Motion carried unanimously by voice vote. Rep. Pierson voted by proxy.

EXECUTIVE ACTION ON HB 515

11:29:10 **Motion:** Rep. Ricci moved that **HB 515 DO PASS.**

11:29:22 **Motion:** Rep. Duram moved that **HB 515 BE CONCEPTUALLY AMENDED TO STRIKE SECTION 5 OF THE BILL.**

EXHIBIT(buh51a04)

Discussion:

11:29:47 Rep. Duram
11:30:20 Rep. Krautter
11:31:36 Vice Chair Ricci
11:31:50 Rep. Pope
11:32:02 Rep. Duram
11:32:15 Chair Noland
11:32:30 Rep. Duram
11:33:07 Rep. Pope
11:33:29 Rep. Harvey
11:33:46 Rep. Buttrey

11:34:04 **Vote:** Motion carried unanimously by voice vote. Rep. Pierson voted by proxy.

11:34:31 **Motion:** Rep. Ricci moved that **HB 515 DO PASS AS AMENDED.**

Discussion:

11:34:38 Rep. Olsen
11:36:15 Chair Noland
11:36:26 Rep. Duram
11:36:57 Rep. Olsen

11:37:51 **Vote:** Motion carried 15-4 by roll call vote with Rep. Anderson, Rep. Olsen, Rep. Stewart Peregoy and Rep. Vinton voting no. Rep. Pierson voted by proxy.

Committee Business:

11:39:41 Pat Murdo, Legislative Services Division (LSD)
11:40:00 Chair Noland
11:40:08 Vice Chair Ricci
11:40:22 Rep. Funk
11:40:38 Chair Noland

ADJOURNMENT

Adjournment: 11:41:17

Joanne Kauzlarich, Secretary

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Additional Documents:

EXHIBIT([buh51aad.pdf](#))