

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: Chair Mark Noland, on March 22, 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. 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. Andrea Olsen (D)
Rep. Christopher Pope (D)
Rep. Katie Sullivan (D)
Rep. Sue Vinton (R)

Members Excused:

Rep. Edward Buttrey (R)
Rep. Joel G. Krautter (R)
Rep. Denley M. Loge (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: SB 71, 3/8/2019; HB 678, 3/18/2019; HB 679, 3/18/2019
Executive Action: SB 240, SB 295

08:34:28 Chair Noland

HEARING ON HB 679

Opening Statement by Sponsor:

08:36:35 Rep. Jessica Karjala (D), HD 48, opened the hearing on HB 679, Clarify workweek for overtime-eligible employees.

[EXHIBIT\(buh59a01\)](#)

Proponents' Testimony:

08:41:12 Adam Haight, American Federation of Labor and Congress of Industrial Organizations (AFL-CIO)
08:41:54 Eric Strauss, Department of Labor and Industry (DLI)
08:42:47 John Forkan, Montana Association of Plumbers and Pipefitters
08:43:31 Darrell Holzer, Montana Building and Construction Trades
08:45:01 Kim Rickard, Laborers' International Union of North America Local 1686 (LiUNA), Laborers Local 1686
08:45:24 Eric Anderson, Montana Nurses Association (MNA)

Opponents' Testimony:

08:46:36 Cary Hegreberg, Montana Chamber of Commerce (MCC)

Informational Testimony: None

Questions from Committee Members and Responses:

08:49:27 Vice Chair Ricci
08:49:50 Eric Strauss, DLI
08:50:01 Vice Chair Ricci
08:50:17 Eric Strauss, DLI
08:51:09 Vice Chair Ricci
08:51:18 Eric Strauss, DLI
08:51:44 Rep. Duram
08:52:10 Eric Strauss, DLI
08:52:26 Rep. Duram
08:52:36 Eric Strauss, DLI
08:53:18 Amber Carpenter, Department of Labor and Industry (DLI)
08:53:49 Rep. Vinton
08:54:12 Eric Strauss, DLI
08:54:26 Rep. Vinton
08:54:48 Adam Haight, AFL-CIO
08:55:05 Rep. Gunderson
08:55:23 Rep. Karjala
08:55:29 Rep. Gunderson
08:55:44 Rep. Karjala

Closing by Sponsor:

08:56:10 Rep. Karjala

HEARING ON HB 678**Opening Statement by Sponsor:**

08:58:46 Rep. Jessica Karjala (D), HD 48, opened the hearing on HB 678, Revise procurement laws regarding preference, responsible bidders.

08:59:33 Chair Noland ceded the gavel to Vice Chair Ricci.

Proponents' Testimony:

09:02:36 Adam Haight, American Federation of Labor and Congress of Industrial Organizations (AFL-CIO)

09:03:52 John Forkan, Montana Association of Plumbers and Pipefitters, Local Union 2

Opponents' Testimony:

09:05:48 Steve Wade, Montana Contractors' Association (MCA)

09:12:03 Kim Rickard, Laborers' International Union of North America Local 1686 (LiUNA)

EXHIBIT(buh59a02)

09:14:31 Cary Hegreberg, Montana Chamber of Commerce (MCC)

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

09:16:43 Rep. Gunderson

09:16:58 Rep. Krautter joined the meeting.

09:17:03 Rep. Karjala

09:17:20 Rep. Gunderson

09:17:32 Rep. Loge joined the meeting.

09:17:36 Rep. Karjala

09:17:52 Rep. Vinton

09:18:19 Rep. Karjala

09:18:35 Pat Murdo, Legislative Services Division (LSD)

09:19:10 Rep. Vinton

09:19:23 Rep. Karjala

09:19:55 Steve Wade, MCA

09:20:40 Rep. Vinton

09:21:01 Steve Wade, MCA

09:21:35 Rep. Olsen

09:23:11 Steve Wade, MCA

09:24:24 Rep. Krautter

09:25:13 Rep. Karjala

09:25:57 Rep. Olsen

09:26:31 Kim Rickard, LiUNA

09:27:03 Rep. Olsen

09:27:41 Adam Haight, AFL-CIO

09:28:12 Rep. Duram

09:28:45 Rep. Karjala

09:28:56 Rep. Duram

09:29:00 Rep. Karjala

09:31:43 Rep. Curdy
 09:32:20 Steve Wade, MCA
 09:32:39 Rep. Curdy
 09:33:35 Steve Wade, MCA
 09:35:31 Rep. Vinton
 09:36:07 Rep. Karjala
 09:36:30 Rep. Vinton
 09:36:43 Rep. Krautter
 09:37:26 Rep. Karjala
 09:38:28 Chair Ricci
 09:39:02 John Forkan, Montana Association of Plumbers and Pipefitters, Local Union 2
 09:39:59 Chair Ricci
 09:40:06 John Forkan, Montana Association of Plumbers and Pipefitters, Local Union 2
 09:40:28 Chair Ricci
 09:40:43 John Forkan, Montana Association of Plumbers and Pipefitters, Local Union 2
 09:40:51 Rep. Duram
 09:41:19 John Forkan, Montana Association of Plumbers and Pipefitters, Local Union 2
 09:41:52 Rep. Duram

Closing by Sponsor:

09:42:28 Rep. Karjala

09:49:09 Chair Noland resumed the gavel.

09:50:53 Rep. Pierson joined the meeting.

HEARING ON SB 71**Opening Statement by Sponsor:**

09:52:02 Sen. Albert Olszewski (R), SD 6, opened the hearing on SB 71, Regulate health insurers' administration of pharmacy benefits for consumers.

EXHIBIT(buh59a03)

09:53:03 Rep. Buttrey joined the meeting.

09:53:35 Chair Noland

Proponents' Testimony:

09:53:43 Mathew Rosendale, Commissioner, State Auditor's Office (CSI)

09:59:26 Kris Hansen, Office of Commissioner of Securities and Insurance (CSI)

EXHIBIT(buh59a04)

10:12:31 Janell Williams, Office of Commissioner of Securities and Insurance (CSI)

10:16:18 Derek Oestreicher, Office of Commissioner of Securities and Insurance (CSI)

10:24:19 Marilyn Bartlett, Office of Commissioner of Securities and Insurance (CSI)

10:29:14 Josh Morris, Self

10:30:37 Ryan Rice, Prism Health Strategists

10:40:29 Alan Van Amber, Navitus Health Solutions

10:43:30 Al Smith, Montana Trail Lawyers Association (MTLA)

10:46:04 Gary Morrison, Self

10:50:09 Mark Whitaker, M.D., Self

10:53:09 Aiden Myhre, Montana BioScience Alliance, Glasgow Smith Kline (GSK), Pfizer

10:54:43 Stacey Anderson, Montana Primary Care Association (MPCA)
 10:55:52 Diane Fladmo, Montana Federation of Public Employees (MFPE)
 10:57:15 Dennis Iverson, Pharmaceutical Research and Manufacturers of America
 (PhRMA)

EXHIBIT(buh59a05)

Opponents' Testimony:

10:58:22 Richard Miltenberger, Montana Health Co-op
 11:07:47 Jennifer Hensley, Pacific Source Health Plans
 11:14:39 Sheila Albeke, Pacific Source Health Plans
 11:22:24 Cindy Laubacher, Cigna

EXHIBIT(buh59a06)

EXHIBIT(buh59a07)

EXHIBIT(buh59a08)

11:38:10 Eric Douglas, Prime Therapeutics
 11:42:21 Brian Thompson, CVS Pharmacy
 11:44:46 Bruce Spencer, Express Scripts Inc. (ESI)
 11:54:06 Sean Slanger, America's Health Insurance Plans (AHIP)

Informational Testimony: None

Questions from Committee Members and Responses:

11:56:06 Rep. Pierson
 11:56:37 Marilyn Bartlett, CSI
 11:56:45 Rep. Pierson
 11:56:52 Marilyn Bartlett, CSI
 11:57:25 Rep. Pierson
 11:57:40 Derek Oestreicher, CSI
 11:58:58 Rep. Pierson
 11:59:03 Derek Oestreicher, CSI
 11:59:18 Rep. Pope
 12:00:27 Alan Van Amber, Navitus Health Solutions
 12:01:53 Rep. Pope
 12:02:27 Alan Van Amber, Navitus Health Solutions
 12:03:10 Rep. Gunderson
 12:03:50 Jennifer Hensley, Pacific Source Health Plans
 12:03:55 Rep. Gunderson
 12:04:15 Jennifer Hensley, Pacific Source Health Plans
 12:04:51 Rep. Gunderson
 12:05:01 Jennifer Hensley, Pacific Source Health Plans
 12:05:31 Rep. Gunderson
 12:06:09 Eric Douglas, Prime Therapeutics
 12:06:21 Rep. Gunderson
 12:06:31 Eric Douglas, Prime Therapeutics
 12:06:55 Rep. Krautter
 12:07:56 Bruce Spencer, ESI
 12:09:43 Rep. Pierson
 12:10:12 Derek Oestreicher, CSI
 12:10:28 Rep. Pierson

12:10:52 Cindy Laubacher, Cigna
 12:11:21 Rep. Pierson
 12:11:31 Cindy Laubacher, Cigna
 12:12:00 Rep. Pierson
 12:12:12 Jennifer Hensley, Pacific Source Health Plans
 12:12:22 Rep. Pope
 12:13:00 Cindy Laubacher, Cigna

Closing by Sponsor:

12:13:46 Sen. Olszewski

Committee Business:

12:18:40 Chair Noland
 12:18:51 Rep. Funk
 12:19:09 Chair Noland
 12:19:12 Rep. Funk
 12:19:19 Chair Noland
 12:19:25 Funk time
 12:19:28 Chair Noland
 12:19:38 Rep. Funk
 12:19:46 Chair Noland
 12:20:06 Pat Murdo, LSD

EXHIBIT(buh59a09)

12:21:15 Rep. Pierson
 12:21:22 Chair Noland
 12:21:28 Rep. Pierson
 12:21:46 Chair Noland
 12:21:54 Rep. Pierson
 12:21:58 Chair Noland

EXECUTIVE ACTION ON SB 240

12:22:19 **Motion:** Rep. Ricci moved that **SB 240 BE CONCURRED IN.**

12:22:44 **Motion:** Rep. Krautter moved that **SB 240 BE AMENDED.**

EXHIBIT(buh59a10)**Discussion:**

12:23:12 Rep. Krautter
 12:23:58 Rep. Buttrey
 12:25:26 Rep. Olsen
 12:26:32 Rep. Buttrey
 12:27:29 Rep. Olsen
 12:28:25 Rep. Krautter

12:29:25 **Vote:** Motion carried 10-9 by roll call vote with Rep. Anderson, Rep. Buttrey, Rep. Fitzgerald, Rep. Grubbs, Rep. Gunderson, Rep. Loge, Rep. Noland, Rep. Ricci and Rep. Vinton voting no. Rep. Stewart Peregoy voted by proxy.

12:31:08 **Motion:** Rep. Ricci moved that **SB 240 BE CONCURRED IN AS AMENDED.**

Discussion:

12:31:12 Rep Vinton

12:31:37 **Vote:** Motion failed 9-10 by roll call vote with Rep. Curdy, Rep. Funk, Rep. Harvey, Rep. Krautter, Rep. Olsen, Rep. Pierson, Rep. Pope, Rep. Stewart Peregoy and Rep. Sullivan voting aye. Rep. Stewart Peregoy voted by proxy.

12:33:09 **Motion/Vote:** Rep. Ricci moved that **SB 240 BE TABLED.** Motion carried unanimously by voice vote. Rep. Stewart Peregoy voted by proxy.

EXECUTIVE ACTION ON SB 295

12:33:33 **Motion:** Rep. Ricci moved that **SB 295 BE CONCURRED IN.**

12:34:01 **Motion:** Rep. Ricci moved that **SB 295 BE AMENDED.**
(See Exhibit 9)

Discussion:

12:34:27 Pat Murdo, LSD

12:35:35 Rep. Duram

12:36:15 **Vote:** Motion carried unanimously by voice vote. Rep. Stewart Peregoy voted by proxy.

12:36:33 **Motion:** Rep. Ricci moved that **SB 295 BE CONCURRED IN AS AMENDED.**

Discussion:

12:36:46 Rep. Loge

12:36:53 Rep. Olsen

12:37:07 Pat Murdo, LSD

12:37:38 **Vote:** Motion carried unanimously by voice vote. Rep. Stewart Peregoy voted by proxy. Rep. Duram will carry the bill.

ADJOURNMENT

Adjournment: 12:38:25

Joanne Kauzlarich, Secretary

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Additional Documents:

EXHIBIT([buh59aad.pdf](#))