

## MINUTES

### MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

**Call to Order:** Chair Steve Fitzpatrick, on January 24, 2019 at 8:30 A.M., in Room 422 Capitol

#### ROLL CALL

**Members Present:**

Sen. Steve Fitzpatrick, Chair (R)  
Sen. Dee Brown, Vice Chair (R)  
Sen. Sue Malek, Vice Chair (D)  
Sen. Carlie Boland (D)  
Sen. Jason W. Ellsworth (R)  
Sen. Terry Gauthier (R)  
Sen. Jason D. Small (R)  
Sen. Frank Smith (D)  
Sen. Gordon Vance (R)  
Sen. Gene Vuckovich (D)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Linda Keim, Committee Secretary  
Jameson Walker, Legislative Services Division

**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 125, 1/17/2019; SB 126, 1/17/2019

Executive Action: SB 58, Do Pass As Amended; SB 94, Do Pass;  
SB 119, Do Pass As Amended

08:31:09 Chairman Fitzpatrick

**HEARING ON SB 126**

**Opening Statement by Sponsor:**

08:32:06 Sen. Fred Thomas (R), SD 44, opened the hearing on SB 126. Revise workers' comp solvency guidelines for self-insured public entities.

**Proponents' Testimony:**

08:36:31 Shannon Shanholtzer, Montana Association of Counties

08:38:43 Eric Bryson, Montana Association of Counties (MACo)

**Opponents' Testimony:**

08:45:27 Bill Wheeler, Department of Labor and Industry (DLI)

**Informational Testimony:**

08:54:52 Mark Cadwallader, Department of Labor and Industry

**Questions from Committee Members and Responses:**

08:55:28 Sen. Brown

09:00:01 Mr. Wheeler, DLI

09:00:36 Sen. Small

09:01:06 Mr. Bryson, MACo

09:02:54 Sen. Ellsworth

09:05:24 Mr. Wheeler

09:08:23 Sen. Malek

09:09:12 Mr. Wheeler

09:09:18 Chairman Fitzpatrick

09:10:16 Mr. Wheeler

**Closing by Sponsor:**

09:10:28 Sen. Thomas

09:16:22 Chairman Fitzpatrick

Chairman Fitzpatrick turned over the duties of the Chair to Vice Chair Brown.

**HEARING ON SB 125**

**Opening Statement by Sponsor:**

09:17:47 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SB 125. Establish the Montana reinsurance association and program.

**Proponents' Testimony:**

09:21:23 Kris Hansen, chief legal counsel, Office of the Commissioner of Securities and Insurance, State Auditor (CSI)

09:27:01 Jess Rhoades, health policy advisor, Office of the Governor

09:30:55 John Lewis, director, Department of Administration

09:34:03 Mike Batista, American Association of Retired Persons

09:36:24 Matt Kuntz, executive director, National Alliance on Mental Illness

09:37:56 John Doran, vice president external affairs, Blue Cross Blue Shield of Montana (BCBSMT)

[EXHIBIT\(bus14a01\)](#)

[EXHIBIT\(bus14a02\)](#)

09:44:20 Jane Amdahl, American Association of Retired Persons

09:47:41 Bruce Spencer, Montana Health Co-op

[EXHIBIT\(bus14a03\)](#)

09:51:42 Melissa Shannon, PacificSource Health Plan

**Opponents' Testimony:**

09:52:44 Jon Metropoulos, American Council of Life Insurers

**Informational Testimony:**

09:55:23 Christina Goe, attorney, Montana Health Care Foundation (MHCA)

[EXHIBIT\(bus14a04\)](#)

**Questions from Committee Members and Responses:**

09:59:35 Sen. Ellsworth

10:06:34 Ms. Hansen, CSI

10:07:37 Chair Brown

10:10:19 Ms. Hansen

10:11:50 Sen. Malek

10:14:47 Mr. Doran, BCBSMT

10:15:57 Sen. Malek

10:20:34 Ms. Goe, MHCA

10:22:03 Sen. Smith

10:22:10 Ms. Hansen

10:22:47 Sen. Boland

10:23:09 Mr. Doran

**Closing by Sponsor:**

10:24:11 Sen. Fitzpatrick

10:24:41 Chair Brown

10:25:10 Sen. Fitzpatrick assumed the position of Chair.

10:25:15 Recess

10:46:34 Reconvene

Sen. Vance and Sen. Vuckovich were excused.

**EXECUTIVE ACTION ON SB 58**

10:46:44 **Motion:** Sen. D. Brown moved that **SB 58 DO PASS.**

[EXHIBIT\(bus14a05\)](#)

10:46:52 **Motion:** Sen. Fitzpatrick moved that **SB 58 BE AMENDED.**

**Discussion:**

10:47:21 Jameson Walker, Legislative Services Division (LSD)

10:47:51 **Vote:** Motion carried unanimously by voice vote. Sen. Vance and Sen. Vuckovich voted by proxy.

10:48:19 **Motion:** Sen. D. Brown moved that **SB 58 BE AMENDED.**  
**EXHIBIT(bus14a06)**

**Discussion:**

10:48:44 Chairman Fitzpatrick

10:48:52 Sen. Ellsworth

10:49:44 Sen. Malek

10:50:19 Chairman Fitzpatrick

10:50:48 Sen. Brown

10:51:14 **Vote:** Motion carried 8-2 by roll call vote with Sen. Fitzpatrick and Sen. Malek voting no. Sen. Vance and Sen. Vuckovich voted by proxy.

10:52:27 **Motion/Vote:** Sen. D. Brown moved that **SB 58 DO PASS AS AMENDED.**  
Motion carried unanimously by voice vote. Sen. Vance and Sen. Vuckovich voted by proxy.

**EXECUTIVE ACTION ON SB 94**

10:52:56 **Motion:** Sen. D. Brown moved that **SB 94 DO PASS.**

**Discussion:**

10:53:16 Sen. Gauthier

10:53:50 **Vote:** Motion carried unanimously by voice vote. Sen. Vance and Sen. Vuckovich voted by proxy.

**EXECUTIVE ACTION ON SB 119**

10:54:15 **Motion:** Sen. D. Brown moved that **SB 119 DO PASS.**

10:54:33 **Motion:** Sen. D. Brown moved that **SB 119 BE AMENDED.**  
**EXHIBIT(bus14a07)**

**Discussion:**

10:54:57 Mr. Walker, LSD

10:56:10 **Vote:** Motion carried unanimously by voice vote. Sen. Vance and Sen. Vuckovich voted by proxy.

10:56:28 **Motion:** Sen. D. Brown moved that **SB 119 DO PASS AS AMENDED.**

**Discussion:**

10:56:39 Sen. Boland

10:57:31 Chairman Fitzpatrick

10:57:39 Sen. Brown

10:58:04 Sen. Gauthier

10:58:40 **Vote:** Motion carried unanimously by voice vote. Sen. Vance and Sen. Vuckovich voted by proxy.

**ADJOURNMENT**

Adjournment: 10:59 AM

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Linda Keim, Secretary

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Additional Documents:

**EXHIBIT([bus14aad.pdf](#))**