

MINUTES

MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chair Steve Fitzpatrick, on February 19, 2019 at 9:00 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: HB 105, 2/16/2019; SB 270, 2/15/2019

Executive Action: HB 35, HB 65: Be Concurred In As Amended; HB 92: Be Concurred In; SB 221, SB 234: Do Pass As Amended; SB 233: Tabled

09:01:19 Chairman Fitzpatrick

HEARING ON HB 105

Opening Statement by Sponsor:

09:01:13 Rep. Katie Sullivan (D), HD 89, opened the hearing on HB 105. Revise process for out-of-state licensure for professional licensing boards.

Proponents' Testimony:

09:04:37 Judy Bovington, Department of Labor and Industry (DLI)

EXHIBIT(bus35a01)

09:09:51 Major General Matt Quinn, Montana National Guard
09:12:15 Patrick Webb, Americans for Prosperity-Montana
09:12:35 Melissa Moore, director, Human Resources, Shodair Children's Hospital (SCH)
09:14:20 Peter Bonetti, Malmstrom Air Force Base
09:19:03 Allen Lloyd, executive director, Montana Society of Certified Public Accountants
09:21:11 Stacey Anderson, Montana Primary Care Association
09:22:41 Margaret Morgan, Montana Dental Hygienists Association
09:23:21 Tim Burton, executive director, Montana Association of Counties
09:23:57 Starla Blank, vice chair, Montana Board of Pharmacy
09:26:06 Mark Simonich, Montana Association of Realtors
09:27:08 Todd Younkin, Business Standards Division, Department of Labor and Industry
09:27:25 Stuart Doggett, Montana Pharmacy Association

Sen. Vance left the hearing.

Sen. Ellsworth entered the hearing.

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

09:27:51 Sen. Brown
09:28:24 Ms. Moore, SCH
09:28:44 Sen. Brown
09:29:11 Ms. Bovington, DLI

Closing by Sponsor:

09:29:46 Rep. Sullivan

09:30:13 Chairman Fitzpatrick

Sen. Smith entered the hearing.

HEARING ON SB 270

Opening Statement by Sponsor:

09:31:47 Sen. Mary McNally (D), SD 24, opened the hearing on SB 270. Revise reimbursement conditions for certain pharmacies, pharmacists.

Proponents' Testimony:

09:35:10 Kali Wicks, Blue Cross Blue Shield Montana (BCBSMT)
 09:36:26 Kendall Cotton, policy advisor, Commissioner of Securities and Insurance, State Auditor (CSI)
 09:37:07 Stuart Doggett, Montana Pharmacy Association
 09:38:09 Stacey Anderson, Montana Primary Care Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

09:39:01 Sen. Brown
 09:39:10 Ms. Wicks, BCBSMT
 09:39:58 Sen. Brown
 09:41:12 Mr. Cotton, CSI
 09:41:40 Sen. Ellsworth
 09:42:12 Mr. Cotton

Closing by Sponsor:

09:42:44 Sen. McNally

 09:43:57 Chairman Fitzpatrick

 09:44:47 Recess
 09:59:21 Reconvene

EXECUTIVE ACTION ON HB 35

09:59:32 **Motion:** Sen. D. Brown moved that **HB 35 BE CONCURRED IN.**

10:00:11 **Motion:** Sen. D. Brown moved that **HB 35 BE AMENDED.**

[**EXHIBIT\(bus35a02\)**](#)

Discussion:

10:00:34 Chairman Fitzpatrick
 10:00:38 Jameson Walker, Legislative Services Division (LSD)
 10:01:40 Sen. Boland
 10:01:44 Chairman Fitzpatrick
 10:01:48 Sen. Malek
 10:01:59 Chairman Fitzpatrick
 10:02:55 Sen. Malek
 10:03:33 Sen. Boland
 10:04:03 Sen. Malek
 10:04:08 Chairman Fitzpatrick
 10:04:27 Sen Brown
 10:04:41 Chairman Fitzpatrick

10:04:43 **Vote:** Motion carried unanimously by voice vote. Sen. Vance voted by proxy.

10:05:00 **Motion/Vote:** Sen. D. Brown moved that **HB 35 BE CONCURRED IN AS AMENDED**. Motion carried unanimously by voice vote. Sen. Vance voted by proxy. Sen. Fitzpatrick will carry the bill.

EXECUTIVE ACTION ON HB 65

10:05:23 **Motion:** Sen. D. Brown moved that **HB 65 BE CONCURRED IN**.

10:05:48 **Motion:** Sen. Fitzpatrick moved that **HB 65 BE AMENDED**.
[EXHIBIT\(bus35a03\)](#)

Discussion:

10:06:09 Sen. Boland

10:06:15 Chairman Fitzpatrick

10:06:20 **Vote:** Motion carried unanimously by voice vote. Sen. Vance voted by proxy.

10:06:31 **Motion/Vote:** Sen. D. Brown moved that **HB 65 BE CONCURRED IN AS AMENDED**. Motion carried unanimously by voice vote. Sen. Vance voted by proxy. Sen. Fitzpatrick will carry the bill.

EXECUTIVE ACTION ON HB 92

10:07:07 **Motion/Vote:** Sen. D. Brown moved that **HB 92 BE CONCURRED IN**. Motion carried unanimously by voice vote. Sen. Vance voted by proxy. Sen. Gauthier will carry the bill.

EXECUTIVE ACTION ON SB 221

10:07:46 **Motion/Vote:** Sen. D. Brown moved that **SB 221 BE TABLED**. Motion failed 3-7 by roll call vote with Sen. D. Brown, Sen. Ellsworth and Sen. Vance voting aye. Sen. Vance voted by proxy.

10:09:08 **Motion:** Sen. D. Brown moved that **SB 221 DO PASS**.

10:09:14 **Motion:** Sen. Fitzpatrick moved that **SB 221 BE AMENDED**.
[EXHIBIT\(bus35a04\)](#)

Discussion:

10:09:21 Mr. Walker, LSD

10:12:27 Sen. Brown

10:13:01 **Vote:** Motion carried unanimously by voice vote. Sen. Vance voted by proxy.

Discussion:

10:13:53 Chairman Fitzpatrick

10:13:56 Mr. Walker

10:14:06 **Motion:** Sen. Fitzpatrick moved that **AMENDMENT SB022101.AJK BE CONCEPTUALLY AMENDED.**

Discussion:

10:14:51 Sen. Boland

10:15:24 Sen. Brown

10:15:30 Without objection, Sen. Fitzpatrick withdrew his motion.

10:15:35 **Motion/Vote:** Sen. Fitzpatrick moved that **SB 221 BE CONCEPTUALLY AMENDED** to strike subsection (b), page 3, line 14 through line 16 in its entirety. Motion carried unanimously by voice vote. Sen. Vance voted by proxy.

10:16:04 **Motion:** Sen. D. Brown moved that **SB 221 DO PASS AS AMENDED.**

Discussion:

10:16:19 Sen. Brown

10:17:12 Sen. Ellsworth

10:18:33 Sen. Boland

10:19:36 Sen. Malek

10:22:18 **Vote:** Motion carried 7-3 by roll call vote with Sen. D. Brown, Sen. Ellsworth and Sen. Vance voting no. Sen. Vance voted by proxy.

EXECUTIVE ACTION ON SB 233

10:23:12 **Motion:** Sen. D. Brown moved that **SB 233 DO PASS.**

Discussion:

10:23:34 Sen. Smith

10:24:30 Sen. Brown

10:24:53 Sen. Boland

10:25:16 Sen. Gauthier

10:26:06 **Vote:** Motion failed 5-5 by roll call vote with Sen. Boland, Sen. Gauthier, Sen. Malek, Sen. F. Smith and Sen. Vuckovich voting aye. Sen. Vance voted by proxy.

10:27:09 **Motion/Vote:** Sen. D. Brown moved that **SB 221 BE TABLED.** Motion carried 6-4 by roll call vote with Sen. Gauthier, Sen. Malek, Sen. F. Smith and Sen. Vuckovich voting no. Sen. Vance voted by proxy.

EXECUTIVE ACTION ON SB 234

10:28:28 **Motion:** Sen. D. Brown moved that **SB 234 DO PASS.**

10:28:52 **Motion:** Sen. Fitzpatrick moved that **SB 234 BE AMENDED.**

[EXHIBIT\(bus35a05\)](#)

Discussion:

10:29:40 Sen. Malek
10:30:55 Chairman Fitzpatrick
10:31:14 Sen. Brown

10:31:21 **Vote:** Motion carried unanimously by voice vote. Sen. Vance voted by proxy.

10:31:31 **Motion:** Sen. Fitzpatrick moved that **SB 234 BE AMENDED.**
EXHIBIT(bus35a06)

Discussion:

10:31:43 Mr. Walker
10:31:55 Chairman Fitzpatrick

10:31:59 **Vote:** Motion carried unanimously by voice vote. Sen. Vance voted by proxy.

10:32:12 **Motion:** Sen. D. Brown moved that **SB 234 DO PASS AS AMENDED.**

Discussion:

10:32:23 Sen. Gauthier
10:32:55 Sen. Boland
10:33:12 Chairman Fitzpatrick
10:33:15 Sen. Smith

10:33:30 **Vote:** Motion carried unanimously by voice vote. Sen. Vance voted by proxy.

Committee Business:

10:34:19 Chairman Fitzpatrick
10:34:37 Mr. Walker
10:34:43 Chairman Fitzpatrick
10:35:17 Mr. Walker
10:35:43 Sen. Brown

ADJOURNMENT

Adjournment: 10:35 AM

Linda Keim, Secretary

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Additional Documents:

EXHIBIT([bus35aad.pdf](#))