

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: Chair Tom Berry, on January 23, 2013 at 9:00 A.M., in Room 172 Capitol

ROLL CALL

Members Present:

Rep. Tom Berry, Chair (R)
Rep. Carlie Boland, Vice Chair (D)
Rep. Daniel R. Salomon, Vice Chair (R)
Rep. Christy Clark (R)
Rep. Amanda Curtis (D)
Rep. Steve Fitzpatrick (R)
Rep. Edward Greef (R)
Rep. Roger A. Hagan (R)
Rep. Chuck Hunter (D)
Rep. Mike Lang (R)
Rep. Jonathan McNiven (R)
Rep. David (Doc) Moore (R)
Rep. Reilly Neill (D)
Rep. Rae Peppers (D)
Rep. Gordon Pierson Jr (D)
Rep. Scott Reichner (R)
Rep. Cary Smith (R)
Rep. Carolyn Squires (D)
Rep. Tom Steenberg (D)
Rep. Jeffrey W. Welborn (R)

Members Excused: None

Members Absent: None

Staff Present: Ellen Bush, Committee Secretary
Bart Campbell, Legislative Services Division (LSD)

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 133, 1/18/2013; HB 242, 1/18/2013; HB 243, 1/18/2013;
Executive Action: HB 131, HB 133, HB 243

00:15:57 Chair Berry

HEARING ON HB 243**Opening Statement by Sponsor:**

00:16:20 Rep. Nancy Wilson (D), HD 97, opened the hearing on HB 243, Revise professional engineer, engineer intern, and surveyor examination laws.

Proponents' Testimony:

00:19:33 Hal Jacobsen, Board of Professional Engineers and Land Surveyors (PELS)
00:21:53 David Elias, Chairman, Board of Professional Engineers and Land Surveyors (PELS)
00:23:32 Jay Skoog, American Council of Engineering Companies of Montana (ACEC)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:24:31 Rep. Salomon
00:25:04 Mr. Elias, PELS

Closing by Sponsor:

00:25:49 Rep. Wilson

HEARING ON HB 133**Opening Statement by Sponsor:**

00:26:18 Rep. Tom Berry (R), HD 45, opened the hearing on HB 133, Generally revise licensing board laws.

Proponents' Testimony:

00:28:19 Jack Kane, Administrator, Business Standards Division, Department of Labor and Industry (DLI)
00:41:20 Dwight Rose, International Brotherhood of Electrical Workers (IBEW) 233
00:41:49 Jean Johnson, Montana Outfitters and Guides Association (MOGA)
00:43:34 Robin Cunningham, Outfitter
00:44:20 John Forkan, Montana Association of Plumbers and Pipefitters (MAPP)
00:45:14 Aidan Myre, Kalispell Medical Center (KMC)
00:45:51 Stuart Doggett, Montana Veterinary Medical Association, Montana Pharmacy Association
00:46:56 Mark Staples, Montana Chiropractic Association (MCA)
00:48:20 Margaret Morgan, Montana Licensed Clinical Counselors Association
00:50:45 Holly Franz, Montana Society of Certified Public Accountants (MSCPA)
00:52:47 Kathy McGowan, Eastern Montana Mental Health Center and Western Montana Mental Health Center
00:54:03 Jean Branscum, Executive Vice President, Montana Medical Association (MMA)

Opponents' Testimony:

00:56:29 Kimberly Gardner, Licensed Clinical Social Work Supervisor, National Association of Social Workers (NASW)
01:02:01 John Wilkinson, NASW, Montana Chapter
01:04:22 Gary Spaeth, Montana Podiatric Medical Association (MPMA)
01:09:31 Bruce Spencer, Express Scripts
01:13:36 Mark Staples, CVS Caremark
01:14:15 Mike Foster, Catholic Hospitals of Montana
01:16:24 Bruce Spencer on behalf of Greg Van Horssen, Prime Therapeutics
01:16:45 Abigail St. Lawrence, Montana Speech Language Hearing Association

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

01:18:15 Rep. Curtis
01:19:00 Mr. Rose, IBEW
01:19:11 Rep. Hagan
01:20:22 Ms. Myre, KMC
01:21:17 Rep. Hagan
01:21:53 Mr. Kane, DLI
01:22:04 Rep. Hagan
01:22:34 Mr. Kane, DLI
01:23:09 Mr. Spath, MPMA
01:23:37 Rep. Boland
01:24:21 Mr. Kane, DLI
01:24:42 Rep. Boland
01:25:20 Mr. Kane, DLI
01:26:17 Ms. Branscum, MMA
01:30:00 Rep. Boland
01:30:32 Ms. Branscum, MMA
01:32:25 Rep. Squires
01:33:01 Mr. Forkan, MAPP
01:33:25 Rep. Squires
01:33:38 Mr. Forkan, MAPP
01:34:40 Rep. Clark
01:35:04 Ms. Gardner, NASW
01:35:29 Rep. Clark
01:35:41 Ms. Gardner, NASW
01:35:50 Rep. Clark
01:36:02 Mr. Kane, DLI
01:36:56 Rep. Squires
01:37:29 Mr. Kane, DLI
01:38:01 Rep. Squires
01:39:37 Ms. Branscum, MMA
01:41:54 Rep. Squires
01:42:02 Ms. Branscum, MMA
01:42:15 Rep. Squires

01:43:08 Rep. Boland
01:43:39 Mr. Spaeth, MPMA
01:45:48 Rep. Salomon

Closing by Sponsor:

01:45:59 Rep. Berry

HEARING ON HB 242

Opening Statement by Sponsor:

01:47:21 Rep. Carl Glimm (R), HD 6, opened the hearing on HB 242, Generally revise workforce drug testing laws.

Proponents' Testimony:

01:50:03 Rebecca Studevart, Certified Substance Abuse Program Administrator

[EXHIBIT\(buh14a01\)](#)

[EXHIBIT\(buh14a02\)](#)

02:03:17 Aidan Myre, Kalispell Medical Center

Opponents' Testimony:

02:04:19 Steve Wade, Montana Contractors Compensation Fund, Montana Contractors Association

02:05:38 Chris Cavazos, American Federal of Labor and Congress Industrial Organizations (AFL- CIO) for Keith Allen, International Brotherhood of Electrical Workers (IBEW) 233

02:07:49 Joseph Sands, Professional Firefighters of Montana

02:10:04 John Forkan, MAPP

02:11:10 J.D. Lynch, Montana State Building Construction Trades

02:12:22 Jay Reardon, Laborers 1686, Big Sky Central Labor Council

02:14:15 Barry Stang, Vice President, Montana Motor Carriers

02:15:34 Jackie Flikkema, Knife River-Montana Dakota Utilities Resources (MDUR)

02:15:56 Dr. Pat Pardis, Montana Chiropractic Association

02:17:12 Andrea Olson, Montana Trial Lawyers Association

Informational Testimony:

02:19:11 Judy Bovington, Chief Legal Counsel, Department of Labor and Industry (DLI)

Questions from Committee Members and Responses:

Closing by Sponsor:

02:21:08 Rep. Glimm

02:23:10 Recessed.

02:30:00 Reconvened. Rep. Greef and Rep. Reichner did not return.

EXECUTIVE ACTION ON HB 243

02:30:53 **Motion/Vote:** Rep. Salomon moved that **HB 243 DO PASS**. Motion carried unanimously by voice vote. Rep. Greef and Rep. Reichner voted by proxy.

EXECUTIVE ACTION ON HB 130

02:32:00 **Motion:** Rep. Salomon moved that **HB 130 DO PASS.**

02:32:15 Mr. Campbell, LSD

02:32:21 Chair Berry

02:32:25 Rep. Fitzpatrick

Motion/Vote: Rep. Salomon moved that **HB 130 Be Amended**
Motion carried unanimously by voice vote. Rep. Greef and Rep. Reichner
voted by proxy.

EXHIBIT(buh14a03)

Discussion:

02:33:58 Rep. Curtis

02:34:40 **Motion/Vote:** Rep. Salomon moved that **HB 130 Be Amended.** Motion carried
unanimously by voice vote. Rep. Greef and Rep. Reichner voted by proxy.

EXHIBIT(buh14a04)

02:35:23 Mr. Campbell, LSD

02:35:52 **Motion:** Rep. Squires moved that **HB 130 Be Amended.**

EXHIBIT(buh14a05)

Discussion:

02:38:08 Rep. Fitzpatrick

02:39:40 Rep. Clark

02:40:16 Rep. Boland

02:40:54 Rep. Squires

02:41:00 **Vote:** Motion failed 5-15 by voice vote with Rep. Boland, Rep. Neill, Rep.
Peppers, Rep. Pierson and Rep. Squires voting aye. Rep. Greef and Rep.
Reichner voted by proxy.

02:41:28 **Motion/Vote:** Rep. Salomon moved that **HB 130 DO PASS AS AMENDED**
Motion carried 19-1 by voice vote with Rep. Squires voting no. Rep. Greef and
Rep. Reichner voted by proxy.

EXECUTIVE ACTION ON HB 133

02:41:43 **Motion/Vote:** Rep. C. Smith moved that **HB 133 BE TABLED.** Motion carried
unanimously by voice vote. Rep. Greef and Rep. Reichner voted by proxy.

02:42:50 Rep. Hunter

02:43:08 Chair Berry

EXHIBIT(buh14a06)

ADJOURNMENT

Adjournment: 02:43:37

Ellen Bush, Secretary

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Additional Documents:

EXHIBIT([buh14aad.pdf](#))