

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: Chair Tom Berry, on April 11, 2013 at 8:30 A.M., in Room 172 Capitol

ROLL CALL

Members Present:

Rep. Tom Berry, Chair (R)
Rep. Carlie Boland, Vice Chair (D)
Rep. Christy Clark (R)
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)

Members Excused: Rep. Daniel R. Salomon, Vice Chair (R)
Rep. Amanda Curtis (D)
Rep. Jeffrey W. Welborn (R)

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: HJ 25, 4/8/2013
Executive Action: SB 400, SB 264, HJ 23

00:22:17 Chair Berry

HEARING ON HJ 25

Opening Statement by Sponsor:

00:22:27 Rep. Scott Reichner (R), HD 9, opened the hearing on HJ 25, Interim study of workers' compensation and subrogation, other issues.

Proponents' Testimony:

00:24:22 Steve Wade, Montana Self Insured Association and Montana Contractors Compensation Fund.
00:27:31 Rob Pike, Sime Construction Company
00:28:25 Dustin Stewart, Montana Building Industry Association (MBIA)
00:30:17 Aidan Myhre, Plum Creek Timber Company
00:31:01 Barry "Spook" Stang, Executive Vice President, Motor Carriers of Montana
00:31:36 Bruce Spencer, Property Casualty Insurance (PCI)
00:32:49 Jacqueline Lenmark, American Insurance Association (AIA)
00:33:36 Cary Hegreberg, Executive Director, Montana Contractors Association
00:36:00 Alan Hulse, Montana Municipal Interlocal Authority (MMIA)
00:37:32 Kevin Braun, Montana State Fund (MSF)
00:38:06 Tom Hopgood, Montana Mining Association
00:38:19 Jessica Nolan, Montana Chamber of Commerce
00:38:44 Tim Fitzpatrick, Montana School Boards Association, Montana Schools Group Self Insurance

Opponents' Testimony:

00:39:36 Andrea Olson, Montana Trial Lawyers Association

[**EXHIBIT\(buh76a01\)**](#)

Informational Testimony: None

Questions from Committee Members and Responses:

00:49:58 Rep. Hunter
00:50:41 Rep. Reichner
00:50:55 Rep. Boland
00:51:25 Ms. Lenmark, AIA
00:52:12 Rep. Boland
00:52:27 Ms. Lenmark, AIA

Closing by Sponsor:

00:52:57 Rep. Reichner

00:54:31 Chair Berry

00:55:16 Recessed.
01:20:45 Reconvened. Rep. Salomon, Curtis and Welborn arrived. Rep. Reichner left.

01:21:10 Chair Berry

EXECUTIVE ACTION ON SB 400

01:21:33 **Motion:** Rep. Salomon moved that **SB 400 BE AMENDED.**

01:21:40 **Substitute Motion/Vote:** Rep. D. Moore made a substitute motion that **SB 400 BE TABLED.** Substitute Motion carried 16-4 by roll call vote with Rep. Berry, Rep. Clark, Rep. McNiven and Rep. Salomon voting no. Rep. Greef and Rep. Reichner voted by proxy.

01:22:00 Rep. Greef arrived.

EXECUTIVE ACTION ON SB 264

01:23:35 **Motion:** Rep. Salomon moved that **SB 264 BE CONCURRED IN.**

01:24:07 **Motion:** Rep. Salomon moved that **SB 264 BE AMENDED.**

Discussion:

[EXHIBIT\(buh76a02\)](#)

01:24:36 Mr. Campbell, LSD

01:26:49 Rep. Hagan

01:27:16 **Vote:** Motion carried unanimously by voice vote.

01:27:20 **Motion/Vote:** Rep. Salomon moved that **SB 264 BE CONCURRED IN AS AMENDED.** Motion carried 19-1 by roll call vote with Rep. Smith voting no. Rep. Reichner voted by proxy. Rep. Hagan will carry the bill.

EXECUTIVE ACTION ON HJ 23

01:27:43 **Motion:** Rep. Salomon moved that **HJ 23 DO PASS.**

01:28:28 **Motion:** Rep. Salomon moved that **HJ 23 BE AMENDED.**
[EXHIBIT\(buh76a03\)](#)

Discussion:

01:28:32 Mr. Campbell, LSD

01:29:25 **Vote:** Motion carried unanimously by voice vote. Rep. Greef and Rep. Reichner voted by proxy.

01:29:34 **Motion:** Rep. Salomon moved that **HJ 23 DO PASS AS AMENDED.**

Discussion:

01:29:43 Rep. Clark

01:30:03 Rep. Steenberg

- 01:31:23 **Vote:** Motion failed 9-11 by roll call vote with Rep. Boland, Rep. Clark, Rep. Curtis, Rep. Hunter, Rep. Neill, Rep. Peppers, Rep. Pierson, Rep. Squires and Rep. Steenberg voting aye. Rep. Reichner voted by proxy.
- 01:31:26 **Motion/Vote:** Rep. Salomon moved that **HJ 23 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote. Rep. Reichner voted by proxy.
- 01:31:33 Chair Berry

ADJOURNMENT

Adjournment: 01:32:06

Ellen Bush, Secretary

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Additional Documents:

EXHIBIT([buh76aad.pdf](#))