



Economic Affairs Interim Committee

64th Montana Legislature

SENATE MEMBERS

TOM FACEY
RICK RIPLEY
GORDON VANCE
LEA WHITFORD

HOUSE MEMBERS

MIKE LANG
RYAN LYNCH
NATE MCCONNELL
VINCE RICCI

COMMITTEE STAFF

PATRICIA MURDO, Lead Staff
JAMESON WALKER, Staff Attorney
KRISTINA LIMING, Secretary

MINUTES LOG

June 10, 2015
Room 102, Capitol Building
Helena, Montana

Please note: This document is a Minutes Log and provides a notation of the time elapsed between the beginning of the meeting and the time at which the item was presented or discussed, a motion was made, or a vote was taken. The narrative presented here is provided only as a guide to the audio or video record of the meeting. The official discussion, motion, or vote is available on the audio or video archive of this meeting. The Legislature does not prepare a transcript of meeting activities. The time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

Access to an electronic copy of these minutes and the audio or video recording is provided from the Legislative Branch home page at <http://leg.mt.gov>. On the left-side menu of the home page, select Committees, then Interim. Once on the page for Interim Committees, scroll down to the appropriate committee. The written Minutes Log, along with the audio and video recordings, is listed by meeting date on the interim committee's web page. Each of the Exhibits is linked and can be viewed by clicking on the Exhibit of interest. All Exhibits are public information and may be printed.

Please contact the Legislative Services Division at 406-444-3064 for more information.

COMMITTEE MEMBERS PRESENT

SEN. RICK RIPLEY, Acting Presiding Officer
SEN. TOM FACEY
SEN. GORDON VANCE
SEN. LEA WHITFORD

REP. MIKE LANG
REP. RYAN LYNCH
REP. NATE MCCONNELL
REP. VINCE RICCI

STAFF PRESENT

PATRICIA MURDO, Lead Staff
JAMESON WALKER, Staff Attorney
KRISTINA LIMING, Secretary

VISITORS' LIST ([Attachment 1](#))

AGENDA ([Attachment 2](#))

COMMITTEE ACTIONS

The committee reviewed and discussed the draft interim work plan, which included the studies involving fee-setting for licensing boards under Senate Bill No. 390 and membership-based healthcare under House Joint Resolution No. 29. The committee agreed to review the work plan with more details included at its September meeting. Among the administrative actions taken at the meeting, members:

- elected Rep. Lynch as presiding officer and Sen. Vance as vice presiding officer;
- agreed to accept a written proxy, including an e-mailed proxy, or a voice mail if a member was going to be absent from a vote;
- decided to accept the proposed meeting dates in the work plan except for the July and September meeting dates, which would be combined with a two-day meeting in September;
- agreed to a moderate review of rules, especially dealing with just-passed legislation or in cases where a member raises concerns about a rule;
- agreed to have a minimal review of agency legislation;
- agreed to provide for flexibility in the work plan by front-loading studies and member issues as much as possible;
- agreed to include as an emerging issue a study of broadband expansion's impacts on economic development in Montana;
- requested more information on the collaboration between the Department of Labor and Industry's apprenticeship program and the Montana University System;
- agreed to incorporate as a member issue one presentation of concerns related to various stakeholders in the alcohol industry in Montana;
- agreed to standard reviews of monitored agencies except that the Department of Livestock would be asked to provide quarterly updates on its budget and structural balance;
- appointed Rep. Lynch and Sen. Vance as liaisons to Montana State Fund; and
- appointed Sen. Whitford and Rep. Lang as liaisons to the Rail Service Competition Council.

CALL TO ORDER AND ROLL CALL

00:00:00 Sen. Ripley called the meeting to order at 10:01am.
00:00:29 The secretary took the roll ([Attachment 3](#)).
00:01:07 Sen. Ripley read aloud the newly implemented public record document ([EXHIBIT 1](#)).

ADMINISTRATIVE MATTERS

00:02:12 Pat Murdo, research analyst, provided an overview of interim committee duties, rules and guidelines ([EXHIBIT 2](#)), the proposed work plan ([EXHIBIT 3](#)), travel claims and information, and the possibility of holding a meeting at the Pacific NorthWest Economic Region (PNWER) summit in July ([EXHIBIT 4](#)). She also discussed the liaison appointments to Montana State Fund and the Rail Service Competition Council and provided further information about the agency monitoring for which the committee is responsible. She referenced several documents that were included in the meeting materials:

- Background information on Department of Labor and Industry (**EXHIBIT 5**)
- Information for the SB390 Study of Fees for Licensing Boards (**EXHIBIT 6**)
- A letter from Susan Brueggaman on SB390 (**EXHIBIT 7**)
- Background Material for HJR 29 Study of Membership-Based Healthcare (**EXHIBIT 8**)
- Air Ambulance Services Operating in Montana (**EXHIBIT 9**)
- State's Air Ambulance Cost Document (**EXHIBIT 10**)

Adoption of Proxy Voting Procedures

00:25:22 Sen. Ripley asked the committee to discuss proxy votes.

Motion/Vote

00:25:37 Sen. Facey stated he thought e-mail and phone voice mails would be sufficient for designation of a proxy vote.

00:26:56 Sen. Ripley called for a voice vote on Sen. Facey's motion. The motion passed unanimously.

Determination of Workload Levels for Studies, Rule Review, Review of Advisory Councils, Other Work Plan Activities

00:27:13 The committee discussed meeting dates.

00:33:10 Sen. Ripley clarified the committee's wishes not to hold a meeting at the PNWER summit in July.

PUBLIC COMMENT ON WORK PLAN AND PLANS FOR ASSIGNED STUDIES

00:33:57 Sen. Ripley outlined the public comment rules he would like followed.

00:34:08 Sen. Elsie Arntzen, Billings, provided the committee with her suggestions on moving forward with SB390.

00:40:05 Bill Lombardi, Blue Cross Blue Shield of Montana, offered assistance on the air ambulance study, HJR29.

00:40:36 Jesse Laslovich, State Auditor's Office, also offered his department's assistance with the air ambulance study.

00:41:39 Kristi Blazer, Montana Beer and Wine Distributors Association, commented about past session bills related to the alcohol industry and future efforts she would like made.

00:44:46 Chuck Munson, Attorney General's office, offered assistance with the air ambulance study.

00:45:35 David Brown, Lolo, Northwest Airlift, also offered assistance with the air ambulance study.

00:46:13 Ellen Steiner, Eagle Med LLC, offered assistance with the air ambulance study.

00:46:40 Eugene Pizzini, Board of Sanitarians, offered assistance on the SB 390 study of licensing boards.

00:47:16 Ms. Murdo provided a document from Rep. Andrea Olsen as public comment regarding the air ambulance study (**EXHIBIT 11**).

00:47:37 Erin McGowan, Montana Funeral Directors Association, offered assistance about SB390, discussed implementation of a funeral board funding bill, and spoke about her personal experience with air ambulances.

- 00:49:52 Jeff Frazier, Sentinel Air Medical Alliance, offered assistance to the committee regarding the air ambulance study. Ms. Murdo passed a document to the committee from Mr. Frazier regarding the study. (**EXHIBIT 12 available on request**)
- 00:53:26 Jay McHugh, Allegiance Benefit Plan Management, offered assistance to the committee regarding the air ambulance study.

COMMITTEE DISCUSSION ON WORK PLAN, ASSIGNED DUTIES, MEMBER ISSUES

Committee members discussed the proposed draft work plan (Exhibit 3), decided by consensus which level of involvement they wished to have for each topic, and agreed that final adoption would be at the next meeting.

- 00:56:29 Sen. Facey began discussion on the work plan with comments on rule review involvement.
- 00:58:05 Sen. Vance asked Mr. Laslovich about a time-line regarding implementing SB 123.
- 01:03:40 Sen. Facey requested an on-site visit related to SB 390. He asked Jesse Laslovich and Bill Lombardi about the change from hospital-run air ambulances to private control.
- 01:10:20 Sen. Facey asked Mr. Munson about the Attorney General's Consumer Affairs Office's influence on air ambulance costs.
- 01:11:44 Rep. Lynch asked Ms. Murdo about membership-based exemptions. Rep. Lynch suggested hearing from North Dakota about how they are handling the air ambulance situation in their state. He also stated that he would like to see more moderate work involvement on SB 390.
- 01:15:18 Sen. Ripley stated his interest in more strongly monitoring the Department of Livestock.
- 01:18:44 Sen. Facey asked Ms. Murdo about emerging issues and member issues.
- 01:21:55 Rep. McConnell commented about the need to study broadband infrastructure.
- 01:23:32 The committee discussed member issues such as alcohol industry concerns.
- 01:29:40 The committee discussed assigned studies.
- 01:34:44 Ms. Murdo asked about a trip to the Business Standards Division at DLI and asked what specific areas the committee members would like to focus on the most.
- 01:38:32 The committee returned to discussing member issues.
- 01:51:33 **Break.** Reconvened at 12:15 p.m.

AGENCY MONITORING PRESENTATION

- 02:19:35 Sen. Ripley called the meeting back to order. Sen. Whitford was absent.

Department of Labor and Industry - Pam Bucy, Commissioner

- 02:19:51 Ms. Bucy provided updates on her department's funding, unemployment, program reforms/updates, workers' compensation, and licensing boards. She also discussed a letter submitted by Susan Brueggeman regarding SB390, previously noted by Ms. Murdo (Exhibit 7).
- 02:28:12 Sen. Whitford returned.

Committee Questions

02:55:28 Rep. McConnell asked Ms. Bucy about streamlining investigations and board complaints.
02:59:03 Rep. Lynch asked Ms. Bucy about fees commensurate with costs.
03:00:23 Sen. Facey expressed interest in and asked Ms. Bucy about work safety. He also asked about Occupational Safety and Health Act enforcement.
03:03:03 Sen. Whitford asked Ms. Bucy about injury rates.
03:04:11 Rep. Lang asked about the possibility of studying other states that are experiencing similar safety issues. Ms. Bucy referred the question to Diana Ferriter, from the Employment Relations Division, who responded.
03:07:12 Sen. Ripley asked about budget issues at the Department of Labor and Industry. Ms. Bucy referred the question to Kim Moog, Administrator at the Centralized Services Division. Ms. Moog said she would get back to the committee with the requested information. (See e-mailed response)
03:10:55 Rep. Ricci asked Ms. Ferriter about railroad and accident reporting.

PUBLIC COMMENT ON ANY ITEM NOT ON THE AGENDA

03:12:10 Ms. Ferriter provided information to the committee regarding the air ambulance study and the reimbursement rates allotted by workers' compensation insurers.
03:13:44 Dawn Field, public member, testified about her personal experience with air ambulance in Montana. She provided to the committee a document related to her experience (**EXHIBIT 13 - not available online**).

RULE REVIEW

03:15:25 Jameson Walker, staff attorney, provided an overview of two separate documents to the committee:

- Overview of Administrative Rulemaking and Rule Review (**EXHIBIT 14**)
- Administrative Rule Report, June 2015 (**EXHIBIT 15**).

ELECTION OF PRESIDING OFFICER AND VICE PRESIDING OFFICER

03:22:55 Sen. Ripley asked for nominations for a committee chairman.

Motion/Vote

03:23:12 Sen. Vance moved to nominate Rep. Lynch as the committee presiding officer. The motion passed unanimously by voice vote.
03:23:47 Sen. Facey nominated Sen. Vance for vice presiding officer. The motion passed unanimously by voice vote.

APPOINTMENTS BY PRESIDING OFFICER

Montana State Fund liaisons

03:24:50 The committee discussed Montana State Fund liaisons.

Motion/Vote

03:25:36 Sen. Facey nominated Sen. Vance for the MSF liaison. The motion passed unanimously by voice vote.
03:26:43 Sen. Vance nominated Rep. Lynch. The motion passed unanimously by voice vote.

Rail Service Competition Council liaisons

03:27:17 Sen. Vance nominated Sen. Whitford and Rep. Lang to serve as the Rail Service Competition Council liaisons. Rep. Lynch concurred.

DIRECTIONS TO STAFF/ ADJOURN

03:27:48 The committee discussed meeting date scheduling.

03:27:56 Ms. Murdo asked the committee what specific topics to include on the next agenda.

03:28:28 Rep. Lang requested that Ms. Murdo ask alcohol industry representatives what they would like to see accomplished.

03:30:29 Rep. Lynch adjourned the meeting.

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