

MINUTES OF THE HOUSE COMMERCE AND LABOR COMMITTEE

The meeting was called to order by Chairman Don Dahl at 9:00 a.m. on February 24, 2004 in Room 241-N of the Capitol.

All members were present.

Committee staff present:

Jerry Ann Donaldson, Legislative Research Department
Norm Furse, Revisor of Statutes
Renaë Jefferies, Revisor of Statutes
June Evans, Committee Secretary

Others attending:

See Attached List.

The Chairman called the meeting to order and announced this was the last day before turn around. The bills being worked today are: **HB 2847 - Workers compensation, choice of physician by injured employee, HB 2809 - Workers compensation, liability for death or injury resulting from drugs or alcohol, HB 2537 - Workers compensation advisory council, meetings and vote requirements for recommendations and HB 2435 - Transfer of the advisory committee on Hispanic affairs, the commission on disability concerns and the advisory commission on African-American affairs, and setting of the limits for the dislocated workers program.**

Representative Pauls asked if the bills could be switched around as there were some people in the audience that were interested in **HB 2435**. The Chairman agreed to work **HB 2435** first.

Representative Ruff offered a Substitute for **HB 2435**. **Sub HB 2435** would transfer the Commission of Disabilities Concerns to the Department of Commerce and Labor (ERO 31). In **Sub HB 2435** the Advisory Committee on Hispanic Affairs would move to the Governor's Office along with the Advisory Commission on African American Affairs. Additionally, the Governor would set limits for the funding of the dislocated worker program).

The Advisory Committee on Hispanic Affairs would be renamed the Hispanic and Latino American Affairs Commission.

Representative Ruff moved and Representative Rehorn seconded that **Sub HB 2435** be adopted. The motion carried.

The Chair asked if there was a motion to amend **Sub HB 2435**, Table, or to send out favorably. What was the desire of the committee?

Representative Carlin moved and Representative Grant seconded to move **Sub HB 2435** out favorably. The motion carried.

The Chairman asked what the committee desired to do on **HB 2847?**

Chairman Dahl moved and Representative Humerickhouse seconded to move **HB 2847** out favorably.

Representative Swenson moved to adjourn.

Chairman Dahl said that motion was out of order.

Representative Ruff said this issue is one that deserves a little bit more discussion and a little bit more thorough working by the Advisory Council to tell you the truth although some people seem to have a rather tainted view of our Advisory Council. It certainly hasn't been looked at and I don't think it has been given a fair shake by that Advisory Council. I know it has been given a cursory review of it.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMERCE AND LABOR COMMITTEE at 9:00 a.m. on February 24, 2004 in Room 241-N of the Capitol.

Yesterday a sub-committee was appointed at the Advisory Council to look at a number of issues and I think that this is one that deserves that. I don't think that we should be monkeying around with any kind of workers compensation issues on the Floor of the House until we have a better understanding of where we are going to be with the Advisory Council and with our workers compensation issues and that is the kind of thing that if this bill gets out on the Floor of the House anything could happen, especially when it comes to amendments, and quite frankly I don't think our committee is ready to fight any workers compensation wars on the Floor of the House and I think this is the kind of thing that deserves a little further study by the Advisory council and I would like for it to stay there.

Representative Ruff made a Substitute Motion and Representative Lane seconded to refer this bill to the Advisory Council and for the Advisory Council to take a serious look at Physician Choice and especially look at the NCCI pricing of it and for them to add this to the Sub-Committee that was appointed yesterday to discuss workers compensation issues. All workers compensation issues should be there at this time to avoid a battle on the Floor of the House.

A Division was called. The Substitute motion passed on a vote of 10-8.

HB 2847 is referred to the Advisory Council.

The Chairman asked what the Committee's wishes were on **HB 2809**?

Representative Novascone moved and Representative Boyer seconded to move **HB 2809** out favorably.

Representative Pauls moved and Representative Ruff seconded a Substitute Motion as we heard testimony on that bill and there are a lot of good ideas but it really didn't totally fit the situation of the people that were present and because of that I would like to make a similar motion of what Representative Ruff did and refer **HB 2809** to the Advisory Council. It had a lot of good elements but did not take care of the problems we were presented and I think it needs to be dealt with more.

A Division was called. The substitute motion passed on a vote of 10-8.

HB 2809 is referred to the Advisory Council.

The Chairman asked what the Committee's wishes were on **HB 2537**?

Representative Humerickhouse moved and Representative Novascone seconded to move **HB 2537** out favorably.

Representative Ruff offered a substitute motion and Representative Lane seconded that of all bills **HB 2537** should be sent to the Advisory Council. This should be the one because this bill deals with the Advisory Council. This has to do with their future. This talks about what is going to be, what the parameters of their new Council will be, especially when it comes to their meeting dates, their membership and their voting requirements and this should be discussed by them and decided by them before we make that decision here in the Legislature and my motion would be that this go to the Advisory Council so they could at least have the opportunity to have an input.

A Division was Called. The substitute motion passed on a vote of 10-8

HB 2537 passes to the Advisory Council.

The meeting adjourned at 9:20 a. m. The next meeting will be March 5, 2004.