

MINUTES

**MONTANA SENATE
53rd LEGISLATURE - REGULAR SESSION**

COMMITTEE ON LABOR & EMPLOYMENT RELATIONS

Call to Order: By Senator Tom Towe, on March 16, 1993, at 3:09 PM.

ROLL CALL

Members Present:

Sen. Tom Towe, Chair (D)
Sen. Bill Wilson, Vice Chair (D)
Sen. Gary Aklestad (R)
Sen. Chet Blaylock (D)
Sen. Jim Burnett (R)
Sen. Tom Keating (R)
Sen. J.D. Lynch (D)

Members Excused: None.

Members Absent: None.

Staff Present: Eddy McClure, Legislative Council
Kelsey Chapman, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing: HB 470, HB 487
Executive Action: HB 617

EXECUTIVE ACTION ON HB 617

Discussion:

Senator Towe stated HB 617 had been heard in Senate Finance and Claims and re-referred to Senate Labor and Employment Relations.

Chuck Hunter, Montana Department of Labor and Industry (DOLI), told the Committee page 12 lines 11 through 14 in HB 617 provided for inmates working in a federally certified industry program to be entitled to coverage and benefits. He said page 9, lines 9 through 13, referred to on page 12, provided for reimbursement to the Department of Institutions from the contractors. He continued, stating the section on page 12 dealt with benefits paid, but the section page 12 referred to dealt with reimbursement, not benefits. He said he was confused as to who

the employer was in HB 617, and who ought to be responsible for providing workers' compensation coverage. If the industry program is the employer, they ought to have the responsibility of covering the workers as employees. If the institutions are the employer, they ought not be paying for the benefits, and reimbursement should not be an issue. Mr. Hunter said he was confused as to the intent of HB 617.

Jim Murphy, State Fund, told the Committee it was his understanding the employer was the Department of Institutions. The workers would be covered under the Department's policy. He said the reimbursement section provided for the reimbursement of premium by whoever the department contracts with. He stated the inmates were completely under the control of the department, and the department could pay premiums on their policy and get reimbursed from the private company the Department was contracting with.

Jim Pomroy, Deputy Administrator, Corrections Division, told the Committee the Bureau of Justice Assistance application packet for certification indicated it would not matter what method an agency met the criteria for workers' compensation, as long as they did meet the requirements. He said that both Corrections and the State Fund believed it to be less troublesome for the Department of the Interior to cover the inmates under their policy.

Senator Towe asked Jim Pomroy if he was suggesting that Corrections would pay full premiums for the inmates as it did for the employees. Mr. Pomroy answered this was correct. He said Corrections would be reimbursed by the private or federal company with whom there was an agreement.

Senator Towe asked what was done about the fact that the benefits payable were strictly limited in 39-41-3974. Mr. Pomroy said as he understood HB 617, medical benefits would be provided under workers' compensation. He stated monetary benefits would not be provided unless the inmate were to be discharged or paroled from the state penitentiary. If there was still disability due to the injury, they would be paid monetary benefits.

Senator Towe asked Mr. Murphy if that was correct under present law. Mr. Murphy answered this was correct. There would be no monetary or work loss benefits while the person was incarcerated.

Senator Towe asked how the State Fund would handle it if there were inmates to be added to the regular employee policy. Mr. Murphy answered there was no final decision, but in the past a separate class code had been used to rate individuals in this situation.

Senator Towe asked Jim Murphy how the State Fund would handle the nonexistence of disability, rehabilitation, or work loss benefits. Mr. Murphy said an actuary would help the State Fund set an initial rate, and from then forward that rate would be

driven by which benefits were and were not paid.

Senator Blaylock asked Jim Pomroy who Corrections contracted with. Senator Blaylock gave an example of the prisoner-made chairs on the Senate Floor. Mr. Pomroy said the furniture shop was not a certified program. He said goods made in prison programs were only sold in Montana. He said unless there was a desire to go out of state or sell to the federal government, there would not be certification.

Senator Blaylock asked if there would be benefits paid to an injured employee in a non-certified program. Mr. Pomroy answered the employee would not receive benefits, but would instead be treated at the prison infirmary or local hospital.

Senator Towe asked Mr. Pomroy how he would address the question of who was the real employer in HB 617. Mr. Pomroy said it did not make much difference to Corrections. He said there was no concern matter of who the employer was from the standpoint of certification standards.

Senator Towe said it seemed the employer was the prison industry company. He said it was more logical for Corrections to want to interpret HB 617 in this sense to avoid liability. Mr. Pomroy said accounting still had to be done by the Department of Corrections, so it would not matter who the employer was.

Senator Towe asked Jim Pomroy if he had any comments on the technical concerns of Chuck Hunter dealing with coverage and benefit problems in HB 617. Senator Towe said if Mr. Pomroy had no problems with clarifying that in HB 617, the Committee could do so. Mr. Pomroy answered the sections needed clarification and it should be done by the Committee.

Senator Towe asked Mr. Hunter if there would be a legal problem with giving a separate class rating to inmates working. Mr. Hunter answered the classification was legally authorized.

Mr. Murphy told the Committee there was some confusion on page 9, subsection 3, with the benefits. He said this did not need to be changed. He continued, saying that on page 4, line 8, HB 617 included these individuals under the definition of employee in the Workers' Compensation Act. He said because these individuals were included in HB 617, they were entitled to workers' compensation benefits.

Senator Towe directed the Committee's attention to page 12, Line 13, which states "inmates working in Federally certified prison industry programs are entitled to coverage and benefits as provided in 53-1-301(3)." He said that section did not provide for benefits. He said all the section did was provide for reimbursement of coverage. He continued, saying that he thought a better internal reference was needed for clarification.

Mr. Hunter told the Committee statute 744 dealt specifically with what benefits inmates may receive.

Gene Fenderson, Laborers' Union, told the Committee when there was a pre-release program and inmate labor, these people were being contracted out. He encouraged the Committee to take a hard look at this.

Senator Towe reiterated HB 617 was re-referred to Senate Labor. He said he had pledged to Senator Beck the Committee would not delve into the substantive matter of HB 617. He said the discussion was closed, and action on HB 617 was delayed.

HEARING ON HB 470

Opening Statement by Sponsor:

Representative Jerry Driscoll, House District 92, Billings, told the Committee HB 470 dealt with workers' compensation for sole proprietors and working members of partnerships who represent themselves to the public to be independent contractors and are working in the construction industry. He continued that there was an amendment (hb047001.asf) which would allow other forms of coverage if the person involved could prove to the Montana Department of Labor and Industry that the coverage held was as good as or better than workers' compensation. Representative Driscoll said the problem was in the construction industry there are many people who contract themselves out as independent contractors or sub-contractors and represent themselves as such, and when they get injured, they claim to be employees. He said they draw benefits when no premiums were paid, and this causes legal problems. HB 470 requires the contractor to cover the contractor and any partner with insurance. He said the present law allowed for exemptions.

Proponents' Testimony:

Mark Lindsay, Montana Building Industry Association, spoke from written testimony (Exhibit #3).

Jim Senrud, Chairman, Coalition for Workers' Compensation System Improvement, told the Committee one added benefit of HB 470 was it provided much needed funding. He said there were many employers that should be classified as employees.

Harley Thompson, delegate from the Montana Building Industry Association to the Coalition for Workers' Compensation System Improvement, spoke from written testimony (Exhibit #4).

Gene Fenderson, Montana District Council of Laborers, gave the Committee a copy of a newsletter (Exhibit #5). He summarized the article and said HB 470 was a positive step in the workers' compensation system.

Mark Sonju, Chairman of Coalition for Workers' Compensation System Improvement Safety Committee and independent contractor from Kalispell, told the Committee he was not completely in favor of HB 470. He said if he had to sacrifice putting coverage on himself to make the system less fraud-ridden, then he would do so. He said with HB 470 in law, the construction business would be more lucrative for all involved.

Ron James, Business Manager, Construction Ironworkers in Montana and member of the Workers' Compensation Coalition, recommended a "do concur" on HB 470.

David Cogely, a general contractor in Helena, told the Committee if a contractor wanted to represent himself as a general contractor, that person should accept the responsibilities. He said he would support HB 470 with the amendments offered by Representative Driscoll.

Nancy Griffith, Montana Building Industry, spoke in support of HB 470 from written testimony (Exhibit #6).

Lars Ericson, Executive Secretary, Montana State Council of Carpenters and member of Coalition for Workers' Compensation System Improvement, told the Committee high premiums created an environment that encouraged fraud. He stated this was the real problem in the system. He said the only way to cure the problems was to have a blanket requirement of workers' compensation coverage.

Bill Egan, Montana Conference of Electrical Workers, stated HB 470 would help eradicate fraud. He said there could be more controlled exemptions, but there was the chance that these exempt employers would be a burden on the workers' compensation system.

Daryl Holzer, Montana State AFL-CIO, told the Committee the AFL-CIO rose in support of HB 470. He stated there were good, honest independent contractors, not only fraudulent ones.

Bill Pierce, a homebuilder in Helena, rose in support of HB 470.

Opponents' Testimony:

Senator Gary Forrester, Senate District 49, Billings, rose in strong opposition to HB 470. He offered amendments (HB047002.ABC) to address the problem of people knowingly hiring contractors without workers' compensation coverage in order to cut costs. This amendment would allow for the punishment of people who knowingly hired contractors without workers' compensation coverage. He called HB 470 a "workers' retirement bill". He said there was a loophole for contractors that were incorporated. He told the Committee there had been no independent contractors, electricians, or other such contractors to testify in support of HB 470. He said higher workers' compensation rates would raise prices. He claimed HB 470 was a

disincentive to low-income home builders because it would add onto the cost of a house. He said only 1 FTE was planned for the expense of policing the laws provided for in HB 470 and he suggested this was not adequate.

Informational Testimony:

None.

Questions From Committee Members and Responses:

Senator Blaylock asked Representative Jerry Driscoll how the Montana Department of Labor and Industry was going to make sure that all independent contractors were paying into the workers' compensation system. Representative Driscoll said that under HB 470, DOLI could shut down a contractor having no insurance, and there was no escape clause. He said that as far as the loophole Senator Forrester was concerned about, it was not a true loophole. He said a corporation was required to be covered under workers' compensation unless the corporate officer files in writing a notice that the corporation does not wish to be covered. If this filing is made, no benefits can be received.

Senator Blaylock asked Representative Driscoll how someone who had an existing injury could be prevented from dropping his incorporated or independent contractor guise, going to work for another employer, then claiming workers' compensation on the injury. Representative Driscoll said there was no solution for this problem.

Senator Blaylock asked Senator Forrester if a group of uninsured people, each claiming to be an independent contractor, built a house, Montanans would picking up the costs for the injured workers. Senator Forrester answered this may be an indirect problem with the system. He said there was no way to police the laws in HB 470.

Senator Towe asked Senator Forrester if some people would comply with the law due to the fact that it was there. Senator Forrester answered he could agree with HB 470 if everyone complied. He said part of the amendment he offered would take care of that.

Senator Lynch asked Representative Driscoll how long a person would have to wait to be claimed an employee. Representative Driscoll said if a person went to work as an employee, the person would be covered immediately upon employment.

Senator Lynch asked a hypothetical question. If a carpet layer who had been independent for 15 years and had bad knees as a result, was employed, and then claimed his knee injury for workers' compensation benefits, how would that carpet layer be stopped from claiming the injury. Representative Driscoll answered that the carpet layer could not be stopped from claiming

under the existing law or under HB 470.

Harley Thompson told the Committee that under HB 470, the independent carpet layer would have to pay workers' compensation premiums anyway; there would be no advantage to changing employment, and there would be no loss to the system.

Senator Towe asked Mr. Thompson if HB 470 would require the independent contractor to be covered from the point that it was enacted, and thus, if there was such a carpet layer who developed an injury five years after the effective date, in order to collect benefits, the carpet layer would have to pay premiums back to the date HB 470 became effective. Mr. Thompson answered the independent contractor would have to be paying from the enacting date forward.

Representative Driscoll said if a person represented oneself to be an independent contractor, the person must have a workers' compensation policy. If there was no policy, the contractor would be an uninsured employer. He said under the law, the uninsured employer would have to pay twice what the premium would have been once he is detected.

Senator Wilson asked Senator Forrester if the amendment could state "shall be fined" instead of "may be fined." Senator Forrester answered "may" gave DOLI discretion.

Senator Aklestad, referring to the "Forrester amendment", asked if the homeowner must verify that the contractor had workers' compensation. Senator Forrester answered this was true.

Senator Aklestad asked if an elderly couple who hired someone and did not know the contractor was supposed to have workers' compensation could be fined up to \$1000. Senator Forrester said that unless the couple employed a general contractor, then they would become the prime contractor and could be fined. He said that unless the couple received verification that the contractor had coverage under PLAN 1, 2, or 3, all the contractor would have to do was claim to be an employee who thought the couple was paying social security and workers' compensation.

Senator Aklestad told Senator Forrester he disagreed with him that the couple should be categorized as the prime contractor. He said unexpected people would be put in a bind because of the amendment. He said people did not know the difference between sub-contractors, prime contractors, or general contractors. He said he did not agree with the amendment. Senator Forrester told Senator Aklestad that in a situation with only two people, the person hiring the contractor would be the prime contractor. He said 95% of the time there would not be a contract involved in construction work. He said he had gone a year since he had signed a contract to do work.

Senator Aklestad said this was a precarious position for the

public. Senator Forrester said the fine was only up to \$1000, and the amendment said "may" instead of "shall", and thus DOLI had discretionary powers.

Senator Towe asked Representative Driscoll about the Forrester amendment. Representative Driscoll said he would amend the amendment to read "a person who knowingly hires" a contractor without workers' compensation. Senator Forrester said he would not disagree with the change.

Closing by Sponsor:

Representative Driscoll asked the Committee to consider both amendments and work them out. He said it was important for a person represented to the public as an independent contractor to pay the workers' compensation premiums. If the contractor does not want workers' compensation, then the contractor should provide, in writing, information saying that it did not want to be covered or receive benefits.

HEARING ON HB 487

Opening Statement by Sponsor:

Representative Ray Brandewie, House District 49, told the Committee HB 487 was a constitutional amendment that would provide for easier punishment for laws that were passed in the workers' compensation arena, or put "teeth in laws passed". He said that unless the Legislature was given recognition of the right to set some benefits of workers' compensation accidents, there would never be a solution to the workers' compensation problems. He continued that in 1987 there was \$130 million in unfunded liability. In 1993 the unfunded liability was almost \$450 million. He handed out amendments (Exhibit #7) from the Workers' Compensation Coalition. He said in 1987 there had been a constitutional amendment to allow the Legislature to set reasonable limits on welfare. He continued that the Legislature would set eligibility criteria for programs in regards to welfare. Representative Brandewie handed out testimony prepared by Roger Tippy (Exhibit #8).

Proponents' Testimony:

Roger Tippy, speaking on behalf of Representative Brandewie, told the Committee he had been asked to sketch a bill to give to Legislative Council to draft. He said he looked at the history of the Legislature and courts with respects to making changes within the workers' compensation system. He said that the McClanahan v. State Fund decision in 1980 was a rational basis test of the equal protection clause. He said a few years later, the court began trying to come up with a compromise between strict scrutiny and the rational basis test. He said the purpose of the amendment was to return to the rational basis test by which most statutes were evaluated. The court became stricter on

what it would call rational basis. Mr. Tippy stated the Legislature asked for clarification of language in statutes. He said HB 487 was drafted in order to tell the courts that the Legislature felt the precedence people voted on in reviewing welfare legislation would be an appropriate standard of judicial review for what the Legislature enacted this Session.

Jim Senrud, Chairman of the Coalition for Workers' Compensation System Improvement, told the Committee that the workers' compensation, when it was enacted in 1916, was founded because of the new industrial manufacturing equipment, and a worker had no method of getting compensation for injuries inflicted due to these machines. He said the system worked well for about 50 years until about 1972 when full legal redress came into Montana. He said when the legal community decided workers' compensation was a fair litigation arena, the system was taken advantage of. He said several attorneys around Montana had examined HB 487 and determined that without the amendments (Exhibit #7) there was lack of clarification.

Mark Stocklin, President of the Flathead Business and Industry Association, told the Committee this constitutional amendment could lead back to the original intent of workers' compensation, a no-fault insurance between employer and employee. He said HB 487 was vital to the survival of the Montana economy.

David Owen, Montana Chamber of Commerce, told the Committee remedies for the workers' compensation system had been taken away by the Supreme Court. HB 487 would put a remedy in place to attempt to improve the workers' compensation system. He said there was no intention to take away exclusive remedy. Mr. Owen stated reform was needed within the workers' compensation system, and the Chamber felt it should be legislatively based.

Dan Walker, Board of Directors, Self Insured Association, told the Committee the management of the effort to reform the workers' compensation system began with the Legislature.

Opponents' Testimony:

Russell Hill, National Trial Lawyers' Association, spoke from written testimony in opposition to HB 487 (Exhibit #9).

Dan Shea, representing himself, told the Committee the problem with the workers' compensation system was not a constitutional problem. He said the Legislature had all the abilities to do the tasks it needed and wanted to get done. He stated eligibility criteria was not a constitutional problem where the courts would be involved. He asked how the Legislature could come up with the criteria that, for example, in all workers' compensation cases \$7500 must be a cap for attorney's fees. He said these fees were arbitrary, and thus the Legislature was setting itself up for an argument in court. This is because the fees are arbitrary with no rational basis. Mr. Shea told the Committee this fee problem

could cause a situation where there would be no cap or control of legal fees. The fact that the Legislature had not provided eligibility criteria for itself could lead to a special Legislative Session. He told the Committee other situations and governmental bodies were being blamed for a problem existing because of the Legislature.

Staci Reily, Montana Federation of Teachers, rose in opposition of HB 487.

Gene Fenderson, Laborers' Union, told the Committee the proponents were destroying one of the three governmental branches of the check and balance system.

Bill Egan, Montana Conference of Electrical Workers, told the Committee the idea of the Legislature taking on responsibilities of the Judiciary did not make sense. He said the Legislature already had the powers as provided for in HB 487.

Ron James, Construction and Ironworkers' Association, rose in opposition of HB 487.

Daryl Holzer, Montana State AFL-CIO, told the Committee the Constitution was not broken, and thus did not need the amendment to fix it.

Informational Testimony:

None.

Questions From Committee Members and Responses:

Senator Lynch asked Oliver Goe, Montana Municipal Insurance Authority (MMIA), Montana Association of Counties (MACO), and Montana School Groups Insurance Authority (MSGIA), if he could comment on full legal redress. Senator Lynch expressed he thought it took away rights. Mr. Goe answered that the Legislature already had the authority to set benefits and eligibility, an authority reviewed by the courts regularly. He told the Committee the courts sometimes overturned legislative decisions based upon the fact the Legislature did not rule within the scope of intent of the statute. Mr. Goe continued that full legal redress was a different issue than HB 487. He told the Committee the Legislature had the right to set the insurers' right to subrogation under the Workers' Compensation Act.

Senator Aklestad asked Representative Brandewie if he would agree that the Legislature had the authority, without HB 487, to set the benefits on all the things the Legislature was trying to accomplish. Representative Brandewie answered this was true, but the courts use the language from the Constitution to determine if what the Legislature does is right or wrong.

Senator Aklestad asked Representative Brandewie what the Constitution said, without HB 487, in the area of allowing the Legislature to set eligibility criteria on workers' compensation benefits. Senator Towe answered this was defined in the Bill.

Senator Towe asked Representative Brandewie why he wanted the constitutional amendment if the Legislature could do everything the Bill provided for without HB 487. Representative Brandewie answered HB 487 would give the Legislature more credence in what it would do in regards to the court decisions.

Senator Towe asked Representative Brandewie if he knew of any cases in which the courts have said the Legislature did not have the authority to set eligibility requirements or determine benefits. Representative Brandewie answered if the amendment was harmless, why not let the public vote on it.

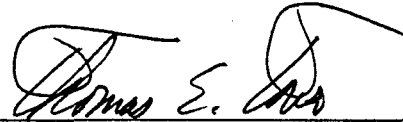
Senator Aklestad asked Representative Brandewie what proposed amendments to HB 487 he agreed with. Representative Brandewie answered that the Workers' Compensation Coalition felt strongly about the amendments. He said the amendments were important to the employers and workers in Montana.

Closing by Sponsor:

Representative Brandewie told the Committee the workers' compensation system was a two-way street. He said it was a no-fault insurance. He said if the amendment worked, it would not do anything but protect the laws the Legislature passed.

ADJOURNMENT

Adjournment: 5:14 PM



SENATOR THOMAS E. TOWE, Chair



KELSEY S. CHAPMAN, Secretary

TET/ksc

ROLL CALL

SENATE COMMITTEE LABOR & EMPLOYMENT REL. DATE 3/16/93

NAME	PRESENT	ABSENT	EXCUSED
SENATOR GARY AKLESTAD	X		
SENATOR TOM KEATING	X		
SENATOR CHET BLAYLOCK	X		
SENATOR J.D. LYNCH	X		
SENATOR JIM BURNETT	X		
SENATOR BILL WILSON	X		
SENATOR TOM TOWE	X		

Attach to each day's minutes

Amendments to House Bill No. 470
Third Reading Copy

Requested by Rep. Driscoll
For the Committee on Labor and Employment Relations

Prepared by Susan B. Fox
March 15, 1993

1. Title, line 8.
Strike: "AND"

2. Title, line 9.
Following: "MCA"
Insert: "; AND PROVIDING AN APPLICABILITY DATE"

3. Page 7, line 20.
Following: line 19
Insert: "

NEW SECTION. Section 4. Applicability -- exemption. (1)
[This act] does not apply to any construction project bid by an employer prior to October 1, 1993.

(2) Notwithstanding any other provisions of [this act], an independent contractor may apply to the department of labor and industry for an exemption from [this act] in the manner provided for in 39-71-401 if the independent contractor can demonstrate, on a quarterly basis, proof of insurance that provides compensation and benefits providing coverage for medical claims and loss of wages resulting from injuries and occupational disease that is comparable to the coverage provided under Title 39, chapters 71 and 72."

Amendments to House Bill No. 470
Third Reading Copy

Requested by Senator Forrester
For the Committee on Labor

Prepared by Bart Campbell
March 11, 1993

1. Page 4, following line 6.

Insert: "(iii) A person who hires a sole proprietor or working member of a partnership described in subsection (3)(a)(ii) and who does not obtain verification from the person hired that the person hired has workers' compensation coverage may be fined an amount up to \$1,000 for each occurrence."



HALLETT MINERALS COMPANY

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SENATE LABOR & EMPLOYMENT

EXHIBIT NO. 1

DATE 3/16/93

BILL NO. HB 470, HB 487

March 15, 1993

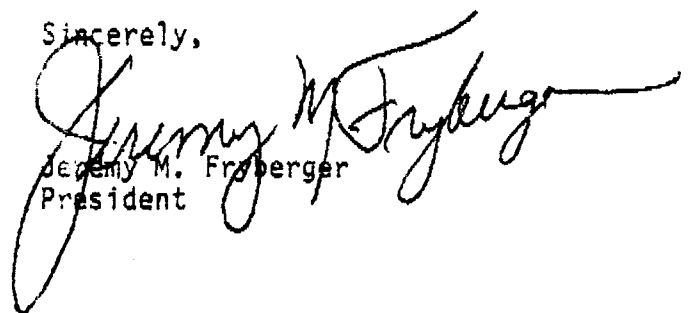
TO: Members of the Senate Labor and Employment Relations Committee

Senator Tom Towe, Chairman
Senator Bill Wilson, Vice Chairman
Senator Gary Aklestad
Senator Chet Blaylock
Senator Jim Burnett
Senator Tom Keating
Senator J.D. Lynch

As President of Hallett Minerals Company and operator of an Iron Ore mine north of White Sulphur Springs, I am asking you to VOTE for HB487 and HB470. A positive vote on these two bills will certainly be the first step in straightening out excesses in our Worker's Compensation program and the consequent financial burdens that have been placed upon small businesses like ourselves.

I thank you for your consideration in these matters. Please know it is appreciated. I remain,

Sincerely,



Jeremy M. Froberger
President

JMF:as



SENATE LABOR & EMPLOYMENT
EXHIBIT NO. 2
DATE 3/16/93
BILL NO. HB 470

HB 470

Elimination of Independent Contractor Exemption for Construction Industry

Recommend:
DO PASS

Senate Labor and Employment Relations Committee

Members:

Senator Tom Towe
Senator Bill Wilson
Senator Gary Akelstad
Senator Chet Blaylock
Senator Jim Burnett
Senator Tom Keating
Senator J.D. Lynch

I am Tom Furlong of Furlong Construction and Realty located here in Helena. I would be affected by the independent contractor exclusion as addressed in HB 470. Even though HB 470 will require me to purchase worker compensation coverage that I currently do not carry, the abuse of this exemption is so extreme that if we are to completely address all the problems in the work comp arena the passage of this bill is an absolute must.

I encourage a **DO PASS** vote on HB 470.

Thank You,

A handwritten signature in cursive script that reads "Tom Furlong".

Tom Furlong
Furlong Construction and Realty
442-9212
Helena, Montana



SENATE LABOR & EMPLOYMENT
EXHIBIT NO. 3
DATE 3/16/93
BILL NO. HB 470

For the record, I am Mark Lindsay, Chairman of the Legislative Committee of the Montana Building Industry Association. For several years our association has supported elimination of the much abused independent contractor exemption. This legislation, which was passed last session, but vetoed by the Governor, has been introduced this session by Rep. Driscoll at the request of the Carpenter's Union and our association.

We find ourselves in an interesting position, requesting elimination of an exemption many in the industry rely upon to cut business costs. The building industry has always been a relatively dangerous profession, and while efforts are constantly being made to improve safety performance, disabling accidents will always be a major concern. The industry is also characterized by the extensive use of subcontracting. It is for these reason that the much abused independent contractor exemption must be eliminated.

Rep. Driscoll has submitted to you an amendment which allows for an independent contractor to apply to the Dept. of Labor for an exemption if they can demonstrate proof of insurance which provides comparable coverage. We believe this amendment, which was a part of last sessions bill but which was inadvertently left out of this year's draft, is necessary to allow those contractors working alone a choice of coverage.

I would also like to speak in opposition of the amendment proposed by Senator Forrester. Under Senator Forrester's amendment the general contractor, or the homeowner, would need to check for a current worker's comp policy for every individual on the construction site. Logistically, such a procedure is virtually impossible with multiple construction sites and a daily turnover in some site personnel. The very purpose of HB 470 is to eliminate the many "gray" areas concerning responsibility for workers comp coverage. Workers will be either employees or employers. Senator Forrester's amendment seeks to make the general contractor, or homeowner acting as the general contractor, responsible for the bookkeeping, verification and personal business concerns of the subcontractor. There is no reason that, with the passage of HB 470, each service supplier on any jobsite cannot be responsible for his or her own coverage; or if he is an employee and drawing wages and subject to withholding his employer is responsible for payment of worker's comp premiums. Senator Forrester's amendment seeks only to shift the responsibility to the homeowner or general contractor. We believe this is unfair and is technically impossible to administer. Perhaps this amendment should be accompanied by a fiscal note to accomodate increased Dept. of Labor personnel to issue current certificates of coverage on every employer in the construction industry on a timely basis.

Please let me make it clear to the committee that this is our industry's attempt to make changes within our own industry, and the intent of this legislation is to eliminate the independent contractor exemption only for the construction industry. A requirement for workers' compensation insurance coverage for all in the construction trades, is a reasonable and justified protection for workers, families, businesses, and homeowners.

We urge a Do Pass for HB 470, a much needed piece of worker's comp reform.

Homebuilders Assoc. of Billings
252-7553

S.W. Montana Home Builders Assoc.
585-8181

Great Falls Homebuilders Assoc.
452-HOME



Flathead Home Builders As
752-2522

Missoula Chapter of NAHB
273-0314

Helena Chapter of NAHB
449-7275

exhibit #14

Nancy Lien Griffin, Executive Director
Suite 4D Power Block Building • Helena, Montana 59601 • (406) 442-4479

HB 470

Elimination of Independent Contractor Exemption for Construction Industry

Recommend:
DO PASS

SENATE LABOR & EMPLOYMENT

EXHIBIT NO. 4

DATE 3/16/93

BILL NO. HB 470

Mr. Chairman: Members of the Committee:

I am Harlee Thompson a delegate from the Montana Building Industry Association to the Coalition for Worker Compensation System Improvement. (CWCSI)

The definition of an employee is an independent contractor that just got injured on your job. This has been confirmed time and time again by the court system in Montana. Surprisingly this is not even the major problem with the current independent contractor exclusion. The real problem lies when the independent contractor takes advantage of the exclusion over a long period of time while their body suffers a slow degenerative process until they reach a point that they can no longer be productive enough to make a living working for themselves. While I'm not trying to single out any one profession I will give an example. Most carpet layers make use of the current exclusion for several years. In laying carpet they have to stretch the carpet. They do this by kicking a stretcher with their knee. After several years of doing this their knee becomes damaged to the point that it takes longer to do their job than it used to. In order to continue making a fair wage when they slow down they go to work for someone that pays them an hourly wage. After working for a short period of time they then seek medical help. Because this is an injury caused by their employment they receive full benefits and no insurer of the work comp system has any benefit of any premiums being paid on this worker.

While this may sound like a small problem at first stop and think about all the bad backs, sore shoulders, wrists, elbows, hips the list could go on forever, that the work comp system is currently trying to pay for. ~~The benefits of private medical insurance are not nearly as attractive as they are~~

~~under the current work comp system so private insurance is not a good alternative or substitution.~~

In the construction industry because of the many specialty areas required to complete a project, at times it is hard if not impossible to keep everyone that is supposed to be an independent contractor an independent contractor. Current practice establishes 12 questions that determine independent contractor status. In our experience it is virtually impossible, because of the interaction of the many subcontractor and specialty trades contractors on a single building site, to answer "no" to all questions. The courts then have passed routine rulings that determine the injured claimant as an employee. I have included a copy of the 12 questions with my written testimony and would request that when you get the opportunity to ask questions that you ask anyone of the opponents to HB 470, that is currently utilizing the exemption if they can honestly answer no to all 12 questions on just one project in the last year that they have subcontracted on. If they answer truthfully you will see the point I'm trying to make.

HB 470 will eliminate the independent contractor exemption in the construction industry only. It will help clean up the mess the exemption now creates. HB 470 will be easy to enforce because it will require everyone to be covered. This will also reduce fraud in this now widely abused area.

HB 470 is a bill proposed by members of the construction industry to help clean up its own industry. It has no effect on any other industry. It does not require anyone to purchase coverage from the state fund, it only requires coverage. While every independent contractor may not abuse the system this bill requires coverage to an area of our industry that has been abusing the work comp system.

The Montana Building Industry Association and the Coalition for Work Comp System Improvement recommend a DO PASS on HB 470.

#4
3-16-93
HB 470

Below is a sample of the 12 questions currently used by the Department of Labor to determine independent contractor status. It is important to note that the Department of Labor does look at each application on an individual basis.

1. Do you own and operate your own independently established trade, occupation profession or business?
 yes if yes continue
 no if no you do not qualify

2. Do you receive any training from the employing unit? yes no
If so what kind? _____
How often? _____

3. Are you given instructions in the way the work is to be done? yes no
If yes give specific examples: _____

4. Does the operation of the employing unit's business require you to be supervised or controlled in the performance of the service? yes no

5. Does the employing unit engage you for:
 particular job Indefinite period Other (explain)

6. Are you required to follow a routine or a schedule established by the employing unit? yes no

7. State the kind and value of tools and equipment furnished by:
The employing unit _____

Yourself _____

8. State the kind and value of supplies and materials furnished by:
The employing unit _____

Yourself _____

9. Does the employing unit reimburse you for any expenses? yes no

If yes specify _____

10. DO you have helpers? yes no if no skip to question 11

Are the helpers hired by: Employing unit You

If hired by you, is the employing unit's approval necessary?

yes no

Who pays the helpers? Employing unit You

If you pay the helpers, does the employing repay you? yes no

Who reports the helper's income to the Internal Revenue Service?

Employing unit You Unknown

11. Type of payment you receive: salary Commission

Hourly wage Piece work Lump Sum Other (specify)

12. Are you prohibited from competing with the employing unit either during the time you are performing services or at a later period?

yes no

covers a weekly benefit payable to the injured worker for lost wages, and pays for medical costs related to the injury. The problem with this "insurance policy" is that claims against an employer can, and do, have a dramatic impact on costs.

As we have stated, workers' compensation premiums are based on each \$100 of payroll, with costs ranging from \$2.27 per hundred for interior electrical wiring in New Jersey, to an unbelievable \$162.26 per hundred for structural steel erection in Montana (see *Heavy and Highway NEWS*, December 1989).

These premium rates are taken from a "manual" approximately six inches thick, published by the National Council on Compensation Insurance (NCCI). This manual entitled the "Basic Manual for Workers' Compensation and Employers Liability Insurance," establishes manual premium rates in all states where insurance carriers are allowed to sell compensation insurance. The NCCI (the insurance carriers) set these rates with approval of each state's workers' compensation administration. The insurance industry is allowed to set its own compensation rates because the McCarran-Ferguson Act exempts it from anti-trust laws.

Fortunately, each contractor in the industry does not pay "manual" premium rates. Each construction company has its "manual" premium rates adjusted on the basis of injury and claims experience. Logically, a contractor having a high number of accidents should not pay the same premium as a contractor with an excellent safety record. Thus, a safe contractor may be given an experience modification rating (EMR) of .85 and an unsafe contractor may be given an EMR of 1.35. This means if the manual premium for a classification is \$20.00 per hundred of payroll, the safe contractor pays \$17.00 per hundred, while the unsafe contractor pays \$27.00 per hundred.

Even though studies have proven otherwise (see *Heavy and Highway NEWS*, December 1989) the EMR is supposed to compensate higher paying safer contractors (i.e., union contractors) by reducing compensation premiums. On an annual basis, the EMR is recalculated by NCCI, based on a contractor's previous three years of accidents (experience). Like automobile insurance when you have an accident, the cost of insurance goes up. However, construction accidents increase premium costs far greater than a few hundred dollars.

It is difficult to generalize regarding how accident losses would specifically affect the EMR, due to many complex factors. One would think the EMR would be weighted toward major losses being the primary reason for increases. This is not the case. The NCCI explains that the cost of an accident is "statistically less predictable than the fact that the accident occurred. For example, the survivor benefits for a young worker in his 20's leaving a widow and three children would be considerably greater than the survivor benefits for a worker in his 50's leaving no dependents. The important fact is that the accident did occur, thus the experience rating plan gives greater weight to accident frequency than to accident severity.

The bottom line is that every workers' compensation claim against a contractor has an impact on its premium costs through increases in the EMR. The lower the number or frequency of claims, the lower

the premium costs. The lower the premium costs, the more jobs for union members through increased competitiveness.

Workers' Compensation Cheaters

It is difficult enough for higher paying union contractors to pay higher premiums and still compete without having to deal with cheaters. It is one thing to pay higher premiums than the competition, but it is another to compete with contractors who pay no premiums at all. To give you an idea of how rampant the cheating problem is, the following are excerpts from the February, 1992 issue of *Cockshaw's Construction Labor News & Opinion*:

- **California.** Recent random checks by that state's Employment Development Department found 70.7% of contractors audited failed to make proper benefit payments.

Adds William G. Luddy, executive director of Carpenters/Contractors Cooperation Committee "W.C. avoidance is rampant in California. Crooked contractors bastardize the system with impunity."

- **Washington, D.C.** During a peak construction period in August 1989, 153,000 tradesmen worked on commercial and residential projects. But, according to Stephen S. Fuller of George Washington University, 120,000 other workers were listed as individual employers or "independent contractors"!
- **Connecticut.** Congressional testimony by that state's joint labor-management Carpentry Industry Partnership (CIP) revealed a graphic example of how a standard scam works:

A contractor had 164 tradesmen working for him, but his payroll records listed only eleven as employees. The other 153 were misclassified as "independent contractors."

CIP's testimony concluded: "Such examples have become more the rule than the exception in today's economic climate."

With cheating so rampant on workers' compensation, unless we do something we will lose the battle and continue to see the union's share of the construction market decline.

Summary

There is little we can do to change the way premiums are calculated, and we obviously cannot catch cheaters on a large enough scale to impact costs.

There are, however, things we can do to hold down union contractors' compensation costs. First, remember when the union refers compensation cases to the legal profession, you increase a contractor's costs. Second, educating the member that the frequency and validity of claims can and does impact on future union jobs.

Finally, workers' compensation is in a crisis and we can, through labor/management cooperation, hold down compensation costs while paying legitimate claims without the need for litigation.

Homebuilders Assoc. of Billings
2-7533

S.W. Montana Home Builders Assoc.
35-8181

Great Falls Homebuilders Assoc.
452-HOME



Flathead Home Builders Assoc.
752-2522

Missoula Chapter of NAHB
273-0314

Helena Chapter of NAHB
449-7275

Nancy Lien Griffin, Executive Director
Suite 4D Power Block Building • Helena, Montana 59601 • (406) 442-7144

SENATE LABOR & EMPLOYMENT
EXHIBIT NO. 6
DATE 3-16-93
BILL NO. HB 470

HB 470

Elimination of Independent Contractor Exemption for Construction Industry

**Recommend:
Do Pass**

Mr. Chairman, Ladies & Gentlemen of the Committee:

I am Nancy Griffin, Executive Officer of the Montana Building Industry Association, representing nearly 800 small business in the homebuilding industry.

In our analysis one of the major problems in the overburdened workers compensation system is the uninsured independent contractor. In many instances this "independent" contractor becomes an employee upon injury. This is a worker that constitutes a liability for the work comp system without payment of premium. It is common knowledge in the construction industry that an "employee" is an "independent contractor" that just had an injury.

In a recent OSHA survey of 360 Montana employers providing statistics in their OSHA logs, the construction industry has the highest incident rate of any other industry, at 17.5 accidents per 100 employees. The incident rate for specialty trades in the construction industry rose from 13.4 incidents per 100 in 1990 to 18.1 incidents in 1991.¹ Other states, including Oregon, have recognized the problem, and adopted system reforms which eliminated exemptions for the construction industry. The result has been an increase in revenues to cover injury liabilities.

Elimination of the abused independent contractors exemption is proposed specifically for the construction industry. Current practice establishes 20 questions which determine independent contractor status. In our experience it is virtually impossible, because of the interaction of the many subcontractors and special trades contractors on a single building site, to answer "no" to all questions. The courts then have passed routine rulings which determine the injured claimant as an employee.

I recently asked the Dept. of Labor to provide some data on the independent contractor exemption. The results were even more startling that I had anticipated. In the past 6 months period the Department received 641 applications for independent contractor exemptions. Of that number, 284 were approved and 357 were denied. I

asked the Department if they cross referenced with insurers whether or not those who were denied had obtained coverage. This is not something the Department does. It is my guess that most of these denials have not obtained worker's coverage.

I then asked the Department if these employers were subject to any audit. The response was that if unpaid premiums have been assessed on an employer who illegally claimed the independent contractor exemption no specific audit notes are kept and the only source of information would be "anecdotal" auditor stories. This confirmed my personal suspicion that audits are conducted on employers already in the system to make sure they are paying appropriate premiums; and unless specific information is provided to the Department audits are not usually conducted on "suspected" uninsured employers.

I would also urge the committee to defeat the amendment proposed by Senator Forrester. This amendment seeks to gut the intention of HB 470 which is that everyone in the construction industry must be insured; and either they or their employer must take responsibility for this requirement. To skew the issue by raising issues of distanced responsibility only keeps alive the long standing confusion about who is responsible for whom on Montana's jobsites.

I would urge the committee to adopt the amendment proposed by sponsor Driscoll which allows those persons truly providing only their own services on a construction project to offer to the Department of Labor proof of comparable coverage. This is policy which offers legitimate business choices.

HB 470 is legislation which is an important part of the reform necessary for practical improvement to the Worker's Comp system. We urge a do pass for HB 470.

¹"Interesting Facts from 1991 OSHA Survey", Montana Department of Labor.

Amendments to House Bill 487
Third Reading Copy
Before the Senate Labor
March 16, 1993

1. Page 1, line ~~12~~

Following: ";"

Insert: "PROVIDING FOR SUBROGATION;"

2. Page 2, line 2

Following: "benefits"

Strike: "and"

Insert: ", "

3. Page 2, line 3

Following: "benefits"

Strike: "and services"

Insert: "and authorize subrogation by a workers' compensation insurer, without regard to full legal redress, where an injured worker recovers against a third party responsible for the worker's injury."

4. Page 2, lines 14 through 17

Following: "FOR"

Strike: the remainder of line 14 through line 17 in their entirety.

Insert: "for allowing the legislature to set eligibility criteria for workers' compensation benefits, set limits on the duration and level of benefits and authorize subrogation by a workers' compensation insurer, without regard to full legal redress, where an injured worker recovers against a third party responsible for the worker's injury."

5. Page 2, lines 18 through 21

Following: "AGAINST"

Strike: the remainder of line 18 through 21 in their entirety.

Insert: "for allowing the legislature to set eligibility criteria for workers' compensation benefits, set limits on the duration and level of benefits and authorize subrogation by a workers' compensation insurer, without regard to full legal redress, where an injured worker recovers against a third party responsible for the worker's injury."

SENATE LABOR & EMPLOYMENT

EXHIBIT NO. 7

DATE 3-16-93

BILL NO. HB 487

HOUSE BILL 487 IS INTENDED TO GUARANTEE THAT OUR EFFORTS TO REFORM THE WORKERS' COMP SYSTEM WILL, WHEN TESTED IN THE COURTS, BE JUDGED BY THE RATIONAL BASIS TEST OF THE EQUAL PROTECTION CLAUSE, AND THAT THE COURTS WILL CUT US A LITTLE SLACK IN LOOKING FOR A RATIONAL BASIS FOR OUR LEGISLATION. THE AMENDMENT IS PATTERNED AFTER THE WELFARE AMENDMENT WE WROTE IN 1987 AND THE PEOPLE VOTED FOR IN 1988. YOU MAY RECALL THAT FOR A WHILE MANY EFFORTS MADE IN THE APPROPRIATIONS COMMITTEE TO PUT SOME LIMITS ON WELFARE WOULD BE DECLARED UNCONSTITUTIONAL A FEW MONTHS LATER AS DENIALS OF EQUAL PROTECTION. THEN THE AMENDMENT WENT INTO ARTICLE TWELVE, SECTION THREE OF THE CONSTITUTION, DEALING WITH WELFARE, THAT "THE LEGISLATURE MAY SET ELIGIBILITY CRITERIA FOR PROGRAMS AND SERVICES, AS WELL AS FOR THE DURATION AND LEVEL OF BENEFITS AND SERVICES." SINCE THEN, OUR APPROPRIATIONS ACTS HAVE NOT BEEN HELD UNCONSTITUTIONAL. THEY MUST STILL DRAW LINES ON A RATIONAL BASIS TO SATISFY EQUAL PROTECTION STANDARDS, BUT THAT RATIONAL BASIS CAN BE INFERRED FROM OUR OVERALL BUDGET SITUATION AND OUR COMMITTEE DISCUSSIONS.

I AM CONCERNED THAT THE COURTS MAY INCREASE THE SCRUTINY OF OUR WORK COMP LEGISLATION, EITHER EXPLICITLY OR BY SETTING HIGH LEVELS OF PROOF FOR THE RATIONAL BASIS FOR WHAT WE DO. WITH THIS AMENDMENT IN THE CONSTITUTION WE LET THE PEOPLE SAY IF WE SHOULD HAVE AS MUCH DISCRETION IN LIMITING COMP BENEFITS AS WE NOW HAVE IN LIMITING WELFARE BENEFITS.

The rational basis standard for workers' comp legislative classifications used to be fairly relaxed:

In applying the Equal Protection Clause to social and economic legislation, great latitude is given to state legislatures in making classifications. Perfection in making classifications is neither possible nor necessary; neither is mathematical nicety nor perfect equality. Rather, where the goals of a classification are legitimate and the classification is rationally related to the achievement of those goals, the statute should be constitutionally upheld.

McClanathan v. State Fund, 186 Mont. 56 (1980)

Several years later, the way this standard was applied began to shift:

In the present case there is nothing on the face of the statute to indicate what the state interest may be in excluding from Workers' Compensation coverage the employer's family members who reside in the employer's household unless specifically elected by the employer. Nor is there any legislative history from which to glean a possible governmental objective for this classification.

Cottrill v. Cottrill Sodding Service, 229 Mont. 40 (1987)

While the courts have not switched from the rational basis test to a higher level of scrutiny such as the "middle-tier" standard they developed for welfare, *Butte Community Union v. Lewis*, 229 Mont. 212 (1987), the level of proof suggested in *Cottrill* suggests a trend away from other rational-basis opinions, in which the rational basis could be inferred from the social and political environment in which legislation was developed.

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March 16, 1993

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Sen. Tom Towe, Chair
Senate Labor Committee
Room 413/415, State Capitol
Helena, MT 59620

SENATE LABOR & EMPLOYMENT

EXHIBIT NO. 9

DATE 3-16-93

BILL NO. HB 487

RE: HB 487

Mr. Chair, Members of the Committee:

Thank you for this opportunity to express MTLA's opposition to HB 487, which asks voters in the next general election to approve constitutional amendments regarding workers compensation. MTLA opposes the bill for several reasons:

1. The bill as drafted means what it says and nothing more. The new language at page 2, lines 1-3 of the bill adds virtually nothing to current workers compensation law. Of course "[t]he legislature may set eligibility criteria for workers' compensation benefits"--it's been doing precisely that for decades. And of course the legislature has the authority to "set limits on the duration and level of benefits and services"--it's been doing that for decades, too. Nothing in the new language conflicts with or pre-empts existing constitutional guarantees of equal protection, privacy, due process, or access to the courts.

2. Proponents of HB 487, however, apparently believe that the amendment on page 2, lines 1-3, by giving constitutional stature to the Legislature's authority to set eligibility criteria and limits on benefits, will limit the Montana Supreme Court's review of workers' compensation statutes enacted by the Legislature. MTLA disagrees. Nothing in the new language exempts legislative action from existing constitutional guarantees of equal protection, privacy, due process, or access to the courts. Nothing in the new language gives legislative action priority over those other constitutional provisions. At most, the new language dilutes a

fundamental principle of constitutional construction: that constitutions limit governmental authority.

3. If proponents of HB 487 want to insulate workers compensation legislation from court review, if they want to relax the requirements of harmonizing workers compensation legislation with other constitutional provisions, they should say so directly to this committee and to the voters who will consider a constitutional amendment:

"The legislature may set *any* eligibility criteria for workers compensation benefits and set *any* limits on the duration and level of benefits and services."

Otherwise, voter approval of the ballot language contained in Section 3 (page 2, lines 14-17) will mean less than proponents intend.

4. If proponents of HB 487 do intend the constitutional amendment to limit court review of workers compensation legislation, they should also acknowledge that:

- * such an amendment, essentially importing ordinary statutes into the Montana Constitution, would constitute a major transfer of authority away from the judicial branch and to the legislative branch;

- * such an amendment would operate in no manner whatsoever to compromise rights guaranteed by the U.S. Constitution; and

- * such an amendment, to the extent that it limits the access of workers compensation claimants to judicial review, will actually intensify, not relax, judicial scrutiny of any workers' compensation legislation that remains subject to review.

MTLA believes that HB 487, if it operates as proponents intend, will drastically alter the broad workers-compensation bargain between employers and employees. Pursuant to that historic bargain, workers surrender their right to sue employers in exchange for sure but minimal compensation. Proponents now expect HB 487 to modify the workers compensation agreement by requiring workers, merely as a condition of employment and with no corresponding benefits, to surrender additional, precious constitutional rights.

Thank you for considering these comments. If I can provide additional information or assistance, please contact me.

With best regards,



Russell B. Hill
Executive Director

Amendments to House Bill 487
Third Reading Bill (Blue Copy)

Requested by Montana Trial Lawyers Association
March 16, 1993

Prepared by Russell B. Hill
Montana Trial Lawyers Association

1. Page 2, line 1.

Following: "set"

Insert: "any"

2. Page 2, line 2.

Following: "set"

Insert: "any"

3. Page 2, line 14.

Following: "set"

Insert: "any"

4. Page 2, line 16.

Following: "set"

Insert: "any"

5. Page 2, line 18.

Following: "set"

Insert: "any"

6. Page 2, line 20.

Following: "set"

Insert: "any"

EXHIBIT 9

DATE 3-16-93

HB 487

DATE 16 MARCH 1993

SENATE COMMITTEE ON LABOR : Employment Relations

BILLS BEING HEARD TODAY: HB 470 - Driscoll

HB 487 - Brandowle

Name	Representing	Bill No.	Check One	
			Support	Oppose
Mark Lindsay	MT Home Building Ind.	487 470	X	
CARS ERICSON	CARPENTERS Union	487 470	X	X
Mark Somp	CWCSI : Independent Contract	470	X	
MIKE STOCKLID	CWCSI Association	487 470	X	
Jim Semul	PWEST	487 470	X	
HARLEE THOMPSON	MBIA	487 470	X	
Tom Fenn	Solar Inc.	470	X	
" "	" "	487		X
Mark Egan	MT Conf. Elect Wkrs	487		X
" "	" "	470	X	
DAN WALKER	Mt. Self Insurers Assn	487	X	
Dan Shea	A Point of View	487		X
Jequiline Denmark	Am. Ins. Assoc.	487	X	
Jequiline Denmark	Am. Ins. Assoc.	470	X	
Bill Pison	Pierces & Assoc. Bkr	470	X	
Staci Riley	MT Fed State Employ	487		X

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

DATE 16 March 1993

SENATE COMMITTEE ON LABOR

BILLS BEING HEARD TODAY: HB 470 - DRISCOLL

HB 457 - Brandewell

Name

Representing

Bill
No.

Check One
Support Oppose

Name	Representing	Bill No.	Support	Oppose
Nancy Griffin	Montana Building Industry Assoc	HB 470	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Oliver Gue	MMIA MACO - MSGTA	HB 470	<input checked="" type="checkbox"/>	<input type="checkbox"/>

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY