

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: By Chairman Scott Mendenhall, on March 16, 2007
at 8:00 A.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Scott Mendenhall, Chairman (R)
Rep. Jim Keane, Vice Chairman (D)
Rep. Mike Milburn, Vice Chairman (R)
Rep. Elsie Arntzen (R)
Rep. Shannon Augare (D)
Rep. Scott Boggio (R)
Rep. Ernie Dutton (R)
Rep. Kevin T. Furey (D)
Rep. Ralph Heinert (R)
Rep. Llew Jones (R)
Rep. Harry Klock (R)
Rep. Michele Reinhart (D)
Rep. Wayne Stahl (R)
Rep. Bill Thomas (D)
Rep. Kendall Van Dyk (D)

Members Excused: Rep. Jonathan Windy Boy (D)

Members Absent: None

Staff Present: Bart Campbell, Legislative Branch
Nancy Kraft, Committee Secretary

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: SB 108, 3/9/2007; SB 153, 3/9/2007;
SB 276, 3/9/2007; SB 319, 3/14/2007
Executive Action: SB 116, SB 323

HEARING ON SB 276

Opening Statement by Sponsor:

00:02:55 Sen. Donald Steinbeisser (R), SD 19, opened the hearing on SB 276, Permit funeral directors to sell certain life insurance policies.

Proponents' Testimony:

00:05:22 Scott Gilligan, Montana Funeral Directors' Association
00:10:38 Teri Stevenson, Funeral Director from eastern Montana
00:11:39 Shane Salisbury, Montana Funeral Directors' Association
00:12:29 Wayne Benson, Missoula, Montana
00:13:30 Todd Stevenson
00:14:32 Steve Yeakel, Montana Funeral Directors' Association

EXHIBIT (buh56a01)

Opponents' Testimony:

00:16:56 Erin McGowan Fincham, State Auditor's Office
00:20:52 Don Allen, Association of Insurance and Financial
Advisors
00:26:00 Jacqueline Lenmark, American Council of Life Insurers

Informational Testimony: None

Questions from Committee Members and Responses:

00:32:43 Rep. Furey
00:33:06 Ms. McGowan Fincham
00:33:22 Rep. Keane
00:33:40 Ms. McGowan Fincham
00:34:07 Mary Arnold, State Auditor's Office
00:35:52 Rep. Reinhart
00:36:29 Mr. Yeakel
00:36:45 Mr. Gilligan
00:41:28 Rep. Jones
00:41:55 Mr. Gilligan
00:43:31 Rep. Keane
00:43:56 Mr. Gilligan
00:44:49 Rep. Keane
00:45:04 Mr. Allen
00:45:40 Rep. Dutton
00:46:03 Mr. Gilligan
00:47:13 Rep. Mendenhall
00:47:51 Ms. McGowan Fincham
00:47:59 Jennifer Massman, State Auditor's Office

Closing by Sponsor:

00:49:09 Sen. Steinbeissr

HEARING ON SB 108

Opening Statement by Sponsor:

00:50:09 Sen. Vicki Cocchiarella (D), SD 47, opened the hearing on SB 108, Revise work comp laws-independent contractors-medical fees-impaired insurers-etc.

EXHIBIT (buh56a02)

Proponents' Testimony:

00:52:05 Jerry Keck, Department of Labor and Industry
00:56:50 Jason Miller, Montana State AFL-CIO
00:57:17 Larry Kibbee, Property Casualty Insurance Association of America
00:57:47 Riley Johnson, National Federation of Independent Business
00:58:02 Jon Bennion, Montana Chamber of Commerce
00:58:34 Jason Todhunter, Montana Logging Association
00:58:47 Shawn Bubb, Montana School Group Insurance Authority
00:58:59 Nancy Butler, Montana State Fund
00:59:14 George Wood, Montana Self Insurers' Association
00:59:56 Jacqueline Lenmark, American Insurance Association
01:00:33 Andrea Olsen, Montana Trial Lawyers' Association
01:01:32 Bob Olsen, Association of Montana Health Care Providers

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:03:12 Sen. Cocchiarella

HEARING ON SB 153

Opening Statement by Sponsor:

01:03:34 Sen. Vicki Cocchiarella (D), SD 47, opened the hearing on SB 153, Revise professional and occupational licensing laws.

EXHIBIT (buh56a03)

Proponents' Testimony:

01:05:57 Jack Kane, Department of Labor and Industry
01:12:29 Glenn Oppel, Montana Association of Realtors

Opponents' Testimony: None

Informational Testimony:

01:13:03 Roy Kemp, Department of Public Health and Human
Services

Questions from Committee Members and Responses:

01:13:25 Rep. Dutton
01:13:48 Mr. Oppel
01:16:15 Rep. Arntzen
01:17:05 Mr. Kemp
01:17:30 Jill Caldwell, Department of Labor and Industry
01:19:40 Rep. Mendenhall
01:20:00 Mr. Kemp
01:22:05 Rep. Mendenhall
01:22:38 Lisa Addington, Department of Labor and Industry
01:24:59 Rep. Mendenhall

Closing by Sponsor:

01:25:15 Sen. Cocchiarella

HEARING ON SB 319

Opening Statement by Sponsor:

01:25:56 Sen. Vicki Cocchiarella (D), SD 47, opened the hearing
on SB 319, Allow real estate agent to represent
multiple sellers or buyers.

Proponents' Testimony:

01:26:51 Glenn Oppel, Montana Association of Realtors
01:28:24 Jamie Bowditch, Montana Association of Realtors'
General Counsel

EXHIBIT (buh56a04)

01:31:47 Vickie Hammond, Real Estate Broker, Missoula, Montana

EXHIBIT (buh56a05)

Opponents' Testimony:

01:35:06 Andrea Olsen, Montana Trial Lawyers' Association

Informational Testimony: None

Questions from Committee Members and Responses:

01:42:11 Rep. Dutton
01:44:54 Ms. Olsen
01:48:32 Rep. Keane
01:48:49 Mr. Bowditch
01:50:03 Rep. Jones
01:51:04 Mr. Bowditch
01:52:38 Rep. Reinhart
01:52:54 Mr. Bowditch
01:54:35 Rep. Furey
01:55:19 Mr. Bowditch
01:57:47 Rep. Dutton
01:58:24 Mr. Bowditch
01:58:32 Rep. Arntzen
01:58:57 Mr. Bowditch

Closing by Sponsor:

01:59:40 Sen. Cocchiarella
02:02:51 Break

EXECUTIVE ACTION ON SB 323

02:32:59 **Motion:** Rep. Milburn moved that SB 323 **BE CONCURRED IN.**

Discussion:

02:33:20 Rep. Milburn
02:33:57 Rep. Keane

02:34:09 **Motion:** Rep. Dutton moved that SB 323 **BE AMENDED.**
EXHIBIT(buh56a06)

Discussion:

02:35:42 Rep. Jones
02:36:59 Rep. Keane
02:37:10 Rep. Mendenhall
02:38:34 Rep. Augare

02:40:21 **Vote:** Motion failed 3-13 by roll call vote with Reps. Dutton, Rep. Furey, and Mendenhall voting aye. Reps. Windy Boy and Arntzen voted by proxy.

02:41:51 **Vote:** Motion carried 14-2 by roll call vote with Reps. Arntzen and Rep. Windy Boy voting no. Reps. Windy Boy and Arntzen voted by proxy. Rep. Llew Jones will carry the bill.

EXECUTIVE ACTION ON SB 116

02:42:03 **Motion:** Rep. Keane moved that SB 116 **BE CONCURRED IN.**

02:42:39 **Motion:** Rep. Stahl moved that SB 116 **BE AMENDED.**

EXHIBIT (buh56a07)

Discussion:

02:44:04 Rep. Furey

02:44:49 Rep. Keane

02:44:57 **Vote:** Motion carried unanimously by voice vote.

02:45:19 **Motion:** Rep. Stahl moved that SB 116 **BE AMENDED.**

EXHIBIT (buh56a08)

Discussion:

02:46:12 Rep. Augare

02:47:12 Rep. Milburn

02:48:16 Rep. Keane

02:48:27 Rep. VanDyk

02:49:13 **Vote:** Motion failed 8-8 by roll call vote with Reps. Arntzen, Boggio, Dutton, Heinert, Jones, Mendenhall, Milburn, and Stahl voting aye. Reps. Windy Boy and Arntzen voted by proxy.

02:50:09 **Motion/Vote:** Rep. Milburn moved that SB 116 **BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Reps. Windy Boy and Arntzen voted by proxy. Rep. Keane will carry the bill.

ADJOURNMENT

02:50:58 Adjournment: 9:50 A.M.

REP. SCOTT MENDENHALL, Chairman

NANCY KRAFT, Secretary

SM/nk

Additional Exhibits:

EXHIBIT ([buh56aad.pdf](#))