

MINUTES

**MONTANA SENATE
60th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: By **CHAIRMAN VICKI COCCHIARELLA**, on February 1, 2007 at 9:00 A.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Vicki Cocchiarella, Chairman (D)
Sen. Joe Balyeat (R)
Sen. Roy Brown (R)
Sen. John Esp (R)
Sen. Verdell Jackson (R)
Sen. Lane L. Larson (D)
Sen. Don Ryan (D)
Sen. Frank Smith (D)
Sen. Carolyn Squires (D)
Sen. Donald J. Steinbeisser (R)
Sen. Joseph (Joe) Tropila (D)

Members Excused: None.

Members Absent: None.

Staff Present: Claudia Johnson, Committee Secretary
Pat Murdo, Legislative Branch

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 276, 1/31/2007
Executive Action: SB 153, SB 165

00:00:00 Chairwoman Cocchiarella

HEARING ON SB 276

Opening Statement by Sponsor:

00:00:57 **SEN. DONALD STEINBEISSER (R), SD 19**, opened the hearing on **SB 276**, Permit funeral directors to sell certain life insurance policies.

EXHIBIT (bus22a01)

Proponents:

00:02:49 Scott Gilligan, Counsel for Funeral Directors' Association

EXHIBIT (bus22a02)

00:13:56 Teri Stevenson, Funeral Director

00:17:59 Julie Briggs, Licensed Mortician

00:23:03 Todd Stevenson, Funeral Director

00:25:37 Jason Thornock, Mortician/Funeral Director

00:29:02 Steve Yeakel, Executive Director, Funeral Directors' Association

Opponents:

00:34:08 Frank Cote, Speaking for Jacqueline Lenmark, American Life Insurers (ALI)

00:47:57 Don Allen, Association of Financial Advisors

00:53:27 Roger McGlenn, Executive Director, Montana Independent Insurance Association (MIIA)

00:55:44 Erin McGowan-Fincham, Montana State Auditor's Office (SAO)

Informational Testimony: None.

Questions from Committee Members and Responses:

00:58:42 Sen. Ryan to Frank Cote, ALI

01:06:34 Sen. Brown to Sen. Steinbeisser
01:08:30 Sen. Squires to Frank Cote, ALI
01:13:58 Sen. Tropila to Roger McGlenn, MIIA
01:15:18 Sen. Cocchiarella to Steve Yeakel, Funeral Directors'
Association
01:16:05 Sen. Cocchiarella to Frank Cote, ALI
01:20:34 Sen. Cocchiarella to Carol Roy, State Auditors Office
(SAO)
01:21:29 Sen. Cocchiarella to Steve Yeakel, Funeral Directors'
Association
01:26:17 Sen. Cocchiarella to Scott Gilligan, Counsel for
Funeral Directors' Association
01:27:27 Sen. Tropila to Carol Roy, SAO

Closing by Sponsor:

01:28:21 Sen. Steinbeisser
01:32:06 Sen. Cocchiarella

EXECUTIVE ACTION ON SB 153

01:32:16 **Motion:** SEN. LARSON moved that SB 153 BE TABLED.

01:35:41 Pat Murdo

EXHIBIT (bus22a03)

01:32:50 **Substitute Motion:** SEN. TROPILA made a substitute
motion that SB 153 DO PASS.

Discussion:

01:32:57 Sen. Cocchiarella

01:34:28 **Motion/vote:** SEN. COCCHIARELLA moved that AMENDMENT
SB015302.APM BE ADOPTED. Motion carried by voice vote
with Sen. Larson voting no.

01:36:40 **Motion:** SEN. COCCHIARELLA moved that AMENDMENT SB015303.APM BE ADOPTED.

01:58:04 **Discussion:**

01:37:06 Sen. Cocchiarella

EXHIBIT (bus22a04)

01:38:53 Sen. Ryan to Sen. Cocchiarella

01:39:14 Sen. Balyeat to Sen. Cocchiarella

01:41:09 **Vote:** Motion carried that AMENDMENT SB015303.APM BE ADOPTED. Motion carried unanimously by voice vote.

EXHIBIT (bus22a05)

Discussion:

01:43:02 Sen. Balyeat to Sen. Cocchiarella

01:43:36 Sen. Squires

01:45:03 **Motion/Vote:** SEN. TROPILA moved that SB 153 DO PASS AS AMENDED. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 165

01:45:19 Sen. Cocchiarella

01:45:27 **Motion:** SEN. ESP moved that SB 165 DO PASS.

Discussion:

01:46:16 **Motion:** SEN. ESP moved that AMENDMENT SB016501.APM #2 and #3 BE ADOPTED.

Discussion:

01:47:22 Sen. Steinbeisser

01:48:16 Sen. Brown to Sen. Esp

01:48:56 Sen. Cocchiarella

01:50:04 Sen. Squires to Sen. Cocchiarella

01:51:01 Sen. Esp

01:51:44 Sen. Squires

01:52:02 **Motion/Vote:** SEN. ESP moved that AMENDMENT SB016501.APM #2 AND #3 BE ADOPTED. Motion carried 7-4 by voice vote with SEN. COCCHIARELLA, SEN. LARSON, SEN. SQUIRES and SEN. STEINBEISSER voting no.

01:52:32 **Motion:** SEN. ESP moved that SB016501.APM #1 BE ADOPTED.

Discussion:

01:52:58 Sen. Balyeat to Sen. Esp

01:53:54 Sen. Smith

01:54:23 Sen. Steinbeisser

01:54:58 Sen. Balyeat

01:56:24 Sen. Brown

01:57:04 Sen. Esp

01:58:22 **Vote:** Motion that AMENDMENT SB016501.APM #1 BE ADOPTED failed 4-7 by roll call vote with SEN. BALYEAT, SEN. BROWN, SEN. ESP, and SEN. JACKSON voting aye.

01:59:15 **Motion/Vote:** SEN. ESP moved that SB 165 DO PASS AS AMENDED. Motion carried 10-1 by voice vote with SEN. BALYEAT voting no.

ADJOURNMENT

Adjournment: 11:10 A.M.

SEN. VICKI COCCHIARELLA, Chairman

CLAUDIA JOHNSON, Secretary

VC/cj

Additional Exhibits:

EXHIBIT ([bus22aad.pdf](#))