

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chairman Gary L. Perry, on February 5, 2009 at 9:00 A.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Gary L. Perry, Chairman (R)
Sen. Jim Shockley, Vice Chairman (R)
Sen. Aubyn Curtiss (R)
Sen. John Esp (R)
Sen. Greg Hinkle (R)
Sen. Carol C. Juneau (D)
Sen. Cliff Larsen (D)
Sen. Jesse Laslovich (D)
Sen. Dan McGee (R)
Sen. Lynda Moss (D)
Sen. Terry Murphy (R)

Members Excused: Sen. Larry Jent (D)

Members Absent: None.

Staff Present: Valencia Lane, Legislative Branch
Pam Schindler, 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 285, 1/29/2009

Executive Action: None

HEARING ON SB 285

Opening Statement by Sponsor:

00:01:16 Sen. Jesse Laslovich (D), SD 43, for Sen. Larry Jent (D), SD 32, opened the hearing on SB 285, Revise attorney fees for medical benefits in work comp.

Proponents' Testimony:

00:03:15 Norm Newhall, Attorney, Great Falls
[EXHIBIT\(jus27a01\)](#)
00:09:04 Bob Olsen, Montana Hospital Association (MHA)
00:14:00 Pat Melby, Montana Medical Association (MMA)
00:14:55 Dr. Allen Ward, Physician, Great Falls
00:15:55 Holly McKenzie, self; for deceased father, Libby
[EXHIBIT\(jus27a02\)](#)
[EXHIBIT\(jus27a03\)](#)
00:22:27 Thomas Welch, self
[EXHIBIT\(jus27a04\)](#)
[EXHIBIT\(jus27a05\)](#)
00:26:50 Tom Murphy, Attorney, Great Falls
[EXHIBIT\(jus27a06\)](#)
[EXHIBIT\(jus27a07\)](#)
00:33:16 Sidney McKenna, President, Montana Trial Lawyers Association (MTLA)
[EXHIBIT\(jus27a08\)](#)
00:37:42 Don Judge, Montana Injured Workers Resource Council
[EXHIBIT\(jus27a09\)](#)
[EXHIBIT\(jus27a10\)](#)
00:43:47 Andrea Olsen, MTLA
[EXHIBIT\(jus27a11\)](#)
[EXHIBIT\(jus27a12\)](#)
00:46:16 Madeline DeCandia, self, Hamilton

Opponents' Testimony:

00:46:57 Jacqueline Lenmark, American Insurance Association
00:55:12 Larry Jones, Liberty Northwest Insurance Company
01:00:09 Kevin Braun, Montana State Fund
01:04:00 Bruce Spencer, Property Casualty Insurance Association of America; Montana Automobile Dealers Association
01:08:04 Jon Bennion, Montana Chamber of Commerce
[EXHIBIT\(jus27a13\)](#)

(Sen. Jent entered room.)

01:09:58 Riley Johnson, Nation Federation of Independent
Business (NFIB)
01:10:57 Bob Worthington, Montana Self Insurers Association
01:12:03 Mike Sehestedt, Montana Association of Counties (MACo)
EXHIBIT(jus27a14)
01:16:22 Marvin Jordan, Director, Montana Contractors
Compensation Fund
01:17:44 Ronda Wiggers, Great Falls Chamber of Commerce; Helena
Chamber of Commerce
01:18:27 Jason Todhunter, Montana Logging Association
01:19:14 Marty Schuma, Vice-President, Dick Anderson
Construction (DAC)
01:20:14 Doug Nulle, self; retired attorney

Informational Testimony:

01:20:40 Jerry Keck, Administrator, Employment Relations
Division, Department of Labor and Industry, State of
Montana

01:23:50 Sen. Jent

01:25:52 break

Questions from Committee Members and Responses:

01:35:58 Sen. Shockley
01:36:59 Mr. Braun
01:39:22 Sen. Shockley
01:39:39 Mr. Jones
01:41:09 Sen. Shockley
01:42:08 Mr. Bennion
01:43:57 Sen. Laslovich
01:44:23 Mr. Braun
01:54:55 Sen. McGee
01:55:34 Mr. Murphy
01:56:57 Sen. McGee
01:57:16 Ms. Lenmark
01:59:39 Sen. McGee
01:59:55 Mr. Keck
02:02:21 Sen. McGee
02:02:53 Sen. Jent
02:04:02 Sen. Esp
02:06:01 Nancy Butler, Montana State Fund
02:08:21 Sen. Larsen
02:09:14 Mr. Murphy

02:14:18 Sen. Larsen
02:14:59 Mr. Braun
02:17:27 Sen. Murphy
02:18:02 Mr. Melby
02:18:35 Mr. Keck

EXHIBIT(jus27a15)

02:19:14 Sen. Shockley
02:19:31 Mr. Keck
02:21:54 Sen. Esp
02:22:17 Mr. Jones
02:22:40 Sen. Esp
02:22:57 Mr. Braun
02:24:15 Sen. Esp
02:24:30 Sen. Perry
02:24:59 Mr. Murphy
02:25:28 Sen. Perry
02:27:03 Mr. Keck
02:29:32 Sen. Perry
02:29:51 Mr. Braun
02:34:34 Sen. Perry
02:35:06 Mr. Melby
02:36:20 Sen. Shockley
02:39:03 Sen. McGee
02:39:25 Mr. Melby
02:42:16 Sen. Shockley
02:43:09 Mr. Murphy
02:44:07 Sen. Laslovich
02:44:48 Mr. Keck
02:46:12 Sen. Perry
02:46:45 Ms. Lenmark
02:47:56 Sen. Perry
02:48:04 Ms. Lenmark
02:48:27 Sen. Perry
02:51:07 Sen. Jent

Closing by Sponsor:

02:57:29 Sen. Jent

ADJOURNMENT

Adjournment: 12:00 P.M.

Pam Schindler, Secretary

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Additional Documents:

EXHIBIT ([jus27aad.pdf](#))