

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: Chair Elsie Arntzen, on February 3, 2011 at 8:00 AM, in Room 172
Capitol

ROLL CALL

Members Present:

Rep. Elsie Arntzen, Chairman (R)
Rep. Tom Berry, Vice Chairman (R)
Rep. Chuck Hunter, Vice Chairman (D)
Rep. Carlie Boland (D)
Rep. Christy Clark (R)
Rep. Virginia Court (D)
Rep. Lila Walter Evans (R)
Rep. Timothy Furey (D)
Rep. Edward Greef (R)
Rep. Jonathan McNiven (R)
Rep. Pat Noonan (D)
Rep. Scott Reichner (R)
Rep. Michele Reinhart (D)
Rep. Matthew M. Rosendale Sr (R)
Rep. Daniel R. Salomon (R)
Rep. Sterling Small (R)
Rep. Cary Smith (R)
Rep. Carolyn Squires (D)
Rep. Gordon Vance (R)
Rep. Jeffery W. Welborn (R)

Members Excused: Rep. Harry Klock (R)

Members Absent: None

Staff Present: Bart Campbell, Legislative Branch
Sandra Sullivan, 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: HB 128, 1/7/2011

Executive Action: HB 16, HB 87, HB 179, HB 186, HB 283, HB 300, HB 307, HB 315, HB 322, HB 323, HB 356 and HB 367

HEARING ON HB 128

Opening Statement by Sponsor:

00:02:22 Rep. Pat Noonan (D), HD 73, opened the hearing on HB 128, Revise health insurance laws.

Proponents' Testimony:

00:04:01 Jesse Laslovich, State Auditor and Insurance Commissioner

EXHIBIT(buh27a01)

00:05:00 Rep. Klock arrived.

00:12:56 David Goobridge, Realtor

00:25:22 Cecelia Whitney, Citizen

EXHIBIT(buh27a02)

00:28:06 Don Judge, Montana Nurses' Association

00:31:25 Amanda Harrow, Montana Small Business Alliance

00:32:05 Jim Harris, Cancer Action Network, American Cancer Society

00:36:14 Susan Witte, General Council, Allegiant Life and Health

00:37:56 Mary Beth Firderes, Montana Primary Care Association

00:39:38 Claudia Clifford, American Association of Retired People (AARP) of Montana

00:41:18 Tanya Ask, New West Health

00:45:23 Frank Cote, Blue Cross Blue Shield of Montana

00:45:59 Jacqueline Lenmark, American Family Life Assurance Company (AFLAC)

Opponents' Testimony:

00:46:50 Jeanette Zentgraf, Citizen

EXHIBIT(buh27a03)

Informational Testimony: None

Questions from Committee Members and Responses:

00:51:15 Rep. Smith

00:52:14 Mr. Laslovich

00:52:17 Russ Hill, Health Care and Benefit Division, Department of Administration (DA)

00:53:32 Rep. Smith

00:54:04 Mr. Laslovich

00:54:33 Rep. Smith

00:55:01 Mr. Laslovich

00:55:09 Mr. Hill, DA

00:56:32 Rep. Smith

00:56:38	Mr. Hill
00:56:59	Rep. Smith
00:57:13	Mr. Hill
00:57:20	Rep. Smith
00:57:44	Mr. Hill
00:58:22	Rep. Smith
00:59:02	Mr. Laslovich
00:59:28	Rep. Smith
00:59:45	Mr. Laslovich
01:00:30	Rep. Smith
01:01:12	Mr. Laslovich
01:02:10	Chairwoman Arntzen
01:02:37	Mr. Laslovich
01:02:52	Chairwoman Arntzen
01:03:02	Vice Chairman Hunter
01:03:37	Mr. Hill
01:04:08	Vice Chairman Hunter
01:04:26	Mr. Hill
01:04:35	Vice Chairman Hunter
01:05:53	Rep. Squires
01:06:18	Mr. Hill
01:06:33	Rep. Squires
01:06:41	Mr. Hill
01:06:54	Rep. Squires
01:07:16	Mr. Hill
01:07:24	Rep. Squires
01:07:59	Mr. Hill
01:08:25	Rep. Squires
01:08:32	Mr. Hill
01:08:47	Rep. Squires
01:09:07	Rep. Smith
01:09:42	Mr. Cote
01:09:45	Rep. Smith
01:09:57	Mr. Cote
01:10:06	Rep. Smith
01:10:13	Mr. Cote
01:10:34	Rep. Smith
01:10:41	Mr. Cote
01:11:28	Rep. Smith
01:12:01	Mr. Cote
01:12:46	Rep. Smith
01:13:05	Mr. Cote
01:14:27	Rep. Squires
01:15:26	Mr. Cote

01:16:37 Rep. Smith

01:17:25 Mr. Hill

Closing by Sponsor:

01:17:56 Rep. Noonan

01:19:15 Recessed

01:38:59 Resumed

01:40:15 Chairwoman Arntzen

01:40:47 Rep. Vance

01:41:37 Rep. Hunter

01:42:42 Rep. Welborn

EXECUTIVE ACTION ON HB 16

01:43:40 **Motion:** Rep. Berry moved that **HB 16 DO PASS.**

Discussion:

01:44:13 Rep. Rosendale

01:44:57 Rep. Boland

01:45:51 Rep. Vance

01:46:11 Rep. Salomon

01:46:38 Rep. Reichner

01:46:46 Rep. Rosendale

01:47:29 Rep. Furey

01:48:25 Rep. Rosendale

01:48:52 Rep. Furey

01:49:05 Rep. Rosendale

01:49:34 Rep. Court

01:50:40 Rep. Squires

01:51:50 Rep. Rosendale

01:52:02 Rep. Squires

01:52:07 Rep. Rosendale

01:52:21 Rep. Squires

01:53:16 Rep. Welborn

01:53:30 **Vote:** Motion failed 9-12 by roll call vote with Rep. Boland, Rep. Court, Rep. Furey, Rep. Hunter, Rep. Noonan, Rep. Reichner, Rep. Reinhart, Rep. Salomon and Rep. Squires voting aye.

01:54:32 **Motion/Vote:** Rep. Welborn moved that **HB 16 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 87

01:54:53 **Motion/Vote:** Rep. Hunter moved that **HB 87 BE TABLED**. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 179

01:56:08 **Motion:** Rep. Berry moved that **HB 179 DO PASS**.

Discussion:

01:56:30 Mr. Campbell
01:57:12 Rep. Smith
01:57:43 Rep. Hunter Motion
01:58:00 Rep. Squires
01:58:31 Rep. Hunter

01:58:41 **Motion:** Rep. C. Smith moved that **HB 179 BE AMENDED**.
[EXHIBIT\(buh27a04\)](#)

Discussion:

01:58:54 Chairwoman Arntzen
01:59:06 Rep. Smith
01:59:44 Rep. Hunter

02:00:03 **Vote:** Motion carried unanimously by voice vote.

02:00:59 **Motion/Vote:** Rep. Vance moved that **HB 179 DO PASS AS AMENDED**. Motion carried 14-7 by roll call vote with Rep. Boland, Rep. Court, Rep. Furey, Rep. Hunter, Rep. Noonan, Rep. Reinhart and Rep. Squires voting no.

EXECUTIVE ACTION ON HB 186

02:02:24 **Motion:** Rep. Berry moved that **HB 186 DO PASS**.

02:02:59 **Motion:** Rep. Hunter moved that **HB 186 BE AMENDED**.
[EXHIBIT\(buh27a05\)](#)

Discussion:

02:03:04 Rep. Hunter
02:03:11 Rep. Reichner left.

02:03:23 **Vote:** Motion carried unanimously by voice vote. Rep. Reichner voted by proxy.

02:03:40 **Motion:** Rep. Berry moved that **HB 186 DO PASS AS AMENDED.**

Discussion:

02:03:51 Rep. Clark

02:04:16 **Vote:** Motion failed 10-11 by roll call vote with Rep. Berry, Rep. Boland, Rep. Court, Rep. Furey, Rep. Hunter, Rep. Noonan, Rep. Reichner, Rep. Reinhart, Rep. Salomon and Rep. Squires voting aye. Rep. Reichner voted by proxy.

02:05:35 **Motion/Vote:** Rep. Welborn moved that **HB 186 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote. Rep. Reichner voted by proxy.

EXECUTIVE ACTION ON HB 283

02:13:18 **Motion:** Rep. Berry moved that **HB 283 DO PASS.**

02:13:28 **Motion:** Rep. Vance moved that **HB 283 BE AMENDED.**
EXHIBIT(buh27a06)

Discussion:

02:14:01 Mr. Campbell

EXHIBIT(buh27a07)

02:15:01 Rep. Vance

02:15:21 Rep. Reinhart

02:15:44 Chairwoman Arntzen

02:15:55 Rep. Noonan

02:16:06 Rep. Vance

02:16:18 Chairwoman Arntzen

02:16:22 Mr. Campbell

02:17:07 **Vote:** Motion carried 13-8 by roll call vote with Rep. Boland, Rep. Court, Rep. Furey, Rep. Hunter, Rep. Noonan, Rep. Reinhart, Rep. Small and Rep. Squires voting no. Rep. Reichner voted by proxy.

02:18:22 **Motion:** Rep. Berry moved that **HB 283 DO PASS AS AMENDED.**

Discussion:

02:18:32 Rep. Reinhart

02:21:01 Vice Chairman Berry

02:21:25 **Vote:** Motion carried 13-8 by roll call vote with Rep. Boland, Rep. Court, Rep. Furey, Rep. Hunter, Rep. Noonan, Rep. Reinhart, Rep. Small and Rep. Squires voting no. Rep. Reichner voted by proxy.

EXECUTIVE ACTION ON HB 300

02:23:04 **Motion:** Rep. Berry moved that **HB 300 DO PASS.**
EXHIBIT(buh27a08)

02:23:25 **Motion:** Rep. Boland moved that **HB 300 BE AMENDED.**
EXHIBIT(buh27a09)

Discussion:

02:24:05 Mr. Campbell
02:25:32 Rep. Smith
02:25:50 Rep. Hunter

02:26:19 **Vote:** Motion carried unanimously by voice vote. Rep. Reichner voted by proxy.

02:26:29 **Motion/Vote:** Rep. Berry moved that **HB 300 DO PASS AS AMENDED.** Motion carried unanimously by voice vote. Rep. Reichner voted by proxy.

EXECUTIVE ACTION ON HB 307

02:27:24 **Motion:** Rep. Berry moved that **HB 307 DO PASS.**

02:27:45 **Motion:** Rep. Rosendale moved that **HB 307 BE AMENDED.**

Discussion:

02:27:54 Rep. Rosendale
EXHIBIT(buh27a10)
02:30:27 Mr. Campbell
02:30:29 Rep. Rosendale
02:31:10 Rep. Clark
02:31:52 Chairwoman Arntzen
02:31:59 Rep Rosendale
02:32:05 Rep. Hunter
02:32:54 Rep. Court
02:33:00 Rep. Rosendale

02:34:51 **Vote:** Motion carried 12-9 by roll call vote with Rep. Boland, Rep. Court, Rep. Furey, Rep. Greef, Rep. Hunter, Rep. Noonan, Rep. Reinhart, Rep. Squires and Rep. Welborn voting no. Rep. Reichner voted by proxy.

02:36:13 **Motion:** Rep. Berry moved that **HB 307 DO PASS AS AMENDED.**

Discussion:

02:36:28 Rep. Furey
02:38:03 Rep. Squires
02:38:26 Rep. Court
02:43:02 Rep. Hunter
02:43:35 Rep. Rosendale
02:43:48 Rep. Clark
02:44:31 Rep. Court
02:45:04 Rep. McNiven
02:46:00 Chairwoman Arntzen

02:46:29 **Vote:** Motion carried 15-6 by roll call vote with Rep. Boland, Rep. Court, Rep. Furey, Rep. Hunter, Rep. Reinhart and Rep. Squires voting no. Rep. Reichner voted by proxy.

EXECUTIVE ACTION ON HB 315

02:47:53 **Motion/Vote:** Rep. Berry moved that **HB 315 DO PASS.** Motion carried unanimously by voice vote. Rep. Reichner voted by proxy.

EXECUTIVE ACTION ON HB 322

02:48:04 **Motion:** Rep. Berry moved that **HB 322 DO PASS.**

Discussion:

02:48:37 Rep. Evans
02:48:56 Rep. Reinhart

02:49:19 **Vote:** Motion carried 20-1 by voice vote with Rep. Noonan voting no. Rep. Reichner voted by proxy.

02:49:52 **Motion/Vote:** Rep. Berry moved that **HB 322 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 323

02:50:36 **Motion:** Rep. Berry moved that **HB 323 DO PASS**.

Discussion:

02:50:42 Chairwoman Arntzen
02:50:57 Vice Chairman Hunter
02:51:07 Mr. Campbell
02:52:15 Vice Chairman Hunter
02:56:42 Chairwoman Arntzen
02:56:29 Rep. Court

02:56:53 **Vote:** Motion failed 7-14 by roll call vote with Rep. Boland, Rep. Court, Rep. Furey, Rep. Hunter, Rep. Noonan, Rep. Reinhart and Rep. Squires voting aye. Rep. Reinhart voted by proxy.

02:58:15 **Motion/Vote:** Rep. Berry moved that **HB 323 BE TABLED AND THE VOTE REVERSED**. Motion carried 20-1 by voice vote with Rep. Squires voting no. Rep. Reichner voted by proxy.

02:59:00 Rep. Furey left.

EXECUTIVE ACTION ON HB 356

02:59:28 **Motion/Vote:** Rep. Berry moved that **HB 356 DO PASS**. Motion carried unanimously by voice vote. Rep. Furey and Rep. Reichner voted by proxy.

EXECUTIVE ACTION ON HB 367

02:59:50 **Motion/Vote:** Rep. Berry moved that **HB 367 DO PASS**. Motion carried unanimously by voice vote. Rep. Furey and Rep. Reichner voted by proxy.

ADJOURNMENT

11:03 Adjournment:

Sandra Sullivan, Secretary

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Additional Documents:

EXHIBIT([buh27aad.pdf](#))