

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
59th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON BUSINESS AND LABOR

Call to Order: By **CHAIRMAN JIM KEANE**, on March 14, 2005 at 9:00
A.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Jim Keane, Chairman (D)
Rep. Joe McKenney, Vice Chairman (R)
Rep. Elsie Arntzen (R)
Rep. Kevin T. Furey (D)
Rep. Dave Gallik (D)
Rep. Ralph Heinert (R)
Rep. Mike Jopek (D)
Rep. Harry Klock (R)
Rep. Scott Mendenhall (R)
Rep. Mike Milburn (R)
Rep. Don Roberts (R)
Rep. Wayne Stahl (R)
Rep. Dan Villa (D)

Members Excused:

Rep. Kathleen Galvin-Halcro, Vice Chairman (D)
Rep. Bob Bergren (D)
Rep. Tim Dowell (D)
Rep. Llew Jones (R)
Rep. Jonathan Windy Boy (D)

Members Absent: None.

Staff Present: Bart Campbell, Legislative Branch
Kyanne Kelly, 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 209, 3/9/2005; SB 317, 3/9/2005;
SB 103, 3/9/2005
Executive Action: SB 203, SB 103

HEARING ON SB 209

Opening Statement by Sponsor:

SEN. MIKE WHEAT (D), SD 32, opened the hearing on **SB 209**,
Regulate postclaim underwriting.
00:02:10

Proponents' Testimony:

00:09:11 Patrick Driscoll, State Auditors Office
[EXHIBIT \(buh56a01\)](#)
00:10:10 Jed Fitch, Trial Lawyers Association
00:14:15 Denise Thompson, Self
[EXHIBIT \(buh56a02\)](#)

Opponents' Testimony:

00:19:48 Bruce Spencer, Automobile Dealer Association
00:28:34 Frank Cote, Americas Health Insurance Plans
00:32:15 Jon Metropoulus, Farmers Insurance
00:33:16 Greg Van Horssen, State Farm Insurance
00:33:47 Angela Huschka, New West Health Services
00:35:00 Don Allen, Association of Insurance Advisors
00:36:44 Tanya Ask, Blue Cross and Blue Shield

Informational Testimony: None

Questions from Committee Members and Responses:

00:37:49

Closing by Sponsor:

00:47:25

REPS. BERGREN and DOWELL entered the room.

HEARING ON SB 317

Opening Statement by Sponsor:

SEN. GREG LIND (D), SD 50, opened the hearing on **SB 317**, Regulate conversion of health insurer from nonprofit to for-profit status.
00:52:01

EXHIBIT (buh56a03)

Proponents' Testimony:

01:04:37 Scott Benbow, Consumers Union

EXHIBIT (buh56a04)

01:09:43 Chris Tweeten, Attorney Generals Office

01:12:23 Patrick Driscoll, State Auditors Office

01:13:48 James Senterfitt, New West Health Services

01:16:20 Janie McCall, Deaconess Billings Clinic

01:17:28 Claudia Clifford, AARP Montana

EXHIBIT (buh56a05)

01:19:03 Gene Fenderson, District Council of Laborers

01:20:14 Jim Ahrens, Montana Hospital Association

01:20:27 Pat Melby, Montana Medical Association

01:23:56 **SEN. JOHN COBB, SD 9, AUGUSTA**

Opponents' Testimony: None

Informational Testimony:

01:21:05 Tanya Ask, Blue Cross and Blue Shield

Questions from Committee Members and Responses:

01:23:29

Closing by Sponsor:

01:43:14

EXHIBIT (buh56a06)

EXHIBIT (buh56a07)

HEARING ON SB 103

Opening Statement by Sponsor:

SEN. BRENT CROMLEY (D), SD 25, opened the hearing on **SB 103**, Define prohibited internet gambling.
01:59:50

Proponents' Testimony:

02:01:41 Gene Huntington, Gambling Control Division

02:06:37 Rich Miller, Gaming Industry Association

02:08:49 Rhonda Carpenter Wiggers, Coin Operators
Association

02:09:41 Harris Himes, Montana Family Coalition

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

02:10:09

Closing by Sponsor:

02:22:10

REP. WINDY BOY entered the room.

EXECUTIVE ACTION ON SB 203

Motion: REP. DOWELL moved that SB 203 BE CONCURRED IN.

Discussion:

02:25:32

Motion: REP. DOWELL moved that SB 203 BE AMENDED.

Discussion:

02:27:29

[EXHIBIT](#) (buh56a08)

Vote: Motion carried 17-1 by voice vote with REP. HEINERT voting no. REPS. GALVIN-HALCRO and JONES voted by proxy.

Motion: REP. VILLA moved that SB 203 BE FURTHER AMENDED.

Discussion:

02:29:40

[EXHIBIT](#) (buh56a09)

Vote: Motion carried unanimously by voice vote. REPS. GALVIN-HALCRO and JONES voted by proxy.

Motion: REP. DOWELL moved that SB 203 BE FURTHER AMENDED.

Discussion:

02:32:59

[EXHIBIT](#) (buh56a10)

Vote: Motion carried 17-1 by voice vote. REPS. GALVIN-HALCRO and JONES voted by proxy.

Motion: REP. VILLA moved that SB 203 BE CONCURRED IN AS AMENDED.

Motion: REP. MENDENHALL moved that SB 203 BE FURTHER AMENDED.

Discussion:

02:35:56

[EXHIBIT](#) (buh56a11)

Vote: Motion carried 10-8 by roll call vote with REP. BERGREN, REP. DOWELL, REP. FUREY, REP. GALLIK, REP. GALVIN-HALCRO, REP. JOPEK, REP. KEANE, and REP. VILLA voting no.

Motion: REP. DOWELL moved that SB 203 BE CONCURRED IN AS AMENDED.

Discussion:

02:39:04

Vote: Motion failed 8-10 by roll call vote with REP. BERGREN, REP. DOWELL, REP. FUREY, REP. GALLIK, REP. GALVIN-HALCRO, REP. JOPEK, REP. KEANE, and REP. VILLA voting aye. REPS. GALVIN-HALCRO and JONES voted by proxy.

Motion/Vote: REP. MENDENHALL moved that SB 203 BE TABLED AND THE VOTE REVERSED. Motion carried by voice vote.

EXECUTIVE ACTION ON SB 103

Motion: REP. VILLA moved that SB 103 BE CONCURRED IN.

Discussion:

02:46:46

Vote: Motion carried unanimously by voice vote. REPS. GALVIN-HALCRO and JONES voted by proxy. REP. KLOCK to carry.

ADJOURNMENT

Adjournment: 12:00 A.M.

REP. JIM KEANE, Chairman

KYANNE KELLY, Secretary

JK/kk

Additional Exhibits:

EXHIBIT ([buh56aad0.PDF](#))