





## SENATE STANDING COMMITTEE REPORT

February 15, 2007

Page 1 of 3

Mr. President:

We, your committee on **Business, Labor, and Economic Affairs** recommend that **Senate Bill 276** (first reading copy -- white) **do pass as amended.**

Signed: \_\_\_\_\_

*Vicki Cocchiarella*  
Senator Vicki Cocchiarella, Chair

**And, that such amendments read:**

1. Page 1, line 10.

**Following:** "means"

**Strike:** "a contract or"

**Insert:** "an"

2. Page 1, line 11.

**Following:** "policy"

**Insert:** "or certificate"

**Following:** "requires"

**Insert:** "a one-time payment or"

3. Page 1, line 17.

**Strike:** "whole"

4. Page 1, line 19.

**Strike:** "a certificate of authority to transact insurance"

**Insert:** "an insurance producer's license in this state"

5. Page 1, line 21.

**Strike:** "a certification of authority to transact insurance"

**Insert:** "an insurance producer's license"

6. Page 1, line 22 through line 27.

**Strike:** "limits" on line 22

**Insert:** "limit"

**Strike:** "are:" on line 22 through "2008," on line 23

**Committee Vote:**

**Yes 10, No 1**

Fiscal Note Required \_\_\_\_\_ *KJ*

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**Insert:** "is"

**Strike:** "; and" on line 23 through "2007" on line 27

7. Page 1, line 29.

**Following:** "plan"

**Insert:** ", as described in 37-19-827,"

8. Page 2, line 2.

**Following:** "product;"

**Insert:** "and"

9. Page 2, line 4 through line 5.

**Following:** "undertaker"

**Strike:** "; and" on line 4 through "purpose" on line 5

10. Page 2.

**Following:** line 5

**Insert:** "(4) The funeral insurance policy must state that the insurance company may, as a condition of paying the benefits of the insurance policy, require from the funeral director, mortician, mortuary, or undertaker:

(a) a certified copy of the certificate of death of the insured or other evidence of death satisfactory to the insurance company; and

(b) a certificate of completion signed by the funeral director, mortician, or undertaker stating that the funeral director, mortician, undertaker, or mortuary has delivered all the goods and performed all the services contracted for, by, or on behalf of the insured.

(5) (a) Notwithstanding the provisions of 33-15-414, the funeral insurance policy must contain an assignability clause that allows the policy to be assigned or otherwise transferred to another funeral director, mortician, mortuary, or undertaker in conjunction with the assumption of the contractual obligation to provide the funeral goods or services.

(b) The assignability clause may not be used by a funeral director, mortician, mortuary, or undertaker to pledge, assign, transfer, borrow from, or otherwise encumber an insurance policy assigned to it for purposes of purchasing funeral goods or services prior to delivering all of the goods and performing all of the services contracted for, by, or on behalf of the insured."

11. Page 2, line 25.

**Following:** "disability"

**Insert:** "life or disability insurance, with the sole exception of a license to transact "

**Strike:** "section 1(1)(c)(i)"

**Insert:** "[section 1(1)(c)(ii)]"

12. Page 6, line 7.

Strike: "other"

13. Page 7, line 1.

Following: "sell"

Insert: "any"

Following: "insurance,"

Insert: "other than"

Strike: "[section 1(1)(c)(i)]"

Insert: "[section 1(1)(c)(ii)]"

14. Page 7, line 3.

Strike: "that sells" through "[section 1(1)(c)(i)],"

- END -



**SENATE STANDING COMMITTEE REPORT**

**February 15, 2007**

**Page 1 of 1**

Mr. President:

We, your committee on **Business, Labor, and Economic Affairs** recommend that **Senate Bill 434** (first reading copy -- white) **do pass as amended.**

Signed: \_\_\_\_\_

*Vicki Cocchiarella*  
Senator Vicki Cocchiarella, Chair

**And, that such amendments read:**

1. Title, line 5.

**Following:** "PURPOSE"

**Insert:** "AND SIZE"

2. Page 1, line 17.

**Strike:** "seven"

**Insert:** "eight"

3. Page 1, line 18.

**Strike:** "Two"

**Insert:** "Three"

4. Page 3, line 16.

**Strike:** "1,500"

**Insert:** "1,000"

5. Page 3, line 28 through page 4, line 2.

**Strike:** subsection (3) in its entirety

- END -

**Committee Vote:**

**Yes 9, No 2**

Fiscal Note Required \_\_\_\_\_

*KF*

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**SENATE STANDING COMMITTEE REPORT**

February 16, 2007

Page 1 of 2

Mr. President:

We, your committee on **Business, Labor, and Economic Affairs** recommend that **Senate Bill 453** (first reading copy -- white) **do pass as amended.**

Signed:

  
Senator Vicki Cocchiarella, Chair

**And, that such amendments read:**

1. Page 2, line 9.

**Following:** "37-1-405."

**Insert:** "The rules may require the posting of only the licensee's name and the fact that a hearing is being held when the information is being posted on a publicly available website prior to a decision leading to a suspension or revocation of a license or other final decision of a board or the department."

2. Page 4, line 20 through line 24.

**Strike:** subsections (b) and (c) in their entirety

**Insert:** "(b) In addition to any other means of notice, the department shall post the required information on a publicly available website.

(c) This subsection (2) may not be construed to require a meeting to be open or records to be disseminated when the demands of individual privacy clearly exceed the merits of public disclosure."

3. Page 5, line 10 through line 14.

**Strike:** subsections (b) and (c) in their entirety

**Insert:** "(b) In addition to any other means of notice, the department shall post the required information on a publicly available website.

(c) This subsection (2) may not be construed to require a meeting to be open or records to be disseminated when the demands of individual privacy clearly exceed the merits of public disclosure."

**Committee Vote:**

Yes 11, No 0

Fiscal Note Required



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MONTANA STATE SENATE  
2007 LEGISLATURE

BUSINESS, LABOR AND ECONOMIC AFFAIRS

ROLL CALL VOTE

DATE 2-15-07 BILL NO. SB 453 NUMBER 6-5

MOTION: DO PASS AS AMENDED

PASSED

NAME	AYE	NO
SEN. JOE BALLYEAT (R)		✓
SEN. ROY BROWN (R)		✓
SEN. JOHN ESP (R)		✓
SEN. VERDELL JACKSON (R)		✓
SEN. LANE LARSON (D)	✓	
SEN. DON RYAN (D)	✓	
SEN. FRANK SMITH (D)	✓	
SEN. CAROLYN SQUIRES (D)	✓	
SEN. DONALD STEINBEISSER (R)		✓
SEN. JOE TROPILA (D)	✓	
SEN. VICKI COCCHIARELLA (D) - CHAIRWOMAN	✓	

# SENATE PROXY FORM

According to Senate Rule 30-70 (13) (f), a committee member may vote by proxy using a standard form.

## PROXY VOTE

I, the undersigned, hereby authorize Senator Jackson

to vote my proxy on any issue before the Senate Business & Labor

\_\_\_\_\_ Committee

held on Feb 15, 2007.

SB 276 Voted Yes on Removal of amendments yesterday and yes on amendment SB 27605 & Yes on SB 276 as amended

SB 434 - Amendment SB 043402 SENATOR  
voted y + y on amended SB 434 STATE OF MONTANA

SB 453 - amendment y & y on Bill as amended

SB 434 - Voted No

# SENATE PROXY FORM

According to Senate Rule 30-70 (13) (f), a committee member may vote by proxy using a standard form.

## PROXY VOTE

I, the undersigned, hereby authorize Senator TROPILA

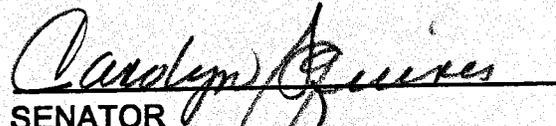
to vote my proxy on any issue before the Senate BUSINESS

& ECONOMIC AFFAIRS Committee

held on 2/15/07, 2007.

SB 434 aye D.P.

SB 453 aye D.P.

  
SENATOR  
STATE OF MONTANA

**MONTANA STATE SENATE  
2007 LEGISLATURE**

**VISITOR REGISTER**

**BUSINESS AND LABOR**

DATE 2-15-07

BILLS BEING HEARD TODAY SB 419, 429, 453

PLEASE PRINT

NAME	PHONE	REPRESENTING	BILL #	SUPPORT	OPPOSE
Gene Allison		DLI/BSO	453	X	
Roger McGinn	442-9535	IFAM	429		X
John Barrows	443-2850	MT Newspaper Assoc	453	Y	
Don Judge	459-1708	Self / Teamsters Local 170	SB 419	X	
Carol Roy	444-3917	State Auditor's off.	SB 419/29	X	
Greg Van Housen	2-0230	State Farm Ins	5429		X
Judy Miller	360-770 6825	PCI AA	5429		X
Tanya Ask	444-8297	SUBSMT	5419	w/Amend	
Dwight Easton	240-2010	Farmers Ins Grp	5429		X
Angela Huchler	457-2291	NewWest Health Services	5419	w/Amend	
Norm Clifford	457-4705		SB 419	✓	
Frank Cote	39070	Furnis	SB 429		X
Keith Allen		IBEW 233	SB 453	X	
Frank Cote	39070	ATI P	SB 419	w/Amend	
Margulise Benmark	2-0230	Amnia Assn	5429		X
Diria Riutta	495-0497	WEBC	SB 419	X	
Jacy Miller	651-331-1689	myself	SB 419	X	
Pat Melby	442-7450	MT Med Ass'n	SB 419	✓	
Bob Worthington	448-0907	NMIA	SB 419	✓	
NIMCAG Co	475-3686	SELF	SB 419	—	

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY