MONTANA SENATE
2007 LEGISLATURE

ROLL CALL

PUBLIC HEALTH, WELFARE & SAFETY

DATE 2-5-07

NAMES	PRESENT	ABSENT	EXCUSED
SEN. JOHN COBB (R)	✓		
SEN. JOHN ESP (R)	✓		
SEN. KIM GILLAN (D)			✓
SEN. LYNDA MOSS (D)	✓		
SEN. TERRY MURPHY (R)	✓		
SEN. JERRY O'NEIL (R)	✓		
SEN. TRUDI SCHMIDT (D)	✓		
SEN. CAROL WILLIAMS (D)	✓		
SEN. DAN WEINBERG(D) CHAIR	✓		
LISA JACKSON (LSD)	✓		
PRUDENCE GILDROY, SECRETARY	✓		

SENATE STANDING COMMITTEE REPORT

Mr. President:

We, your committee on **Public Health, Welfare and Safety** recommend that **Senate Bill 287** (first reading copy -- white) **do pass as amended**.

Signed: _____
Senator Dan Weinberg, Chair

And, that such amendments read:

1. Page 3, line 25.
Following: "by"
Strike: "the department of justice"
Insert: "any state or federal authority"

2. Page 6, line 6.
Strike: "16"
Insert: "15"

3. Page 12, line 26.
Following: "organization"
Insert: "and, if the reason for death falls under 46-4-122, the coroner with jurisdiction"

4. Page 12, line 28.
Following: "opportunities with"
Strike: "the legal next of kin"
Insert: "a person authorized under 72-17-214 to make an anatomical gift"

5. Page 14, line 28.
Strike: subsection (h) in its entirety
Renumber: subsequent subsections

6. Page 16, line 10.
Following: "donor"
Insert: "who is in a health care facility"

Committee Vote:
Yes 8, No 1
Fiscal Note Required ___

270949SC.spb

7. Page 17, line 4.
Following: "available medical"
Strike: "and social"

8. Page 19, line 3.
Following: "if none, the physician"
Strike: "or"
Insert: ","
Following: first "surgeon"
Insert: ", or coroner"

9. Page 19, line 4.
Following: "nor the physician"
Strike: "or"

Insert: ","
Following: "surgeon"
Insert: ", or coroner"

- END -

SENATE STANDING COMMITTEE REPORT

Mr. President:

We, your committee on **Public Health, Welfare and Safety** recommend that **Senate Bill 140** (first reading copy -- white) **do pass as amended.**

Signed: _____
Senator Dan Weinberg, Chair

And, that such amendments read:

1. Title, page 1, line 13.
Following: "COVERAGE;"
Insert: "DEDICATING SPECIFIC APPROPRIATION FUNDS;"

2. Page 4, line 5.
Following: "~~(a)~~"
Insert: "(a)"

3. Page 4.
Following: line 10
Insert: "(b) The term includes small employers who obtain group health insurance coverage through a qualified association health plan."

4. Page 4.
Following: line 26
Insert: "(10) "Qualified association health plan" means a plan established by an association whose members consist of employers who sponsor group health plans for their employees and purchase that coverage through an association that qualifies as a bona fide association, as defined in 33-22-1803, or non-bona fide, as provided for in administrative rule. A qualified association health plan is subject to applicable employer group health insurance law and must receive approval from the commissioner to operate as a qualified association health plan for the purposes of this part."
Renumber: subsequent subsections

Committee Vote:
Yes 9, No 0
Fiscal Note Required ___ KJ

270950SC.spb

5. Page 5, line 12.
Following: "assistance payments"
Insert: "unless that employer group no longer meets eligibility requirements"

6. Page 5, lines 21 and 22.
Strike: "adopt" on line 21 through "," on line 22

7. Page 6, line 2.
Following: "operating plan"
Insert: ", implement a wellness benefit, and offer cafeteria plan assistance, as provided for in 26 U.S.C. 125,"

8. Page 6, line 3.
Strike: "90%"
Insert: "95%"

9. Page 6, line 16.
Following: "33-22-1811"
Insert: ", except to the extent that administrative rules allow sole proprietors to participate in the purchasing pool"

10. Page 7, line 2.
Strike: "90%"
Insert: "95%"

11. Page 7, line 2.
Following: "payments"
Insert: ", the wellness benefit, and the cafeteria plan expenses"

12. Page 7.
Following: line 3
Insert: "(g) request that funds be transferred from the funds appropriated for tax credits to the funds appropriated for premium incentive payments and premium assistance payments if the number of eligible small employers seeking tax credits is insufficient to exhaust at least 95% of the funds appropriated for tax credits;"
Renumber: subsequent subsections

13. Page 7, line 30.
Following: "~~plans,~~"
Insert: "the approval of qualified association health plans,"

14. Page 8, line 19.
Strike: "and"

15. Page 8.
Following: line 23

Insert: "(11) approve or disapprove associations as qualified if their members consist of employers who sponsor group health plan coverage for their employees and purchase that coverage through an association that qualifies as a bona fide association, as defined in 33-22-1803, or non-bona fide, as provided for in administrative rule. A qualified association health plan is subject to applicable employer group health insurance law."
Renumber: subsequent subsections

16. Page 8, line 28.
Following: "(1)"
Strike: "An"
Insert: "Subject to subsection (2), an"

17. Page 9.
Following: line 13
Insert: "(2) An employer may not receive a premium incentive payment, a premium assistance payment, or a tax credit for the premium of any of the following individuals or the individual's dependents if the individual's gross income in the prior tax year exceeds $75,000:
(a) a sole proprietor of a sole proprietorship that is the employer;
(b) a partner of a partnership that is the employer;
(c) a shareholder of a corporation that is the employer;
(d) a member or manager of a limited liability company that is the employer; or
(e) the trustee of a trust that is the employer."
Renumber: subsequent subsections

18. Page 9, line 23.
Strike: "(4)"
Insert: "(5)"

19. Page 12, line 11.
Strike: first "or"
Insert: "instead of"

20. Page 12, line 15.
Following: "(2)"
Insert: "(a)"

21. Page 12, line 17.
Following: "credit."
Insert: "(b)(i)"

22. Page 12.
Following: "health plan." on line 21.
Insert: "(ii) Sixty percent of any additional funds up to $1

million appropriated to this program from the special revenue account that is an increase over the prior biennium must be dedicated to provide and maintain premium incentive payments and premium assistance payments for employers who have not sponsored group health plans in the previous 2 years and who choose to join the purchasing pool as provided in 53-6-1201(3)(e).

(iii) Forty percent of any additional funds up to $1 million appropriated to this program from the special revenue account that is an increase over the prior biennium must be dedicated to provide and maintain tax credits, as provided in 53-6-1201(3)(d), for employers who have not sponsored group health plans in the previous 2 years and who choose to join a qualified association health plan.

(c)"

23. Page 12.
Following: line 23
Insert: "(d) Funding may be transferred from the allocated fund for tax credits to the allocated fund for premium incentive payments and premium assistance payments if the board requests the transfer as provided in 33-22-2004 and the commissioner approves the request."

24. Page 13, line 18.
Following: "~~coverage~~"
Insert: "coverage"

25. Page 13, line 23.
Following: "(5)"
Insert: "(a)"

26. Page 13.
Following: line 24
Insert: "(b) Small employer participants in the purchasing pool who no longer meet eligibility requirements because of statutory changes must be allowed to remain in the purchasing pool, but premium incentive payments and premium assistance payments will be discontinued beginning in January following a loss of eligibility status triggered by reregistration in October.

(c) Small employer participants who currently receive a tax credit but no longer meet eligibility requirements because of statutory changes will lose eligibility to claim a tax credit beginning in January following a loss of eligibility status triggered by reregistration in October."

- END -

COMMITTEE FILE COPY

TABLED BILL

The **SENATE PUBLIC HEALTH, WELFARE AND SAFETY COMMITTEE** TABLED **SB 186**, by motion, on **Monday, February 5, 2007**.

(For the Committee)

(Secretary of the Senate)

(Time) (Date)

February 5, 2007 Prudence E. Gildroy, Secretary Phone: 4759

COMMITTEE FILE COPY

TABLED BILL

The **SENATE PUBLIC HEALTH, WELFARE AND SAFETY COMMITTEE** TABLED **SB 182**, by motion, on **Monday, February 5, 2007**.

(For the Committee)

(Secretary of the Senate)

(Time) (Date)

February 5, 2007 Prudence E. Gildroy, Secretary Phone: 4759

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 Gillam Schmidt

to vote my proxy on any issue before the Senate _____

_____ Committee

held on _____, 2007.

Gillam

SENATOR
STATE OF MONTANA

1860.AIG-no
SB186-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 Mass

to vote my proxy on any issue before the Senate _____

_____ Committee

held on 2/5/07, 2007.

SB 287
amend.

Carol Williams
Williams
SENATOR
STATE OF MONTANA

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 Murphy

to vote my proxy on any issue before the Senate Public Health

Committee

held on 1/25, 2007.

Amendment to 287 Yes
SB 287 No.

SENATOR
STATE OF MONTANA

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 Mass _____

to vote my proxy on any issue before the Senate _____

_____ Committee

held on _____, 2007.

William
No. amendments

Carol Williams
SENATOR
STATE OF MONTANA

MONTANA STATE SENATE
2007 LEGISLATURE

PUBLIC HEALTH, WELFARE, & SAFETY

ROLL CALL VOTE

DATE 2-5-07 BILL NO. _____ NUMBER 4.5

MOTION: Amendment SB018601.ajg

NAME	AYE	NO
SEN. JOHN COBB (R)	✓	
SEN. JOHN ESP (R)	✓	
SEN. KIM GILLAN (D)		✓
SEN. LYNDA MOSS (D)		✓
SEN. TERRY MURPHY (R)	✓	
SEN. JERRY O'NEIL (R)		✓
SEN. TRUDI SCHMIDT (D)		✓
SEN. CAROL WILLIAMS (D)		✓
SEN. DAN WEINBERG(D) CHAIR	✓	
LISA JACKSON (LSD)		
PRUDENCE GILDROY, SECRETARY		

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MONTANA STATE SENATE
2007 LEGISLATURE

PUBLIC HEALTH, WELFARE, & SAFETY

ROLL CALL VOTE

DATE 2-5-07 BILL NO. SB 186 NUMBER 3-~~6~~ Fails

MOTION: SB 186 DO PASS

NAME	AYE	NO
SEN. JOHN COBB (R)	✓	
SEN. JOHN ESP (R)		✓
SEN. KIM GILLAN (D)		✓
SEN. LYNDA MOSS (D)		✓
SEN. TERRY MURPHY (R)		✓
SEN. JERRY O'NEIL (R)	✓	
SEN. TRUDI SCHMIDT (D)		✓
SEN. CAROL WILLIAMS (D)	✓	
SEN. DAN WEINBERG(D) CHAIR		✓
LISA JACKSON (LSD)		
PRUDENCE GILDROY, SECRETARY		

MONTANA STATE SENATE
2007 LEGISLATURE

VISITOR REGISTER

PUBLIC HEALTH, WELFARE & SAFETY

DATE 2-5-07

BILLS BEING HEARD TODAY SB 287

PLEASE PRINT

NAME	PHONE	REPRESENTING	BILL #	SUPPORT	OPPOSE
Pat Melby	442-7450	Mt. Med Assn	SB287	✓	
Marjorie Reed	251-5728	Living Legacy Donor Family	SB287	✓	
Jami McCall	622-3084	Billings Clinic	SB287	✓	
Gloria Hermanson	449-2334	Mt Soc. of Otolaryngology	SB287	✓	
Viola Green	285-6623	Grandmother of Brian Johnston	SB287	✓	
Winter Mickelberry	285-3278	Family	SB287	✓	
Patti Johnston	256-0511	LifeCenter Northwest	SB287	✓	
Jennifer Knight	461-6642	SightLife	SB287	✓	
Cindy Stokes	256-2272	LifeCenter Northwest	SB287	✓	
Karen Fisher	539-1539	Family Brian Johnston	SB287	✓	
Jim Phillips	535-6147	Family Brian Johnston	SB287		
DIANA CLARK	425-201-6563	LIFECENTER NW	SB287	✓	
Joe Mazurek	457-2030	Self	SB287	✓	

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY