

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: By Chairman Scott Mendenhall, on February 16, 2007 at 8:00 A.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Scott Mendenhall, Chairman (R)
Rep. Jim Keane, Vice Chairman (D)
Rep. Mike Milburn, Vice Chairman (R)
Rep. Elsie Arntzen (R)
Rep. Shannon Augare (D)
Rep. Scott Boggio (R)
Rep. Ernie Dutton (R)
Rep. Kevin T. Furey (D)
Rep. Ralph Heinert (R)
Rep. Llew Jones (R)
Rep. Harry Klock (R)
Rep. Michele Reinhart (D)
Rep. Wayne Stahl (R)
Rep. Bill Thomas (D)
Rep. Kendall Van Dyk (D)
Rep. Jonathan Windy Boy (D)

Members Excused: None

Members Absent: None

Staff Present: Bart Campbell, Legislative Branch
Nancy Kraft, 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 587, 2/9/2007; HB 616,
2/12/2007; HB 654, 2/13/2007
Executive Action: HB 616; HB 146

HEARING ON HB 654

00:02:49 Rep. Dave McAlpin (D), HD 94, opened the hearing on HB 654, Limit youth access to tobacco.

Proponents' Testimony:

00:05:53 Dick Paulsen, American Lung Association of the Northern Rockies

EXHIBIT (buh35a01)

00:10:39 Kristin Nei, American Cancer Society

EXHIBIT (buh35a02)

00:13:43 Dr. Robert Shepard, Helena, Montana

EXHIBIT (buh35a03)

00:21:02 Barbara Schneeman Yellowstone City-County Health Department & Health Officers' Group

00:22:49 Tyler Steinebach, Superior High School

00:27:19 Todd Harwell, Department of Public Health and Human Services (DPHHS)

EXHIBIT (buh35a04)

00:27:37 Cliff Christian, American Heart and Stroke Associations

EXHIBIT (buh35a05)

00:27:52 Pat Melby, Montana Medical Association

Opponents' Testimony:

00:28:40 Ronna Alexander, G Store Association

EXHIBIT (buh35a06)

00:34:58 Jim Dundas

00:38:37 Mark Staples, Montana Wholesalers' Association

00:40:34 Sheldon Feist, Sheehan Majestic Wholesale Distribution Company, Missoula, Montana

00:41:48 Mark Baker, Attorney for United States Smokeless Tobacco Company

EXHIBIT (buh35a07)

00:45:38 Tom Ault, Hi Line Wholesale, Wolf Point, Montana

00:46:44 Pat Keim, Phillip Morris Company

EXHIBIT (buh35a08)

00:47:52 Jerome Anderson, Reynolds American Incorporated

EXHIBIT (buh35a09)

00:48:56 Roy Morris

00:49:14 Dave Clements

Informational Testimony:

00:49:44 Lee Baerlocher, Department of Revenue

Questions from Committee Members and Responses:

00:51:20 Rep. Klock
00:51:46 Mr. Paulsen
00:52:28 Rep. Dutton
00:53:14 Mr. Paulsen
00:54:18 Rep. Heinert
00:55:00 Mr. Dundas
00:55:41 Rep. Keane
00:56:20 Rep. McAlpin
00:57:13 Rep. Klock
00:57:39 Rep. McAlpin
00:58:03 Rep. Arntzen
01:02:17 Dr. Shephard
01:02:25 Rep. Boggio
01:02:47 Rep. McAlpin
01:03:34 Mr. Baerlocher
01:04:41 Rep. Reinhart
01:04:58 Rep. McAlpin
01:05:22 Rep. Klock
01:05:49 Mr. Anderson

Closing by Sponsor:

01:07:31 Rep. McAlpin

HEARING ON HB 616**Opening Statement by Sponsor:**

01:12:17 Rep. Bill McChesney (D), HD 40, opened the hearing on HB 616, Allow parimutuel wagering on fantasy sports leagues.

[EXHIBIT \(buh35a10\)](#)

Proponents' Testimony:

01:16:15 John Tooke, Horse Racing Task Force
01:21:04 Gary Mathews, Former Representative, Montana Legislature
01:25:34 Al Carruthers, Butte, Montana
01:26:55 Tom Tucker, Manager, Montana Simulcast Partners
01:29:52 Rich Miller, Gaming Industry Association of Montana
01:30:59 Ronda Wiggers, Montana Coin Machine Operators' Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:32:56 Rep. Furey
01:34:10 Rep. McAlpin
01:35:08 Bart Campbell
01:35:57 Rep. Arntzen
01:36:23 Mr. Tooke
01:38:42 Rep. Dutton
01:39:12 Mr. Tooke
01:41:00 Rep. Furey
01:42:11 Mr. Tooke
01:45:39 Rep. Furey
01:45:53 Mr. Tooke

Closing by Sponsor:

01:46:06 Rep. McChesney
01:47:06 Break

HEARING ON HB 587

Opening Statement by Sponsor:

02:03:10 Rep. Dennis Himmelberger (R), HD 47, opened the hearing on HB 587, Limit insurance stacking to uninsured and underinsured medical payments.

[EXHIBIT \(buh35a11\)](#)

Proponents' Testimony:

02:06:32 Tom Clarke, Independent Insurance Agency Association
02:09:55 Mark Connolly, Insurance Agent, Kalispell, Montana
02:13:19 Bob Worthington, Montana Municipal Insurance Authority
02:15:08 Spook Stang, Montana Motor Carriers' Association
02:15:45 Dwight Easton, Farmers' Insurance Companies
02:18:19 Larry Kibbee, Property Casualty Insurers' Association of America

Opponents' Testimony:

02:19:32 Keith Marr, Attorney, Great Falls, Montana

Informational Testimony:

02:37:09 Jennifer Massman, State Auditor's Office

Questions from Committee Members and Responses:

02:37:36 Rep. Stahl
02:38:02 Mr. Easton
02:39:08 Rep. Himmelberger
02:40:02 Rep. Stahl
02:40:28 Rep. Furey
02:41:24 Mr. Marr
02:43:07 Rep. Milburn
02:44:04 Mr. Easton
02:45:18 Rep. Dutton
02:47:49 Mr. Marr
02:50:02 Rep. Windy Boy
02:50:27 Steve Homec
02:52:49 Rep. Reinhart
02:53:04 Ms. Massman
02:57:04 Rep. Dutton
02:57:59 Rep. Mendenhall
02:58:36 Mr. Stang
02:59:55 Rep. Mendenhall
03:00:21 Rep. Himmelberger

Closing by Sponsor:

03:00:32 Rep. Himmelberger

EXECUTIVE ACTION**Additional Discussion on HB 587:**

03:07:04 Mr. Marr
03:08:18 Rep. Reinhart
03:09:29 Rep. Dutton
03:10:21 Bart Campbell

Additional Discussion on HB 601:

03:11:40 Windy Boy
03:13:25 Rep. Mendenhall

EXECUTIVE ACTION ON HB 616

03:14:33 **Motion:** Rep. Keane moved that HB 616 **DO PASS.**

Discussion:

03:14:44 Rep. Keane
03:15:56 Rep. Van Dyk
03:16:28 Rep. Mendenhall

03:17:51 **Vote:** Motion carried 12-4 by voice vote with Reps. Boggio, Dutton, Furey, and Milburn voting no.

EXECUTIVE ACTION ON HB 146

03:19:25 **Motion:** Rep. Keane moved that HB 146 **DO PASS**.

Discussion:

03:19:00 Rep Windy Boy

03:20:09 Rep. Augare

03:21:36 Rep. Milburn

03:22:15 Rep. Keane

03:23:12 **Vote:** Motion failed 4-12 by roll call vote with Reps. Augare, Furey, Reinhart, and Windy Boy voting aye.

03:24:07 **Substitute Motion/Vote:** Rep. Keane made a substitute motion that HB 146 **BE TABLED AND THE VOTE REVERSED**. Substitute motion carried unanimously by voice vote.

Additional Exhibits:

Document pertaining to HB 146; Hearing date 02/12/07

[EXHIBIT \(buh35a12\)](#)

ADJOURNMENT

03:24:24 Adjournment: 11:30 A.M.

REP. SCOTT MENDENHALL, Chairman

NANCY KRAFT, Secretary

SM/nk

Additional Exhibits:

EXHIBIT ([buh35aad.pdf](#))