

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: Chair Elsie Arntzen, on March 10, 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. 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. Harry Klock (R)
Rep. Jonathan McNiven (R)
Rep. Pat Noonan (D)
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. Chuck Hunter, Vice Chairman (D)
Rep. Scott Reichner (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: SB 352, 3/3/2011; SB 260, 3/3/2011; SB 228, 3/3/2011
Executive Action Taken: HB 458, SB 159, SB 201, SB 221, SB 260, SB 269, SB 290, SB 294, SB 342, and SB 361

HEARING ON SB 228**Opening Statement by Sponsor:**

00:02:10 Sen. Jason Priest (R), SD 30, opened the hearing on SB 228, Prohibit creation of health insurance exchange under PPACA.

Proponents' Testimony:

00:02:23 Vice Chairman Hunter arrived.
00:06:05 Bob Faw, Citizen
00:07:23 Tim Ravndal, Lewis and Clark's Conservative Tea Party
00:08:49 Robert Kolar, Citizen
00:09:22 Rep. Court

Opponents' Testimony:

00:09:41 Monica Lindeen, Commissioner Securities and Insurance and Montana State Auditor
00:17:00 Susan Witte, Allegiance Life and Health, New West Health, and Blue Cross Blue Shield of Montana
00:17:48 Don Judge, Montana Nurses' Association
00:21:49 Amanda Harrow, Montana Small Business Alliance

Informational Testimony: None**Questions from Committee Members and Responses:**

00:24:51 Rep. Smith
00:25:55 Ms. Witte
00:26:52 Rep. Reinhart
00:27:24 Sen. Priest
00:28:29 Rep. Reinhart
00:28:43 Sen. Priest
00:29:32 Rep. Reinhart
00:29:52 Sen. Priest
00:31:03 Rep. Reinhart
00:31:24 Sen. Priest
00:31:56 Rep. Reinhart
00:32:10 Sen. Priest
00:32:42 Rep. Reinhart
00:33:10 Ms. Lindeen
00:35:48 Rep. Reinhart
00:36:00 Ms. Lindeen
00:36:13 Chairwoman Arntzen
00:36:25 Ms. Lindeen
00:37:18 Rep. Clark left.
00:37:45 Rep. Noonan

00:38:11 Ms. Lindeen
00:40:43 Rep. Noonan
00:40:54 Ms. Lindeen
00:41:03 Rep. Clark returned.
00:41:14 Rep. Smith
00:41:28 Ms. Lindeen
00:42:10 Rep. Smith
00:42:27 Ms. Lindeen
00:42:59 Rep. Smith
00:43:12 Ms. Lindeen
00:43:28 Rep. Smith
00:43:45 Ms. Lindeen
00:43:59 Vice Chairman Hunter
00:44:34 Sen. Priest
00:45:43 Rep. Klock left.
00:46:19 Vice Chairman Hunter
00:46:28 Sen. Priest
00:46:39 Rep. McNiven
00:47:04 Ms. Lindeen
00:47:28 Rep. McNiven

Closing by Sponsor:

00:47:54 Sen. Priest

00:49:34 Rep. McNiven, Rep. Noonan, Rep. Smith and Rep. Vance left.

HEARING ON SB 260

Opening Statement by Sponsor:

00:55:51 Sen. Jonathan Windy Boy (D), SD 16, opened the hearing on SB 260, Require car insurance companies to provide disclosure on how rates determined.

[EXHIBIT\(buh54a01\)](#)

[EXHIBIT\(buh54a02\)](#)

[EXHIBIT\(buh54a03\)](#)

[EXHIBIT\(buh54a04\)](#)

Proponents' Testimony:

01:03:48 Ann Brodsky, Governor's Office (GOV)
01:06:51 Dave Ponte, Citizen
01:07:31 Rep. McNiven and Rep. Klock returned.

Opponents' Testimony:

01:08:58 Bob Biskupiak, Independent Insurance Agents Association of Montana
01:12:20 Greg VanHorssen, State Farm Insurance, Farmers Insurance and American Insurance Association
01:14:59 Rep. Reinhart left.
01:16:58 Bruce Spencer, Allstate Insurance and Property Casualty Insurance Association
01:18:52 Rep. Noonan returned.

Informational Testimony: None

Questions from Committee Members and Responses:

01:20:34 Rep. Furey
01:21:10 Mr. Spencer
01:22:08 Rep. Furey
01:22:49 Mr. Spencer
01:23:37 Rep. Furey
01:23:40 Mr. Spencer
01:23:59 Rep. Furey
01:24:18 Mr. Spencer
01:26:10 Rep. Court
01:27:00 Mr. Biskupiak
01:27:59 Rep. Court
01:28:13 Rep. Reinhart returned.
01:28:20 Rep. Squires
01:28:55 Mr. Spencer
01:29:27 Rep. Squires
01:30:35 Mr. Spencer
01:31:29 Rep. Squires
01:31:56 Rep. Evans
01:32:14 Mr. Spencer
01:34:09 Rep. Evans
01:34:21 Mr. Spencer
01:34:44 Rep. Evans
01:34:48 Rep. Boland
01:35:43 Mr. Spencer
01:35:57 Rep. Reinhart
01:36:24 Mr. Biskupiak
01:37:44 Rep. Reinhart
01:38:01 Mr. Biskupiak
01:38:39 Rep. Reinhart
01:38:53 Mr. Biskupiak
01:39:21 Rep. Reinhart
01:39:40 Mr. Biskupiak
01:40:19 Rep. Furey
01:40:54 Sen. Windy Boy
01:41:34 Rep. Welborn left.
01:42:56 Rep. Court
01:43:33 Mr. Biskupiak
01:43:57 Rep. Court
01:44:37 Mr. Spencer
01:45:26 Rep. Reichner arrived.

Closing by Sponsor:

01:46:10 Sen. Windy Boy

HEARING ON SB 352**Opening Statement by Sponsor:**

01:50:12 Sen. Donald Steinbeisser (R), SD 19, opened the hearing on SB 352, Allow adverse driving record use in setting auto insurance risk classifications.

Proponents' Testimony:

01:52:20 Jacqueline Lenmark, Insurance Service Offices Incorporated (ISO)

EXHIBIT(buh54a05)

01:56:40 Rep. Welborn returned.

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:57:24 Rep. Reinhart

01:58:00 Ms. Lenmark, ISO

02:00:15 Chairwoman Arntzen

02:00:27 Ms. Lenmark

Closing by Sponsor:

02:01:11 Sen. Steinbeisser

02:02:08 Meeting recessed.

02:23:53 Meeting resumed.

02:24:00 Chairwoman Arntzen and Rep. Welborn did not return.

EXECUTIVE ACTION ON HB 458

02:24:12 **Motion:** Rep. Reichner moved that **HB 458 DO PASS.**

Discussion:

02:24:24 Rep. Squires

02:24:43 Rep. Boland

02:25:10 Rep. Squires

02:25:14 Jean Johnson, Montana Outfitters and Guides Association

02:25:52 Rep. Squires

02:25:59 **Vote:** Motion carried unanimously by roll call vote. Rep. Arntzen, Rep. Smith, Rep. Vance and Rep. Welborn voted by proxy.

EXECUTIVE ACTION ON SB 159

02:27:09 **Motion:** Rep. Reichner moved that **SB 159 BE CONCURRED IN.**

Discussion:

02:27:22 Rep. Reinhart
02:27:29 Rep. Welborn returned.
02:27:55 Vice Chairman Berry

02:27:57 **Motion:** Rep. Reinhart moved that **SB 159 BE INDEFINITELY POSTPONED.**
Without objection.

EXECUTIVE ACTION ON SB 201

02:28:01 **Motion:** Rep. Welborn moved that **SB 201 BE CONCURRED IN.**

Discussion:

02:28:16 Vice Chairman Hunter
02:28:28 Chairwoman Arntzen returned.
02:29:03 Rep. Squires
02:29:27 Chairwoman Arntzen
02:29:55 Rep. Noonan
02:30:16 Rep. Reinhart
02:30:48 Vice Chairman Berry
02:30:59 Rep. Rosendale
02:31:22 Chairwoman Arntzen
02:32:21 Vice Chairman Berry
Executive action continued later in the hearing.

EXECUTIVE ACTION ON SB 221

02:32:42 **Motion:** Rep. Welborn moved that **SB 221 BE CONCURRED IN AS AMENDED.**

Discussion:

02:32:55 Mr. Campbell
EXHIBIT(buh54a06)
02:34:39 Rep. Reinhart
02:34:43 Mr. Campbell
02:36:37 Vice Chairman Hunter
02:36:50 Mr. Campbell
02:36:56 Rep. Noonan
02:37:32 Chairwoman Arntzen
02:37:52 Rep. Reinhart
02:38:12 Chairwoman Arntzen

EXHIBIT(buh54a07)

02:38:33 Rep. Clark
02:39:04 Rep. Noonan
02:39:12 Rep. Reinhart
02:39:34 Chairwoman Arntzen

02:40:00 **Motion:** Rep. Berry moved that **SB 159 BE INDEFINITELY POSTPONED.**
Without objection.

EXECUTIVE ACTION ON SB 269

02:40:27 **Motion/Vote:** Rep. Welborn moved that **SB 269 BE CONCURRED IN.** 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. Smith and Rep. Vance voted by proxy.

02:41:37 **Motion/Vote:** Rep. Welborn moved that **SB 269 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote of those present and voting.

EXECUTIVE ACTION ON SB 290

02:42:06 **Motion/Vote:** Rep. Welborn moved that **SB 290 BE CONCURRED IN.** Motion carried unanimously by voice vote. Rep. Smith and Rep. Vance voted by proxy. Rep. McNiven will carry the bill.

EXECUTIVE ACTION ON SB 294

02:42:52 **Motion:** Rep. Welborn moved that **SB 294 BE CONCURRED IN.**

Discussion:

02:43:20 Mr. Campbell
02:43:32 Rep. Vance returned.

02:44:51 **Motion:** Rep. Reinhart moved that **SB 294 BE AMENDED.**
EXHIBIT(buh54a08)

Discussion:

02:45:03 Vice Chairman Hunter
02:45:49 Rep. Reinhart
02:46:16 Rep. Squires
02:46:57 Vice Chairman Berry
02:47:31 Rep. McNiven
02:47:55 Rep. Rosendale

02:48:34 **Vote:** Motion failed 4-17 by roll call vote with Rep. Clark, Rep. Court, Rep. Furey and Rep. Reinhart voting aye. Rep. Smith voted by proxy.

Discussion:

02:49:37 Rep. Furey
02:50:32 Rep. Rosendale
02:50:52 Rep. Reinhart
02:52:30 Rep. Court
02:53:13 Rep. Squires
02:54:08 Rep. Reichner

02:56:03 **Vote:** Motion carried 17-4 by roll call vote with Rep. McNiven, Rep. Rosendale, Rep. Smith and Rep. Vance voting no. Rep. Smith voted by proxy. Rep. Reichner will carry the bill.

EXECUTIVE ACTION ON SB 342

02:57:47 **Motion:** Rep. Welborn moved that **SB 342 BE CONCURRED IN.**

02:58:07 Vice Chairman Hunter
02:58:43 Rep. Rosendale
02:59:00 Chairwoman Arntzen left.

02:59:03 **Vote:** Motion carried 17-4 by roll call vote with Rep. Boland, Rep. Court, Rep. Hunter and Rep. Reinhart voting no. Rep. Arntzen and Rep. Smith voted by proxy. Rep. McNiven will carry the bill.

EXECUTIVE ACTION ON SB 361

03:00:35 **Motion:** Rep. Welborn moved that **SB 361 BE CONCURRED IN.**

Discussion:

03:01:13 Vice Chairman Berry

03:01:43 **Vote:** Motion carried 18-3 by roll call vote with Rep. McNiven, Rep. Reichner and Rep. Smith voting no. Rep. Arntzen and Rep. Smith voted by proxy. Rep. Gibson will carry the bill.

EXECUTIVE ACTION ON SB 260

03:03:04 **Motion/Vote:** Rep. Reichner moved that **SB 260 BE CONCURRED IN.** Motion failed 6-15 by roll call vote with Rep. Boland, Rep. Court, Rep. Evans, Rep. Noonan, Rep. Small and Rep. Squires voting aye. Rep. Arntzen and Rep. Smith voted by proxy.

03:04:03 **Motion/Vote:** Rep. Welborn moved that **SB 260 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote of those present and voting.

EXECUTIVE ACTION ON SB 201 CONTINUED

03:05:25 Rep. Vance
03:05:33 Vice Chairman Hunter
03:05:41 Rep. Vance
03:05:51 Vice Chairman Hunter
03:06:14 Rep. Reinhart
03:06:55 Vice Chairman Hunter
03:07:06 Rep. Clark
03:07:33 Rep. Court

03:08:04 **Vote:** 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. Rep. Arntzen and Rep. Smith voted by proxy. Rep. Vance will carry the bill.

03:09:25 Rep. Reinhart
03:09:36 Mr. Campbell
03:10:21 Rep. Squires
03:10:34 Mr. Campbell
03:11:23 Rep. Klock

ADJOURNMENT

11:13:00 Adjournment

Sandra Sullivan, Secretary

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Additional Documents:

EXHIBIT([buh54aad.pdf](#))