

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: Chair Tom Berry, on February 11, 2013 at 9:00 A.M., in Room 172
Capitol

ROLL CALL

Members Present:

Rep. Tom Berry, Chair (R)
Rep. Carlie Boland, Vice Chair (D)
Rep. Daniel R. Salomon, Vice Chair (R)
Rep. Christy Clark (R)
Rep. Amanda Curtis (D)
Rep. Steve Fitzpatrick (R)
Rep. Edward Greef (R)
Rep. Roger A. Hagan (R)
Rep. Chuck Hunter (D)
Rep. Mike Lang (R)
Rep. David (Doc) Moore (R)
Rep. Reilly Neill (D)
Rep. Rae Peppers (D)
Rep. Gordon Pierson Jr (D)
Rep. Cary Smith (R)
Rep. Tom Steenberg (D)
Rep. Jeffrey W. Welborn (R)

Members Excused: Rep. Jonathan McNiven (R)
Rep. Scott Reichner (R)
Rep. Carolyn Squires (D)

Members Absent: None

Staff Present: Ellen Bush, Committee Secretary
Bart Campbell, Legislative Services Division

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 281, 2/6/2013; HB 310, 2/6/2013
Executive Action: HB 363

00:09:38 Chair Berry

HEARING ON HB 281

Opening Statement by Sponsor:

00:10:11 Rep. Cary Smith (R), HD 55, opened the hearing on HB 281, Provide for timely filing and resolution of claims in medical liability cases.

Proponents' Testimony:

00:13:10 Shaun Gillis, Obstetrician-Gynecologist Physician, Montana Medical Association (MMA)

00:15:55 Kiely Keane, MMA

00:17:27 Randy Penton, Director of Risk Management, Billings Clinic

EXHIBIT(buh30a01)

00:22:14 Mark Taylor, Attorney, Montana Hospital Association (MHA)

EXHIBIT(buh30a02)

00:25:09 Colleen Grass, Montana Dental Hygienists Association

00:26:12 David Hemion, Montana Dental Association (MDA)

00:26:35 Mark Staples, Blue Cross Blue Shield (BCBS)

00:26:47 Mike Foster, Catholic Hospitals of Montana

00:27:11 Mona Jamison, The Doctors Company

00:27:34 Don Judge, Montana Nurses Association

00:27:48 Bill Warden, St. Peter's Hospital (SPH), Benefis Hospitals and Bozeman Deaconess Hospital (BDH)

00:28:09 Annie Bukacek, Kalispell Physician

Opponents' Testimony:

00:28:42 Al Smith, Montana Trial Lawyers Association (MTLA)

Informational Testimony:

Questions from Committee Members and Responses:

00:39:52 Rep. Clark

00:40:26 Mr. Smith, MTLA

00:40:42 Rep. Hunter

00:41:25 Mr. Penton, Billings Clinic

00:42:26 Rep. Hunter

00:42:48 Mr. Penton, Billings Clinic

00:42:58 Rep. Fitzpatrick

00:43:39 Ms. Keane, MMA

00:44:40 Rep. Fitzpatrick

00:45:04 Ms. Keane, MMA

00:46:08 Rep. Barry

00:46:58 Mr. Penton, Billings Clinic

00:47:19 Rep. Barry

00:47:23 Mr. Penton, Billings Clinic

00:47:31 Rep. Barry

00:47:55 Mr. Penton, Billings Clinic

00:48:21 Chair Barry

00:48:39 Mr. Penton, Billings Clinic
00:48:44 Chair Barry
00:48:47 Mr. Penton, Billings Clinic

Closing by Sponsor:

00:49:18 Rep. Carey Smith

HEARING ON HB 310

Opening Statement by Sponsor:

00:52:50 Rep. Cary Smith (R), HD 55, opened the hearing on HB 310, Prohibit lawsuits for wrongful birth and wrongful life.

EXHIBIT(buh30a03)

Proponents' Testimony:

00:54:10 Aimee Grmoljez, Billings Clinic
01:00:04 Matt Kuntz, Executive Director, National Alliance on Mental Illness (NAMI) of Montana
01:01:29 Dr. Gillis, MMA
01:04:38 Jeff Laszloffy, Montana Family Foundation
01:08:15 Mr. Penton, Billings Clinic

EXHIBIT(buh30a04)

01:13:00 Mr. Foster, Catholic Hospitals of Montana
01:13:58 Mr. Warden, Benefis, SPH and BDH
01:14:39 Mr. Taylor, MHA
01:15:53 Gregg Trude, State Director, Montana Right to Life
01:17:24 Moe Wosepka, Montana Catholic Conference
01:19:17 Ronalee Skees, Self

Opponents' Testimony:

01:20:54 Casey Magan, Montana Women's Lobby (MWL)
01:27:53 Mr. Smith, MTLA
01:31:29 Stacey Anderson, Director of Public Affairs, Planned Parenthood
01:35:52 Kim Leighton, NARAL Pro-Choice Montana

Informational Testimony: None

Questions from Committee Members and Responses:

01:37:13 Rep. Curtis
01:38:06 Mr. Penton, Billings Clinic
01:38:45 Rep. Curtis
01:38:50 Mr. Penton, Billings Clinic
01:39:12 Rep. Curtis
01:39:16 Mr. Penton, Billings Clinic
01:39:54 Rep. Pierson
01:40:47 Dr. Gillis, MHA
01:43:48 Rep. Pierson
01:44:14 Mr. Taylor, MHA
01:44:35 Ms. Grmoljez, Billings Clinic

01:46:40 Rep. Pierson
01:47:07 Ms. Anderson, Planned Parenthood
01:47:30 Rep. Clark
01:48:13 Dr. Gillis, MHA
01:49:10 Rep. Hunter
01:49:23 Rep. Neill
01:50:18 Ms Magan, MWL
01:52:09 Rep. Hagan
01:53:37 Ms. Magan, MWL
01:53:59 Rep. Hagan

Closing by Sponsor:

01:54:32 Rep. Smith

01:56:27 Chair Berry

01:57:45 Recessed.
02:25:08 Reconvened.

02:25:27 Chair Berry

EXECUTIVE ACTION ON HB 363

02:25:48 **Motion:** Rep. Salomon moved that **HB 363 DO PASS.**

02:25:54 Chair Berry

02:26:16 **Motion:** Rep. Salomon moved that **HB 363 BE AMENDED.**
EXHIBIT(buh30a05)

Discussion:

02:26:25 Mr. Campbell, LSD

02:26:40 **Vote:** Motion carried unanimously by voice vote. Rep. McNiven, Rep. Reichner and Rep. Squires voted by proxy.

02:26:50 **Motion:** Rep. Salomon moved that **HB 363 DO PASS AS AMENDED.**

Discussion:

02:26:59 Rep. Hunter
02:28:05 Rep. Curtis

02:28:42 **Vote:** Motion carried 12-8 by roll call vote with Rep. Boland, Rep. Curtis, Rep. Hunter, Rep. Neill, Rep. Peppers, Rep. Pierson, Rep. Squires and Rep. Steenberg voting no. Rep. McNiven, Rep. Reichner and Rep. Squires voted by proxy.

02:30:23 Chair Berry

ADJOURNMENT

Adjournment: 02:30:54

Ellen Bush, Secretary

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Additional Documents:

EXHIBIT([buh30aad.pdf](#))