

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: Chair Tom Berry, on February 15, 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. Jonathan McNiven (R)
Rep. David (Doc) Moore (R)
Rep. Reilly Neill (D)
Rep. Rae Peppers (D)
Rep. Gordon Pierson Jr (D)
Rep. Cary Smith (R)
Rep. Carolyn Squires (D)
Rep. Tom Steenberg (D)
Rep. Jeffrey W. Welborn (R)

Members Excused: Rep. Scott Reichner (R)

Members Absent: None

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

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 287, 2/8/2013; HB 460, 2/13/2013
Executive Action: HB 402, HB 287, HB 297, HB 310, HB 416, HB 425

HEARING ON HB 287**Opening Statement by Sponsor:**

00:24:57 Rep. Daniel Salomon (R), HD 12, opened the hearing on HB 287, Enhance penalty for consumer protection violations.

Proponents' Testimony:

00:26:30 Jon Bennion, Deputy Attorney General, Department of Justice (DOJ)

[EXHIBIT\(buh34a01\)](#)

00:29:20 Father Gary Reller, Catholic Priest in Missoula

[EXHIBIT\(buh34a02\)](#)

00:34:23 Claudia Clifford, Advocacy Director, American Association of Retired Persons (AARP) Montana

[EXHIBIT\(buh34a03\)](#)

00:35:55 Donya Parrish, Montana Credit Union Network (MCUN)

00:36:50 Peggy Christensen, Family

00:38:50 Al Smith, Montana Trial Lawyers Association (MTLA)

Opponents' Testimony:

00:40:31 Bruce Spencer, Montana Automobile Dealers Association (MADA)

Informational Testimony: None

Questions from Committee Members and Responses:

00:42:04 Rep. Clark

00:42:20 Mr. Smith, MTLA

00:42:28 Rep. Squires

00:42:58 Mr. Bennion, DOJ

00:43:58 Rep. Squires

00:44:12 Mr. Bennion, DOJ

00:44:32 Chair Berry

00:44:42 Mr. Bennion, DOJ

Closing by Sponsor:

00:45:40 Rep. Salomon

HEARING ON HB 460**Opening Statement by Sponsor:**

00:46:54 Rep. Roger Hagan (R), HD 19, opened the hearing on HB 460, Provide residential roofing repair protection for insurance policyholders.

[EXHIBIT\(buh34a04\)](#)

Proponents' Testimony:

00:50:28 Dwight Easton, Farmers Insurance

00:53:59 Bruce Spencer, Property Casualty Insurers Association (PIA), and Allstate Insurance

00:55:17 Gregg Van Horssen, State Farm Insurance Company

00:56:53 Mr. Smith, MTLA

00:57:58 Jon Metropoulos, Attorney
01:00:45 Jacqueline Lenmark, American Insurance Association
00:58:40 Bob Biskupiak, Executive Director, Independent Insurance Agents Association of Montana

Opponents' Testimony:

01:01:23 George Baker, Business Owner

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

01:06:00 Rep. Pierson
01:06:21 Mr. Baker, Owner
01:07:48 Rep. Pierson
01:08:04 Mr. Baker, Owner
01:08:09 Rep. Smith
01:10:55 Chair Berry
01:10:58 Mr. Van Horssen, State Farm
01:13:51 Rep. Smith
01:14:54 Chair Berry
01:14:57 Mr. Van Horssen, State Farm
01:15:32 Rep. Boland
01:16:05 Mr. Easton, Farmers Insurance
01:18:10 Rep. Boland
01:18:42 Mr. Easton, Farmers Insurance
01:19:10 Rep. McNiven
01:20:13 Mr. Van Horssen, State Farm
01:20:35 Rep. McNiven
01:20:40 Mr. Van Horssen
01:21:08 Rep. Hunter
01:22:06 Mr. Spencer, PCI
01:23:38 Rep. Hunter
01:23:52 Mr. Spencer, PCI
01:24:12 Rep. Hunter
01:25:05 Mr. Spencer, PCI
01:25:45 Rep. Hunter
01:25:49 Mr. Spencer, PCI
01:26:34 Rep. Smith
01:27:28 Rep. McNiven
01:28:06 Rep. Hagan

Closing by Sponsor:

01:29:02 Rep. Hagan

0:35:00 Rep. Reichner arrived
01:35:08 Chair Berry

01:35:32 Recessed.
02:04:50 Reconvened.

EXECUTIVE ACTION ON HB 402

02:04:59 **Motion:** Rep. Salomon moved that **HB 402 DO PASS.**

02:05:42 **Motion/Vote:** Rep. Salomon moved that **HB 402 BE AMENDED.** Motion carried unanimously by voice vote.

[EXHIBIT\(buh34a05\)](#)

02:06:58 **Motion/Vote:** Rep. Salomon moved that **HB 402 DO PASS AS AMENDED.** Motion carried 18-2 by voice vote with Rep. McNiven and Rep. Reichner voting no.

EXECUTIVE ACTION ON HB 287

02:07:37 **Motion/Vote:** Rep. Salomon moved that **HB 287 DO PASS.** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 297

02:08:16 **Motion:** Rep. Salomon moved that **HB 297 DO PASS.**

02:09:08 **Motion:** Rep. Salomon moved that **HB 297 BE AMENDED.**

[EXHIBIT\(buh34a06\)](#)

Discussion:

02:09:12 Mr. Campbell, LSD

02:12:18 **Vote:** Motion carried 19-1 by voice vote with Rep. Peppers voting no.

02:12:27 Chair Barry

02:12:35 **Motion/Vote:** Rep. Salomon moved that **HB 297 DO PASS AS AMENDED.** Motion carried 11-9 by voice vote with Rep. Boland, Rep. Curtis, Rep. Hunter, Rep. Moore, Rep. Neill, Rep. Peppers, Rep. Pierson, Rep. Squires and Rep. Steenberg voting no.

EXECUTIVE ACTION ON HB 310

02:14:03 **Motion:** Rep. Salomon moved that **HB 310 DO PASS.**

02:14:43 **Motion:** Rep. Salomon moved that **HB 310 BE AMENDED.**

[EXHIBIT\(buh34a07\)](#)

Discussion:

02:15:19 Rep. Smith

02:15:23 **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.

02:16:35 **Motion/Vote:** Rep. Salomon moved that **HB 310 DO PASS AS AMENDED**. Motion carried 11-9 by roll call vote with Rep. Boland, Rep. Curtis, Rep. Hunter, Rep. Moore, Rep. Neill, Rep. Peppers, Rep. Pierson, Rep. Squires and Rep. Steenberg voting no.

EXECUTIVE ACTION ON HB 416

02:17:57 **Motion:** Rep. Salomon moved that **HB 416 DO PASS**.

Discussion:

02:18:42 Rep. Lang

02:19:54 **Vote:** Motion carried 16-4 by roll call vote with Rep. Berry, Rep. Moore, Rep. Smith and Rep. Squires voting no.

EXECUTIVE ACTION ON HB 424

02:20:08 **Motion:** Rep. Salomon moved that **HB 424 DO PASS**.

02:20:11 **Motion:** Rep. Curtis moved that **HB 424 BE AMENDED**.
[EXHIBIT\(buh34a08\)](#)

Discussion:

02:20:57 Chair Berry

02:21:05 **Vote:** Motion carried unanimously by voice vote.

02:21:10 **Motion:** Rep. Salomon moved that **HB 424 DO PASS AS AMENDED**.

Discussion:

02:21:16 Rep. Hagan
02:22:42 Rep. Clark
02:23:30 Rep. Boland
02:24:30 Mr. Campbell, LSD
02:25:16 Rep. Hunter

02:25:55 **Substitute Motion:** Rep. C. Smith made a substitute motion that **HB 424 BE INDEFINITELY POSTPONED without objection**.

EXECUTIVE ACTION ON HB 425

02:26:24 **Motion:** Rep. Salomon moved that **HB 425 DO PASS**.

02:26:42 **Motion:** Rep. Salomon moved that **HB 425 BE AMENDED**.
[EXHIBIT\(buh34a09\)](#)

Discussion:

02:27:00 Mr. Campbell, LSD

02:27:46 **Vote:** Motion carried 19-1 by voice vote with Rep. McNiven voting no.

02:27:56 **Motion:** Rep. Salomon moved that **HB 425 DO PASS AS AMENDED.**

Discussion:

02:28:03 Rep. Hunter

02:29:08 Rep. Boland

02:29:55 Rep. Moore

02:30:06 Rep. Hagan

02:31:41 **Vote:** Motion failed 6-14 by roll call vote with Rep. Berry, Rep. Clark, Rep. Curtis, Rep. Hunter, Rep. Neill and Rep. Steenberg voting aye.

02:31:50 **Motion/Vote:** Rep. Salomon moved that **HB 425 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote.

02:32:02 Chair Berry

ADJOURNMENT

Adjournment: 02:32:40

Ellen Bush, Secretary

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Additional Documents:

EXHIBIT([buh34aad.pdf](#))