

# Montana State Legislature

## **2015 SESSION ADDITIONAL DOCUMENTS**

Business Page [Signed by Chairman]

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Standing Committee Reports

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Rolls Call Votes

Proxy Forms

Visitor Registrations

\*Any other documents, which were submitted after the committee hearing was ended and/or was submitted late [within 48 hours], but regarding information in the committee hearing. Witness Statements that were not presented as exhibits.

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**2015 Legislative**

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**BUSINESS REPORT**

**MONTANA SENATE  
64th LEGISLATURE - REGULAR SESSION**

**SENATE BUSINESS, LABOR, AND ECONOMIC AFFAIRS COMMITTEE**

**Date:** Tuesday, February 3, 2015  
**Place:** Capitol

**Time:** 8:00 AM  
**Room:** 422

**BILLS and RESOLUTIONS HEARD:**

HB 79 - Exempt certain apprentices from licensure - Rep. Ryan Lynch  
HB 81 - Allow limited barbering license - Rep. Ryan Lynch  
HB 95 - Generally revise public adjuster laws - Rep. Kelly McCarthy  
SB 181 - Require Senate confirm Board of Outfitters - Sen. Elsie Arntzen

**EXECUTIVE ACTION TAKEN:**

SB 123, SB 149 Do Pass As Amended  
HB 57, HB 66, HB 110, HB 81, HB 79 Be Concurred In  
SB 132, SB 158 Tabled  
SB 22 Remove from Table

**Comments:**



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SEN. Edward Buttrey, Chair





## SENATE STANDING COMMITTEE REPORT

February 3, 2015

Page 1 of 2

Madame President:

We, your committee on **Business, Labor, and Economic Affairs** report that **Senate Bill 123** (first reading copy -- white) **do pass as amended.**

Signed:   
*Senator Edward Buttrey, Chair*

**And, that such amendments read:**

1. Title, page 1, line 18.

**Following:** "33-16-1021,"

**Insert:** "33-16-1033,"

2. Page 2, line 17 through line 18.

**Strike:** "for" on line 17 through "plan" on line 18

3. Page 3, line 2.

**Following:** line 2

**Insert:** "(6) The state fund shall annually transfer funds to the commissioner, out of its surplus, for all necessary staffing and related expenses for a full-time attorney licensed to practice law in Montana and a full-time examiner qualified by education, training, experience, and high professional competence to examine the state fund pursuant to Title 33, chapter 1, part 4, and this section. The attorney and examiner must be employees of the commissioner."

**ReNUMBER: subsequent subsections**

4. Page 14, line 13.

**Following:** line 12

**Insert:** "**Section 11.** Section 33-16-1033, MCA, is amended to read:

**"33-16-1033. Advisory organization -- permitted activity.**

An advisory organization may:

- (1) develop statistical plans, including class definitions;
- (2) collect statistical data from members, subscribers, or

**Committee Vote:**

**Yes 9, No 0**

Fiscal Note Required X

any other source;

(3) prepare and distribute pure premium rate data, adjusted for loss development and loss trending, in accordance with its statistical plan. The data and adjustments must be in sufficient detail to permit insurers to modify pure premiums based upon their own rating methods or interpretations of underlying data.

(4) prepare and distribute manuals for rating rules and rating schedules that do not contain any rules or schedules, including final rates, without information outside the manuals;

(5) distribute information that is filed with the commissioner and open to public inspection;

(6) conduct research and collect statistics in order to discover, identify, and classify information relating to causes or prevention of losses;

(7) prepare and file policy forms and endorsements and consult with members, subscribers, and others relative to their use and application;

(8) collect, compile, and distribute past and current prices of individual insurers, if the information is made available to the general public;

(9) conduct research and collect information to determine the impact of benefit level changes on pure premium rates;

(10) prepare and distribute rules and rating values for the uniform experience rating plan; and

(11) calculate and disseminate individual risk premium modification factors. Individual risk premium modification factors may only be disseminated to:

(a) a licensed producer or ~~a plan No. 2 or plan No. 3~~ an insurer for the business of insurance only; and

(b) the department of labor and industry for regulatory purposes only. Individual employer payroll and loss information may be provided to a person other than the current licensed producer or ~~a plan No. 2 or plan No. 3~~ an insurer only after obtaining the employer's written permission."

**Renumber:** subsequent sections

5. Page 18, line 24.

**Following:** "shall file"

**Insert:** "the rates and supplementary rate information"

6. Page 21, line 27.

**Following:** "January 1, 2016."

**Insert:** "The state fund and the insurance commissioner shall provide periodic updates to the economic affairs interim committee."

- END -



## SENATE STANDING COMMITTEE REPORT

February 3, 2015

Page 1 of 1

Madame President:

We, your committee on **Business, Labor, and Economic Affairs** report that **Senate Bill 149** (first reading copy -- white) **do pass as amended.**

Signed: \_\_\_\_\_

*Senator Edward Buttrely, Chair*

**And, that such amendments read:**

1. Page 1, line 25.

**Following:** "medicine;"

**Strike:** "or"

2. Page 1.

**Following:** line 25

**Insert:** "(b) an optometrist licensed pursuant to Title 37, chapter 10; or"

**Renumber:** subsequent subsection

3. Page 1, line 28.

**Following:** "medical visits,"

**Insert:** "eyeglasses, contact lenses,"

- END -

**Committee Vote:**

**Yes 6, No 4**

Fiscal Note Required  X

SB0149001SC.spt

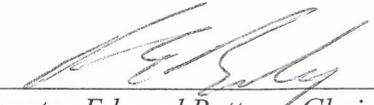


SENATE STANDING COMMITTEE REPORT

February 3, 2015  
Page 1 of 1

Madame President:

We, your committee on **Business, Labor, and Economic Affairs** report that **House Bill 57**  
(third reading copy -- blue) **be concurred in.**

Signed:   
*Senator Edward Buttrey, Chair*

To be carried by Senator Gene Vuckovich

- END -

**Committee Vote:**

**Yes 9, No 0**

Fiscal Note Required  X

HB0057001SC12552.spt

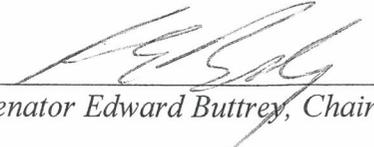


**SENATE STANDING COMMITTEE REPORT**

**February 3, 2015**  
**Page 1 of 1**

Madame President:

We, your committee on **Business, Labor, and Economic Affairs** report that **House Bill 66**  
(third reading copy -- blue) **be concurred in.**

Signed:   
*Senator Edward Buttrey, Chair*

To be carried by Senator Elsie Arntzen

- END -

**Committee Vote:**

**Yes 9, No 0**

Fiscal Note Required  X

HB0066001SC12925.spt



**SENATE STANDING COMMITTEE REPORT**

**February 3, 2015**

**Page 1 of 1**

Madame President:

We, your committee on **Business, Labor, and Economic Affairs** report that **House Bill 110**  
(third reading copy -- blue) **be concurred in.**

Signed: \_\_\_\_\_

*Senator Edward Buttrely, Chair*

To be carried by Senator Tom Facey

- END -

**Committee Vote:**

**Yes 9, No 0**

Fiscal Note Required

HB0110001SC12553.spt



**SENATE STANDING COMMITTEE REPORT**

**February 3, 2015**  
**Page 1 of 1**

Madame President:

We, your committee on **Business, Labor, and Economic Affairs** report that **House Bill 81**  
(third reading copy -- blue) **be concurred in.**

Signed: \_\_\_\_\_

*Senator Edward Buttrey, Chair*

To be carried by Senator Elsie Arntzen

- END -

**Committee Vote:**

**Yes 9, No 0**

Fiscal Note Required  X

HB0081001SC12925.spt



**SENATE STANDING COMMITTEE REPORT**

**February 3, 2015**  
**Page 1 of 1**

Madame President:

We, your committee on **Business, Labor, and Economic Affairs** report that **House Bill 79**  
(third reading copy -- blue) **be concurred in.**

Signed: \_\_\_\_\_

*Senator Edward Buttrey, Chair*

To be carried by Senator Lea Whitford

- END -

**Committee Vote:**

**Yes 9, No 0**

Fiscal Note Required

## BILL TABLED NOTICE

### SENATE BUSINESS, LABOR, AND ECONOMIC AFFAIRS COMMITTEE

The **SENATE BUSINESS, LABOR, AND ECONOMIC AFFAIRS COMMITTEE** TABLED

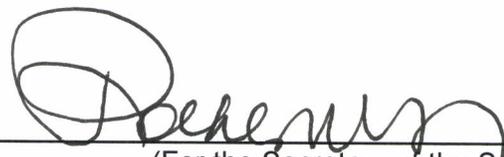
**SB 132 - Requiring insurers to provide disclosure for aftermarket motor vehicle parts -**

**Sen. Gordon Vance**

**SB 158 - Provide for pay check fairness laws - Sen. Diane Sands**

by motion, on **Tuesday, February 3, 2015** (PLEASE USE THIS ACTION DATE IN LAWS BILL STATUS).

  
\_\_\_\_\_  
(For the Committee)

  
\_\_\_\_\_  
(For the Secretary of the Senate)  
11:25, 2/3  
(Time) (Date)

February 3, 2015 (11:14am)

Linda Keim, Secretary

Phone: 444-4315

**MONTANA STATE SENATE**  
**Roll Call Vote**  
**BUSINESS, LABOR, AND ECONOMIC AFFAIRS COMMITTEE**

DATE 2-3-15 BILL NO SB132 MOTION NO. SB132 DPA  
 MOTION: \_\_\_\_\_

*fails 7-3*

| <u>NAME</u>                    | AYE | NO | If Proxy Vote, check here & include signed Proxy Form with minutes |
|--------------------------------|-----|----|--|
| VICE CHAIR ELSIE ARNTZEN       |     | ✓  |  |
| SENATOR DEE BROWN              |     | ✓  |  |
| SENATOR PAT CONNELL            |     | ✓  |  |
| SENATOR TOM FACEY              |     | ✓  |  |
| SENATOR CARY SMITH             | ✓   |    |  |
| SENATOR SHARON STEWART-PEREGOY |     | ✓  |  |
| SENATOR GORDON VANCE           | ✓   |    |  |
| SENATOR GENE VUCKOVICH         |     | ✓  | <i>pr</i>  |
| SENATOR LEA WHITFORD           |     | ✓  |  |
| CHAIRMAN ED BUTTREY            | ✓   |    |  |
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**MONTANA STATE SENATE**  
**Roll Call Vote**  
**BUSINESS, LABOR, AND ECONOMIC AFFAIRS COMMITTEE**

DATE 2-3-15 BILL NO SB149 MOTION NO. DPAA  
 MOTION: \_\_\_\_\_

6-4

| <u>NAME</u>                    | AYE | NO | If Proxy Vote, check here & include signed Proxy Form with minutes |
|--------------------------------|-----|----|--|
| VICE CHAIR ELSIE ARNTZEN       | ✓   |    |  |
| SENATOR DEE BROWN              | ✓   |    |  |
| SENATOR PAT CONNELL            | ✓   |    |  |
| SENATOR TOM FACEY              |     | ✓  |  |
| SENATOR CARY SMITH             | ✓   |    |  |
| SENATOR SHARON STEWART-PEREGOY |     | ✓  |  |
| SENATOR GORDON VANCE           | ✓   |    |  |
| SENATOR GENE VUCKOVICH         |     | ✓  | ✓  |
| SENATOR LEA WHITFORD           |     | ✓  | ✓  |
| CHAIRMAN ED BUTTREY            | ✓   |    |  |
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**MONTANA STATE SENATE**  
**Roll Call Vote**  
**BUSINESS, LABOR, AND ECONOMIC AFFAIRS COMMITTEE**

DATE 2-3-15 BILL NO HB57 MOTION NO. Be amended  
 MOTION: \_\_\_\_\_

*fails on asmt 4-6*

| NAME                           | AYE | NO | If Proxy Vote, check here & include signed Proxy Form with minutes |
|--------------------------------|-----|----|--|
| VICE CHAIR ELSIE ARNTZEN       | ✓   |    |  |
| SENATOR DEE BROWN              |     | ✓  |  |
| SENATOR PAT CONNELL            | ✓   |    |  |
| SENATOR TOM FACEY              |     | ✓  |  |
| SENATOR CARY SMITH             | ✓   |    |  |
| SENATOR SHARON STEWART-PEREGOY |     | ✓  |  |
| SENATOR GORDON VANCE           | ✓   |    |  |
| SENATOR GENE VUCKOVICH         |     | ✓  | <i>pr</i>  |
| SENATOR LEA WHITFORD           |     | ✓  |  |
| CHAIRMAN ED BUTTREY            |     | ✓  |  |
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**MONTANA STATE SENATE**  
**Roll Call Vote**  
**BUSINESS, LABOR, AND ECONOMIC AFFAIRS COMMITTEE**

DATE 2-3-15 BILL NO SB158 MOTION NO. DP  
 MOTION: \_\_\_\_\_

*Sub 6-4*

| <u>NAME</u>                    | AYE | NO | If Proxy Vote, check here & include signed Proxy Form with minutes |
|--------------------------------|-----|----|--|
| VICE CHAIR ELSIE ARNTZEN       |     | ✓  |  |
| SENATOR DEE BROWN              |     | ✓  |  |
| SENATOR PAT CONNELL            |     | ✓  |  |
| SENATOR TOM FACEY              | ✓   |    |  |
| SENATOR CARY SMITH             |     | ✓  |  |
| SENATOR SHARON STEWART-PEREGOY | ✓   |    |  |
| SENATOR GORDON VANCE           |     | ✓  |  |
| SENATOR GENE VUCKOVICH         | ✓   |    | <i>pr</i>  |
| SENATOR LEA WHITFORD           | ✓   |    |  |
| CHAIRMAN ED BUTTREY            |     | ✓  |  |
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**MONTANA STATE SENATE**  
**Visitors Register**  
**SENATE BUSINESS, LABOR, AND ECONOMIC AFFAIRS COMMITTEE**

Tuesday, February 3, 2015

**HB 79** - Exempt certain apprentices from licensure

Sponsor: Rep. Ryan Lynch

PLEASE PRINT

| Name            | Representing                       | Support | Oppose | Info |
|-----------------|------------------------------------|---------|--------|------|
| Keith Allen     | IBEW 233                           | X       |        |      |
| John FORKAN     | MT Assn Plumbers & PF              | X       |        |      |
| John GORDON     | State Electrical Board             | X       |        |      |
| Margaret Morgan | Independent Electrical Contractors | X       |        |      |
| Judy Covington  | DLI                                | ✓       |        |      |
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Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.





3601 Vincennes Road, Indianapolis, Indiana 46268  
Phone: 317.875.5250 | Fax: 317.879.8408

www.namic.org

122 C Street N.W., Suite 540, Washington, D.C. 20001  
Phone: 202.628.1558 | Fax: 202.628.1601

February 1, 2015

Montana State Legislature  
Senate Business, Labor, and Economic Affairs Committee  
P.O. Box 200400  
Helena, MT 59620-0400

*sent via email to:*  
lkeim@mt.gov @mt.gov

**RE: HB 95, Public Adjusters – NAMIC’s Written Testimony in SUPPORT of Legislation**

Dear Senator Buttrey, Chair; Senator Anntzen, Vice-Chair; Senator Stewart-Peregory, Vice-Chair; and honorable members of the Senate Business, Labor, and Economic Affairs Committee:

Thank you for affording the National Association of Mutual Insurance Companies (NAMIC) an opportunity to submit written testimony to the Senate Business, Labor, and Economic Affairs Committee for the February 3, 2015, public hearing.

NAMIC is the largest property/casualty insurance trade association in the country, serving regional and local mutual insurance companies on main streets across America as well as many of the country’s largest national insurers.

The 1,400 NAMIC member companies serve more than 135 million auto, home and business policyholders and write more than \$196 billion in annual premiums, accounting for 50 percent of the automobile/homeowners market and 31 percent of the business insurance market. NAMIC has 134 members who write property/casualty insurance in the State of Montana, which represents 40% of the insurance marketplace.

Through our advocacy programs we promote public policy solutions that benefit NAMIC companies and the consumers we serve. Our educational programs enable us to become better leaders in our companies and the insurance industry for the benefit of our policyholders.

NAMIC appreciates and shares State Auditor Lindeen’s and Representative McCarthy’s desire to provide insurance consumers with clarity as to the scope and legal duties owed by public adjusters to their clients. Insurance consumers and public adjusters will both benefit from HB 95, because it will resolve many of the ambiguities that currently exist in the professional relationship between public adjusters and insurance consumers. HB 95 will help facilitate informed insurance consumer choice and assist public adjusters in providing their clients with a clear statement of what should be expected by the insurance consumer in the professional relationship.

NAMIC also supports HB 95, because the proposed legislation provides for thoughtful and measured public adjuster regulatory oversight, which is an important part of the claim adjusting and settlement process. HB 95 is consistent with the national trend toward greater regulatory supervision of the consumer-public adjuster professional relationship and is consistent with the tenets of the National Association of Insurance Commissioners (NAIC) Model on Public Adjusters.

For the aforementioned reasons, NAMIC respectfully requests that the Senate Business, Labor, and Economic Affairs Committee VOTE YES on HB 95, because it is a reasonable and appropriate consumer protection bill that balances the needs of insurance consumers and public adjusters.

Thank you for your time and consideration. Please feel free to contact me at 303.907.0587 or at [crataj@namic.org](mailto:crataj@namic.org), if you would like to discuss NAMIC's written testimony.

Respectfully,

A handwritten signature in cursive script, appearing to read "Christian John Rataj".

Christian John Rataj, Esq.  
NAMIC – Senior Director of State Affairs  
Western Region