

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
55th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON BUSINESS & LABOR

Call to Order: By CHAIRMAN BRUCE SIMON, on March 21, 1997, at
8:00 AM, in Room 104.

ROLL CALL

Members Present:

Rep. Bruce T. Simon, Chairman (R)
Rep. Paul Sliter, Vice Chairman (Majority) (R)
Rep. Robert J. "Bob" Pavlovich, Vice Chairman (Minority) (D)
Rep. Joe Barnett (R)
Rep. Rod Bitney (R)
Rep. Charles R. Devaney (R)
Rep. David Ewer (D)
Rep. Kim Gillan (D)
Rep. Billie Krenzler (D)
Rep. Bob Lawson (R)
Rep. Rod Marshall (R)
Rep. Gay Ann Masolo (R)
Rep. Wes Prouse (R)
Rep. Carolyn M. Squires (D)
Rep. Jay Stovall (R)
Rep. Cliff Trexler (R)
Rep. Joe Tropila (D)
Rep. Carley Tuss (D)

Members Excused: Rep. Bookout (R)

Members Absent: None

Staff Present: Stephen Maly, Legislative Services Division
Pati O'Reilly, Committee Secretary

Committee Business Summary:

Hearing(s) & Date(s) Posted: SB 113; SB 190; SB 239; SB
246; SR 5 (2/25/97)
Executive Action: SB 246; SB 239; SB 193; SB
113; SJR 5; SB 275; SB 276

HEARING ON SJR 5

Opening Statement by Sponsor: Senator Aklestad, S. D. 44

introduced SJR 5.

{Tape: 1; Side: 1; Approx. Time Count: 1.8; Comments: None.}

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

Sue Mohr, JTPA - EXHIBIT 1.

{Tape: 1; Side: 1; Approx. Time Count: 5.9; Comments: None.}

Questions From Committee Members and Responses:

{Tape: 1; Side: 1; Approx. Time Count: 13.5; Comments: None.}

Closing by Sponsor: Senator Aklestad closed. Rep. Bergsagel to carry.

{Tape: 1; Side: 1; Approx. Time Count: 22.5; Comments: None.}

HEARING ON SB 113

Opening Statement by Sponsor: Sen. McCarthy, S. D. 29 introduced the bill.

{Tape: 1; Side: 1; Approx. Time Count: 24.5; Comments: None.}

Proponents' Testimony:

Frank Cote, Dept. Commissioner Mt Insurance Division, State Auditor.

{Tape: 1; Side: 1; Approx. Time Count: 25.8; Comments: None.}

Larry Akey, Natl. Assn. of Independent Insurers

{Tape: 1; Side: 1; Approx. Time Count: 28.1; Comments: None.}

Roger McGlenn, IIAM

{Tape: 1; Side: 1; Approx. Time Count: 28.9; Comments: None.}

Susan Good, MT Assn. of Life Underwriters

{Tape: 1; Side: 1; Approx. Time Count: 29.2; Comments: None.}

Opponents' Testimony: None

Questions From Committee Members and Responses:

{Tape: 1; Side: 1; Approx. Time Count: 29.8; Comments: None.}

Closing by Sponsor: Sen. McCarthy closed. Rep. Tropila to carry.

{Tape: 1; Side: 1; Approx. Time Count: 29.8; Comments: None.}

EXECUTIVE ACTION ON SB 113

Motion/Vote: Rep. Ewer moved do concur SB 113. Motion carried 16-0. Rep. Bitney, Tuss and Squires absent.
{Tape: 1; Side: 2; Approx. Time Count: .01; Comments: None.}

EXECUTIVE ACTION ON SJR 5

Motion: Rep. Stovall moved do concur SJR 5.
{Tape: 1; Side: 2; Approx. Time Count: .5; Comments: None.}

Motion/Vote: Rep. Krenzler moved to adopt Krenzler motion. Motion passed 14-0. Reps. Simon and Sliter voted no. Reps. Bitney, Squires and Tuss absent.
{Tape: 1; Side: 2; Approx. Time Count: .8; Comments: None.}

Motion/Vote: Rep. Sliter moved do concur as amended. Motion passed 16-0. Reps. Bitney, Squires and Tuss absent.
{Tape: 1; Side: 2; Approx. Time Count: 3.7; Comments: None.}

HEARING ON SB 190

Opening Statement by Sponsor: Senator Lynch, S. D. 19 introduced the bill.
{Tape: 1; Side: 1; Approx. Time Count: 4.7; Comments: None.}

Proponents' Testimony:

Senator Gage, SD 13

{Tape: 1; Side: 2; Approx. Time Count: 9.4; Comments: None.}

Tom Ebzery, St. Vincent's Hospital. EXHIBITS 2 AND 3.

{Tape: 1; Side: 2; Approx. Time Count: 11.6; Comments: None.}

Keith Colbo, Deaconess Hospital and Billings Clinic

{Tape: 1; Side: 2; Approx. Time Count: 16.4; Comments: None.}

Chuck Butler, Blue Cross and Blue Shield

{Tape: 1; Side: 2; Approx. Time Count: 17.3; Comments: None.}

Tom Hopgood, Health Insurers of American

{Tape: 1; Side: 2; Approx. Time Count: 21.0; Comments: None.}

Opponents' Testimony:

Rep. David Ewer, H. D. 33

{Tape: 1; Side: 2; Approx. Time Count: 22.5; Comments: None.}

Mike Hamblach, Physical Therapist, Butte, MT

{Tape: 1; Side: 2; Approx. Time Count: 24.4; Comments: None.}

Mike Simons, Optometrist, Missoula, MT

{Tape: 1; Side: 2; Approx. Time Count: 27.0; Comments: None.}

Jim McClann, Physical Therapist, Frenchtown, MT

{Tape: 2; Side: 1; Approx. Time Count: 1.6; Comments: None.}

Gail Wheatley, Physical Therapist, Fort Benton, MT

{Tape: 2; Side: 1; Approx. Time Count: 2.8; Comments: None.}

Gary Lucini: Physical Therapist, Bozeman and Butte

{Tape: 2; Side: 1; Approx. Time Count: 5.5; Comments: None.}

Dr. David Wolfe, Billings Pediatrican

{Tape: 2; Side: 1; Approx. Time Count: 8.4; Comments: None.}

Mona Jamison, Mt. Chapter of Physical Therapist Assn.

{Tape: 2; Side: 1; Approx. Time Count: 14.1; Comments: None.}

Kevin McBride-optometrist, Billings. EXHIBIT 4.

{Tape: 2; Side: 1; Approx. Time Count: 19.4; Comments: None.}

Dr. Kembel, Bozeman and Belgrade

{Tape: 2; Side: 1; Approx. Time Count: 21.0; Comments: None.}

Joe Smith, Pres. MT Physical Therapist Assn.

{Tape: 2; Side: 1; Approx. Time Count: 23.8; Comments: None.}

Barbara Booker, MT Nurses Assn.

{Tape: 2; Side: 1; Approx. Time Count: 24.6; Comments: None.}

Dr. Diane Grey, MT Optometrist Assn., President

{Tape: 2; Side: 1; Approx. Time Count: 27.2; Comments: None.}

Frank Cote, Dept. Dir. Insurance Div. State Auditor

{Tape: 2; Side: 1; Approx. Time Count: 28.0; Comments: None.}

Questions From Committee Members and Responses:

{Tape: 2; Side: 1; Approx. Time Count: 28.0; Comments: None.}

Closing by Sponsor: Sen. Lynch closed.

{Tape: 3; Side: 1; Approx. Time Count: 2.6; Comments: None.}

EXECUTIVE ACTION ON SB 275

Motion: Rep. Sliter moved do concur SB 275.

{Tape: 3; Side: 1; Approx. Time Count: 9.2; Comments: None.}

Discussion:

{Tape: 3; Side: 1; Approx. Time Count: 9.8; Comments: None.}

Vote: Motion passed 18-1. Rep. Krenzler voted no.

{Tape: 3; Side: 1; Approx. Time Count: 23.0; Comments: None.}

EXECUTIVE ACTION ON SB 276

Motion: Rep. Sliter moved do concur SB 276.

{Tape: 3; Side: 1; Approx. Time Count: 23.6; Comments: None.}

Discussion:

{Tape: 3; Side: 1; Approx. Time Count: 24.; Comments: None.}

Vote: Motion carried 18-1. Rep. Tuss voted no.

{Tape: 3; Side: 2; Approx. Time Count: .01; Comments: None.}

EXECUTIVE ACTION ON SB 118

Motion: Rep. Tuss moved do concur SB 118.

{Tape: 3; Side: 2; Approx. Time Count: .06; Comments: None.}

Discussion:

{Tape: 3; Side: 2; Approx. Time Count: 1.0; Comments: None.}

Motion/Vote: Rep. Tropila moved to adopt Tropila amendments.
Motion carried unanimously.

{Tape: 3; Side: 2; Approx. Time Count: 2.7; Comments: None.}

Motion/Vote: Rep. Masolo moved to adopt Masolo amendments.
Motion passed unanimously.

{Tape: 3; Side: 2; Approx. Time Count: 7.0; Comments: None.}

Motion: Rep. Sliter moved to suspend action on SB 118 until later.

{Tape: 3; Side: 2; Approx. Time Count: 10.9; Comments: None.}

HEARING ON SB 246

Opening Statement by Sponsor: Sen. Beck, S. D. 28 introduced SB 246.

{Tape: 3; Side: 2; Approx. Time Count: 11.4; Comments: None.}

Proponents' Testimony:

Dave Brown, MT Independent Auto Dealers Assn.. EXHIBIT 5 AND 6.

{Tape: 3; Side: 2; Approx. Time Count: 13.5; Comments: None.}

Brenda Nordlund, Dept. of Justice

{Tape: 3; Side: 2; Approx. Time Count: 14.0; Comments: None.}

Jim Robinson, Pres. MT Independent Auto Dealers

{Tape: 3; Side: 2; Approx. Time Count: 16.8; Comments: None.}

Allen Buntrock, Great Falls, MT

{Tape: 3; Side: 2; Approx. Time Count: 17.9; Comments: None.}

Harley Warner, Dealer from Helena, MT

{Tape: 3; Side: 2; Approx. Time Count: 19.0; Comments: None.}

Steve Kirkwood, MT Auto Dealers

{Tape: 3; Side: 2; Approx. Time Count: 20.0; Comments: None.}

Opponents' Testimony: None

Questions From Committee Members and Responses:

{Tape: 3; Side: 2; Approx. Time Count: 21.7; Comments: None.}

Closing by Sponsor: Sen Beck closed. Rep. Clark to carry.

{Tape: 4; Side: 1; Approx. Time Count: 4.8; Comments: None.}

HEARING ON SB 239

Opening Statement by Sponsor: Senator Beck, S. D. 28 introduced SB 239.

Tape: 4; Side: 1; Approx. Time Count: 5.0; Comments: None.}

Proponents' Testimony:

Don Hutchinson, Dept. of Commerce

{Tape: 4; Side: 1; Approx. Time Count: 5.4; Comments: None.}

Keith Colbo, Ex. Secretary MT Bankers. EXHIBIT 7.

{Tape: 4; Side: 1; Approx. Time Count: 6.2; Comments: None.}

Bill Leary, MT Bankers Assn.

{Tape: 4; Side: 1; Approx. Time Count: 8.0; Comments: None.}

Opponents' Testimony: None

Questions From Committee Members and Responses:

{Tape: 4; Side: 1; Approx. Time Count: 9.1; Comments: None.}

Closing by Sponsor: Senator Beck closed. Rep. Devaney to carry.

Tape: 4; Side: 1; Approx. Time Count: 10.1; Comments: None.}

EXECUTIVE ACTION ON SB 246

Motion/Vote: Rep. Masolo moved do concur SB 246. Motion passed 18-0. Rep. Marshall was absent.
{Tape: 4; Side: 1; Approx. Time Count: 11.2; Comments: None.}

EXECUTIVE ACTION ON SB 193

Motion/Vote: Rep. Sliter moved do concur SB 239. Motion carried 18-0. Rep. Marshall was absent.
{Tape: 4; Side: 1; Approx. Time Count: 13.9; Comments: None.}

EXECUTIVE ACTION ON SB 193

Motion: Rep. Sliter moved do concur SB 193.
{Tape: 4; Side: 1; Approx. Time Count: 14.4; Comments: None.}

Motion: Rep. Sliter moved to adopt Sen. Miller amendments.
Motion failed voice vote.
{Tape: 4; Side: 1; Approx. Time Count: 14.7; Comments: None.}

Motion: Rep. Sliter moved to suspend action on SB 193..
{Tape: 4; Side: 1; Approx. Time Count: 24.3; Comments: None.}

Motion: Rep. Krenzler moved substitute motion to Table SB 193.
Motion failed roll call vote. 8-10.
{Tape: 4; Side: 1; Approx. Time Count: 25.3; Comments: None.}

Motion: Rep. Sliter moved do concur as amended.
{Tape: 4; Side: 1; Approx. Time Count: 28.6; Comments: None.}

Motion/Vote: Rep. Gillan moved Gillan amendments. Motion failed 9-9 roll call vote.
{Tape: 4; Side: 2; Approx. Time Count: .01; Comments: None.}

Motion/Vote: Rep. Sliter moved to reconsider Miller amendments.
Motion passed. Reps. Squires, Lawson, Tropila, Gillan, Pavlovich, Krenzler and Tuss voted no.
Tape: 4; Side: 2; Approx. Time Count: 2.5; Comments: None.}

Motion/Vote: Rep. Sliter moved to adopt Miller amendments. Reps. Squires, Lawson, Tropila, Gillan, Pavlovich, Krenzler and Tuss voted no.
{Tape: 4; Side: 2; Approx. Time Count: 4.0; Comments: None.}

Motion/Vote: Rep. Sliter moved do concur as amended. Motion carried 11-8 roll call vote.
{Tape: 4; Side: 2; Approx. Time Count: 7.5; Comments: None.}

ADJOURNMENT

Adjournment: 12:32 AM



REP. BRUCE T. SIMON, Chairman



PATI O'REILLY, Secretary

BTS/PO