

**MINUTES**

**MONTANA SENATE  
60th LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON PUBLIC HEALTH, WELFARE AND SAFETY**

**Call to Order:** By **CHAIRMAN DAN WEINBERG**, on April 11, 2007 at 4:30 P.M., in Room 422 Capitol.

**ROLL CALL**

**Members Present:**

Sen. Dan Weinberg, Chairman (D)  
Sen. Lynda Moss, Vice Chairman (D)  
Sen. John Cobb (R)  
Sen. John Esp (R)  
Sen. Kim Gillan (D)  
Sen. Terry Murphy (R)  
Sen. Jerry O'Neil (R)  
Sen. Trudi Schmidt (D)  
Sen. Carol Williams (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Claudia Johnson, Committee Secretary  
Lisa Mecklenberg Jackson, Legislative Branch

**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 195, 4/11/2007; HB 148,  
4/11/2007; HB 418, 4/11/2007  
Executive Action: HB 278, HB 148, HB 536, HB 195, HB  
418

00:04:16 Chairman Weinberg

**HEARING ON HB 195**

**Opening Statement by Sponsor:**

00:05:16 **REP. MICHAEL LANGE (R), HD 55**, opened the hearing on **HB 195**, Revise developmental disabilities services.

**Proponents:** None.

**Opponents:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

00:10:20 Sen. Esp to Rep. Lange

00:11:02 Sen. O'Neil to Rep. Lange

00:14:49 Sen. Moss to Rep. Lange

00:16:41 Sen. Weinberg to Rep. Lange

**Closing by Sponsor:**

00:23:10 Rep. Lange

**HEARING ON HB 148**

**Opening Statement by Sponsor:**

00:24:18 **REP. WANDA GRINDE (D), HD 48**, opened the hearing on **HB 148**, Pool inspection fee.

**Proponents:**

00:27:14 Kathleen McCarthy, Communicable Disease Bureau,  
Department of Public Health and Human Services, (DPHHS)

00:28:45 Linda Stoll, Montana Public Health Officers

**[EXHIBIT \(phs76a01\)](#)**

**[EXHIBIT \(phs76a02\)](#)**

00:31:17 Melanie Reynolds, Health Officer, Lewis and Clark  
County

**Opponents:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

00:33:17 Sen. Weinberg to Kathleen McCarthy, DPHHS

00:36:43 Sen. O'Neil to Kathleen McCarthy, DPHHS

00:38:10 Sen. Williams to Kathleen McCarthy, DPHSS

00:38:39 Sen. Gillan to Rep. Grinde

00:39:15 Sen. Gillan to Kathleen McCarthy, DPHHS

00:39:46 Sen. Weinberg to Rep. Grinde

00:41:45 Sen. Williams to Sen. Weinberg

**Closing by Sponsor:**

00:42:36 Rep. Grinde

**EXECUTIVE ACTION ON HB 278**

00:45:27 **Motion:** SEN. GILLAN moved that HB 278 BE CONCURRED IN.

**Discussion:**

00:46:04 **Motion:** SEN. GILLAN moved that AMENDMENT HB027803.ASL  
BE ADOPTED.

**Discussion:**

00:47:15 Sen. Gillan

00:47:48 Sen. O'Neil

00:48:31 **Motion:** SEN. GILLAN CALLED THE QUESTION ON AMENDMENT  
HB027803.ASL.

**Discussion:**

00:48:43 Sen. Moss

00:48:58 Sen. Esp

00:50:04 **Sen. Gillan withdrew her motion on HB 278**

**EXECUTIVE ACTION ON HB 148**

00:50:06 **Motion: SEN. GILLAN moved that HB 148 BE CONCURRED IN.**

**Discussion:**

00:50:36 **Sen. Gillan withdrew her motion on HB 148.**

**HEARING ON HB 418**

**Opening Statement by Sponsor:**

00:51:00 **REP. ROGER KOOPMAN (R), HD 70, opened the hearing on HB 418, Fund methamphetamine project.**

**Proponents:**

01:00:31 Jean Branscum, Secretary of State

01:04:30 Laura Schultz, Public Health Nurse

**Opponents:**

01:05:21 Ron Clevenger, Clinical Lab Scientist

**Informational Testimony: None.**

**Questions from Committee Members and Responses:**

01:11:32 Sen. Gillan to Rep. Koopman

01:16:44 Sen. O'Neil to Ron Clevenger, Scientist

01:25:26 Sen. Weinberg to Ron Clevenger, Scientist

**Closing by Sponsor:**

01:27:11 Rep. Koopman

**EXECUTIVE ACTION ON HB 536**

01:27:19 **Motion: SEN. ESP moved that HB 536 BE CONCURRED IN.**

Discussion:

01:29:32 **Motion/Vote:** SEN. ESP moved that AMENDMENT HB053604.ASL BE ADOPTED. Motion carried unanimously by voice vote. SEN. SCHMIDT, SEN. WILLIAMS, and SEN. COBB voted by proxy.

01:34:00 **Motion:** SEN. ESP moved that HB 536 BE CONCURRED IN AS AMENDED.

Discussion:

01:31:28 Sen. O'Neil

01:32:05 Sen. Esp

01:32:14 **Vote:** SEN. ESP CALLED THE QUESTION ON HB 536. Motion carried unanimously by voice vote. SEN. SCHMIDT, SEN. WILLIAMS, and SEN. COBB voted by proxy.

Note: Amendment HB053604.ASL was added on the Senate Floor.

EXECUTIVE ACTION ON HB 278

01:32:56 **Motion:** SEN. GILLAN moved that HB 278 BE CONCURRED IN.

Discussion:

01:33:06 **Motion/Vote:** SEN. GILLAN moved that AMENDMENT HB027803.ASL BE ADOPTED. Motion carried 8-1 by voice vote with SEN. ESP voting no. SEN. SCHMIDT, SEN. WILLIAMS, and SEN. COBB voted by proxy.

01:34:09 **Motion:** SEN. GILLAN moved that HB 278 BE CONCURRED IN AS AMENDED.

Discussion:

01:35:13 Sen. O'Neil

01:35:42 Sen. Esp

01:36:10 Sen. Esp to Sen. Murphy

01:36:41 Sen. Murphy to Frank Cote, America's Health Insurance Plan (AHIP)

01:37:16 Sen. O'Neil to Frank Cote, AHIP  
01:40:09 Kim to Mona Jamison, Shodair  
01:44:14 Sen. Murphy to Mona Jamison, Shodair  
01:45:52 Sen. Murphy to Frank Cote, AHIP  
01:47:17 Sen. Murphy  
01:47:39 Sen. O'Neil  
01:48:13 Sen. Gillan to Sen. O'Neil  
01:50:07 Sen. O'Neil  
01:50:25 Sen. Esp  
01:51:40 **Vote:** SEN. MOSS CALLED THE QUESTION ON HB 278.  
**Motion carried 7-2 by voice vote with SEN. ESP and SEN. O'NEIL voting no. SEN. SCHMIDT, SEN. WILLIAMS, and SEN. COBB voted by proxy.**  
Note: Amendment HB027803.ASL was added on the Senate Floor.

**EXECUTIVE ACTION ON HB 148**

01:52:37 **Motion:** SEN. GILLAN moved that HB 148 BE CONCURRED IN.  
**Discussion:**  
01:52:47 Sen. Gillan  
01:54:05 Sen. O'Neil  
01:55:02 **Vote:** MOTION that HB 148 BE CONCURRED IN carried 7-2 by voice vote with SEN. ESP and SEN. O'NEIL voting no. SEN. SCHMIDT, SEN. WILLIAMS, and SEN. COBB voted by proxy.

**EXECUTIVE ACTION ON HB 195**

01:55:53 **Motion:** SEN. ESP moved that HB 195 BE CONCURRED IN.  
**Discussion:**  
01:56:09 Sen. Weinberg

01:58:22 Sen. O'Neil

01:59:07 Sen. Moss

02:00:11 Sen. Moss

02:00:31 **Motion: SEN. GILLAN moved that a CONCEPTUAL AMENDMENT BE ADOPTED.**

**Discussion:**

02:02:38 O'Neil to Sen. Gillan

02:00:18 Sen. Esp

02:01:00 Sen. Moss

02:01:28 Sen. O'Neil

02:02:09 Sen. Esp

02:03:13 Sen. Weinberg to Sen. Gillan

02:03:23 Sen. Gillan

02:04:14 Sen. O'Neil

02:04:26 Sen. Weinberg to Sen. Esp

02:04:55 Sen. Gillan

02:04:55 **Vote: MOTION that a CONCEPTUAL AMENDMENT BE ADOPTED carried unanimously by voice vote. SEN. SCHMIDT, SEN. WILLIAMS, and SEN. COBB voted by proxy.**

02:05:30 **Motion/Vote: SEN. ESP moved that HB 195 BE CONCURRED IN AS AMENDED. Motion carried unanimously by voice vote. SEN. SCHMIDT, SEN. WILLIAMS, and SEN. COBB voted by proxy.**

Note: The Conceptual Amendment was added on the Senate Floor.

**EXECUTIVE ACTION ON HB 418**

02:06:44 **Motion: SEN. MOSS moved that HB 418 BE CONCURRED IN.**

**Discussion:**

02:06:51 Sen. Gillan

02:07:21 Sen. Esp

02:07:38 Sen. Murphy

02:07:59 Sen. Gillan to Jean Branscum, Secretary of State

02:08:34 Sen. O'Neil to Sen. Esp

02:08:53 Sen. Weinberg

02:09:07 Sen. Gillan

02:10:02 **Vote:** Motion failed 1-8 by voice vote with SEN. GILLAN voting aye. SEN. SCHMIDT, SEN. WILLIAMS, and SEN. COBB voted by proxy.

02:10:40 **Motion/Vote:** SEN. MOSS moved that HB 418 BE TABLED AND THE VOTE REVERSED. Motion carried 8-1 by voice vote with SEN. GILLAN voting no. SEN. SCHMIDT, SEN. WILLIAMS, and SEN. COBB voted by proxy.

**Discussion:**

02:11:58 Sen. Weinberg

**ADJOURNMENT**

Adjournment: 7:00 P.M.

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SEN. DAN WEINBERG, Chairman

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CLAUDIA JOHNSON, Secretary

DW/cj

Additional Exhibits:

**EXHIBIT ([phs76aad.pdf](#))**