

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
61st LEGISLATURE - REGULAR SESSION**

COMMITTEE ON HUMAN SERVICES

Call to Order:

Chairwoman Arlene Becker, on January 21, 2009 at 3:01 P.M.,
in Room 152 Capitol.

ROLL CALL

Members Present:

Rep. Arlene Becker, Chairwoman (D)
Rep. Mary Caferro, Vice Chairwoman (D)
Rep. Pat Ingraham, Vice Chairwoman (R)
Rep. Bill Beck (R)
Rep. Julie French (D)
Rep. Timothy Furey (D)
Rep. David Howard (R)
Rep. Dave McAlpin (D)
Rep. Michael More (R)
Rep. Pat Noonan (D)
Rep. Ken Peterson (R)
Rep. Diane Sands (D)
Rep. Cary Smith (R)
Rep. Ron Stoker (R)
Rep. Jeffery Welborn (R)

Members Excused: Rep. Chuck Hunter (D)

Members Absent: None

Staff Present: Santella Baglivo, Committee Secretary
Sue O'Connell, 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 73, 1/15/2009

Executive Action: HB 93, HB 105

HEARING ON HB 73**Opening Statement by Sponsor:**

00:01:56 Rep. Julie French (D), HD 36, opened the hearing on HB 73, Revise medical marijuana laws.

00:02:03 Rep. McAlpin enters.

Proponents' Testimony:

00:10:01 Don Judge, Montana Nurses Association

00:15:07 Eric Billings, Self, Patients and Families United

00:18:45 Bob Meharg, Patients, Self

00:21:56 May Simmons, Self

00:24:45 Eric Luther, Self, Patients

00:27:09 Cindy Gaffney, Self

00:27:50 Mitch Ronshaugen, Patient Advocate

00:30:43 Michael VanLeuven, Self

00:33:19 Anthony Swartz, Self

EXHIBIT (huh14a01)

00:34:38 Tom Daubert, Patients and Families United for Action

EXHIBIT (huh14a02)

00:42:28 Michael Smith, 20 Patients in Bozeman area

Opponents' Testimony:

00:45:55 Rep. Don Roberts, HD 56, North Billings

00:47:31 Rep. Dave Howard, HD 60, Ravalli County

00:50:44 Rep. French

00:50:48 Rep. Howard

EXHIBIT (huh14a03)

00:51:34 Lewis Smith, Self, County Attorney, Powell County

00:55:15 Chairwoman Becker

00:55:35 Mr. Smith

00:59:37 Bob Leach, Self

01:03:07 Kevin Klostermeier, Department of Justice

01:07:08 Bob Hilliard, State Association Drug Awareness Program

EXHIBIT (huh14a04)**Informational Testimony:** None

Questions from Committee Members and Responses:

01:08:52 Rep. McAlpin
01:09:13 Rep. French
01:10:16 Rep. Ingraham
01:10:51 Rep. French
01:11:44 Rep. Ingraham
01:12:19 Rep. French
01:12:55 Mr. Judge
01:13:32 Rep. Ingraham
01:13:35 Mr. Smith
01:16:01 Rep. Ingraham
01:16:07 Mr. Smith
01:16:30 Roy Kemp, Deputy Director of the Quality Assurance
Division
01:17:02 Rep. Ingraham
01:17:09 Rep. Beck
01:18:07 Rep. French
01:18:25 Mr. Kemp
01:19:43 Rep. Beck
01:19:54 Mr. Daubert
01:21:03 Rep. Beck
01:21:35 Mr. Daubert
01:22:15 Rep. Caferro
01:22:45 Mr. Daubert
01:22:56 Rep. Peterson
01:23:26 Mr. Judge
01:23:49 Rep. Peterson
01:24:19 Mr. Judge
01:24:31 Rep. Peterson
01:24:57 Mr. Judge
01:25:16 Rep. Peterson
01:25:40 Mr. Judge
01:26:02 Rep. McAlpin
01:26:22 Mr. Smith
01:26:55 Rep. Peterson
01:27:12 Mr. Smith
01:28:38 Rep. Peterson
01:28:48 Mr. Smith

Closing by Sponsor:

01:28:59 Rep. French

01:32:25 Chairwoman Becker calls a recess.
01:43:27 Chairwoman Becker resumes meeting.

EXECUTIVE ACTION ON HB 93

01:44:09 **Motion:** Rep. Caferro moved that **HB 93 DO PASS.**

Discussion:

01:44:17 Rep. Sands
01:45:07 Chairwoman Becker
01:45:14 Rep. Peterson
01:46:19 Rep. McAlpin
01:46:32 Rep. Peterson
01:46:49 Rep. McAlpin
01:47:00 Rep. More
01:48:13 Rep. Sands
01:48:25 Todd Harwell, Emergency Medical Services, Department of
Public Health
01:50:20 Rep. Ingraham
01:51:15 Rep. Sands
01:51:48 Ms. Sue O'Connell, Legislative Services Staff
01:53:17 Rep. McAlpin

01:53:38 **Vote:** Motion carried 12-4 by roll call vote with Rep.
Beck, Rep. More, Rep. Peterson, and Rep. Welborn voting
no. Reps. French, Hunter and Stoker voted by proxy.

01:55:13 Chairwoman Becker

EXECUTIVE ACTION ON HB 105

01:55:25 **Motion:** Rep. Caferro moved that **HB 105 DO PASS.**

Discussion:

01:55:35 Chairwoman Becker
01:55:41 Rep. Welborn
01:57:13 Rep. McAlpin
01:57:53 Rep. Peterson
02:00:16 Chairwoman Becker
02:00:51 Rep. Peterson

02:00:59 **Motion:** Rep. Sands moved that **HB 105 BE AMENDED.**
EXHIBIT (huh14a05)

Discussion:

02:01:59 Rep. McAlpin
02:02:20 Rep. Sands
02:02:51 Rep. Smith

02:03:12 **Vote:** Motion carried unanimously by voice vote.
Reps. French, Hunter and Stoker voted by proxy.

02:03:31 **Motion:** Rep. Caferro moved that **HB 105 DO PASS AS AMENDED.**

Discussion:

02:04:06 Rep. McAlpin
02:04:16 Ms. O'Connell
02:04:50 Chairwoman Becker
02:05:23 Rep. Smith
02:06:11 Rep. Sands
02:06:31 Chairwoman Becker
02:06:56 Rep. Beck
02:08:07 Rep. McAlpin
02:08:30 Rep. Ingraham
02:10:29 Rep. Furey
02:11:33 Rep. Sands

02:13:36 **Vote:** Motion failed 8-8 by roll call vote with Rep. Becker, Rep. Caferro, Rep. French, Rep. Furey, Rep. Hunter, Rep. McAlpin, Rep. Noonan, and Rep. Sands voting aye. Reps. French, Hunter and Stoker voted by proxy.

Discussion:

02:14:53 Rep. Sands
02:15:17 Rep. Ingraham
02:15:48 Chairwoman Becker
02:16:42 Ms. O'Connell
02:17:07 Rep. Howard
02:17:17 Ms. O'Connell
02:17:30 Chairwoman Becker
02:17:45 Rep. Ingraham

ADJOURNMENT

02:17:57 Adjournment: 5:18 P.M.

SANTELLA BAGLIVO, Secretary

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Additional Documents:

EXHIBIT ([huh14aad.pdf](#))