

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON HUMAN SERVICES

Call to Order: Chairman Arlene Becker, on March 11, 2009 at 3:05 P.M., in Room 152 Capitol

ROLL CALL

Members Present:

Rep. Arlene Becker, Chairman (D)
Rep. Mary Caferro, Vice Chairman (D)
Rep. Pat Ingraham, Vice Chairman (R)
Rep. Bill Beck (R)
Rep. Julie French (D)
Rep. David Howard (R)
Rep. Chuck Hunter (D)
Rep. Dave McAlpin (D)
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. Timothy Furey (D), Rep. Michael More (R)

Members Absent: None

Staff Present: Santella Baglivo, Committee Secretary
Susan Byorth Fox, 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: SB 325, 2/25/2009; SB 432,
2/25/2009

Executive Action: SB 82, SB 119, SB 208, SB 432,
SB 325, SB 26, SB 51, SB 83

HEARING ON SB 432

Opening Statement by Sponsor:

00:01:36 Sen. Roy Brown (R), SD 25, opened the hearing on SB 432, Revise ostensible agency law.

00:01:40 Rep. More enters.

Proponents' Testimony:

00:05:45 Mark Taylor, Montana Hospital Association, Yellowstone Insurance Exchange

00:08:26 Al Smith, Montana Trial Lawyers Association

00:09:59 Mike Foster, Wheatland Memorial Hospital, Catholic Hospitals in Montana

00:11:04 John Flink, Montana Hospital Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:11:35 Rep. Stoker

00:12:02 Mr. Smith

00:12:27 Rep. Stoker

00:12:38 Rep. Furey enters.

00:12:40 Mr. Smith

00:12:52 Rep. Stoker

00:13:14 Mr. Smith

00:13:55 Rep. Stoker

00:14:26 Mr. Smith

00:14:40 Rep. Peterson

00:15:23 Mr. Taylor

00:15:51 Rep. Peterson

00:16:06 Mr. Taylor

00:16:10 Rep. Peterson

00:16:21 Mr. Taylor

00:16:33 Rep. Peterson

00:16:39 Mr. Taylor

00:16:50 Rep. Hunter

00:17:12 Sen. Brown

00:17:21 Rep. Sands

00:17:51 Mr. Taylor

00:18:41 Rep. Sands

00:19:00 Mr. Taylor

Closing by Sponsor:

00:19:56 Sen. Brown

00:20:57 Chairwoman Becker calls a recess.

00:36:11 Chairwoman Becker resumes hearing. Rep. Ingraham does not return from break.

EXECUTIVE ACTION ON SB 82

00:36:40 **Motion:** Rep. Caferro moved that **SB 82 BE CONCURRED IN.**

Discussion:

00:36:53 Chairwoman Becker

00:37:05 Rep. French

00:38:33 Rep. Furey calls the question.

00:38:39 **Vote:** Motion carried unanimously by voice vote. Rep. Ingraham voted by proxy.

EXECUTIVE ACTION ON SB 208

00:39:05 **Motion:** Rep. Caferro moved that **SB 208 BE CONCURRED IN.**

Discussion:

00:39:49 Rep. Stoker

00:40:17 Rep. Sands

00:40:30 Rep. Smith

00:40:39 Rep. Hunter

00:41:10 Rep. Sands calls the question.

00:41:15 **Vote:** Motion carried unanimously by voice vote. Rep. Ingraham voted by proxy.

HEARING ON SB 325

Opening Statement by Sponsor:

00:41:48 Sen. Gary Perry (R), SD 35, opened the hearing on SB 325, Clarifying provisions of the Medical Marijuana Act.

Proponents' Testimony:

00:42:47 Tom Daubert, Patients and Families United

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:44:23 Sen. Perry

EXECUTIVE ACTION ON SB 119

00:45:15 **Motion:** Rep. Caferro moved that **SB 119 BE CONCURRED IN.**

00:45:33 **Motion:** Chairwoman Becker moved that **SB 119 BE AMENDED.**

EXHIBIT (huh54a01)

Discussion:

00:47:12 Rep. French

00:47:30 Chairwoman Becker

00:47:55 Rep. French

00:48:06 Chairwoman Becker

00:48:54 Rep. Peterson

00:49:11 Rep. Howard

00:49:16 Rep. Sands called the question.

00:49:20 **Vote:** Motion carried unanimously by voice vote.
Rep. Ingraham voted by proxy.

00:49:36 **Motion:** Rep. Caferro moved that **SB 119 BE CONCURRED IN AS AMENDED.**

Discussion:

00:49:50 Rep. Furey

00:50:34 Rep. French

00:50:55 **Vote:** Motion carried unanimously by roll-call vote.
Rep. Ingraham voted by proxy.

Discussion:

00:51:43 Rep. Howard

00:52:07 Rep. Beck

00:53:07 Chairwoman Becker

EXECUTIVE ACTION ON SB 325

00:53:52 **Motion:** Rep. Caferro moved that **SB 325 BE CONCURRED IN.**

00:54:09 Rep. Sands called the question.

00:54:12 **Vote:** Motion carried unanimously by voice vote.
Rep. Ingraham voted by proxy.

EXECUTIVE ACTION ON SB 432

00:54:30 **Motion:** Rep. Caferro moved that **SB 432 BE CONCURRED IN.**

00:55:23 Rep. Peterson called the question.

00:55:29 **Vote:** Motion carried unanimously by voice vote.
Rep. Ingraham voted by proxy.

EXECUTIVE ACTION ON SB 26

00:56:40 Chairwoman Becker

00:57:01 **Motion:** Rep. Caferro moved that **SB 26 BE CONCURRED IN.**

00:57:13 **Motion:** Chairwoman Becker moved that **SB 26 BE AMENDED.**
EXHIBIT (huh54a02)

00:58:23 Rep. Sands called the question.

00:58:28 **Vote:** Motion carried unanimously by voice vote.
Rep. Ingraham voted by proxy.

Discussion:

00:58:42 Chairwoman Becker

00:58:47 Rep. Ingraham enters.

00:58:50 Rep. Sands

00:59:35 Rep. Peterson

01:00:08 Rep. Caferro called the question.

01:00:13 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 51

01:00:50 **Motion:** Rep. Caferro moved that **SB 51 BE CONCURRED IN.**

01:01:14 Chairwoman Becker

01:01:20 **Motion:** Rep. Beck moved that **SB 51 BE AMENDED.**
EXHIBIT (huh54a03)

Discussion:

01:02:56 Rep. French

01:03:19 Rep. Sands

01:04:02 Rep. Caferro called the question.

01:04:06 **Vote:** Motion failed 8-8 by roll call vote with Rep. Beck, Rep. Howard, Rep. Ingraham, Rep. More, Rep. Peterson, Rep. Smith, Rep. Stoker, and Rep. Welborn voting aye.

01:05:12 **Motion:** Rep. Ingraham moved that **SB 51 BE AMENDED.**
EXHIBIT (huh54a04)

Discussion:

01:06:09 Rep. Caferro

01:06:54 Rep. Sands

01:07:46 Rep. French

01:08:57 Chairwoman Becker

01:09:20 Rep. French

01:10:18 Rep. Howard

01:11:34 Rep. Caferro

01:11:48 Rep. Beck

01:13:20 Rep. Sands

01:14:52 Rep. French

01:15:33 Rep. Caferro called the question.

01:15:41 **Vote:** Motion carried 14-2 by voice vote with Rep. Beck and Rep. Stoker voting no.

01:15:52 **Motion:** Rep. Caferro moved that **SB 51 BE CONCURRED IN AS AMENDED.**

Discussion:

01:15:58 Rep. French

01:17:13 Rep. Howard

01:18:21 Rep. Stoker called the question.

01:18:26 **Vote:** Motion failed 7-9 by roll call vote with Rep. Caferro, Rep. Furey, Rep. Hunter, Rep. McAlpin, Rep. Noonan, Rep. Sands, and Rep. Welborn voting aye.

01:19:19 **Motion/Vote:** Rep. Stoker moved that **SB 51 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 83

01:19:47 **Motion:** Rep. Caferro moved that **SB 83 BE CONCURRED IN**.

01:20:43 **Motion:** Rep. Caferro moved that **SB 83 BE AMENDED**.
EXHIBIT (huh54a05)

Discussion:

01:21:17 Rep. Stoker
01:21:19 Rep. Howard leaves.
01:21:49 Ms. Fox, Legislative Services
01:22:56 Rep. Peterson
01:23:03 Ms. Fox
01:23:20 Rep. Sands
01:23:44 Rep. Stoker
01:23:45 Ms. Fox
01:23:53 Rep. French
01:24:42 Rep. Stoker
01:25:05 Rep. Sands
01:25:37 Rep. Peterson
01:26:07 Rep. Caferro withdrew her motion to amend SB 83.

Discussion:

01:26:18 Rep. Peterson
01:28:01 Rep. Sands
01:28:28 Rep. Peterson
01:28:36 Rep. McAlpin called the question.
01:28:45 **Vote:** Motion failed unanimously by roll call vote.
Rep. Howard voted by proxy.
01:30:01 **Motion/Vote:** Rep. Sands moved that **SB 83 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote.

Additional Discussion:

01:30:12 Chairwoman Becker
01:30:42 Rep. Caferro
01:32:04 Rep. Stoker
01:32:26 Chairwoman Becker
01:32:41 Rep. Hunter
01:33:24 Rep. Sands
01:33:59 Rep. French
01:34:46 Chairwoman Becker
01:34:51 Ms. Fox
01:35:26 Rep. Beck
01:36:28 Rep. Caferro

ADJOURNMENT

01:37:10 Adjournment: 4:42 P.M.

Santella Baglivo, Secretary

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Additional Exhibits

[EXHIBIT \(huh54a06\)](#)

Additional Documents:

[EXHIBIT \(huh54aad.pdf\)](#)