

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON PUBLIC HEALTH, WELFARE AND SAFETY

Call to Order: Chair Jason Priest, on February 16, 2011 at 3:00 PM, in Room 317-C
Capitol

ROLL CALL

Members Present:

Sen. Jason Priest, Chair (R)
Sen. Terry Murphy, Vice Chair (R)
Sen. Mary Caferro (D)
Sen. Kim Gillan (D)
Sen. Rowlie Hutton (R)
Sen. Dave Lewis (R)
Sen. Kendall Van Dyk (D)

Members Excused: Sen. Jeff Essmann (R)

Members Absent: None

Staff Present: Julianne Burkhardt, Legislative Branch
Liane Taylor, Committee Secretary

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: SB 310

Executive Action: SB 37
SB 161
SB 249
SB 309
SB 2
SB 241

HEARING ON SB 310

Opening Statement by Sponsor:

00:01:15 Sen. Christine Kaufmann (D), SD 41, opened the hearing on SB 310, Create a CHIP buy-in program.

Proponents' Testimony:

00:05:26 Anita Roessmann, representing Disability Rights Montana (DRM)
00:07:12 Gabriel Kristal, representing Montana Nurses Association (MNA)
00:07:50 Kim Abbott, Montana Human Rights Network (MHRN)
00:09:04 Kristina Davis, Children's Defense Fund (CDF)
00:10:41 Aimee Grmoljez, Billings Clinic

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:12:04 Sen. Gillan
00:12:12 Sen. Kaufmann
00:12:48 Sen. Gillan
00:13:02 Sen. Kaufmann
00:13:35 Sen. Priest
00:13:48 Sen. Kaufmann
00:14:43 Sen. Priest
00:15:13 Sen. Kaufmann

Closing by Sponsor:

00:16:14 Sen. Kaufmann

EXECUTIVE ACTION ON SB 241

00:18:45 **Motion:** Sen Priest moved that **SB 241 DO PASS.**

00:20:04 **Motion:** Sen Priest moved that **SB 241 BE AMENDED.**
EXHIBIT(phs38a01)

Discussion:

00:22:00 Sen. Gillan
00:23:06 Erin MacLean, representing Montana Medical Association (MMA), without objection from the committee.
00:24:12 Sen. Gillan
00:24:48 Erin MacLean, MMA

00:25:08 Sen. Gillan
00:25:16 Erin MacLean
00:25:24 Sen. Priest
00:25:39 Julianne Burkhardt, LSD

00:26:19 **Substitute Motion:** Sen. Gillan moved that a substitute amendment be combined with previous amendment.

00:27:04 Sen. Priest

00:27:16 **Vote:** Motion carried unanimously by voice vote of those present and voting.

00:27:29 **Motion:** Sen. Priest moved that **SB 241 DO PASS AS AMENDED.**

00:28:07 Sen. Gillan
00:28:38 Sen. Caferro
00:31:20 Sen. Priest
00:32:04 Sen. Caferro
00:32:25 Sen. Van Dyk
00:33:18 Sen. Gillan
00:34:14 Sen. Priest

00:34:24 **Vote:** Motion carried 7-1 with Sen. Van Dyk voting no and Sens. Essmann and Lewis voting by proxy.

EXECUTIVE ACTION ON SB 37

00:35:47 **Motion/Vote:** Sen. Murphy moved that **SB 37 DO PASS.** Motion failed unanimously by roll call vote with Sens. Essmann, Gillan and Lewis voting by proxy.

EXECUTIVE ACTION ON SB 161

00:37:59 **Motion:** Sen. Murphy moved that **SB 161 DO PASS.**

00:38:39 **Motion:** Sen. Murphy moved that **SB 161 BE AMENDED.**
EXHIBIT(phs38a02)

00:38:52 Sen. Priest

Discussion:

00:39:05 Sen. Priest
00:41:24 Sen. Van Dyk
00:41:46 Julianne Burkhardt, LSD
00:42:05 Sen. Van Dyk
00:42:10 Sen. Priest

00:43:32 **Vote:** Motion carried 7-1 by roll call vote with Sen. Van Dyk voting no and Sens. Essmann, Gillan and Lewis voting by proxy.

00:43:37 **Motion:** Sen. Murphy moved that **SB 161 DO PASS AS AMENDED.**

Discussion:

00:43:52 Sen. Caferro

00:43:57 Sen Priest

00:44:20 Sen. Caferro

00:45:54 Sen. Van Dyk

00:47:35 Sen. Priest

00:47:41 **Vote:** Motion failed 2-6 with Sens. Murphy and Lewis voting aye and Sens. Essmann, Gillan, and Lewis voting by proxy.

EXECUTIVE ACTION ON SB 249

00:49:20 **Motion:** Sen. Murphy moved that **SB 249 DO PASS.**

[EXHIBIT\(phs38a03\)](#)

[EXHIBIT\(phs38a04\)](#)

00:50:59 **Motion:** Sen. Van Dyk moved that **SB 249 BE AMENDED.**

Discussion:

00:51:18 Sen. Priest

00:51:41 **Vote:** Motion carried unanimously by voice vote with Sen. Gillan, Essmann and Lewis voting by proxy.

00:51:58 **Motion:** Sen. Murphy moved that **SB 249 BE AMENDED.** Motion carried unanimously by voice vote with Sens. Essmann, Gillan and Lewis voting by proxy.

00:52:53 **Motion/Vote:** Sen. Murphy moved that **SB 249 DO PASS AS AMENDED.** Motion failed 3-5 by roll call vote with Sens. Caferro, Gillan and Van Dyk voting aye and Sens. Essmann and Gillan voting by proxy.

00:53:55 **Motion:** Sen. Murphy moved to reverse the vote and **TABLE SB 249.** Without objection motion carried.

EXECUTIVE ACTION ON SB 37

00:54:05 **Motion:** Sen. Murphy moved to reverse the vote and **TABLE SB 37**. Without objection of those present and voting, motion carried.

EXECUTIVE ACTION ON SB 161

00:54:52 **Motion:** Sen. Murphy moved to reverse the vote and **TABLE SB 161**. Without objection of those present and voting, motion carried.

EXECUTIVE ACTION ON SB 309

00:55:45 **Motion:** Sen. Van Dyk moved that **SB 309 DO PASS**.
[EXHIBIT\(phs38a05\)](#)

00:56:38 **Motion/Vote:** Sen. Murphy moved that **SB 309 BE AMENDED**. Motion carried unanimously by voice vote with Sens. Essmann and Gillan voting by proxy.

00:57:12 **Motion:** Sen. Murphy moved that **SB 309 DO PASS AS AMENDED**.

Discussion:

00:57:26 Sen. Caferro

00:57:57 Sen. Priest

00:58:15 **Vote:** Motion failed 3-5 with Sens. Caferro, Gillan and Van Dyk voting aye and Sen. Essmann voting by proxy.

00:59:01 Without objection, Sen. Murphy moved to reverse and table the bill.

00:59:58 Committee business

EXECUTIVE ACTION ON SB 2

01:00:11 **Motion:** Sen. Gillan moved that **SB 2 BE RECONSIDERED**.

Discussion:

01:02:18 Sen. Murphy

01:02:42 Sen. Hutton

01:04:13 Sen. Caferro

01:05:23 Sen. Hutton

01:05:38 Sen. Gillan

01:07:35 Sen. Priest

01:08:58 **Vote:** Motion carried 5-3 with Sens. Lewis, Hutton and Murphy voting no and Sen. Essmann voting by proxy.

01:09:36 **Motion:** Sen. Gillan moved that **SB 2 DO PASS.**

Discussion:

01:10:56 Sen. Murphy

01:11:01 Sen. Gillan

01:11:17 Sen. Priest

01:11:20 **Vote:** Motion carried 5-3 by roll call vote with Sens. Lewis, Hutton and Murphy voting no and Sen. Essmann voting by proxy.

ADJOURNMENT

01:14:21 Adjournment:

Liane Taylor, Secretary

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Additional Documents:

EXHIBIT([phs38aad.pdf](#))