

**MINUTES**

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

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

**Call to Order:** By **CHAIRMAN DAN WEINBERG**, on March 28, 2007 at 3:00 P.M., in Room 350 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. Terry Murphy (R)  
Sen. Jerry O'Neil (R)  
Sen. Trudi Schmidt (D)  
Sen. Carol Williams (D)

**Members Excused:**

Sen. Kim Gillan (D)

**Members Absent:** None.

**Staff Present:** Prudence Gildroy, 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: HJ 33, 3/27/2007; HB 77, 3/27/2007;  
HB 769, 3/27/2007; HJ 42,  
3/27/2007; HJ 44, 3/27/2007;  
Executive Action: HB 414; HB 687; HB 782; HJ 26; HB  
769; HJ 33; HJ 42; HJ 44

00:00:01

**HEARING ON HJ 33**

**Opening Statement by Sponsor:**

00:01:30 **REP. BILL THOMAS (D)**, HD 26, opened the hearing on **HJ 33**, Study polio.

**Proponents' Testimony:** None.

**Opponents' Testimony:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

00:03:13 Sen. Weinberg to Rep. Thomas

**Closing by Sponsor:**

00:05:03 Rep. Thomas

**HEARING ON HB 77**

**Opening Statement by Sponsor:**

00:06:21 **SEN. JOHN ESP, (R)**, SD 31 for **REP. EDITH CLARK (R)**, HD 28, opened the hearing on **HB 77**, Right of recovery under Medicaid provisions of the deficit reduction act.

**Proponents' Testimony:**

00:07:59 Jeff Buska, Administrator, Quality Assurance Division, Department of Public Health and Human Services

**EXHIBIT** (phs66a01)

**Opponents' Testimony:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

00:15:50 Sen. Weinberg to Jeff Buska

00:16:34 Sen. O'Neil to Jeff Buska

**Closing by Sponsor:**

00:17:50 Sen. Esp

**HEARING ON HB 769**

**Opening Statement by Sponsor:**

00:18:23 **REP. BOB LAKE (R), HD 88**, opened the hearing on **HB 769**, Require registration of alternative adolescent programs and rules for regulation.

**Proponents' Testimony:**

00:25:04 Patrick McKenna, Monarch School, and President for Montana Alternative Adolescent Programs, Inc. (MAAP) and for Three Springs

00:31:24 Taylor Bradley, Twenty Peaks Ranch

00:34:11 Micki Manning, Principal, Spring Creek Academy

**EXHIBIT (phs66a02)**

00:38:05 Alexander Volsky

00:41:20 Andy Larsen, Pinehaven Christian Ranch

**EXHIBIT (phs66a03)**

00:43:40 Sen. Jim Elliot, SD 7

00:45:54 Paul Clark, Board Member

**EXHIBIT (phs66a04)**

00:50:47 Ryan Freilts, Twenty Peaks Ranch

00:51:24 Harry Sutley

00:52:20 Jim Smith, representing James Dorien, parent

00:55:37 Mary Alexin, Director, Chrysalis

00:56:52 B. Lee, Chrysalis

00:58:17 Alex Banker, Chrysalis

00:59:27 Mona Jamison, Attorney, representing Jim Dorian  
01:01:35 Haley Weber, Chrysalis  
01:02:23 Christina Broadbeck, Chrysalis  
01:03:03 Elyssa Kerr, Chrysalis  
01:03:56 Natalie Rose Crauder, Chrysalis  
01:05:23 Beth Brenneman, Montana Advocacy Program  
01:05:44 Sami Butler, Intermountain Children's Home, and also  
for Linda Carpenter, NATSAP

**Opponents' Testimony:** None.

**Informational Testimony:**

01:06:53 Cynthia Breen, Department of Labor and Industry

**Questions from Committee Members and Responses:**

01:07:29 Sen. Esp to Cynthia Breen  
01:10:08 Sen. Esp to Rep. Lake  
01:11:57 Sen. Esp to Gary Spaeth, consultant, MAAP  
01:12:48 Sen. Esp to Mark Cadwallader, Department of Labor and  
Industry

**Closing by Sponsor:**

01:15:33 Rep. Lake

*Sen. Elliott will carry the bill in the Senate.*

**HEARING ON HJ 42**

**Opening Statement by Sponsor:**

01:19:39 **REP. FRANKE WILMER (D), HD 64**, opened the hearing on **HJ 42**, Resolution for safe kids week.

**Proponents' Testimony:**

01:22:08 Steve Yeakel, Montana Council for Maternal and Child Health

01:22:44 Kristi Blazer, Johnson and Johnson

**Opponents' Testimony:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

01:23:50 Sen. Weinberg to Rep. Wilmer

01:25:26 Sen. Williams to Rep. Wilmer

01:26:38 Sen. Murphy to Rep. Wilmer

**Closing by Sponsor:**

01:28:12 Rep. Wilmer

*Sen. Cooney will carry the bill in the Senate.*

**HEARING ON HJ 44**

**Opening Statement by Sponsor:**

01:29:21 **REP. DAVE GALLIK (D), HD 79**, opened the hearing on **HJ 44**, Revise CHIP laws.

**Proponents' Testimony:**

01:30:11 Steve Yeakel, Montana Council for Maternal and Child Health

01:31:04 Olivia Ryutta, Working for Equity and Economic Liberation (WEEL)

**Opponents' Testimony:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

01:32:16 Sen. Weinberg to Steve Yeakel

**Closing by Sponsor:**

01:33:11 Rep. Gallik

01:34:09 Recess

01:39:27 Reconvene

**EXECUTIVE ACTION ON HB 414**

01:40:38 **Motion:** SEN. MOSS moved that HB 414 BE CONCURRED IN.

**Discussion:**

01:41:11 Sen. O'Neil

01:42:09 **Motion:** SEN. O'NEIL moved that HB 414 BE AMENDED with a conceptual amendment to strike line 13-15 from "and omit the name of the respondent" on.

01:43:49 Lisa Jackson, Legislative Services Division

**Discussion:**

01:44:53 Sen. Moss

01:45:32 Sen. Weinberg to Sen. Moss

01:45:54 Sen. O'Neil withdrew his motion.

01:46:18 Sen. Esp to Sen. Moss

01:46:32 Sen. Williams to Sen. Esp

01:47:29 Sen. O'Neil

01:47:56 Sen. Weinberg

01:48:03 Sen. Moss withdrew her motion do concur on HB 414.

**EXECUTIVE ACTION ON HB 687**

01:48:49 **Motion:** SEN. MOSS moved that HB 687 BE CONCURRED IN.

**Discussion:**

01:49:15 Sen. Esp

01:49:41 Lisa Jackson  
01:51:00 Sen. Schmidt to Lisa Jackson  
01:51:26 Sen. Esp  
01:52:55 Sen. Esp to Lisa Jackson  
01:53:16 **Motion:** SEN. ESP moved that HB 687 BE AMENDED to change the effective date and the applicability date.  
01:53:57 Sen. Schmidt to Lisa Jackson  
01:54:43 Sen. Esp  
01:55:04 Sen. Weinberg  
01:56:11 Sen. Weinberg to Lisa Jackson  
01:56:32 Sen. Cobb  
01:57:02 Sen. Weinberg to Sen. Esp  
01:57:10 Sen. Esp withdrew his motion.

**EXECUTIVE ACTION ON HB 782**

01:57:39 **Motion/Vote:** SEN. O'NEIL moved that HB 782 BE CONCURRED IN. Motion carried 8-1 with Sen. Esp voting no. Sen. Gillan voted aye by proxy.

*Sen. O'Neil will carry the bill in the Senate.*

**EXECUTIVE ACTION ON HJ 26**

02:01:02 **Motion/Vote:** SEN. MOSS moved that HJ 26 BE CONCURRED IN. Motion carried 7-2 by voice vote with SEN. ESP and SEN. O'NEIL voting no. Sen. Gillan and Sen. Williams voted aye by proxy.

*Sen. Schmidt will carry the bill in the Senate.*

**EXECUTIVE ACTION ON HB 769**

02:05:39 **Motion:** SEN. SCHMIDT moved that HB 769 BE CONCURRED IN.

Discussion:

02:05:43 Sen. Esp

02:06:04 Sen. Schmidt

02:06:31 **Vote:** Motion carried 7-2 by voice vote with SEN. ESP and SEN. O'NEIL voting no. Sen. Gillan and Sen. Williams voted aye by proxy.

EXECUTIVE ACTION ON HJ 33

02:07:14 **Motion/Vote:** SEN. MOSS moved that HJ 33 BE CONCURRED IN. Motion carried 7-2 by voice vote with SEN. ESP and SEN. O'NEIL voting no. Sen. Gillan and Sen. Williams voted aye by proxy.

*Sen. Cobb will carry the bill in the Senate.*

EXECUTIVE ACTION ON HJ 42

02:09:12 **Motion/Vote:** SEN. MOSS moved that HJ 42 BE ADOPTED. Motion carried 7-2 by voice vote with SEN. ESP and SEN. O'NEIL voting no. Sen. Gillan and Sen. Williams voted aye by proxy.

EXECUTIVE ACTION ON HJ 44

02:10:10 **Motion/Vote:** SEN. COBB moved that HJ 44 BE ADOPTED. Motion carried 7-2 by voice vote with SEN. ESP and SEN. O'NEIL voting no. Sen. Gillan and Sen. Williams voted aye by proxy.

*Sen. Moss will carry the bill in the Senate.*

**ADJOURNMENT**

Adjournment: 5:19 P.M.

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SEN. DAN WEINBERG, Chairman

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PRUDENCE GILDROY, Secretary

DW/pg

Additional Exhibits:

**EXHIBIT ([phs66aad.pdf](#))**