

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

FREE CONFERENCE COMMITTEE ON SENATE BILL 423

Call to Order: Chair Jeff Essmann, on April 18, 2011 at 10:00 A.M., in Room 335
Capitol

ROLL CALL

Members Present:

Sen. Jeff Essmann, Chair (R)
Rep. Cary Smith, Chair (R)
Rep. Tom Berry (R)
Sen. Cliff Larsen (D)
Rep. Diane Sands (D)
Sen. Chas Vincent (R)

Members Excused: None

Members Absent: None

Staff Present: Sue O'Connell, Legislative Services Division (LSD)
Valencia Lane, LSD
Pam Schindler, 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: SB 423

(Please Note: Some Amending Sections will not be in consecutive order or will not be "Moved and Voted Upon." Various Amending Sections will be internal changes and/or be approved when corresponding Amending Sections are voted upon. Refer to the audio/video minutes if further information is necessary.)

00:00:58 Chairman Essmann
00:02:45 Rep. Sands
00:02:48 Chairman Essmann
00:02:52 Sue O'Connell, Legislative Services Division (LSD)
[EXHIBIT\(frs86sb0423a01\)](#)
[EXHIBIT\(frs86sb0423a02\)](#) (This exhibit will be referred to many times)
[EXHIBIT\(frs86sb0423a03\)](#)
[EXHIBIT\(frs86sb0423a04\)](#)
[EXHIBIT\(frs86sb0423a05\)](#)
00:05:04 Rep. Sands
00:05:22 Ms. O'Connell
00:07:35 Chairman Essmann
00:09:32 Ms. O'Connell
00:10:06 Rep. Berry
00:10:22 Ms. O'Connell
00:11:09 Chairman Essmann
00:11:33 Valencia Lane, LSD
00:16:22 Rep. Berry
00:16:45 Ms. Lane
00:18:38 Rep. Sands
00:19:36 Ms. Lane
00:21:36 Rep. Sands
00:22:04 Ms. Lane
00:22:59 Rep. Smith
00:24:15 Ms. Lane
00:24:28 Chairman Essmann
00:26:20 Rep. Sands
00:26:50 Sen. Vincent
00:27:56 Rep. Berry
00:28:24 Chairman Essmann
00:28:40 Sen. Vincent
00:29:44 Chairman Essmann
00:29:51 Rep. Smith
00:30:13 Chairman Essmann
00:30:58 Ms. O'Connell
00:35:04 Chairman Essmann
00:35:39 Ms. O'Connell
00:37:28 Rep. Sands
00:37:49 Ms. O'Connell
00:38:19 Chairman Essmann
00:38:33 Ms. O'Connell
00:46:41 Chairman Essmann
00:46:59 Ms. O'Connell
00:47:38 Rep. Sands
00:48:38 Ms. O'Connell

00:50:59 Rep. Sands
00:51:19 Chairman Essmann
00:51:38 Rep. Sands
00:51:43 Ms. O'Connell
00:58:16 Chairman Essmann
00:58:23 Ms. O'Connell
00:58:50 Rep. Sands
00:59:16 Ms. O'Connell

Questions from the Committee:

01:02:30 Rep. Smith
01:02:48 Ms. O'Connell
01:03:13 Rep. Berry
01:03:28 Ms. O'Connell
01:04:27 Chairman Essmann
01:04:50 Ms. O'Connell
01:05:28 Chairman Essmann

Discussion:

01:08:33 Chairman Essmann
01:08:38 Rep. Berry

(All amendments discussed below are located in Exhibit #2 unless otherwise noted)

01:09:03 **Motion/Vote:** Rep. Berry moved that **SB 423 BE AMENDED WITH SECTIONS 1-5**. Motion carried unanimously by voice vote.

01:09:16 Ms. O'Connell

01:09:48 **Motion/Vote:** Rep. Berry moved that **SB 423 BE AMENDED WITH SECTION 6**. Motion carried unanimously by voice vote.

01:10:30 Chairman Essmann ruled that internal changes will be adopted if no objection is made by the Committee Members. The Committee Members agreed.

01:11:08 Ms. O'Connell

01:11:44 **Motion/Vote:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTION 8**. Motion carried unanimously by voice vote.

01:12:05 **Motion:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTION 9**.

Discussion:

01:12:16 Ms. O'Connell

01:12:40 **Substitute Motion/Vote:** Rep. Sands moved to **SEGREGATE WITHIN SUB-SECTION #2, SECTION "b", "c", "i", "ii" FROM SECTION 9.** Motion carried without objection.

01:13:14 Rep. Smith
01:13:26 Chairman Essmann
01:13:45 Rep. Smith
01:14:18 Chairman Essmann

01:14:45 **Motion:** Rep. Sands moved to **STRIKE THE WORD "CARE" FROM ALL PLACES IT APPEARS IN BETWEEN THE WORDS "PRIMARY" AND "PHYSICIAN".**

Discussion:

01:15:05 Chairman Essmann
01:15:14 Rep. Sands
01:15:32 Chairman Essmann
01:15:50 Rep. Sands
01:16:00 Dr. Maryanne Guggenheim, Physician, Board of Medical Examiners, State of Montana
01:17:28 Rep. Sands
01:17:33 Dr. Guggenheim

01:17:57 **Substitute Motion:** Rep. Sands made a substitute motion that **SB 423 BE AMENDED by SUBSTITUTING "TREATING PHYSICIAN" IN PLACE OF "PRIMARY CARE PHYSICIAN".**

Discussion:

01:18:29 Chairman Essmann
01:18:45 Rep. Sands
01:19:20 **Vote:** Motion carried unanimously by voice vote.
01:19:38 Chairman Essmann
01:20:30 Rep. Sands
01:22:08 Sen. Vincent
01:22:46 Dr. Guggenheim
01:24:43 Rep. Smith
01:25:11 Dr. Guggenheim
01:26:17 Rep. Berry
01:27:05 Chairman Essmann
01:27:17 Dr. Guggenheim
01:27:34 Ms. O'Connell
01:28:13 Rep. Smith
01:29:15 Dr. Guggenheim
01:31:13 Rep. Sands
01:33:55 Sen. Vincent
01:34:15 Chairman Essmann

01:36:08 **Motion:** Rep. Smith moved in **SECTION #9, STRIKE ALL LANGUAGE AFTER THE WORD "LEGISLATURE". REMOVE "AFTER REVIEWING RECOMMENDATIONS OF THE ADVISORY BOARD PROVIDED FOR IN ..."**

Discussion:

01:36:49 Chairman Essmann
01:37:12 Rep. Smith
01:38:10 Chairman Essmann
01:38:16 Rep. Smith
01:38:34 Rep. Sands
01:38:57 Sen. Larsen

01:39:23 **Vote:** Motion carried unanimously by voice vote.

01:40:19 Rep. Sands
01:40:37 Chairman Essmann

01:40:46 **Motion/Vote:** Rep. Sands moved that **SB 423 BE AMENDED WITH THE REMAINDER OF SECTION 9.** Motion carried unanimously by voice vote.

01:41:12 Ms. O'Connell

01:41:50 **Motion:** Rep. Smith moved that **SB 423 BE AMENDED WITH SECTION 10.**

Discussion:

01:42:03 Rep. Sands

01:42:43 **Vote:** Motion carried unanimously by voice vote.

01:43:09 Ms. O'Connell

01:43:38 **Motion:** Rep. Sands moved **SB 423 BE AMENDED WITH SECTIONS 11 AND 12.**

Discussion:

01:43:59 Chairman Essmann
01:44:39 Rep. Sands
01:45:03 Dr. Guggenheim
01:45:48 Sen. Vincent
01:46:19 Rep. Smith
01:46:51 Ms. O'Connell
01:47:14 Chairman Essmann
01:47:54 Rep. Sands
01:48:12 Dr. Guggenheim
01:48:42 Chairman Essmann

- 01:49:00 Dr. Guggenheim
- 01:49:49 Chairman Essmann
01:50:46 Rep. Sands
- 01:51:18 **Vote:** Motion carried unanimously by voice vote.
- 01:51:33 Ms. O'Connell
- 01:52:07 **Motion/Vote:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTIONS 13 AND 14.** Motion carried unanimously by voice vote.
- 01:52:49 Ms. O'Connell
- 01:53:08 **Motion:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTION 15.**
- Discussion:**
- 01:53:28 Chairman Essmann
- 01:54:06 **Vote:** Motion carried unanimously by voice vote.
- 01:54:23 Ms. O'Connell
- 01:54:41 **Motion/Vote:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTIONS 16 AND 17.** Motion to adopt Section 16 carried unanimously by voice vote.
Motion to adopt Section 17 carried unanimously by voice vote.
- 01:55:01 Ms. O'Connell
- 01:55:23 **Motion/Vote:** Rep. Sands moved that **SB 423 BE AMENDED WITH A GLOBAL AMENDMENT FOR "MARIJUANA INFUSED PRODUCT" LANGUAGE TO BE INSERTED WHERE APPROPRIATE THROUGHOUT THE BILL.** Motion carried unanimously by voice vote.
- 01:55:57 Ms. O'Connell
01:56:24 Rep. Sands
01:57:03 Ms. O'Connell
01:57:30 Chairman Essmann
01:58:03 Rep. Smith
01:58:26 Chairman Essmann
01:58:47 Sen. Larsen
01:59:37 Ms. O'Connell
- 02:00:06 **Motion:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTION 20.**
- Discussion:**
- 02:01:05 Chairman Essmann

- 02:01:20 **Substitute Motion/Vote:** Rep. Sands moved that **SB 423 BE AMENDED BY SEGREGATING "...PHYSICIAN TREATING MINOR....IN SECTION 20"**. Motion carried without objection.
- 02:02:35 **Substitute Motion/Vote:** Chairman Essmann moved that **SB 423 BE AMENDED BY ADOPTING THE BALANCE OF SECTION 20**. Motion carried unanimously by voice vote.
- 02:03:31 Chairman Essmann
- 02:05:46 Recess
02:05:52 Resumed
- 02:06:13 Ms. O'Connell
- 02:07:16 **Motion/Vote:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTION 30 AND 31**. Motion carried unanimously by voice vote.
- 02:07:51 Ms. O'Connell
- 02:08:17 **Motion/Vote:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTION 32**. Motion carried unanimously by voice vote.
- 02:08:48 Ms. O'Connell
- 02:09:18 **Motion/Vote:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTION 33-40**. Motion carried unanimously by voice vote.
- 02:09:48 Ms. O'Connell
- 02:10:21 **Motion:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTION 41**.
- Discussion:**
- 02:10:29 Chairman Essmann
- 02:10:43 Ms. O'Connell
- 02:11:10 **Substitute Motion/Vote:** Rep. Sands moved that **SB 423 BE AMENDED WITH A CONCEPTUAL AMENDMENT TO INCLUDE "...REPORTING TO THE LEGISLATURE BY THE BOARD OF MEDICAL EXAMINERS THE NUMBER OF PHYSICIANS WHO EXCEED THE NUMBER..."** Motion carried unanimously by voice vote.
- 02:12:03 **Motion/Vote:** Sen. Vincent moved that **SB 423 BE AMENDED WITH THE REST OF SECTION 41**. Motion carried unanimously by voice vote.
- 02:12:35 Ms. O'Connell

02:13:18 **Motion:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTIONS 43-45**

Discussion:

02:13:29 Sen. Vincent
02:13:53 Ms. O'Connell

02:14:34 **Vote:** Motion carried unanimously by voice vote.

02:14:56 Ms. O'Connell

02:15:33 **Motion/Vote:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTION 47.** Motion carried unanimously by voice vote.

02:17:15 Ms. O'Connell

02:19:21 **Substitute Motion/Vote:** Rep. Sands moved that **SB 423 BE AMENDED AND TO SEGREGATE A, B, C, D, E FROM SECTIONS 48-56.** Motion carried without objection.

Discussion:

02:21:11 Chairman Essmann

02:21:58 **Motion:** Sen. Vincent moved that **SB 423 BE AMENDED WITH SECTION 49.**

Discussion:

02:22:06 Rep. Sands
02:22:50 Rep. Smith
02:23:17 Sen. Larsen

02:23:44 **Vote:** Motion carried unanimously by voice vote.

02:24:18 Ms. O'Connell

02:24:38 **Motion:** Sen. Larsen moved that **SB 423 BE AMENDED WITH SECTION 50.**

Discussion:

02:25:06 Rep. Berry
02:25:34 Sen. Larsen
02:26:00 Chairman Essmann
02:26:59 Sen. Vincent

02:28:08 **Vote:** Motion carried unanimously by voice vote.

02:28:34 Sen. Larsen
02:28:49 Ms. O'Connell

02:29:09 Rep. Sands

02:29:24 **Motion/Vote:** Sen. Vincent moved that **SB 423 BE AMENDED WITH SECTION 52-54**. Motion carried unanimously by voice vote.

02:30:34 Chairman Essmann

02:30:41 Rep. Sands

02:30:57 Ms. O'Connell

02:31:22 **Motion/Vote:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTIONS 55-56 UNTIL CAPITAL LETTER F**. Motion carried unanimously by voice vote.

02:31:56 Ms. O'Connell

02:32:48 **Motion/Vote:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTION 56 STARTING WITH SECTION "F"**. Motion carried unanimously by voice vote.

02:33:12 Ms. O'Connell

02:34:05 **Motion:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTION 57**.

Discussion:

02:34:20 Sen. Larsen

02:34:52 Ms. O'Connell

02:35:55 **Vote:** Motion carried unanimously by voice vote.

02:36:11 Ms. O'Connell

02:36:49 **Motion/Vote:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTION 64**. Motion carried unanimously by voice vote.

02:38:07 Ms. O'Connell

02:38:36 **Motion/Vote:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTIONS 65-66**. Motion carried unanimously by voice vote.

02:39:02 Ms. O'Connell

02:40:07 Sen. Larsen

02:40:26 Rep. Sands

02:40:44 Chairman Essmann

02:41:49 Rep. Sands

02:42:17 Sen. Vincent

02:43:31 Chairman Essmann

02:44:10 Rep. Smith

02:45:47 Rep. Sands

02:46:50 Rep. Berry

02:47:21 Chairman Essmann
02:47:26 Sen. Vincent
02:48:19 Ms. O'Connell

02:48:50 **Motion:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTION 73 AND TO ADD "STREET ADDRESS"**.

Discussion:

02:49:05 Sen. Vincent
02:49:46 Ms. O'Connell
02:50:03 Rep. Sands

02:51:04 **Vote:** Motion carried unanimously by voice vote.

02:51:16 Ms. O'Connell
02:52:40 Sen. Larsen
02:53:15 Chairman Essmann

02:53:30 **Motion:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTION 77**.

Discussion:

02:53:43 Rep. Smith
02:55:42 Sen. Larsen
02:56:35 Rep. Smith
02:56:49 Sen. Larsen
02:57:35 Chairman Essmann

02:58:20 **Motion/Vote:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTION 77, SUB-SECTION 1**. Motion carried unanimously by voice vote.

Discussion:

02:58:55 Chairman Essmann
02:59:08 Rep. Berry
02:59:41 Sen. Vincent
03:00:53 Rep. Berry
03:01:10 Sen. Vincent
03:01:49 Rep. Smith
03:02:28 Sen. Vincent
03:02:52 Sen. Smith
03:03:18 Sen. Vincent
03:03:27 Rep. Sands
03:04:47 Chairman Essmann

03:04:58 **Motion/Vote:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTION 77, DELETING SECTION 4**. Motion carried unanimously by voice vote.

03:05:41 Sen. Vincent

03:06:11 Chairman Essmann
 03:06:16 Rep. Sands
 03:07:47 Rep. Smith

03:08:04 Rep. Sands
 03:08:17 Sen. Vincent

03:08:35 **Motion/Vote:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTION 77, SUB-SECTION 2** Motion carried unanimously by voice vote.

03:08:59 **Motion:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTION 77, SUB-SECTION 3.**

Discussion:

03:09:30 Chairman Essmann

03:09:47 **Substitute Motion/Vote:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTION 77, SUB-SECTION 3B, DELETING 3A.** Motion carried unanimously by voice vote.

03:10:21 **Motion:** Rep. Berry moved that **SB 423 BE AMENDED WITH SECTION 77, SUB-SECTION 5.**

Discussion:

03:10:54 Rep. Smith
 03:11:11 Rep. Berry
 03:11:33 Chairman Essmann
 03:11:41 Rep. Sands
 03:12:14 Rep. Smith
 03:12:47 Chairman Essmann
 03:12:53 Rep. Berry **WITHDREW PREVIOUS MOTION.**

03:13:02 **Motion:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTION 77, SUB-SECTION 6 and MIS-NUMBERED (6) 7.**

Discussion:

03:13:32 Rep. Smith

03:13:58 **Motion:** Rep. Sands moved that **SB 423 BE AMENDED AND TO SEGREGATE SUB-SECTION 6 FROM SECTION 77.**

Discussion:

03:14:26 Rep. Sands
 03:14:33 Ms. O'Connell
 03:14:39 Rep. Sands

03:14:42 **Vote:** Motion carried unanimously by voice vote.

03:15:10 Ms. O'Connell

03:16:09 Chairman Essmann

03:17:10 **Motion:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTION 78-88 and TO MAKE CONFORMING AMENDMENTS.**

Discussion:

03:18:01 Sen. Larsen
03:18:55 Chairman Essmann

03:19:05 **Vote:** Motion carried unanimously by voice vote.

03:19:45 Recess
03:37:23 Resume

03:37:40 Ms. O'Connell
03:38:28 Chairman Essmann
03:38:49 Ms. O'Connell

03:39:41 **Motion/Vote:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTION 99.** Motion carried unanimously by voice vote.

03:40:29 Ms. O'Connell
03:41:09 Chairman Essmann

03:41:15 **Motion:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTION 100.**

Discussion:

03:41:32 Rep. Berry
03:41:52 Rep. Sands
03:42:18 Ms. O'Connell
03:42:48 Rep. Smith
03:43:23 Chairman Essmann
03:43:34 Rep. Sands
03:44:19 Chairman Essmann
03:44:45 Sen. Vincent

03:45:13 **Vote:** Motion carried unanimously by voice vote.

03:45:27 Ms. O'Connell

03:46:21 **Motion/Vote:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTIONS 102-105.** Motion carried unanimously by voice vote.

03:46:55 Ms. O'Connell

03:48:00 **Motion/Vote:** Rep. Berry moved that **SB 423 BE AMENDED WITH SECTIONS 108-113**. Motion carried unanimously by voice vote.

03:48:33 Ms. O'Connell

03:49:08 **Motion:** Rep. Berry moved **SB 423 BE AMENDED WITH LANGUAGE CHANGING "...3.5 TO 5.0 LEVEL OF IMPAIRMENT BY CANNABANOIDS..."**.

Discussion:

03:49:53 Chairman Essmann

03:50:11 Rep. Berry

03:50:22 Rep. Smith

03:51:01 Chairman Essmann

03:51:12 Rep. Sands

03:51:40 Rep. Berry

03:51:59 Chairman Essmann

03:52:19 Rep. Sands

03:52:43 Rep. Berry

03:53:01 Sen. Larsen

03:53:50 Chairman Essmann

03:54:01 Sen. Vincent

03:54:16 Rep. Sands

03:54:35 **Vote:** Motion carried unanimously by voice vote.

03:54:51 Ms. O'Connell

03:55:13 Chairman Essmann

03:55:41 Rep. Smith

03:56:11 Rep. Sands

03:58:00 Sen. Vincent

03:58:20 Rep. Smith

03:58:32 Sen. Vincent

03:58:50 Chairman Essmann

03:59:31 Rep. Sands

03:59:46 Ms. O'Connell

04:00:49 **Motion/Vote:** Rep. Sands moved that **SB 423 BE AMENDED WITH "...RESIDENTIAL CARE FACILITY" AFTER THE WORD HOSPICE ON PAGE 11, LINE 3**. Motion carried unanimously by voice vote.

EXHIBIT(frs86sb0423a06)

04:01:39 Ms. O'Connell

04:02:29 Rep. Sands

04:02:48 Chairman Essmann

04:03:36 Rep. Smith

04:03:51 **Motion/Vote:** Rep. Berry moved that **SB 423 BE AMENDED WITH SECTIONS 115-117, ENDING BEFORE NEW SECTION.** Motion carried unanimously by voice vote.

04:04:26 Ms. O'Connell

04:05:18 **Motion/Vote:** Rep. Berry moved that **SB 423 BE AMENDED WITH "NEW SECTION" IN SECTION 117.**

Discussion:

04:05:46 Chairman Essmann

04:05:57 Rep. Berry

04:06:08 Rep. Sands

04:06:49 Ms. O'Connell

04:07:41 **Substitute Motion:** Rep. Sands moved to **DELETE SUB-SECTION 4B FROM SECTION 117.**

Discussion:

04:08:17 Rep. Smith

04:08:49 Chairman Essmann

04:09:21 **Motion/Vote:** Rep. Sands moved that **SB 423 BE AMENDED AND TO DELETE FROM SECTION 117, SUB-SECTION 2A AND 4B.** Motion carried unanimously by voice vote.

04:09:56 Ms. O'Connell

04:10:59 **Motion/Vote:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTIONS 118-120.** Motion carried unanimously by voice vote.

04:11:46 Ms. O'Connell

04:12:15 **Motion:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTIONS 122-125.**

Discussions:

04:12:39 Rep. Smith

04:13:11 Rep. Sands

04:13:33 Ms. O'Connell

04:13:46 Chairman Essmann

04:14:40 Rep. Smith

04:15:02 Rep. Sands

04:15:26 Chairman Essmann

04:15:56 Ms. O'Connell

04:16:31 **Substitute Motion:** Rep. Sands moved that **SB 423 BE AMENDED WITH A CONCEPTUAL AMENDMENT FOR SECTION 125 WITH LANGUAGE, "...ANY VIOLATION OF THIS PROVISION REVOKES YOUR PROVIDER PRIVILEGES..." FOR PAGE 6, LINE 29.**

Discussion:

04:17:36 Sen. Larsen
04:17:49 Rep. Sands

04:18:41 **Vote:** Motion carried unanimously by voice vote.

04:19:05 Ms. O'Connell

04:19:18 **Motion/Vote:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTIONS 122-125.** Motion carried unanimously by voice vote.

04:20:03 Ms. O'Connell

04:20:40 **Motion:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTIONS 126.**

Discussion:

04:20:49 Chairman Essmann
04:21:15 Ms. O'Connell
04:21:46 Rep. Sands
04:21:56 Jean Branscum, Executive Director, Board of Medical Examiners, State of Montana

04:23:30 **Vote:** Motion carried unanimously by voice vote.

04:23:48 Ms. O'Connell

04:24:20 **Motion/Vote:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTIONS 131-132.** Motion carried unanimously by voice vote.

04:24:52 Ms. O'Connell
04:25:23 Chairman Essmann
04:25:40 Ms. O'Connell

04:25:47 **Motion/Vote:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTIONS 133.**

Discussion:

04:26:04 Rep. Smith
04:26:45 Chairman Essmann
04:28:15 Rep. Smith
04:28:25 Rep. Sands
04:29:43 Rep. Smith

04:30:13 Chairman Essmann
04:30:57 Rep. Smith
04:31:10 Sen. Larsen

04:32:06 **Vote:** Motion carried unanimously by voice vote.

04:32:22 Ms. O'Connell

04:32:35 **Motion:** Rep. Sands moved that **SB 423 BE AMENDED WITH "...LEGISLATIVE MONITORING LANGUAGE FOR PAGE 13, LINE 20..."** (Refer to exhibit 6, section 7).

Discussion:

04:34:23 Ms. O'Connell

04:34:45 **Vote:** Motion carried unanimously by voice vote.

04:35:06 Ms. O'Connell

04:36:32 **Motion/Vote:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTIONS 140, 142, 143.** Motion carried unanimously by voice vote.

04:37:04 Ms. O'Connell

04:37:45 **Motion/Vote:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTIONS 146 UP TO SECTION 28.** Motion carried unanimously by voice vote.

04:38:05 Ms. O'Connell
04:38:46 Rep. Sands
04:39:05 Chairman Essmann

04:39:12 **Motion/Vote:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTION 146, BALANCING REMAINING, SUB-SECTION 28 AND 29.** Motion carried unanimously by voice vote.

04:39:59 Ms. O'Connell

04:40:23 **Motion:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTION 147.**

Discussion:

04:40:54 Chairman Essmann
04:41:15 Ms. O'Connell
04:41:20 Chairman Essmann
04:41:41 Ms. O'Connell
04:42:10 Rep. Smith
04:42:25 Sen. Larsen
04:42:53 Rep. Smith
04:43:21 Chairman Essmann
04:43:54 Ms. O'Connell

04:44:18 Chairman Essmann
04:44:31 Rep. Sands
04:45:29 Chairman Essmann
04:46:08 Rep. Smith
04:46:13 Rep. Sands

04:46:37 **Vote:** Motion carried unanimously by voice vote.

04:46:54 Ms. O'Connell

04:49:11 **Motion:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTIONS 148-151.**

Discussion:

04:49:33 Rep. Berry
04:49:48 Ms. O'Connell
04:49:54 Rep. Berry
04:50:01 Rep. Sands
04:51:12 Rep. Smith
04:51:43 Chairman Essmann
04:52:09 Rep. Sands
04:52:11 Sen. Larsen
04:53:14 Rep. Berry
04:53:44 Rep. Sands
04:54:13 Rep. Smith
04:54:43 Chairman Essmann

04:55:09 **Vote:** Motion carried unanimously by voice vote.

04:55:35 Ms. O'Connell

04:56:18 **Motion/Vote:** Rep. Sands moved that **SB 423 BE AMENDED WITH SECTIONS 156-157.** Motion carried unanimously by voice vote.

Discussion:

04:57:07 Chairman Essmann
04:57:21 Rep. Sands
04:57:34 Sen. Vincent
04:58:13 Rep. Smith
04:58:26 Rep. Sands
04:59:29 Sen. Vincent
05:00:11 Sen. Larsen

05:00:43 **Motion/Vote:** Rep. Berry moved that **SB 423 BE AMENDED WITH REMOVING THE "WHEREAS" PAGE 1, LINES 18 THROUGH 26.** Motion carried unanimously by voice vote. (Please refer to Exhibit 1)

Committee Discussion:

(Please refer to audio/video for the general topics discussed by the committee members)

05:01:13	Chairman Essmann
05:01:35	Rep. Sands
05:02:17	Chairman Essmann
05:03:54	Rep. Berry
05:04:29	Rep. Sands
05:06:37	Chairman Essmann
05:07:38	Rep. Sands
05:07:49	Ms. O'Connell
05:08:06	Sen. Vincent
05:09:33	Chairman Essmann
05:09:39	Rep. Berry
05:09:57	Rep. Smith
05:10:21	Sen. Vincent
05:11:06	Chairman Essmann
05:13:04	Rep. Smith
05:13:31	Chairman Essmann
05:13:40	Ms. O'Connell
05:14:30	Rep. Sands
05:15:22	Rep. Smith
05:16:36	Sen. Vincent
05:17:05	Rep. Sands
05:18:34	Sen. Vincent
05:18:42	Rep. Sands
05:19:21	Chairman Essmann
05:20:26	Rep. Sands
05:22:09	Chairman Essmann
05:22:49	Rep. Sands
05:23:13	Chairman Essmann
05:23:33	Rep. Smith
05:25:22	Sen. Larsen
05:26:51	Rep. Smith
05:27:10	Ms. O'Connell
05:27:33	Rep. Berry
05:27:43	Sen. Vincent
05:29:53	Rep. Smith
05:30:15	Sen. Vincent
05:30:41	Chairman Essmann
05:31:44	Rep. Sands
05:32:18	Chairman Essmann
05:32:31	Rep. Smith
05:33:04	Chairman Essmann
05:34:11	Sen. Vincent
05:34:28	Rep. Smith
05:34:59	Sen. Vincent
05:35:08	Rep. Berry
05:35:20	Chairman Essmann

05:35:34 Ms. O'Connell
05:35:42 Sen. Vincent
05:36:19 Chairman Essmann
05:38:03 Rep. Smith
05:38:57 Chairman Essmann
05:39:21 Rep. Sands
05:39:34 Rep. Smith

05:39:47 **Motion:** Rep. Sands moved that **SB 423 BE AMENDED WITH LANGUAGE ABOUT, "... PHYSICIAN AFFILIATION PROHIBITION..."**.

Discussion:

05:40:18 Ms. O'Connell

05:40:54 **Vote:** Motion carried unanimously by voice vote.

05:41:30 Rep. Sands
05:42:39 Chairman Essmann
05:43:24 Rep. Sands
05:43:54 Rep. Smith
05:44:31 Sen. Larsen
05:45:26 Sen. Vincent
05:45:35 Rep. Sands
05:46:39 Sen. Vincent
05:47:34 Chairman Essmann
05:47:49 Rep. Sands
05:48:39 Rep. Berry
05:49:18 Rep. Smith
05:49:55 Ms. O'Connell
05:50:40 Rep. Smith
05:51:01 Chairman Essmann
05:52:29 Ms. O'Connell

(The Committee recessed until LSD could make the amended changes to SB 423. When the amended SB 423 is ready, the Committee will reconvene for further review.)

ADJOURNMENT

Adjournment: 8:00 P.M.

Pam Schindler, Secretary

Additional Documents:

EXHIBIT([frs86sb0423aad.pdf](#))