

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON HUMAN SERVICES

**Call to Order:** Chair David Howard, on February 18, 2011 at 3:00 PM, in Room 152  
Capitol

#### ROLL CALL

**Members Present:**

Rep. David Howard, Chairman (R)  
Rep. Cary Smith, Vice Chairman (R)  
Rep. Liz Bangerter (R)  
Rep. Steve Fitzpatrick (R)  
Rep. Timothy Furey (D)  
Rep. Chuck Hunter (D)  
Rep. Pat Ingraham (R)  
Rep. Dan Kennedy (R)  
Rep. Michael (Mike) More (R)  
Rep. Carolyn Pease-Lopez (D)  
Rep. Max Yates (R)

**Members Excused:** Rep. Pat Noonan, Vice Chairman (D)  
Rep. Ellie Boldman Hill (D)  
Rep. Joe Read (R)  
Rep. Dan Skattum (R)

**Members Absent:** None

**Staff Present:** Miranda Keaster, 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 488, 2/15/2011; HB 526, 2/15/2011; HB 551, 2/15/2011; HB 559, 2/15/2011; HB 565, 2/15/2011; HB 573, 2/15/2011

Executive Action: HB 551, HB 559, HB 573, HB 526, HB 488, HB 437, HB 445, HB 473, HB 486, HB 501, HB 539

00:00:03 Chairman Howard

**HEARING ON HB 551**

**Opening Statement by Sponsor:**

00:00:29 Rep. Kelly Flynn (R), HD 68, opened the hearing on HB 551, Revise state employee health insurance program to include high deductible plan.

00:02:08 Rep. Noonan entered.

**Proponents' Testimony:** None

00:02:44 Rep. Hill entered.

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:03:27 Rep. Furey

00:04:13 Rep. Flynn

00:06:06 Rep. Furey

00:06:34 Rep. Flynn

00:06:54 Rep. Smith

00:07:15 Rep. Flynn

00:08:07 Rep. Hunter

00:08:44 Rep. Flynn

00:09:50 Rep. Hunter

**Closing by Sponsor:**

00:10:14 Rep. Flynn

**HEARING ON HB 559**

**Opening Statement by Sponsor:**

00:11:00 Rep. John Esp (R), HD 61, opened the hearing on HB 559, Generally revise health laws for seasonal establishments.

**Proponents' Testimony:**

00:11:57 Page Dringman, Representative, Sweet Grass Ranch

00:15:41 Rep. Fitzpatrick exited.

00:17:26 Jean Johnson, Montana Outfitter Guide Association

**EXHIBIT(huh40a01)**

00:17:37 Ernie Barker, Owner, Triple J Ranch

00:19:39 Ron Jarrett, Owner, Hawley Mountain Ranch

00:20:25 Rep. Fitzpatrick entered.

00:20:31 Jack Rich, Owner, Seely Lake Guest Ranch

00:21:20 Patty Wirth, Rocking Z Guest Ranch

**Opponents' Testimony:**

00:22:25 Erin McGowan Fincham, Association of Montana Public Officials and Montana Environmental Health Officials

**EXHIBIT(huh40a02)**

00:23:02 Rep. Skattum entered.

00:24:21 Rep. Noonan exited.

**Informational Testimony:**

00:25:17 Jim Murphy, Department of Public Health and Human Services (DPHHS)

**Questions from Committee Members and Responses:**

00:26:04 Rep. Furey

00:26:16 Page Dringman

00:27:13 Rep. Furey

00:27:38 Page Dringman

00:28:24 Rep. Kennedy

00:28:39 Jim Murphy

00:28:58 Rep. Kennedy

00:29:23 Rep. Smith

00:29:40 Rep. Esp

**Closing by Sponsor:**

00:30:01 Rep. Esp

**HEARING ON HB 573**

**Opening Statement by Sponsor:**

00:31:39 Rep. Chuck Hunter (D), HD 79, opened the hearing on HB 573, Generally revise health insurance laws for data and analysis generation.

**EXHIBIT(huh40a03)**

**Proponents' Testimony:**

00:36:41 Jeanne Souvigny, Montana Primary Care Association

00:37:53 Don Judge, Montana Nurses Association

00:39:13 Eric Schindler, Chief Executive Officer, Montana Schools Services Association  
[EXHIBIT\(huh40a04\)](#)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:42:37 Rep. Ingraham  
00:43:08 Rep. Hunter  
00:43:41 Rep. Smith  
00:43:57 Rep. Hunter

**Closing by Sponsor:**

00:44:25 Rep. Hunter

**HEARING ON HB 565**

**Opening Statement by Sponsor:**

00:45:42 Rep. Pat Noonan (D), HD 73, opened the hearing on HB 565, Clarify requirements for providing services to high-risk children.

**Proponents' Testimony:**

00:48:39 John Metropolis, A.W.A.R.E., Inc.  
[EXHIBIT\(huh40a05\)](#)  
00:50:50 Jeff Folsom, Chief Operations Officer, A.W.A.R.E, Inc.

**Opponents' Testimony:** None

**Informational Testimony:**

00:51:20 Bob Runkel, Administrator, Children's Mental Health, DPHHS

**Questions from Committee Members and Responses:**

00:51:52 Rep. Smith  
00:52:16 Rep, Kennedy  
00:52:33 John Metropolis  
00:52:37 Rep. Kennedy  
00:52:55 Jeff Folsom  
00:53:13 Rep. Furey

**Closing by Sponsor:**

00:53:47 Rep. Noonan

**HEARING ON HB 526**

**Opening Statement by Sponsor:**

00:55:05 Rep. Champ Edmunds (R), HD 100, opened the hearing on HB 526, Create interstate health care compact.

**Proponents' Testimony:**

00:55:59 Nancy Ballance, Ravalli County Tea Party Patriots  
[EXHIBIT\(huh40a06\)](#)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:02:12 Rep. Hunter  
01:03:24 Nancy Ballance  
01:03:29 Rep. Smith

**Closing by Sponsor:**

01:04:03 Rep. Edmunds  
  
01:05:18 Rep. Bangerter  
01:05:31 Sue O'Connell, Legislative Service Division  
01:05:49 Chairman Howard  
01:06:30 Rep. Bangerter  
01:06:52 Sue O'Connell  
01:07:32 Chairman Howard

**HEARING ON HB 488**

**Opening Statement by Sponsor:**

01:08:05 Rep. Jerry O'Neil (R), HD 3, opened the hearing on HB 488, Revise laws relating to marijuana consumption.

**Proponents' Testimony:** None

**Opponents' Testimony:**

01:10:57 Jeni Sigler, Self  
01:13:16 Mark Sigler, Father of Jenifer  
01:14:27 Valerie Sigler, Mother of Jenifer  
01:15:26 John Schnabel, Self  
01:17:00 William Hund, Caregiver

01:17:38 Hiedi Handford, Patients Out of Time  
01:18:56 Jim Gingary, Montana Medical Growers Association

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:20:48 Rep. Furey  
01:21:56 Rep. O'Neil

**Closing by Sponsor:**

01:22:35 Rep. O'Neil

**EXECUTIVE ACTION ON HB 551**

01:28:40 **Motion:** Rep. C. Smith moved that **HB 551 DO PASS.**

**Discussion:**

01:29:25 Rep. Ingraham  
01:29:35 Rep. Hunter  
01:30:33 Rep. Smith  
01:31:14 Rep. Bangerter

01:32:01 **Vote:** Motion carried unanimously by roll call vote. Rep. Read voted by proxy.

01:33:15 Sue O'Connell, LSD  
01:33:52 Rep. Hunter

**EXECUTIVE ACTION ON HB 559**

01:34:08 **Motion:** Rep. C. Smith moved that **HB 559 DO PASS.**

**Discussion:**

01:34:30 Rep. Ingraham  
01:35:13 Rep. Smith  
01:35:22 Chairman Howard  
01:36:02 Rep. Furey  
01:36:20 Chairman Howard  
01:36:58 Rep. Kennedy

01:37:09 **Vote:** Motion carried unanimously by voice vote. Rep. Read voted by proxy.

**HB 565****Discussion:**

01:37:36 Rep. Smith  
01:37:53 Rep. Noonan  
01:38:20 Rep. Smith  
01:38:51 Rep. Noonan

**EXECUTIVE ACTION ON HB 573**

01:39:26 **Motion:** Rep. C. Smith moved that **HB 573 DO PASS.**

**Discussion:**

01:39:32 Rep. Hunter  
01:40:08 Rep. Yates  
01:40:17 Rep. Hunter

01:40:29 **Vote:** Motion carried 13-2 by voice vote with Rep. More and Rep. Skattum voting no. Rep. Read voted by proxy.

**EXECUTIVE ACTION ON HB 526**

01:41:21 **Motion:** Rep. C. Smith moved that **HB 526 DO PASS.**

**Discussion:**

01:41:27 Rep. Noonan  
01:41:46 Rep. Smith  
01:42:32 Rep. Kennedy  
01:42:40 Chairman Howard  
01:43:19 Rep. Noonan  
01:43:38 Rep. Hunter

01:44:07 **Vote:** Motion carried 9-6 by roll call vote with Rep. Bangerter, Rep. Furey, Rep. Hill, Rep. Hunter, Rep. Noonan and Rep. Pease-Lopez voting no. Rep. Read voted by proxy.

**EXECUTIVE ACTION ON HB 488**

01:45:07 **Motion:** Rep. C. Smith moved that **HB 488 DO PASS.**

**Discussion:**

01:45:28 Rep. Hunter  
01:46:06 Rep. Kennedy  
01:46:11 Rep. Skattum

01:46:24 **Substitute Motion/Vote:** Rep. More made a substitute motion that **HB 488 BE TABLED**. Substitute Motion carried unanimously by roll call vote. Rep. Read voted by proxy.

**EXECUTIVE ACTION ON HB 437**

01:47:33 **Motion:** Rep. C. Smith moved that **HB 437 DO PASS**.

**Discussion:**

01:48:10 Rep. Hunter  
01:48:14 Sue O'Connell, LSD

01:48:48 **Motion:** Rep. Hunter moved that **HB 437 BE AMENDED**.

**EXHIBIT(huh40a07)**

**Discussion:**

01:50:10 Rep. Smith  
01:50:21 Rep. Hunter  
01:50:44 Rep. Smith  
01:50:50 Rep. Hunter  
01:50:53 Rep. Smith  
01:51:34 Rep. Ingraham  
01:52:09 Rep. Hunter  
01:52:13 Rep. Pease-Lopez  
01:52:59 Chairman Howard

01:54:14 **Vote:** Motion carried unanimously by voice vote.

01:54:28 **Motion:** Rep. Skattum moved that **HB 437 DO PASS AS AMENDED**.

**Discussion:**

01:55:22 Rep. Hunter  
01:55:28 Rep. Skattum  
01:55:39 Rep. Read entered.  
01:55:47 Rep. Ingraham  
01:57:07 Rep. Furey  
01:58:57 Rep. Pease-Lopez  
01:59:57 Rep. Hill  
02:01:26 Rep. Hunter  
02:02:45 Rep. More

02:03:53 **Vote:** Motion failed 7-8 by roll call vote with Rep. Bangerter, Rep. Furey, Rep. Hill, Rep. Hunter, Rep. Noonan, Rep. Pease-Lopez and Rep. Read voting aye.

02:04:51 **Motion/Vote:** Rep. More moved that **HB 437 BE TABLED**. Motion carried 14-1 by voice vote with Rep. Furey voting no.

**EXECUTIVE ACTION ON HB 445**

02:05:20 **Motion:** Rep. C. Smith moved that **HB 445 DO PASS.**

**Discussion:**

02:05:50 Rep. Noonan  
02:07:04 Rep. Smith  
02:08:51 Rep. Kennedy  
02:09:21 Rep. Fitzpatrick  
02:09:53 Rep. Smith  
02:11:30 Rep. Hunter  
02:12:40 Rep. Yates  
02:12:59 Rep. Smith  
02:14:22 Rep. Yates  
02:14:32 Rep. Smith  
02:14:44 Rep. Furey  
02:15:05 Chairman Howard

02:15:58 **Vote:** Motion carried 8-7 by roll call vote with Rep. Bangerter, Rep. Fitzpatrick, Rep. Furey, Rep. Hill, Rep. Hunter, Rep. Noonan and Rep. Pease-Lopez voting no.

**EXECUTIVE ACTION ON HB 473**

02:16:46 **Motion:** Rep. C. Smith moved that **HB 473 DO PASS.**

**Discussion:**

02:16:56 Rep. Ingraham  
02:18:28 **Vote:** Motion failed 7-8 by roll call vote with Rep. Fitzpatrick, Rep. Furey, Rep. Hill, Rep. Hunter, Rep. Noonan, Rep. Pease-Lopez and Rep. Yates voting aye.  
02:19:26 **Motion/Vote:** Rep. C. Smith moved that **HB 473 BE TABLED.** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 486**

02:19:40 **Motion:** Rep. C. Smith moved that **HB 486 DO PASS.**

**Discussion:**

02:20:11 Sue O'Connell  
02:20:28 Chairman Howard  
02:21:50 Rep. Hunter  
02:23:20 Rep. Smith  
02:24:48 Rep. Kennedy  
02:25:29 Rep. Hunter

02:25:48 **Vote:** Motion failed 7-8 by roll call vote with Rep. Bangerter, Rep. Fitzpatrick, Rep. Furey, Rep. Hill, Rep. Hunter, Rep. Noonan and Rep. Pease-Lopez voting aye.

02:26:32 **Motion/Vote:** Rep. Hunter moved that **HB 486 BE TABLED**. Motion carried unanimously by voice vote.

#### **EXECUTIVE ACTION ON HB 501**

02:26:49 **Motion:** Rep. C. Smith moved that **HB 501 DO PASS**.

#### **Discussion:**

02:27:13 Rep. Bangerter  
02:29:42 Rep. Pease-Lopez  
02:30:42 Rep. Ingraham  
02:32:11 Rep. Hunter  
02:33:35 Chairman Howard

02:35:18 **Vote:** Motion failed 6-9 by roll call vote with Rep. Bangerter, Rep. Howard, Rep. Ingraham, Rep. More, Rep. Read and Rep. Smith voting aye.

02:36:09 **Motion/Vote:** Rep. Ingraham moved that **HB 501 BE TABLED**. Motion carried unanimously by voice vote.

#### **EXECUTIVE ACTION ON HB 539**

02:36:37 **Motion:** Rep. C. Smith moved that **HB 539 DO PASS**.

#### **Discussion:**

02:36:47 **Motion/Vote:** Rep. Bangerter moved that **HB 539 BE TABLED**. Motion carried 13-2 by voice vote with Rep. More and Rep. Read voting no.

02:37:18 Rep. Skattum  
02:37:37 Sue O'Connell, LSD  
02:38:50 Rep. Ingraham

02:39:37 **Motion/Vote:** Rep. Ingraham moved that **A LETTER BE SENT REGARDING THE COMMITTEE'S VIEW ON THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES LOOKING INTO FOSTER CARE HOME SITUATIONS**. Motion carried unanimously by voice vote.

**ADJOURNMENT**

Adjournment: 02:39:45

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Miranda Keaster, Secretary

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Additional Documents:

**EXHIBIT([huh40aad.pdf](#))**