

## MINUTES

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

#### COMMITTEE ON HUMAN SERVICES

**Call to Order:** Chair David Howard, on March 7, 2011 at 3:00 PM, in Room 152 Capitol

#### ROLL CALL

**Members Present:**

Rep. David Howard, Chairman (R)  
Rep. Pat Noonan, Vice Chairman (D)  
Rep. Cary Smith, Vice Chairman (R)  
Rep. Liz Bangerter (R)  
Rep. Steve Fitzpatrick (R)  
Rep. Ellie Boldman Hill (D)  
Rep. Pat Ingraham (R)  
Rep. Dan Kennedy (R)  
Rep. Michael (Mike) More (R)  
Rep. Carolyn Pease-Lopez (D)  
Rep. Joe Read (R)  
Rep. Dan Skattum (R)  
Rep. Max Yates (R)

**Members Excused:** Rep. Timothy Furey (D)  
Rep. Chuck Hunter (D)

**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: SB 176, 3/2/2011; SB 189, 3/2/2011

**HEARING ON SB 189**

**Opening Statement by Sponsor:**

00:00:52 Sen. Jim Keane (D), SD 38, opened the hearing on SB 189, Revise pharmaceutical authority to administer influenza vaccine.

**Proponents' Testimony:**

00:02:17 Tony King, Montana Pharmacist Association (MPA)

00:04:22 Aimee Grmoljez, Billings Clinic

00:05:04 Jane Smilie, Administrator, Public Health and Safety Division, Department of Public Health and Human Services (DPHHS)

**EXHIBIT(huh51a01)**

00:06:00 Mark Meredith, MPA

00:08:03 Kristina Davis, Children's Defense Fund

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:08:58 Rep. Ingraham

00:09:27 Tony King, MPA

00:10:07 Rep. Ingraham

00:10:21 Tony King

00:10:54 Rep. Kennedy

00:11:23 Tony King

00:11:25 Rep. Kennedy

00:11:31 Tony King

00:11:43 Rep. Smith

00:12:00 Tony King

**Closing by Sponsor:**

00:12:38 Sen. Keane

**HEARING ON SB 176**

**Opening Statement by Sponsor:**

00:13:24 Sen. Rowlie Hutton (R), SD 17, opened the hearing on SB 176, Prohibit qualified health plans from covering abortion services through exchange.

**Proponents' Testimony:**

00:14:27 Gregg Trude, Executive Director, Right to Life Montana

00:16:10 Rebecca Mastee, Montana Catholic Conference

**EXHIBIT(huh51a02)**

00:22:04 Harris Himes, Montana Eagle Forum  
00:22:52 Lori Page, Self

**Opponents' Testimony:**

00:23:19 Kim Abbott, Montana Human Rights Network  
00:26:17 Lauren Birchfield, National Association for the Repeal of Abortion Laws Pro  
Choice America (NARAL)

**EXHIBIT(huh51a03)**

00:30:10 Niki Zupanic, Public Policy Director, American Civil Liberty Union of Montana  
(ACLU)  
00:32:43 Julianna Crowley, NARAL Pro Choice Montana  
00:34:53 Lindsay Love, Planned Parenthood of Montana  
00:38:37 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence  
(MCADV)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:39:29 Rep. Hill  
00:40:49 Lauren Birchfield, NARAL  
00:41:44 Rep. Furey entered.  
00:44:32 Rep. Hill  
00:44:57 Lauren Birchfield  
00:45:29 Rep. Hill  
00:46:04 Sen. Hutton  
00:46:34 Rebecca Mastee, Montana Catholic Conference  
00:46:54 Rep. Hill  
00:47:10 Rebecca Mastee  
00:48:13 Rep. Bangerter  
00:48:34 Sen. Hutton  
00:48:43 Rep. Bangerter  
00:49:20 Sen. Hutton  
00:49:36 Rep. Fitzpatrick  
00:50:16 Nikki Zupanic, ACLU  
00:51:14 Rep. Fitzpatrick  
00:51:47 Nikki Zupanic  
00:52:23 Rep. Fitzpatrick  
00:52:45 Nikki Zupanic  
00:53:40 Rep. Noonan  
00:53:45 Rep. Smith  
00:54:37 Gregg Trude, Right to Life Montana  
00:56:43 Rep. Smith  
00:57:30 Lindsay Love, Planned Parenthood of Montana  
00:58:25 Rep. Smith  
00:58:41 Lindsay Love  
00:59:21 Rep. Fitzpatrick  
00:59:40 Nikki Zupanic  
01:00:37 Rep. Pease-Lopez

01:01:29 Sen. Hutton  
01:02:50 Rep. Kennedy  
01:03:21 Gregg Trude  
01:03:29 Rep. Smith  
01:04:07 Rebecca Mastee  
01:04:23 Rep. Smith

**Closing by Sponsor:**

01:04:45 Sen. Hutton  
  
01:09:53 Chairman Howard  
01:10:55 Rep. Kennedy exited.

**EXECUTIVE ACTION ON SB 28**

01:12:26 **Motion:** Rep. C. Smith moved that **SB 28 BE CONCURRED IN.**

**Discussion:**

01:13:10 Sue O'Connell, Legislative Service Division, LSD  
01:13:30 Rep. Hill exited.  
01:13:44 Rep. Kennedy entered.

01:14:52 **Motion:** Rep. More moved that **SB 28 BE AMENDED.**

**EXHIBIT(huh51a04)**

**Discussion:**

01:15:06 Rep. Furey  
01:15:17 Rep. More  
01:15:45 Rep. Furey  
01:16:01 Sue O'Connell, LSD  
01:16:43 Rep. More  
01:17:09 Sue O'Connell  
01:18:07 Rep. More  
01:18:34 Rep. Pease-Lopez  
01:18:57 Sue O'Connell  
01:19:30 Rep. Kennedy  
01:20:17 Rep. Bangerter  
01:20:48 Chairman Howard  
01:21:22 Sue O'Connell

01:21:32 **Vote:** Motion carried 10-5 by roll call vote with Rep. Furey, Rep. Hill, Rep. Hunter, Rep. Noonan and Rep. Pease-Lopez voting no. Rep. Hill and Rep. Hunter voted by proxy.

**EXECUTIVE ACTION ON SB 28**

01:22:28 **Motion:** Rep. C. Smith moved that **SB 28 BE CONCURRED IN AS AMENDED.**

**Discussion:**

01:22:35 Rep. Kennedy

01:23:28 **Vote:** Motion carried unanimously by roll call vote. Rep. Hill and Rep. Hunter voted by proxy. Rep. Noonan will carry the bill.

**EXECUTIVE ACTION ON SB 73**

01:24:19 **Motion:** Rep. C. Smith moved that **SB 73 BE CONCURRED IN.**

**Discussion:**

01:24:25 Rep. Read exited.

01:25:34 **Vote:** Motion carried 10-5 by roll call vote with Rep. Howard, Rep. Kennedy, Rep. More, Rep. Skattum and Rep. Smith voting no. Rep. Hill, Rep. Hunter and Rep. Read voted by proxy. Rep. Fitzpatrick will carry the bill.

01:25:45 Rep. Hill entered.

**EXECUTIVE ACTION ON SB 156**

01:25:50 **Motion:** Rep. C. Smith moved that **SB 156 BE CONCURRED IN.**

**Discussion:**

01:26:04 Rep. Kennedy  
01:26:35 Rep. Ingraham  
01:26:43 Rep. Read entered.  
01:27:16 Rep. Pease-Lopez  
01:28:01 Rep. Furey  
01:29:03 Rep. Smith  
01:29:20 Rep. Noonan  
01:29:56 Rep. Pease-Lopez  
01:30:53 Rep. More  
01:31:12 Rep. Skattum  
01:31:38 Rep. Bangerter  
01:32:02 Rep. Pease-Lopez  
01:32:56 Rep. Bangerter  
01:33:28 Chairman Howard  
01:34:00 Rep. Yates  
01:34:14 Sue O'Connell, LSD  
01:34:38 Chairman Howard  
01:34:50 Sue O'Connell  
01:35:05 Chairman Howard

01:35:14     **Motion/Vote:** Rep. C. Smith moved to withdraw motion. Motion carried 14-0 by voice vote with Rep. Hunter not voting.

01:35:43     Chairman Howard

**ADJOURNMENT**

Adjournment: 01:37:01

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Miranda Keaster, Secretary

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Additional Documents:

**EXHIBIT([huh51aad.pdf](#))**