

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON HUMAN SERVICES

Call to Order: Chair David Howard, on April 3, 2013 at 3:00 PM, in Room 152 Capitol

ROLL CALL

Members Present:

Rep. David Howard, Chair (R)
Rep. Cary Smith, Vice Chair (R)
Rep. Amanda Curtis (D)
Rep. Kelly Flynn (R)
Rep. Bill Harris (R)
Rep. Pat Ingraham (R)
Rep. Tom Jacobson (D)
Rep. Dennis R. Lenz (R)
Rep. Gordon Pierson Jr (D)
Rep. Alan Redfield (R)
Rep. Scott Reichner (R)

Members Excused: Rep. Carolyn Pease-Lopez, Vice Chair (D)
Rep. Jenifer Gursky (D)
Rep. Ellie Boldman Hill (D)
Rep. Gordon Vance (R)
Rep. Kirk Wagoner (R)

Members Absent: None

Staff Present: Sara Andersen, 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 7, 4/3/2013; SB 272, 4/3/2013; SB 298, 4/3/2013; SB 351, 4/3/2013; SB 352, 4/3/2013
Executive Action: SB 272, SB 297, SB 351, SB 352, SB 7, SB 298

02:07:41 Chairman Howard

HEARING ON SB 352

Opening Statement by Sponsor:

02:09:08 Sen. Fred Thomas (R), SD 45, opened the hearing on SB 352, Raise county population for certificate of need for ambulatory surgery centers.

02:10:28 Rep. Gursky arrived to the meeting.

Proponents' Testimony:

02:12:22 Bob Olson, Montana Hospital Association (MHA)

02:13:55 Rep. Wagoner arrived to the meeting.

02:14:50 John Bartos, Chief Executive Officer, Marcus Daly Hospital

02:19:19 Mike Foster, Catholic Hospital Association (CHA)

[EXHIBIT\(huh69a01\)](#)

[EXHIBIT\(huh69a02\)](#)

Opponents' Testimony:

02:26:04 Mark Baker, Anderson, Baker, and Swanson, PLLC

[EXHIBIT\(huh69a03\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

02:36:15 Rep. Pierson

02:36:45 Mr. Foster, CHA

02:37:02 Rep. Pierson

02:37:16 Mr. Bartos, Marcus Daly Hospital

02:37:34 Rep. Pierson

02:37:49 Chairman Howard

Closing by Sponsor:

02:38:09 Mr. Foster, CHA

HEARING ON SB 351

Opening Statement by Sponsor:

02:39:36 Sen. Alan Olson (R), SD 23, opened the hearing on SB 351, Provide criminal background checks of potential emergency placement residents.

Proponents' Testimony:

02:41:26 Sarah Corbally, Administrator, Child and Family Services Division, Department of Public Health and Human Services (DPHHS)

[EXHIBIT\(huh69a04\)](#)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

02:45:33 Rep. Gursky
02:46:03 Ms. Corbally, DPHHS
02:46:23 Chairman Howard
02:46:29 Rep. Wagoner
02:46:45 Ms. Corbally, DPHHS
02:46:52 Rep. Ingraham
02:47:26 Ms. Corbally, DPHHS
02:47:40 Rep. Ingraham
02:47:43 Chairman Howard

Closing by Sponsor:

02:47:49 Sen. Olson
02:48:39 Chairman Howard

HEARING ON SB 298

Opening Statement by Sponsor:

02:48:50 Sen. Jonathan Windy Boy (D), SD 16, opened the hearing on SB 298, Consider adverse childhood experiences in state prevention efforts.

Proponents' Testimony:

02:54:21 Todd Garrison, Executive Director, Childwise Institute
[EXHIBIT\(huh69a05\)](#)
[EXHIBIT\(huh69a06\)](#)
[EXHIBIT\(huh69a07\)](#)
03:04:17 Shane Morigeau, Confederated Salish and Kootenai Tribes (CSKT)
03:05:12 Jenuine Windy Boy, Self
03:06:13 Mat Kuntz, National Alliance on Mental Illness, Montana (NAMI-MT)

Opponents' Testimony:

03:07:15 Melissa Synness, Healthy Mothers Healthy Babies
03:10:05 Lisa Stroh, President, Montanans Against Child Abuse
[EXHIBIT\(huh69a08\)](#)
03:16:55 Betty Hidalgo, Self
[EXHIBIT\(huh69a09\)](#)
[EXHIBIT\(huh69a10\)](#)
[EXHIBIT\(huh69a11\)](#)

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

03:21:18 Sen. Windy Boy
03:28:08 Chairman Howard

HEARING ON SB 272

Opening Statement by Sponsor:

03:28:14 Sen. Jonathan Windy Boy (D), SD 16, opened the hearing on SB 272, Create Montana Indian Child Welfare Act.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor: None

EXECUTIVE ACTION ON SB 272

03:32:31 **Motion/Vote:** Rep. Ingraham moved that **SB 272 BE TABLED**. Motion carried unanimously by voice vote. Rep. Harris, Rep. Hill, Rep. Jacobson, Rep. Pease-Lopez, Rep. Reichner and Rep. Vance voted by proxy.

HEARING ON SB 7

Opening Statement by Sponsor:

03:34:50 Sen. Mary Caferro (D), SD 40, opened the hearing on SB 7, Revise Medicaid application process.

EXHIBIT(huh69a12)

Proponents' Testimony:

03:36:59 Mat Kuntz, NAMI-MT

03:38:10 Jennifer Bezanson, American Association of Retired Persons, Montana (AARP-MT)

Opponents' Testimony: None

Informational Testimony:

03:39:02 Katherine Buckley-Patton, DPHHS

Questions from Committee Members and Responses:

03:39:30 Rep. Ingraham

03:40:24 Ms. Buckley-Patton, DPHHS

03:41:18 Rep. Ingraham

03:41:27 Sen. Caferro

03:42:57 Rep. Ingraham

03:43:18 Sen. Caferro

03:43:59 Rep. Ingraham

03:44:11 Sen. Caferro

03:45:17 Rep. Ingraham

03:45:41 Sen. Caferro

Closing by Sponsor:

03:46:46 Sen. Caferro
 03:47:25 Chairman Howard
 03:48:06 Rep. C. Smith

 03:48:32 Recessed
 04:06:15 Reconvened

EXECUTIVE ACTION ON SB 297

04:06:53 **Motion:** Rep. C. Smith moved that **SB 297 BE CONCURRED IN.**

Discussion:

04:07:36 Sue O'Connell, Legislative Branch (LEG)
 04:08:01 Rep. Curtis
 04:08:08 Rep. Ingraham
 04:08:22 Chairman Howard
 04:08:46 Rep. Pierson
 04:09:04 Mr. Foster, CHA
 04:11:12 Chairman Howard
 04:11:24 Mr. Foster, CHA
 04:11:32 Rep. Wagoner
 04:11:48 Chairman Howard

 04:12:02 **Vote:** Motion carried 10-6 by roll call vote with Rep. Curtis, Rep. Gursky, Rep. Hill, Rep. Jacobson, Rep. Pease-Lopez and Rep. Pierson voting no. Rep. Harris, Rep. Hill, Rep. Pease-Lopez, Rep. Reichner and Rep. Vance voted by proxy. Rep. Knudsen will carry the bill.

EXECUTIVE ACTION ON SB 352

04:14:13 **Motion/Vote:** Rep. C. Smith moved that **SB 352 BE CONCURRED IN.** Motion failed 6-10 by roll call vote with Rep. Curtis, Rep. Gursky, Rep. Hill, Rep. Jacobson, Rep. Pease-Lopez and Rep. Pierson voting aye. Rep. Harris, Rep. Hill, Rep. Pease-Lopez, Rep. Reichner and Rep. Vance voted by proxy.

 04:15:52 **Motion/Vote:** Rep. Flynn moved that **SB 352 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote. Rep. Harris, Rep. Hill, Rep. Pease-Lopez, Rep. Reichner and Rep. Vance voted by proxy.

EXECUTIVE ACTION ON SB 351

04:16:09 **Motion:** Rep. C. Smith moved that **SB 351 BE CONCURRED IN.**

Discussion:

04:16:16 Chairman Howard

 04:16:20 **Vote:** Motion carried unanimously by voice vote. Rep. Harris, Rep. Hill, Rep. Pease-Lopez, Rep. Reichner and Rep. Vance voted by proxy.

EXECUTIVE ACTION ON SB 298

04:16:43 **Motion:** Rep. C. Smith moved that **SB 298 BE CONCURRED IN.**

Discussion:

04:16:50 Chairman Howard

04:16:54 **Vote:** Motion failed 6-10 by roll call vote with Rep. Curtis, Rep. Gursky, Rep. Hill, Rep. Jacobson, Rep. Pease-Lopez and Rep. Pierson voting aye. Rep. Harris, Rep. Hill, Rep. Pease-Lopez, Rep. Reichner and Rep. Vance voted by proxy.

04:18:14 **Motion/Vote:** Rep. Pierson moved that **SB 298 BE TABLED AND THE VOTE REVERSED.** Motion carried 15-1 by voice vote with Rep Gursky voting nay. Rep. Harris, Rep. Hill, Rep. Pease-Lopez, Rep. Reichner and Rep. Vance voted by proxy.

04:19:01 Chairman Howard

EXECUTIVE ACTION ON SB 7

04:19:39 **Motion:** Rep. C. Smith moved that **SB 7 BE CONCURRED IN.**

04:19:52 **Motion:** Rep. C. Smith moved that **SB 7 BE AMENDED.**

Discussion:

04:20:10 Ms. O'Connell, LEG

04:20:53 Chairman Howard

04:21:07 Rep. Ingraham

04:21:27 Chairman Howard

04:21:33 Rep. Gursky

04:22:22 Ms. O'Connell, LEG

04:22:37 Rep. Gursky

04:22:54 Ms. O'Connell, LEG

04:23:18 Rep. Curtis

04:23:27 Ms. O'Connell, LEG

04:23:55 Chairman Howard

04:24:27 Ms. O'Connell

04:24:40 Chairman Howard

04:24:44 Rep. Curtis

04:25:01 Ms. O'Connell, LEG

04:25:12 Chairman Howard

04:25:38 Ms. O'Connell, LEG

04:25:52 Chairman Howard

EXHIBIT(huh69a13)

04:26:04 Ms. O'Connell, LEG

04:38:15 Chairman Howard

04:38:25 Ms. O'Connell, LEG

04:38:44 Chairman Howard

04:39:28 **Vote:** Motion failed 6-10 by roll call vote with Rep. Curtis, Rep. Gursky, Rep. Hill, Rep. Jacobson, Rep. Pease-Lopez and Rep. Pierson voting aye. Rep. Harris, Rep. Hill, Rep. Pease-Lopez, Rep. Reichner, Rep. Vance and Rep. Wagoner voted by proxy.

04:40:29 Chairman Howard

04:41:51 **Motion/Vote:** Rep. Redfield moved that **SB 7 BE TABLED AND THE VOTE REVERSED**. Motion carried 12-4 by voice vote with Rep. Curtis, Rep. Gursky, Rep. Pierson and Rep. Redfield voting no. Rep. Harris, Rep. Hill, Rep. Pease-Lopez, Rep. Reichner and Rep. Vance voted by proxy.

04:42:36 Chairman Howard

ADJOURNMENT

Adjournment: 04:42:44

Sara Andersen, Secretary

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Additional Documents:

EXHIBIT([huh69aad.pdf](#))