

MINUTES

MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON PUBLIC HEALTH, WELFARE AND SAFETY

Call to Order: Chair Jason Priest, on February 22, 2013 at 3:00 PM, in Room 317
Capitol

ROLL CALL

Members Present:

Sen. Jason Priest, Chair (R)
Sen. Terry Murphy, Vice Chair (R)
Sen. Mary Caferro (D)
Sen. Greg Jergeson (D)
Sen. David E. Wanzenried (D)
Sen. Art Wittich (R)

Members Excused:

Sen. Fred Thomas (R)

Members Absent: None

Staff Present: Julie Emge, Committee Secretary
Alexis Sandru, 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 370, 2/21/2013; SB 351, 2/19/2013; SB 352, 2/19/2013

Executive Action:	SB 370	Do Pass as Amended
	SB 315	Tabled
	SB 323	Do Pass as Amended
	SB 7	Do Pass as Amended
	SB 352	Do Pass

HEARING ON SB 370

Opening Statement by Sponsor:

01:37:11 Sen. Jeff Essmann (R), SD 28, opened the hearing on SB 370, Generally revise laws related to the Legislature.

Proponents' Testimony: None

Opponents' Testimony:

01:41:14 Dan Villa, Budget Director, Office of Budget Programming and Planning (OBPP), Office of the Governor

Informational Testimony: None

Questions from Committee Members and Responses:

01:42:51 Sen. Jergeson
01:50:56 Sen. Essmann
01:51:27 Sen. Jergeson
01:56:15 Mr. Villa, OBPP
01:56:56 Sen. Murphy
01:57:25 Mr. Villa

Closing by Sponsor:

01:58:24 Sen. Essmann

HEARING ON SB 351

Opening Statement by Sponsor:

02:00:53 Sen. Alan Olson (R), SD 23, opened the hearing on SB 351, Provide criminal background checks of potential emergency placement residents.

Proponents' Testimony:

02:02:40 Corbit Harrington, Sr. Deputy County Attorney, Yellowstone County Attorneys Office (YCAO)

Opponents' Testimony: None

Informational Testimony:

02:06:32 Sarah Corbally, Administrator, Child & Family Services Division, Department of Public Health & Human Services (DPHHS)

Questions from Committee Members and Responses:

02:08:25 Sen. Caferro
02:09:43 Ms. Corbally, DPHHS
02:10:30 Mr. Harrington, YCAO
02:11:09 Sen. Caferro
02:12:45 Mr. Harrington
02:13:40 Chairman Priest
02:15:47 Mr. Harrington

Closing by Sponsor:

02:16:15 Sen. Olson

Committee Business:

02:17:06 Sen. Jergeson
02:17:38 Sen. Murphy
02:17:58 Chairman Priest
02:18:23 Sen. Jergeson
02:18:33 Chairman Priest
02:19:03 Sen. Caferro
02:19:18 Chairman Priest
02:20:59 Sen. Jergeson
02:21:01 Chairman Priest
02:21:05 Sen. Wanzenried
02:21:11 Sen. Murphy
02:21:16 Sen. Jergeson
02:21:31 Sen. Wanzenried
02:21:36 Chairman Priest

02:21:43 Recess

02:23:05 Sen. Thomas entered the hearing.

02:23:14 Reconvened

02:23:17 Chairman Priest

HEARING ON SB 352

Opening Statement by Sponsor:

02:24:27 Sen. Fred Thomas (R), SD 45, opened the hearing on SB 352, Raise county population for certificate of need for ambulatory surgery centers.

Proponents' Testimony:

02:26:50 Bob Olsen, Montana Hospital Association (MHA)
02:31:55 John Bartos, CEO, Marcus Daly Memorial Hospital (MDMH)

02:37:41 Michael Brown, MD, representing himself
02:39:09 Carter Beck, MD, representing himself
02:40:29 Tom Ebzery, representing St. Vincent's Hospital (SVH), Holy Rosary Hospital (HRH) and St. James Hospital (SJH)
02:41:41 Mike Foster, representing Catholic Hospitals of Montana (CHM)

Opponents' Testimony:

02:44:30 Mark Baker, representing Kalispell Regional Healthcare (KRH)
EXHIBIT(phs40a01)

Informational Testimony: None

Questions from Committee Members and Responses:

02:48:53 Chairman Priest
02:50:54 Sen. Thomas
02:50:59 Sen. Wanzenried
02:51:38 Mr. Foster, CHM
02:53:40 Sen. Wanzenried
02:54:05 Mr. Olsen, MHA
02:54:54 Sen. Jergeson
02:55:09 Sen. Wanzenried
02:55:20 Sen. Jergeson

Closing by Sponsor:

02:55:54 Sen. Thomas

(Sen. Wittich was not present for executive action)

EXECUTIVE ACTION ON SB 370

02:58:35 **Motion:** Sen. Murphy moved that **SB 370 DO PASS.**

Discussion:

02:58:44 Sen. Jergeson

03:00:50 **Motion:** Sen. Jergeson moved that **SB 370 BE AMENDED CONCEPTUALLY.**

Discussion:

03:01:14 Chairman Priest
03:01:34 Alexis Sandru, Legislative Services Division (LSD)
03:02:17 Sen. Jergeson
03:02:27 Ms. Sandru, LSD
03:02:40 Chairman Priest
03:02:43 Ms. Sandru
03:03:35 Sen. Wanzenried

03:03:54 Sen. Jergeson
03:05:12 Sen. Murphy
03:05:24 Ms. Sandru

03:05:51 **Vote:** Motion carried 6-1 by voice vote with Sen. Wanzenried voting no. Sen. Wittich voted by proxy.

03:06:13 **Motion/Vote:** Sen. Murphy moved that **SB 370 DO PASS AS AMENDED.** Motion carried 6-1 by voice vote with Sen. Wanzenried voting no. Sen. Wittich voted by proxy.

EXECUTIVE ACTION ON SB 315

03:07:33 **Motion:** Sen. Caferro moved that **SB 315 DO PASS.**

Discussion:

03:07:50 Chairman Priest
03:08:25 Sen. Wanzenried

03:10:02 **Vote:** Motion failed 3-4 by roll call vote with Sen. Caferro, Sen. Jergeson and Sen. Wanzenried voting aye. Sen. Wittich voted by proxy.

03:11:00 **Motion/Vote:** Sen. Thomas moved that **SB 315 BE TABLED.** Motion carried 4-3 by voice vote with Sen. Caferro, Sen. Jergeson and Sen. Wanzenried voting no. Sen. Wittich voted by proxy.

EXECUTIVE ACTION ON SB 323

03:11:42 **Motion:** Sen. Thomas moved that **SB 323 DO PASS.**

03:12:16 **Motion:** Sen. Thomas moved that **SB 323 BE AMENDED.**
[EXHIBIT\(phs40a02\)](#)

Discussion:

03:12:32 Ms. Sandru
03:14:47 Sen. Wanzenried
03:15:06 Sen. Thomas
03:15:59 Sen. Wanzenried

[EXHIBIT\(phs40a03\)](#)

03:16:46 Sen. Thomas
03:17:35 Chairman Priest
03:17:51 Sen. Wanzenried
03:18:30 Chairman Priest

03:18:53 **Vote:** Motion carried 6-1 by voice vote with Sen. Caferro voting no. Sen. Wittich voted by proxy.

03:18:58 **Motion/Vote:** Sen. Thomas moved that **SB 323 DO PASS AS AMENDED**.
Motion carried 6-1 by voice vote with Sen. Caferro voting no. Sen. Wittich voted
by proxy.

EXECUTIVE ACTION ON SB 7

Discussion:

03:20:24 Chairman Priest
03:20:32 Sen. Caferro
03:21:12 Ms. Sandru
03:21:24 Sen. Caferro

03:21:48 **Motion:** Sen. Caferro moved that **SB 7 DO PASS AS AMENDED**. (Previously
amended on 2/15/2013)

EXHIBIT(phs40a04)

Discussion:

03:22:02 Sen. Thomas
03:22:22 Sen. Wanzenried
03:23:35 Chairman Priest

03:24:30 **Vote:** Motion carried 7-0 by voice vote. Sen. Wittich voted by proxy.

EXECUTIVE ACTION ON SB 352

03:25:29 **Motion:** Sen. Thomas moved that **SB 352 DO PASS**.

Discussion:

03:25:33 Sen. Caferro
03:26:10 Chairman Priest
03:30:59 Sen. Jergeson
03:31:03 Sen. Thomas

03:32:00 **Vote:** Motion carried 5-2 by roll call vote with Sen. Priest and Sen. Wanzenried
voting no. Sen. Wittich voted by proxy.

ADJOURNMENT

Adjournment: 6:30 pm

Julie Emge, Secretary

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Additional Documents:

EXHIBIT([phs40aad.pdf](#))