

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON HUMAN SERVICES

Call to Order: Chair Art Wittich, on February 11, 2015 at 3:00 PM, in Room 152 Capitol

ROLL CALL

Members Present:

Rep. Art Wittich, Chair (R)
Rep. Ellie Boldman Hill, Vice Chair (D)
Rep. Kirk Wagoner, Vice Chair (R)
Rep. Seth Berglee (R)
Rep. Alan Doane (R)
Rep. Jennifer Eck (D)
Rep. Bill Harris (R)
Rep. Denise Hayman (D)
Rep. Stephanie Hess (R)
Rep. Jessica Karjala (D)
Rep. Forrest Mandeville (R)
Rep. Albert Olszewski (R)
Rep. Gordon Pierson Jr (D)
Rep. Alan Redfield (R)
Rep. Vince Ricci (R)

Members Excused: Rep. Tom Jacobson (D)
Rep. Carolyn Pease-Lopez (D)

Members Absent: None

Staff Present: Sue O'Connell, Legislative Branch
Phoebe Williams, Committee 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:

Hearing & Date Posted: HB 399, 2/4/2015; SB 142, 2/4/2015

HEARING ON HB 399**Opening Statement by Sponsor:**

00:01:47 Rep. Greg Hertz (R), HD 12, opened the hearing on HB 399, Revise milk laws.

[EXHIBIT\(huh31a01\)](#)

[EXHIBIT\(huh31a02\)](#)

[EXHIBIT\(huh31a03\)](#)

Proponents' Testimony:

00:17:50 Bill VanCanagan, Core-Mark International

[EXHIBIT\(huh31a04\)](#)

[EXHIBIT\(huh31a05\)](#)

00:31:43 Trent Baker, Datsopoulos, MacDonald & Lind, P.C.

00:38:41 Ronna Alexander, Montana Convenient Store Association

[EXHIBIT\(huh31a06\)](#)

00:42:26 Mark Huelskamp, Core-Mark International

00:48:46 Jim Dundas, Holiday Station Stores

00:50:54 Tom Bears, Core-Mark International

[EXHIBIT\(huh31a07\)](#)

00:54:40 Larry Grosulak, 3G's Convenient Store Association

00:59:52 Carla Smith, Self

01:01:09 Earl Allen, Noons Food Stores

[EXHIBIT\(huh31a08\)](#)

Opponents' Testimony:

01:04:42 Amy Angel, Self

[EXHIBIT\(huh31a09\)](#)

01:12:21 Tim Huls, Huls Dairy

01:17:19 Eric Anderson, Teamsters Local 190

01:19:40 Laura Mitchell Creason, Self

01:22:36 Reuben Wurz, Big Stone Dairy

01:23:18 Bud Rowley, Rowley Trucking

01:24:45 John Youngberg, Montana Farm Bureau

01:25:19 JD Lynch, Teamsters Local Number 2

01:25:50 Bob Goffenay, Musselshell County Commissioner

01:28:16 Penny Kyes, Self

01:30:33 Mark Meyer, Montana Milk Producers Association (MMPA)

01:33:25 Rob Adamson, Meadow Gold Dairies

[EXHIBIT\(huh31a10\)](#)

01:37:39 Nicole Borner Musselshell County Commissioner

01:38:16 Ken Bryan, Self

[EXHIBIT\(huh31a11\)](#)

01:40:16 Frank Kyes, Self

01:41:05 Dave Miller, Self

01:42:53 Krista Lee Evans, Montana Milk Producers Association

[EXHIBIT\(huh31a12\)](#)

[EXHIBIT\(huh31a13\)](#)

[EXHIBIT\(huh31a14\)](#)

01:48:15 Christian McKay, Department of Livestock (DOL)

[EXHIBIT\(huh31a15\)](#)

Informational Testimony:

01:50:07 Dan Turcott, Milk and Eggs Bureau Chief

Questions from Committee Members and Responses:

01:51:39 Rep. Ricci
01:52:14 Eric Anderson, Teamsters Local 190
01:52:54 Rep. Ricci
01:53:00 Eric Anderson, Teamsters Local 190
01:53:22 Chairman Wittich
01:54:25 Rob Adamson, Meadow Gold Dairies
01:56:01 Rep. Ricci
01:56:24 Rob Adamson, Meadow Gold Dairies
01:56:33 Rep. Ricci
01:56:38 Rob Adamson, Meadow Gold Dairies
01:56:45 Rep. Ricci
01:57:19 Christian McKay, DOL
01:57:21 Rep. Ricci
01:57:50 Christian McKay, DOL
01:58:52 Rep. Wagoner
01:59:12 Rob Adamson, Meadow Gold Dairies
01:59:18 Rep. Wagoner
01:59:32 Rob Adamson, Meadow Gold Dairies
01:59:50 Rep. Wagoner
02:00:09 Rob Adamson, Meadow Gold Dairies
02:00:30 Rep. Mandeville
02:01:05 Christian McKay, DOL

Closing by Sponsor:

02:01:11 Rep. Hertz

[EXHIBIT\(huh31a16\)](#)

HEARING ON SB 142

Opening Statement by Sponsor:

02:13:59 Sen. Cary Smith (R), SD 27, opened the hearing on SB 142, Revise laws related to health care options for patients with terminal illnesses.

[EXHIBIT\(huh31a17\)](#)

Proponents' Testimony:

02:19:57 Sen. Fred Thomas, Stevensville
02:23:59 Bill Warden, Bozeman Deaconess Hospital and on behalf of Mike Foster, Catholic Hospitals and Aimee Grmoljez, Billings Clinic.
02:24:57 Dr. Bill Gallea, Montana Medical Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

02:26:13 Rep. Hayman
02:26:45 Rep. Smith
02:28:09 Chairman Wittich
02:28:23 Rep. Smith
02:29:16 Chairman Wittich
02:29:30 Rep. Smith
02:31:03 Chairman Wittich
02:31:12 Rep. Smith

Closing by Sponsor:

02:31:24 Sen. Smith
02:33:21 RECESS
02:44:16 RECONVENE

EXECUTIVE ACTION ON HB 337

02:44:51 **Motion:** Rep. Wagoner moved that **HB 337 DO PASS.**

02:45:10 **Motion/Vote:** Rep. Wagoner moved that **HB 337 BE AMENDED.** Motion carried unanimously by voice vote.

EXHIBIT(huh31a18)

02:46:38 **Motion/Vote:** Rep. Wagoner moved that **HB 337 DO PASS AS AMENDED.** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 332

02:47:18 **Motion:** Rep. Wagoner moved that **HB 332 DO PASS.**

Discussion:

02:47:28 Rep. Eck
02:48:09 Chairman Wittich
02:48:31 **Vote:** Motion failed 6-11 by roll call vote with Rep. Doane, Rep. Hess, Rep. Olszewski, Rep. Redfield, Rep. Ricci and Rep. Wittich voting aye. Rep. Jacobson and Rep. Pierson voted by proxy.

02:49:47 **Motion/Vote:** Rep. Wagoner moved that **HB 332 BE TABLED.** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 305

02:50:15 **Motion:** Rep. Wagoner moved that **HB 305 DO PASS.**

Motion: Rep. Wagoner moved that **HB 305 BE AMENDED.**

EXHIBIT(huh31a19)

Discussion:

02:50:44 Chairman Wittich
 02:50:53 Sue O'Connell
 02:53:09 Rep. Eck
 02:54:07 Rep. Olszewski
 02:55:50 Chairman Wittich
 02:56:09 Rep. Olszewski
 02:56:38 Rep. Pease Lopez
 02:57:27 Rep. Olszewski
 02:57:42 Chairman Wittich
 02:58:48 Rep. Eck
 02:59:00 Rep. Olszewski
 02:59:08 **Vote:** Motion carried 10-7 by roll call vote with Rep. Eck, Rep. Hayman, Rep. Hill, Rep. Jacobson, Rep. Karjala, Rep. Pease-Lopez and Rep. Pierson voting no. Rep. Jacobson and Rep. Pierson voted by proxy.

03:00:06 Chairman Wittich
 03:00:47 **Motion:** Rep. Wagoner moved that **HB 305 DO PASS AS AMENDED.**

Discussion:

03:00:59 Chairman Wittich
 03:01:12 Rep. Eck
 03:01:45 Chairman Wittich
 03:01:50 Rep. Wagoner
 03:02:24 Rep. Hess
 03:02:50 Chairman Wittich
 03:03:26 Sarah Corbally Department of Health and Human Services (DPHHS)
 03:04:16 Rep. Berglee
 03:04:26 Rep. Karjala
 03:04:54 Sarah Corbally DPHHS
 03:05:15 Rep. Eck
 03:05:24 Sarah Corbally, DPHHS
 03:06:04 Chairman Wittich
 03:06:07 Rep Eck
 03:06:49 Chairman Wittich
 03:07:10 Rep Eck
 03:07:13 Chairman Wittich

03:07:41 **Substitute Motion/Vote:** Rep. Wittich made a substitute motion that **HB 305 BE AMENDED TO INSERT ON PAGE 1 LINE 17 AT THE END OF SENTENCE "REASONABLE CASELOAD STANDARDS TO COMPLY WITH NATIONAL AND STATE REQUIREMENTS"**. Substitute Motion carried 14-1 by voice vote with Rep. Hayman voting no.

03:08:07 **Motion/Vote:** Rep. Wagoner moved that **HB 305 DO PASS AS AMENDED.** Motion carried unanimously by roll call vote. Rep. Jacobson and Rep. Pierson voted by proxy.

EXECUTIVE ACTION ON HB 245

03:09:28 **Motion:** Rep. Wagoner moved that **HB 245 DO PASS**.

Discussion:

03:09:48 Rep Redfield

03:10:25 **Motion:** Rep. Wagoner moved that **HB 245 BE AMENDED**.

EXHIBIT(huh31a20)

Discussion:

03:10:46 Chairman Wittich

03:11:03 Rep. Hayman

03:11:07 Rep. Redfield

03:11:43 Rep. Mandeville

03:11:59 Rep. Redfield

03:12:50 Rep. Harris

03:13:16 Chairman Wittich

03:13:37 Rep. Harris

03:13:39 Chairman Wittich

03:13:46 Rep. Redfield

03:14:22 Chairman Wittich

03:14:51 Rep. Redfield

03:15:04 Rep. Eck

03:15:36 **Vote:** Motion carried 16-1 by roll call vote with Rep. Wittich voting no. Rep. Jacobson and Rep. Pierson voted by proxy.

03:16:23 **Motion:** Rep. Wagoner moved that **HB 245 BE AMENDED**.

EXHIBIT(huh31a21)

Discussion:

03:17:05 Rep Redfield

03:19:17 Rep. Mandeville

03:19:38 Rep. Redfield

03:19:52 Rep. Mandeville

03:19:59 Rep. Redfield

03:20:13 Chairman Wittich

03:20:28 Rep. Redfield

03:20:32 Chairman Wittich

03:20:51 Rep. Olszewski

03:21:14 Chairman Wittich

03:21:40 Rep. Redfield

03:22:01 Chairman Wittich

03:22:09 Rep. Doane

03:22:29 Rep. Redfield

03:22:39 Chairman Wittich

03:22:45 Without objection, Rep. Wagoner withdrew the BE AMENDED motion.

03:23:12 **Motion/Vote:** Rep. Wagoner moved that **HB 245 BE AMENDED WITH AMENDMENT HB0245.02.ajk BUT STRIKING THE WORD ALL BEFORE LIABILITY IN SECTION 6 AND 7, AND STRIKING SECTION 9 IN IT'S ENTIRETY.** Motion carried 14-1 by voice vote with Rep. Hayman voting no.

03:24:05 Rep. Hess
03:24:45 Chairman Wittich

03:24:55 **Motion:** Rep. Wagoner moved that **AMENDMENT HB024503.AJK BUT WITHOUT SECTION (C) AND (D).**

[EXHIBIT\(huh31a22\)](#)

Discussion:

03:25:20 Rep Redfield
03:25:46 Chairman Wittich
03:25:56 Rep. Redfield
03:26:12 Chairman Wittich
03:26:27 Rep. Redfield
03:26:52 Chairman Wittich
03:26:59 Rep. Redfield
03:27:08 Rep. Hess
03:27:24 Rep. Redfield
03:27:49 Rep. Hess
03:27:54 Rep. Redfield
03:28:11 Rep. Hayman
03:28:45 Chairman Wittich
03:28:52 Rep. Hayman
03:28:56 Rep. Wittich

03:29:58 **Vote:** Motion carried unanimously by voice vote.

03:30:09 Chairman Wittich
03:30:17 Rep. Eck
03:30:35 Rep. Redfield
03:30:54 Chairman Wittich
03:31:03 Rep. Redfield
03:31:09 Rep. Eck
03:31:21 Sue O'Connell, LSD
03:31:39 Chairman Wittich
03:31:51 Rep. Redfield
03:32:01 Chairman Wittich

03:32:19 **Motion/Vote:** Rep. Wagoner moved that **HB 245 DO PASS AS AMENDED.** Motion carried 14-3 by roll call vote with Rep. Jacobson, Rep. Mandeville and Rep. Olszewski voting no. Rep. Jacobson voted by proxy. Rep. Pierson voted yes by proxy.

03:33:39 Chairman Wittich

EXECUTIVE ACTION ON SB 142

03:34:09 **Motion:** Rep. Wagoner moved that **SB 142 BE CONCURRED IN.**

Discussion:

03:34:24 Sue O'Connell

03:35:06 Rep. Eck **OBJECTED TO TAKING EXECUTIVE ACTION ON SB 142**

03:35:10 Chairman Wittich **OVERRULED THE OBJECTION.**

03:35:50 **Vote:** Motion failed 5-10 with Rep. Eck, Rep. Hayman, Rep. Hill, Rep. Karjala and Rep. Pease-Lopez voting aye.

03:36:47 **Motion/Vote:** Rep. Wagoner moved that **SB 142 BE AMENDED ON PAGE 4 LINE 15 STRIKING 18 AND INSERTING 2.** Motion carried 15-0 by voice vote.

03:37:06 **Motion/Vote:** Rep. Wagoner moved that **SB 142 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Rep. Wittich will carry the bill. Rep. Jacobson and Rep. Pierson voted by proxy.

EXECUTIVE ACTION ON HB 349

03:37:57 **Motion/Vote:** Rep. Wagoner moved that **HB 349 BE TABLED.** Motion carried 10-7 by roll call vote with Rep. Eck, Rep. Hayman, Rep. Hill, Rep. Jacobson, Rep. Karjala, Rep. Pease-Lopez and Rep. Pierson voting no. Rep. Jacobson and Rep. Pierson voted by proxy.

ADJOURNMENT

Adjournment: 03:39:58

Phoebe Williams, Secretary

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Additional Documents:

EXHIBIT([huh31aad.pdf](#))