

MINUTES

MONTANA HOUSE OF REPRESENTATIVES  
55th LEGISLATURE - REGULAR SESSION

COMMITTEE ON HUMAN SERVICES

Call to Order: By CHAIRMAN DUANE GRIMES, on March 24, 1997, at  
3:00 P.M., in ROOM 104.

ROLL CALL

**Members Present:**

Rep. Duane Grimes, Chairman (R)  
Rep. Loren L. Soft, Vice Chairman (Majority) (R)  
Rep. Carolyn M. Squires, Vice Chairman (Minority) (D)  
Rep. Darrel Adams (R)  
Rep. Ellen Bergman (R)  
Rep. William E. Boharski (R)  
Rep. John C. Bohlinger (R)  
Rep. Bill Carey (D)  
Rep. Deb Kottel (D)  
Rep. Billie Krenzler (D)  
Rep. Brad Molnar (R)  
Rep. Wes Prouse (R)  
Rep. Diane Sands (D)  
Rep. Bruce T. Simon (R)  
Rep. Liz Smith (R)

**Members Excused:** Rep. Ahner

**Members Absent:** None

**Staff Present:** David Niss, Legislative Services Division  
Jaelene Racicot, Committee Secretary

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: SB 297  
Executive Action: SB 381 Concur As Amended 15-1  
SB 324 Concur As Amended 8 - 7  
HB 608 Tabled 8 - 7  
SB 297 Concur As Amended 11-4

HEARING ON SB 297

Opening Statement by Sponsor:

SEN. VIVIAN BROOKE, SD 33, introduced the bill. {Tape: 1; Side:  
A; Approx. Time Count: .2.}

Proponents' Testimony:

Phyllis Taffy, self. {Tape: 1; Side: A; Approx. Time Count: 1.1.}

Pam Prebil, Greater Montana SIDS. {Tape: 1; Side: A; Approx. Time Count: 4.9.}

Sherri Hale, Awakening Montana Greater Montana SIDS. {Tape: 1; Side: A; Approx. Time Count: 9.5.}

Robin Ammons, Awakening Montana. {Tape: 1; Side: A; Approx. Time Count: 18.3; Comments: See EXHIBITS 1, 2, 3, 4, & 5.}

Betty Waddel, Montana Association of Churches. {Tape: 1; Side: A; Approx. Time Count: 25.0.}

Steve Yeakel, Montana Council for Maternal & Child Health. {Tape: 1; Side: A; Approx. Time Count: 26.2; Comments: Mr. Yeakel handed in testimony by Daniel A. Harper, M.D.; See EXHIBIT 6.}

Barb Vinson, Awakening Montana - SIDS Parent. {Tape: 1; Side: A; Approx. Time Count: 28.3.}

Richard D. Johns, Greater Montana SIDS. {Tape: 1; Side: A; Approx. Time Count: 30.0.}

Beta Lovitt, Montana Medical Association. {Tape: 1; Side: B; Approx. Time Count: 0.}

Barbara Booher, Montana Nurses Association. {Tape: 1; Side: B; Approx. Time Count: .8.}

Amy Trenary, Awakening Montana. {Tape: 1; Side: B; Approx. Time Count: 4.7.}

Opponents' Testimony:

Mickey Nelson, Lewis and Clark Coroner. {Tape: 1; Side: B; Approx. Time Count: 5.1.}

Lori Johns, SIDS Parent. {Tape: 1; Side: B; Approx. Time Count: 10.8; Comments: See EXHIBIT 7 & 8.}

Joe Christains, Montana Coroners Association. {Tape: 1; Side: B; Approx. Time Count: 15.6; Comments: See EXHIBIT 9.}

Mike McGrath, President of the Montana County Attorney Association. {Tape: 1; Side: B; Approx. Time Count: 17.0.}

Sen. Tom Beck, SD 28. {Tape: 1; Side: B; Approx. Time Count: 19.7.}

Questions From Committee Members and Responses:

{Tape: 1; Side: B; Approx. Time Count: 20.9.}

Closing by Sponsor:

SEN. BROOKE closed. {Tape: 2; Side: A; Approx. Time Count: 30.0.}

EXECUTIVE ACTION ON SB 381

Motion: REP. KOTTEL MOVED SB 381 DO CONCUR. {Tape: 2; Side: A; Approx. Time Count: 34.7.}

Motion/Vote: REP. BOHARSKI MOVED AN AMENDMENT. THE MOTION CARRIED. {Tape: 2; Side: A; Approx. Time Count: 35.5.}

Motion: REP. KOTTEL MOVED SB 381 DO CONCUR AS AMENDED. {Tape: 2; Side: A; Approx. Time Count: 35.6.}

Discussion:

REP. BOHARSKI. {Tape: 2; Side: A; Approx. Time Count: 36.7; Comments: Questioned REP. GRIMES.}

Motion: REP. BOHARSKI MOVED TO REFLECT THE KENNEDY-KASSEBAUM. {Tape: 2; Side: A; Approx. Time Count: 36.8.}

REP. SQUIRES. {Tape: 2; Side: A; Approx. Time Count: 37.2; Comments: Questioned Claudia Clifford.}

REP. SIMON. {Tape: 2; Side: A; Approx. Time Count: 37.9; Comments: Questioned REP. GRIMES.}

REP. BOHARSKI. {Tape: 2; Side: A; Approx. Time Count: 38.8; Comments: Questioned Ms. Clifford.}

REP. BOHARSKI WITHDREW HIS MOTION. {Tape: 2; Side: A; Approx. Time Count: 39.9.}

Motion: REP. KOTTEL MOVED AN AMENDMENT. THE MOTION CARRIED. {Tape: 2; Side: A; Approx. Time Count: 40.0.}

Motion/Vote: REP. KOTTEL MOVED SB 381 DO CONCUR IN AS AMENDED. THE MOTION CARRIED 15 - 1. {Tape: 2; Side: A; Approx. Time Count: 40.1.}

REP. GRIMES. {Tape: 2; Side: A; Approx. Time Count: 40.8.}

REP. BOHARSKI. {Tape: 2; Side: A; Approx. Time Count: 42.1.}

REP. KOTTEL. {Tape: 2; Side: A; Approx. Time Count: 43.1.}

REP. SIMON. {Tape: 2; Side: A; Approx. Time Count: 44.0.}

REP. PROUSE. {Tape: 2; Side: B; Approx. Time Count: 0; Comments: Questioned REP. SIMON.}

REP. GRIMES. {Tape: 2; Side: B; Approx. Time Count: 2.6; Comments: Questioned REP. PROUSE.}

REP. SOFT. {Tape: 2; Side: B; Approx. Time Count: 2.9.}

EXECUTIVE ACTION ON HB 608

Motion: REP. SIMON MOVED HB 608 DO CONCUR. {Tape: 2; Side: B; Approx. Time Count: 7.0.}

Motion: REP. SIMON MOVED THE AMENDMENTS. {Tape: 2; Side: B; Approx. Time Count: 7.2.}

Discussion:

REP. KOTTEL. {Tape: 2; Side: B; Approx. Time Count: 7.5.}

REP. GRIMES. {Tape: 2; Side: B; Approx. Time Count: 8.4.}

REP. SQUIRES. {Tape: 2; Side: B; Approx. Time Count: 9.3; Comments: Questioned REP. GRIMES.}

REP. SQUIRES. {Tape: 2; Side: B; Approx. Time Count: 10.9; Comments: Questioned REP. GRIMES.}

REP. BOHARSKI. {Tape: 2; Side: B; Approx. Time Count: 12.2.}

REP. SOFT. {Tape: 2; Side: B; Approx. Time Count: 12.8.}

Motion: REP. SOFT MOVED TO TABLE HB 608. THE MOTION CARRIED 8 - 7. {Tape: 2; Side: B; Approx. Time Count: 13.3.}

Discussion: REP. SIMON explained what he wanted to accomplish with the amendments to HB 608. {Tape: 2; Side: B; Approx. Time Count: 14.3.}

REP. GRIMES. {Tape: 2; Side: B; Approx. Time Count: 16.6.}

REP. SQUIRES. {Tape: 2; Side: B; Approx. Time Count: 17.0.}

REP. KRENZLER. {Tape: 2; Side: B; Approx. Time Count: 20.3; Comments: Questioned REP. GRIMES.}

REP. PROUSE. {Tape: 2; Side: B; Approx. Time Count: 20.7.}

REP. BOHLINGER. {Tape: 2; Side: B; Approx. Time Count: 21.0.}

REP. SOFT. {Tape: 2; Side: B; Approx. Time Count: 22.0.}

REP. GRIMES. {Tape: 2; Side: B; Approx. Time Count: 23.3.}

REP. SQUIRES. {Tape: 2; Side: B; Approx. Time Count: 23.9.}

**Motion:** REP. BOHLINGER MOVED TO RECONSIDER THE TABLING MOTION ON HB 608. THE MOTION CARRIED 11 - 4. {Tape: 2; Side: B; Approx. Time Count: 24.8.}

**Discussion:**

REP. BERGMAN. {Tape: 2; Side: B; Approx. Time Count: 24.9.}

REP. SOFT. {Tape: 2; Side: B; Approx. Time Count: 25.5.}

**Motion:** REP. SIMON MOVED AMENDMENTS #9 AND #11. {Tape: 2; Side: B; Approx. Time Count: 25.9.}

REP. GRIMES ASKED TO SEGREGATE THE AMENDMENTS.

REP. BOHARSKI. {Tape: 2; Side: B; Approx. Time Count: 28.0.}

REP. ADAMS. {Tape: 2; Side: B; Approx. Time Count: 28.8;  
Comments: Questioned REP. BOHARSKI.}

REP. KOTTEL. {Tape: 2; Side: B; Approx. Time Count: 29.8.}

REP. SIMON. {Tape: 2; Side: B; Approx. Time Count: 30.6.}

REP. GRIMES. {Tape: 2; Side: B; Approx. Time Count: 31.4.}

REP. BOHARSKI. {Tape: 2; Side: B; Approx. Time Count: 31.7.}

REP. KOTTEL. {Tape: 2; Side: B; Approx. Time Count: 32.6.}

REP. ADAMS. {Tape: 2; Side: B; Approx. Time Count: 33.7.}

REP. SIMON. {Tape: 2; Side: B; Approx. Time Count: 34.4.}

REP. GRIMES. {Tape: 2; Side: B; Approx. Time Count: 35.6.}

**Vote:** THE MOTION FAILED ON AMENDMENT #9. VOTE WAS 6 TO 9.  
{Tape: 2; Side: B; Approx. Time Count: 36.1.}

**Motion/Vote:** REP. SANDS MOVED TO AMEND HB 608. THE MOTION CARRIED. {Tape: 2; Side: B; Approx. Time Count: 36.9.}

**Discussion:**

REP. KOTTEL. {Tape: 2; Side: B; Approx. Time Count: 37.6.}

Motion/Vote: REP. KOTTEL MOVED HB 608 DO PASS AS AMENDED. A ROLL CALL VOTE WAS TAKEN. THE MOTION FAILED 8 - 8. RECEIVED A PROXY VOTE FROM REP. AHNER. {Tape: 2; Side: B; Approx. Time Count: 38.1.}

Motion: REP. BOHARSKI MOVED TO REVERSE TO TABLE THE PREVIOUS MOTION. THE MOTION CARRIED; 8 - 7. {Tape: 2; Side: B; Approx. Time Count: 40.2.}

EXECUTIVE ACTION ON SB 324

Motion: REP. KOTTEL MOVED SB 324 DO CONCUR IN. {Tape: 2; Side: B; Approx. Time Count: 40.7.}

Discussion:

REP. KOTTEL EXPLAINED AN AMENDMENT. {Tape: 2; Side: B; Approx. Time Count: 41.0.}

REP. GRIMES ASKED TO THE COMMITTEE'S INDULGENCE TO EXPLAIN HIS AMENDMENT. {Tape: 2; Side: B; Approx. Time Count: 41.5.}

REP. BOHARSKI. {Tape: 3; Side: A; Approx. Time Count: 0.}

Motion: REP. GRIMES MOVED THE GRIMES AMENDMENTS. {Tape: 3; Side: A; Approx. Time Count: 1.0.}

Discussion:

REP. KOTTEL. {Tape: 3; Side: A; Approx. Time Count: 1.1; Comments: Questioned REP. GRIMES.}

REP. PROUSE. {Tape: 3; Side: A; Approx. Time Count: 2.1.}

REP. BERGMAN. {Tape: 3; Side: A; Approx. Time Count: 2.4; Comments: Questioned REP. GRIMES.}

REP. BERGMAN. {Tape: 3; Side: A; Approx. Time Count: 3.6; Comments: Questioned REP. KOTTEL.}

REP. SANDS. {Tape: 3; Side: A; Approx. Time Count: 8.0.}

REP. GRIMES. {Tape: 3; Side: A; Approx. Time Count: 8.5.}

Motion: SUBSTITUTE MOTION: REP. PROUSE MOVED TO TABLE SB 324. {Tape: 3; Side: A; Approx. Time Count: 9.0.}

Vote: THE MOTION FAILED. {Tape: 3; Side: A; Approx. Time Count: 9.6.}

Discussion:

REP. BOHARSKI. {Tape: 3; Side: A; Approx. Time Count: 9.9.}

REP. KOTTEL. {Tape: 3; Side: A; Approx. Time Count: 10.1.}

REP. MOLNAR. {Tape: 3; Side: A; Approx. Time Count: 11.0.}

REP. SIMON. {Tape: 3; Side: A; Approx. Time Count: 11.7.}

Vote: THE MOTION ON THE GRIMES AMENDMENT FAILED. {Tape: 3; Side: A; Approx. Time Count: 12.7.}

Motion/Vote: REP. KOTTEL MOVED TO AMEND SB 324. THE MOTION CARRIED. {Tape: 3; Side: A; Approx. Time Count: 13.2.}

Motion: REP. KOTTEL MOVED SB 324 DO CONCUR IN AS AMENDED. {Tape: 3; Side: A; Approx. Time Count: 13.7.}

Discussion:

REP. MOLNAR. {Tape: 3; Side: A; Approx. Time Count: 13.8.}

REP. KOTTEL. {Tape: 3; Side: A; Approx. Time Count: 15.4.}

Motion: REP. KOTTEL MOVED TO AMEND SB 324. THE MOTION CARRIED. {Tape: 3; Side: A; Approx. Time Count: 16.1.}

Motion: REP. SANDS MOVED SB 324 BE CONCURRED IN AS AMENDED. {Tape: 3; Side: A; Approx. Time Count: 16.4.}

Discussion:

REP. SIMON. {Tape: 3; Side: A; Approx. Time Count: 16.6.}

REP. KOTTEL. {Tape: 3; Side: A; Approx. Time Count: 17.2.}

REP. BOHARSKI. {Tape: 3; Side: A; Approx. Time Count: 20.0.}

REP. ADAMS. {Tape: 3; Side: A; Approx. Time Count: 21.0.}

Vote: A ROLL CALL VOTE WAS TAKEN. THE MOTION CARRIED 8 -7. {Tape: 3; Side: A; Approx. Time Count: 22.2.}

EXECUTIVE ACTION ON SB 297

Motion: REP. BOHLINGER MOVED SB 297 DO CONCUR IN. {Tape: 3; Side: A; Approx. Time Count: 23.0.}

Motion: REP. BOHLINGER MOVED TO AMEND SB 297. {Tape: 3; Side: A; Approx. Time Count: 23.5.}

Discussion:

REP. KOTTEL EXPLAINED THE AMENDMENT MOVED BY REP. BOHLINGER. {Tape: 3; Side: A; Approx. Time Count: 25.1.}

REP. SQUIRES. {Tape: 3; Side: A; Approx. Time Count: 26.0;  
Comments: Questioned REP. KOTTEL.}

REP. BOHARSKI. {Tape: 3; Side: A; Approx. Time Count: 26.6.}

REP. GRIMES. {Tape: 3; Side: A; Approx. Time Count: 27.0;  
Comments: Questioned REP. BOHARSKI.}

REP. KRENZLER. {Tape: 3; Side: A; Approx. Time Count: 28.0;  
Comments: Questioned REP. KOTTEL.}

REP. SMITH. {Tape: 3; Side: B; Approx. Time Count: 0; Comments:  
Questioned REP. KOTTEL.}

REP. SIMON. {Tape: 3; Side: B; Approx. Time Count: 2.0.}

REP. GRIMES. {Tape: 3; Side: B; Approx. Time Count: 3.0.}

REP. KOTTEL. {Tape: 3; Side: B; Approx. Time Count: 3.4.}

Vote: THE MOTION CARRIED. {Tape: 3; Side: B; Approx. Time  
Count: 4.0.}

Motion/Vote: REP. KOTTEL MOVED SB 297 BE CONCURRED IN AS AMENDED.  
THE MOTION CARRIED 11 - 4. {Tape: 3; Side: B; Approx. Time  
Count: 4.7.}

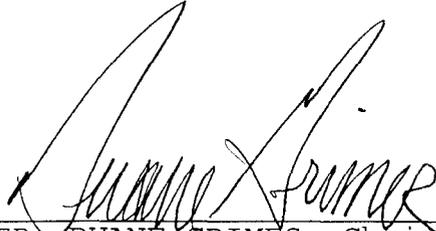
#### EXECUTIVE ACTION ON SJR 8

Motion/Vote: REP. SIMON MOVED SJR 8 BE CONCURRED IN. THE MOTION  
CARRIED 12 - 3. {Tape: 3; Side: B; Approx. Time Count: 6.6.}

The committee took action again on SJR 8. Action was taken on  
SJR 8 on March 14, 1997. The bill passed 11 - 0 with REP. SANDS  
carrying it on the House Floor.

ADJOURNMENT

Adjournment: 6:15 P.M.



REP. DUANE GRIMES, Chairman



JAELENE RACICOT, Secretary

DG/JR