

## MINUTES

### MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON PUBLIC HEALTH, WELFARE AND SAFETY

**Call to Order:** Chair David Howard, on February 20, 2019 at 3:00 PM, in Room 317  
Capitol

#### ROLL CALL

**Members Present:**

Sen. David Howard, Chair (R)  
Sen. Jen Gross, Vice Chair (D)  
Sen. Cary Smith, Vice Chair (R)  
Sen. Steve Hinebauch (R)  
Sen. Bob Keenan (R)  
Sen. Sue Malek (D)  
Sen. Mary McNally (D)  
Sen. Albert Olszewski (R)  
Sen. Diane Sands (D)  
Sen. Jason D. Small (R)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Julie Emge, Committee Secretary  
Corina Hach, 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 274, 2/18/2019; SB 267, 2/15/2019; SR 31, 2/15/2019

Executive Action: SB 274 - DO PASS  
SR 31 - BE ADOPTED  
HB 86 - BE CONCURRED IN  
SB 38 - DO PASS AS AMENDED

**HEARING ON SB 274**

**Opening Statement by Sponsor:**

15:03:41 Sen. Albert Olszewski (R), SD 6, opened the hearing on SB 274, Revise drug scheduling laws.

**Proponents' Testimony:**

15:09:54 Aidan Myhre, Montana Bioscience Alliance  
**EXHIBIT(phs36a01)**

15:11:41 Kurt Stembridge, Greenwich Biosciences

15:13:30 Stuart Doggett, Montana Pharmacy Association

**Opponents' Testimony:** None

**Informational Testimony:**

15:14:10 Marcie Bough, executive officer, Montana Board of Pharmacy, Department of Labor and Industry (DLI)

**Questions from Committee Members and Responses:**

15:14:46 Sen. Gross  
15:16:18 Ms. Bough, DLI  
15:17:07 Sen. Sands  
15:18:20 Ms. Bough  
15:18:32 Sen. Gross  
15:19:55 Ms. Bough  
15:20:17 Sen. Gross  
15:20:23 Sen. Olszewski  
15:20:53 Chair Howard  
15:21:15 Sen. Olszewski  
15:21:29 Sen. Malek  
15:21:51 Sen. Olszewski  
15:23:02 Sen. Sands  
15:23:20 Chair Howard

**Closing by Sponsor:**

15:23:22 Sen. Olszewski

**EXECUTIVE ACTION ON SB 274**

15:24:30 Chair Howard

15:24:50 Sen. Gross

15:24:54 Chair Howard

15:25:06 **Motion:** Sen. C. Smith moved that **SB 274 DO PASS.**

**Discussion:**

15:25:17 Cori Hach, staff attorney, Legislative Services Division (LSD)

15:25:22 Sen. Gross

15:25:41 Sen. Olszewski

15:26:29 Sen. Gross  
 15:27:04 Sen. Sands  
 15:27:32 Chair Howard  
 15:28:00 Sen. Sands  
 15:28:19 Sen. Gross  
  
 15:29:01 **Vote:** Motion carried 8-2 by roll call vote with Sen. Gross and Sen. Malek voting no.

**HEARING ON SB 267**

**Opening Statement by Sponsor:**

15:30:00 Sen. Diane Sands (D), SD 49, opened the hearing on SB 267, Generally revise laws related to private alternative adolescent programs board.

**EXHIBIT(phs36a02)**

**Proponents' Testimony:**

15:33:58 Judy Bovington, chief legal counsel, Department of Labor and Industry (DLI)

**EXHIBIT(phs36a03)**

15:36:16 Carter Anderson, administrator, Quality Assurance Division, Department of Public Health and Human Services (DPHHS)

15:38:37 Beth Brennaman, staff attorney, Disability Rights Montana; also representing Abigail St. Lawrence, Montana Association of Christians

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

15:40:28 Sen. Gross  
 15:40:57 Ms. Bovington, DLI  
 15:42:00 Sen. Malek  
 15:42:16 Ms. Bovington  
 15:42:20 Sen. Malek  
 15:43:47 Chair Howard  
 15:43:49 Ms. Bovington  
 15:44:19 Sen. Malek  
 15:45:06 Ms. Bovington  
 15:45:26 Sen. Malek  
 15:45:29 Chair Howard  
 15:45:43 Sen. Malek  
 15:45:49 Ms. Bovington  
 15:45:57 Sen. Malek  
 15:49:17 Mr. Anderson, DPHHS  
 15:49:34 Sen. McNally  
 15:51:03 Mr. Anderson

**Closing by Sponsor:**

15:51:24 Sen. Sands

15:53:48 Chair Howard turned the duties of the Chair over to Vice Chair Smith.

**HEARING ON SR 31**

**Opening Statement by Sponsor:**

15:54:05 Sen. David Howard (R), SD 29, opened the hearing on SR 31, Confirm Governor's appointees to health & human services related boards.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

15:55:30 Sen. Sands

15:56:23 Sen. Olszewski

**Closing by Sponsor:**

15:57:15 Sen. Howard

15:57:36 Sen. Howard resumed the position of the Chair.

**Committee Business:**

15:57:51 Sen. Howard

15:57:56 Cori Hach, Legislative Services Division

15:58:31 Sen. Sands

15:59:22 Sen. Olszewski

16:00:40 Chair Howard

16:00:43 Sen. McNally

16:01:04 Sen. Gross

16:01:36 Chair Howard

16:02:04 Sen. Sands

16:02:22 Chair Howard

16:02:41 Brief Recess

16:21:37 Reconvened

**EXECUTIVE ACTION ON SR 31**

16:21:45 **Motion:** Sen. C. Smith moved that **SR 31 BE ADOPTED.**

**Discussion:**

16:21:52 Sen. Gross

16:22:14 **Vote:** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 86**

16:22:41 **Motion:** Sen. C. Smith moved that **HB 86 BE CONCURRED IN.**

**Discussion:**

16:22:53 Sen. Olszewski  
 16:24:16 Sen. Sands

16:25:14 **Vote:** Motion carried 8-2 by roll call vote with Sen. Hinebauch and Sen. Keenan voting no. Sen. Olszewski will carry the bill.

**Committee Business:**

16:26:07 Chair Howard  
 16:26:38 Sen. McNally  
 16:26:57 Chair Howard  
 16:27:06 Sen. Olszewski

**EXECUTIVE ACTION ON SB 38**

16:27:14 **Motion:** Sen. Olszewski moved that **SB 38 BE REMOVED FROM TABLE.**

**Discussion:**

16:27:23 Sen. Olszewski

16:28:21 **Vote:** Motion carried unanimously by voice vote.

16:28:34 **Motion:** Sen. Olszewski moved that **SB 38 DO PASS.**

16:28:43 **Motion:** Sen. Olszewski moved that **SB 38 BE AMENDED.**  
[EXHIBIT\(phs36a04\)](#)

**Discussion:**

16:29:04 Sen. Olszewski

16:29:50 **Vote:** Motion carried unanimously by voice vote.

16:30:05 **Motion:** Sen. Olszewski moved that **SB 38 DO PASS AS AMENDED.**

**Discussion:**

16:30:14 Sen. McNally

[EXHIBIT\(phs36a05\)](#)

16:31:08 Sen. Hinebauch  
 16:33:05 Sen. Olszewski  
 16:33:41 Sen. Gross  
 16:34:30 Sen. Sands  
 16:34:35 Sen. Gross  
 16:34:44 Sen. McNally  
 16:35:02 Chair Howard  
 16:37:00 Sen. Smith  
 16:37:47 Chair Howard  
 16:38:47 Sen. Olszewski  
 16:39:06 Chair Howard

16:39:11 **Vote:** Motion carried unanimously by voice vote.

**ADJOURNMENT**

Adjournment: 4:39 PM

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Julie Emge, Secretary

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Additional Documents:

**EXHIBIT**([phs36aad.pdf](#))