

MINUTES

MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON PUBLIC HEALTH, WELFARE AND SAFETY

Call to Order: Chair David Howard, on February 26, 2021 at 3:00 PM, in Room 317
Capitol

ROLL CALL

Members Present in the Committee Room:

Sen. David Howard, Chair (R)
Sen. Carl Glimm, Vice Chair (R)
Sen. Jen Gross, Vice Chair (D)
Sen. Steve Hinebauch (R)
Sen. Tom McGillvray (R)
Sen. Brad Molnar (R)

Members Present by Zoom Video Conference:

Sen. Mary McNally (D)
Sen. Diane Sands (D)

Members Excused:

Sen. Bob Keenan (R)

Members Absent: None

Staff Present:

Corina Hach, Legislative Branch
Gwyn Schooler, Committee Secretary
Hallie Swain, Remote Meeting Coordinator

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 311, 2/24/2021; SB 341, 2/24/2021; SB 357, 2/24/2021; SB 368, 2/24/2021; SJ 20, 2/24/2021
Executive Action: SB 142; SB 311; SB 315; SB 341; SB 357; SB 368; SJ 20

HEARING ON SJ 20

Opening Statement by Sponsor:

15:21:16 Sen. Shannon O'Brien (D), SD 46, opened the hearing on SJ20, Resolution raising awareness of post-traumatic stress injury.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

15:23:00 Sen. Sands

15:23:21 Sen. O'Brien

15:24:15 Sen. Sands

15:24:26 Sen. O'Brien

Closing by Sponsor:

15:24:56 Sen. O'Brien

HEARING ON SB 311

Opening Statement by Sponsor:

15:25:12 Sen. Shannon O'Brien (D), SD 46, opened the hearing on SB311, Generally revise child care scholarship program laws.

[EXHIBIT\(phs41a01\)](#)

Proponents' Testimony:

15:29:07 Brandi Thomas, citizen

Additional Testimony Received:

[EXHIBIT\(phs41a02\)](#)

Opponents' Testimony:

[EXHIBIT\(phs41a03\)](#)

Informational Testimony:

15:30:34 Dr. Robert Sonora, University of Montana (UM)

15:30:51 Christine Lux, co-chair, Montana Early Childhood Higher Education Consortium (MTECP)

15:31:15 Jane Arntzen Schumacher, director, Child Care Connections

[EXHIBIT\(phs41a04\)](#)

15:31:55 Jamie Palagi, administrator, Department of Public Health and Human Services

[EXHIBIT\(phs41a05\)](#)

Questions from Committee Members and Responses:

15:32:40 Sen. Glimm

15:32:58 Sen. O'Brien
15:33:23 Sen. Sands
15:34:21 Mr. Sonora, UM
15:35:39 Sen. Sands
15:36:20 Mr. Sonora
15:37:33 Sen. Sands
15:37:44 Ms. Lux, MTECP
15:40:12 Sen. McNally
15:41:15 Mr. Sonora
15:41:24 Chair Howard
15:41:34 Sen. McNally
15:41:42 Mr. Sonora
15:41:59 Sen. McNally

Closing by Sponsor:

15:42:06 Sen. O'Brien

15:43:57 Sen. McNally

15:44:04 Chair Howard

15:44:31 Chair Howard passed the duties of the chair to Vice Chair Glimm.

HEARING ON SB 341

Opening Statement by Sponsor:

15:45:05 Sen. David Howard (R), SD 29, opened the hearing on SB341, Revise business laws related to sale of marijuana.

[EXHIBIT\(phs41a06\)](#)

Proponents' Testimony:

15:48:45 Dave Galt, Montana Contractors' Association; Montana Petroleum Association; Montana Chamber of Commerce

Additional Testimony Received:

[EXHIBIT\(phs41a07\)](#)

Opponents' Testimony:

15:50:13 Josh Van de Wetering, Lionheart Caregiving Dispensary

15:54:58 Pepper Petersen, CEO, Montana Cannabis Guild

15:57:55 Kate Cholewa, Montana Cannabis Information Association (MTCIA)

Informational Testimony: None

Questions from Committee Members and Responses:

15:58:55 Sen. Sands

15:59:06 Ms. Cholewa, MTCIA

15:59:54 Sen. Sands

16:00:10 Ms. Cholewa

Closing by Sponsor:

16:00:58 Sen. Howard

16:01:09 Sen. Howard resumed the duties of the chair.

HEARING ON SB 368

Opening Statement by Sponsor:

16:01:31 Sen. Theresa Manzella (R), SD 44, opened the hearing on SB368, Revise immunization laws related to day-care facilities.

[**EXHIBIT\(phs41a08\)**](#)

Proponents' Testimony:

16:05:05 Maria Wyrrock, Montanans for Vaccine Choice

16:07:52 Ashley McAlpine, citizen

16:09:09 Heather Richards, Gallatin County

16:11:10 Charlotte Sanborn, citizen

16:13:17 Lisa Hjelmstad, citizen

16:15:10 McKoy Richards, Gallatin County

16:15:28 Kohen Richards, Gallatin County

16:15:48 Amanda Gallagher, Great Falls

[**EXHIBIT\(phs41a09\)**](#)

Additional Testimony Received:

[**EXHIBIT\(phs41a10\)**](#)

Opponents' Testimony:

16:16:36 Brandi Thomas, citizen

16:18:43 Jack Rinck, Associated Students of the University of Montana (ASUM)

16:20:53 Keaton Sunchild, political director, Western Native Voice

16:22:30 Rachel Schmidt, Associated Students of Montana State University

16:24:00 Kylee Bodley, Montana Chapter of the American Academy of Pediatrics

[**EXHIBIT\(phs41a11\)**](#)

Additional Testimony Received:

[**EXHIBIT\(phs41a12\)**](#)

Informational Testimony:

16:27:15 Jane Arntzen Schumacher, director, Child Care Connections

[**EXHIBIT\(phs41a13\)**](#)

16:27:45 Jamie Palagi, Department of Public Health and Human Services (DPHHS)

[**EXHIBIT\(phs41a14\)**](#)

Questions from Committee Members and Responses:

16:29:40 Sen. McGillvray

16:29:58 Mr. Rinck, ASUM

16:30:40 Sen. McGillvray

16:30:49 Mr. Rinck

16:30:53 Sen. McGillvray

16:31:06 Sen. McNally
16:32:04 Ms. Palagi, DPHHS
16:33:17 Sen. Gross
16:34:08 Chair Howard
16:34:22 Sen. Manzella

Closing by Sponsor:

16:34:40 Sen. Manzella

HEARING ON SB 357

Opening Statement by Sponsor:

16:37:10 Sen. Jen Gross (D), SD 25, opened the hearing on SB357, Generally revising requirements related to telehealth.

Proponents' Testimony:

16:40:17 Jean Branscum, CEO, Montana Medical Association

EXHIBIT(phs41a15)

16:42:30 Stacey Anderson, Montana Primary Care Association
16:43:43 Rachel Prevost, Montana Farmers Union
16:44:11 Duane Preshinger, Montana Hospital Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

16:45:01 Sen. McGillvray
16:45:25 Sen. Gross
16:47:28 Sen. McGillvray
16:47:40 Sen. Glimm

16:47:53 Sen. Molnar entered the meeting.

16:47:56 Sen. Gross

Closing by Sponsor:

16:49:04 Sen. Gross

16:49:25 Recess
17:03:57 Reconvene

Sen. Hinebauch left the meeting.

EXECUTIVE ACTION ON SB 315

17:04:55 Chair Howard

17:05:16 **Motion:** Sen. Glimm moved that **SB 315 DO PASS.**

17:05:27 **Motion:** Sen. Glimm moved that **SB 315 BE AMENDED.**
[EXHIBIT\(phs41a16\)](#)

Discussion:

17:06:10 Chair Howard

17:06:31 **Vote:** Motion failed 3-6 by roll call vote with Sen. Howard, Sen. McGillvray and Sen. Molnar voting aye. Sen. Hinebauch and Sen. Keenan voted by proxy.

17:07:35 **Vote:** Motion carried 6-3 by roll call vote with Sen. Gross, Sen. McNally and Sen. Sands voting no. Sen. Hinebauch and Sen. Keenan voted by proxy.

EXECUTIVE ACTION ON SB 142

17:08:26 **Motion:** Sen. Glimm moved that **SB 142 DO PASS.**

17:08:35 **Motion:** Sen. Glimm moved that **SB 142 BE AMENDED.**
[EXHIBIT\(phs41a17\)](#)

Discussion:

17:08:43 Cori Hach, Legislative Services Division (LSD)

17:09:25 Sen. McNally

17:09:41 Ms. Hach, LSD

17:09:49 Chair Howard

17:09:53 Without objection, Sen. Glimm withdrew the **BE AMENDED** motion.

17:09:54 Without objection, Sen. Glimm withdrew the **DO PASS** motion.

17:09:58 **Motion/Vote:** Sen. Glimm moved that **SB 142 BE REMOVED FROM TABLE.** Motion carried unanimously by voice vote. Sen. Hinebauch and Sen. Keenan were excused.

17:10:25 **Motion:** Sen. Glimm moved that **SB 142 DO PASS.**

17:10:33 **Motion:** Sen. Glimm moved that **SB 142 BE AMENDED.** (see exhibit 17)

Discussion:

17:10:41 Ms. Hach

17:11:16 Chair Howard

17:11:19 Ms. Hach

17:12:13 Chair Howard

17:12:19 Without objection, Sen. Glimm withdrew the **BE AMENDED** motion.

17:12:28 **Motion:** Sen. Glimm moved to **REMOVE AMENDMENT SB 142.001.001 from SB 142.**

[EXHIBIT\(phs41a18\)](#)

- 17:12:42 **Vote:** Motion carried unanimously by voice vote. Sen. Hinebauch and Sen. Keenan voted by proxy.
- 17:13:09 **Motion:** Sen. Glimm moved that **SB 142 DO PASS.**
- 17:13:20 **Motion/Vote:** Sen. Glimm moved that **SB 142 BE AMENDED.** Motion carried 6-3 by roll call vote with Sen. Gross, Sen. McNally and Sen. Sands voting no. Sen. Hinebauch and Sen. Keenan voted by proxy. (see exhibit 17)
- 17:14:31 **Motion:** Sen. Glimm moved that **SB 142 DO PASS AS AMENDED.**

Discussion:

- 17:14:40 Sen. Sands
- 17:15:05 **Vote:** Motion carried 5-4 by roll call vote with Sen. Gross, Sen. McGillvray, Sen. McNally and Sen. Sands voting no. Sen. Hinebauch and Sen. Keenan voted by proxy.

EXECUTIVE ACTION ON SB 341

- 17:16:04 **Motion:** Sen. Glimm moved that **SB 341 DO PASS.**
- 17:16:18 **Motion:** Sen. Glimm moved that **SB 341 BE AMENDED.**
[EXHIBIT\(phs41a19\)](#)

Discussion:

- 17:16:35 Sen. Sands
- 17:16:43 **Vote:** Motion carried 7-2 by roll call vote with Sen. McNally and Sen. Sands voting no. Sen. Hinebauch and Sen. Keenan voted by proxy.
- 17:17:41 **Motion:** Sen. Glimm moved that **SB 341 DO PASS AS AMENDED.**

Discussion:

- 17:17:55 Sen. Sands
- 17:18:20 Chair Howard
- 17:18:28 Sen. Sands
- 17:18:46 Chair Howard
- 17:19:03 Sen. Sands
- 17:19:58 Sen. Glimm
- 17:20:33 Sen. McNally
- 17:21:16 Sen. Gross
- 17:21:58 **Vote:** Motion carried 6-3 by roll call vote with Sen. Gross, Sen. McNally and Sen. Sands voting no. Sen. Hinebauch and Sen. Keenan voted by proxy.

EXECUTIVE ACTION ON SJ 20

- 17:22:30 **Motion:** Sen. Glimm moved that **SJ 20 DO PASS.**

Discussion:

17:22:43 Sen. McGillvray

17:23:30 Sen. Gross

17:56:19 **Vote:** Motion failed 4-5 by roll call vote with Sen. Gross, Sen. McNally, Sen. Molnar and Sen. Sands voting aye. Sen. Hinebauch and Sen. Keenan voted by proxy.

17:24:44 Sen. Hinebauch entered the meeting.

17:25:28 **Motion/Vote:** Sen. Glimm moved that **SJ 20 BE TABLED**. Motion carried 8-0 by voice vote. Sen. Keenan was excused.

EXECUTIVE ACTION ON SB 311

17:26:01 **Motion:** Sen. Glimm moved that **SB 311 DO PASS**.

Discussion:

17:26:09 Sen. Glimm

17:26:31 Sen. Gross

17:27:34 **Vote:** Motion failed 3-6 by roll call vote with Sen. Gross, Sen. McNally and Sen. Sands voting aye. Sen. Keenan voted by proxy.

17:28:08 **Motion/Vote:** Sen. Glimm moved that **SB 311 BE TABLED**. Motion carried 8-0 by voice vote. Sen. Keenan was excused.

EXECUTIVE ACTION ON SB 368

17:28:34 **Motion:** Sen. Glimm moved that **SB 368 DO PASS**.

Discussion:

17:28:52 Sen. McGillvray

17:29:14 **Vote:** Motion carried 6-3 by roll call vote with Sen. Gross, Sen. McNally and Sen. Sands voting no. Sen. Keenan voted by proxy.

EXECUTIVE ACTION ON SB 357

17:30:05 **Motion:** Sen. Glimm moved that **SB 357 DO PASS**.

Discussion:

17:30:56 Sen. Gross

17:31:29 **Vote:** Motion carried unanimously by voice vote. Sen. Keenan voted by proxy.

ADJOURNMENT

Adjournment: 5:32 PM

Gwyn Schooler, Secretary

gs

Additional Documents:

EXHIBIT([phs41aad.pdf](#))