

## MINUTES

### MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION

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

**Call to Order:** Chair David Howard, on March 31, 2021 at 3:00 PM, in Room 405 Capitol

#### ROLL CALL

**Members Present:**

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

**Members Excused:**

Sen. Jen Gross, Vice Chair (D)  
Sen. Bob Keenan (R)  
Sen. Mary McNally (D)

**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 377, 3/26/2021; HB 334, 3/26/2021; HB 158, 3/26/2021  
Executive Action: SB 377, HB 334, HB 158, HB 495, HB 484, HB 90, HB 502, HB 503, HB 276; HB 477

**EXECUTIVE ACTION ON HB 90**

14:36:05 Chair Howard

14:37:46 **Motion:** Sen. Glimm moved that **HB 90 BE CONCURRED IN.**

**Discussion:**

14:38:12 Chair Howard

14:38:22 **Motion:** Sen. Glimm moved that **HB 90 BE AMENDED.**

**EXHIBIT(phs63a01)**

**Discussion:**

14:38:55 Cori Hach, Legislative Services Division (LSD)

14:40:19 Sen. Sands

14:40:34 Ms. Hach, LSD

14:41:07 Sen. McGillvray

14:41:55 Chair Howard

14:42:05 Sen. Sands

14:42:20 **Vote:** Motion carried unanimously by voice vote. Sen. Gross, Sen. Keenan, Sen. McNally and Sen. Molnar voted by proxy.

14:42:42 Ms. Hach

14:43:24 **Motion:** Sen. Glimm moved that **HB 90 BE CONCURRED IN AS AMENDED.**

**Discussion:**

14:43:41 Sen. Glimm

14:44:22 **Vote:** Motion carried unanimously by voice vote. Sen. Gross, Sen. Keenan, Sen. McNally and Sen. Molnar voted by proxy. Sen. Howard will carry the bill.

**EXECUTIVE ACTION ON HB 503**

14:44:51 **Motion:** Sen. Glimm moved that **HB 503 BE CONCURRED IN.**

**Discussion:**

14:45:09 Sen. McGillvray

14:45:31 Sen. Glimm

14:46:02 Sen. McGillvray

14:46:28 Sen. Sands

14:47:07 Cori Hach, Legislative Services Division (LSD)

14:47:12 Sen. Molnar entered the meeting.

14:47:37 Ms. Hach, LSD

14:48:27 **Motion:** Sen. Glimm moved that **HB 503 BE AMENDED.**  
[EXHIBIT\(phs63a02\)](#)

**Discussion:**

14:48:42 Sen. Sands

14:49:11 **Vote:** Motion carried unanimously by voice vote. Sen. Gross, Sen. Keenan and Sen. McNally voted by proxy.

14:49:29 **Motion/Vote:** Sen. Glimm moved that **HB 503 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Sen. Gross, Sen. Keenan and Sen. McNally voted by proxy. Sen. McGillvray will carry the bill.

**EXECUTIVE ACTION ON HB 502**

14:50:37 **Motion:** Sen. Glimm moved that **HB 502 BE CONCURRED IN.**

14:51:00 **Motion:** Sen. McGillvray moved that **HB 502 BE AMENDED.**  
[EXHIBIT\(phs63a03\)](#)

**Discussion:**

14:51:10 Sen. McGillvray

14:53:13 **Vote:** Motion carried unanimously by voice vote. Sen. Gross, Sen. Keenan and Sen. McNally voted by proxy.

14:53:34 **Motion/Vote:** Sen. Glimm moved that **HB 502 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Sen. Gross, Sen. Keenan and Sen. McNally voted by proxy. Sen. McGillvray will carry the bill.

14:54:28 Sen. McGillvray

**EXECUTIVE ACTION ON HB 276**

14:57:03 Cori Hach, Legislative Services Division

14:57:22 **Motion:** Sen. McGillvray moved that **HB 276 BE CONCURRED IN.**

14:57:37 **Motion:** Sen. McGillvray moved that **HB 276 BE AMENDED.**  
[EXHIBIT\(phs63a04\)](#)

**Discussion:**

14:57:49 Sen. Sands

14:58:01 Sen. McGillvray

14:58:24 **Vote:** Motion carried unanimously by voice vote. Sen. Gross, Sen. Keenan and Sen. McNally voted by proxy.

14:58:50 **Motion/Vote:** Sen. McGillvray moved that **HB 276 BE CONCURRED IN AS AMENDED**. Motion carried unanimously by voice vote. Sen. Gross, Sen. Keenan and Sen. McNally voted by proxy. Sen. Glimm will carry the bill.

**EXECUTIVE ACTION ON HB 477**

14:59:57 **Motion:** Sen. Glimm moved that **HB 477 BE CONCURRED IN**.

**Discussion:**

15:00:34 Sen. McGillvray

15:00:59 **Substitute Motion:** Sen. Glimm made a substitute motion that **HB 477 BE TABLED**.

15:01:11 Without objection, Sen. Glimm withdrew the substitute motion.

**Discussion:**

15:01:35 Sen. McGillvray

15:01:55 Cori Hach, Legislative Services Division

15:02:25 Sen. Glimm

15:02:44 **Vote:** Motion carried unanimously by voice vote. Sen. Gross, Sen. Keenan and Sen. McNally voted by proxy. Sen. Glimm will carry the bill.

**EXECUTIVE ACTION ON HB 484**

15:03:14 **Motion:** Sen. Glimm moved that **HB 484 BE CONCURRED IN**.

15:03:41 **Motion:** Sen. Molnar moved that **HB 484 BE AMENDED**.

[EXHIBIT\(phs63a05\)](#)

15:04:59 **Vote:** Motion carried unanimously by voice vote. Sen. Gross, Sen. Keenan and Sen. McNally voted by proxy.

15:05:12 **Motion:** Sen. Glimm moved that **HB 484 BE CONCURRED IN AS AMENDED**.

**Discussion:**

15:05:17 Sen. Sands

15:05:42 Chair Howard

15:05:56 Sen. McGillvray

15:07:03 Chair Howard

15:07:18 Sen. Glimm

15:07:26 Sen. Molnar

15:07:33 Chair Howard

15:07:42 Sen. Molnar

15:09:48 **Vote:** Motion failed 3-6 by roll call vote with Sen. Gross, Sen. McNally and Sen. Sands voting aye. Sen. Gross, Sen. Keenan and Sen. McNally voted by proxy.

15:10:30 **Motion/Vote:** Sen. Glimm moved that **HB 484 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote. Sen. Gross, Sen. Keenan and Sen. McNally voted by proxy.

**EXECUTIVE ACTION ON HB 495**

15:10:56 **Motion:** Sen. Glimm moved that **HB 495 BE CONCURRED IN**.

15:11:31 **Motion:** Sen. Sands moved that **HB 495 BE AMENDED**.  
[EXHIBIT\(phs63a06\)](#)

**Discussion:**

15:11:42 Sen. Sands

15:11:45 Cori Hach, Legislative Services Division

15:12:38 **Vote:** Motion carried unanimously by voice vote. Sen. Gross, Sen. Keenan and Sen. McNally voted by proxy.

15:13:02 **Motion:** Sen. Glimm moved that **HB 495 BE CONCURRED IN AS AMENDED**.

**Discussion:**

15:13:10 Sen. McGillvray

15:13:44 Sen. Glimm

15:13:52 Sen. Sands

15:14:42 Sen. Hinebauch left the meeting.

15:15:14 Chair Howard

15:15:31 Sen. Sands

15:15:35 **Vote:** Motion failed 3-6 by roll call vote with Sen. Gross, Sen. McNally and Sen. Sands voting aye. Sen. Gross, Sen. Hinebauch, Sen. Keenan and Sen. McNally voted by proxy.

15:16:23 **Motion/Vote:** Sen. Glimm moved that **HB 495 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote. Sen. Gross, Sen. Hinebauch, Sen. Keenan and Sen. McNally voted by proxy.

15:16:48 Recess

15:23:57 Reconvened

**HEARING ON HB 334**

**Opening Statement by Sponsor:**

15:24:12 Rep. Jennifer Carlson (R), HD 69, opened the hearing on HB334, Revise laws on medical exemption from vaccines.

[EXHIBIT\(phs63a07\)](#)

15:28:26 Chair Howard

**Proponents' Testimony:**

15:28:46 Kelly Klostermeyer, citizen  
 15:32:01 Jessica Fruitman, citizen  
 15:33:03 Rebecca Schwartz, Whitefish  
 15:34:44 Maria Wyrock, citizen  
 15:37:38 Lacey Berg, Miles City  
 15:40:26 Kimberly Ball, Bozeman  
 15:43:40 Jonathan Martin, Great Falls

**Opponents' Testimony:**

15:46:00 Greg Dorrington, Montana Medical Association (MMA)  
 15:49:17 Megan Zawacki, president, Montana Academy of Physician Assistants  
 15:50:42 Kylee Bodley, executive director, Montana Chapter, American Academy of Pediatrics (Montana AAP); Montana Student Nurses Association  
 15:52:10 Brian Warren, Biotechnology Innovation Organization

**EXHIBIT(phs63a08)**

15:54:57 Lauren Wilson, Montana AAP

**EXHIBIT(phs63a09)**

15:57:37 Lora Weir, Montana Public Health Association; Association of Montana Public Health Officials

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

16:01:23 Sen. McGillvray  
 16:01:50 Rep. Carlson  
 16:03:19 Chair Howard  
 16:03:34 Rep. Carlson  
 16:05:32 Sen. McGillvray  
 16:06:17 Mr. Dorrington, MMA  
 16:06:40 Sen. McGillvray  
 16:06:49 Mr. Dorrington  
 16:07:07 Sen. McGillvray  
 16:07:16 Mr. Dorrington  
 16:07:33 Sen. McGillvray  
 16:07:41 Sen. Sands  
 16:08:02 Mr. Dorrington  
 16:08:37 Sen. Sands  
 16:08:41 Rep. Carlson  
 16:09:25 Sen. Sands  
 16:09:34 Rep. Carlson  
 16:10:03 Sen. McGillvray  
 16:10:55 Ms. Wilson, Montana AAP  
 16:11:20 Sen. McGillvray  
 16:11:34 Ms. Wilson

**Closing by Sponsor:**

16:13:01 Rep. Carlson

16:20:29 Sen. Glimm left the meeting.

**EXECUTIVE ACTION ON HB 334**

16:20:49 Chair Howard

16:20:56 **Motion:** Sen. McGillvray moved that **HB 334 BE CONCURRED IN.**

16:21:04 **Motion:** Sen. McGillvray moved that **HB 334 BE AMENDED.**

**EXHIBIT(phs63a10)**

**Discussion:**

16:21:21 Sen. Sands

16:21:56 **Vote:** Motion carried 6-3 by roll call vote with Sen. Gross, Sen. McNally and Sen. Sands voting no. Sen. Glimm, Sen. Gross, Sen. Hinebauch, Sen. Keenan and Sen. McNally voted by proxy.

16:22:26 **Motion:** Sen. McGillvray moved that **HB 334 BE CONCURRED IN AS AMENDED.**

**Discussion:**

16:22:36 Sen. McGillvray

16:23:39 Sen. Sands

16:24:10 Chair Howard

16:24:56 **Vote:** Motion carried 6-3 by roll call vote with Sen. Gross, Sen. McNally and Sen. Sands voting no. Sen. Glimm, Sen. Gross, Sen. Hinebauch, Sen. Keenan and Sen. McNally voted by proxy. Sen. McGillvray will carry the bill.

**HEARING ON SB 377**

**Opening Statement by Sponsor:**

16:27:01 Sen. Edith (Edie) McClafferty (D), SD 38, opened the hearing on SB377, Revise emergency services licensing laws.

**EXHIBIT(phs63a11)**

**Proponents' Testimony:**

16:30:50 Jim DeTienne, Montana EMS Association (MEMSA)

16:36:34 Heather O'Hara, vice president, Montana Hospital Association

16:38:47 Eric Anderson, Montana Nurses Association

16:40:18 Rich Cowger, Montana Fire Alliance

16:41:25 Robert Farnum, Sweet Grass County Ambulance

**EXHIBIT(phs63a12)**

16:42:07 Drew Dawson, Boulder City Council

**EXHIBIT(phs63a13)**

16:44:03 Jack Trethewey, Jefferson County

16:46:33 Ole Hedstrom, Montana Council of Professional Firefighters

**Opponents' Testimony:**

[EXHIBIT\(phs63a14\)](#)

**Informational Testimony:**

16:47:13 Sara Hansen-Baiamonte, Department of Labor and Industry

16:47:51 Robert Lishman, attorney, Department of Public Health and Human Services

**Questions from Committee Members and Responses:**

16:48:19 Chair Howard

16:48:31 Sen. McGillvray

16:49:05 Sen. McClafferty

16:49:13 Sen. McGillvray

16:49:25 Sen. McClafferty

16:49:33 Mr. DeTienne (MEMSA)

**Closing by Sponsor:**

16:50:02 Sen. McClafferty

**EXECUTIVE ACTION ON SB 377**

16:50:45 **Motion/Vote:** Sen. McGillvray moved that **SB 377 DO PASS**. Motion carried unanimously by voice vote. Sen. Glimm, Sen. Gross, Sen. Hinebauch, Sen. Keenan and Sen. McNally voted by proxy.

**HEARING ON HB 158**

**Opening Statement by Sponsor:**

16:52:04 Rep. Caleb Hinkle (R), SD 68, opened the hearing on HB158, Create study commission to review Covid-19 statute & rule suspensions.

**Proponents' Testimony:**

16:55:15 Kendall Cotton, president/CEO, Frontier Institute

16:56:24 Patrick Webb, Americans for Prosperity Montana

16:57:59 Bridger Mahlum, Montana Chamber of Commerce

16:59:07 James Broughel, senior research fellow, Mercatus Center, George Mason University

[EXHIBIT\(phs63a15\)](#)

**Opponents' Testimony:** None

**Informational Testimony:**

17:01:29 Susan Fox, Legislative Services Division

[EXHIBIT\(phs63a16\)](#)

**Questions from Committee Members and Responses:**

17:02:54 Sen. McGillvray

17:03:18 Rep. C. Hinkle

**Closing by Sponsor:**

17:03:44 Rep. C. Hinkle

**EXECUTIVE ACTION ON HB 158**

17:04:35 **Motion:** Sen. McGillvray moved that **HB 158 BE CONCURRED IN.**

**Discussion:**

17:04:41 Cori Hach, Legislative Services Division (LSD)

17:05:33 Chair Howard

17:05:36 Ms. Hach, LSD

17:05:42 **Motion:** Sen. McGillvray moved that **HB 158 BE AMENDED.**

**EXHIBIT**(phs63a17)

17:05:51 **Vote:** Motion carried unanimously by voice vote. Sen. Glimm, Sen. Gross, Sen. Hinebauch, Sen. Keenan and Sen. McNally voted by proxy.

**Discussion:**

17:05:58 Sen. McGillvray

17:06:34 **Motion/Vote:** Sen. McGillvray moved that **HB 158 BE CONCURRED IN AS AMENDED.** Motion carried 6-3 by voice vote with Sen. Gross, Sen. McNally and Sen. Sands voting no. Sen. Glimm, Sen. Gross, Sen. Hinebauch, Sen. Keenan and Sen. McNally voted by proxy. Sen. Molnar will carry the bill.

17:07:38 Sen. Molnar

17:08:20 Sen. Sands

17:08:27 Chair Howard

17:08:34 Sen. Molnar

**ADJOURNMENT**

Adjournment: 5:08 PM

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Gwyn Schooler, Secretary

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Additional Documents:

**EXHIBIT([phs63aad.pdf](#))**