

**MINUTES**  
**MONTANA HOUSE OF REPRESENTATIVES**  
**68th LEGISLATURE - REGULAR SESSION**  
**COMMITTEE ON (H) HUMAN SERVICES**

**Call to Order:** Chair Jennifer Carlson-R, on March 28, 2023 at 3:06 PM, in 152

**ROLL CALL**

**Members Present:** Rep. Jennifer Carlson, Chair (R)  
Rep. Lola Sheldon-Galloway, Vice Chair (R)  
Rep. Kim Abbott (D)  
Rep. Edward Buttrey (R)  
Rep. Jodee Etchart (R)  
Rep. Gregory Frazer (R)  
Rep. Donavon Hawk (D)  
Rep. Caleb Hinkle (R)  
Rep. SJ Howell (D)  
Rep. Ron Marshall (R)  
Rep. Nelly Nicol (R)  
Rep. George Nikolakakos (R)  
Rep. Greg Oblander (R)  
Rep. Amy Regier (R)  
Rep. Wayne Rusk (R)  
Rep. Laura Smith (D)  
Rep. Ed Stafman (D)  
Rep. Tom Welch (R)  
Rep. Michael Yakawich (R)  
Rep. Zooey Zephyr (D)

**Members Excused:** Rep. Alice Buckley (D)

**Staff Present:** Milly Allen, Research Analyst  
Katie Reeves, 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 909 03/25/2023

HB 935 03/27/2023

HB 940 03/27/2023

Executive Action:

HB 828 DO PASS AS AMENDED  
HB 850 TO TABLE  
HB 858 TO TABLE  
HB 869 TO TABLE  
HB 877 TO TABLE  
HB 879 TO TABLE

**HEARING ON HB 940 - Prohibit smoking and vaping in cars with minors or pregnant persons**

**Opening Statement:**

15:08:32 Rep. Bob Carter (D), HD 98, opened the hearing on HB 940, Prohibit smoking and vaping in cars with minors or pregnant persons.

**Proponent Testimony:**

15:10:44 Coleen Smith, Youth Connections

15:12:27 Jean Branscum, Montana Medical Association

**Opponent Testimony:**

15:14:17 Maggie Bornstein, ACLU Montana

15:15:57 Col. Steve Lavin, Montana Highway Patrol

**Informational Witness Testimony:**

None

**Questions from Committee:**

15:17:42 Rep. Donavon Hawk

15:18:13 Rep. Bob Carter-D

15:19:45 Rep. Edward Buttrey

15:20:20 Rep. Bob Carter-D

15:22:05 Rep. Edward Buttrey

15:22:21 Col. Steve Lavin

15:22:57 Rep. Kim Abbott

15:23:06 Col. Steve Lavin

15:23:26 Rep. Bob Carter-D

15:24:02 Rep. Nelly Nicol  
15:24:25 Rep. Bob Carter-D  
15:26:22 Rep. Greg Oblander  
15:28:02 Rep. Bob Carter-D  
15:28:09 Rep. Greg Oblander  
15:28:22 Col. Steve Lavin  
15:30:13 Rep. Edward Buttrey  
15:30:40 Jean Branscum  
15:31:27 Rep. Ron Marshall  
15:31:49 Col. Steve Lavin  
15:33:12 Rep. Ron Marshall  
15:33:15 Rep. Bob Carter-D

**Closing Statement:**

15:34:12 Rep. Bob Carter (D), HD 98, closed the hearing on HB 940.

**HEARING ON HB 909 - Provide for a housing stability services program**

**Opening Statement:**

15:37:05 Rep. Ed Stafman (D), HD 62, opened the hearing on HB 909, Provide for a housing stability services program.

**Proponent Testimony:**

15:44:06 Sam Forstag, Montana Coalition to Solve Homelessness

**Opponent Testimony:**

None

**Informational Witness Testimony:**

15:46:46 Jessie Counts, DPHHS

15:47:09 Mary LeMieux, DPHHS

**Questions from Committee:**

15:47:47 Rep. Michael Yakawich

15:48:01 Jessie Counts

15:51:07 Vice Chair Lola Sheldon-Galloway

15:51:27 Jessie Counts

15:53:01 Rep. Edward Buttrey

15:54:02 Chair Jennifer Carlson

15:54:21 Rep. Ed Stafman-D

**Closing Statement:**

15:56:22 Rep. Ed Stafman (D), HD 62, closed the hearing on HB 909.

**HEARING ON HB 935 - Study of marijuana impacts during pregnancy including lasting impacts**

**Opening Statement:**

16:02:07 Vice Chair Lola Sheldon-Galloway (R), HD 22, opened the hearing on HB 935, Study of marijuana impacts during pregnancy including lasting impacts.

**Proponent Testimony:**

None

**Opponent Testimony:**

16:05:20 Tracy Moseman, DPHHS

16:06:30 Pepper Petersen, Montana Cannabis Guild

**Informational Witness Testimony:**

None

**Questions from Committee:**

16:08:53 Rep. Michael Yakawich

16:09:38 Rep. Lola Sheldon-Galloway-R  
16:12:32 Rep. George Nikolakakos  
16:12:55 Rep. Lola Sheldon-Galloway-R  
16:14:05 Rep. Edward Buttrey  
16:14:26 Tracy Moseman  
16:15:35 Rep. Donavon Hawk  
16:16:04 Rep. Lola Sheldon-Galloway-R  
16:17:09 Chair Jennifer Carlson  
16:17:50 Vice Chair Alice Buckley joined the meeting.  
16:17:55 Pepper Pedersen  
16:21:02 Chair Jennifer Carlson  
16:21:31 Tracy Moseman  
16:22:41 Rep. Michael Yakawich  
16:23:00 Tracy Moseman

**Closing Statement:**

16:23:56 Vice Chair Lola Sheldon-Galloway (R), HD 22, closed the hearing on HB 935.  
16:27:23 **Recessed**  
17:06:17 **Reconvened**  
17:06:32 Rep. Nicol has left  
17:06:33 Rep. Abbott has left

**EXECUTIVE ACTION ON HB 828 - Authorize an ambulance provider assessment program**

17:06:33 **Motion:** Vice Chair Lola Sheldon-Galloway moved that **HB 828 DO PASS.**

**Discussion:**

17:06:51 Rep. Edward Buttrey

17:07:14 **Motion:** Rep. Edward Buttrey moved that **HB 828 BE AMENDED.**

**Discussion:**

17:08:37 Rep. Amy Regier

17:08:41 Chair Jennifer Carlson

14:58:17 **Vote:** Motion carried unanimously by voice vote.

17:10:00 **Motion:** Vice Chair Lola Sheldon-Galloway moved that **HB 828 DO PASS AS AMENDED.**

14:58:17 **Vote:** Motion carried 19 - 2 by roll call vote with Rep. Regier, Rep. Sheldon-Galloway, voting no.

17:07:09 Vice Chair Buckley has arrived

**EXECUTIVE ACTION ON HB 850 - Provide continuous eligibility for certain children covered by CHIP and Medicaid**

17:12:44 **Motion:** Vice Chair Lola Sheldon-Galloway moved that **HB 850 DO PASS.**

17:12:57 **Motion:** Rep. Ed Stafman moved that **HB 850 BE AMENDED.**

14:58:17 **Vote:** Motion carried 20 - 1 by voice vote with Rep. Sheldon-Galloway, voting no.

17:14:51 **Motion:** Vice Chair Lola Sheldon-Galloway moved that **HB 850 DO PASS AS AMENDED.**

**Discussion:**

17:15:13 Rep. Ed Stafman

17:17:17 Chair Jennifer Carlson

14:58:17 **Vote:** Motion failed 11 - 10 by roll call vote with Rep. Abbott, Rep. Buckley, Rep. Frazer, Rep. Hawk, Rep. Howell, Rep. Nikolakakos, Rep. Smith, Rep. Stafman, Rep. Yakawich, Rep. Zephyr, voting yes.  
Rep. Abbott, By Proxy

17:19:41 **Motion:** Vice Chair Lola Sheldon-Galloway moved that **HB 850 TO TABLE.**

14:58:17 **Vote:** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 858 - Provide for the Montana Volunteer Health Care Services Act**

17:20:15 **Motion:** Vice Chair Lola Sheldon-Galloway moved that **HB 858 DO PASS.**

14:58:17 **Vote:** Motion failed 14 - 7 by roll call vote with Rep. Abbott, Rep. Buckley, Rep. Hawk, Rep. Howell, Rep. Smith, Rep. Stafman, Rep. Zephyr, voting yes. Rep. Abbott, Rep. Buckley, By Proxy

17:21:31 **Motion:** Vice Chair Lola Sheldon-Galloway moved that **HB 858 TO TABLE.**

14:58:17 **Vote:** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 869 - Revise tobacco laws**

17:22:30 **Motion:** Vice Chair Lola Sheldon-Galloway moved that **HB 869 DO PASS.**

17:23:09 **Motion:** Rep. Ron Marshall moved that **HB 869 BE AMENDED.**

**Discussion:**

17:23:31 Rep. Ron Marshall

14:58:17 **Vote:** Motion carried 14 - 7 by roll call vote with Rep. Abbott, Rep. Buckley, Rep. Hawk, Rep. Howell, Rep. Smith, Rep. Stafman, Rep. Zephyr, voting no. Rep. Abbott, Rep. Buckley, By Proxy

17:25:16 **Motion:** Rep. Ron Marshall moved that **HB 869 BE AMENDED.**

**Discussion:**

17:25:55 Rep. Ron Marshall

17:27:01 Rep. Edward Buttrey

14:58:17 **Vote:** Motion failed 18 - 3 by roll call vote with Rep. Etchart, Rep. Hinkle, Rep. Marshall, voting yes.

17:28:30 **Motion:** Vice Chair Lola Sheldon-Galloway moved that **HB 869 DO PASS AS AMENDED.**

**Discussion:**

17:28:48 Rep. George Nikolakakos

17:29:51 Rep. Ron Marshall

14:58:17 **Vote:** Motion failed 13 - 8 by roll call vote with Rep. Buttrey, Rep. Carlson, Rep. Etchart, Rep. Hinkle, Rep. Marshall, Rep. Nicol, Rep. Regier, Rep. Sheldon-Galloway, voting yes. Rep. Nicol, By Proxy

17:31:44 **Motion:** Vice Chair Lola Sheldon-Galloway moved that **HB 869 TO TABLE.**

14:58:17 **Vote:** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 877 - Revise reporting requirements for vaccinations and exemptions**

17:32:35 **Motion:** Vice Chair Lola Sheldon-Galloway moved that **HB 877 DO PASS.**

17:33:16 **Motion:** Rep. Ed Stafman moved that **HB 877 BE AMENDED.**

**Discussion:**

17:33:32 Milly Allen

14:58:17 **Vote:** Motion carried 20 - 1 by voice vote with Rep. Carlson, voting no.

17:34:12 **Motion:** Vice Chair Lola Sheldon-Galloway moved that **HB 877 DO PASS AS AMENDED.**

**Discussion:**

17:34:28 Rep. Ed Stafman

17:35:43 Vice Chair Lola Sheldon-Galloway

17:36:06 Rep. Ed Stafman

17:37:29 Chair Jennifer Carlson

17:40:25 Rep. Ed Stafman

14:58:17 **Vote:** Motion failed 13 - 8 by voice vote with Rep. Abbott, Rep. Buckley, Rep. Hawk, Rep. Howell, Rep. Nikolakakos, Rep. Smith, Rep. Stafman, Rep. Zephyr, voting yes.  
Rep. Abbott, By Proxy

17:42:22 **Motion:** Vice Chair Lola Sheldon-Galloway moved that **HB 877 TO TABLE.**

14:58:17 **Vote:** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 879 - Fund post-abortion counseling program**

17:42:51 **Motion:** Vice Chair Lola Sheldon-Galloway moved that **HB 879 DO PASS.**

17:43:47 **Substitute Motion:** Vice Chair Alice Buckley moved that **HB 879 TO TABLE.**

14:58:17 **Vote:** Substitute Motion carried 11 - 10 by roll call vote with Rep. Etchart, Rep. Hinkle, Rep. Marshall, Rep. Nicol, Rep. Nikolakakos, Rep. Regier, Rep. Rusk, Rep. Sheldon-Galloway, Rep. Welch, Rep. Yakawich, voting no.  
Rep. Nicol, By Proxy

**ADJOURNMENT**

Adjournment: 17:48:14

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Katie Reeves, Secretary

Additional Documents: [EXHIBIT\(230328HUHaad\)](#)