

MINUTES
MONTANA SENATE
68th LEGISLATURE - REGULAR SESSION
COMMITTEE ON (S) PUBLIC HEALTH, WELFARE AND SAFETY

Call to Order: Chair Tom McGillvray-R, on April 05, 2023 at 3:14 PM, in 317

ROLL CALL

Members Present: Sen. Tom McGillvray, Chair (R)
Sen. Dennis Lenz, Vice Chair (R)
Sen. Becky Beard (R)
Sen. Carl Glimm (R)
Sen. Steve Hinebauch (R)
Sen. Brad Molnar (R)
Sen. Susan Webber (D)

Members Excused: Sen. Jen Gross (D)
Sen. Kathy Kelker (D)

Staff Present: Trudy Burke, Secretary
Madelyn Krezowski, Attorney

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 559 03/22/2023
HB 706 03/27/2023
HB 715 03/27/2023
HB 740 03/27/2023

Executive Action:

HB 29 BE CONCURRED IN
HB 218 BE CONCURRED IN AS
AMENDED
HB 293 TO TABLE
HB 303 BE CONCURRED IN
HB 376 BE CONCURRED IN AS
AMENDED
HJ 12 TO TABLE

15:15:25 **Recessed**

15:17:03 Sen. Gross has arrived

15:36:30 **Reconvened**

HEARING ON HB 559 - License prospective adoptive parents as foster parents

Opening Statement:

15:36:37 Rep. Lola Sheldon-Galloway (R), HD 22, opened the hearing on HB 559, License prospective adoptive parents as foster parents.

Discussion:

15:44:03 Sen. Carl Glimm left the meeting.

Proponent Testimony:

None

Opponent Testimony:

None

Informational Witness Testimony:

15:38:59 Nikki Grossberg, Department of Public Health and Human Services (DPHHS)

Questions from Committee:

None

Closing Statement:

15:39:22 Rep. Lola Sheldon-Galloway (R), HD 22, closed the hearing on HB 559.

HEARING ON HB 740 - Revise laws relating to out-of-state placement of youth with mental health needs

Opening Statement:

15:40:06 Rep. Laura Smith (D), HD 79, opened the hearing on HB 740, Revise laws relating to out-of-state placement of youth with mental health needs.

Proponent Testimony:

15:44:58 Jeff Folsom, self

Opponent Testimony:

None

Informational Witness Testimony:

15:44:36 Meghan Peel, Department of Public Health and Human Services (DPHHS)

Questions from Committee:

15:45:10 Sen. Steve Hinebauch

15:45:35 Meghan Peel, DPHHS

15:47:32 Sen. Jen Gross

15:50:07 Rep. Laura Smith-D

15:51:05 Chair Tom McGillvray

15:51:23 Rep. Laura Smith-D

15:51:28 Meghan Peel, DPHHS

15:51:59 Chair Tom McGillvray

15:53:05 Meghan Peel, DPHHS

Closing Statement:

15:53:25 Rep. Laura Smith (D), HD 79, closed the hearing on HB 740.

HEARING ON HB 715 - Revise school immunization laws

Opening Statement:

15:54:20 Rep. Jennifer Carlson (R), HD 69, opened the hearing on HB 715, Revise school immunization laws.

Proponent Testimony:

None

Opponent Testimony:

15:57:28 Dr. Lauren Wilson, American Academy of Pediatrics (AAP)
15:59:12 Jean Branscum, Montana Medical Association (MMA)
16:01:23 Sarah Piper, Montana Federation of Public Employees (MFPE)
16:02:57 Jenny Murnane-Butcher, Montanans Organized for Education (MOFE)
16:04:27 Eric Anderson, Montana Nurses Association (MNA)
16:05:11 Erin McGowen, Confluence Public Health Alliance
16:06:54 Ione Young, self
16:11:45 Kiely Lammers, Montana Families for Vaccines (MFV)
16:14:01 Nick Domitrovich, self and Montana Families for Vaccines (MFV)
16:16:02 Roxane Weikel, self
16:18:56 Dr. Marian Kummer, self

Informational Witness Testimony:

None

Questions from Committee:

16:21:28 Sen. Jen Gross
16:23:29 Rep. Jennifer Carlson-R
16:24:52 Sen. Steve Hinebauch
16:28:27 Dr. Lauren Wilson, AAP
16:29:00 Chair Tom McGillvray
16:30:09 Dr. Lauren Wilson, AAP
16:31:20 Chair Tom McGillvray
16:31:39 Dr. Lauren Wilson, AAP
16:32:19 Chair Tom McGillvray

16:32:36 Rep. Jennifer Carlson-R

16:34:16 Sen. Susan Webber left the meeting.

Closing Statement:

16:34:43 Rep. Jennifer Carlson (R), HD 69, closed the hearing on HB 715.

16:42:00 **Recessed**

16:46:17 **Reconvened**

HEARING ON HB 706 - Generally revise laws related to protection of medical speech and practice

Opening Statement:

16:46:52 Rep. Naarah Hastings (R), HD 50, opened the hearing on HB 706, Generally revise laws related to protection of medical speech and practice.

Proponent Testimony:

16:52:29 Henry Kriegel, Americans for Prosperity (AFP)

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

16:53:18 Sen. Jen Gross

16:58:55 Rep. Naarah Hastings-R

16:59:21 Vice Chair Dennis Lenz

17:01:34 Rep. Naarah Hastings-R

17:02:06 Sen. Steve Hinebauch

Closing Statement:

17:02:22 Rep. Naarah Hastings (R), HD 50, closed the hearing on HB 706.

EXECUTIVE ACTION ON HB 29 - Revise laws related to involuntary commitment of people with dementia or TBI

17:04:30 **Motion:** Vice Chair Dennis Lenz moved that **HB 29 BE CONCURRED IN.**

Discussion:

17:04:45 Chair Tom McGillvray

17:04:52 Sen. Jen Gross

17:07:06 Vice Chair Dennis Lenz

11:22:50 **Vote:** Motion carried unanimously by voice vote.

17:04:30 **Carrier Assigned:** Sen. Dennis Lenz

EXECUTIVE ACTION ON HB 218 - Revise private alternative adolescent residential or outdoor programs laws

17:08:55 **Motion:** Vice Chair Dennis Lenz moved that **HB 218 BE CONCURRED IN.**

17:11:48 **Motion:** Vice Chair Dennis Lenz moved that **HB 218 BE AMENDED.**

Discussion:

17:12:25 Chair Tom McGillvray

17:15:27 Sen. Steve Hinebauch

17:15:58 Madelyn Krezowski

17:16:21 Sen. Steve Hinebauch

17:16:45 Sen. Jen Gross

11:22:50 **Vote:** Motion carried 6 - 3 by roll call vote with Sen. Glimm, Sen. Hinebauch, Sen. Molnar, voting no.
Sen. Glimm, By Proxy

17:20:40 **Motion:** Sen. Steve Hinebauch moved that **HB 218 BE AMENDED.**

Discussion:

17:21:05 Sen. Steve Hinebauch

17:21:23 Chair Tom McGillvray

17:21:52 Sen. Becky Beard

17:22:17 Sen. Brad Molnar

17:22:55 Sen. Jen Gross

17:23:26 Sen. Brad Molnar
17:24:15 Chair Tom McGillvray
17:24:31 Vice Chair Dennis Lenz
17:25:13 Sen. Brad Molnar
17:25:41 Sen. Becky Beard
11:22:50 **Vote:** Motion failed 7 - 2 by roll call vote with Sen. Glimm, Sen. Hinebauch, voting yes.
Sen. Glimm, By Proxy

17:26:50 **Motion:** Sen. Brad Molnar moved that **HB 218 BE AMENDED.**

Discussion:

17:28:11 Sen. Brad Molnar
17:31:55 Sen. Steve Hinebauch
17:32:42 Sen. Jen Gross
11:22:50 **Vote:** Motion failed 8 - 1 by roll call vote with Sen. Molnar, voting yes.
17:35:29 **Motion:** Vice Chair Dennis Lenz moved that **HB 218 BE CONCURRED IN AS AMENDED.**
11:22:50 **Vote:** Motion carried 5 - 4 by roll call vote with Sen. Beard, Sen. Glimm, Sen. Hinebauch, Sen. Molnar, voting no.
Sen. Glimm, By Proxy
17:35:29 **Carrier Assigned:** Sen. Wendy McKamey

EXECUTIVE ACTION ON HB 293 - Generally revise alternative nicotine and vapor product laws relating to tobacco

17:36:56 **Motion:** Vice Chair Dennis Lenz moved that **HB 293 BE CONCURRED IN.**
17:38:31 **Motion:** Vice Chair Dennis Lenz moved that **HB 293 BE AMENDED.**

Discussion:

17:38:49 Madelyn Krezowski
17:39:56 Vice Chair Dennis Lenz
17:40:12 Madelyn Krezowski
17:40:37 Sen. Jen Gross
11:22:50 **Vote:** Motion carried 6 - 3 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Webber, voting no.
Sen. Kelker, Sen. Webber, By Proxy

17:41:47 **Motion:** Vice Chair Dennis Lenz moved that **HB 293 BE CONCURRED IN AS AMENDED.**

Discussion:

17:41:56 Sen. Jen Gross

17:45:56 Vice Chair Dennis Lenz

11:22:50 **Vote:** Motion failed 5 - 4 by voice vote with Sen. Beard, Sen. Glimm, Sen. Hinebauch, Sen. Lenz, voting yes.
Sen. Glimm, By Proxy

17:47:34 **Motion:** Vice Chair Dennis Lenz moved that **HB 293 TO TABLE.**

11:22:50 **Vote:** Motion carried 5 - 4 by voice vote with Sen. Beard, Sen. Glimm, Sen. Hinebauch, Sen. Lenz, voting no.
Sen. Glimm, By Proxy

EXECUTIVE ACTION ON HB 303 - Implement Medical Ethics and Diversity Act

17:47:59 **Motion:** Vice Chair Dennis Lenz moved that **HB 303 BE CONCURRED IN.**

11:22:50 **Vote:** Motion carried 6 - 3 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Webber, voting no.
Sen. Kelker, Sen. Webber, By Proxy

17:47:59 **Carrier Assigned:** Sen. Tom McGillvray

EXECUTIVE ACTION ON HJ 12 - Joint resolution to request a ban on pharmaceutical ads on public airwaves

17:54:41 **Motion:** Vice Chair Dennis Lenz moved that **HJ 12 RESOLUTION ADOPTED.**

Discussion:

17:55:26 Sen. Becky Beard

17:56:08 Sen. Steve Hinebauch

17:56:22 **Motion:** Sen. Becky Beard moved that **HJ 12 TO TABLE.**

11:22:50 **Vote:** Motion carried 5 - 4 by roll call vote with Sen. Gross, Sen. Hinebauch, Sen. Kelker, Sen. Webber, voting no.
Sen. Kelker, Sen. Webber, By Proxy

ADJOURNMENT

Adjournment: 17:58:27

Trudy Burke, Secretary

Additional Documents: [EXHIBIT\(230405PHSaad\)](#)