

MINUTES

MONTANA SENATE 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chair Edward Buttrey, on January 19, 2015 at 9:00 A.M., in Room 422 Capitol

ROLL CALL

Members Present:

Sen. Edward Buttrey, Chair (R)
Sen. Elsie Arntzen, Vice Chair (R)
Sen. Dee Brown (R)
Sen. Pat Connell (R)
Sen. Tom Facey (D)
Sen. Cary Smith (R)
Sen. Sharon Stewart-Peregoy (D) (arrived after roll call)
Sen. Gordon Vance (R)
Sen. Gene Vuckovich (D)
Sen. Lea Whitford (D)

Members Excused: None

Members Absent: None

Staff Present: Linda Keim, Committee Secretary
Jameson Walker, 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 66, 1/9/2015; SB 39, 1/9/2015

HEARING ON SB 66

Opening Statement by Sponsor:

00:01:48 Sen. Diane Sands (D), SD 49, opened the hearing on SB 66. Generally revise laws regarding e-cigarettes.

Proponents' Testimony:

00:04:55 Jon Bennion, Office of the Attorney General (AG)

[EXHIBIT\(bus11a01\)](#)

00:07:39 Robert Shepard, M.D., retired physician, representing himself

[EXHIBIT\(bus11a02\)](#)

00:14:58 Todd Harwell, administrator, Department of Public Health and Human Services (DPHHS)

[EXHIBIT\(bus11a03\)](#)

00:16:07 Reg Hageman, Society of Health and Physical Educators, (SHAPE Montana)

00:17:16 Steve York, Office of Public Instruction (OPI)

00:19:12 Kristin Page-Nei, American Cancer Society Cancer Action Network (ACS CAN)

[EXHIBIT\(bus11a04\)](#)

00:22:56 Becky Franks, prevention specialist and parent, Bozeman

00:24:55 Bobbi Owen, representing Mark Baker, Altria group

[EXHIBIT\(bus11a05\)](#)

00:25:45 Amanda Cahill, American Heart Association (AHA), American Stroke Association (ASA)

[EXHIBIT\(bus11a06\)](#)

00:26:30 Erin McGowan, Department of Public Health and Human Services (DPHHS)

[EXHIBIT\(bus11a07\)](#)

00:28:17 Aimee Grmoljez, Billings Clinic

[EXHIBIT\(bus11a08\)](#)

00:29:13 Kiely Keane, Montana Medical Association (MMA)

Opponents' Testimony:

00:30:26 Paul Evans, Independent Vapor Retailers of Montana

[EXHIBIT\(bus11a09\)](#)

00:34:05 Marko Miller, owner, Great Falls vapor store

00:38:22 Ron Marshall, owner, Freedom Vapes, Belgrade

[EXHIBIT\(bus11a10\)](#)

00:42:58 Ken Rowe, owner, Anodizers are I, Yellowstone County

00:45:08 Lucas Anderson, owner, retail vaporizer store, Billings
00:49:00 Loren Anderson, representing independent vapor retail owners of Montana
00:51:39 Keith Bowman, owner, E Safe Vapor Store, Kalispell
00:53:28 Lance Strever, representing himself

EXHIBIT(bus11a11)

00:55:05 Patrick O'Connell, representing himself
00:56:37 Andrew Lovec, representing himself
00:57:24 Daniel Martinez, concerned taxpayer
00:58:57 Zack Day, representing himself
01:00:28 Ronnie Fredrich, representing himself

Informational Testimony:

01:03:14 Kris Minard, Office of Public Instruction (OPI)
01:03:43 Lee Baerlocher, Montana Department of Revenue (DOR)

Questions from Committee Members and Responses:

01:04:11 Sen. Facey
01:04:41 Mr. Baerlocher, DOR
01:04:50 Sen. Brown
01:07:04 Mr. Bennion, AG
01:07:33 Sen. Brown
01:09:28 Mr. Baerlocher
01:09:48 Chairman Buttrey
01:12:20 Mr. Bennion
01:13:10 Sen. Stewart-Peregoy
01:15:17 Ms. Page-Nei, ACS CAN
01:15:30 Sen. Stewart-Peregoy
01:17:28 Mr. Shepard, representing himself
01:19:16 Chairman Buttrey
01:19:31 Mr. Fredrick, representing himself
01:22:34 Sen. Facey
01:22:49 Mr. Fredrich
01:23:26 Sen. Arntzen
01:25:14 Mr. Harwell, DPHHS

Closing by Sponsor:

01:25:27 Sen. Sands

01:27:16 Chairman Buttrey

01:28:07 Recess
01:37:28 Reconvene

HEARING ON SB 39

Opening Statement by Sponsor:

01:37:48 Sen. Cary Smith (R), SD 27, opened the hearing on SB 39. Generally revise patent and copyright trolling laws.

Proponents' Testimony:

01:40:28 Jon Bennion, Office of the Attorney General (AG)

EXHIBIT(bus11a12)

01:43:23 Antoniette Tease, patent attorney, Billings

01:50:40 Gary Carlson, certified public accountant, Anderson, ZurMuehlen, PC,

01:53:54 Glenn Oppel, Montana Chamber of Commerce (MCC)

01:56:00 Steve Turkiewicz, Montana Bankers Association (MBA)

EXHIBIT(bus11a13)

01:58:57 Donya Parrish, representing Montana's Credit Unions (MCU)

01:59:41 Brad Griffin, executive director, Montana Retail Association (MRA) Montana Restaurant Association (MTRE), Montana Tire Dealers (MTD), Montana Equipment Dealer's Association (MEDA)

EXHIBIT(bus11a14)

02:01:15 Amy Fisher, Montana Association of Realtors (MAR)

02:02:53 Holly Franz, Montana Society of CPAs

02:03:18 Jim Brown, Montana Independent Banker's Association (MIBA)

Opponents' Testimony:

02:04:17 Al Smith, Montana Trial Lawyers Association (MTLA)

Informational Testimony: None

Questions from Committee Members and Responses:

02:10:26 Chairman Buttrey

02:12:22 Sen. Connell

02:12:26 Chairman Buttrey

02:12:32 Ms. Tease, patent attorney

02:14:09 Sen. Connell

02:15:10 Chairman Buttrey

02:16:28 Sen. Connell

02:16:51 Ms. Tease (redirect)

02:17:04 Mr. Bennion

Closing by Sponsor:

02:18:27 Sen. Smith

Committee Business:

02:19:57 Chairman Buttrey
02:20:23 Sen. Facey
02:20:49 Chairman Buttrey

ADJOURNMENT

Adjournment: 11:22 A.M.

Linda Keim, Secretary

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Additional Documents:

EXHIBIT([bus11aad.pdf](#))