

MINUTES

MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chair Dee Brown, on March 14, 2019 at 8:30 AM, in Room 422 Capitol

ROLL CALL

Members Present:

Sen. Steve Fitzpatrick, Chair (R)
Sen. Dee Brown, Vice Chair (R)
Sen. Sue Malek, Vice Chair (D)
Sen. Carlie Boland (D)
Sen. Jason W. Ellsworth (R)
Sen. Terry Gauthier (R)
Sen. Jason D. Small (R)
Sen. Frank Smith (D)
Sen. Gordon Vance (R)
Sen. Gene Vuckovich (D)

Members Excused: None

Members Absent: None

Staff Present: Jacelyn Stewart, 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: HB 344, 2/27/2019; HB 481, 2/27/2019; HB 523, 3/11/2019; HB 581, 3/11/2019

Executive Action: HB 450 - Be Concurred In as Amended
HB 382 - Be Concurred In
HB 323 - Be Concurred In

08:30:07 Chair Brown

HEARING ON HB 344

Opening Statement by Sponsor:

08:30:56 Rep. Kathy Kelker (D), HD 47, opened the hearing on HB 344, Require transparency reporting of pharmacy benefit managers.

Proponents' Testimony:

08:35:04 Kali Wicks, Blue Cross Blue Shield Montana
08:35:55 Greg Van Horssen, Prime Therapeutics
08:36:57 Stacey Anderson, Montana Primary Care Association
08:37:50 Marilyn Bartlett, special projects coordinator, Commissioner of Securities and Insurance, Montana State Auditor (CSI)
08:39:03 Stuart Doggett, Montana Pharmacy Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

08:39:41 Sen. Ellsworth
08:42:23 Chair Brown
08:42:48 Ms. Bartlett, CSI
08:42:51 Sen. Boland
08:43:09 Rep. Kelker

08:43:36 Sen. Malek entered the meeting.

08:43:52 Sen. Boland
08:43:58 Rep. Kelker
08:44:05 Chair Brown
08:44:11 Rep. Kelker
08:45:08 Sen. Ellsworth
08:49:03 Mr. Van Horssen
08:49:15 Chair Brown
08:50:58 Mr. Van Horssen
08:51:15 Sen. Ellsworth
08:52:01 Ms. Bartlett

08:52:02 Sen. Fitzpatrick entered the meeting.

Closing by Sponsor:

08:52:36 Rep. Kelker

08:54:04 Sen. Fitzpatrick assumed the position and duties of the Chair.

HEARING ON HB 581

Opening Statement by Sponsor:

08:54:39 Rep. Casey Knudsen (R), HD 33, opened the hearing on HB 581, Requiring timely licensure by professional, occupational boards.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

08:56:35 Todd Younkin, Department of Labor and Industry (DLI)

Questions from Committee Members and Responses:

08:56:52 Sen. Brown
08:57:06 Rep. Knudsen
08:58:50 Sen. Brown
09:00:07 Mr. Younkin, DLI
09:01:31 Sen. Brown
09:01:49 Mr. Younkin

Closing by Sponsor:

09:02:40 Rep. Knudsen

HEARING ON HB 523

Opening Statement by Sponsor:

09:05:00 Rep. Katie Sullivan (D), HD 89, opened the hearing on HB 523, Revise state trade and marketing promotion activities.

[EXHIBIT\(bus52a01\)](#)

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

09:09:17 Jennifer Pelej, division administrator, Office of Trade and International Relations Program, Export Montana, Department of Commerce (DOC)

Questions from Committee Members and Responses:

09:09:44 Sen. Brown
09:12:50 Rep. Sullivan
09:13:49 Ms. Pelej, DOC
09:15:17 Sen. Brown
09:15:49 Ms. Pelej
09:16:53 Sen. Ellsworth
09:21:45 Rep. Sullivan

Closing by Sponsor:

09:22:04 Rep. Sullivan

HEARING ON HB 481

Opening Statement by Sponsor:

09:23:31 Rep. Wylie Galt (R), HD 30, opened the hearing on HB 481, Revising the clean indoor air act relating to private establishments.

Proponents' Testimony:

09:24:18 Gregory McDonnell, attorney, Missoula
 09:30:03 Donald Gaumer, managing member, Calumet LLC
 09:32:16 Greg Franks, Summit Cigar Lounge, Billings

EXHIBIT(bus52a02)

09:36:02 Jamie Bottcher, Bozeman Cigar Club
 09:37:04 Matthew Walker, retired Coast Guard captain
 09:38:16 Truman K. Tolson, former first sergeant, US Army Military Police Corp., Missoula Police Department
 09:40:14 William Hurley, self
 09:41:54 William Widby, senior technology executive, AT&T
 09:43:01 Fred Reed, self

Opponents' Testimony:

09:48:23 Nick Roberts, Families First Children's Museum (MissoulaCM)
 09:53:20 Dr. Kristin Anderson, Missoula
 09:56:48 Drenda Niemann, health officer Lewis and Clark Public Health; Association of Montana Public Health Officials, Montana Public Health Association; Montana Environmental Health Association
 09:59:28 Jane Weber, Cascade County commissioner, Cascade City-County Board of Health
 10:02:44 Heather O'Hara, vice president, Montana Hospital Association
 10:03:21 Kristin Page-Nei, American Cancer Society Cancer Action Network (ACSCAN)

EXHIBIT(bus52a03)

EXHIBIT(bus52a04)

10:06:50 Nicole Aune, Department of Public Health and Human Services (DPHHS)
 10:13:33 Bill Myers, self

EXHIBIT(bus52a05)

10:19:26 Jean Branscum, CEO, Montana Medical Association
 10:21:08 Lois Fitzpatrick, lead senior advocate, American Cancer Society Cancer Action Network

Informational Testimony: None

Questions from Committee Members and Responses:

10:27:03 Sen. Boland
 10:32:53 Mr. Franks, Billings
 10:33:17 Sen. Brown
 10:35:01 Mr. Franks
 10:35:15 Chair Fitzpatrick
 10:40:19 Mr. McDonnell, Calumet LLC

10:40:44 Sen. Gauthier
 10:41:04 Mr. Hurley, self
 10:41:56 Sen. Gauthier
 10:42:35 Ms. Aune, DPHHS
 10:43:10 Mr. Myers, self
 10:43:27 Sen. Gauthier
 10:43:46 Mr. Myers
 10:44:32 Sen. Malek
 10:45:35 Mr. Roberts, MissoulaCM
 10:46:55 Sen. Malek
 10:52:42 Mr. Gaumer, Calumet LLC
 10:52:54 Sen. Malek
 10:53:09 Sen. Smith
 10:57:44 Mr. Franks
 10:58:54 Sen. Brown
 10:59:05 Mr. Franks

Closing by Sponsor:

10:59:18 Rep. Galt

 10:59:57 Chair Fitzpatrick

 11:00:48 Recess
 11:12:58 Reconvened

EXECUTIVE ACTION ON HB 323

11:13:07 **Motion:** Sen. D. Brown moved that **HB 323 BE CONCURRED IN.**

Discussion:

11:13:32 Sen. Small
 11:13:56 Sen. Brown
 11:14:19 Sen. Boland

 11:14:37 **Vote:** Motion carried 6-4 by roll call vote with Sen. Boland, Sen. Malek, Sen. F. Smith and Sen. Vuckovich voting no. Sen. Thomas will carry the bill.

EXECUTIVE ACTION ON HB 382

11:15:23 **Motion/Vote:** Sen. D. Brown moved that **HB 382 BE CONCURRED IN.** Motion carried unanimously by voice vote. Sen. Boland will carry the bill.

EXECUTIVE ACTION ON HB 450

11:16:05 **Motion:** Sen. D. Brown moved that **HB 450 BE CONCURRED IN.**

11:16:23 **Motion:** Sen. D. Brown moved that **HB 450 BE AMENDED.**

[EXHIBIT\(bus52a06\)](#)

Discussion:

11:17:05 Sen. Vance

11:17:39 **Vote:** Motion carried unanimously by voice vote.

11:17:47 **Motion:** Sen. D. Brown moved that **HB 450 BE CONCURRED IN AS AMENDED.**

Discussion:

11:17:54 Sen. Vance

11:18:42 **Vote:** Motion carried unanimously by voice vote. Sen. Vance will carry the bill.

11:18:57 Chair Fitzpatrick

ADJOURNMENT

Adjournment: 11:19 AM

Jacelyn Stewart, Secretary

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Additional Documents:

EXHIBIT([bus52aad.pdf](#))