

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: Chair Geraldine Custer, on January 28, 2021 at 3:00 PM, in Room 472
Capitol

ROLL CALL

Members Present:

Rep. Geraldine Custer, Chair (R)
Rep. Larry Brewster, Vice Chair (R)
Rep. Mary Ann Dunwell, Vice Chair (D)
Rep. Marta Bertoglio (R)
Rep. Dave Fern (D)
Rep. Frank Fleming (R)
Rep. Steven Galloway (R)
Rep. Steve Gist (R)
Rep. Derek J. Harvey (D)
Rep. Donavon Hawk (D)
Rep. Scot Kerns (R)
Rep. Kelly Kortum (D)
Rep. Mark Thane (D)
Rep. Jeremy Trebas (R)
Rep. Kathy Whitman (R)
Rep. Katie Zolnikov (R)

Members Excused:

Rep. Steve Gunderson (R)

Members Absent: None

Staff Present:

Cristen Friede, Committee Secretary
Toni Henneman, Legislative Branch
Leigha Bradford, 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: HB 106, 1/18/2021

15:00:29 Chair Custer

EXECUTIVE ACTION ON HB 145

15:01:03 **Motion:** Rep. Brewster moved that **HB 145 DO PASS.**

15:01:17 **Substitute Motion/Vote:** Rep. Galloway made a substitute motion that **HB 145 BE TABLED.** Substitute Motion carried unanimously by roll call vote.

EXECUTIVE ACTION ON HB 121

15:02:36 **Motion:** Rep. Brewster moved that **HB 121 DO PASS.**

Discussion:

15:02:46 **Sub Motion/Vote:** Rep. Galloway moved that **HB 121 BE TABLED.** Motion failed 6-11 by roll call vote with Rep. Dunwell, Rep. Fleming, Rep. Galloway, Rep. Gist, Rep. Gunderson and Rep. Kerns voting aye. Rep. Gunderson voted by proxy.

15:04:04 Vice Chair Brewster

15:04:33 **Motion:** Rep. Trebas moved that **HB 121 BE AMENDED.**
[EXHIBIT\(loh19a01\)](#)

Discussion:

15:05:11 Toni Henneman, Legislative Services Division (LSD)
15:05:24 Rep. Fern
15:05:56 Rep. Hawk
15:06:12 Vice Chair Dunwell

Vote: Motion carried 10-7 by roll call vote with Rep. Bertoglio, Rep. Dunwell, Rep. Fern, Rep. Harvey, Rep. Hawk, Rep. Kortum and Rep. Thane voting no. Rep. Gunderson voted by proxy.

15:08:25 **Motion:** Rep. Brewster moved that **HB 121 BE AMENDED.**
[EXHIBIT\(loh19a02\)](#)

Discussion:

15:08:59 Toni Henneman

Vote: Motion carried unanimously by roll call vote. Rep. Gunderson voted by proxy.

15:10:53 **Motion:** Rep. Brewster moved that **HB 121 BE AMENDED.**
[EXHIBIT\(loh19a03\)](#)

Discussion:

15:11:13 Toni Henneman, LSD

15:12:00 Rep. Fern

15:12:40 **Vote:** Motion carried 14-3 by voice vote with Rep. Galloway, Rep. Gunderson and Rep. Thane voting no. Rep. Gunderson voted by proxy.

15:13:54 **Motion:** Rep. Brewster moved that **HB 121 DO PASS AS AMENDED.**

Discussion:

15:14:05 Rep. Fern

15:14:31 Toni Henneman

15:14:45 Vice Chair Dunwell

15:16:09 Rep. Kortum

15:17:43 Rep. Thane

15:20:27 **Vote:** Motion carried 16-1 by roll call vote with Rep. Kortum voting no. Rep. Gunderson voted by proxy.

15:20:35 Rep. Galloway

15:20:56 Chair Custer

HEARING ON HB 106

Opening Statement by Sponsor:

15:21:16 Rep. Ron Marshall (R), HD 87, opened the hearing on HB 106, Prohibit expansion of the Montana clean indoor air act.

Proponents' Testimony:

15:25:35 Tomi Dobbs, self

15:28:30 Diana Marshall, Montana Smoke Free Association

EXHIBIT(loh19a04)

15:34:44 Brad Longecake, Montana Petroleum Marketers and Convenient Store Association

15:36:29 John Iverson, Montana Tavern Association (MTA)

EXHIBIT(loh19a05)

Opponents' Testimony:

15:39:18 Heather O'Hara, Montana Hospital Association (MHA)

15:40:15 Rep. Kerns

15:40:32 Chair Custer

15:40:57 Heather O'Hara, MHA

15:41:43 Erin McGowan, Montana Association of Public Health Officials (MAPHO)

15:43:49 Aimee Grmoljez, Crowley Fleck

EXHIBIT(loh19a06)

15:44:29 John MacDonald, City of Bozeman

EXHIBIT(loh19a07)

15:49:06 Rep. Fern

15:50:00 Lori Byron, self
15:51:06 Rep. Kerns
15:51:41 Chair Custer
15:51:57 Lori Byron, self
15:53:29 Lauren Wilson, Montana Medical Association (MMA)
15:56:11 Tim Burton, Montana League of Cities and Towns (MLCT)
15:57:44 Colette Kirchhoff, self
16:02:21 Rep. Galloway
16:03:19 Vice Chair Dunwell
16:04:04 Amanda Cahill, American Heart Association (AHA)
16:06:57 Meredith Berkman, Parents Against Vaping E-cigarettes
16:10:53 Rep. Kerns
16:11:15 CB Pearson, Montana Kids vs Big Tobacco

EXHIBIT(loh19a08)

16:16:32 Kali Wicks, Montana Blue Cross Blue Shield
16:18:32 Becky Franks, self
16:21:46 Char Day, Americans for Nonsmokers' Rights
16:24:14 Amber Sherrill, self
16:27:04 Lois Fitzpatrick, American Cancer Society Cancer Action Network (ACS)
16:29:24 Lora Wier, Montana Public Health Association (MPHA)
16:30:41 Jo Smith, self
16:33:34 Carrie Nyssen, American Lung Association

Informational Testimony:

16:36:09 Vice Chair Dunwell
16:36:40 Chair Custer
16:37:12 Rep. Kerns

Questions from Committee Members and Responses:

16:37:58 Rep. Galloway
16:39:48 Rep. Marshall
16:41:24 Rep. Brewster
16:43:00 Rep. Fern
16:46:40 Tim Burton, MLCT
16:47:26 Vice Chair Dunwell
16:48:05 Rep. Trebas
16:49:31 John MacDonald, Cities of Bozeman and Missoula
16:50:27 Rep. Kortum
16:52:54 Rep. Marshall
16:53:47 Rep. Harvey
16:54:42 Rep. Marshall
16:55:53 Chair Custer
16:56:12 Heather O'Hara, MHA
16:56:28 Vice Chair Dunwell
16:57:20 Rep. Marshall
16:59:03 Chair Custer
16:59:07 Rep. Marshall
17:01:02 Rep. Fern
17:01:55 Toni Henneman, Legislative Services Division (LSD)

17:02:21 Rep. Fern

Closing by Sponsor:

17:02:56 Rep. Marshall

17:04:17 Rep. Kerns

17:05:01 Vice Chair Dunwell

17:05:33 Chair Custer

17:06:14 Rep. Galloway

17:06:49 Vice Chair Dunwell

17:07:07 Chair Custer

17:07:54 Rep. Kerns

17:08:00 Chair Custer

ADJOURNMENT

Adjournment: 17:08:19

Cristen Friede, Secretary

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Additional Documents:

Additional Documents:

EXHIBIT([loh19aad.pdf](#))