

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: Chair Mark Noland, on February 9, 2021 at 08:30 AM, in Room 172
Capitol

ROLL CALL

Members Present:

Rep. Mark Noland, Chair (R)
Rep. Edward Buttrey, Vice Chair (R)
Rep. Katie Sullivan, Vice Chair (D)
Rep. Fred Anderson (R)
Rep. Willis Curdy (D)
Rep. Neil Duram (R)
Rep. Ross H. Fitzgerald (R)
Rep. Steven Galloway (R)
Rep. Steve Gist (R)
Rep. Steve Gunderson (R)
Rep. Derek J. Harvey (D)
Rep. Denley M. Loge (R)
Rep. Ron Marshall (R)
Rep. Sara Novak (D)
Rep. Andrea Olsen (D)
Rep. Kerri Seekins-Crowe (R)
Rep. Rynalea Whiteman Pena (D)

Members Excused:

Rep. Kim Abbott (D)
Rep. Moffie Funk (D)
Rep. Katie Zolnikov (R)

Members Absent: None

Staff Present:

Jordee Bomgardner, Committee Secretary
Jameson Walker, Legislative Branch
Cara Grewell, 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 265, 2/2/2021; HB 282, 2/4/2021; HB 283, 2/4/2021; HB 285, 2/4/2021; HB 290, 2/4/2021; SB 101, 2/4/2021

HEARING ON SB 101**Opening Statement by Sponsor:**

08:33:10 Sen. Cary Smith (R), SD 27, opened the hearing on SB 101, Provide for the direct patient care safe harbor act.

Proponents' Testimony:

08:35:55 Kendall Cotton, Frontier Institute (FI)
08:39:51 Jackie Jones, Commissioner of Securities and Insurance, Office of the Montana State Auditor (CSI)
08:39:58 Rep. Zolnikov joined the meeting.
08:41:29 Dr. Todd Bergland, Fountainhead Family Med
08:46:16 Rep. Funk joined the meeting.
08:49:54 Dr. Brandon Bilyeu, Ascension Health DPC
08:55:45 Henrey Kriegel, Americans for Prosperity
08:57:18 David Balat, Texas Public Policy Foundation

EXHIBIT(buh27a01)

09:00:21 Dr. Cara Harrop, self
09:05:47 Chris Newbold, ALPS Property and Casualty Company
09:09:53 Jared Rhoads, Mercatus Center at Georges Mason University
09:14:03 Jean Branscum, Montana Medical Association (MMA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

09:16:44 Rep. Marshall
09:18:18 Dr. Bergland, Fountainhead Family Med
09:19:23 Vice Chair Buttrey
09:22:01 Jackie Jones, CSI
09:22:42 Rep. Gist
09:23:57 Dr. Bergland, Fountainhead Family Med
09:25:54 Rep. Duram
09:27:37 Dr. Bergland, Fountainhead Family Med
09:28:25 Rep. Galloway
09:29:33 David Balat, Texas Public Policy Foundation
09:29:59 Vice Chair Sullivan
09:31:18 Sen. C. Smith
09:32:31 Rep. Curdy
09:33:23 Chris Newbold, ALPS Property and Casualty Company
09:34:22 Vice Chair Buttrey
09:35:17 Sen. C. Smith
09:37:09 Vice Chair Buttrey

Closing by Sponsor:

09:37:15 Sen. C. Smith

HEARING ON HB 290**Opening Statement by Sponsor:**

09:38:12 Rep. Brad Tschida (R), HD 97, opened the hearing on HB 290, Provide for a self-storage insurance act.

Proponents' Testimony:

09:42:24 Jackie Jones, Commissioner of Securities and Insurance, Office of the Montana State Auditor (CSI)

09:45:59 Joe Doherty, Montana Self Storage Association (MTSSA)

09:47:30 Robert McCue, Montana Self Storage Association (MTSSA)

09:49:44 William Bauerle, self

Opponents' Testimony: None**Informational Testimony:**

09:51:05 Jeanie Keller, Commissioner of Securities and Insurance, Office of the Montana State Auditor (CSI)

Questions from Committee Members and Responses:

09:51:38 Rep. Gist

09:52:08 Jackie Jones, CSI

09:53:03 Rep. Novak

09:53:29 Rep. Tschida

09:53:55 Rep. Olsen

09:56:42 Rep. Tschida

09:56:59 Jackie Jones, CSI

09:58:41 Chair Noland

Closing by Sponsor:

09:59:26 Rep. Tschida

HEARING ON HB 285**Opening Statement by Sponsor:**

10:01:22 Rep. Jeremy Trebas (R), HD 26, opened the hearing on HB 285, Create cigar bars.

Proponents' Testimony:

10:05:17 Patrick Webb, Americans for Prosperity

Opponents' Testimony:

10:06:31 Paul Smith, self

10:08:42 Rep. Buttrey assumed the Chair.

10:09:03 Kathy Rogers, self

10:11:58 Kristin Page-Nei, American Cancer Society Cancer Action Network (ACS-CAN)

10:13:30 Rep. Noland assumed the Chair.

10:15:01 Ross Prospero, self

10:16:21 Char Day, American Nonsmokers' Rights Foundation (ANRF)

10:19:32 Mitch Bradley, self

10:21:30 Annie Tegen, Campaign for Tobacco-Free Kids
10:22:30 Amanda Cahill, American Heart Association (AHA)
10:24:23 Lois Fitzpatrick, American Cancer Society Cancer Action Network (ACSCAN)

EXHIBIT(buh27a02)

10:25:58 C.B. Pearson, Montana Kids vs Big Tobacco

EXHIBIT(buh27a03)

10:30:12 Lisa Beczkiewicz, Missoula County Health Department

Informational Testimony:

10:33:56 Todd Harwell, Montana Department of Public Health and Human Services (DPHHS)

10:34:22 Becky Schlauch, Montanan Department of Revenue (DOR)

Questions from Committee Members and Responses:

10:34:47 Rep. Marshall
10:37:53 Rep. Trebas
10:38:17 Rep. Gist
10:38:45 Char Day, ANRF
10:39:15 Rep. Curdy
10:39:53 Rep. Trebas
10:40:11 Becky Schlauch, DOR
10:40:21 Rep. Curdy
10:40:32 Becky Schluach, DOR
10:41:00 Rep. Zolnikov
10:41:33 Rep. Trebas
10:41:59 Vice Chair Sullivan
10:42:43 Rep. Trebas
10:43:07 Rep. Olsen
10:46:46 Becky Schlauch, DOR
10:46:56 Rep. Marshall
10:49:21 Todd Harwell, DPHHS
10:50:00 Becky Schlauch, DOR
10:50:10 Rep. Marshall
10:50:57 Becky Schlauch, DOR
10:51:15 Rep. Gunderson
10:53:13 Rep. Trebas
10:53:39 Rep. Galloway
10:54:18 Rep. Trebas
10:54:38 Chair Noland
10:55:30 Rep. Trebas
10:55:57 Rep. Olsen
10:57:54 Todd Harwell, DPHHS

Closing by Sponsor:

10:58:27 Rep. Trebas

10:59:14 Recess

11:05:13 Reconvened

HEARING ON HB 265**Opening Statement by Sponsor:**

11:05:48 Rep. Marilyn Marler (D), HD 90, opened the hearing on HB 265, Phase out use of styrofoam in food-related businesses.

Proponents' Testimony:

11:10:49 Ruben Castren, Montana Public Interest Research Group (MontPIRG)
11:12:47 Conner Ploeger, Montana Environmental Information Center (MEIC)
11:14:24 Jared Sousa, Citizens For A Better Flathead
11:15:20 Carmen Borchelt, Montana Audubon

Opponents' Testimony:

11:19:42 Brad Griffin, Montana Retail Association (MRA); Montana Restaurant Association (MTRA)
11:23:11 Brad Longcake, Montana Petroleum Marketers and Convinces Store Association (MPMCSA)
11:24:46 John Iverson, Montana Tavern Association (MTA)
11:26:20 Chair Noland
11:26:25 Neil Peterson, Gaming Industry Association (GIA)
11:26:47 Brian Thompson, Montana Chamber of Commerce

Informational Testimony:

11:27:44 Ricknold Thompson, Montana Department of Environmental Quality (DEQ)

Questions from Committee Members and Responses:

11:28:19 Rep. Gunderson
11:28:39 Rep. Marler
11:29:37 Rep. Gunderson
11:30:21 Carmen Borchelt, Montana Audubon
11:30:40 Rep. Gunderson
11:31:12 Carmen Borchelt, Montana Audubon
11:31:52 Rep. Gist
11:34:13 Rep. Marler
11:35:34 Rep. Olsen
11:39:00 Brad Griffin, MRA; MTRA

Closing by Sponsor:

11:39:19 Rep. Marler

HEARING ON HB 282**Opening Statement by Sponsor:**

11:41:53 Rep. Edward Buttrey (R), HD 21, opened the hearing on HB 282, Revise labor laws relating to the employment of minors.

Proponents' Testimony:

11:44:16 David Smith, Montana Contractors Association (MCA)
11:46:43 Sharyl Allen, Office of Public Instruction (OPI)
11:48:45 Brian Thompson, Montana Chamber of Commerce

11:49:42 Beth Brenneman, Disability Rights Montana

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

11:51:30 Rep. Harvey

11:52:16 Brian Thompson, Montana Chamber of Commerce

Closing by Sponsor:

11:52:34 Rep. Buttrey

HEARING ON HB 283

Opening Statement by Sponsor:

11:53:30 Rep. Edward Buttrey (R), HD 21, opened the hearing on HB 283, Revise workers' compensation laws relating to student interns.

Proponents' Testimony:

11:55:40 David Smith, Montana Contractors Association (MCA)

11:57:04 Rep. Zolnikov left the meeting.

11:58:33 Sharyl Allen, Office of Public Instruction (OPI)

12:01:01 Brian Thompson, Montana Chamber of Commerce

12:01:55 Beth Brenneman, Disability Rights Montana

12:02:17 Ethan Heverly, Montana State Fund (MSF)

12:03:01 Peter Strauss, Montana Self Insurers Association (MSIA)

Opponents' Testimony:

12:04:26 Shawn Bubb, Montana Schools Group Interlocal Authority (MSGIA)

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

12:06:08 Rep. Buttrey

12:06:50 Vice Chair Sullivan

12:07:12 Chair Noland

ADJOURNMENT

Adjournment: 12:07:16

Jordee Bomgardner, Secretary

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Additional Documents:

EXHIBIT([buh27aad.pdf](#))