

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: Chair Mark Noland, on February 24, 2021 at 7:00 A.M., 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. Moffie Funk (D)
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. Rynalea Whiteman Pena (D)
Rep. Katie Zolnikov (R)

Members Excused:

Rep. Kim Abbott (D)
Rep. Kerri Seekins-Crowe (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 412, 2/16/2021; HB 445, 2/17/2021; HB 446, 2/17/2021;
HB 507, 2/19/2021; HB 512, 2/19/2021; HB 513, 2/19/2021;
HB 514, 2/19/2021; HB 534, 2/23/2021; HB 548, 2/23/2021;
HB 550, 2/23/2021; HB 551, 2/23/2021; HB 558, 2/23/2021;
HB 564, 2/23/2021; HB 566, 2/23/2021; HB 568, 2/23/2021;
HB 569, 2/23/2021; HB 582, 2/23/2021; HB 589, 2/23/2021

07:03:00 Chair Noland

HEARING ON HB 445

Opening Statement by Sponsor:

07:05:50 Rep. Barry Usher (R), HD 40, opened the hearing on HB 445, Generally revise automobile franchise laws.

Proponents' Testimony:

07:06:31 Bruce Knudsen, Montana Automobile Dealers Association (MTADA)

[**EXHIBIT\(buh39a01\)**](#)

07:08:42 Jim Stanger, Helena Motors

07:09:26 Craig Charlton, Montana Automobile Dealers Association (MTADA)

07:10:17 Erick Anderson, Montana Automobile Dealers Association (MTADA)

07:10:53 Don Kaltschmidt, self

07:12:11 Jason Nordberg, Karl Tyler Chevrolet

Opponents' Testimony:

07:14:05 John MacDonald, Alliance for Automotive Innovation

[**EXHIBIT\(buh39a02\)**](#)

07:14:20 Rep. Seekins-Crowe joined the meeting.

07:16:29 Matthew Erwin, Mazda North American Operations (MNOA)

07:18:14 Ross Good, Stellantis Automotive

07:20:29 David Bright, Alliance For Automotive Innovation

Informational Testimony: None

Questions from Committee Members and Responses:

07:22:52 Rep. Loge

07:23:15 Bruce Knudsen, MTADA

07:23:43 Rep. Marshall

07:24:11 Eric Anderson, MTADA

07:24:41 Rep. Duram

07:25:18 Bruce Knudsen, MTADA

Closing by Sponsor:

07:25:54 Rep. Usher

07:29:12 Vice Chair Buttrey assumed the Chair.

07:29:30 Rep. Harvey left the meeting.

HEARING ON HB 514

Opening Statement by Sponsor:

07:29:32 Rep. Mark Noland (R), HD 10, opened the hearing on HB 514, Revise workers' compensation laws relating to the Montana State Fund.

Proponents' Testimony:

07:31:00 Keith Brownfield, Victory Insurance
07:32:00 Jerry Driscoll, self
07:32:53 Nelly Nicol, Fair Montana; Victory Insurance

EXHIBIT(buh39a03)

07:34:43 Charlotte Snyder, self
07:35:11 Lori Robinson, self

Opponents' Testimony:

07:36:25 Ethan Heverly, Montana State Fund (MSF)

EXHIBIT(buh39a04)

07:39:17 Jason Todhunter, Montana Logging Association (MLA)
07:41:44 Kevin Smith, self
07:42:13 Rhonda Wiggers, National Federation of Independent Business (NFIB); Helena Chamber of Commerce; Montana Water Well Drillers Association (MWWDA)
07:44:30 Abigail St. Lawrence, Montana Building Industry Association (MBIA)
07:45:45 Adam Haight, American Federation of Labor and Congress of Industrial Organizations (AFL-CIO)
07:46:09 Duane Williams, Motor Carriers of Montana (MCM)
07:47:23 Bob Biskupiak, Commissioner of Securities and Insurance, Office of the Montana State Auditor (CSI)
07:47:59 Steve Wade, Montana Chamber of Commerce; Montana Contractors Association (MCM)
07:48:51 Rachel Cone, Montana Farm Bureau Federation (MFBF)
07:49:32 Julia Altemus, Montana Wood Products Association (MWPA)

EXHIBIT(buh39a05)

07:50:42 Bruce Tutvedt, self

EXHIBIT(buh39a06)

Informational Testimony: None

Questions from Committee Members and Responses:

07:52:22 Rep. Galloway
07:53:54 Nelly Nicol, Fair Montana; Victory Insurance
07:54:16 Rep. Curdy
07:54:41 Ethan Heverly, MSF
07:54:56 Rep. Duram
07:55:38 Bob Biskupiak, CSI

Closing by Sponsor:

07:55:46 Rep. Noland

HEARING ON HB 512**Opening Statement by Sponsor:**

07:56:55 Rep. Mark Noland (R), HD 10, opened the hearing on HB 512, Generally revise workers' compensation laws relating to the Montana State Fund.

Proponents' Testimony:

07:57:32 Keith Brownfield, Victory Insurance
07:59:37 Nelly Nicol, Fair Montana
08:01:44 Charlolet Snider, self

Opponents' Testimony:

08:02:15 Kevin Braun, Montana State Fund (MSF)
08:04:30 Jason Todhunter, Montana Logging Association (MLA)
08:06:02 Duane Williams, Motor Carriers of Montana (MCM)
08:06:33 Adam Haight, American Federation of Labor and Congress of Industrial Organizations (AFL-CIO)
08:07:00 John Iverson, Independent Insurance Agents of Montana (IIAMT)
08:07:22 Bob Biskupiak, Commissioner of Securities and Insurance, Office of the Montana State Auditor (CSI)
08:07:56 Abigail St. Lawrence, Montana Building Industry Association (MBIA)
08:09:09 Rachel Cone, Montana Farm Bureau Federation (MFBF)
08:10:19 Alison Vergeront, Montana Grain Growers Association (MGGA)
08:11:05 Jay Bodner, Montana Stockgrowers Association (MSGA)
08:11:32 Dave Galt, Montana Chamber of Commerce
08:11:49 Kevin Smith, self
08:12:16 Julia Altemus, Montana Wood Products Association (MWPA)

EXHIBIT(buh39a07)

08:12:39 Rep. Gunderson left the meeting.
08:12:53 Bruce Tutvedt, self
08:14:00 Sen. Hertz, self
08:14:10 Rep. Funk left the meeting.

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

08:15:04 Rep. Noland

HEARING ON HB 513**Opening Statement by Sponsor:**

08:16:39 Rep. Mark Noland (R), HD 10, opened the hearing on HB 513, Generally revise workers' compensation laws relating to the Montana State Fund.

Proponents' Testimony:

08:17:36 Keith Brownfield, Victory Insurance
08:19:07 Nelly Nicol, Fair Montana
08:20:53 Jerry Driscoll, self
08:21:53 Lori Robinson, self
08:22:54 Charlotte Snyder, self

Opponents' Testimony:

08:23:18 Kevin Braun, Montana State Fund (MSF)
08:24:54 Jason Todhunter, Montana Logging Association (MLA)
08:26:12 Bob Biskupiak, Commissioner of Securities and Insurance, Office of the Montana State Auditor (CSI)
08:27:14 Abigail St. Lawrence, Montana Building Industry Association (MBIA)
08:28:15 Alison Vergeront, Montana Grain Growers Association (MGGA)
08:28:52 Adam Haight, American Federation of Labor and Congress of Industrial Organizations (AFL-CIO)
08:29:21 Duane Williams, Motor Carriers of Montana (MCM)
08:29:49 Dave Galt, Montana Chamber of Commerce
08:30:07 Rachel Cone, Montana Farm Bureau Federation (MFBF)
08:30:42 John Iverson, Independent Insurance Agents of Montana (IIAMT)
08:30:59 Jay Bodner, Montana Stockgrowers Association (MSGA)
08:31:28 Julia Altemus, Montana Wood Products Association (MWPA)

EXHIBIT(buh39a08)

08:32:10 Bruce Tutvedt, self

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

08:33:11 Rep. Noland

HEARING ON HB 507

Opening Statement by Sponsor:

08:34:50 Rep. Derek Skees (R), HD 11, opened the hearing on HB 507, Revising alcohol laws relating to employment of minors.

Proponents' Testimony: None

Opponents' Testimony:

08:36:37 John Iverson, Montana Tavern Association (MTA)
08:37:35 Neil Peterson, Gaming Industry Association (GIA)
08:38:22 Brad Griffin, Montana Restaurant Association (MTRA)

Informational Testimony: None

Questions from Committee Members and Responses:

08:39:06 Rep. Marshall
08:39:26 John Iverson, MTA
08:39:54 Rep. Seekins-Crowe
08:40:29 Rep. Duram left the meeting.
08:41:29 Rep. Skees
08:41:51 Chair Buttrey
08:41:56 Rep. Skees

Closing by Sponsor:

08:42:12 Rep. Skees

08:42:48 Rep. Noland assumed the Chair.

HEARING ON HB 534**Opening Statement by Sponsor:**

08:43:00 Rep. Edward Buttrey (R), HD 21, opened the hearing on HB 534, Generally revise microbrewery laws.

Proponents' Testimony:

08:46:20 Matt Leow, Montana Brewers Association (MBA)

08:48:01 John Iverson, Montana Tavern Association (MTA)

08:49:09 Ethan Kohoutek, Montana Brewers Association (MBA); Ten Mile Creek Brewery

08:50:13 Mike Hope, Rocking R Bar; Hospitality Development Association of Montana (HDAM)

08:51:11 Rep. Galloway left the meeting

08:51:47 Jeremiah Johnson, Jeremiah Johnson Brewing Company

08:53:47 Brad Griffin, Montana Restaurant Association (MTRA)

08:54:08 Neil Peterson, Gaming Industry Association (GIA)

08:54:55 Sam Hoffmann, Red Lodge Ales; Last Chance Cider

08:55:45 Jim Harris, Montana Distillers Guild

08:56:48 Bjorn Nabozney, Big Sky Brewing Company

EXHIBIT(buh39a09)**Opponents' Testimony:**

08:58:24 E.J. Redding, Montana Beer and Wine Distributors Association (MBWDA)

09:00:12 Pat Noonan, Montana Beer and Wine Distributors Association (MBWDA)

09:01:45 Mike Markovich, Montana Beer and Wine Distributors Association (MBWDA); Summit Beverage

EXHIBIT(buh39a10)**Informational Testimony:**

09:03:21 Becky Schlauch, Montana Department of Revenue (DOR)

Questions from Committee Members and Responses:

09:04:00 Rep. Marshall

09:04:29 Becky Schlauch, DOR

09:04:40 Rep. Galloway

09:04:48 Becky Schlauch, DOR

09:06:26 Rep. Zolnikov

09:06:41 Rep. Buttrey

09:07:04 Vice Chair Sullivan

09:07:31 Matt Leow, MBA

09:08:25 Rep. Curdy

09:08:42 Chair Noland

Closing by Sponsor:

09:09:02 Rep. Buttrey

HEARING ON HB 446

Opening Statement by Sponsor:

09:11:58 Rep. Ron Marshall (R), HD 87, opened the hearing on HB 446, Revise workers' compensation laws relating to prosthetic devices.

Proponents' Testimony:

09:13:09 Kevin Braun, Montana State Fund (MSF)

09:14:42 Steve Wade, Montana Chamber of Commerce; Montana Municipal Interlocal Authority (MMIA); Montana Contractors Compensation Fund (MCCA)

09:15:07 Bruce Spencer, National Association of Mutual Insurance Companies (NAMIC)

09:15:35 Aimee Grmoljez, American Property Casualty Insurance Association (APCIA)

09:16:11 Kevin Bartsch, Montana Schools Group Interlocal Authority (MSGIA)

09:16:53 Peter Strauss, Montana Self Insurers' Association (MSIA)

[EXHIBIT\(buh39a11\)](#)

Opponents' Testimony:

09:18:05 Megan Miller, self

09:18:27 Dan O'Fallon, self

09:19:26 Megan Miller, self

09:21:12 David Lighthall, Carey Law Firm (CLF)

[EXHIBIT\(buh39a12\)](#)

09:22:55 Arend Collen, self

Informational Testimony: None

Questions from Committee Members and Responses:

09:24:40 Rep. Galloway

09:26:11 Kevin Braun, MSF

09:27:03 Vice Chair Sullivan

09:27:28 Kevin Braun, MSF

09:28:23 Vice Chair Sullivan

09:28:47 Rep. Olsen

09:30:46 David Lighthall, self

Closing by Sponsor:

09:31:52 Rep. Marshall

HEARING ON HB 412

Opening Statement by Sponsor:

09:33:02 Rep. Andrea Olsen (D), HD 100, opened the hearing on HB 412, Restore right for worker to choose treating physician in workers' compensation.

Proponents' Testimony:

09:34:25 Lori Robinson, self
09:34:57 Rep. Harvey joined the meeting.
09:36:09 Colleen Torres, self
09:37:50 Lisa Daniels, self
09:39:21 Steve Fletcher, self

EXHIBIT(buh39a13)

09:41:23 Stacy Temple-St. John, self

EXHIBIT(buh39a14)

09:41:43 Kelly Wickham, self
09:43:28 Kimberly Boyken, self
09:45:04 Joni Brown, self
09:46:57 Stacy Temple-St. John, self

Opponents' Testimony:

09:49:27 Charles Robison, Montana Electric Cooperatives' Association (MECA)
09:49:37 Rep. Novak left the meeting.
09:51:35 Jason Todhunter, Montana Logging Association (MLA)
09:53:19 Kevin Braun, Montana State Fund (MSF)
09:54:41 Duane Williams, Motor Carriers of Montana (MCM)
09:55:04 Steve Wade, Montana Chamber of Commerce; Montana Municipal Interlocal Authority (MMIA); Montana Contractors Compensation Fund (MCCA)
09:55:43 Abigail St. Lawrence, Montana Building Industry Association (MBIA)
09:56:40 Rep. Funk joined the meeting.
09:56:49 Kevin Bartsch, Montana Schools Group Interlocal Authority (MSGIA)
09:58:06 Peter Strauss, Montana Self Insurers' Association (MSIA)

EXHIBIT(buh39a15)

Informational Testimony: None

Questions from Committee Members and Responses:

09:59:25 Vice Chair Sullivan
10:00:09 Stacy Temple-St. John, self
10:01:21 Vice Chair Buttrey assumed the Chair.

Closing by Sponsor:

10:01:34 Rep. Olsen

HEARING ON HB 558**Opening Statement by Sponsor:**

10:03:41 Rep. Mark Noland (R), HD 10, opened the hearing on HB 558, Revise franchise laws relating to transfer of a franchise.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

10:06:20 Rep. Gunderson left the meeting.
10:06:28 Rep. Duram
10:07:04 Rep. Noland
10:07:29 Rep. Galloway
10:07:39 Rep. Noland
10:07:45 Vice Chair Sullivan
10:08:34 Rep. Noland

Closing by Sponsor:

10:08:41 Rep. Noland

HEARING ON HB 564

Opening Statement by Sponsor:

10:09:20 Rep. Mark Noland (R), HD 10, opened the hearing on HB 564, Revise laws relating to lawyers ability to handle real estate transactions.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

10:11:54 Rep. Noland

HEARING ON HB 566

Opening Statement by Sponsor:

10:13:06 Rep. Tom Welch (R), HD 72, opened the hearing on HB 566, Revise guarantor exoneration law.

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

Proponents' Testimony:

10:15:32 Aimee Grmoljez, Montana Bankers Association (MBA); Crowley Fleck Law Firm
10:17:53 Danni Coffman, Montana Bankers Association (MBA); Crowley Fleck Law Firm
10:20:16 Bill Bickle, Montana Bankers Association (MBA); Crowley Fleck Law Firm

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

10:21:39 Rep. Welch

HEARING ON HB 568

Opening Statement by Sponsor:

10:22:46 Rep. Lola Sheldon-Galloway (R), HD 22, opened the hearing on HB 568, Limit number and location of recreational marijuana dispensaries.

EXHIBIT(buh39a16)

Proponents' Testimony: None

Opponents' Testimony:

10:26:48 Sam Belanger, self

10:28:00 Rep. Harvey left the meeting.

10:28:32 Kate Cholewa, Montana Cannabis Information Association (MTCIA)

EXHIBIT(buh39a17)

10:30:26 Joshua Gosney, self

10:32:01 Paulson Palmer, self

10:33:38 Brandon Madland, self

10:35:03 Pepper Petersen, Montana Cannabis Guild

10:37:14 Glenn Broughton, self

10:38:46 Jady Loppie, self

10:39:43 Chuck Holman, self

10:41:19 Richard Abromeit, Montana Advanced Caregivers (MAC)

10:42:55 Jason Smith, Montana Advanced Caregivers (MAC)

Informational Testimony: None

Questions from Committee Members and Responses:

10:44:54 Rep. Galloway

10:45:10 Rep. Sheldon-Galloway

10:45:42 Rep. Marshall

10:46:59 Pepper Petersen, Montana Cannabis Guild

Closing by Sponsor:

10:48:24 Rep. Sheldon-Galloway

10:48:32 Rep. Gunderson joined the meeting.

HEARING ON HB 582

Opening Statement by Sponsor:

10:49:47 Rep. Robert Farris-Olsen (D), HD 79, opened the hearing on HB 582, Clarify employer limitations in the Montana Medical Marijuana Act.

Proponents' Testimony:

10:51:46 Kate Cholewa, Montana Cannabis Information Association (MTCIA)

Opponents' Testimony:

10:52:42 Steve Wade, Montana Contractors Association (MCA); Montana Chamber of Commerce
10:53:39 Duane Williams, Motor Carriers of Montana (MCM)
10:53:52 Vice Chair Buttrey left the meeting.
10:54:08 Jason Todhunter, Montana Logging Association (MLA)
10:54:20 Rep. Novak joined the meeting.
10:55:15 Alan Olson, Montana Petroleum Association (MPA)
10:55:29 E.J. Redding, Montana Solid Waste Contractors Association (MSWC)

Informational Testimony: None

Questions from Committee Members and Responses:

10:56:20 Rep. Gist
10:56:45 Rep. Farris-Olsen
10:58:28 Rep. Galloway
10:59:44 Rep. Farris-Olsen

Closing by Sponsor:

11:00:31 Rep. Farris-Olsen

HEARING ON HB 589

Opening Statement by Sponsor:

11:02:15 Rep. Bill Mercer (R), HD 46, opened the hearing on HB 589, Revise disposition of civil fines under consumer protection act.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

11:07:14 Vice Chair Sullivan
11:08:43 Rep. Mercer
11:08:49 Rep. Olsen
11:11:30 Rep. Mercer

Closing by Sponsor:

11:12:59 Rep. Mercer

HEARING ON HB 548

Opening Statement by Sponsor:

11:13:27 Rep. Jimmy Patelis (R), HD 52, opened the hearing on HB 548, Allow certain dice games to be played.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

11:16:50 Rep. Marshall
11:17:38 Rep. Patelis
11:17:40 Rep. Funk left the meeting.

Closing by Sponsor:

11:17:51 Rep. Patelis

HEARING ON HB 550

Opening Statement by Sponsor:

11:19:04 Rep. Andrea Olsen (D), HD 100, opened the hearing on HB 550, Establish presumption in workers compensation for COVID-19.

Proponents' Testimony:

11:22:09 Ole Hedstrom, Montana State Council of Professional Fire Fighters (MSCOPFF)
11:31:01 Al Smith, Montana Trial Lawyers Association (MTLA)

Opponents' Testimony:

11:23:25 Steve Wade, Montana Municipal Interlocal Authority (MMIA); Montana Contractors Compensation Fund (MCCA)
11:24:48 Alan Olson, Montana Petroleum Association (MPA)
11:25:54 Aimee Grmoljez, American Property casualty Insurance Association (APCIA)
11:26:08 Rep. Gunderson joined the meeting.
11:26:47 Bruce Spencer, National Association of Mutual Insurance Companies (NAMIC)
11:27:56 Kevin Braun, Montana State Fund (MSF)
11:28:46 Charles Robison, Montana Electric Cooperative Association (MECA)

Informational Testimony: None

Questions from Committee Members and Responses:

11:31:25 Rep. Gist
11:32:14 Rep. Olsen
11:32:33 Al Smith, MTLA

Closing by Sponsor:

11:33:47 Rep. Olsen

HEARING ON HB 551

Opening Statement by Sponsor:

11:37:19 Rep. Andrea Olsen (D), HD 100, opened the hearing on HB 551, Revise claimants ability to receive insurance information before litigation.

Proponents' Testimony:

11:38:41 Al Smith, Montana Trial Lawyers Association (MTLA)

11:39:24 Rep. Fitzgerald left the meeting.

Opponents' Testimony:

11:42:02 Greg Van Horssen, State Farm Insurance
11:44:08 Bruce Spencer, National Association of Mutual Insurance Companies (NAMIC)
11:46:03 Jon Metropoulos, Farmers Insurance
11:47:55 Aimee Grmoljez, American Property casualty Insurance Association (APCIA)

Informational Testimony: None

Questions from Committee Members and Responses:

11:49:18 Vice Chair Sullivan
11:49:42 Al Smith, MTLA
11:49:52 Rep. Funk joined the meeting.
11:52:25 Rep. Galloway
11:52:47 Al Smith, MTLA

Closing by Sponsor:

11:54:37 Rep. Olsen

11:54:41 Rep. Zolnikov left the meeting.

HEARING ON HB 569

Opening Statement by Sponsor:

11:56:57 Rep. Scot Kerns (R), HD 23, opened the hearing on HB 569, Revise nonprofit officer compensation.

Proponents' Testimony: None

Opponents' Testimony:

11:59:45 Aimee Grmoljez, Montana Nonprofit Association (MNA)
[EXHIBIT\(buh39a18\)](#)
[EXHIBIT\(buh39a19\)](#)

12:02:51 Rich Rasmussen, Montana Hospital Association (MHA)
12:04:39 Stacey Anderson, Montana Primary Care Association (MPCA)
12:05:15 Bruce Spencer, Mountain Health Co-op (MHC)

Informational Testimony: None

Questions from Committee Members and Responses:

12:06:52 Rep. Marshall
12:07:40 Rep. Kerns

Closing by Sponsor:

12:08:00 Rep. Kerns

12:09:08 Chair Noland
12:10:39 Vice Chair Sullivan
12:11:0 Chair Noland
12:11:14 Rep. Olsen
12:11:46 Jameson Walker, Legislative Services Division (LSD)
12:12:04 Rep. Loge
12:12:26 Chair Noland
12:12:40 Rep. Funk
12:12:55 Chair Noland
12:13:10 Rep. Harvey
12:13:18 Chair Noland

ADJOURNMENT

Adjournment: 12:13:24

Jordee Bomgardner, Secretary

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Additional Documents:

EXHIBIT([buh39aad.pdf](#))