

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: Vice Chair Edward Buttrey, on April 14, 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. 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. Katie Zolnikov (R)

Members Excused:

Rep. Kim Abbott (D)
Rep. Kerri Seekins-Crowe (R)
Rep. Rynalea Whiteman Pena (D)

Members Absent: None

Staff Present:

Jordee Bomgardner, Committee Secretary
Jameson Walker, Legislative Branch
Monte Cole, 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: SB 323, 4/9/2021; SB 395, 4/9/2021; SB 396, 4/9/2021; SB 398, 4/9/2021

HEARING ON SB 398**Opening Statement by Sponsor:**

08:32:05 Sen. Jason Ellsworth (R), SD 43, opened the hearing on SB 398, Generally revise vaping laws.

08:33:02 Rep. Seekins-Crowe joined the meeting.

08:40:40 Chair Buttrey

08:40:57 Rep. Noland and Rep. Whiteman Pena left the meeting.

Proponents' Testimony:

08:41:03 Tommie Dobbs, Liberty Vapor; Montana Smoke Free Association (MSFA)

08:43:47 Devon Plant, Juicity Vapor

08:44:30 Tony Dobbs, Liberty Vapor; Montana Smoke Free Association (MSFA)

08:44:55 Kellie Rogers, Juicity Vapor

08:46:17 Kevin Barland, Juicity Vapor

08:46:50 Brad Longcake, Montana Petroleum Marketers and Convenience Store Association (MPMCSA)

08:47:50 Robert Cracraft, Vaporology Vape Shop; Montana Smoke Free Association (MSFA)

08:48:28 Wes Carroll, Vaporology Vape Shop

08:48:58 Tim Andrews, Americans for Tax Reform

EXHIBIT(buh71a01)

08:51:45 Lucas Anderson, Montana Smoke Free Association (MSFA); uBlaze Vapor

Opponents' Testimony:

08:55:22 Jean Branscum, Montana Medical Association (MMA)

EXHIBIT(buh71a02)

08:58:43 Becky Franks, Cancer Support Community Montana (CSCMT)

09:01:50 Chair Buttrey

09:02:11 Coleen Smith, Youth Connections (YC)

EXHIBIT(buh71a03)

09:04:03 Rep. Marshall

09:04:34 Chair Buttrey

09:04:55 Coleen Smith, YC

09:06:08 Kris Minard, self

09:09:12 Annika Bennion, Miss Montana's Outstanding Teen

EXHIBIT(buh71a04)

09:12:07 Kristin Page-Nei, American Cancer Society Cancer Action Network (ACSCAN)

EXHIBIT(buh71a05)

09:14:51 Keri Yoder, American Cancer Society Cancer Action Network (ACSCAN)

09:16:36 Nancy Crawford, Parents Against Vaping and E-Cigarettes (PAVe)

EXHIBIT(buh71a06)

09:19:03 Mitch Bradley, Heebs Fresh Market

[EXHIBIT\(buh71a07\)](#)

09:21:17 Annie Tegen, Tobacco Free Kids

[EXHIBIT\(buh71a08\)](#)

09:23:32 Lora Wier, self

09:27:04 Lisa Beczkiewicz, Missoula City County Health Department

09:29:49 Cynthia Stremba, Parents Against Vaping E-Cigarettes (PAVe)

[EXHIBIT\(buh71a09\)](#)

09:33:15 Carrie Nyssen, American Lung Association

09:34:27 Rep. Galloway

09:34:59 Chair Buttrey

09:35:17 Carrie Nyssen, American Lung Association

09:35:33 Lauren Wilson, Montana Chapter of the American Academy of Pediatrics (AAP)

[EXHIBIT\(buh71a10\)](#)

09:38:14 Linda Beischel, Montana Public Health Association (MPHA)

[EXHIBIT\(buh71a11\)](#)

09:39:39 Amanda Cahill, American Heart Association

09:41:18 CB Pearson, Montana Kids vs Big Tobacco

[EXHIBIT\(buh71a12\)](#)

09:43:20 Dr. Colette Kirchhoff, self

Informational Testimony:

09:46:30 Greg Troutman, self

09:47:00 Rep. Noland joined the meeting.

Questions from Committee Members and Responses:

09:47:10 Rep. Loge

09:47:35 Sen. Ellsworth

09:48:14 Rep. Gist

09:48:30 Rep. Whiteman Pena joined the meeting.

09:50:39 Greg Troutman, self

09:52:06 Vice Chair Sullivan

09:52:14 Chair Buttrey

09:52:29 Rep. Olsen

09:52:55 Chair Buttrey

09:53:16 Rep. Zolnikov

09:53:54 Sen. Ellsworth

09:55:44 Rep. Gunderson

09:57:43 Brad Longcake, MPMCSA

09:58:08 Rep. Gist

09:58:32 Annika Bennion, Miss Montana's Outstanding Teen

09:58:54 Rep. Loge

10:00:14 Annika Bennion, Miss Montana's Outstanding Teen

10:00:23 Vice Chair Sullivan

10:00:47 Amanda Cahill, American Heart Association
10:01:28 Rep. Galloway
10:05:13 Jean Branscum, MMA
10:05:55 Rep. Marshall
10:08:21 Jean Branscum, MMA
10:09:09 Rep. Marshall
10:09:29 Brad Longcake, MPMCSA

Closing by Sponsor:

10:09:42 Sen. Ellsworth

10:13:36 Chair Buttrey

HEARING ON SB 395**Opening Statement by Sponsor:**

10:14:31 Sen. Greg Hertz (R), SD 6, opened the hearing on SB 395, Montana Pharmacy Benefit Manager Oversight Act.

Proponents' Testimony:

10:17:41 Jackie Jones, Commissioner of Securities and Insurance, Office of the Montana State Auditor (CSI)

EXHIBIT(buh71a13)

10:30:00 Rep. Noland left the meeting.
10:30:41 Scott Sales, Governors Office (GOV)
10:31:20 Stuart Doggett, Montana Pharmacy Association (MPA)
10:32:57 E.J. Redding, Montana Family Pharmacies (MFP)
10:33:36 Stacey Anderson, Montana Primary Care Association (MTPCA)
10:36:13 John Doran, Blue Cross and Blue Shield of Montana (BCBS)
10:38:11 Jennifer Hensley, Pacific Source Health Plans
10:40:33 Josh Morris, self

Opponents' Testimony:

10:41:28 Jon Metropoulos, Pharmaceutical Care Management Association (PCMA)

Informational Testimony:

10:47:13 Ethan Heverly, Montana State Fund (MSF)

Questions from Committee Members and Responses:

10:47:53 Rep. Galloway
10:48:04 Ethan Heverly, MSF
10:48:20 Rep. Olsen
10:50:37 E.J. Redding, MFP
10:51:04 Rep. Curdy
10:51:57 Jackie Jones, CSI
10:54:48 Rep. Curdy
10:55:40 Jon Metropoulos, PCMA
10:56:04 Chair Buttrey
10:56:20 Jameson Walker, Legislative Services Division (LSD)

Closing by Sponsor:

10:56:38 Sen. Hertz

10:57:22 Rep. Harvey left the meeting.

10:59:25 Jameson Walker, LSD

HEARING ON SB 396**Opening Statement by Sponsor:**

11:00:19 Sen. Brian Hoven (R), SD 13, opened the hearing on SB 396, Generally revise boiler licensing laws.

Proponents' Testimony:

11:04:51 Stuart Doggett, Montana Lodging and Hospitality Association (MTLHA)

11:05:47 Eric Copeland, Montana Department of Labor and Industry (DLI)

Opponents' Testimony: None**Informational Testimony:** None**Questions from Committee Members and Responses:**

11:10:00 Rep. Zolnikov

11:10:41 Eric Copeland, DLI

11:11:38 Rep. Loge

11:12:04 Eric Copeland, DLI

11:13:09 Rep. Galloway

11:14:43 Eric Copeland, DLI

11:15:18 Rep. Marshall

11:16:11 Eric Copeland, DLI

11:17:00 Chair Buttrey

11:17:18 Sen. Hoven

Closing by Sponsor:

11:17:23 Sen. Hoven

11:17:55 Chair Buttrey

11:18:05 Brief Recess

11:18:51 Reconvened

HEARING ON SB 323**Opening Statement by Sponsor:**

11:19:03 Sen. Chris Friedel (R), SD 26, opened the hearing on SB 323, Generally revise Montana Administrative Procedure Act.

[EXHIBIT\(buh71a14\)](#)[EXHIBIT\(buh71a15\)](#)

11:23:56 Chair Buttrey

11:24:07 Sen. Friedel

Proponents' Testimony:

11:30:02 Henry Kriegel, Americans for Prosperity

[EXHIBIT\(buh71a16\)](#)

Opponents' Testimony:

11:34:25 Director Chris Dorrington, Department of Environmental Quality (DEQ)

11:38:35 Rep. Noland joined the meeting.

11:39:54 Director Adam Meier, Montana Department of Public Health and Human Services (DPHHS)

11:44:36 Lieutenant Governor Kristen Juras, Governors Office (GOV)

[EXHIBIT\(buh71a17\)](#)

11:45:19 Rep. Gunderson left the meeting.

11:50:23 Zach Coccoli, Montana Department of Agriculture (AGR)

11:52:39 Ed Caplis, Montana Department of Revenue (DOR)

11:53:27 Makenna Sellers, Northern Plains Resource Council (NPRC)

11:54:24 Amy Seaman, Montana Audubon

[EXHIBIT\(buh71a18\)](#)

11:55:14 Anne Hedges, Montana Environmental Information Center (MEIC)

11:56:17 Quinlan O'Connor, Montana Department of Labor and Industry (DLI)

11:58:05 Chair Buttrey

Informational Testimony: None

Questions from Committee Members and Responses:

11:58:39 Rep. Noland

12:00:05 Chair Buttrey

12:00:38 Sen. Friedel

12:01:03 Henry Kriegel, Americans for Prosperity

Closing by Sponsor:

12:01:38 Sen. Friedel

12:03:58 Chair Buttrey

12:04:05 Sen. Friedel

12:04:22 Chair Buttrey

ADJOURNMENT

Adjournment: 12:04:32

Jordee Bomgardner, Secretary

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Additional Documents:

EXHIBIT([buh71aad.pdf](#))