

## MINUTES

### MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

**Call to Order:** Chair Steve Fitzpatrick, on March 24, 2021 at 9:00 A.M., in Room 422 Capitol

#### ROLL CALL

**Members Present in the Committee Room:**

Sen. Steve Fitzpatrick, Chair (R)  
Sen. Gordon Vance, Vice Chair (R)  
Sen. Terry Gauthier (R)  
Sen. Bruce Gillespie (R)  
Sen. Jason D. Small (R)  
Sen. Cary Smith (R)  
Sen. Mark Sweeney (D)

**Members Present by Zoom Video Conference:**

Sen. Carlie Boland, Vice Chair (D)  
Sen. Mike Fox (D)  
Sen. Christopher Pope (D)

**Members Excused:**

Sen. Jason W. Ellsworth (R)

**Members Absent:** None

**Staff Present:** Olivia Hopkins, Committee Secretary  
Clara Bentler, Remote Meeting Coordinator  
Erin Sullivan, 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 493, 3/19/2021; HB 589, 3/19/2021; HB 593, 3/19/2021; SB 374, 3/19/2021

Executive Action: HB 407, HB 558, SR 90, SB 381

**HEARING ON HB 589**

**Opening Statement by Sponsor:**

09:02:46 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:**

09:07:32 Sen. Boland  
09:08:10 Rep. Mercer  
09:09:59 Sen. Boland  
09:10:47 Rep. Mercer  
09:12:28 Sen. Boland  
09:13:03 Rep. Mercer  
09:15:16 Sen. Boland  
09:15:47 Rep. Mercer  
09:16:10 Sen. Gauthier  
09:16:25 Rep. Mercer

**Closing by Sponsor:**

09:17:58 Rep. Mercer

**HEARING ON HB 593**

**Opening Statement by Sponsor:**

09:19:19 Rep. Kerri Seekins-Crowe (R), HD 43, opened the hearing on HB 593, Generally revise barbering and cosmetology laws.

**Proponents' Testimony:**

09:20:36 Scott Boulanger, Montana Association of Beauty Schools (MABS)  
09:21:57 Stephanie Lundstrom, citizen  
09:22:20 Esperanza Battrick, citizen  
09:22:56 Jean Branscum, Montana Medical Association  
09:24:51 Nicole King, citizen  
09:28:07 Jason Priest, citizen  
09:30:46 Linda McPherson, citizen

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

09:33:59 Sen. Boland  
09:34:45 Rep. Seekins-Crowe  
09:35:03 Mr. Boulanger, MABS

**Closing by Sponsor:**

09:35:50 Rep. Seekins-Crowe

**HEARING ON HB 493**

**Opening Statement by Sponsor:**

09:37:09 Rep. Katie Zolnikov (R), HD 45, opened the hearing on HB 493, Establish advanced esthetics practitioner license.

**Proponents' Testimony:**

09:41:53 Todd Younkin, Department of Labor and Industry (DLI)

[\*\*EXHIBIT\(bus58a01\)\*\*](#)

09:45:32 Lauren Hansen, Montana Board of Barbers and Cosmetologists, DLI

[\*\*EXHIBIT\(bus58a02\)\*\*](#)

09:48:33 Leesha Ford, Montana Board of Nursing, DLI

**Opponents' Testimony:**

09:51:22 Scott Boulanger, Montana Association of Beauty Schools (MABS)

09:53:06 Stephanie Lundstrom, citizen

09:54:11 Jean Branscum, Montana Medical Association

[\*\*EXHIBIT\(bus58a03\)\*\*](#)

09:58:22 Nicole King, citizen

10:00:42 Jason Priest, citizen

10:03:32 Linda McPherson, citizen

**Informational Testimony:**

10:07:12 Lucy Richards, DLI

[\*\*EXHIBIT\(bus58a04\)\*\*](#)

**Questions from Committee Members and Responses:**

10:08:09 Sen. Gillespie

10:08:20 Ms. Lundstrom, citizen

10:09:26 Chair Fitzpatrick

10:09:53 Mr. Boulanger, MABS

10:10:31 Chair Fitzpatrick

10:10:45 Mr. Boulanger

10:11:42 Sen. Gauthier

10:12:26 Ms. Richards, DLI

10:13:43 Sen. Gauthier

10:13:55 Ms. Richards

10:14:06 Sen. Boland

10:14:41 Mr. Younkin, DLI

10:14:56 Ms. Richards

10:15:59 Sen. Boland

10:16:19 Ms. Richards

10:16:50 Sen. Pope

10:18:12 Ms. Ford, DLI

10:21:59 Sen. Pope  
 10:23:00 Mr. Younkin  
 10:24:18 Sen. Small  
 10:24:32 Mr. Boulanger  
 10:25:18 Mr. Priest, citizen  
 10:27:19 Sen. Pope  
 10:28:00 Rep. Zolnikov  
 10:28:48 Sen. Pope

**Closing by Sponsor:**

10:29:35 Rep. Zolnikov

**HEARING ON SB 374**

**Opening Statement by Sponsor:**

10:33:13 Sen. Cary Smith (R), SD 27, opened the hearing on SB 374, Revise laws related to dispensing of drugs by medical practitioners.

**EXHIBIT(bus58a05)**

**Proponents' Testimony:**

10:39:22 Kendall Cotton, Frontier Institute  
 10:41:35 Logan Tinsen, Montana Pharmacy Association  
 10:43:54 Todd Bergland, Montana Direct Primary Care Association  
 10:49:30 Jean Branscum, Montana Medical Association  
 10:53:39 Ingrid Lovitt, Montana Association of Naturopathic Physicians  
 10:55:10 Henry Kriegel, Americans for Prosperity of Montana  
 10:56:33 Cara Harrop, citizen

**Opponents' Testimony:**

10:58:48 Ethan Heverly, Montana State Fund  
 10:59:42 Peter Strauss, Montana Self Insurers' Association

**EXHIBIT(bus58a06)**

**Informational Testimony:**

11:00:55 Marcie Bough, Montana Board of Pharmacy; Department of Labor and Industry (DLI)

**EXHIBIT(bus58a07)**

**Questions from Committee Members and Responses:**

11:01:38 Sen. Boland  
 11:02:35 Ms. Harrop, citizen  
 11:03:23 Sen. Boland  
 11:03:42 Ms. Harrop  
 11:03:56 Sen. Gauthier  
 11:04:21 Ms. Harrop  
 11:04:50 Sen. Pope  
 11:05:48 Ms. Bough, DLI  
 11:06:42 Sen. Gillespie  
 11:08:01 Sen. Smith

**Closing by Sponsor:**

11:09:10 Sen. Smith

11:09:52 Chair Fitzpatrick

11:11:15 Recess

11:21:18 Reconvene

**EXECUTIVE ACTION ON SB 381**

11:21:20 **Motion/Vote:** Sen. Vance moved that **SB 381 BE TABLED**. Motion carried 10-0 by voice vote. Sen. Ellsworth was excused.

**EXHIBIT(bus58a08)**

**EXECUTIVE ACTION ON HB 407**

11:21:44 **Motion:** Sen. Vance moved that **HB 407 BE CONCURRED IN**.

**Discussion:**

11:21:58 Sen. Pope

11:23:14 **Vote:** Motion carried 7-4 by roll call vote with Sen. Boland, Sen. Fox, Sen. Pope and Sen. Sweeney voting no. Sen. Ellsworth voted by proxy. Sen. Gauthier will carry the bill.

**EXECUTIVE ACTION ON HB 558**

11:23:53 **Motion:** Sen. Vance moved that **HB 558 BE CONCURRED IN**.

**Discussion:**

11:24:05 Chair Fitzpatrick

11:24:25 **Vote:** Motion carried 10-0 by voice vote. Sen. Ellsworth was excused. Sen. Gauthier will carry the bill.

**EXECUTIVE ACTION ON SR 90**

11:24:51 **Motion:** Sen. Vance moved that **SR 90 BE ADOPTED**.

**Discussion:**

11:25:02 Sen. Boland

11:25:43 Sen. Gauthier

11:26:16 Chair Fitzpatrick

11:26:58 **Vote:** Motion carried 8-3 by roll call vote with Sen. Boland, Sen. Fox and Sen. Pope voting no. Sen. Ellsworth voted by proxy.

11:27:39 Chair Fitzpatrick

**ADJOURNMENT**

Adjournment: 11:28 A.M.

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Olivia Hopkins, Secretary

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Additional Documents:

**EXHIBIT([bus58aad.pdf](#))**