

MINUTES

MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chair Steve Fitzpatrick, on March 31, 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. Jason W. Ellsworth (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: None

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: SB 398, 3/25/2021

09:01:43 Sen. Sweeney entered the meeting.

HEARING ON SB 398

Opening Statement by Sponsor:

09:01:45 Sen. Jason Ellsworth (R), SD 43, opened the hearing on SB 398, Generally revise vaping laws.

Proponents' Testimony:

09:04:38 Rep. Ron Marshall, HD 87
 09:05:40 Deanna Marshall, citizen
 09:07:11 Tommie Dobbs, Liberty Vapor
 09:09:40 Tony Dobbs, Liberty Vapor
 09:10:01 Kellie Rogers, Juicity Vapor
 09:10:23 Kevin Barland, Juicity Vapor
 09:10:58 Robert Cracraft, citizen
 09:11:15 Brad Longcake, Montana Petroleum Marketers and Convenience Store Association
 09:11:45 Wesley Carroll, citizen
 09:12:12 Michael Keefe, citizen

[EXHIBIT\(bus63a01\)](#)

09:15:02 Lucas Anderson, Montana Smoke Free Association

[EXHIBIT\(bus63a02\)](#)

Additional Testimony Received:

[EXHIBIT\(bus63a03\)](#)

Opponents' Testimony:

09:17:28 Jean Branscum, executive officer, Montana Medical Association (MMA)
 09:19:30 Stacey Anderson, Montana Primary Care Association
 09:21:05 Lauren Wilson, American Academy Pediatrics

[EXHIBIT\(bus63a04\)](#)

09:22:57 Annie Tegen, Tobacco Free Kids
 09:25:35 C.B. Pearson, Montana Kids vs Big Tobacco

[EXHIBIT\(bus63a05\)](#)

09:28:04 Amanda Cahill, American Heart Association
 09:29:42 Cynthia Stremba, Parents Against Vaping e-cigarettes
 09:32:06 Michelle McNiven, citizen

[EXHIBIT\(bus63a06\)](#)

09:34:06 Elizabeth Beil, physician
 09:35:56 Mitch Bradley, citizen
 09:37:44 Rikki LaFountain James, citizen

[EXHIBIT\(bus63a07\)](#)

09:40:03 Tim Burton, Montana League of Cities and Towns

[EXHIBIT\(bus63a08\)](#)

09:41:11 Char Day, Americans for Non-smokers' Rights
 09:42:14 Bella Childre, Campaign for Tobacco Free Kids
 09:42:56 Keri Yoder, American Cancer Society Cancer Action Network
 09:43:57 Carrie Nyssen, American Lung Association
 09:45:47 Linda Beischel, Montana Public Health Association

EXHIBIT(bus63a09)

09:47:08 Lisa Beczkiewicz, Missoula City-County Health Department
 09:49:58 Richard Gale, Community-Coalition On Drug Awareness

EXHIBIT(bus63a10)

Additional Testimony Received:

EXHIBIT(bus63a11)

Informational Testimony: None

Questions from Committee Members and Responses:

09:51:33 Sen. Gillespie
 09:52:17 Sen. Ellsworth
 09:53:35 Sen. Gauthier
 09:54:49 Ms. Branscum, MMA
 09:56:13 Sen. Gillespie
 09:57:00 Ms. LaFountain James, citizen
 09:58:21 Sen. Gillespie
 09:58:38 Sen. Ellsworth
 09:59:37 Sen. Sweeney
 10:00:11 Sen. Ellsworth
 10:02:13 Sen. Sweeney
 10:02:35 Ms. Rogers, Juicity Vapor
 10:02:56 Sen. Sweeney
 10:03:06 Ms. Rogers
 10:03:28 Sen. Gauthier
 10:03:54 Sen. Ellsworth
 10:05:29 Sen. Boland
 10:06:16 Sen. Ellsworth
 10:06:34 Sen. Boland
 10:06:50 Sen. Ellsworth
 10:07:29 Sen. Boland
 10:07:54 Sen. Ellsworth
 10:08:58 Sen. Pope
 10:10:25 Sen. Ellsworth
 10:11:36 Sen. Pope
 10:12:14 Ms. McNiven, citizen
 10:12:47 Sen. Pope
 10:13:19 Ms. McNiven
 10:14:11 Sen. Pope
 10:14:34 Ms. McNiven
 10:14:59 Sen. Pope
 10:15:38 Ms. McNiven
 10:17:38 Sen. Pope

10:18:26 Ms. McNiven

10:19:56 Sen. Pope

Closing by Sponsor:

10:20:12 Sen. Ellsworth

10:22:10 Chair Fitzpatrick

ADJOURNMENT

Adjournment: 10:22 A.M.

Olivia Hopkins, Secretary

oh

Additional Documents:

EXHIBIT([bus63aad.pdf](#))