



ECONOMIC AFFAIRS INTERIM COMMITTEE

68th Montana Legislature

SENATE MEMBERS

Kenneth Bogner
Steve Fitzpatrick
Shane Morigeau
Mark Noland

HOUSE MEMBERS

Jonathan Karlen
Joshua Kassmier
Brandon Ler
Jennifer Lynch
Ron Marshall
Nelly Nicol

COMMITTEE STAFF

Erin Sullivan - Research Analyst
Jameson Walker - Attorney
LJ Jennings - Secretary

MINUTES LOG

May 07, 2024
Capitol Room 137 & Zoom
Helena, Montana

Please note: This document is a Minutes Log and provides annotation of the time elapsed between the beginning of the meeting and the time at which the item was presented or discussed, a motion was made, or a vote was taken. The narrative presented here is provided only as a guide to the audio or video recording of the meeting. The official discussion, motion, or vote is available on the audio or video archive of this meeting. The Legislature does not prepare a transcript of the meeting activities. The time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

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MEMBERS PRESENT:

Rep. Joshua Kassmier, Presiding Officer (R)
Sen. Shane Morigeau, Vice Presiding Officer (D)
Sen. Kenneth Bogner (R)
Rep. Jonathan Karlen (D)
Rep. Brandon Ler (R)
Rep. Jennifer Lynch (D)
Rep. Ron Marshall (R)
Rep. Nelly Nicol (R)
Sen. Mark Noland (R)

MEMBERS EXCUSED:

Sen. Steve Fitzpatrick (R)

MEMBERS ABSENT:

STAFF PRESENT:

LJ Jennings, Secretary
Erin Sullivan, Research Analyst
Jameson Walker, Attorney

AGENDA (Attachment 1)

VISITORS' LIST (Attachment 2)

CALL TO ORDER/ROLL CALL

09:05:59 Presiding Officer Joshua Kassmier called the meeting to order at 9:05 AM. The committee secretary took roll.

CHILDCARE & THE WORKFORCE: INSURANCE

09:07:11 Erin Sullivan, Lead Staff, Legislative Services Division, (LSD)

[EXHIBIT1](#)

[EXHIBIT2](#)

[EXHIBIT3](#)

[EXHIBIT4](#)

[EXHIBIT5](#)

[EXHIBIT6](#)

Discussion on Captive Association Model

09:10:52 Frank Cote, Deputy Insurance Commissioner, State Auditor's Office, (SAO)

09:14:16 Angie Armour, Executive Director, Raise Montana (See Exhibit 5)

Comments from the Insurance Industry

09:22:57 Dena Johnson, Marsh McLennan Agency

09:31:40 Jodi Johnston, Burns Insurance Agency

Public Comment on Childcare & The Workforce: Insurance

09:36:50 Catlin Jensen, Executive Director, Zero to Five Montana

09:41:40 Vice Presiding Officer Shane Morigeau left the meeting.

09:42:18 Grace Decker, Montana Advocates for Children, (MAC)

09:45:31 Sara Schreiner, Sunshine Academy

Committee Questions/Discussion

09:51:13 Sen. Mark Noland

09:52:25 Angie Armour

09:53:34 Redirected to Frank Cote

09:59:13 Rep. Nelly Nicol

10:00:24 Jodi Johnston

10:03:37 Rep. Brandon Ler left the meeting.

10:04:02 Sen. Kenneth Bogner left the meeting.

10:04:57 Frank Cote

10:09:06 Rep. Ron Marshall

10:09:38 Jodi Johnston

10:14:44 Rep. Jonathan Karlen

10:15:25 Frank Cote

10:21:35 Presiding Officer Joshua Kassmier
10:21:36 Rep. Jonathan Karlen
10:21:39 Presiding Officer Joshua Kassmier

10:22:01 **Recessed**
10:40:28 Sen. Kenneth Bogner joined the meeting.
10:40:43 Rep. Brandon Ler joined the meeting.
10:42:17 **Reconvened**

AGENCY OVERSIGHT: MONTANA STATE FUND

Budget Update

10:42:29 Holly O'Dell, President, Montana State Fund, (MSF)
10:50:01 Rene Martello, Director of Finance and Actuary Fund, MSF
[EXHIBIT7](#)
10:56:27 Rep. Jonathan Karlen left the meeting.

Committee Questions/Discussion

10:59:38 Sen. Mark Noland
10:59:48 Rep. Jonathan Karlen joined the meeting.
11:00:17 Rene Martello

Public Comment on Montana State Fund

11:01:11 NONE

SJ30 STUDY ON VITICULTURE

11:02:06 Erin Sullivan
[EXHIBIT8](#)
[EXHIBIT9](#)
[EXHIBIT10](#)
[EXHIBIT11](#)

Public Comment on SJ 30 Study on Viticulture

11:12:09 Becky Schlauch, Administrator, Alcohol and Beverage Control Division, (ABCD)
(See Exhibit 10)
11:13:40 Larry Roberston, Winery Association of Montana, Flathead Lake Vineyard and Winery

Committee Questions/Discussion

11:24:29 Sen. Kenneth Bogner
11:24:42 Becky Schlauch
11:26:29 Sen. Mark Noland
11:28:30 Rep. Jonathan Karlen
11:28:57 Erin Sullivan
11:30:17 Presiding Officer Joshua Kassmier
11:30:32 Rep. Jonathan Karlen

11:31:00 Presiding Officer Joshua Kassmier
11:31:14 Rep. Jonathan Karlen
11:31:25 Erin Sullivan
11:33:10 Rep. Ron Marshall
11:33:50 Becky Schlauch
11:34:12 Sen. Kenneth Bogner
11:35:16 Presiding Officer Joshua Kassmier

Committee Work Session

11:35:32 Rep. Brandon Ler
11:36:09 Erin Sullivan
11:36:37 Becky Schlauch
11:37:16 Presiding Officer Joshua Kassmier
11:37:41 Sen. Mark Noland
11:38:36 Sen. Kenneth Bogner
11:38:48 Presiding Officer Joshua Kassmier
11:39:14 Becky Schlauch

Motion

11:40:23 Sen. Noland moved to conclude the study with no committee bill.

11:40:23 **Vote:** Carried unanimously by voice vote.

11:41:04 Erin Sullivan
11:41:26 Presiding Officer Joshua Kassmier

Recessed

12:57:52 Vice Presiding Officer Shane Morigeau joined the meeting.

Reconvened

AMBULANCE PROVIDER ASSESSMENT PROGRAM (HB828) REVIEW

13:03:07 Erin Sullivan
[EXHIBIT12](#)
[EXHIBIT13](#)

Stakeholder Comments

13:04:53 Rep. Ed Buttrey, HD 21
13:07:21 Rep. Brandon Ler joined the meeting.
13:08:05 Don Whalen, Board Member, Montana Ambulance Association

Public Comment on Ambulance Provider Assessment Program (HB828) Review

13:09:35 Mark Kilman-Burnham, American Medical Response

Committee Questions/Discussion

13:11:18 Sen. Mark Noland
13:12:08 Rep. Ed Buttrey

Committee Work Session

13:14:47 Presiding Officer Joshua Kassmier
13:15:12 Sen. Kenneth Bogner
13:15:20 Erin Sullivan

Motion

13:16:12 Sen. Noland moved to go forward with the bill draft PD 0003.

13:16:12 **Vote:** Carried unanimously by voice vote.

BIOMETRIC PRIVACY (SB351) REVIEW

13:17:15 Erin Sullivan
[EXHIBIT14](#)
13:18:55 Sen. Daniel Zolnikov, SD 22
[EXHIBIT15](#)
13:32:10 Matthew Helder, State Government Affairs, GlaxoSmithKline, (GSK)

Public Comment on Biometric Privacy (SB351) Review

13:33:43 Sen. Daniel Zolnikov
13:34:02 Jean Branscum, CEO, Montana Medical Association
13:37:03 Don Cape, Center for Safety and Justice
13:45:02 Stacy Anderson, Montana Primary Care Association
13:45:53 Twila Brase, Citizens Council for Health Freedom

Committee Questions/Discussion

13:52:39 Rep. Ron Marshall
13:53:05 Sen. Daniel Zolnikov
13:55:27 Sen. Mark Noland
13:57:10 Sen. Kenneth Bogner

Committee Work Session

13:58:42 Presiding Officer Joshua Kassmier
13:58:53 Sen. Mark Noland
13:59:29 Sen. Kenneth Bogner
14:00:05 Rep. Nelly Nicol
14:00:36 Presiding Officer Joshua Kassmier
14:00:46 Rep. Ron Marshall

14:01:20 **Recessed**

14:17:18 **Reconvened**

ADMINISTRATIVE RULE REVIEW

14:17:28 Jameson Walker, Staff Attorney, LSD
[EXHIBIT16](#)

14:20:51 Vice Presiding Officer Shane Morigeau left the meeting.

Committee Questions/Discussion

14:22:37 NONE

ADMINISTRATIVE RULE REVIEW CONTINUED

14:22:59 Jameson Walker
[EXHIBIT17](#)
[EXHIBIT18](#)

14:44:46 Erin Sullivan (See Exhibit 8)

Public Comment on Administrative Rule Review

14:45:42 Diedri Durocher

14:50:50 Dr. Justin Hicks, Self

14:55:34 Heidi Halverson

15:04:39 Jill Johnson

15:12:03 Cara Reck

15:14:59 Brad Longcake, Montana Dental Hygienists Association, (MDHA)

15:16:32 Webb Brown, Montana Dental Association

15:19:44 Quinlan O'Connor, Chief Legal, Department of Labor and Industry, (DLI)

Committee Questions/Discussion

15:22:57 Rep. Nelly Nicol

15:23:41 Jameson Walker

15:24:26 Presiding Officer Joshua Kassmier

15:24:42 Quinlan O'Connor

15:25:35 Rep. Nelly Nicol

15:26:57 Presiding Officer Joshua Kassmier

15:27:18 Rep. Jonathan Karlen

15:28:00 Presiding Officer Joshua Kassmier

15:28:32 **Recessed**

15:34:02 Vice Presiding Officer Shane Morigeau joined the meeting.

15:37:14 **Reconvened**

ADMINISTRATIVE RULE REVIEW CONTINUED

15:37:29 Jameson Walker

Committee Questions/Discussion

15:38:16 NONE

Motion

15:38:35 Sen. Noland moved to formally object to MAR notice 24-138-84.

Discussion on the Motion

15:39:18 Rep. Jonathan Karlen
15:44:02 Jameson Walker
15:45:28 Presiding Officer Joshua Kassmier
15:45:37 Sen. Mark Noland
15:46:13 Jameson Walker
15:46:39 Rep. Jonathan Karlen
15:46:56 Jameson Walker
15:47:52 Rep. Jonathan Karlen
15:48:13 Sen. Mark Noland
15:48:39 Jameson Walker
15:49:54 Presiding Officer Joshua Kassmier
15:50:09 Sen. Mark Noland
15:50:38 Presiding Officer Joshua Kassmier
15:51:02 Sen. Mark Noland
15:51:35 Jameson Walker
15:51:56 Presiding Officer Joshua Kassmier

15:52:10 **Vote:** Carried 7 - 3 by roll call vote with Rep. Karlen, Rep. Lynch, Sen. Morigeau voting no.

Committee Questions/Discussion

15:53:16 Presiding Officer Joshua Kassmier
15:53:19 Jameson Walker
15:54:08 Presiding Officer Joshua Kassmier
15:54:09 Rep. Jonathan Karlen
15:54:38 Jameson Walker
15:54:55 Presiding Officer Joshua Kassmier

COMMITTEE TOPIC: MARIJUANA

15:55:15 Erin Sullivan
[EXHIBIT19](#)

Synthetic Marijuana Task Force Update

15:59:14 Kathy Wiegand-Palmer, Cannabis Laboratory Program Manager, Department of Revenue, (DOR)
16:00:13 Rep. Jonathan Karlen left the meeting.
16:01:16 Rep. Jennifer Lynch left the meeting.

16:03:21 Stakeholder Proposition for Additional Committee Legislation
16:03:31 Kristan Barbour, Division Administrator, Cannabis Control Division, (CCD)
[EXHIBIT20](#)

Public Comment on Committee Topic: Marijuana

16:13:37 Jennifer Hensley, Fidelity Diagnostics Laboratory
16:13:45 Rep. Jonathan Karlen joined the meeting.
16:15:38 Coleen Smith, Executive Director, Youth Connections and Montana Alliance of Prevention
16:17:11 Kate Cholewa, Montana Cannabis Industry Association, (MTCIA)
[EXHIBIT21](#)
16:22:06 Barbie Turner, Alternative ReLeaf
16:27:09 Erica Siate, Condon
16:32:51 Kaari Fulton, Armadillo Buds

Committee Questions/Discussion

16:34:25 Rep. Ron Marshall
16:34:46 Jennifer Hensley
16:36:53 Vice Presiding Officer Shane Morigeau
16:38:15 Kristan Barbour
16:39:48 Vice Presiding Officer Shane Morigeau

Motion

16:42:09 Sen. Kenneth Bogner
16:43:47 Erin Sullivan (See Exhibit 19)
16:43:47 Sen. Kenneth Bogner moved to begin drafting two committee bills based on the recommendations by the industry and CCD; one marijuana cleanup bill and one bill regarding a moratorium.

Discussion on the Motion

16:44:58 Erin Sullivan
16:46:28 Presiding Officer Joshua Kassmier
16:46:50 Rep. Ron Marshall
16:47:36 Presiding Officer Joshua Kassmier
16:47:58 Rep. Brandon Ler
16:48:39 Rep. Ron Marshall
16:48:57 Sen. Kenneth Bogner
16:49:15 Rep. Ron Marshall
16:49:17 Presiding Officer Joshua Kassmier
16:49:43 Rep. Jonathan Karlen
16:49:50 Vice Presiding Officer Shane Morigeau
16:50:34 Jameson Walker
16:51:16 Presiding Officer Joshua Kassmier

16:51:27 **Vote:** Carried unanimously by voice vote.

Motion

16:51:52 Sen. Kenneth Bogner moved to start drafting a second committee bill on the recommendation for the moratorium.

Discussion on the Motion

- 16:52:21 Presiding Officer Joshua Kassmier
- 16:53:18 Rep. Jonathan Karlen
- 16:53:40 Kristan Barbour
- 16:53:51 Rep. Jonathan Karlen
- 16:54:42 Sen. Kenneth Bogner
- 16:55:25 Vice Presiding Officer Shane Morigeau
- 16:55:42 Presiding Officer Joshua Kassmier
- 16:56:13 Sen. Kenneth Bogner
- 16:56:18 Presiding Officer Joshua Kassmier
- 16:56:28 Rep. Jonathan Karlen
- 16:56:45 Presiding Officer Joshua Kassmier

16:56:54 **Vote:** Carried unanimously by voice vote.

Motion

16:57:37 Sen. Kenneth Bogner moved for a draft committee resolution to support the federal SAFER Banking Act.

Discussion on the Motion

- 16:58:10 Rep. Ron Marshall
- 16:58:15 Presiding Officer Joshua Kassmier

16:58:28 **Vote:** Carried unanimously by voice vote.

Public Comment

- 16:58:57 Kate Cholewa
- 16:59:41 Rep. Jonathan Karlen
- 16:59:43 Kate Cholewa
- 17:01:54 Rep. Nelly Nicol
- 17:02:15 Barbie Turner
- 17:03:15 Presiding Officer Joshua Kassmier

COMMITTEE WORK SESSION

17:03:32 Erin Sullivan

EXHIBIT22
EXHIBIT23
EXHIBIT24

Motion

17:07:36 Presiding Officer Joshua Kassmier moved to go forward with the licensing code clean-up bill.

17:07:37 **Vote:** Carried unanimously by voice vote.

Committee Questions/Discussion

17:07:48 Presiding Officer Joshua Kassmier

Motion

17:08:12 Rep. Jonathan Karlen moved to have the committee work with CSI to develop legislation that would fund an incentive for a reinsurance pool.

17:08:22 **Vote:** Carried 8 - 2 by voice vote with Rep. Nicol, Sen. Noland voting no.

Motion

17:09:26 Rep. Jonathan Karlen moved to have the Best Beginnings cap be 85% of state median income.

Discussion on the Motion

17:09:52 Presiding Officer Joshua Karlen

17:10:00 Rep. Jonathan Karlen

17:10:44 Sen. Mark Noland

17:10:50 Rep. Jonathan Karlen

17:11:22 Rep. Nelly Nicol

17:11:33 Rep. Jonathan Karlen

17:11:57 Erin Sullivan

17:12:25 Grace Decker

17:12:39 **Vote:** Failed 7 - 3 by roll call vote with Rep. Karlen, Rep. Lynch, Sen. Morigeau voting yes. Rep. Lynch by Proxy ([Attachment 3](#))

Motion

17:13:28 Rep. Jonathan Karlen moved to have a bill drafted for a child tax credit.

17:14:05 **Vote:** Tied 5 - 5 roll call vote.

Committee Questions/Discussion

17:14:56 Presiding Officer Joshua Kassmier

17:14:58 Jameson Walker

17:15:03 Presiding Officer Joshua Kassmier

Motion

17:15:29 Rep. Nelly Nicol moved to draft a committee bill for the bail bond industry like the vetoed section of House Bill 808 regarding a mandatory 10% fee.

Discussion on the Motion

17:16:15 Presiding Officer Joshua Kassmier

17:16:45 Sen. Kenneth Bogner

17:16:59 Presiding Officer Joshua Kassmier

17:17:07 **Vote:** Tied 5 - 5 roll call vote.

Committee Questions/Discussion

17:17:53 Sen. Mark Noland

17:18:26 Presiding Officer Joshua Kassmier

17:18:45 Sen. Mark Noland

17:18:52 Sen. Kenneth Bogner

17:19:30 Presiding Officer Joshua Kassmier

17:20:10 Jameson Walker

17:21:13 Sen. Mark Noland

17:21:31 Vice Presiding Officer Shane Morigeau

17:22:06 Rep. Jonathan Karlen

17:22:44 Rep. Nelly Nicol

17:23:02 Erin Sullivan

Public Comment on any Topics Within the Committee's Jurisdiction

17:23:57 NONE

ADJOURNMENT

Adjournment: 17:24:24