



## **ECONOMIC AFFAIRS INTERIM COMMITTEE**

### **69th Montana Legislature**

#### **SENATE MEMBERS**

Kenneth Bogner  
Steve Fitzpatrick  
Shane Morigeau  
Mark Noland

#### **HOUSE MEMBERS**

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

#### **COMMITTEE STAFF**

Rachel Weiss - Research Analyst  
Jameson Walker - Attorney  
Maddelyn Black - Secretary

# **MINUTES LOG**

August 29, 2024

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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. Josh Kassmier, Presiding Officer (R)  
Sen. Kenneth Bogner (R)  
Sen. Steve Fitzpatrick (R)  
Rep. Jonathan Karlen (D)  
Rep. Brandon Ler (R)  
Rep. Ron Marshall (R)  
Rep. Nelly Nicol (R)  
Sen. Mark Noland (R)

#### **MEMBERS EXCUSED:**

Rep. Jennifer Lynch (D)  
Sen. Shane Morigeau (D)

#### **MEMBERS ABSENT:**

#### **STAFF PRESENT:**

Rachel Weiss, Research Analyst  
Jameson Walker, Attorney  
Maddelyn Black, Secretary

**AGENDA [\(Attachment 1\)](#)**

**VISITORS' LIST [\(Attachment 2\)](#)**

## **CALL TO ORDER/ROLL CALL**

10:02:54 Presiding Officer Josh Kassmier called the meeting to order at 10:02 AM. The committee secretary took roll.

## **AGENCY LEGISLATION PROPOSALS: DEPARTMENT OF LABOR & INDUSTRY**

10:03:53 Rachel Weiss, Director of Research, Legislative Services Division (LSD)  
[EXHIBIT 1](#)

10:05:25 Sarah Swanson, Commissioner, Department of Labor & Industry (DLI)

10:20:59 Quinlan O'Connor, Chief Legal Counsel, DLI  
[EXHIBIT 2](#)

10:45:03 Eric Strauss, Administrator, Employment Standards Division, DLI  
(See Exhibit 2)

10:52:59 Sarah Swanson  
(See Exhibit 2)

## **Discussion**

11:11:44 Sen. Mark Noland

11:13:26 Eric Strauss

11:14:29 Rep. Brandon Ler

11:15:19 Sen. Kenneth Bogner

11:15:46 Sarah Swanson

11:16:35 Rep. Nelly Nicol

11:17:23 Eric Strauss

11:18:52 Rep. Ron Marshall

11:19:40 Sarah Swanson

## **Public Comment**

11:20:31 Margaret Morgan, Montana Independent Electrical Contractors (IEC)

11:28:44 Amanda Frickle, Montana Federation of Unions, AFL-CIO

11:30:35 Vice Presiding Officer Morigeau joined the meeting.

11:32:23 Susan Carlson, Vice Chair, Board of Massage Therapy  
[EXHIBIT 3](#)  
[EXHIBIT 4](#)  
[EXHIBIT 5](#)

11:38:22 Deborah Kimmet, Executive Director, Business League of Massage Therapy

11:45:53 Jean Branscum, CEO, Montana Medical Association

11:48:22 Don Cape, Coalition for Safety and Justice

11:56:43 Jen Hensley, Montana Optometry Association, Montana Academy of Physician Assistants, Occupational Therapists, Speech/Hearing, Audiologists

## **Discussion**

11:59:03 Presiding Officer Josh Kassmier

11:59:40 Sen. Kenneth Bogner

12:01:39 Presiding Officer Josh Kassmier

12:01:59 Rachel Weiss  
12:03:39 Rep. Ron Marshall  
12:03:55 Rep. Brandon Ler  
12:04:41 Sen. Steve Fitzpatrick  
12:05:58 Sen. Mark Noland  
12:06:39 Presiding Officer Josh Kassmier  
12:07:03 Sen. Kenneth Bogner

**Motion**

12:07:38 Sen. Steve Fitzpatrick made a motion to allow the drafting of Department of Labor & Industry's proposed bills.

**Vote**

12:07:45 Motion failed by roll call vote. 3-7 with Sen. Kenneth Bogner, Sen. Mark Noland, Rep. Jonathan Karlen, Rep. Brandon Ler, Rep. Ron Marshall, Rep. Nelly Nicol voting 'no'. Rep. Jennifer Lynch voted 'no' by proxy. ([Vote Sheet](#))

**Discussion**

12:08:45 Presiding Officer Josh Kassmier  
12:09:07 Rep. Ron Marshall  
12:09:52 Sarah Swanson  
12:11:00 Sen. Steve Fitzpatrick  
12:11:36 Presiding Officer Josh Kassmier  
12:12:24 Presiding Officer Josh Kassmier left the meeting.

**SUPPORTING LOW-INCOME HOUSING: THE MONTANA BOARD OF HOUSING AND ITS ROLE IN AWARDING**

12:12:38 Amber Robbins, Research & Evaluation Methodologist, Legislative Audit Division, (LAD)  
[EXHIBIT 6](#)  
12:18:32 Presiding Officer Josh Kassmier returned to the meeting.

**Discussion**

12:22:00 Rep. Jonathan Karlen  
12:22:12 Vice Presiding Officer Shane Morigeau

**Public Comment**

12:23:16 Cheryl Cohen, Montana Board of Housing Executive Director  
12:23:44 Mandy Rambo, Deputy Director, Department of Montana Commerce  
  
12:26:07 Recess  
13:21:58 Reconvene

**AGENCY LEGISLATION PROPOSALS: DEPARTMENT OF LIVESTOCK**

13:22:21 Mike Honeycutt, Executive Officer, Department of Livestock  
[EXHIBIT 7](#)  
[EXHIBIT 8](#)

**Committee Discussion**

13:30:41 Sen. Kenneth Bogner  
13:30:51 Mike Honeycutt

**Public Comment**

13:31:41 None

**Motion**

13:32:01 Sen. Kenneth Bogner made a motion to move forward with the drafting of the three bills proposed by the Department of Livestock.  
(See Exhibit 7)

**Vote**

13:32:27 Motion carried unanimously by voice vote. Sen. Mark Noland and Rep. Nelly Nicol were not present for this voice vote.

**AGENCY LEGISLATION PROPOSALS: DEPARTMENT OF COMMERCE**

13:33:27 Mandy Rambo  
[EXHIBIT 9](#)

**Discussion**

13:38:24 Sen. Kenneth Bogner  
13:38:35 Mandy Rambo  
13:40:12 Rep. Jonathan Karlen  
13:40:43 Mandy Rambo

**Public Comment**

13:41:01 None

**Motion**

13:41:52 Sen. Steve Fitzpatrick made a motion to introduce the bills proposed by the Department of Commerce.  
(See Exhibit 9)

**Discussion**

13:42:07 Sen. Kenneth Bogner

**Vote**

13:42:36 Motion failed by roll call vote. 4-6 with Vice Presiding Officer Shane Morigeau, Sen. Kenneth Bogner, Sen. Mark Noland, Rep. Jonathan Karlen, Rep. Nelly Nicol voting 'no'. Rep. Jennifer Lynch voted 'no' by proxy. ([Vote Sheet](#))

## **AGENCY LEGISLATION PROPOSALS: DEPARTMENT OF AGRICULTURE**

13:43:42 Christy Clark, Director, Department of Agriculture

[EXHIBIT 10](#)

[EXHIBIT 11](#)

### **Discussion**

13:48:59 Sen. Kenneth Bogner

13:49:15 Christy Clark

### **Public Comment**

13:50:04 None

### **Motion**

13:50:42 Sen. Steve Fitzpatrick made a motion to allow the Department of Agriculture to move forward with the drafting of item number 4 that had proposed language.

13:51:02 Vice Presiding Officer Shane Morigeau made a substitute motion to move all the bills proposed by the Department of Agriculture forward.

### **Discussion on the Motion**

13:51:33 Rep. Jonathan Karlen opposes the substitute motion.

13:52:33 Vice Presiding Officer Shane Morigeau retracts his substitute motion.

### **Vote**

13:53:12 Motion carried unanimously by voice vote.

## **AGENCY LEGISLATION PROPOSALS: DEPARTMENT OF REVENUE**

13:54:11 Scott Mendenhall, Deputy Director, Montana Department of Revenue, (DOR)

[EXHIBIT 12](#)

13:59:52 Presiding Officer Josh Kassmier

14:00:22 Kristina Warren, Attorney, DOR  
(See Exhibit 12)

### **Discussion**

14:03:00 Sen. Mark Noland

14:03:46 Kristina Warren

### **Public Comment**

14:04:33 None

### **Motion**

14:04:51 Sen. Kenneth Bogner made a motion to allow the Department of Revenue to start drafting the two proposed bill drafts.

(See Exhibit 12)

**Discussion on the Motion**

14:05:16 None

**Vote**

14:05:23 Carried unanimously by voice vote.

**REQUIRED REPORTS: CANNABIS CONTROL DIVISION**

14:06:01 Kristan Barbour, Administrator of the Cannabis Control Division, DOR)

[EXHIBIT 13](#)

14:08:35 Kathy Wiegand-Palmer, Cannabis Control Division's Laboratory Program Manager, Presiding Officer of Synthetic Marijuana Task Force

[EXHIBIT 14](#)

**Discussion**

14:17:23 Vice Presiding Officer Shane Morigeau

14:17:33 Sen. Kenneth Bogner

14:17:46 Kathy Wiegand-Palmer

14:18:20 Rep. Ron Marshall

14:18:40 Kathy Wiegand-Palmer

14:19:00 Presiding Officer Kassmier returned to meeting.

14:20:03 Sen. Mark Noland

14:20:40 Kathy Weigand-Palmer

14:21:27 Rep. Jonathan Karlen

14:21:54 Kathy Weigand-Palmer

(See Exhibit 14)

14:23:25 Vice Presiding Officer Shane Morigeau

14:24:04 Kathy Weigand-Palmer

14:25:58 Sen. Mark Noland

14:26:55 Kristan Barbour

14:28:47 Rep. Ron Marshall

14:29:36 Kristan Barbour

**Public Comment**

14:30:30 Pepper Petersen, Montana Cannabis Guild

(See Exhibit 13)

14:36:13 Andrew Gordon, Bloom Montana

14:37:22 Don Cape

14:40:19 Coleen Smith, Executive Director of Youth Connections

**Motion**

14:41:53 Sen. Mark Noland made a motion to approve the draft provided by the Cannabis Control Division as a committee bill.

**Discussion**

14:42:00 None

**Vote**

14:42:06 Carried unanimously by voice vote.

**COMMITTEE LEGISLATION**

14:42:33 Jameson Walker, Attorney, (LSD)

[EXHIBIT 15](#)

14:43:36 Rep. Nicol Returns

14:46:31 Sen. Mark Noland

14:46:40 Jameson Walker

**Public Comment**

14:49:38 Josh Waldo, Montana State Fire Chiefs Association

14:51:03 Don Whalen, President of Montana Ambulance Association

**Discussion**

14:51:43 Sen. Kenneth Bogner

14:51:50 Rep. Jonathan Karlen

14:52:23 Jameson Walker

14:53:18 Sen. Mark Noland

14:53:39 Jameson Walker

**Motion**

14:54:46 Sen. Kenneth Bogner made a motion that the committee move forward to make PD0031 a committee bill without subsection 6a and 6b under section 14 on page 6.

**Discussion**

14:55:12 None

**Vote**

14:55:13 Carried unanimously by voice vote.

**Discussion on Vote**

14:55:24 Presiding Officer Josh Kassmier volunteered to carry this committee bill.

14:55:36 Jameson Walker

14:56:07 Sen. Steve Fitzpatrick volunteered to carry this committee bill.

14:56:21 Jameson Walker



- 14:57:07 Sen. Steve Fitzpatrick will be the carrier of this bill and intends to transfer the bill at a later time.
- 14:57:25 Vice Presiding Officer Shane Morigeau left the meeting.

#### **COMMITTEE LEGISLATION CONT.**

14:57:29 Jameson Walker

[EXHIBIT 16](#)

#### **Public Comment**

- 14:58:58 Pepper Petersen
- 15:01:50 Kate Cholewa, Montana Cannabis Industry Association
- 15:02:19 Dr. Wess Stucki
- 15:03:20 Kit Davis, South-West Montana Prevention, Montana Alliance for Prevention
- 15:06:32 Rep. Jonathan Karlen left the meeting
- 15:09:09 Rep. Jonathan Karlen joined the meeting
- 15:09:38 Coleen Smith
- 15:13:16 Jen Hensley, Fidelity Diagnostics Laboratory
- 15:15:55 Kaari Fulton, Armadillo Buds
- 15:17:00 Presiding Officer Josh Kassmier
- 15:17:33 Don Cape
- 15:20:44 Dr. Wess Stucki

#### **Discussion**

- 15:21:58 Sen. Mark Noland
- 15:23:17 Rep. Ron Marshall

#### **Motion**

- 15:25:27 Sen. Kenneth Bogner made a motion to request PD0035 as a committee bill.

#### **Vote**

- 15:26:00 Carried by voice vote, 7-2, with Sen. Kenneth Bogner and Sen. Mark Noland voting 'no'. Rep. Jennifer Lynch voted yes by proxy.

#### **Discussion**

- 15:26:25 Sen. Mark Noland volunteered to carry the bill .
- 15:26:30 Presiding Officer Josh Kassmier
- 15:26:40 Sen. Steve Fitzpatrick
- 15:26:44 Presiding Officer Josh Kassmier volunteered to carry the bill. Presiding Officer Josh Kassmier is the one that will carry the bill.

#### **COMMITTEE LEGISLATION CONT.**

15:27:08 Jameson Walker

[EXHIBIT 17](#)

**Public Comment**

15:29:43 Pepper Petersen  
15:30:00 Rep. Brandon Ler and Sen. Kenneth Bogner left the meeting.  
15:30:44 Christopher Young, Gravis Law  
15:34:13 Kate Cholewa  
[EXHIBIT 18](#)  
15:37:53 Rep. Brandon Ler and Sen. Kenneth Bogner returned to the meeting.  
15:39:03 Kristan Barbour  
15:41:05 Jen Hensley

**Discussion**

15:42:24 None.

**Motion**

15:42:40 Sen. Kenneth Bogner made a motion to request PD0040 as a committee bill.

**Vote**

15:42:53 Carried unanimously by voice vote.

**Discussion**

15:43:06 Presiding Officer Josh Kassmier volunteers to carry the bill.  
15:43:27 Rep. Brandon Ler

**COMMITTEE LEGISLATION CONT.**

15:43:57 Jameson Walker  
[EXHIBIT 19](#)

**Public Comment**

15:50:32 Pepper Petersen  
15:52:48 Kate Cholewa  
15:54:39 Evan Kajander, Owner of Apogee Gardens  
15:57:17 Mariah Bond, Euphoria Wellness

**Discussion**

15:58:15 None

**Motion**

15:58:28 Sen. Kenneth Bogner made a motion to request PD0033 as a committee bill.

**Discussion on the Motion**

15:58:40 Jameson Walker

**Motion**

15:59:36 Sen. Kenneth Bogner made a motion to request PD0033 as a committee bill with small changes to page 7 and 8.

**Discussion on the Motion**

16:00:55 Rep. Jonathan Karlen

16:01:35 Presiding Officer Josh Kassmier

**Motion**

16:01:59 Sen. Kenneth Bogner withdrew his motion.

**COMMITTEE LEGISLATION CONT.**

16:02:07 Jameson Walker

[EXHIBIT 20](#)

**Public Comment**

16:06:07 Pepper Petersen

16:06:47 Vice Presiding Officer Shane Morigeau returns to meeting.

16:07:07 Kit Davis

16:07:30 Kate Cholewa

16:10:20 Jameson Walker

16:10:54 Dr. Wess Stucki

**Discussion**

16:11:41 Rep. Jonathan Karlen

[EXHIBIT 21](#)

16:14:51 Presiding Officer Josh Kassmier

16:15:32 Rep. Ron Marshall

**Motion**

16:16:26 Sen. Kenneth Bogner made a motion to request PD0035JW as a committee bill.

**Vote**

16:16:36 Motion failed by roll call vote. 3-7 with Sen. Kenneth Bogner, Sen. Steve Fitzpatrick, Sen. Mark Noland, Rep. Brandon Ler, Rep. Ron Marshall, Rep. Nelly Nicol, and Presiding Officer Josh Kassmier voting 'no'. Rep. Jennifer Lynch voted 'yes' by proxy. ([Vote Sheet](#))

**Motion**

16:17:43 Sen. Kenneth Bogner made a motion to request PD0033 as a committee bill with small changes to page 7 and 8.

**Vote**

16:18:00 Motion carried by roll call vote, 6-4 with Sen. Steve Fitzpatrick, Sen. Marl Noland, and Rep. Jonathan Karlen voting "no". Rep. Jennifer Lynch voted 'no' by proxy. ([Vote Sheet](#))

**Discussion**

16:18:57 Sen. Kenneth Bogner volunteers to carry PD0033.  
16:19:10 Sen. Steve Fitzpatrick volunteers to carry PD0040.  
16:19:24 Presiding Officer Josh Kassmier  
  
16:19:56 Recessed  
16:31:09 Reconvene

**ADMINISTRATIVE RULE REVIEW**

16:31:16 Jameson Walker  
[EXHIBIT 22](#)  
16:35:13 Presiding Officer Josh Kassmier  
16:35:24 Jameson Walker  
16:36:33 Becky Schlauch, Administrator, Alcoholic Beverage Control Division, DOR

**Discussion**

16:42:02 Sen. Mark Noland  
16:42:27 Becky Schlauch  
16:42:40 Jameson Walker

**Public Comment**

16:44:00 John Iverson, Montana Tavern Association  
16:44:35 Debra Pitassy, Beer and Wine Distributors Association  
16:45:09 Quinlan O'Connor  
16:45:52 Matt Leow, Montana Brewers Association  
16:47:56 Jen Hensley, Montana Distillers Guild

**Discussion**

16:49:29 Rep. Brandon Ler

**Motion**

16:49:42 Sen. Mark Noland made a motion to remove objection.

**Discussion**

16:49:51 Jameson Walker  
16:50:02 Presiding Officer Josh Kassmier

**Motion**

16:50:15 Sen. Mark Noland withdraws his motion.

**Discussion:**

16:50:23 Jameson Walker  
16:50:29 Presiding Officer Josh Kassmier

16:50:35 Rep. Brandon Ler

16:50:48 Rep. Ron Marshall volunteers to carry the synthetic marijuana bill.

**Public Comment on Any Item in EAIC's Subject Matter Jurisdiction**

16:51:15 None

**ADJOURNMENT**

Adjournment: 16:51:39