

## MINUTES

### MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION

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

**Call to Order:** Chair Steve Fitzpatrick, on February 13, 2019 at 8:30 AM, in Room 422 Capitol

#### ROLL CALL

**Members Present:**

Sen. Steve Fitzpatrick, Chair (R)  
Sen. Dee Brown, Vice Chair (R)  
Sen. Sue Malek, Vice Chair (D)  
Sen. Carlie Boland (D)  
Sen. Jason W. Ellsworth (R)  
Sen. Jason D. Small (R)  
Sen. Frank Smith (D)  
Sen. Gordon Vance (R)  
Sen. Gene Vuckovich (D)

**Members Excused:** Sen. Terry Gauthier (R)

**Members Absent:** None

**Staff Present:** Linda Keim, Committee Secretary  
Jameson Walker, Legislative Services Division

**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 183, 1/31/2019; HB 160, 2/5/2019; SB 240, 2/5/2019

08:30:44 Chairman Fitzpatrick

**HEARING ON HB 160**

**Opening Statement by Sponsor:**

08:31:43 Rep. Brad Tschida (R), HD 97, opened the hearing on HB 160. Generally revise Montana self storage association statutes.

**Proponents' Testimony:**

08:36:11 Joe Doherty, Self Storage Association (SSA); Montana Self Storage Association  
08:38:23 Robert McCue, storage operator, Eagle Self Storage, Missoula  
08:40:32 Will Bauerle, Storage Place of Montana, Bozeman and Billings  
08:41:57 Kiira Bauerle, storage operator, Bozeman and Billings

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

08:44:27 Sen. Brown  
08:44:49 Mr. Doherty, SSA  
08:45:50 Sen. Brown  
08:46:45 Mr. McCue, self

**Closing by Sponsor:**

08:47:53 Rep. Tschida  
  
08:48:24 Chairman Fitzpatrick

**HEARING ON SB 183**

**Opening Statement by Sponsor:**

08:50:09 Sen. Mark Blasdel (R), SD 4, opened the hearing on SB 183.  
Authorize the board of horseracing to conduct historical horseracing.

**Proponents' Testimony:**

08:51:43 Tom Tucker, executive secretary, Montana Board of Horseracing  
08:54:16 Dan Fuchs, racehorse owner; Triangle Public Affairs; Exacta Systems  
08:57:27 Rep. Sharon Stewart Peregoy, HD 42, racehorse owner  
08:59:28 Patrick Neely, Exacta Systems (ES)  
09:04:37 Scott Boulanger, Montana Racehorse Owners and Breeders Coalition

**EXHIBIT(bus30a01)**

09:06:27 Mark Baker, attorney, Exacta Systems (ES); also speaking for Joe Unterreiner, Kalispell Chamber of Commerce

**EXHIBIT(bus30a02)**

09:13:05 Brenda Wahler, attorney  
09:18:59 Sidney Fitzpatrick, Big Horn County commissioner, Hardin

Sen. Gauthier entered the hearing.

Chairman Fitzpatrick passed the duties of the chair to Vice Chair Brown.

09:21:29 Shawn Realbird, Montana Board of Horseracing (MBH); chair, Tribal Horseracing

09:27:37 Spook Stang, self; Montana Board of Horseracing

**Opponents' Testimony:**

09:31:08 John Iverson, Montana Tavern Association (MTA)

[EXHIBIT\(bus30a03\)](#)

[EXHIBIT\(bus30a04\)](#)

09:34:37 Chair Brown

09:38:23 Mr. Iverson, MTA

09:39:18 Neil Peterson, Gaming Industry Association of Montana

[EXHIBIT\(bus30a05\)](#)

09:47:09 Ronda Wiggers, Montana Coin Machine Operators

[EXHIBIT\(bus30a06\)](#)

09:51:16 Joe McKenney, president, Montana Gaming Industry Association

09:53:52 Angela Nunn, administrator, Gambling Control Division, Department of Justice

**Informational Testimony:**

09:58:25 Brad Longcake, executive director, Montana Council on Problem Gambling

**Questions from Committee Members and Responses:**

09:59:32 Sen. Boland

09:59:48 Chair Brown

09:59:58 Sen. Gauthier

10:01:38 Mr. Realbird, MBH redirect

10:02:53 Chair Brown

10:02:58 Sen. Blasdel

10:03:41 Sen. Gauthier

10:03:44 Sen. Blasdel

10:04:00 Sen. Ellsworth

10:06:09 Mr. Neely, ES

10:07:10 Sen. Ellsworth

10:08:44 Sen. Blasdel

10:09:11 Chair Brown

10:10:11 Sen. Blasdel

10:10:19 Sen. Boland

10:11:01 Mr. Neely

10:14:34 Chair Brown

10:14:40 Mr. Neely

10:15:52 Chair Brown

10:17:02 Mr. Baker, ES

**Closing by Sponsor:**

10:17:52 Sen. Blasdel  
10:18:42 Chair Brown  
10:20:40 Recess  
10:25:46 Reconvene

**HEARING ON SB 240**

**Opening Statement by Sponsor:**

10:25:54 Sen. Jason Ellsworth (R), SD 43, opened the hearing on SB 240. Allow for rescission of insurance contracts under certain circumstances.

**EXHIBIT(bus30a07)**

**Proponents' Testimony:**

10:27:32 David Bell, Attorneys' Professional Liability Insurance (ALPS)  
10:28:45 Greg VanHorssen, State Farm Insurance  
10:28:58 Jon Metropoulos, Farmers Insurance Group  
10:29:21 Aimee Grmoljez, American Property Casualty Insurance; also speaking for Bridger Mahlum, Montana Chamber of Commerce  
10:30:24 Brad Dantic, vice president, general council, Attorneys' Professional Liability Insurance (ALPS)

Sen. Fitzpatrick returned and resumed the duties of the chair.

**Opponents' Testimony:**

10:34:12 Al Smith, Montana Trial Lawyers Association  
10:41:09 Kendall Cotton, policy advisor, Office of the Commissioner of Securities and Insurance, State Auditor

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

10:42:18 Sen. Brown  
10:46:04 Mr. Bell, ALPS  
10:48:18 Sen. Malek  
10:51:42 Mr. Bell redirect  
10:51:55 Sen. Malek  
10:53:00 Mr. Dantic, ALPS  
10:54:27 Sen. Smith  
10:56:10 Mr. Dantic

**Closing by Sponsor:**

10:56:45 Sen. Ellsworth  
10:57:43 Chairman Fitzpatrick  
10:58:07 Jamison Walker, Legislative Services Division  
10:58:29 Chairman Fitzpatrick

**ADJOURNMENT**

Adjournment: 10:58 AM

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Linda Keim, Secretary

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**Additional Documents**

Additional Documents:

**EXHIBIT([bus30aad.pdf](#))**