

MINUTES

MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chair Steve Fitzpatrick, on March 11, 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. 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. Terry Gauthier (R)
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 139, 3/4/2021; HB 213, 3/4/2021; HB 232, 3/4/2021; SB 189,
3/4/2021

Executive Action: HB 198, HB 254, HB 282, HB 283, HB 290, SB 308, SJ 13, SR 54, HB 213,
HB 232

HEARING ON HB 213

Opening Statement by Sponsor:

09:02:18 Rep. Jim Keane (D), HD 73, opened the hearing on HB213, Revise apprenticeship rules.

Proponents' Testimony:

09:03:49 David Smith, Montana Contractors Association
09:04:10 Margaret Morgan, Montana Independent Electrical Contractors
09:06:53 John Forkan, Montana State Building and Construction Trade Council
09:07:21 Adam Haight, American Federation of Labor and Congress of Industrial Organizations

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

09:08:01 Rep. Keane

HEARING ON HB 139

Opening Statement by Sponsor:

09:08:10 Rep. Tom Welch (R), HD 72, opened the hearing on HB139, Revise death certificate fees to fund board of morticians and funeral services.

Proponents' Testimony:

09:11:00 Chris Puyear, Montana Funerals Directors Association (MFDA)
09:16:40 Tyson Moore, citizen
09:19:38 Chris Holt, MFDA

[EXHIBIT\(bus49a01\)](#)

Opponents' Testimony:

09:25:38 Shantil Siaperas, Montana Association of Clerk and Recorders (MTPR)

[EXHIBIT\(bus49a02\)](#)

Informational Testimony:

09:26:23 Todd Younkin, Department of Labor and Industry (DLI)

[EXHIBIT\(bus49a03\)](#)

Questions from Committee Members and Responses:

09:26:52 Sen. Gillespie
09:27:16 Mr. Younkin, DOL
09:27:31 Ms. Siaperas, MTPR
09:28:23 Sen. Boland
09:28:44 Mr. Younkin
09:33:07 Sen. Boland
09:34:15 Mr. Puyear, MFDA

09:35:13 Sen. Boland
09:35:46 Mr. Puyear
09:35:54 Chair Fitzpatrick
09:36:08 Mr. Puyear
09:36:48 Chair Fitzpatrick
09:36:52 Mr. Puyear
09:38:19 Chair Fitzpatrick
09:38:25 Mr. Puyear

Closing by Sponsor:

09:40:18 Rep. Welch

09:41:05 Sen. Small entered the meeting.

HEARING ON HB 232

Opening Statement by Sponsor:

09:41:33 Rep. Frank Garner (R), HD 7, opened the hearing on HB232, Revise Montana lottery laws relating to privacy.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

09:43:21 Sen. Vance
09:43:32 Rep. Garner
09:43:54 Sen. Vance
09:43:59 Chair Fitzpatrick

Closing by Sponsor:

09:44:21 Rep. Garner

HEARING ON SB 189

Opening Statement by Sponsor:

09:44:47 Sen. Kenneth Bogner (R), SD 19, opened the hearing on SB189, Authorize historical horseracing gambling.

Proponents' Testimony:

09:50:04 Tom Tucker, Montana Board of Horse Racing (MBHR)

09:53:16 Sen. Smith entered the meeting.

09:53:33 Daniel Fuchs, Montana Race Horse Owners and Breeders Coalition

[EXHIBIT\(bus49a04\)](#)

09:57:27 Channis Whiteman, Crow Tribe

10:00:07 Patrick Neely, Exacta Systems
10:05:09 Mark Baker, Exacta Systems
10:08:06 Gina Medicine Horse, Crow Tribe
10:09:31 Rep. Sharon Stewart Peregoy, HD 42
10:12:18 Denny Wertz, citizen

Opponents' Testimony:

10:13:19 Bob Piccolo, social worker
10:15:55 Neil Peterson, Gaming Industry Association of Montana
10:27:46 John Iverson, Montana Tavern Association

EXHIBIT(bus49a05)

10:33:41 Ronda Wiggers, Montana Coin Machine Operators

EXHIBIT(bus49a06)

10:46:46 Sue Roling, citizen

EXHIBIT(bus49a07)

Informational Testimony:

10:52:49 Alan Doane, Department of Justice (DOJ)

Additional Testimony Received:

EXHIBIT(bus49a08)

Questions from Committee Members and Responses:

10:53:34 Sen. Vance
10:53:44 Sen. Gauthier
10:53:58 Mr. Tucker, MBHR
10:54:56 Sen. Gauthier
10:55:13 Mr. Tucker
10:55:31 Sen. Boland
10:56:07 Mr. Doane, DOJ
10:56:15 Sen. Boland
10:57:01 Sen. Bogner
10:57:05 Sen. Boland
10:57:56 Sen. Bogner
10:58:42 Sen. Boland
10:58:59 Sen. Vance
10:59:31 Mr. Doane
10:59:39 Sen. Gillespie
11:00:45 Mr. Tucker
11:03:41 Chair Fitzpatrick
11:04:03 Mr. Tucker
11:04:54 Chair Fitzpatrick
11:05:34 Mr. Tucker
11:06:23 Chair Fitzpatrick
11:06:47 Mr. Tucker
11:06:57 Sen. Bogner
11:07:28 Sen. Boland
11:08:18 Mr. Doane

11:08:25 Sen. Boland
 11:09:03 Chair Fitzpatrick
 11:09:28 Sen. Boland
 11:09:47 Mr. Doane

Closing by Sponsor:

11:10:01 Sen. Bogner

 11:10:59 Chair Fitzpatrick

 11:12:53 Recess
 11:28:02 Reconvene

EXECUTIVE ACTION ON HB 198

11:28:04 **Motion/Vote:** Sen. Vance moved that **HB 198 BE CONCURRED IN.** Motion carried 10-0 by voice vote. Sen. Ellsworth was excused. Sen. Small will carry the bill.

EXECUTIVE ACTION ON HB 254

11:29:06 Sen. Boland
 11:29:15 Chair Fitzpatrick

 11:29:29 **Motion:** Sen. Vance moved that **HB 254 BE CONCURRED IN.**

Discussion:

11:29:34 Sen. Boland
 11:30:14 Sen. Pope

 11:31:25 **Vote:** Motion carried 6-5 by roll call vote with Sen. Boland, Sen. Fox, Sen. Pope, Sen. Small and Sen. Sweeney voting no. Sen. Ellsworth voted by proxy. Sen. Fitzpatrick will carry the bill.

EXECUTIVE ACTION ON HB 282

11:32:15 **Motion:** Sen. Vance moved that **HB 282 BE CONCURRED IN.**

Discussion:

11:32:29 Sen. Boland
 11:33:01 Chair Fitzpatrick
 11:33:27 Sen. Boland
 11:35:03 Sen. Vance
 11:35:23 Sen. Boland

 11:35:52 **Vote:** Motion carried 10-1 by roll call vote with Sen. Boland voting no. Sen. Ellsworth voted by proxy. Sen. Ellsworth will carry the bill.

EXECUTIVE ACTION ON HB 283

11:36:39 **Motion/Vote:** Sen. Vance moved that **HB 283 BE CONCURRED IN**. Motion carried 10-0 by voice vote. Sen. Ellsworth was excused. Sen. Ellsworth will carry the bill.

EXECUTIVE ACTION ON HB 290

11:37:17 **Motion:** Sen. Vance moved that **HB 290 BE CONCURRED IN**.

Discussion:

11:37:33 Sen. Vance

11:37:53 **Vote:** Motion carried 7-4 by roll call vote with Sen. Boland, Sen. C. Smith, Sen. Sweeney and Sen. Vance voting no. Sen. Ellsworth voted by proxy. Sen. Gauthier will carry the bill.

EXECUTIVE ACTION ON SB 308

11:38:49 **Motion:** Sen. Vance moved that **SB 308 DO PASS**.

Discussion:

11:39:09 Sen. Boland

11:39:45 Sen. Vance

11:39:59 **Vote:** Motion carried 10-0 by voice vote. Sen. Ellsworth was excused.

EXECUTIVE ACTION ON SJ 13

11:40:12 **Motion:** Sen. Vance moved that **SJ 13 DO PASS**.

11:40:19 **Motion/Vote:** Sen. Fitzpatrick moved that **SJ 13 BE AMENDED**. Motion carried 10-0 by voice vote. Sen. Ellsworth was excused.

EXHIBIT(bus49a09)

11:40:49 **Motion/Vote:** Sen. Vance moved that **SJ 13 DO PASS AS AMENDED**. Motion carried 10-0 by voice vote. Sen. Ellsworth was excused.

EXECUTIVE ACTION ON SR 54

11:41:03 **Motion:** Sen. Vance moved that **SR 54 BE NOT ADOPTED**.

Discussion:

11:41:23 Sen. Boland

11:42:14 Sen. Pope

11:43:35 Chair Fitzpatrick

11:44:08 **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.

EXECUTIVE ACTION ON HB 213

11:44:57 **Motion/Vote:** Sen. Vance moved that **HB 213 BE CONCURRED IN**. Motion carried 10-0 by voice vote. Sen. Ellsworth was excused. Sen. Gauthier will carry the bill.

EXECUTIVE ACTION ON HB 232

11:45:34 **Motion/Vote:** Sen. Vance moved that **HB 232 BE CONCURRED IN**. Motion carried 10-0 by voice vote. Sen. Ellsworth was excused. Sen. Fitzpatrick will carry the bill.

11:46:03 Chair Fitzpatrick

ADJOURNMENT

Adjournment: 11:46 A.M.

Olivia Hopkins, Secretary

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Additional Documents:

EXHIBIT([bus49aad.pdf](#))