

MINUTES

MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chair Steve Fitzpatrick, on March 18, 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. Terry Gauthier (R)
Sen. Bruce Gillespie (R)
Sen. Jason D. Small (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:

Sen. Jason W. Ellsworth (R)
Sen. Cary Smith (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 249, 3/15/2021; HB 289, 3/15/2021; HB 360, 3/15/2021; HB 437, 3/15/2021; HB 472, 3/15/2021

Executive Action: HB 195, HB 378, HB 379, HB 566, SB 189, HB 437

HEARING ON HB 289

Opening Statement by Sponsor:

09:01:51 Rep. Matt Regier (R), HD 4, opened the hearing on HB 289, Generally revise labor laws relating to employee associations.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

09:03:02 Rep. Regier

HEARING ON HB 472

Opening Statement by Sponsor:

09:03:05 Rep. Matt Regier (R), HD 4, opened the hearing on HB 472, Revise liability under the consumer protection act.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

09:04:24 Sen. Gillespie
09:04:33 Rep. Regier
09:05:52 Chair Fitzpatrick
09:06:13 Rep. Regier
09:06:19 Sen. Boland
09:07:29 Rep. Regier
09:08:05 Sen. Pope
09:09:10 Rep. Regier
09:09:17 Sen. Pope
09:09:36 Rep. Regier
09:10:03 Sen. Pope
09:10:20 Rep. Regier
09:10:27 Sen. Pope

Closing by Sponsor:

09:10:33 Rep. Regier

HEARING ON HB 249

Opening Statement by Sponsor:

09:12:34 Rep. Matt Regier (R), HD 4, opened the hearing on HB 249, Generally revise laws to regulate marijuana advertising.

Proponents' Testimony:

09:13:42 Kate Cholewa, Montana Cannabis Industry Association

Opponents' Testimony:

09:14:36 Coleen Smith, Youth Connections

[EXHIBIT\(bus54a01\)](#)

09:30:03 David Smith, Montana Contractors' Association

[EXHIBIT\(bus54a02\)](#)

09:31:02 Rob Cook, Montana Newspaper Association

09:31:30 Sen. Gauthier entered the meeting.

Proponents' Testimony:

09:31:56 Melissa Lewis, Weed Maps Holding, LLC

Opponents' Testimony:

09:35:10 Steve Zabawa, citizen

[EXHIBIT\(bus54a03\)](#)

09:38:32 Laurie Little Dog, citizen

[EXHIBIT\(bus54a04\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

09:40:01 Sen. Boland

09:40:33 Rep. Regier

09:40:41 Sen. Boland

09:40:48 Rep. Regier

09:41:19 Sen. Boland

09:41:38 Rep. Regier

09:41:49 Sen. Boland

09:41:54 Sen. Pope

09:43:23 Rep. Regier

09:43:56 Sen. Pope

09:45:17 Rep. Regier

09:45:56 Chair Fitzpatrick

09:46:09 Rep. Regier

09:46:21 Chair Fitzpatrick

09:46:44 Rep. Regier

Closing by Sponsor:

09:47:57 Rep. Regier

HEARING ON HB 360

Opening Statement by Sponsor:

09:48:38 Rep. Matt Regier (R), HD 4, opened the hearing on HB 360, Revise laws regarding medical record fees.

Proponents' Testimony: None

Opponents' Testimony:

09:50:33 Mark Taylor, Montana Hospital Association

09:55:54 Kyle Probst, CIOX Health

Informational Testimony: None

Questions from Committee Members and Responses:

10:00:47 Chair Fitzpatrick

10:01:27 Rep. Regier

10:01:54 Sen. Pope

10:02:22 Rep. Regier

10:02:32 Sen. Pope

10:03:03 Rep. Regier

10:04:02 Sen. Pope

10:05:04 Rep. Regier

10:05:47 Sen. Pope

10:06:50 Rep. Regier

Closing by Sponsor:

10:07:10 Rep. Regier

10:08:57 Recess

10:15:24 Reconvene

HEARING ON HB 437

Opening Statement by Sponsor:

10:15:27 Rep. Jim Keane (D), HD 73, opened the hearing on HB 437, Repeal the board of research and commercialization technology.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

10:17:03 Garrett Norcott, Department of Commerce (DOC)

Questions from Committee Members and Responses:

10:17:26 Sen. Sweeney

10:17:52 Mr. Norcott, DOC

Closing by Sponsor:

10:18:41 Rep. Keane

10:18:49 Chair Fitzpatrick

10:21:02 Recess

10:39:41 Reconvene

EXECUTIVE ACTION ON HB 195

10:39:58 **Motion/Vote:** Sen. Vance moved that **HB 195 BE CONCURRED IN**. Motion carried 8-0 by voice vote. Sen. Ellsworth, Sen. Small and Sen. C. Smith were excused. Sen. Gauthier will carry the bill.

EXECUTIVE ACTION ON HB 378

10:40:32 **Motion:** Sen. Vance moved that **HB 378 BE CONCURRED IN**.

10:40:41 **Motion:** Sen. Fitzpatrick moved that **HB 378 BE AMENDED**.
[EXHIBIT\(bus54a05\)](#)

Discussion:

10:41:38 Sen. Pope

10:42:18 Chair Fitzpatrick

10:42:26 Sen. Pope

10:42:32 **Vote:** Motion carried 8-0 by voice vote. Sen. Ellsworth, Sen. Small and Sen. C. Smith were excused.

10:42:39 **Motion:** Sen. Vance moved that **HB 378 BE CONCURRED IN AS AMENDED**.

Discussion:

10:42:53 Sen. Vance

10:42:21 **Vote:** Motion failed 4-7 by roll call vote with Sen. Boland, Sen. Fox, Sen. Pope and Sen. Sweeney voting aye. Sen. Ellsworth, Sen. Small and Sen. C. Smith voted by proxy.

10:43:49 **Motion/Vote:** Sen. Vance moved that **HB 378 BE TABLED**. Motion carried 7-4 by roll call vote with Sen. Boland, Sen. Fox, Sen. Pope and Sen. Sweeney voting no. Sen. Ellsworth, Sen. Small and Sen. C. Smith voted by proxy.

EXECUTIVE ACTION ON HB 379

10:44:49 **Motion:** Sen. Vance moved that **HB 379 BE CONCURRED IN**.

10:44:51 **Motion/Vote:** Sen. Fitzpatrick moved that **HB 379 BE AMENDED**. Motion carried 8-3 by roll call vote with Sen. Boland, Sen. Fox and Sen. Pope voting no. Sen. Ellsworth, Sen. Small and Sen. C. Smith voted by proxy.

EXHIBIT(bus54a06)

10:45:45 **Motion:** Sen. Vance moved that **HB 379 BE CONCURRED IN AS AMENDED**.

Discussion:

10:45:58 Sen. Boland

10:47:31 **Vote:** Motion carried 9-2 by roll call vote with Sen. Boland and Sen. Fox voting no. Sen. Ellsworth, Sen. Small and Sen. C. Smith voted by proxy. Sen. Fitzpatrick will carry the bill.

EXECUTIVE ACTION ON HB 566

10:48:15 **Motion/Vote:** Sen. Vance moved that **HB 566 BE CONCURRED IN**. Motion carried 8-0 by voice vote. Sen. Ellsworth, Sen. Small and Sen. C. Smith were excused. Sen. Gillespie will carry the bill.

10:48:52 Sen. Small entered the meeting.

EXECUTIVE ACTION ON SB 189

10:48:57 **Motion:** Sen. Vance moved that **SB 189 DO PASS**.

10:49:02 **Motion:** Sen. Fitzpatrick moved that **SB 189 BE AMENDED**.

EXHIBIT(bus54a07)

Discussion:

10:49:28 Erin Sullivan, Legislative Services Division (LSD)

10:50:19 Sen. Boland

10:51:06 Ms. Sullivan, LSD

10:52:18 Sen. Boland

10:52:32 Chair Fitzpatrick

10:53:16 **Vote:** Motion carried 8-1 by voice vote with Sen. Boland voting no. Sen. Ellsworth and Sen. C. Smith were excused.

10:53:28 **Motion:** Sen. Vance moved that **SB 189 DO PASS AS AMENDED**.

Discussion:

10:53:44 Sen. Pope

10:53:58 Sen. Boland

10:56:02 **Vote:** Motion failed 4-7 by roll call vote with Sen. Ellsworth, Sen. Fox, Sen. Small and Sen. Sweeney voting aye. Sen. Ellsworth and Sen. C. Smith voted by proxy.

10:56:57 **Motion/Vote:** Sen. Vance moved that **SB 189 BE TABLED**. Motion carried 9-0 by voice vote. Sen. Ellsworth and Sen. C. Smith were excused.

EXECUTIVE ACTION ON HB 437

10:57:17 **Motion/Vote:** Sen. Vance moved that **HB 437 BE CONCURRED IN**. Motion carried 9-0 by voice vote. Sen. Ellsworth and Sen. C. Smith were excused. Sen. Sweeney will carry the bill.

10:57:35 Chair Fitzpatrick

ADJOURNMENT

Adjournment: 10:58 P.M.

Olivia Hopkins, Secretary

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Additional Documents:

EXHIBIT([bus54aad.pdf](#))