

## MINUTES

### MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION

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

**Call to Order:** Chair Steve Fitzpatrick, on April 13, 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. 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. Jason D. Small (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 688, 4/9/2021; HB 704, 4/9/2021; HB 705, 4/9/2021

Executive Action: HB 624, HB 669, HB 688, HB 704

09:02:21 Chair Fitzpatrick

**HEARING ON HB 705**

**Opening Statement by Sponsor:**

09:04:14 Rep. Edward Buttrey (R), HD 21, opened the hearing on HB 705, Generally revise alcohol and gaming laws.

**[EXHIBIT\(bus70a01\)](#)**

**Proponents' Testimony:**

09:06:28 Jessie Luther, Hospitality and Development Association of Montana (HDAM)

**[EXHIBIT\(bus70a02\)](#)**

09:14:00 John Iverson, Montana Tavern Association (MTA)

09:21:24 Neil Peterson, Gaming Industry Association (GIA)

09:24:53 Brad Griffin, Montana Restaurant Association

09:26:06 Ronda Wiggers, Montana Coin Machine Operators Association

09:27:28 Matt Leow, Montana Brewers Association

**Opponents' Testimony:** None

**Informational Testimony:**

09:28:37 Becky Schlauch, Department of Revenue (DOR)

**Questions from Committee Members and Responses:**

09:29:09 Sen. Gauthier

09:29:29 Mr. Peterson, GIA

09:30:34 Sen. Gauthier

09:30:55 Mr. Peterson

09:31:22 Sen. Gauthier

09:31:45 Mr. Iverson, MTA

09:32:19 Sen. Boland

09:33:26 Ms. Schlauch, DOR

09:33:32 Sen. Pope

09:34:22 Ms. Schlauch

09:34:54 Sen. Pope

09:35:56 Ms. Schlauch

09:36:33 Sen. Pope

09:37:26 Ms. Luther, HDAM

**Closing by Sponsor:**

09:38:03 Rep. Buttrey

**HEARING ON HB 704**

**Opening Statement by Sponsor:**

09:39:43 Rep. Edward Buttrey (R), HD 21, opened the hearing on HB 704, Generally revise state lottery laws.

**Proponents' Testimony:**

09:41:37 Tom Tucker, Montana Board of Horse Racing

**EXHIBIT(bus70a03)**

09:43:08 Sen. Gauthier left the meeting.

09:43:29 John Hayes, Montana Board of Horse Racing; Cascade County Tavern Association

09:44:27 Dan Fuchs, Montana Racehorse Owners and Breeders Coalition

09:45:11 Dennis Wertz, Montana Horse Racing Group

09:45:51 Neil Peterson, Gaming Industry Association

09:46:33 Ronda Wiggers, Montana Coin Machine Operators Association (MCMOA)

09:47:17 John Iverson, Montana Tavern Association

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

09:48:22 Sen. Pope

09:48:58 Rep. Buttrey

09:49:28 Sen. Pope

09:49:56 Rep. Buttrey

09:50:22 Sen. Sweeney

09:50:45 Rep. Buttrey

09:51:59 Ms. Wiggers, MCMOA

09:52:29 Chair Fitzpatrick

09:52:41 Rep. Buttrey

09:52:46 Sen. Gillespie

09:53:17 Mr. Wertz, Montana Horse Racing Group

09:54:07 Sen. Boland

09:54:36 Rep. Buttrey

09:54:43 Sen. Boland

09:54:48 Sen. Sweeney

09:55:11 Rep. Buttrey

**Closing by Sponsor:**

09:55:24 Rep. Buttrey

09:57:06 Recess

10:04:01 Reconvene

**Discussion:**

10:04:02 Chair Fitzpatrick

10:04:05 Sen. Boland

10:04:13 Chair Fitzpatrick

10:04:21 Sen. Boland

10:04:36 Chair Fitzpatrick

10:05:00 Recess

10:15:55 Reconvene

**EXECUTIVE ACTION ON HB 624**

10:16:06 **Motion:** Sen. Vance moved that **HB 624 BE CONCURRED IN.**

**Discussion:**

10:16:22 Sen. Sweeney

10:17:33 **Vote:** Motion carried 8-3 by roll call vote with Sen. Ellsworth, Sen. C. Smith and Sen. Vance voting no. Sen. Ellsworth, Sen. Gauthier, Sen. Small and Sen. C. Smith voted by proxy. Sen. Sales will carry the bill.

**EXECUTIVE ACTION ON HB 669**

10:18:22 **Motion:** Sen. Vance moved that **HB 669 BE CONCURRED IN.**

**Discussion:**

10:18:34 Sen. Boland

10:21:28 Sen. Pope

10:22:05 **Vote:** Motion carried 7-4 by roll call vote with Sen. Boland, Sen. Fox, Sen. Pope and Sen. Sweeney voting no. Sen. Ellsworth, Sen. Gauthier, Sen. Small and Sen. C. Smith voted by proxy. Sen. Fitzpatrick will carry the bill.

**EXECUTIVE ACTION ON HB 704**

10:22:51 **Motion:** Sen. Vance moved that **HB 704 BE CONCURRED IN.**

**Discussion:**

10:23:07 Sen. Boland

10:23:48 Sen. Sweeney

10:24:30 **Vote:** Motion carried 10-1 by voice vote with Sen. C. Smith voting no. Sen. Ellsworth, Sen. Gauthier, Sen. Small and Sen. C. Smith voted by proxy. Sen. Bogner will carry the bill.

**HEARING ON HB 688**

**Opening Statement by Sponsor:**

10:25:04 Rep. Joshua Kassmier (R), HD 27, opened the hearing on HB 688, Interim study of winemaking regulations.

**Proponents' Testimony:**

10:25:55 John Iverson, Montana Tavern Association

10:26:25 Larry Robertson, Winery Association of Montana

**[EXHIBIT\(bus70a04\)](#)**

10:30:08 Brian McGuire, citizen

**[EXHIBIT\(bus70a05\)](#)**

**Opponents' Testimony:** None

**Informational Testimony:**

10:33:01 Christy Clark, Department of Agriculture (MDA)

10:34:23 Becky Schlauch, Department of Revenue

**Questions from Committee Members and Responses:**

10:34:59 Sen. Gillespie

10:35:20 Ms. Clark, MDA

10:35:38 Chair Fitzpatrick

10:35:50 Ms. Clark

10:35:57 Chair Fitzpatrick

10:36:03 Ms. Clark

10:36:13 Rep. Kassmier

**Closing by Sponsor:**

10:36:39 Rep. Kassmier

**EXECUTIVE ACTION ON HB 688**

10:36:55 **Motion:** Sen. Vance moved that **HB 688 BE CONCURRED IN.**

10:37:02 **Motion/Vote:** Sen. Fitzpatrick moved that **HB 688 BE AMENDED.** Motion carried unanimously by voice vote. Sen. Ellsworth, Sen. Gauthier, Sen. Small and Sen. C. Smith voted by proxy.

**EXHIBIT(bus70a06)**

10:37:38 **Motion/Vote:** Sen. Vance moved that **HB 688 BE CONCURRED IN AS AMENDED.** Motion carried 9-2 by voice vote with Sen. C. Smith and Sen. Vance voting no. Sen. Ellsworth, Sen. Gauthier, Sen. Small and Sen. C. Smith voted by proxy. Sen. Gillespie will carry the bill.

10:38:22 Sen. Pope

10:38:31 Chair Fitzpatrick

**ADJOURNMENT**

Adjournment: 10:39 A.M.

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Olivia Hopkins, Secretary

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Additional Documents:

**EXHIBIT**([bus70aad.pdf](#))