

## MINUTES

### MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION

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

**Call to Order:** Chair Steve Fitzpatrick, on February 8, 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. Terry Gauthier (R)  
Sen. Jason D. Small (R)  
Sen. Frank Smith (D)  
Sen. Gordon Vance (R)  
Sen. Gene Vuckovich (D)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Linda Keim, Committee Secretary  
Jameson Walker, 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 35, 2/8/2019; HB 91, 2/8/2019; HB 108, 2/8/2019

Executive Action: HB 66, Be Concurred In; SB 106, Motions Withdrawn; SB 182, Do Pass

08:30:03 Chairman Fitzpatrick

**HEARING ON HB 91**

**Opening Statement by Sponsor:**

08:30:54 Rep. Vince Ricci (R), HD 55, opened the hearing on HB 91. Revise laws related to independent review organizations.

**Proponents' Testimony:**

08:32:52 Bob Biskupiak, Office of the Commissioner of Securities and Insurance, State Auditor (CSI)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

08:35:38 Sen. Boland

08:36:20 Mr. Biskupiak, CSI

08:37:13 Chairman Fitzpatrick

08:37:18 Mr. Biskupiak

08:37:56 Sen. Brown

08:38:20 Mr. Biskupiak

08:38:54 David Dachs, market conduct examiner, Office of the Commissioner of Securities and Insurance, State Auditor (CSI)

08:39:40 Chairman Fitzpatrick

08:39:52 Mr. Dachs, CSI

**Closing by Sponsor:**

08:40:43 Rep. Ricci

**HEARING ON HB 35**

**Opening Statement by Sponsor:**

08:41:13 Rep. Edward Buttrey (R), HD 21, opened the hearing on HB 35. Revise alcohol laws regarding auctions and quota areas.

**Proponents' Testimony:**

08:46:47 Becky Schlauch, administrator, Alcohol and Beverage Control Division, Department of Revenue (DOR)

**EXHIBIT(bus26a01)**

08:52:30 John Iverson, Montana Tavern Association

08:52:41 Shane Scanlon, Kalispell Chamber of Commerce

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

08:53:18 Sen. Vance  
 08:53:40 Rep. Buttrey  
 08:54:50 Sen. Ellsworth  
 08:58:20 Ms. Schlauch, DOR  
 08:58:47 Sen. Brown  
 08:59:50 Ms. Schlauch  
 09:00:09 Chairman Fitzpatrick  
 09:02:11 Ms. Schlauch

**Closing by Sponsor:**

09:02:39 Rep. Buttrey  
  
 09:06:15 Chairman Fitzpatrick

**HEARING ON HB 108**

**Opening Statement by Sponsor:**

09:06:49 Rep. Gordon Pierson (D), HD 78, opened the hearing on HB 108. Clarify reporting requirements for escrow businesses.

**Proponents' Testimony:**

09:07:30 Melanie Hall, Division of Banking, Department of Administration (DOA)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

09:10:05 Sen. Brown  
 09:10:15 Ms. Hall, DOA  
 09:10:32 Sen. Boland  
 09:10:40 Ms. Hall  
 09:11:06 Sen. Ellsworth  
 09:13:30 Ms. Hall deferred  
 09:13:38 Sen. Ellsworth  
 09:14:55 Chris Romano, bureau chief, Department of Administration  
 09:15:27 Sen. Ellsworth  
 09:18:26 Ms. Hall  
 09:19:09 Sen. Brown  
 09:19:25 Ms. Hall  
 09:20:00 Chairman Fitzpatrick  
 09:20:51 Ms. Hall

**Closing by Sponsor:**

09:21:22 Rep. Pierson  
  
 09:21:50 Chairman Fitzpatrick  
 09:22:41 Jameson Walker, Legislative Services Division (LSD)

09:22:45 Chairman Fitzpatrick

09:23:08 Recess

09:35:25 Reconvene

09:35:29 Chairman Fitzpatrick

**EXECUTIVE ACTION ON HB 66**

09:35:36 **Motion:** Sen. D. Brown moved that **HB 66 BE CONCURRED IN.**

**Discussion:**

09:35:50 Chairman Fitzpatrick

09:36:04 Sen. Malek

09:36:43 Chairman Fitzpatrick

09:36:57 Sen. Brown

09:37:16 Sen. Ellsworth

09:37:50 Sen. Boland

09:38:09 Chairman Fitzpatrick

09:38:27 Sen. Vuckovich

09:38:31 Chairman Fitzpatrick

09:38:45 **Vote:** Motion carried unanimously by roll call vote. Sen. Gauthier will carry the bill.

**EXECUTIVE ACTION ON SB 106**

09:40:06 **Motion:** Sen. D. Brown moved that **SB 106 DO PASS.**

09:40:33 **Motion:** Sen. Small moved that **SB 106 BE AMENDED.**

**EXHIBIT(bus26a02)**

**Discussion:**

09:40:51 Mr. Walker, LSD

09:42:54 Sen. Brown

09:43:05 Mr. Walker

09:43:31 Sen. Brown

09:43:35 Chairman Fitzpatrick

09:43:45 Sen. Small

09:45:34 Sen. Brown

09:46:32 Mr. Walker

09:48:25 Sen. Malek

09:48:36 Chairman Fitzpatrick

09:48:49 Sen. Malek

09:48:55 Without objection, Sen. Small withdrew the BE AMENDED motion.

09:48:59 Without objection, Sen. Brown withdrew the DO PASS motion.

09:49:07 Mr. Walker

**EXECUTIVE ACTION ON SB 182**

09:49:39 **Motion:** Sen. D. Brown moved that **SB 182 DO PASS.**

**Discussion:**

09:49:52 Mr. Walker  
09:49:56 Chairman Fitzpatrick  
09:50:04 Sen. Brown  
09:51:17 Sen. Small  
09:51:39 Sen. Ellsworth  
09:52:34 Sen. Gauthier  
09:53:10 Sen. Malek  
09:54:04 Sen. Brown  
09:54:56 Sen. Boland  
09:55:36 Sen. Gauthier

09:56:04 **Vote:** Motion carried 8-2 by roll call vote with Sen. D. Brown and Sen. Small voting no.

09:57:05 Chairman Fitzpatrick

**ADJOURNMENT**

Adjournment: 9:57 AM

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Linda Keim, Secretary

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**Additional Documents:**

Additional Documents:

**EXHIBIT([bus26aad.pdf](#))**