

MINUTES

MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chair Steve Fitzpatrick, on February 12, 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 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: HB 162, 2/8/2019; HB 163, 2/8/2019; HB 196, 2/8/2019; SB 78, 2/8/2019

Executive Action: HB 74, HB 107 Be Concurred In As Amended; HB 91, Be Concurred In; HB 108, Be Concurred In; SB 106, Amended and made into a grey bill.

08:30:03 Chairman Fitzpatrick

HEARING ON HB 162

Opening Statement by Sponsor:

08:31:00 Rep. Tom Welch (R), HD 72, opened the hearing on HB 162. Revise state banking laws related to disclosure with federal entities.

Proponents' Testimony:

08:33:05 Aimee Grmoljez, Montana Bankers Association; Federal Home Loan Bank of Des Moines

EXHIBIT(bus29a01)

08:35:28 Kelly O'Sullivan, deputy commissioner, Division of Banking and Financial Institutions, Department of Administration (DOA)

08:38:13 Karen Smith, Montana's Credit Unions

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

08:39:13 Sen. Brown

08:39:57 Ms. O'Sullivan, DOA

Closing by Sponsor:

08:40:55 Rep. Welch

08:41:28 Chairman Fitzpatrick

HEARING ON HB 163

Opening Statement by Sponsor:

08:41:35 Rep. Tom Welch (R), HD 72, opened the hearing on HB 163. Allow insured certificates of deposit for security for deposits of public funds.

Proponents' Testimony:

08:44:13 Shawn Dutton, president, First Security Bank of Roundup; director, Montana Independent Bankers Association (MIBA)

EXHIBIT(bus29a02)

08:46:48 Kelly O'Sullivan, Division of Banking and Financial Institutions, Department of Administration

08:47:26 Jim Brown, Montana Independent Bankers Association

08:47:54 Aimee Grmoljez, Montana Bankers Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

08:48:43 Sen. Brown
 08:48:55 Ms. O'Sullivan, DOA
 08:49:27 Sen. Brown
 08:50:35 Mr. Dutton, MIBA
 08:51:10 Chairman Fitzpatrick
 08:52:02 Mr. Dutton
 08:53:03 Sen. Ellsworth
 08:55:13 Ms. O'Sullivan
 08:55:38 Sen. Brown
 08:56:07 Rep. Welch
 08:56:12 Chairman Fitzpatrick
 08:56:17 Rep. Welch

Closing by Sponsor:

08:57:18 Rep. Welch
 0858:04 Chairman Fitzpatrick

HEARING ON HB 196

Opening Statement by Sponsor:

08:58:13 Rep. Tom Welch (R), HD 72, opened the hearing on HB 196. Remove certain licensing requirements for practice of mortuary science.

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

Proponents' Testimony:

09:01:19 Andrew Kent, board member, Montana Funeral Director's Association (MFDA)
 09:06:46 Jim Brown, MFDA

Opponents' Testimony: None

Informational Testimony: None

Chairman Fitzpatrick resumed the duties of the chair.

Questions from Committee Members and Responses:

09:10:03 Sen. Ellsworth
 09:13:28 Mr. Kent, MFDA
 09:14:17 Chairman Fitzpatrick
 09:14:22 Mr. Brown, MFDA
 09:15:36 Sen. Ellsworth
 09:15:43 Mr. Brown
 09:15:56 Sen. Malek
 09:17:27 Mr. Kent
 09:17:31 Sen. Gauthier
 09:17:55 Mr. Kent
 09:18:55 Sen. Gauthier
 09:20:36 Mr. Brown

Closing by Sponsor:

09:21:03 Rep. Welch

09:21:38 Chairman Fitzpatrick

Committee Business:

09:21:45 Chairman Fitzpatrick

HEARING ON SB 78

Opening Statement by Sponsor:

09:22:41 Sen. Mary McNally (D), SD 24, opened the hearing on SB 78. Require workers' comp insurers to provide notice to worker of claim closure.

Proponents' Testimony:

09:24:35 Eric Strauss, administrator, Department of Labor and Industry (DLI)

[EXHIBIT\(bus29a03\)](#)

[EXHIBIT\(bus29a04\)](#)

09:28:12 Al Smith, Montana Trial Lawyers Association

09:30:44 Adam Haight, AFL-CIO

09:31:03 Kendall Cotton, policy advisor, Office of the Commissioner of Securities and Insurance, State Auditor

Opponents' Testimony:

09:31:30 Kevin Braun, Montana State Fund

09:35:15 Larry Jones, executive director, Montana Self Insurers' Association (MSIA)

09:37:29 Bridger Mahlum, Montana Chamber of Commerce

09:38:31 Kevin Bartsch, assistant director, Montana School Group Insurance Authority

09:39:21 Alan Hulse, Montana Municipal Interlocal Authority

09:39:58 Spook Stang, Motor Carriers Association

Informational Testimony: None

Questions from Committee Members and Responses:

09:40:33 Sen. Brown

09:41:08 Mr. Strauss, DLI

09:41:40 Chairman Fitzpatrick

09:41:47 Mr. Strauss

09:41:59 Chairman Fitzpatrick

09:42:18 Mr. Jones, MSIA

Closing by Sponsor:

09:42:55 Sen. McNally

09:43:22 Chairman Fitzpatrick

09:44:14 Recess

10:01:02 Reconvene

10:01:03 Chairman Fitzpatrick

Sen. Vance was excused.

EXECUTIVE ACTION ON HB 74

10:01:11 **Motion:** Sen. D. Brown moved that **HB 74 BE CONCURRED IN.**

10:01:31 **Motion:** Sen. Fitzpatrick moved that **HB 74 BE AMENDED.**

EXHIBIT(bus29a05)

Discussion:

10:01:42 Sen. Malek

10:02:24 Chairman Fitzpatrick

10:02:47 **Vote:** Motion carried unanimously by voice vote. Sen. Vance voted by proxy.

10:02:59 **Motion:** Sen. Fitzpatrick moved that **HB 74 BE AMENDED.**

EXHIBIT(bus29a06)

Discussion:

10:03:18 Sen. Malek

10:03:10 Jameson Walker, Legislative Services Division (LSD)

10:03:44 Chairman Fitzpatrick

10:04:02 Sen. Malek

10:04:53 Chairman Fitzpatrick

10:06:10 Sen. Malek

10:07:20 Sen. Boland

10:08:05 Sen. Brown

10:08:40 Sen. Boland

10:08:57 Sen. Ellsworth

10:09:50 Sen. Malek

10:10:36 **Vote:** Motion failed 4-6 by roll call vote with Sen. Boland, Sen. Malek, Sen. F. Smith and Sen. Vuckovich voting aye. Sen. Vance voted by proxy.

10:11:35 **Motion:** Sen. D. Brown moved that **HB 74 BE CONCURRED IN AS AMENDED.**

Discussion:

10:11:51 Sen. Boland

10:12:36 Sen. Brown

10:13:13 Sen. Ellsworth

10:13:27 Sen. Malek

10:14:00 **Vote:** Motion carried 6-4 by roll call vote with Sen. Boland, Sen. Malek, Sen. F. Smith and Sen. Vuckovich voting no. Sen. Vance voted by proxy. Sen. Vance will carry the bill.

EXECUTIVE ACTION ON HB 91

10:15:10 **Motion:** Sen. D. Brown moved that **HB 91 BE CONCURRED IN.**

Discussion:

10:15:34 Sen. Malek

10:16:08 **Vote:** Motion carried unanimously by voice vote. Sen. Vance voted by proxy. Sen. Malek will carry the bill.

EXECUTIVE ACTION ON HB 107

10:16:47 **Motion:** Sen. D. Brown moved that **HB 107 BE CONCURRED IN.**

10:17:03 **Motion:** Sen. Fitzpatrick moved that **HB 107 BE AMENDED.**

EXHIBIT(bus29a07)

Discussion:

10:17:06 Sen. Malek

10:17:38 Mr. Walker, LSD

10:18:40 Chairman Fitzpatrick

10:18:42 Mr. Walker

10:19:21 Sen. Brown

10:19:39 Mr. Walker

10:19:58 **Vote:** Motion carried unanimously by voice vote. Sen. Vance voted by proxy.

10:20:14 **Motion/Vote:** Sen. D. Brown moved that **HB 107 BE CONCURRED IN AS AMENDED.** Motion carried 9-1 by voice vote with Sen. Vance voting no. Sen. Vance voted by proxy. Sen. Small will carry the bill.

EXECUTIVE ACTION ON HB 108

10:20:58 **Motion:** Sen. D. Brown moved that **HB 108 BE CONCURRED IN.**

Discussion:

10:21:17 Sen. Brown

10:21:49 Sen. Malek

10:22:52 Sen. Ellsworth

10:23:41 Sen. Boland

10:24:35 Sen. Malek

10:25:08 Sen. Gauthier

10:25:29 **Vote:** Motion carried 9-1 by roll call vote with Sen. Vance voting no. Sen. Vance voted by proxy. Sen. Boland will carry the bill.

EXECUTIVE ACTION ON SB 106

10:26:37 **Motion:** Sen. D. Brown moved that **SB 106 DO PASS.**

10:26:52 **Motion:** Sen. Fitzpatrick moved that **SB 106 BE AMENDED.**
[EXHIBIT\(bus29a08\)](#)

Discussion:

10:27:00 Sen. Small
 10:27:17 Mr. Walker
 10:29:16 Sen. Brown
 10:29:57 Sen. Malek
 10:31:29 Sen. Small
 10:32:20 Sen. Boland
 10:33:18 Mr. Walker
 10:33:44 Sen. Small
 10:33:53 Sen. Boland
 10:34:22 Chairman Fitzpatrick
 10:34:24 Sen. Small
 10:34:31 Sen. Boland

10:34:46 **Vote:** Motion carried unanimously by voice vote. Sen. Vance voted by proxy.

10:34:50 **Motion:** Sen. Fitzpatrick moved that **SB 106 BE AMENDED.**
[EXHIBIT\(bus29a09\)](#)

Discussion:

10:35:17 Sen. Small
 10:35:29 Sen. Malek

10:36:13 **Vote:** Motion carried unanimously by voice vote. Sen. Vance voted by proxy.

10:36:20 **Motion:** Sen. D. Brown moved that **SB 106 DO PASS AS AMENDED.**

Discussion:

10:37:21 Sen. Boland
 10:37:42 Chairman Fitzpatrick
 10:37:51 Sen. Brown
 10:38:41 Chairman Fitzpatrick
 10:38:44 Sen. Boland
 10:39:17 Sen. Malek
 10:39:42 Sen. Boland
 10:40:08 Sen. Brown
 10:40:17 Chairman Fitzpatrick
 10:40:25 Mr. Walker

10:40:55 **Substitute Motion:** Sen. Fitzpatrick made a substitute motion that **SB 106 AS AMENDED BE MADE INTO A GREY BILL.**

Discussion:

10:41:08 Sen. Brown
 10:41:41 Sen. Malek
 10:43:49 Sen. Gauthier

10:44:51 **Vote:** Motion carried 8-2 by roll call vote with Sen. D. Brown and Sen. Vance voting no. Sen. Vance voted by proxy.

Committee Business:

10:46:00 Chairman Fitzpatrick

10:46:13 Mr. Walker

10:46:59 Chairman Fitzpatrick

ADJOURNMENT

Adjournment: 10:46 AM

Linda Keim, Secretary

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Additional Documents:

Additional Documents:

EXHIBIT([bus29aad.pdf](#))