

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: Chair Mark Noland, on March 16, 2021 at 08:30 AM, in Room 172 Capitol

ROLL CALL

Members Present:

Rep. Mark Noland, Chair (R)
Rep. Edward Buttrey, Vice Chair (R)
Rep. Katie Sullivan, Vice Chair (D)
Rep. Fred Anderson (R)
Rep. Willis Curdy (D)
Rep. Neil Duram (R)
Rep. Ross H. Fitzgerald (R)
Rep. Moffie Funk (D)
Rep. Steven Galloway (R)
Rep. Steve Gist (R)
Rep. Steve Gunderson (R)
Rep. Derek J. Harvey (D)
Rep. Denley M. Loge (R)
Rep. Ron Marshall (R)
Rep. Sara Novak (D)
Rep. Kerri Seekins-Crowe (R)
Rep. Rynalea Whiteman Pena (D)
Rep. Katie Zolnikov (R)

Members Excused:

Rep. Kim Abbott (D)
Rep. Andrea Olsen (D)

Members Absent: None

Staff Present:

Jordee Bomgardner, Committee Secretary
Jameson Walker, Legislative Branch
Monte Cole, Remote Meeting Coordinator

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: SB 190, 3/1/2021; SB 260, 3/10/2021; SB 317, 3/10/2021;
SB 345, 3/10/2021; SB 363, 3/10/2021; SB 364, 3/10/2021

08:32:11 Chair Noland
08:32:44 Rep. Marshall left the meeting.

HEARING ON SB 190

Opening Statement by Sponsor:

08:33:02 Sen. Terry Gauthier (R), SD 40, opened the hearing on SB 190, Establish valid tip pool agreements.

08:33:39 Rep. Olsen joined the meeting.

Proponents' Testimony:

08:35:00 Brad Griffin, Montana Restaurant Association (MTRA)
08:37:14 Tom Kuntz, self
08:40:26 Roth Jordan, Montana Ale Works
08:43:30 Brad Anderson, Buffalo Wild Wings (BWW)
08:46:02 Casey Ryan, Famous Dave's; Applebee's; Panera Bread
08:47:38 Bob Powell, The Montana Club; Hoagieville
08:50:20 John Iverson, Montana Tavern Association (MTA)
08:51:00 Mark Taylor, Hospitality and Development Association of Montana (HDAM)
08:51:22 Stuart Doggett, Montana Hospitality and Lodging Association (MTHLA)
08:52:05 Brenda Lucia, self
08:53:04 Riley O'Leary, self

EXHIBIT(buh52a01)

08:56:00 Aimee Spivak, self

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

08:57:25 Vice Chair Buttrey
08:57:45 Brad Griffin, MTRA

Closing by Sponsor:

08:57:58 Sen. Gauthier

HEARING ON SB 345

Opening Statement by Sponsor:

08:59:13 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SB 345, Revise distributions under the Montana false claims act.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

09:00:51 Katherine Proctor, Department of Justice (DOJ)

Questions from Committee Members and Responses:

09:01:08 Rep. Duram
09:01:29 Sen. Fitzpatrick
09:02:20 Rep. Duram
09:02:38 Katherine Proctor, DOJ
09:04:49 Rep. Olsen
09:04:53 Rep. Harvey left the meeting.
09:06:02 Sen. Fitzpatrick
09:06:38 Rep. Olsen
09:07:47 Katherine Proctor, DOJ

Closing by Sponsor:

09:09:18 Sen. Fitzpatrick

HEARING ON SB 364

Opening Statement by Sponsor:

09:10:21 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SB 364, Revise insurance laws.

Proponents' Testimony:

09:11:22 Jackie Jones, Commissioner of Securities and Insurance, Office of the Montana State Auditor (CSI)
09:12:43 Jon Metropoulos, American Council of Life Insurers' (ACLI)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

09:15:07 Sen. Fitzpatrick

HEARING ON SB 363

Opening Statement by Sponsor:

09:15:26 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SB 363, Revise insurance laws related to annuities.

Proponents' Testimony:

09:18:26 Jon Metropoulos, American Council of Life Insurers' (ACLI)

Opponents' Testimony:

09:20:25 Jackie Jones, Commissioner of Securities and Insurance, Office of the Montana State Auditor (CSI)

EXHIBIT(buh52a02)

09:21:26 Rep. Harvey joined the meeting.
09:24:24 Chair Noland left the meeting.

09:24:25 Vice Chair Buttrey assumed the Chair.
09:24:30 Lynne Egan, Commissioner of Securities and Insurance, Office of the Montana State Auditor (CSI)
09:25:02 Rep. Gist left the meeting.
09:28:27 Dan Sullivan, self

Informational Testimony: None

Questions from Committee Members and Responses:

09:29:16 Rep. Curdy
09:29:55 Lynne Egan, CSI

Closing by Sponsor:

09:30:13 Sen. Fitzpatrick

HEARING ON SB 260

Opening Statement by Sponsor:

09:30:45 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SB 260, Generally revise related to property interests and transfer of businesses.

[EXHIBIT\(buh52a03\)](#)

Proponents' Testimony:

09:36:35 Mark Taylor, Taylor Luther Group (TLG)
09:39:05 Charles Denowh, United Property Owners of Montana (UPOM)
09:41:50 Sam Sill, Montana Association of Realtors (MAR)

Opponents' Testimony:

09:42:34 Ruben Castren, Montana Public Interest Research Group (MontPIRG)
09:43:28 Greg Dorrington, City of Billings
09:45:47 Rep. Noland joined the meeting.
09:45:50 John Bowenhollow, self
09:49:12 Anne Hedges, Montana Environmental Information Center (MEIC)
09:50:58 Rep. Seekins-Crowe left the meeting.
09:52:20 Roger Sullivan, self

[EXHIBIT\(buh52a04\)](#)

09:55:07 Mayre Flowers, Montana Smart Growth Coalition (MSGC)
09:56:58 Amy Seaman, Montana Audubon

[EXHIBIT\(buh52a05\)](#)

09:59:04 Rep. Novak left the meeting.
09:59:57 Kate McMahon, self
10:02:44 Robert Horne, self
10:04:28 Nick Gevock, Montana Wildlife Federation (MWF)
10:05:40 Makenna Sellers, Northern Plains Resource Council (NPRC)
10:07:44 Eliza Donahue, Forward Montana (FMT)
10:08:57 Kelly Lynch, Montana League of Cities and Towns (MLCT)
10:10:32 Harold Hoem, self

Proponents' Testimony:

10:12:35 Alan Olson, Montana Petroleum Association (MPA)
10:13:19 Todd O'Hair, Montana Chamber of Commerce

Informational Testimony:

10:13:59 Nicholas Gochis, Montana Department of Revenue (DOR)

Questions from Committee Members and Responses:

10:14:34 Rep. Loge
10:15:00 Mark Taylor, TLG
10:16:10 Rep. Loge
10:16:19 Rep. Olsen
10:17:01 Roger Sullivan, self
10:18:09 Vice Chair Sullivan
10:20:17 Anne Hedges, MEIC
10:22:13 Rep. Olsen
10:23:32 Jameson Walker, Legislative Services Division (LSD)

Closing by Sponsor:

10:24:42 Sen. Fitzpatrick

10:27:00 Rep. Noland assumed the Chair.

HEARING ON SB 317**Opening Statement by Sponsor:**

10:27:13 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SB 317, Revise insurance laws relating to the duty to defend.

10:27:33 Rep. Novak joined the meeting.
10:28:10 Vice Chair Sullivan left the meeting.
10:29:44 Rep. Gist joined the meeting.

Proponents' Testimony: None**Opponents' Testimony:**

10:31:59 Greg Van Horssen, State Farm Insurance
10:35:55 Bruce Spencer, National Association of Mutual Insurance Companies (NAMIC)
EXHIBIT(buh52a06)

10:40:40 Aimee Grmoljez, Crowley Fleck Law Firm; American Property Casualty Insurance Association (APCIA)
10:42:37 Brad Dantic, ALPS Property and Casualty Insurance Company
EXHIBIT(buh52a07)

10:48:24 Jon Metropoulos, Farmers Insurance

Informational Testimony:

10:51:12 Jackie Jones, Commissioner of Securities and Insurance, Office of the Montana State Auditor (CSI)

Questions from Committee Members and Responses:

10:53:37 Chair Noland
10:56:08 Greg Van Horssen, State Farm Insurance
10:57:35 Vice Chair Buttrey
11:01:31 Bruce Spencer, NAMIC
11:03:45 Rep. Duram
11:04:34 Brad Dantic, ALPS Property and Casualty Insurance Company
11:05:40 Rep. Duram
11:06:25 Bruce Spencer, NAMIC
11:09:32 Rep. Galloway
11:10:15 Brad Dantic, ALPS Property and Casualty Insurance Company
11:11:56 Rep. Galloway
11:12:37 Jackie Jones, CSI
11:13:47 Rep. Galloway
11:14:21 Bruce Spencer, NAMIC
11:15:23 Rep. Curdy
11:16:09 Sen. Fitzpatrick
11:21:18 Chair Noland
11:21:34 Vice Chair Buttrey left the meeting.
11:21:54 Aimee Grmoljez, Crowley Fleck Law Firm; APCIA

Closing by Sponsor:

11:24:01 Sen. Fitzpatrick

11:29:54 Chair Noland
11:30:44 Jameson Walker, Legislative Services Division (LSD)
11:31:16 Chair Noland
11:32:25 Rep. Galloway
11:32:37 Chair Noland

ADJOURNMENT

Adjournment: 11:33:22

Jordee Bomgardner, Secretary

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Additional Documents:

EXHIBIT([buh52aad.pdf](#))