

## MINUTES

### MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION

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

**Call to Order:** Chair Steve Fitzpatrick, on January 27, 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. Christopher Pope (D)  
Sen. Mike Fox (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  
Sonja Nowakowski, Legislative Branch  
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: SB 129, 1/25/2021; SB 119, 1/25/2021; HB 19, 1/25/2021; HB 74, 1/25/2021

Executive Action: SB 117, SB 118, SB 121

**HEARING ON HB 19**

**Opening Statement by Sponsor:**

08:59:58 Rep. Edward Buttrey (R), HD 21, opened the hearing on HB19, Revise laws related to off-premises beer/wine licenses.

**Proponents' Testimony:**

09:01:37 Neil Peterson, Gaming Industry Association

09:02:34 Becky Schlauch, Department of Revenue

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

09:03:22 Sen. Buttrey

09:03:33 Chair Fitzpatrick

**HEARING ON HB 74**

**Opening Statement by Sponsor:**

09:04:09 Rep. Jane Gillette (R), , opened the hearing on HB74, Repeal medical malpractice insurance joint underwriting association.

**Proponents' Testimony:**

09:05:40 Jackie Jones, Office of the Montana State Auditor, Commissioner of Securities and Insurance

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

09:07:24 Rep. Gillette

09:07:38 Chair Fitzpatrick

**HEARING ON SB 119**

**Opening Statement by Sponsor:**

09:09:36 Sen. John Esp (R), SD 30, opened the hearing on SB119, Generally revise title insurance laws to include title guarantees.

**Proponents' Testimony:**

09:11:01 Robert Sewell, Montana Land Title Association (MLTA)

09:17:37 William Gowen, MLTA  
 09:21:09 Jackie Jones, Office of the Montana State Auditor, Commissioner of Securities  
 and Insurance (CSI)  
 09:24:34 Sam Sill, Montana Association of Realtors  
 09:25:49 Stuart Doggett, Montana Lodging and Hospitality Association

**EXHIBIT(bus18a01)**

09:26:50 Melissa Fohl, president, MLTA

**EXHIBIT(bus18a02)**

**Opponents' Testimony:**

09:27:43 Brian Thompson; attorney; Stewart Title Company  
 09:33:56 Nick Jones, citizen  
 09:41:30 Jack Owens, Stewart Title Company

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

09:46:48 Sen. Gauthier  
 09:47:33 Ms. Jones, CSI  
 09:49:28 Sen. Gauthier  
 09:49:43 Ms. Jones  
 09:50:34 Sen. Sweeney  
 09:51:09 Ms. Jones  
 09:53:05 Sen. Gillespie  
 09:53:33 Mr. Gowen, MLTA  
 09:54:35 Sen. Gillespie  
 09:55:03 Mr. Gowen  
 09:57:09 Sen. Sweeney  
 09:57:37 Mr. Gowen  
 09:58:46 Sen. Sweeney  
 09:59:06 Mr. Gowen  
 10:00:18 Sen. Gillespie  
 10:00:42 Mr. Gowen  
 10:01:22 Sen. Gauthier  
 10:01:43 Sen. Gowen  
 10:02:53 Sen. Gauthier  
 10:03:06 Mr. Gowen  
 10:04:07 Chair Fitzpatrick  
 10:04:26 Mr. Jones, citizen  
 10:07:06 Chair Fitzpatrick  
 10:07:14 Mr. Jones  
 10:07:58 Chair Fitzpatrick  
 10:08:17 Mr. Jones  
 10:08:35 Sen. Gauthier  
 10:09:02 Mr. Jones

**Closing by Sponsor:**

10:09:40 Sen. Esp

10:11:15 Chair Fitzpatrick

**HEARING ON SB 129**

**Opening Statement by Sponsor:**

10:12:39 Sen. Greg Hertz (R), SD 6, opened the hearing on SB129, Generally revise alcohol laws relating to department investigations.

**EXHIBIT(bus18a03)**

**Proponents' Testimony:**

10:15:44 Neil Peterson, Gaming Industry Association

10:22:18 John Iverson, Montana Tavern Association (MTA)

10:26:03 Ronda Wiggers, Montana Coin Machine Operators Association

**EXHIBIT(bus18a04)**

10:28:58 Brad Longcake, Montana Petroleum Marketers and Convenience Store Association

10:30:54 Joe McKenney, Great Falls

10:33:34 John Hayes, Great Falls

**EXHIBIT(bus18a05)**

**Opponents' Testimony:** None

**Informational Testimony:**

10:36:59 Becky Schlauch, Alcoholic Beverage Control Division administrator, Department of Revenue (DOR)

**Questions from Committee Members and Responses:**

10:38:51 Sen. Small

10:39:08 Ms. Schlauch, DOR

10:39:49 Sen. Small

10:39:58 Ms. Schlauch

10:40:22 Sen. Gauthier

10:41:14 Mr. Iverson, MTA

10:43:41 Chair Fitzpatrick

10:43:51 Mr. Iverson

10:44:15 Sen. Gillespie

10:45:02 Mr. Iverson

10:45:39 Sen. Gauthier

10:46:19 Ms. Schlauch

10:46:41 Sen. Gauthier

10:47:39 Mr. Iverson

10:48:46 Sen. Pope

10:49:21 Ms. Schlauch

10:52:22 Sen. Pope

10:53:40 Ms. Schlauch

10:54:32 Chair Fitzpatrick

10:54:45 Ms. Schlauch

**Closing by Sponsor:**

10:55:20 Sen. Hertz  
 10:56:55 Chair Fitzpatrick  
  
 10:57:43 Recess  
 11:09:03 Reconvene  
  
 11:09:04 Chair Fitzpatrick

**EXECUTIVE ACTION ON SB 117**

11:09:14 **Motion/Vote:** Sen. Vance moved that **SB 117 DO PASS**. Motion failed 4-7 by roll call vote with Sen. Boland, Sen. Fox, Sen. Pope and Sen. Sweeney voting aye. Sen. Ellsworth and Sen. C. Smith voted by proxy.  
  
 11:10:10 **Motion/Vote:** Sen. Vance moved that **SB 117 BE TABLED**. Motion carried 7-4 by roll call vote with Sen. Boland, Sen. Fox, Sen. Pope and Sen. Sweeney voting no. Sen. Ellsworth and Sen. C. Smith voted by proxy.

**EXECUTIVE ACTION ON SB 118**

11:11:13 **Motion:** Sen. Vance moved that **SB 118 DO PASS**.

**Discussion:**

11:11:18 Sen. Gauthier  
  
 11:11:46 **Vote:** Motion carried 7-4 by roll call vote with Sen. Boland, Sen. Fox, Sen. Pope and Sen. Sweeney voting no. Sen. Ellsworth and Sen. C. Smith voted by proxy.

**EXECUTIVE ACTION ON SB 121**

11:12:34 **Motion:** Sen. Vance moved that **SB 121 DO PASS**.

**Discussion:**

11:12:51 Sonja Nowakowski, Legislative Services Division  
 11:13:03 Chair Fitzpatrick  
  
 11:13:15 **Motion/Vote:** Sen. Fitzpatrick moved that **SB 121 BE AMENDED**. Motion carried unanimously by voice vote. Sen. Ellsworth and Sen. C. Smith voted by proxy.  
  
 11:13:36 **Motion/Vote:** Sen. Vance moved that **SB 121 DO PASS AS AMENDED**. Motion carried unanimously by voice vote. Sen. Ellsworth and Sen. C. Smith voted by proxy.  
  
 11:13:52 Chair Fitzpatrick  
 11:14:11 Sen. Boland  
 11:14:37 Chair Fitzpatrick

**ADJOURNMENT**

Adjournment: 11:15 A.M.

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Olivia Hopkins, Secretary

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Additional Documents:

**EXHIBIT([bus18aad.pdf](#))**