

MINUTES

MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chair Steve Fitzpatrick, on February 9, 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. Cary Smith (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)

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: SR 27, 2/1/2021; SR 28, 2/1/2021; SR 29, 2/1/2021; SR 30, 2/1/2021; SR 31, 2/1/2021; HB 117, 2/2/2021

Executive Action: HB 63, SB 149, SB 166, SB 167, SR 27, SR 28, SR 29, SR 30, SR 31

09:00:37 Chair Fitzpatrick

HEARING ON HB 117

Opening Statement by Sponsor:

09:01:00 Rep. Vince Ricci (R), HD 55, opened the hearing on HB117, Revising auto insurance laws related to claims history.

Proponents' Testimony:

09:02:15 Bob Biskupiak, Office of Montana State Auditor, Commissioner of Securities and Insurance (CSI)

09:05:55 John Iverson, Independent Insurance Agents of Montana (IIAM)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

09:07:05 Chair Fitzpatrick

09:07:31 Mr. Biskupiak, CSI

09:08:00 Chair Fitzpatrick

09:08:12 Sen. Gillespie

09:08:42 Mr. Iverson, IIAM

09:09:20 Mr. Biskupiak

Closing by Sponsor:

09:10:15 Rep. Ricci

09:10:44 Chair Fitzpatrick

09:11:11 Sen. Vance assumed the duties of the chair.

HEARING ON SR 31

Opening Statement by Sponsor:

09:11:18 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SR31, Confirm Gov appointees to Personnel Appeals and Unemployment Insurance Appeals.

EXHIBIT(bus27a01)

Proponents' Testimony:

09:13:33 Liane Taylor, Governor's Office

09:14:41 Chris Gallus, appointee

09:16:18 Laura Fix, appointee

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

09:18:12 Sen. Gauthier

09:19:20 Ms. Fix, appointee
09:19:39 Sen. Gauthier
09:21:01 Sen. Pope
09:22:05 Ms. Fix
09:23:03 Sen. Pope
09:23:19 Sen. Gauthier
09:23:35 Mr. Gallus
09:24:56 Sen. Gauthier

Closing by Sponsor:

09:25:37 Sen. Fitzpatrick

HEARING ON SR 27

Opening Statement by Sponsor:

09:26:00 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SR27, Confirm Governor's appointees to State Fund Board of Directors.

EXHIBIT(bus27a02)

Proponents' Testimony:

09:26:48 Liane Taylor, Governor's Office
09:27:39 John Maxness, appointee
09:28:39 Richard Miltenberger, appointee
09:29:45 Michael Marsh, appointee

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

09:31:12 Sen. Boland
09:31:45 Mr. Miltenberger, appointee
09:32:32 Sen. Boland
09:32:46 Mr. Miltenberger
09:34:07 Sen. Boland
09:34:49 Mr. Maxness, appointee
09:37:10 Sen. Pope
09:37:58 Mr. Marsh, appointee
09:40:01 Sen. Sweeney
09:40:20 Chair Vance

Proponents' Testimony:

09:40:32 Abigail St. Lawrence, Montana Building Industry Association

Closing by Sponsor:

09:41:32 Sen. Fitzpatrick

HEARING ON SR 28

Opening Statement by Sponsor:

09:42:11 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SR28, Confirm Governor appointees to Commission for Human Rights.

[EXHIBIT\(bus27a03\)](#)

Proponents' Testimony:

09:42:53 Liane Taylor, Governor's Office

09:44:10 Deb Broadbent, appointee

09:45:09 Curt Almy, appointee

09:45:51 Peter Damrow, appointee

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

09:46:56 Sen. Boland

09:48:51 Mr. Damrow, appointee

09:49:51 Sen. Smith entered the meeting.

09:50:15 Mr. Almy, appointee

09:50:59 Ms. Broadbent, appointee

09:52:47 Sen. Boland

09:52:55 Sen. Sweeney

09:53:42 Mr. Almy

Closing by Sponsor:

09:54:06 Sen. Fitzpatrick

HEARING ON SR 29

Opening Statement by Sponsor:

09:54:29 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SR29, Confirm Governor's appointees to boards of Housing, Horseracing.

[EXHIBIT\(bus27a04\)](#)

Proponents' Testimony:

09:55:33 Liane Taylor, Governor's Office

09:56:09 Abigail St. Lawrence, Montana Building Industry Association

09:56:54 Sam Sill, Montana Association of Realtors

09:58:00 Charles Robinson, appointee

09:59:18 Cari Yturri, appointee

[EXHIBIT\(bus27a05\)](#)

10:00:35 Adam Hertz, appointee

Additional Testimony Received:

[EXHIBIT\(bus27a06\)](#)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

10:01:51 Sen. Pope
10:03:08 Mr. Hertz, appointee
10:04:06 Sen. Pope
10:04:12 Sen. Boland
10:04:46 Sen. Gauthier
10:06:12 Mr. Robinson, appointee

Closing by Sponsor:

10:07:34 Sen. Fitzpatrick

HEARING ON SR 30

Opening Statement by Sponsor:

10:07:59 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SR30, Confirm Governor's appointees to State Banking Board.

[EXHIBIT\(bus27a07\)](#)

Proponents' Testimony:

10:08:31 Liane Taylor, Governor's Office
10:08:55 Sarah Converse, appointee
10:09:46 Loren Brown, appointee
10:10:32 Melissa Shannon, Montana Independent Bankers
10:12:09 Cary Hegreberg, Montana Bankers Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

10:13:08 Sen. Pope
10:14:14 Mr. Brown, appointee
10:16:17 Sen. Gauthier
10:16:52 Sen. Gillespie
10:17:30 Ms. Converse, appointee

Closing by Sponsor:

10:18:42 Sen. Fitzpatrick

10:19:15 Sen. Fitzpatrick assumed the duties of the chair.

10:19:17 Chair Fitzpatrick

10:20:16 Sen. Gauthier

10:20:21 Chair Fitzpatrick
 10:20:46 Sonja Nowakowski, Legislative Service Division
 10:21:13 Chair Fitzpatrick
 10:21:51 Sen. Boland
 10:21:58 Chair Fitzpatrick

 10:22:02 Recess
 10:42:10 Reconvene

 10:42:14 Chair Fitzpatrick

EXECUTIVE ACTION ON HB 63

10:42:23 **Motion/Vote:** Sen. Vance moved that **HB 63 BE CONCURRED IN**. Motion carried 10-0 by voice vote. Sen. Ellsworth was excused. Sen. Ellsworth will carry the bill.

EXECUTIVE ACTION ON SB 149

10:43:06 **Motion:** Sen. Vance moved that **SB 149 DO PASS**.

10:43:16 **Motion:** Sen. Fitzpatrick moved that **SB 149 BE AMENDED**.
[EXHIBIT\(bus27a08\)](#)

Discussion:

10:43:43 Sen. Pope
 10:45:28 Chair Fitzpatrick
 10:45:34 Sen. Pope

10:45:55 **Vote:** Motion carried 10-0 by voice vote. Sen. Ellsworth was excused.

10:46:07 **Motion/Vote:** Sen. Fitzpatrick moved that **SB 149 BE AMENDED**. Motion failed 0-10 by voice vote. Sen. Ellsworth was excused.

[EXHIBIT\(bus27a09\)](#)

10:46:56 **Motion:** Sen. Vance moved that **SB 149 DO PASS AS AMENDED**.

Discussion:

10:47:13 Sen. Smith

10:47:36 **Vote:** Motion carried 8-3 by roll call vote with Sen. Boland, Sen. Fox and Sen. Pope voting no. Sen. Ellsworth voted by proxy.

EXECUTIVE ACTION ON SB 166

10:48:24 **Motion/Vote:** Sen. Vance moved that **SB 166 DO PASS**. Motion carried 10-0 by voice vote. Sen. Ellsworth was excused.

EXECUTIVE ACTION ON SB 167

10:48:59 **Motion/Vote:** Sen. Vance moved that **SB 167 DO PASS**. Motion carried unanimously by roll call vote. Sen. Ellsworth voted by proxy.

EXECUTIVE ACTION ON SR 27

10:50:01 **Motion/Vote:** Sen. Vance moved that **SR 27 BE ADOPTED**. Motion carried 10-0 by voice vote. Sen. Ellsworth was excused.

EXECUTIVE ACTION ON SR 28

10:50:33 **Motion/Vote:** Sen. Vance moved that **SR 28 BE ADOPTED**. Motion carried 10-0 by voice vote. Sen. Ellsworth was excused.

EXECUTIVE ACTION ON SR 29

10:50:49 **Motion:** Sen. Vance moved that **SR 29 BE ADOPTED**.

10:51:05 **Motion/Vote:** Sen. Fitzpatrick moved that **SR 29 BE AMENDED**. Motion carried 10-0 by voice vote. Sen. Ellsworth was excused.

EXHIBIT(bus27a10)

10:51:30 **Motion/Vote:** Sen. Vance moved that **SR 29 BE ADOPTED AS AMENDED**. Motion carried 10-0 by voice vote. Sen. Ellsworth was excused.

EXECUTIVE ACTION ON SR 30

10:51:44 **Motion/Vote:** Sen. Vance moved that **SR 30 BE ADOPTED**. Motion carried 10-0 by voice vote. Sen. Ellsworth was excused.

EXECUTIVE ACTION ON SR 31

10:52:06 **Motion:** Sen. Vance moved that **SR 31 BE ADOPTED**.

10:52:12 **Motion/Vote:** Sen. Fitzpatrick moved that **SR 31 BE AMENDED**. Motion carried 10-0 by voice vote. Sen. Ellsworth was excused.

EXHIBIT(bus27a11)

10:52:25 **Motion/Vote:** Sen. Vance moved that **SR 31 BE ADOPTED AS AMENDED**. Motion carried 10-0 by voice vote. Sen. Ellsworth was excused.

10:52:41 Chair Fitzpatrick

ADJOURNMENT

Adjournment: 10:53 A.M.

Olivia Hopkins, Secretary

oh

Additional Documents:

EXHIBIT([bus27aad.pdf](#))