

## MINUTES

### MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION

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

**Call to Order:** Chair Steve Fitzpatrick, on February 22, 2021 at 10:00 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. Mike Fox (D)  
Sen. Christopher Pope (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: HB 197, 2/17/2021; SR 77, 2/17/2021; SR 78, 2/17/2021; SR 79, 2/17/2021; SR 80, 2/17/2021

Executive Action: SB 137, HB 117, HB 177, HB 210, SB 216, SB 217, SB 239, SB 248

**HEARING ON HB 197**

**Opening Statement by Sponsor:**

10:00:37 Rep. Edward Buttrey (R), HD 21, opened the hearing on HB 197, Generally revise laws related to gambling and player information.

10:02:13 Sen. Gillespie entered the meeting.

**Proponents' Testimony:**

10:05:12 Ronda Wiggers, Montana Coin Machine Operators Association

10:08:04 Neil Peterson, Montana Gaming Industry Association

10:09:07 John Iverson, Montana Tavern Association

**Opponents' Testimony:** None

**Informational Testimony:** None

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

**Closing by Sponsor:**

10:10:38 Rep. Buttrey

10:11:37 Sen. Vance assumed the duties of the chair.

**HEARING ON SR 77**

**Opening Statement by Sponsor:**

10:11:54 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SR 77, Confirm Governor's appointees to the State Banking Board.

**EXHIBIT(bus37a01)**

**Proponents' Testimony:**

10:13:09 Liane Taylor, Governor's Office

10:14:11 Sharon Essmann, appointee

**EXHIBIT(bus37a02)**

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

10:17:10 Sen. Pope

10:18:33 Ms. Essmann, appointee

**Closing by Sponsor:**

10:20:53 Sen. Fitzpatrick

**HEARING ON SR 78**

**Opening Statement by Sponsor:**

10:21:10 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SR78, Confirm Governor's appointee to the Board of Personnel Appeals.

**[EXHIBIT\(bus37a03\)](#)**

**Proponents' Testimony:**

10:22:06 Liane Taylor, Governor's Office (GOV)

**[EXHIBIT\(bus37a04\)](#)**

10:23:09 Eric Bryson, Montana Association of Counties

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

10:24:24 Sen. Pope

10:25:11 Ms. Taylor, GOV

**Closing by Sponsor:**

10:25:55 Sen. Fitzpatrick

**HEARING ON SR 79**

**Opening Statement by Sponsor:**

10:26:16 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SR79, Confirm Governor's appointee to the Commission for Human Rights.

**[EXHIBIT\(bus37a05\)](#)**

**Proponents' Testimony:**

10:27:11 Lieutenant Governor Kristen Juras

10:29:00 Ed Argenbright, citizen

**[EXHIBIT\(bus37a06\)](#)**

10:31:48 Sen. Bob Keenan, SD 5

**[EXHIBIT\(bus37a07\)](#)**

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

10:34:25 Sen. Fitzpatrick

10:35:08 Sen. Fox

10:35:42 Richard Bartos, appointee

**Closing by Sponsor:**

10:38:05 Sen. Fitzpatrick

**HEARING ON SR 80**

**Opening Statement by Sponsor:**

10:38:24 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SR80, Confirm Governor's appointee to State Fund Board of Directors.

**EXHIBIT(bus37a08)**

**Proponents' Testimony:**

10:39:19 Liane Taylor, Governor's Office

10:40:24 Duane Williams, CEO, Motor Carriers of Montana

10:41:33 Chair Vance

10:41:55 Curt Laingen, appointee

**EXHIBIT(bus37a09)**

10:43:32 Spook Stang, citizen

10:45:35 Walt Stieg, citizen

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

10:47:02 Sen. Boland

10:47:58 Mr. Laingen, appointee

10:48:41 Sen. Boland

10:48:52 Sen. Pope

10:49:39 Mr. Laingen

**Closing by Sponsor:**

10:50:30 Sen. Fitzpatrick

10:50:40 Sen. Fitzpatrick assumed the duties of the chair.

10:50:46 Chair Fitzpatrick

10:51:09 Sen. Boland

10:51:25 Chair Fitzpatrick

10:54:41 Sen. Pope

10:55:10 Recess

11:10:11 Reconvene

11:10:13 Chair Fitzpatrick

11:10:14 Sen. Smith left the meeting.

**EXECUTIVE ACTION ON SB 137**

11:10:15 **Motion:** Sen. Vance moved that **SB 137 DO PASS.**

**Discussion:**

11:10:32 Chair Fitzpatrick  
11:11:27 Sen. Pope

11:11:31 **Substitute Motion/Vote:** Sen. Vance made a substitute motion that **SB 137 BE TABLED**. Substitute Motion carried 8-0 by voice vote. Sen. Ellsworth, Sen. Gauthier and Sen. C. Smith were excused.

**EXECUTIVE ACTION ON HB 117**

11:11:55 **Motion:** Sen. Vance moved that **HB 117 BE CONCURRED IN**.

11:12:21 **Motion:** Sen. Fitzpatrick moved that **HB 117 BE AMENDED**.  
[EXHIBIT\(bus37a10\)](#)

**Discussion:**

11:12:47 Sen. Vance  
11:12:50 Sen. Boland  
11:13:04 Chair Fitzpatrick

11:13:30 **Vote:** Motion carried 8-0 by voice vote. Sen. Ellsworth, Sen. Gauthier and Sen. C. Smith were excused.

11:13:38 **Motion/Vote:** Sen. Vance moved that **HB 117 BE CONCURRED IN AS AMENDED**. Motion carried 8-0 by voice vote. Sen. Ellsworth, Sen. Gauthier and Sen. C. Smith were excused. Sen. Fitzpatrick will carry the bill.

**EXECUTIVE ACTION ON HB 177**

11:14:05 **Motion:** Sen. Vance moved that **HB 177 BE CONCURRED IN**.

11:14:10 **Motion/Vote:** Sen. Fitzpatrick moved that **HB 177 BE AMENDED**. Motion carried 8-0 by voice vote. Sen. Ellsworth, Sen. Gauthier and Sen. C. Smith were excused.

[EXHIBIT\(bus37a11\)](#)

11:14:34 **Motion/Vote:** Sen. Vance moved that **HB 177 BE CONCURRED IN AS AMENDED**. Motion carried 8-0 by voice vote. Sen. Ellsworth, Sen. Gauthier and Sen. C. Smith were excused. Sen. Small will carry the bill.

**EXECUTIVE ACTION ON HB 210**

11:15:11 **Motion/Vote:** Sen. Vance moved that **HB 210 BE CONCURRED IN**. Motion carried 8-0 by voice vote. Sen. Ellsworth, Sen. Gauthier and Sen. C. Smith were excused. Sen. Small will carry the bill.

**EXECUTIVE ACTION ON SB 216**

11:15:48 **Motion:** Sen. Vance moved that **SB 216 DO PASS**.

11:15:58 **Motion/Vote:** Sen. Fitzpatrick moved that **SB 216 BE AMENDED**. Motion carried 8-0 by voice vote. Sen. Ellsworth, Sen. Gauthier and Sen. C. Smith were excused.

**EXHIBIT(bus37a12)**

11:16:35 **Motion:** Sen. Vance moved that **SB 216 DO PASS AS AMENDED**.

**Discussion:**

11:16:42 Sen. Boland

11:17:06 Sonja Nowakowski, Legislative Services Division

11:17:28 **Vote:** Motion carried 8-0 by voice vote. Sen. Ellsworth, Sen. Gauthier and Sen. C. Smith were excused.

**EXECUTIVE ACTION ON SB 217**

11:17:41 **Motion:** Sen. Vance moved that **SB 217 DO PASS**.

11:17:52 **Motion/Vote:** Sen. Fitzpatrick moved that **SB 217 BE AMENDED**. Motion carried 8-0 by voice vote. Sen. Ellsworth, Sen. Gauthier and Sen. C. Smith were excused.

**EXHIBIT(bus37a13)**

11:18:21 **Motion:** Sen. Vance moved that **SB 217 DO PASS AS AMENDED**.

**Discussion:**

11:18:29 Sen. Boland

11:18:55 **Vote:** Motion carried 8-0 by voice vote. Sen. Ellsworth, Sen. Gauthier and Sen. C. Smith were excused.

**EXECUTIVE ACTION ON SB 239**

11:19:11 **Motion/Vote:** Sen. Vance moved that **SB 239 DO PASS**. Motion carried 8-0 by voice vote. Sen. Ellsworth, Sen. Gauthier and Sen. C. Smith were excused.

**EXECUTIVE ACTION ON SB 248**

11:19:52 **Motion:** Sen. Vance moved that **SB 248 DO PASS**.

11:20:06 **Motion/Vote:** Sen. Fitzpatrick moved that **SB 248 BE AMENDED**. Motion carried unanimously by roll call vote. Sen. Ellsworth, Sen. Gauthier and Sen. C. Smith voted by proxy.

**EXHIBIT(bus37a14)**

11:23:02 **Motion/Vote:** Sen. Vance moved that **SB 248 DO PASS AS AMENDED**. Motion carried 6-5 by roll call vote with Sen. Ellsworth, Sen. Gillespie, Sen. Pope, Sen. C. Smith and Sen. Vance voting no. Sen. Ellsworth, Sen. Gauthier and Sen. C. Smith voted by proxy.

**ADJOURNMENT**

Adjournment: 11:25 A.M.

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Olivia Hopkins, Secretary

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Additional Documents:

**EXHIBIT**([bus37aad.pdf](#))