

**MINUTES**  
**MONTANA SENATE**  
**68th LEGISLATURE - REGULAR SESSION**  
**COMMITTEE ON (S) BUSINESS, LABOR, AND ECONOMIC AFFAIRS**

**Call to Order:** Chair Sen. Jason Small-R, on January 24, 2023 at 8:31 AM, in 422

**ROLL CALL**

**Members Present:** Sen. Jason Small, Chair (R)  
Sen. Willis Curdy, Vice Chair (D)  
Sen. Mark Noland, Vice Chair (R)  
Sen. Mike Fox (D)  
Sen. Bruce Gillespie (R)  
Sen. Terry Vermeire (R)

**Members Excused:** Sen. Jason Ellsworth (R)  
Sen. Steve Fitzpatrick (R)  
Sen. Christopher Pope (D)  
Sen. Walt Sales (R)

**Staff Present:** Daisy Rhodes, Secretary  
Erin Sullivan, Attorney

**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 48 01/19/2023  
HB 70 01/19/2023  
HB 123 01/19/2023  
HB 145 01/19/2023  
HB 157 01/19/2023  
HB 166 01/19/2023  
SB 90 01/19/2023  
SB 179 01/19/2023

Executive Action:

HB 30  
HB 43  
HB 71  
HB 98  
HB 120  
HB 138

HB 139  
HB 160  
SB 105 DO PASS AS AMENDED  
SB 140 TO TABLE  
SB 167 DO PASS  
SJ 2 DO PASS  
HB 166  
HB 145  
HB 123  
HB 70  
HB 157  
SB 179 DO PASS

**HEARING ON SB 179 - Revise alcohol laws relating to beer purchases**

**Opening Statement:**

08:32:33 Sen. Jason Small (R), SD 21, opened the hearing on SB 179, Revise alcohol laws relating to beer purchases.

**Proponent Testimony:**

08:34:15 Michael Moore, self

08:37:18 John Iverson, Montana Taverns Association (MTA)

**Opponent Testimony:**

08:40:06 Debra Pitassy, Montana Beer and Wine Distributers Association (MBWDA)

[EXHIBIT\(230124BUSa1\)](#)

08:41:36 Sen. Walt Sales joined the meeting.

**Informational Witness Testimony:**

08:49:01 Becky Schlauch, Department of Revenue - Alcoholic Beverage Control Division (DOR-ABC)

**Questions from Committee:**

08:49:29 Sen. Bruce Gillespie

08:50:00 Michael Moore

08:53:32 Sen. Willis Curdy

08:53:53 Becky Schlauch, Department of Revenue - Alcoholic Beverage Control (DOR-ABC)

08:54:06 Sen. Mark Noland

08:54:24 John Iverson, Montana Taverns Association (MTA)  
08:54:49 Sen. Mark Noland  
08:55:05 Becky Schlauch, Department of Revenue - Alcoholic Beverage Control (DOR-ABC)  
08:55:19 Sen. Mark Noland  
08:55:33 Becky Schlauch, Department of Revenue - Alcoholic Beverage Control (DOR-ABC)

**Closing Statement:**

08:55:54 Sen. Jason Small (R), SD 21, closed the hearing on SB 179.

**HEARING ON HB 157 - Generally revise laws related to alcohol**

**Opening Statement:**

08:57:30 Rep. Wayne Rusk (R), HD 88, opened the hearing on HB 157, Generally revise laws related to alcohol.

**Proponent Testimony:**

08:58:54 Becky Schlauch, Department of Revenue - Alcoholic Beverage Control Division (DOR-ABC)  
09:00:36 Jennifer Hensley, Montana Distillers Guild (MDG)

**Opponent Testimony:**

None

**Informational Witness Testimony:**

None

**Questions from Committee:**

09:01:33 Sen. Mark Noland  
09:02:03 John Iverson, Montana Taverns Association (MTA)

**Closing Statement:**

09:02:37 Rep. Wayne Rusk (R), HD 88, closed the hearing on HB 157.

**HEARING ON HB 48 - Generally revise alcohol laws, including storage depots**

**Opening Statement:**

09:03:11 Rep. Tony Brockman (R), HD 9, opened the hearing on HB 48, Generally revise alcohol laws, including storage depots.

**Proponent Testimony:**

09:04:23 Becky Schlauch, Department Of Revenue - Alcoholic Beverage Control Division(DOR-ABC)

09:05:01 Jennifer Hensley, Montana Distillers Guild (MDG)

09:06:02 Katjana Stutzer, Montana Brewers Association

**Opponent Testimony:**

None

**Informational Witness Testimony:**

None

**Questions from Committee:**

09:07:17 Sen. Jason Small

09:07:37 Becky Schlauch, Department of Revenue - Alcoholic Beverage Control (DOR-ABC)

09:07:59 Sen. Walt Sales

09:08:23 Becky Schlauch, Department of Revenue - Alcoholic Beverage Control (DOR-ABC)

09:08:47 Sen. Willis Curdy

09:09:29 Becky Schlauch, Department of Revenue - Alcoholic Beverage Control (DOR-ABC)

**Closing Statement:**

09:09:50 Rep. Tony Brockman (R), HD 9, closed the hearing on HB 48.

**HEARING ON HB 70 - Revise alcohol laws pertaining to renewal of licenses**

**Opening Statement:**

09:10:41 Rep. Terry Falk (R), HD 8, opened the hearing on HB 70, Revise alcohol laws pertaining to renewal of licenses.

**Proponent Testimony:**

09:11:33 Becky Schlauch, Department of Revenue - Alcoholic Beverages Control Division

**Opponent Testimony:**

None

**Informational Witness Testimony:**

None

**Questions from Committee:**

09:12:47 Sen. Mark Noland

09:13:16 Becky Schlauch, Department of Revenue - Alcoholic Beverage Control (DOR-ABC)

09:13:37 Sen. Mark Noland

09:13:49 John Iverson, Montana Taverns Association (MTA)

09:15:08 Sen. Mark Noland

**Closing Statement:**

09:15:51 Rep. Terry Falk (R), HD 8, closed the hearing on HB 70.

**HEARING ON HB 123 - Revise alcohol licenses to prohibit prospecting of new licenses**

**Opening Statement:**

09:16:43 Rep. James Bergstrom (R), HD 30, opened the hearing on HB 123, Revise alcohol licenses to prohibit prospecting of new licenses.

**Proponent Testimony:**

09:18:06 Becky Schlauch, Department of Revenue - Alcoholic Beverage Control Division (DOR-ABC)

09:19:14 Kristen Juras, Lieutenant Governor, Governor's Office

09:19:38 Shauna Helfert, Gaming Industry Association (GIA)

09:19:59 John Iverson, Montana Taverns Association (MTA)

**Opponent Testimony:**

None

**Informational Witness Testimony:**

None

**Questions from Committee:**

None

**Closing Statement:**

09:21:24 Rep. James Bergstrom (R), HD 30, closed the hearing on HB 123.

**HEARING ON HB 145 - Generally revise laws related to alcohol license applications**

**Opening Statement:**

09:21:52 Rep. Paul Green (R), HD 41, opened the hearing on HB 145, Generally revise laws related to alcohol license applications.

**Proponent Testimony:**

09:22:43 Becky Schlauch, Department of Revenue - Alcoholic Beverage Control Division (DOR-ABC)

09:23:21 Kristen Juras, Lieutenant Governor, Governor's Office

**Opponent Testimony:**

None

**Informational Witness Testimony:**

None

**Questions from Committee:**

09:24:08 Sen. Jason Small

09:24:16 Becky Schlauch, Department of Revenue - Alcoholic Beverage Control (DOR-ABC)

09:24:46 Sen. Willis Curdy

09:24:59 Becky Schlauch, Department of Revenue - Alcoholic Beverage Control (DOR-ABC)

09:25:38 Sen. Walt Sales

09:25:52 Becky Schlauch, Department of Revenue - Alcoholic Beverage Control (DOR-ABC)

**Closing Statement:**

09:26:12 Rep. Paul Green (R), HD 41, closed the hearing on HB 145.

**HEARING ON HB 166 - Generally revise laws related to seasonal alcohol licenses**

**Opening Statement:**

09:27:05 Rep. Derek Harvey (D), HD 74, opened the hearing on HB 166, Generally revise laws related to seasonal alcohol licenses.

**Proponent Testimony:**

09:28:21 Becky Schlauch, Department of Revenue - Alcoholic Beverage Control (DOR-ABC)

09:29:21 Kristen Juras, Lieutenant Governor, Governor's Office

09:29:40 Shauna Helfert, Gaming Industry Association (GIA)

09:30:23 John Iverson, Montana Tavern Association (MTA)

09:31:47 Debra Pitassy, Montana Beer and Wine Distributers Association (MBWDA)

**Opponent Testimony:**

None

**Informational Witness Testimony:**

None

**Questions from Committee:**

09:32:55 Sen. Mark Noland

09:33:12 Becky Schlauch, Department of Revenue - Alcoholic Beverage Control (DOR-ABC)

**Closing Statement:**

09:33:44 Rep. Derek Harvey (D), HD 74, closed the hearing on HB 166.

**HEARING ON SB 90 - Allow for certain exceptions related to bottle clubs**

**Opening Statement:**

09:34:23 Sen. Ellie Boldman (D), SD 45, opened the hearing on SB 90, Allow for certain exceptions related to bottle clubs.

**Discussion:**

[EXHIBIT\(230124BUSa2\)](#)

[EXHIBIT\(230124BUSa3\)](#)

**Proponent Testimony:**

09:41:03 Becky Schlauch, Department of Revenue - Alcoholic Beverage Control Division (DOR-ABC)

09:42:43 Lieutenant Governor Kristen Juras, Governor's Office

**Opponent Testimony:**

09:45:06 John Iverson, Montana Tavern Association

[EXHIBIT\(230124BUSa4\)](#)

[EXHIBIT\(230124BUSa5\)](#)

[EXHIBIT\(230124BUSa6\)](#)

[EXHIBIT\(230124BUSa7\)](#)

09:52:34 Shauna Helfert, Gaming Industry Association (GIA)

09:56:11 Michael Moore, self

**Informational Witness Testimony:**

None

**Questions from Committee:**

09:57:10 Sen. Bruce Gillespie

09:57:50 John Iverson, Montana Taverns Association (MTA)

09:58:35 Sen. Jason Small

09:58:54 John Iverson, Montana Taverns Association (MTA)

09:59:32 Sen. Mark Noland

09:59:51 Sen. Ellie Boldman-D

10:01:06 Sen. Mark Noland

10:01:27 Sen. Ellie Boldman-D

10:01:32 Sen. Willis Curdy

10:02:03 Becky Schlauch, Department of Revenue - Alcoholic Beverage Control (DOR-ABC)

10:02:17 Sen. Willis Curdy

10:02:25 Becky Schlauch, Department of Revenue - Alcoholic Beverage Control (DOR-ABC)

10:02:59 Sen. Willis Curdy

10:03:42 Becky Schlauch, Department of Revenue - Alcoholic Beverage Control (DOR-ABC)

10:03:45 Sen. Walt Sales

10:04:33 Sen. Ellie Boldman-D

**Closing Statement:**

10:06:05 Sen. Ellie Boldman (D), SD 45, closed the hearing on SB 90.

**EXECUTIVE ACTION ON HB 30 - Generally revise mortgage laws**

10:46:52 **Motion:** Sen. Mark Noland moved that **HB 30 BE CONCURRED IN.**

10:46:52 **Vote:** Motion carried unanimously by voice vote.

10:46:52 **Carrier Assigned:** Sen. Mark Noland

**EXECUTIVE ACTION ON HB 43 - Revising alcohol laws relating to death or incapacity of a licensee or owner or others**

10:47:54 **Motion:** Sen. Mark Noland moved that **HB 43 BE CONCURRED IN.**

10:47:54 **Vote:** Motion carried unanimously by voice vote.

10:47:54 **Carrier Assigned:** Sen. Jason Small

**EXECUTIVE ACTION ON HB 71 - Generally revise alcohol licenses relating to the transfer of licenses**

10:48:39 **Motion:** Sen. Mark Noland moved that **HB 71 BE CONCURRED IN.**

10:48:39 **Vote:** Motion carried unanimously by voice vote.

10:48:39 **Carrier Assigned:** Sen. Willis Curdy

**EXECUTIVE ACTION ON HB 98 - Revise alcohol laws relating to airport suitability**

10:49:44 **Motion:** Sen. Willis Curdy moved that **HB 98 BE CONCURRED IN.**

10:49:44 **Vote:** Motion carried unanimously by voice vote.

10:49:44 **Carrier Assigned:** Sen. Jason Small

**EXECUTIVE ACTION ON HB 120 - Allow for state sponsored industry trade shows**

10:50:30 **Motion:** Sen. Mark Noland moved that **HB 120 BE CONCURRED IN.**

10:50:30 **Vote:** Motion carried 9 - 1 by roll call vote with Sen. Noland, voting no.

10:50:30 **Carrier Assigned:** Sen. Bruce Gillespie

**EXECUTIVE ACTION ON HB 138 - Generally revise Montana Bank Act**

10:51:45 **Motion:** Sen. Mark Noland moved that **HB 138 BE CONCURRED IN.**

10:51:45 **Vote:** Motion carried unanimously by voice vote.

10:51:45 **Carrier Assigned:** Sen. Mark Noland

**EXECUTIVE ACTION ON HB 139 - Generally revise laws related to mutual savings and loan associations**

10:52:23 **Motion:** Sen. Mark Noland moved that **HB 139 BE CONCURRED IN.**

10:52:23 **Vote:** Motion carried unanimously by voice vote.

10:52:23 **Carrier Assigned:** Sen. Bruce Gillespie

**EXECUTIVE ACTION ON HB 160 - Revise laws related to alcohol advertising**

10:53:07 **Motion:** Sen. Mark Noland moved that **HB 160 BE CONCURRED IN.**

10:53:07 **Vote:** Motion carried unanimously by voice vote.

10:53:07 **Carrier Assigned:** Sen. Terry Vermeire

**EXECUTIVE ACTION ON SB 105 - Prohibit rent control of private property**

10:53:57 **Motion:** Sen. Mark Noland moved that **SB 105 DO PASS.**

10:53:57 **Vote:** Motion failed unanimously by voice vote.

10:54:03 **Motion:** Sen. Mark Noland moved that **SB 105 BE AMENDED.**

**Discussion:**

10:08:00

10:11:19 Recessed

10:46:31 Reconvened

10:55:21 Sen. Willis Curdy

10:56:42 Sen. Mark Noland

10:54:03 **Vote:** Motion carried unanimously by roll call vote.

10:58:35 **Motion:** Sen. Mark Noland moved that **SB 105 DO PASS AS AMENDED.**

10:58:35 **Vote:** Motion carried unanimously by roll call vote.

**EXECUTIVE ACTION ON SB 140 - Revise union membership laws**

10:59:40 **Motion:** Sen. Mark Noland moved that **SB 140 DO PASS.**

10:59:40 **Vote:** Motion failed unanimously by roll call vote.

10:59:46 **Motion:** Sen. Mark Noland moved that **SB 140 BE AMENDED.**

**Discussion:**

11:00:04 Sen. Mark Noland

11:01:07 Sen. Jason Small

11:01:26 Sen. Willis Curdy

10:59:46 **Vote:** Motion failed 8 - 2 by roll call vote with Sen. Gillespie, Sen. Noland, voting yes.

11:02:50 **Motion:** Sen. Mark Noland moved that **SB 140 DO PASS.**

**Discussion:**

11:02:59 Sen. Jason Small

11:03:26 Sen. Mark Noland

11:02:50 **Vote:** Motion failed 8 - 2 by voice vote with Sen. Gillespie, Sen. Noland, voting yes.

11:04:43 **Motion:** Sen. Mark Noland moved that **SB 140 TO TABLE.**

11:04:43 **Vote:** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SB 167 - Revise nonprofit corporation laws relating to directors**

11:05:21 **Motion:** Sen. Mark Noland moved that **SB 167 DO PASS.**

11:05:21 **Vote:** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SJ 2 - Resolution for Article V of US Constitution convention of states**

11:06:07 **Motion:** Sen. Mark Noland moved that **SJ 2 DO PASS.**

11:06:07 **Vote:** Motion carried 6 - 4 by roll call vote with Sen. Curdy, Sen. Fox, Sen. Pope, Sen. Sales, voting no.  
Sen. Pope, By Proxy

**EXECUTIVE ACTION ON HB 166 - Generally revise laws related to seasonal alcohol licenses**

11:07:20 **Motion:** Sen. Mark Noland moved that **HB 166 BE CONCURRED IN.**

11:07:20 **Vote:** Motion carried unanimously by voice vote.

11:07:20 **Carrier Assigned:** Sen. Walt Sales

**EXECUTIVE ACTION ON HB 145 - Generally revise laws related to alcohol license applications**

11:08:02 **Motion:** Sen. Mark Noland moved that **HB 145 BE CONCURRED IN.**

11:08:02 **Vote:** Motion carried unanimously by voice vote.

11:08:02 **Carrier Assigned:** Sen. Jason Small

**EXECUTIVE ACTION ON HB 123 - Revise alcohol licenses to prohibit prospecting of new licenses**

11:08:47 **Motion:** Sen. Mark Noland moved that **HB 123 BE CONCURRED IN.**

11:08:47 **Vote:** Motion carried unanimously by voice vote.

11:08:47 **Carrier Assigned:** Sen. Bruce Gillespie

**EXECUTIVE ACTION ON HB 70 - Revise alcohol laws pertaining to renewal of licenses**

11:09:27 **Motion:** Sen. Mark Noland moved that **HB 70 BE CONCURRED IN.**

11:09:27 **Vote:** Motion carried unanimously by voice vote.

11:09:27 **Carrier Assigned:** Sen. Jason Small

**EXECUTIVE ACTION ON HB 157 - Generally revise laws related to alcohol**

11:10:07 **Motion:** Sen. Mark Noland moved that **HB 157 BE CONCURRED IN.**

11:10:07 **Vote:** Motion carried unanimously by voice vote.

11:10:07 **Carrier Assigned:** Sen. Terry Vermeire

**EXECUTIVE ACTION ON SB 179 - Revise alcohol laws relating to beer purchases**

11:11:04 **Motion:** Sen. Mark Noland moved that **SB 179 DO PASS.**

11:11:04 **Vote:** Motion carried unanimously by voice vote.

**ADJOURNMENT**

Adjournment: 11:12:00

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Daisy Rhodes, Secretary

Additional Documents: [EXHIBIT\(230124BUSaad\)](#)