

## MINUTES

### MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION

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

**Call to Order:** Chair Steve Fitzpatrick, on February 12, 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)

**Members Excused:**

Sen. Jason W. Ellsworth (R)  
Sen. Mike Fox (D)  
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: HB 130, 2/8/2021; HB 177, 2/8/2021; HB 199, 2/8/2021; SB 187, 2/8/2021

Executive Action: HB 65, SB 91, SR 17, SR 18, SR 19, SR 20

**HEARING ON HB 177**

**Opening Statement by Sponsor:**

09:00:53 Rep. Frank Garner (R), HD 7, opened the hearing on HB177, Revise licensure requirements for professions under board of behavioral health.

09:02:44 Sen. Sweeney entered the meeting.

**Proponents' Testimony:**

09:03:43 Janet Woodburn, Sapphire Community Health

[EXHIBIT\(bus30a01\)](#)

09:05:10 Sen. Gauthier entered the meeting.

09:07:29 Stacey Anderson, Montana Primary Care Association

**Additional Testimony Received:**

[EXHIBIT\(bus30a02\)](#)

**Opponents' Testimony:** None

**Informational Testimony:**

09:12:30 Lucy Richards, Department of Labor and Industry

[EXHIBIT\(bus30a03\)](#)

**Questions from Committee Members and Responses:**

09:13:05 Chair Fitzpatrick

09:13:21 Rep. Garner

**Closing by Sponsor:**

09:13:26 Rep. Garner

**HEARING ON HB 130**

**Opening Statement by Sponsor:**

09:14:19 Rep. David Bedey (R), HD 86, opened the hearing on HB130, Generally revise laws related to alternative project delivery contracts.

**Proponents' Testimony:**

09:17:07 David Smith, Montana Contractors Association

**Opponents' Testimony:** None

**Informational Testimony:**

09:18:29 Jake Goettle, Department of Transportation (MDT)

**Questions from Committee Members and Responses:**

09:21:44 Chair Fitzpatrick

09:22:02 Mr. Goettle, MDT

09:23:42 Chair Fitzpatrick

09:23:53 Mr. Goettle  
09:24:19 Chair Fitzpatrick  
09:25:41 Mr. Goettle

**Closing by Sponsor:**

09:25:55 Rep. Bedey

**HEARING ON HB 199**

**Opening Statement by Sponsor:**

09:29:18 Rep. Derek Harvey (D), HD 74, opened the hearing on HB199, Revise workers compensation laws relating to information and reopening of claims.

**[EXHIBIT\(bus30a04\)](#)**

**Proponents' Testimony:**

09:32:55 Brian Thompson, Montana Contractors Company Fund  
09:33:33 Adam Haight, Montana American Federation of Labor and Congress of Industrial Organizations  
09:33:54 Carter Marsh, Montana State Council of Professional Firefighters  
09:35:11 Eric Stauss, Department of Labor and Industry

**[EXHIBIT\(bus30a05\)](#)**

09:35:44 Kevin Braun, Montana State Fund

**[EXHIBIT\(bus30a06\)](#)**

09:36:31 Al Smith, Montana Trial Lawyers Association

**[EXHIBIT\(bus30a07\)](#)**

**Additional Testimony Received:**

**[EXHIBIT\(bus30a08\)](#)**

**Opponents' Testimony:** None

**Informational Testimony:** None

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

**Closing by Sponsor:**

09:37:41 Rep. Harvey

**HEARING ON SB 187**

**Opening Statement by Sponsor:**

09:38:10 Sen. Mark Sweeney (D), SD 39, opened the hearing on SB187, Increase the minimum wage.

**[EXHIBIT\(bus30a09\)](#)**

**Proponents' Testimony:**

09:44:31 Adam Haight, Montana American Federation of Labor and Congress of Industrial Organizations (AFL-CIO)

09:45:53 John Forkan, Montana State Building and Construction Trades Council

09:46:58 Jacqueline Helt, SEIU 775

[EXHIBIT\(bus30a10\)](#)

09:48:10 Amanda Curtis, Montana Federation of Public Employees

[EXHIBIT\(bus30a11\)](#)

09:49:32 Glenda Bradshaw, small business owner

[EXHIBIT\(bus30a12\)](#)

Additional Testimony Received:

[EXHIBIT\(bus30a13\)](#)

**Opponents' Testimony:**

09:52:50 Bridger Mahlum, Montana Chamber of Commerce

09:58:14 Ronda Wiggers, National Federation of Independent Business (NFIB)

Additional Testimony Received:

[EXHIBIT\(bus30a14\)](#)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

10:04:29 Sen. Gillespie

10:05:47 Mr. Haight, AFL-CIO

10:06:56 Chair Fitzpatrick

10:07:35 Mr. Haight

10:08:13 Chair Fitzpatrick

10:08:55 Mr. Haight

10:09:43 Sen. Gauthier

10:10:00 Mr. Mahlum, Chamber of Commerce

10:10:52 Sen. Gauthier

10:11:13 Mr. Mahlum

10:12:23 Sen. Gauthier

10:12:45 Mr. Mahlum

10:13:21 Sen. Pope

10:13:47 Mr. Mahlum

10:14:54 Sen. Pope

10:15:45 Mr. Mahlum

10:16:19 Sen. Pope

10:17:32 Mr. Mahlum

10:18:46 Sen. Pope

10:19:06 Sen. Boland

10:19:45 Mr. Mahlum

10:21:08 Sen. Boland

10:22:50 Mr. Mahlum

10:24:41 Sen. Boland

10:26:45 Ms. Wiggers, NFIB

10:29:32 Sen. Boland

10:30:11 Ms. Wiggers

10:31:15 Sen. Gauthier

**Closing by Sponsor:**

10:31:39 Sen. Sweeney

10:34:42 Chair Fitzpatrick

10:36:24 Recess

10:52:15 Reconvene

10:52:17 Chair Fitzpatrick

**EXECUTIVE ACTION ON HB 65**

11:00:28 **Motion:** Sen. Vance moved that **HB 65 BE CONCURRED IN.**

10:52:49 **Motion/Vote:** Sen. Fitzpatrick moved that **HB 65 BE AMENDED.** Motion carried 9-0 by voice vote. Sen. Fox voted by proxy. Sen. Ellsworth and Sen. C. Smith were excused.

**EXHIBIT(bus30a15)**

10:53:38 **Motion/Vote:** Sen. Vance moved that **HB 65 BE CONCURRED IN AS AMENDED.** Motion carried 9-0 by voice vote. Sen. Fox voted by proxy. Sen. Ellsworth and Sen. C. Smith were excused. Sen. Gauthier will carry the bill.

**EXECUTIVE ACTION ON SB 91**

10:54:13 **Motion:** Sen. Vance moved that **SB 91 DO PASS.**

10:54:21 **Motion/Vote:** Sen. Vance moved that **SB 91 BE AMENDED.** Motion carried 9-0 by voice vote. Sen. Fox voted by proxy. Sen. Ellsworth and Sen. C. Smith were excused.

**EXHIBIT(bus30a16)**

10:56:11 **Motion:** Sen. Vance moved that **SB 91 DO PASS AS AMENDED.**

**Discussion:**

10:56:30 Sen. Boland

10:57:02 Sen. Vance

10:57:43 Sen. Boland

10:58:07 Chair Fitzpatrick

10:58:42 Sen. Pope

11:01:06 **Vote:** Motion carried 8-3 by roll call vote with Sen. Boland, Sen. Fox and Sen. Pope voting no. Sen. Ellsworth, Sen. Fox and Sen. C. Smith voted by proxy.

**EXECUTIVE ACTION ON SR 17**

11:01:13 **Motion:** Sen. Vance moved that **SR 17 BE NOT ADOPTED.**

**Discussion:**

11:01:33 Sen. Pope

11:02:18 Sen. Small

11:02:40 **Vote:** Motion carried 6-5 by roll call vote with Sen. Boland, Sen. Fox, Sen. Pope, Sen. Small and Sen. Sweeney voting no. Sen. Ellsworth, Sen. Fox and Sen. C. Smith voted by proxy.

**EXECUTIVE ACTION ON SR 18**

11:03:30 **Motion:** Sen. Vance moved that **SR 18 BE NOT ADOPTED.**

**Discussion:**

11:03:53 Sen. Boland

11:04:51 **Vote:** Motion carried 7-4 by roll call vote with Sen. Boland, Sen. Fox, Sen. Pope and Sen. Sweeney voting no. Sen. Ellsworth, Sen. Fox and Sen. C. Smith voted by proxy.

**EXECUTIVE ACTION ON SR 19**

11:05:30 **Motion:** Sen. Vance moved that **SR 19 BE NOT ADOPTED.**

**Discussion:**

11:05:53 Sen. Boland

11:06:15 **Vote:** Motion carried 7-4 by roll call vote with Sen. Boland, Sen. Fox, Sen. Pope and Sen. Sweeney voting no. Sen. Ellsworth, Sen. Fox and Sen. C. Smith voted by proxy.

**EXECUTIVE ACTION ON SR 20**

11:07:07 **Motion:** Sen. Vance moved that **SR 20 BE NOT ADOPTED .**

**Discussion:**

11:07:33 Sen. Boland

11:07:43 Sen. Pope

11:09:07 Chair Fitzpatrick

11:10:08 **Vote:** Motion carried 7-4 by roll call vote with Sen. Boland, Sen. Fox, Sen. Pope and Sen. Sweeney voting no. Sen. Ellsworth, Sen. Fox and Sen. C. Smith voted by proxy.

11:10:44 Chair Fitzpatrick

11:11:03 Sen. Gauthier

**ADJOURNMENT**

Adjournment: 11:11 A.M.

---

Olivia Hopkins, Secretary

oh

Additional Documents:

**EXHIBIT**([bus30aad.pdf](#))