

MINUTES

MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Vice Chair Gordon Vance, on February 24, 2021 at 8:00 AM, in Room 422 Capitol

ROLL CALL

Members Present in the Committee Room:

Sen. Steve Fitzpatrick, Chair (R)
Sen. Gordon Vance, Vice Chair (R)
Sen. Mike Fox (D)
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)

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: SB 269, 2/19/2021; SB 268, 2/19/2021; SB 289, 2/19/2021; SB 278, 2/19/2021; SB 322, 2/19/2021; SB 234, 2/19/2021

Executive Action: SB 76, SR 75, SB 265, SB 266, SB 260

HEARING ON SB 269

Opening Statement by Sponsor:

08:00:35 Sen. Brian Hoven (R), SD 13, opened the hearing on SB 269, Allow mobile home owners the option to purchase a mobile home park.

08:05:27 Sen. Smith entered the meeting.

Proponents' Testimony:

08:07:55 George Nickolakokos, citizen

[EXHIBIT\(bus39a01\)](#)

08:16:12 Sheila Rice, Montana Housing Coalition

[EXHIBIT\(bus39a02\)](#)

08:19:30 Kaia Peterson, NeighborWorks Montana

08:22:22 Kelly Lynch, Montana League of Cities and Towns

[EXHIBIT\(bus39a03\)](#)

08:23:18 James Burrington, citizen

08:24:45 Bob Kelly, mayor, Great Falls

[EXHIBIT\(bus39a04\)](#)

08:26:45 Adrienne Bombelles, Montana Budget and Policy Center

[EXHIBIT\(bus39a05\)](#)

08:29:00 Elisabeth Voigt, citizen

08:32:43 Bill Cole, mayor, Billings

08:33:56 Sen. Fitzpatrick entered the meeting.

08:35:04 Cindy Newman, Great Falls

[EXHIBIT\(bus39a06\)](#)

Additional Testimony Received:

[EXHIBIT\(bus39a07\)](#)

Opponents' Testimony:

08:37:05 John Sinrud, Montana Landlords Association

08:48:41 Steve Skinner, landlord

08:53:47 Nathan Grovom, landlord

08:54:33 Sen. Smith entered the meeting.

08:56:53 Sen. Fitzpatrick assumed the duties of the chair.

08:57:15 Chair Fitzpatrick

08:57:28 PJ McHugh, landlord

08:58:07 Jess Mortensen, landlord

09:00:46 Charles Denowh, Havenpark Communities
[EXHIBIT\(bus39a08\)](#)

09:05:01 Sam Sill, Montana Association of Realtors
09:06:07 Kallee Grovom, citizen
[EXHIBIT\(bus39a09\)](#)

09:08:00 Don Cape, landlord
[EXHIBIT\(bus39a10\)](#)

09:08:24 Sharon Lodge, president, Bozeman Landlords Association
[EXHIBIT\(bus39a11\)](#)

Additional Testimony Received:
[EXHIBIT\(bus39a12\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

09:12:01 Sen. Gauthier
09:12:37 Sen. Hoven
09:13:49 Sen. Gauthier
09:14:25 Sen. Hoven
09:15:09 Chair Fitzpatrick
09:15:18 Sen. Hoven
09:16:14 Chair Fitzpatrick
09:16:45 Sen. Hoven
09:18:12 Sen. Gillespie
09:18:43 Sen. Hoven
09:19:15 Sen. Sweeney
09:19:33 Sen. Hoven
09:20:20 Sen. Gauthier
09:20:27 Mr. Denowh, Havenpark

Closing by Sponsor:

09:21:06 Sen. Hoven

HEARING ON SB 268

Opening Statement by Sponsor:

09:23:33 Sen. Brian Hoven (R), SD 13, opened the hearing on SB 268, Allow for the condemnation and reacquisition of a mobile home park.

[EXHIBIT\(bus39a13\)](#)

Proponents' Testimony:

09:32:45 Bill Cole, mayor, Billings
09:34:38 Timothy Marreel, citizen
09:35:29 Carla Hill, citizen
09:37:52 Kenneth Hanks, citizen

09:40:17 Nancy Moore, citizen

[EXHIBIT\(bus39a14\)](#)

09:43:02 Bob Kelly, mayor, Great Falls

[EXHIBIT\(bus39a15\)](#)

09:44:33 Kelly Lynch, Montana League of Cities and Towns

[EXHIBIT\(bus39a16\)](#)

09:45:40 Janice Bailey, citizen

09:47:03 Gregg Wilkinson, citizen

09:54:12 Ashley Fanyak, citizen

09:55:35 Cindy Newman, Highwoods Mobile Home Park

10:03:08 Sheri Thompson, citizen

10:04:48 Chris Guenther, citizen

Additional Testimony Received:

[EXHIBIT\(bus39a17\)](#)

Opponents' Testimony:

10:05:47 John Sinrud, Montana Landlords Association

10:08:13 Charles Denowh, Havenpark Communities

10:14:22 Nathan Grovom, landlord

10:17:41 Steve Skinner, landlord

10:20:02 PJ McHugh, landlord

10:21:41 Jess Mortensen, landlord

10:23:42 Sam Sill, Montana Association of Realtors

10:24:53 Kallee Grovom, citizen

[EXHIBIT\(bus39a18\)](#)

10:26:14 Sharon Lodge, president, Bozeman Landlords Association

[EXHIBIT\(bus39a19\)](#)

Additional Testimony Received:

[EXHIBIT\(bus39a20\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

10:29:20 Sen. Gillespie

10:30:03 Mr. McHugh, landlord

10:32:30 Sen. Gillespie

10:33:11 Mr. McHugh

10:34:18 Sen. Boland

10:35:20 Mr. Denowh, Havenpark

10:36:49 Sen. Boland

10:37:35 Mr. Denowh

10:38:10 Sen. Boland

10:38:32 Sen. Gauthier

10:39:00 Mr. Denowh

10:39:21 Sen. Gauthier

Closing by Sponsor:

10:39:50 Sen. Hoven

HEARING ON SB 289

Opening Statement by Sponsor:

10:47:21 Sen. Brian Hoven (R), SD 13, opened the hearing on SB 289, Revise employment application by eliminating reference to criminal record.

Proponents' Testimony:

10:48:42 Steve Cape, Montana Coalition for Safety and Justice (MCSJ)

10:51:48 SJ Howell, Montana Women Vote

Additional Testimony Received:

[**EXHIBIT\(bus39a21\)**](#)

Opponents' Testimony:

10:53:26 Bridger Mahlum, Montana Chamber of Commerce

10:55:56 Ronda Wiggers, Helena Chamber of Commerce

10:57:17 Patrick Webb, Americans for Prosperity - Montana

10:58:17 Debra Silk, Montana School Boards Association, Montana Public Education Center

[**EXHIBIT\(bus39a22\)**](#)

Additional Testimony Received:

[**EXHIBIT\(bus39a23\)**](#)

Informational Testimony: None

Questions from Committee Members and Responses:

11:03:32 Sen. Gauthier

11:04:57 Mr. Cape, MCSJ

11:07:56 Sen. Boland

11:08:32 Sen. Hoven

11:10:29 Sen. Boland

11:11:17 Sen. Hoven

Closing by Sponsor:

11:11:51 Sen. Hoven

HEARING ON SB 278

Opening Statement by Sponsor:

11:13:23 Sen. Greg Hertz (R), SD 6, opened the hearing on SB 278, Generally revise civil liability law.

Proponents' Testimony:

11:16:47 Abigail St. Lawrence, Montana Building Industry Association

11:18:02 Nephi Cole, National Shooting Sports Foundation
[EXHIBIT\(bus39a24\)](#)

Opponents' Testimony:

11:19:11 Al Smith, Montana Trial Lawyers Association

11:22:18 Sen. Pope entered the meeting.

Informational Testimony: None

Questions from Committee Members and Responses:

11:26:29 Sen. Sweeney

Closing by Sponsor:

11:27:31 Sen. Hertz

HEARING ON SB 322

Opening Statement by Sponsor:

11:28:28 Sen. Kenneth Bogner (R), SD 19, opened the hearing on SB 322, Generally revise worker's compensation laws relating to the Montana State Fund.

Proponents' Testimony:

11:32:11 Keith Brownfield, Victory Insurance Company

11:35:15 Jerry Driscoll, citizen

11:38:26 Nelly Nicol, Fair Montana

11:43:35 Lori Robinson, citizen

Opponents' Testimony:

11:45:46 Kevin Braun, Montana State Fund

11:47:42 Abigail St. Lawrence, Montana Building Industry Association

11:48:18 Jason Todhunter, Montana Logging Association

11:49:32 Kevin Smith, Intermountain Force Technology

11:50:52 Bridger Mahlum, Montana Chamber of Commerce

11:51:25 Jackie Jones, Office of the Montana State Auditor, Commissioner of Securities and Insurance

11:51:54 Adam Haight, American Federation of Labor Congress of Industrial Organizations

11:52:14 Ronda Wiggers, National Federation of Independent Businesses

11:53:08 John Iverson, Independent Insurance Agents of Montana

11:53:33 Duane Williams, Motor Carriers of Montana

11:54:22 Bruce Tutvedt, citizen

[EXHIBIT\(bus39a25\)](#)

Additional Testimony Received:

[EXHIBIT\(bus39a26\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

11:55:13 Sen. Vance
11:55:58 Ms. Nicol, Fair Montana

Closing by Sponsor:

11:56:30 Sen. Bogner

HEARING ON SB 234

Opening Statement by Sponsor:

11:57:11 Sen. Gordon Vance (R), SD 34, opened the hearing on SB234, Create the Unemployment Insurance Program Integrity Act.

Proponents' Testimony:

11:58:19 Glenn Oppel, Governor's Office
11:58:54 Joe Horvath, Opportunity Solutions Project

Opponents' Testimony: None

Informational Testimony:

12:00:46 Paul Martin, Unemployment Insurance Program administrator, Department of Labor and Industry (DLI)

Questions from Committee Members and Responses:

12:01:12 Sen. Boland
12:01:54 Mr. Martin, DLI
12:02:06 Sen. Boland
12:02:28 Mr. Martin
12:02:40 Sen. Pope
12:03:02 Mr. Martin
12:03:15 Sen. Pope
12:03:32 Mr. Martin

Closing by Sponsor:

12:04:24 Sen. Vance

12:04:35 Chair Fitzpatrick

12:06:22 Recess
12:16:21 Reconvene

EXECUTIVE ACTION ON SR 75

12:16:30 **Motion:** Sen. Vance moved that **SR 75 BE ADOPTED.**

Discussion:

12:16:51 Sen. Sweeney

12:17:00 **Vote:** Motion carried 10-0 by voice vote. Sen. Ellsworth was excused.

EXECUTIVE ACTION ON SB 76

12:17:15 **Motion:** Sen. Vance moved that **SB 76 DO PASS.**

Discussion:

12:17:41 Chair Fitzpatrick

12:17:58 **Motion/Vote:** Sen. Fitzpatrick moved that **SB 76 BE AMENDED.** Motion carried 10-0 by voice vote. Sen. Ellsworth was excused.

EXHIBIT(bus39a27)

12:18:24 **Motion/Vote:** Sen. Vance moved that **SB 76 DO PASS AS AMENDED.** Motion carried 10-0 by voice vote. Sen. Ellsworth was excused.

EXECUTIVE ACTION ON SB 260

12:18:50 **Motion:** Sen. Vance moved that **SB 260 DO PASS.**

12:19:01 **Motion:** Sen. Fitzpatrick moved that **SB 260 BE AMENDED.**

EXHIBIT(bus39a28)

Discussion:

12:19:15 Chair Fitzpatrick

12:20:13 Sen. Boland

12:20:26 Chair Fitzpatrick

12:20:53 Sen. Boland

12:21:04 Chair Fitzpatrick

12:21:41 **Vote:** Motion carried 9-1 by voice vote with Sen. Pope voting no. Sen. Ellsworth was excused.

12:21:58 **Motion/Vote:** Sen. Vance moved that **SB 260 DO PASS AS AMENDED.** Motion carried 7-4 by roll call vote with Sen. Boland, Sen. Fox, Sen. Pope and Sen. Sweeney voting no. Sen. Ellsworth voted by proxy.

EXECUTIVE ACTION ON SB 265

12:23:02 **Motion:** Sen. Vance moved that **SB 265 DO PASS.**

12:23:12 **Motion/Vote:** Sen. Fitzpatrick moved that **SB 265 BE AMENDED.** Motion carried 10-0 by voice vote. Sen. Ellsworth was excused.

EXHIBIT(bus39a29)

12:23:47 **Motion:** Sen. Vance moved that **SB 265 DO PASS AS AMENDED.**

Discussion:

12:23:56 Sen. Pope

12:24:44 **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 266

12:25:26 **Motion:** Sen. Vance moved that **SB 266 DO PASS.**

12:25:37 **Motion/Vote:** Sen. Fitzpatrick moved that **SB 266 BE AMENDED.** Motion carried 9-1 by voice vote with Sen. Boland voting no. Sen. Ellsworth was excused.

EXHIBIT(bus39a30)

12:26:22 **Motion/Vote:** Sen. Vance moved that **SB 266 DO PASS AS AMENDED.** Motion carried 8-3 by roll call vote with Sen. Boland, Sen. Fox and Sen. Pope voting no. Sen. Ellsworth voted by proxy.

12:27:09 Chair Fitzpatrick

12:27:38 Sen. Boland

12:27:45 Chair Fitzpatrick

ADJOURNMENT

Adjournment: 12:27 P.M.

Olivia Hopkins, Secretary

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Additional Documents:

EXHIBIT([bus39aad.pdf](#))