

## MINUTES

### MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION

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

**Call to Order:** Chair Steve Fitzpatrick, on March 10, 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. Bruce Gillespie (R)  
Sen. Jason D. Small (R)  
Sen. Cary Smith (R)  
Sen. Mark Sweeney (D)

**Members Present by Zoom Video Conference:**

Sen. Mike Fox (D)  
Sen. Terry Gauthier (R)  
Sen. Christopher Pope (D)

**Members Excused:**

Sen. Carlie Boland, Vice Chair (D)  
Sen. Jason W. Ellsworth (R)

**Members Absent:** None

**Staff Present:** Olivia Hopkins, Committee Secretary  
Clara Bentler, Remote Meeting Coordinator  
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 198, 3/5/2021; HB 254, 3/5/2021; HB 282, 3/5/2021; HB 283,  
3/5/2021; HB 290, 3/5/2021

09:00:17 Chair Fitzpatrick

**HEARING ON HB 254**

**Opening Statement by Sponsor:**

09:00:45 Rep. Ross Fitzgerald (R), HD 17, opened the hearing on HB254, Revise the wrongful discharge act.

**Proponents' Testimony:**

09:03:39 Bridger Mahlum, Montana Chamber of Commerce  
 09:07:19 Matt Jones, Burlington Northern Santa Fe Railway (BNSF)  
 09:10:55 Joe Racicot, Montana Rail Link  
 09:13:36 Scott Sales, Governor's Office  
 09:14:15 David Smith, Montana Contractors Association  
 09:15:12 Cary Hegreberg, Montana Bankers Association  
 09:16:11 Jason Todhunter, Montana Logging Association  
 09:17:09 Ronda Wiggers, National Federation of Independent Business; Helena Chamber of Commerce  
 09:17:52 Duane Williams, Motor Carriers of Montana  
 09:18:31 Aimee Grmoljez, Montana-Dakota Utilities Resources  
 09:18:49 Gerry Fagan, Montana Defense Trial Lawyers

**EXHIBIT(bus48a01)**

**Opponents' Testimony:**

09:25:14 Adam Haight, American Federation of Labor and Congress of Industrial Organizations  
 09:26:40 John Forkan, International Brotherhood of Teamsters #2  
 09:27:41 DB Kenner, chairman, Brotherhood of Locomotive Engineers and Trainmen  
 09:32:41 Eric Anderson, Teamsters Local 190  
 09:33:08 Laurie Little Dog, citizen

**EXHIBIT(bus48a02)**

09:34:30 Jamie Towe, citizen  
 09:42:32 Phil Hohenlohe, attorney  
 09:51:10 Al Smith, Montana Trials Lawyers Association (MTLA)

**EXHIBIT(bus48a03)**

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

09:56:51 Sen. Small  
 09:58:02 Mr. Hohenlohe, attorney  
 09:58:36 Sen. Small  
 09:59:08 Mr. Jones, BNSF  
 09:59:24 Sen. Small  
 09:59:40 Mr. Jones  
 09:59:56 Sen. Pope  
 10:01:05 Rep. Fitzgerald  
 10:01:28 Mr. Mahlum, Montana Chamber of Commerce  
 10:01:43 Sen. Pope

10:02:15 Mr. Mahlum  
10:03:13 Sen. Pope  
10:05:17 Mr. Hohenlohe  
10:06:22 Sen. Pope  
10:07:46 Mr. Hohenlohe  
10:09:46 Sen. Small  
10:10:37 Mr. Smith, MTLA  
10:11:20 Chair Fitzpatrick  
10:11:40 Mr. Mahlum

**Closing by Sponsor:**

10:12:07 Rep. Fitzgerald

**HEARING ON HB 282**

**Opening Statement by Sponsor:**

10:13:37 Rep. Fred Anderson (R), HD 20, opened the hearing on HB282, Revise labor laws relating to the employment of minors.

**Proponents' Testimony:**

10:16:19 Bridger Mahlum, Montana Chamber of Commerce  
10:17:19 David Smith, Montana Contractors Association  
10:18:19 Rachel Cone, Montana Farm Bureau Federation  
10:19:02 Shane Etwiler, citizen

[EXHIBIT\(bus48a04\)](#)

**Opponents' Testimony:** None

**Informational Testimony:** None

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

**Closing by Sponsor:**

10:20:43 Rep. Anderson

**HEARING ON HB 283**

**Opening Statement by Sponsor:**

10:21:26 Rep. Fred Anderson (R), HD 20, opened the hearing on HB283, Revise workers' compensation laws relating to student interns.

**Proponents' Testimony:**

10:24:23 Bridger Mahlum, Montana Chamber of Commerce  
10:24:54 David Smith, Montana Contractors Association

[EXHIBIT\(bus48a05\)](#)

10:26:03 Aimee Grmoljez, Montana-Dakota Utilities Resources  
10:26:41 Peter Strauss, Montana Self Insurers' Association

[EXHIBIT\(bus48a06\)](#)

10:28:08 Shane Etzwiler, citizen

[EXHIBIT\(bus48a07\)](#)

**Opponents' Testimony:** None

**Informational Testimony:**

10:29:30 Kevin Braun, Montana State Fund (MSF)

**Questions from Committee Members and Responses:**

10:29:49 Sen. Gillespie

10:30:25 Rep. Anderson

10:31:10 Chair Fitzpatrick

10:31:21 Mr. Braun, MSF

**Closing by Sponsor:**

10:31:37 Rep. Anderson

10:32:50 Recess

10:34:57 Reconvene

### **HEARING ON HB 198**

**Opening Statement by Sponsor:**

10:35:16 Rep. Derek Harvey (D), HD 74, opened the hearing on HB198, Revise workers' compensation death benefit laws.

[EXHIBIT\(bus48a08\)](#)

**Proponents' Testimony:**

10:36:40 Adam Haight, American Federation of Labor and Congress of Industrial Organizations

10:36:59 John Forkan, Montana State Building and Construction Trades Council; International Brotherhood of Teamsters #2

10:37:59 John Iverson, Independent Insurance Agents of Montana

10:38:42 Joel Gaertig, Montana State Firemens Association

10:39:13 David Smith, Montana Contractors Association

10:39:40 Jason Todhunter, Montana Logging Association

10:40:06 Ronda Wiggers, National Federation of Independent Business; Helena Chamber of Commerce

10:40:51 Steve Wade, Montana Municipal Interlocal Authority

10:41:20 Dan Smith, Montana Police Protective Association

10:41:49 Jackie Jones, Office of the Montana State Auditor, Commissioner of Securities and Insurance

10:42:13 Eric Anderson, Teamsters Local 190

10:42:45 Peter Strauss, Montana Self Insurers' Association

[EXHIBIT\(bus48a09\)](#)

10:43:05 Al Smith, Montana Trials Lawyers Association

**Opponents' Testimony:** None

**Informational Testimony:**

10:43:47 Chris Puyer, Montana Funeral Directors Association  
10:44:56 Eric Strauss, Department of Labor and Industry  
10:45:19 Kevin Braun, Montana State Fund

**Questions from Committee Members and Responses:**

10:45:37 Sen. Vance  
10:45:57 Rep. Harvey  
10:46:24 Chair Fitzpatrick  
10:46:40 Rep. Harvey

**Closing by Sponsor:**

10:47:12 Rep. Harvey

**HEARING ON HB 290**

**Opening Statement by Sponsor:**

10:48:39 Rep. Brad Tschida (R), HD 97, opened the hearing on HB290, Provide for a self-storage insurance act.

**Proponents' Testimony:**

10:51:28 Jackie Jones, Office of the Montana State Auditor, Commissioner of Securities and Insurance (CSI)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

10:54:24 Sen. Vance  
10:54:51 Ms. Jones, CSI  
10:55:16 Sen. Vance  
10:55:26 Ms. Jones  
10:56:29 Sen. Vance  
10:56:41 Ms. Jones

**Closing by Sponsor:**

10:58:04 Rep. Tschida  
  
10:58:26 Chair Fitzpatrick

**ADJOURNMENT**

Adjournment: 10:59 A.M.

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Olivia Hopkins, Secretary

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Additional Documents:

**EXHIBIT([bus48aad.pdf](#))**