

## MINUTES

### MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION

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

**Call to Order:** Chair Steve Fitzpatrick, on April 1, 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. 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)  
Sen. Jason D. Small (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: SB 407, 3/31/2021

Executive Action: SB 401, HB 525, HB 564, SB 396, SB 398

**HEARING ON SB 407**

**Opening Statement by Sponsor:**

09:00:51 Sen. Shannon O'Brien (D), SD 46, opened the hearing on SB 407, Establishing high-quality child care business development grants.

**Proponents' Testimony:**

09:07:20 Kathleen O'Leary, deputy director, Department of Labor and Industry  
09:08:49 Kali Wicks, board chair, Women's Foundation of Montana  
09:10:51 Caitlin Jensen, executive director, Zero to Five Montana

**Additional Testimony Received:**

**[EXHIBIT\(bus64a01\)](#)**

**Opponents' Testimony:** None

**Informational Testimony:**

09:16:17 Robert Sonora, Ph.D., University of Montana (UM)  
09:20:45 Patty Butler, Department of Public Health and Human Services (DPHHS)

**Questions from Committee Members and Responses:**

09:21:12 Sen. Gillespie  
09:21:36 Sen. O'Brien  
09:22:31 Chair Fitzpatrick  
09:22:38 Sen. O'Brien  
09:23:16 Chair Fitzpatrick  
09:23:24 Sen. O'Brien  
09:24:29 Chair Fitzpatrick  
09:24:34 Mr. Sonora, UM  
09:25:06 Chair Fitzpatrick  
  
09:25:18 Sen. Pope entered the meeting.  
  
09:25:22 Mr. Sonora  
09:25:42 Chair Fitzpatrick  
09:25:58 Ms. Butler, DPHHS  
09:27:04 Chair Fitzpatrick  
09:27:09 Ms. Butler  
09:27:20 Sen. Boland  
09:27:45 Mr. Sonora  
09:31:03 Sen. Sweeney  
09:32:00 Sen. O'Brien  
09:34:30 Sen. Gauthier  
09:35:32 Sen. O'Brien  
09:36:26 Sen. Gauthier  
09:37:20 Sen. O'Brien  
09:37:58 Sen. Gauthier  
09:38:14 Sen. O'Brien  
09:38:49 Sen. Gauthier  
09:39:26 Sen. O'Brien

09:40:24 Sen. Sweeney  
09:41:18 Sen. O'Brien  
09:42:47 Sen. Gauthier  
09:43:23 Sen. O'Brien  
09:44:10 Sen. Gauthier  
09:44:54 Sen. O'Brien

**Closing by Sponsor:**

09:45:19 Sen. O'Brien  
  
09:47:02 Chair Fitzpatrick

**EXECUTIVE ACTION ON SB 401**

09:48:01 **Motion/Vote:** Sen. Fitzpatrick moved that **SB 401 BE TABLED**. Motion carried 9-0 by voice vote. Sen. Ellsworth and Sen. Small were excused.

**EXHIBIT(bus64a02)**

**Discussion:**

09:48:20 Sen. Boland  
  
09:48:44 Recess  
10:02:23 Reconvene

**EXECUTIVE ACTION ON HB 525**

10:02:31 **Motion:** Sen. Vance moved that **HB 525 BE CONCURRED IN**.

**Discussion:**

10:02:48 Sen. Boland  
10:02:59 Chair Fitzpatrick  
  
10:03:07 **Vote:** Motion carried 8-1 by voice vote with Sen. C. Smith voting no. Sen. Ellsworth and Sen. Small were excused. Sen. Fitzpatrick will carry the bill.

**EXECUTIVE ACTION ON HB 564**

10:03:29 **Motion:** Sen. Vance moved that **HB 564 BE CONCURRED IN**.

**Discussion:**

10:03:46 Chair Fitzpatrick  
10:04:12 Sen. Gillespie  
10:04:31 Sen. Pope  
  
10:04:52 **Vote:** Motion failed unanimously by roll call vote. Sen. Ellsworth and Sen. Small voted by proxy.  
  
10:05:25 **Motion/Vote:** Sen. Vance moved that **HB 564 BE TABLED**. Motion carried 9-0 by voice vote. Sen. Ellsworth and Sen. Small were excused.

**EXECUTIVE ACTION ON SB 396**

10:05:45 **Motion/Vote:** Sen. Vance moved that **SB 396 DO PASS**. Motion carried 9-1 by voice vote with Sen. Small voting no. Sen. Small voted by proxy. Sen. Ellsworth was excused.

**EXECUTIVE ACTION ON SB 398**

10:06:19 **Motion:** Sen. Vance moved that **SB 398 DO PASS**.

10:06:24 **Motion:** Sen. Fitzpatrick moved that **SB 398 BE AMENDED**.  
**EXHIBIT(bus64a03)**

**Discussion:**

10:06:36 Sen. Gillespie

10:06:51 Sen. Boland

10:07:20 **Vote:** Motion failed 5-6 by roll call vote with Sen. Ellsworth, Sen. Fitzpatrick, Sen. Gauthier, Sen. Small and Sen. Vance voting aye. Sen. Ellsworth and Sen. Small voted by proxy.

**Discussion:**

10:08:00 Sen. Boland

10:09:37 Sen. Gillespie

10:10:55 Sen. Gauthier

10:11:53 Sen. Gillespie

10:12:11 Sen. Pope

10:13:50 **Vote:** Motion carried 7-4 by roll call vote with Sen. Boland, Sen. Fox, Sen. Pope and Sen. Sweeney voting no. Sen. Ellsworth and Sen. Small voted by proxy.

10:14:36 Chair Fitzpatrick

**ADJOURNMENT**

Adjournment: 10:14 A.M.

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Olivia Hopkins, Secretary

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Additional Documents:

**EXHIBIT**([bus64aad.pdf](#))