

MINUTES

MONTANA SENATE 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chair Edward Buttrey, on February 18, 2015 at 8:00 AM, in Room 422
Capitol

ROLL CALL

Members Present:

Sen. Edward Buttrey, Chair (R)
Sen. Elsie Arntzen, Vice Chair (R)
Sen. Dee Brown (R)
Sen. Pat Connell (R)
Sen. Tom Facey (D)
Sen. Cary Smith (R)
Sen. Sharon Stewart-Peregoy (D) (arrived after roll call)
Sen. Gordon Vance (R)
Sen. Gene Vuckovich (D)

Members Excused: Sen. Lea Whitford (D)

Members Absent: None

Staff Present: Linda Keim, Committee Secretary
Jameson Walker, 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 251, 2/10/2015; SB 292, 2/10/2015; SB 317, 2/10/2015; HB 50, 2/10/2015

Executive Action: SB 79, SB 288, HB 50, HB 299, SB 271, SB 23, SB 270

HEARING ON SB 292

Opening Statement by Sponsor:

00:01:29 Sen. Matthew Rosendale (R), SD 18, opened the hearing on SB 292. Create a drug formulary for workers' compensation.

Proponents' Testimony:

00:06:49 Kevin Braun, Montana State Fund (MSF)
00:07:29 Barry 'Spook' Stang, Montana Motor Carriers
00:07:48 Bob Worthington, Montana Self Insurers Association
00:08:12 Ken Eichler, director, Regulatory and Outcome Initiatives, Work Loss Data Institute/Official Disability Guideline (WLDI/ODG); also speaking for International Association of Industrial Accident Boards and Commissions (IAIBC)

EXHIBIT(bus37a01)

Opponents' Testimony:

00:13:27 Lonny Olson, Montana Trial Lawyers Association

Informational Testimony:

00:20:49 Diana Ferriter, Department of Labor and Industry (DLI)

Questions from Committee Members and Responses:

00:21:13 Sen. Connell
00:23:21 Mr. Braun, MSF
00:23:45 Sen. Facey
00:25:10 Ms. Ferriter, DLI
00:25:32 Chairman Buttrey
00:25:57 Ms. Ferriter
00:26:09 Sen. Brown
00:26:40 Sen. Rosendale (redirect)
00:26:59 Mr. Eichler, WLDI/ODG
00:27:34 Sen. Facey
00:27:38 Mr. Eichler
00:28:03 Sen. Arntzen
00:28:50 Mr. Eichler
00:29:22 Sen. Stewart-Peregoy
00:31:20 Mr. Braun
00:31:32 Sen. Facey
00:31:58 Mr. Eichler
00:32:14 Sen. Facey
00:32:44 Mr. Worthington
00:33:12 Chairman Buttrey
00:33:16 Ms. Ferriter
00:33:38 Sen. Connell
00:34:29 Sen. Rosendale

00:34:38 Chairman Buttrey
00:34:54 Sen. Rosendale

Closing by Sponsor:

00:35:29 Sen. Rosendale
00:38:13 Chairman Buttrey

HEARING ON HB 50

Opening Statement by Sponsor:

00:38:45 Rep. Tom Steenberg (D), HD 99, opened the hearing on HB 50. Equal treatment of licensees under liquor control penalty laws.

Proponents' Testimony:

00:40:00 Shauna Helfert, Department of Revenue
00:41:27 John Iverson, Montana Tavern Association
00:41:42 Neil Peterson, Gaming Industry Association
00:41:58 Ronda Wiggers, Montana Coin Operators
00:42:12 Kristi Blazer, Montana Beer and Wine Distributors Association

EXHIBIT(bus37a02)

00:43:02 Tony Herbert, Montana Brewers Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:43:40 Sen. Connell
00:43:54 Chairman Buttrey

Closing by Sponsor:

00:44:02 Rep. Steenberg
00:44:43 Chairman Buttrey

HEARING ON SB 317

Opening Statement by Sponsor:

00:45:02 Sen. Jon Sesso (D), SD 37, opened the hearing on SB 317. Revise agency liquor store operating days.

EXHIBIT(bus37a03)

Proponents' Testimony:

00:50:52 Chad Ouelette, vice president, Liquor Store Owners Association of Montana;
owner, Liquor Store # 190, Big Sky

Opponents' Testimony:

00:51:56 John Iverson, Montana Tavern Association
00:55:10 Neil Peterson, Gaming Industry Association

Informational Testimony:

00:55:39 Shauna Helfert, administrator, Liquor Control Division, Department of Revenue
(DOR)

Questions from Committee Members and Responses:

00:56:02 Sen. Connell
00:56:47 Ms. Helfert, DOR
00:57:22 Chairman Buttrey
00:57:30 Sen. Connell
00:57:41 Chairman Buttrey
00:57:46 Sen. Facey
00:57:55 Ms. Helfert

Closing by Sponsor:

00:58:26 Sen. Sesso
01:00:16 Chairman Buttrey

HEARING ON SB 251

Opening Statement by Sponsor:

01:01:29 Sen. Dee Brown (R), SD 2, opened the hearing on SB 251. Revise prevailing
wage laws to match local government contracting.

[EXHIBIT\(bus37a04\)](#)

Proponents' Testimony:

01:03:07 Shantil Siaperas, analyst, Montana Association of Counties (MACo)
01:03:50 John MacDonald, City of Missoula; also speaking for Dave Lewiston, Montana
League of Cities and Towns

Opponents' Testimony:

01:04:32 Chris Cavazos, Montana American Federation of Labor-Congress of Industrial
Organizations (AFL-CIO)
01:05:22 J. D. Lynch, Montana Building and Construction Trades

01:06:17 Keith Allen, International Brotherhood of Electrical Workers (IBEW) Local #233
01:08:03 John Forkan, Montana State Association of Plumbers and Pipe Fitters
01:08:40 Kim Rickard, International Brotherhood of Laborers # 1686
01:09:26 Jessie Luther, Montana Contractors Association (MCA)
01:10:05 Jason Small, International Brotherhood of Boilermakers

Informational Testimony:

01:11:08 Diana Ferriter, administrator, Employment Relations Division, Department of Labor (DLI)

Questions from Committee Members and Responses:

01:10:54 Sen. Facey
01:12:49 Ms. Ferriter (redirect)
01:13:06 Mr. Allen
01:13:46 Sen. Facey
01:15:16 Ms. Luther, MCA
01:15:45 Sen. Arntzen
01:16:45 Ms. Ferriter
01:17:07 Chairman Buttrey

Closing by Sponsor:

01:17:14 Sen. Brown
01:18:40 Chairman Buttrey

01:19:37 Recess
01:36:42 Reconvene

EXECUTIVE ACTION ON SB 79

01:36:48 **Motion:** Sen. Arntzen moved that **SB 79 DO PASS.**

01:36:58 Jameson Walker, Legislative Services Division (LSD)

01:37:14 Sen. Facey

[EXHIBIT\(bus37a05\)](#)

01:38:18 **Motion:** Sen. Facey moved that **SB 79 BE AMENDED.**

Discussion:

01:38:32 Sen. Facey
01:40:03 Sen. Brown
01:40:29 Chairman Buttrey
01:40:54 Sen. Facey
01:42:07 Chairman Buttrey

01:42:19 **Vote:** Motion carried 9-0 by voice vote of those present and voting.

01:42:29 **Motion:** Sen. Facey moved that **SB 79 DO PASS AS AMENDED.**

Discussion:

01:42:45 Sen. Facey

01:43:04 Sen. Brown

01:43:15 **Vote:** Motion carried 9-0 by voice vote of those present and voting. Sen. Whitford was excused.

EXECUTIVE ACTION ON SB 270

01:43:34 **Motion:** Sen. Arntzen moved that **SB 270 DO PASS.**

Discussion:

01:44:29 Sen. Brown

01:44:32 Sen Facey

01:44:38 Chairman Buttrey

01:44:45 Jameson Walker, Legislative Services Division (LSD)

01:45:30 Without objection, Sen. Arntzen withdrew the DO PASS motion.

EXECUTIVE ACTION ON SB 271

01:45:54 **Motion:** Sen. Arntzen moved that **SB 271 DO PASS.**

Discussion:

01:46:15 Sen. Brown

01:46:25 Jameson Walker, Legislative Services Division (LSD)

[EXHIBIT\(bus37a06\)](#)

01:47:13 **Motion/Vote:** Sen. Arntzen moved that **SB 271 BE AMENDED.** Motion carried 9-0 by voice vote of those present and voting.

01:47:45 Sen. Connell

01:47:55 Chairman Buttrey

01:48:30 **Vote:** Motion failed 3-7 by voice vote with Sen. Facey, Sen. Stewart-Peregoy and Sen. Whitford voting aye.

01:48:58 **Motion/Vote:** Sen. Facey moved that **SB 271 BE TABLED.** Motion carried unanimously by voice vote. Sen. Whitford voted by proxy.

EXECUTIVE ACTION ON SB 288

01:49:12 **Motion:** Sen. Arntzen moved that **SB 288 DO PASS.**

Discussion:

01:49:45 Sen. Facey
 01:51:20 Chairman Buttrey
 01:51:38 Sen. Stewart-Peregoy
 01:53:14 Sen. Arntzen
 01:54:04 Sen. Facey
 01:54:19 Sen. Vuckovich
 01:56:49 Sen. Brown
 01:57:32 Chairman Buttrey
 01:58:24 Sen. Stewart-Peregoy
 01:58:43 Sen. Arntzen
 01:59:04 Sen. Brown
 01:59:12 Sen. Arntzen
 01:59:17 Chairman Buttrey

01:59:25 **Vote:** Motion carried 6-4 by roll call vote with Sen. Facey, Sen. Stewart-Peregoy, Sen. Vuckovich and Sen. Whitford voting no. Sen. Whitford voted by proxy.

EXECUTIVE ACTION ON HB 299

02:00:14 **Motion:** Sen. Arntzen moved that **HB 299 BE CONCURRED IN.**

Discussion:

02:00:27 Chairman Buttrey
 02:00:35 Jameson Walker, Legislative Services Division (LSD)
 02:00:51 Sen. Facey
 02:01:13 Chairman Buttrey

02:01:51 **Vote:** Motion failed 2-8 by voice vote with Sen. Arntzen and Sen. Brown voting aye. Sen. Whitford voted by proxy.

02:02:11 **Motion/Vote:** Sen. Facey moved that **HB 299 BE TABLED.** Motion carried 9-1 by voice vote with Sen. Brown voting no. Sen. Whitford voted by proxy.

EXECUTIVE ACTION ON SB 23

02:02:41 **Motion/Vote:** Sen. Connell moved that **SB 23 BE REMOVED FROM TABLE.** Motion failed 5-5 by roll call vote with Sen. Arntzen, Sen. Buttrey, Sen. Connell, Sen. Facey and Sen. Smith voting aye. Sen. Whitford voted by proxy.

EXECUTIVE ACTION ON HB 50

02:04:21 **Motion:** Sen. Arntzen moved that **HB 50 BE CONCURRED IN.**

Discussion:

02:04:58 Chairman Buttrey

02:05:45 Sen. Arntzen
02:05:50 Chairman Buttrey
02:06:07 Sen. Arntzen
02:06:13 Sen. Facey
02:06:36 Chairman Buttrey
02:06:39 Sen. Arntzen
02:06:55 Chairman Buttrey

02:07:16 **Vote:** Motion carried 9-0 by voice vote. Sen. Whitford was excused. Sen. Facey will carry the bill.

Committee Business:

02:07:57 Chairman Buttrey
02:08:54 Jameson Walker, Legislative Services Division (LSD)

EXHIBIT(bus37a07)

02:10:21 Sen. Facey
02:11:16 Chairman Buttrey
02:12:02 Sen. Arntzen
02:12:09 Sen. Facey
02:12:36 Chairman Buttrey
02:12:39 Sen. Arntzen
02:13:00 Chairman Buttrey
02:13:02 Mr. Walker, LSD

EXHIBIT(bus37a08)

02:13:20 Chairman Buttrey

ADJOURNMENT

Adjournment: 10:15 A.M.

Linda Keim, Secretary

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Additional Documents:

EXHIBIT([bus37aad.pdf](#))