

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON BUSINESS AND LABOR

**Call to Order:** Chair Tom Berry, on March 20, 2015 at 8:30 A.M., in Room 172 Capitol

#### ROLL CALL

**Members Present:**

Rep. Ryan Lynch, Vice Chair (D)  
Rep. Daniel R. Salomon, Vice Chair (R)  
Rep. Christy Clark (R)  
Rep. Willis Curdy (D)  
Rep. Chuck Hunter (D)  
Rep. George G. Kipp III (D)  
Rep. Mike Lang (R)  
Rep. David (Doc) Moore (R)  
Rep. Mark Noland (R)  
Rep. Andrea Olsen (D)  
Rep. Christopher Pope (D)  
Rep. Vince Ricci (R)  
Rep. Tom Richmond (R)  
Rep. Scott Staffanson (R)  
Rep. Tom Steenberg (D)  
Rep. Jeffrey W. Welborn (R)

**Members Excused:** Rep. Tom Berry, Chair (R)  
Rep. Steve Fitzpatrick (R)  
Rep. Gordon Pierson Jr (D)

**Members Absent:** None

**Staff Present:** Karen Armstrong, Committee Secretary  
Pat Murdo, 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, 03/13/2015; SB 270, 3/13/2015  
Executive Action: HJ 20, SB 138, SB 181, SB 251, SB 258, SB 288, SB 292,  
SB 377

00:00:01 Vice Chair Salomon chaired the meeting in Chairman Berry's absence.

### **HEARING ON SB 270**

#### **Opening Statement by Sponsor:**

00:01:08 Sen. Janna Taylor (R), SD 6, opened the hearing on SB 270, Exempt seasonal entities from minimum wage.

#### **EXHIBIT(buh58a01)**

#### **Proponents' Testimony:**

00:04:14 Jean Johnson, Montana Outfitters and Guides Association (MOGA)

#### **EXHIBIT(buh58a02)**

00:08:18 Abigail St. Lawrence, Montana Association of Christians (MAC)

00:10:13 Rev. Wren Blessing, Episcopal Diocese of Montana

00:12:34 Baird Linke, Flathead Lutheran Bible Camp

00:15:08 Ed Thamke, Self

00:16:17 Jim Neifert, Executive Director, Beartooth Mountain Christian Ministries

**Opponents' Testimony:** None

#### **Informational Testimony:**

00:19:13 Judy Bovington, Department of Labor and Industry (DLI)

#### **Questions from Committee Members and Responses:**

00:20:07 Rep. Hunter

00:20:43 Sen. Taylor

00:21:57 Rep. Hunter

00:22:25 Rev. Wren Blessing

00:24:40 Rep. Hunter

00:23:21 Rev. Wren Blessing

00:23:30 Rep. Lang

00:23:51 Sen. Taylor

00:24:51 Rep. Moore

00:25:01 Jean Johnson, MOGA

00:25:41 Rep. Moore

00:26:50 Jean Johnson, MOGA

00:26:20 Rep. Ricci

00:26:44 Judy Bovington, DLI

00:26:56 Pam McDaniel, Bureau Chief, Labor Standards Bureau, Department of Labor and Industry (DLI)

00:27:54 Rep. Hunter

00:28:35 Jean Johnson, MOGA

00:29:24 Chairman Salomon

#### **EXHIBIT(buh58a03)**

00:29:48 Rep. Hunter

00:30:06 Jean Johnson, MOGA

00:30:27 Rep. Hunter

00:30:48 Jean Johnson, MOGA

00:30:53 Chairman Salomon

00:30:59 Sen. Taylor  
00:31:28 Chairman Salomon  
00:31:41 Sen. Taylor  
00:32:47 Rep. Pope  
00:33:49 Jean Johnson, MOGA  
00:34:51 Rep. Pope  
00:35:21 Jean Johnson, MOGA  
00:36:06 Rep. Ricci  
00:36:33 Jean Johnson, MOGA  
00:36:51 Rep. Ricci  
00:36:59 Jean Johnson, MOGA

**Closing by Sponsor:**

00:37:15 Sen. Taylor

**HEARING ON SB 251**

**Opening Statement by Sponsor:**

00:38:54 Sen. Dee Brown (R), SD 2, opened the hearing on SB 251, Revise prevailing wage laws to match local government contracting.

**Proponents' Testimony:**

00:40:32 David Nielsen, Montana League of Cities and Towns  
00:47:54 Sen. Brown

**EXHIBIT(buh58a04)**

00:48:13 Shantil Siaperas, Montana Association of Counties (MACo)  
00:48:49 Rep. Fitzpatrick arrived.

**Opponents' Testimony:**

00:49:05 Chris Cavazos, American Federation of Labor-Congress of Industrial Organizations (AFL-CIO)  
00:50:44 Dwight Rose, International Brotherhood of Electrical Workers (IBEW), Local 233  
00:52:21 Judy Bovington, Department of Labor and Industry (DLI)  
00:53:09 Russ Katherman, Contracting Officer, Architecture and Engineering Division, Department of Administration (DOA)  
00:57:02 Cary Hegreberg, Executive Director, Montana Contractors Association (MCA)  
01:04:02 J. D. Lynch, Montana Building & Construction Trades, Teamsters Local #3

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:05:31 Rep. Curdy  
01:06:06 Judy Bovington, DLI  
01:06:25 Rep. Pope  
01:07:39 David Nielsen, Montana League of Cities and Towns  
01:09:04 Rep. Ricci  
01:09:59 Cary Hegreberg, MCA  
01:10:30 Rep. Berry arrived.  
01:11:13 Rep. Ricci

01:11:52 Cary Hegreberg, MCA  
01:13:14 Rep. Hunter  
01:13:36 Cary Hegreberg, MCA  
01:14:27 Chairman Salomon  
01:14:44 Sen. Brown

**Closing by Sponsor:**

01:16:39 Sen. Brown  
  
01:21:23 Chairman Berry resumed as chair.  
  
01:22:45 Recessed.  
01:23:20 Rep. Pierson arrived.  
01:48:14 Reconvened with all members present.

**EXECUTIVE ACTION ON SB 251**

01:48:37 **Motion:** Rep. Salomon moved that **SB 251 BE CONCURRED IN.**

**Discussion:**

01:48:56 Rep. Lynch  
01:49:24 Rep. Staffanson  
  
0150:01 **Vote:** Motion failed 5-14 by roll call vote with Rep. Fitzpatrick, Rep. Lang, Rep. Noland, Rep. Ricci and Rep. Staffanson voting aye.  
  
01:50:56 **Motion/Vote:** Rep. Salomon moved that **SB 251 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HJ 20**

01:51:11 **Motion:** Rep. Salomon moved that **HJ 20 DO PASS.**

**Discussion:**

01:51:29 Rep. Clark  
01:51:47 Rep. Lynch  
01:52:05 Rep. Pope  
01:52:58 Rep. Moore  
  
01:53:27 **Vote:** Motion failed 8-11 by roll call vote with Rep. Curdy, Rep. Hunter, Rep. Kipp, Rep. Lynch, Rep. Olsen, Rep. Pierson, Rep. Pope and Rep. Steenberg voting aye.  
  
01:54:27 **Motion/Vote:** Rep. Salomon moved that **HJ 20 BE TABLED.** Motion carried unanimously by roll call vote.

**EXECUTIVE ACTION ON SB 138**

01:54:36 **Motion:** Rep. Salomon moved that **SB 138 BE CONCURRED IN.**

01:54:43 **Motion:** Rep. Clark moved that **SB 138 BE AMENDED.**  
**EXHIBIT(buh58a05)**

**Discussion:**

01:55:01 Pat Murdo, Legislative Services Division (LSD)

01:55:58 Rep. Fitzpatrick

01:56:26 Rep. Lynch

01:56:44 **Vote:** Motion carried 13-6 by roll call vote with Rep. Berry, Rep. Fitzpatrick, Rep. Lang, Rep. Noland, Rep. Ricci and Rep. Staffanson voting no.

01:57:47 **Motion:** Rep. Clark moved that **SB 138 BE AMENDED.**  
**EXHIBIT(buh58a06)**

**Discussion:**

01:57:57 Pat Murdo, LSD

01:58:39 **Vote:** Motion carried unanimously by voice vote.

01:58:49 **Motion:** Rep. Salomon moved that **SB 138 BE CONCURRED IN AS AMENDED.**

**Discussion:**

01:58:58 Rep. Lynch

01:59:26 **Vote:** Motion carried unanimously by voice vote. Rep. Fitzpatrick will carry the bill.

**EXECUTIVE ACTION ON SB 258**

01:59:53 **Motion:** Rep. Salomon moved that **SB 258 BE CONCURRED IN.**

**Discussion:**

02:00:10 Rep. Hunter

02:00:47 Rep. Kipp

02:02:15 **Vote:** Motion failed 2-17 by roll call vote with Rep. Berry and Rep. Fitzpatrick voting aye.

02:02:57 **Motion/Vote:** Rep. Salomon moved that **SB 258 BE TABLED.** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SB 288**

02:02:25 **Motion:** Rep. Salomon moved that **SB 288 BE CONCURRED IN.**

**Discussion:**

02:02:41 Rep. Olsen  
02:03:53 Rep. Lynch  
02:04:17 Chairman Berry  
02:04:58 Rep. Lang  
02:05:25 Rep. Pope  
02:06:14 Rep. Olsen

02:08:21 **Vote:** Motion carried 12-7 by roll call vote with Rep. Curdy, Rep. Hunter, Rep. Kipp, Rep. Lynch, Rep. Olsen, Rep. Pierson and Rep. Steenberg voting no. Rep. Fitzpatrick will carry the bill.

**EXECUTIVE ACTION ON SB 181**

02:08:51 **Motion:** Rep. Salomon moved that **SB 181 BE CONCURRED IN.**

**Discussion:**

02:09:05 Rep. Ricci

02:09:34 **Vote:** Motion carried unanimously by voice vote. Rep. Lang will carry the bill.

**EXECUTIVE ACTION ON SB 292**

02:09:47 **Motion:** Rep. Salomon moved that **SB 292 BE CONCURRED IN.**

**Discussion:**

02:09:54 Chairman Berry  
02:10:38 Rep. Lynch  
02:11:01 Rep. Hunter  
02:11:44 Rep. Welborn  
02:12:26 Sen. Rosendale  
02:13:35 Rep. Pope  
02:14:23 Rep. Moore  
02:14:51 Rep. Lang  
02:15:16 Rep. Kipp  
02:15:52 Rep. Salomon  
02:16:26 Rep. Hunter

02:17:11 **Vote:** Motion failed 9-10 by roll call vote with Rep. Berry, Rep. Clark, Rep. Fitzpatrick, Rep. Lang, Rep. Noland, Rep. Ricci, Rep. Richmond, Rep. Salomon and Rep. Staffanson voting aye.

02:18:11 **Motion/Vote:** Rep. Salomon moved that **SB 292 BE TABLED**. Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SB 377**

02:18:23 **Motion:** Rep. Salomon moved that **SB 377 BE CONCURRED IN**.

**Discussion:**

02:18:35 Rep. Clark

02:19:00 Rep. Olsen

02:20:10 **Vote:** Motion carried 13-6 by roll call vote with Rep. Kipp, Rep. Lynch, Rep. Olsen, Rep. Pierson, Rep. Ricci and Rep. Staffanson voting no. Rep. Salomon will carry the bill.

02:21:50 Chairman Berry

**ADJOURNMENT**

Adjournment: 02:22:28

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Karen Armstrong, Secretary

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Additional Documents:

**EXHIBIT([buh58aad.pdf](#))**