

MINUTES

MONTANA SENATE 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chair Edward Buttrey, on March 26, 2015 at 8:00 AM, in Room 422
Capitol

ROLL CALL

Members Present:

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

Members Excused: Sen. Cary Smith (R)

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 415, 3/24/2015; SB 414, 3/24/2015

Executive Action: SB 414, SB 415, B 554, SB 396, SB 401

HEARING ON SB 415

Opening Statement by Sponsor:

00:01:34 Sen. Pat Connell (R), SD 43, opened the hearing on SB 415. Create presumptive illness for firefighters.

Proponents' Testimony:

00:07:36 Jesse Laslovich, Office of Commissioner of Securities and Insurance, State Auditors Office (CSI)

EXHIBIT(bus63a01)

00:15:19 Doug Neil, Montana State Firemens Association

00:18:16 Brian Reed, Montana State Council of State Firefighters

00:18:51 Leonard Lundby, Montana Fire Alliance; fire chief, Manchester Fire Department

00:20:16 Derek Harvey, Montana State Council of State Firefighters

Opponents' Testimony:

00:20:55 Jacqueline Lenmark, American Insurance Association (AIA); also speaking for Bruce Spencer, Property Casualty Insurance Association of America (PCIAA)

00:31:03 Greg Van Horssen, State Farm Insurance Company, SFIC

00:33:52 Dwight Easton, Farmers Insurance Group

Informational Testimony: Diana Ferriter, Department of Labor and Industry (DLI)

Questions from Committee Members and Responses:

00:35:22 Sen. Facey

00:35:42 Mr. Laslovich, CSI

00:35:50 Sen. Facey

00:36:51 Mr. Van Horssen, SFIC

00:37:48 Sen. Facey

00:38:41 Mr. Laslovich

00:40:09 Chairman Buttrey

00:43:42 Mr. Laslovich

00:43:51 Chairman Buttrey

00:45:35 Ms. Lenmark, AIA

Closing by Sponsor:

00:45:53 Sen. Connell

00:55:23 Chairman Buttrey

Sen. Stewart-Peregoy assumed the position of chair

HEARING ON SB 414

Opening Statement by Sponsor:

00:56:21 Sen. Edward Buttrey (R), SD 11, opened the hearing on SB 414. Create seasonal employer and employee designation for unemployment insurance.

Proponents' Testimony:

01:00:36 Glenn Oppel, Montana Chamber of Commerce
01:02:40 Stuart Doggett, Montana Lodging and Hospitality Association
01:03:51 Aimee Grmoljez, Montana Ski Area Association
01:05:45 Ed Bartlett, Bozeman Area Chamber of Commerce; Billings Area Chamber of Commerce

Opponents' Testimony:

01:08:51 Steve Wade, Montana Contractors Association (MCA)
[EXHIBIT\(bus63a02\)](#)
01:12:05 Chris Cavazos, Montana AFL-CIO
01:13:12 Keith Allen, International Brotherhood of Electrical Workers, #233
01:17:30 J. D. Lynch, Montana Milling and Construction Trades
01:18:18 John Forkan, Montana State Association of Plumbers and Pipefitters

Informational Testimony:

01:20:38 Mark Cadwallader, Department of Labor and Industry (DLI)

Questions from Committee Members and Responses:

01:21:20 Sen. Connell
01:24:13 Sen. Buttrey
01:24:40 Sen. Arntzen entered the hearing.
01:25:54 Sen. Facey
01:27:36 Rachel Bawden, analyst, Department of Labor and Industry (DLI)
01:27:46 Sen. Facey
01:32:19 Sen. Buttrey

EXHIBIT(bus63a03)

01:33:10 Sen. Facey
01:33:42 Ms. Bawden, DLI
01:34:10 Sen. Brown
01:35:42 Mr. Cadwallader, DLI
01:36:04 Sen. Brown
01:36:19 Chair Stewart-Peregoy
01:36:25 Sen. Vuckovich
01:41:24 Sen. Buttrey

01:41:53 Sen. Whitford
 01:41:58 Sen. Buttrey
 01:42:45 Sen. Whitford
 01:45:13 Mr. Cadwallader
 01:46:01 Sen. Whitford
 01:49:34 Sen. Buttrey (redirect)
 01:50:21 Sen. Whitford
 01:50:26 Mr. Wade, MCA
 01:51:59 Sen. Whitford
 01:52:09 Mr. Cavazos, AFL-CIO
 01:52:27 Sen. Facey
 01:56:12 Mr. Cadwallader

Sen. Stewart-Peregoy left the hearing and Vice Chair Arntzen assumed the chair.

Closing by Sponsor:

01:56:22 Sen. Buttrey
 01:59:40 Vice Chair Arntzen
 Sen. Buttrey took over as chairman.
 01:59:46 Sen. Facey
 01:59:56 Chairman Buttrey
 02:00:34 Recess
 03:34:46 Reconvene

EXECUTIVE ACTION ON SB 414

03:34:54 **Motion:** Sen. Arntzen moved that **SB 414 DO PASS.**
 03:35:06 Chairman Buttrey
 03:35:23 Sen. Connell

[EXHIBIT\(bus63a04\)](#)

03:36:31 **Motion:** Sen. Arntzen moved that **SB 414 BE AMENDED.**

Discussion:

03:36:53 Jameson Walker, Legislative Services Division (LSD)
 03:37:24 Chairman Buttrey
 03:37:55 Sen. Facey
 03:38:12 Sen. Brown
 03:38:38 Chairman Buttrey
 03:39:03 Mr. Walker, LSD

03:39:12 **Substitute Motion/Vote:** Chairman Buttrey moved that **SB 414 BE AMENDED CONCEPTUALLY.** Motion carried unanimously by voice vote of those present.

03:40:07 **Motion:** Sen. Arntzen moved that **SB 414 BE AMENDED.**
EXHIBIT(bus63a05)

Discussion:

03:40:43 Chairman Buttrey
03:41:00 Sen. Connell
03:41:24 Sen. Vuckovich
03:41:29 Chairman Buttrey
03:41:40 Sen. Brown
03:41:51 Chairman Buttrey

03:41:56 **Vote:** Motion carried 8-2 by voice vote with Sen. D. Brown and Sen. Vuckovich voting no. Sen. Smith voted by proxy.

03:42:18 **Motion:** Sen. Arntzen moved that **SB 414 DO PASS AS AMENDED.**

Discussion:

03:42:31 Sen. Brown
03:43:04 Sen. Vuckovich
03:43:12 Chairman Buttrey
03:43:26 Sen. Vuckovich
03:43:37 Chairman Buttrey
03:44:07 Sen. Arntzen
03:44:14 Mr. Walker
03:44:28 Chairman Buttrey
03:44:47 Sen. Arntzen
03:44:50 Chairman Buttrey
03:44:55 Sen. Facey
03:45:36 Sen. Whitford
03:48:18 Chairman Buttrey

03:48:41 **Substitute Motion:** Sen. Stewart-Peregoy made a substitute motion that **further action on SB 414 BE POSTPONED UNTIL TOMORROW.**

Discussion:

03:49:48 Chairman Buttrey
03:50:11 Sen. Vance
03:50:43 Chairman Buttrey
03:51:27 Sen. Brown

03:51:31 **Vote:** Motion failed 4-6 by roll call vote with Sen. Facey, Sen. Stewart-Peregoy, Sen. Vuckovich and Sen. Whitford voting aye. Sen. Smith voted by proxy.

Discussion:

03:52:59 Sen. Facey
03:53:31 Chairman Buttrey

03:54:07 Sen. Arntzen
 03:54:38 Sen. Vuckovich
 03:55:52 Sen. Brown
 03:56:20 Chairman Buttrey
 03:56:44 Sen. Connell

03:56:57 **Vote:** Motion carried 6-4 by roll call vote with Sen. Facey, Sen. Stewart-Peregoy, Sen. Vuckovich and Sen. Whitford voting no. Sen. Smith voted by proxy.

Note: There is no fiscal note for SB 414 and it will remain in committee.

EXECUTIVE ACTION ON SB 415

03:57:47 **Motion:** Sen. Arntzen moved that **SB 415 DO PASS.**

03:58:01 Chairman Buttrey
 03:58:15 Sen. Connell

EXHIBIT(bus63a06)

03:59:06 **Motion:** Sen. Connell moved that **SB 415 BE AMENDED.**

Discussion:

03:59:16 Jameson Walker, Legislative Services Division (LSD)
 04:00:40 Sen. Brown
 04:00:50 Sen. Connell
 04:02:01 Sen. Brown
 04:02:09 Sen. Connell
 04:02:51 Sen. Facey
 04:02:54 Bob Worthington, Montana Self Insurers Association (MSIA)
 04:03:46 Sen. Facey
 04:04:23 Sen. Connell

04:04:49 **Vote:** Motion carried 9-0 by voice vote of those present and voting. Sen. Smith was excused.

04:05:03 **Motion:** Sen. Arntzen moved that **SB 415 DO PASS AS AMENDED.**

04:05:20 Sen. Connell
 04:05:56 Sen. Facey
 04:06:14 Sen. Arntzen
 04:06:56 Sen. Connell
 04:07:45 Sen. Stewart-Peregoy
 04:07:58 Sen. Arntzen
 04:08:43 Chairman Buttrey

04:09:38 **Vote:** Motion failed 4-6 by roll call vote with Sen. D. Brown, Sen. Buttrey, Sen. Connell and Sen. Facey voting aye. Sen. Smith voted by proxy.

04:10:44 Sen. Brown

04:10:51 Chairman Buttrey

04:10:57 **Motion/Vote:** Sen. Arntzen moved that **SB 415 BE TABLED**. Motion carried 8-1 by voice vote of those present and voting with Sen. D. Brown voting no. Sen. Smith was excused.

EXECUTIVE ACTION ON HB 554

04:11:28 **Motion:** Sen. Arntzen moved that **HB 554 BE CONCURRED IN**.

04:12:02 **Motion:** Sen. Arntzen moved that **HB 554 BE AMENDED**.
[EXHIBIT\(bus63a07\)](#)

Discussion:

04:12:15 Sen. Connell

04:12:44 **Vote:** Motion carried 9-0 by voice vote of those present and voting. Sen. Smith was excused.

04:12:56 **Motion:** Sen. Arntzen moved that **HB 554 BE CONCURRED IN AS AMENDED**.

Discussion:

04:13:08 Sen. Brown

04:13:21 **Vote:** Motion carried 9-0 by voice vote of those present and voting. Sen. Smith was excused. Sen. Vuckovich will carry the bill.

EXECUTIVE ACTION ON SB 396

04:13:45 **Motion:** Sen. Arntzen moved that **SB 396 DO PASS**.

Discussion:

04:14:22 Chairman Buttrey
[EXHIBIT\(bus63a08\)](#)

04:14:48 **Motion/Vote:** Sen. Arntzen moved that **SB 396 BE AMENDED**. Motion carried 9-0 by voice vote of those present and voting. Sen. Smith was excused.

04:14:58 **Motion:** Sen. Arntzen moved that **SB 396 BE AMENDED**.
[EXHIBIT\(bus63a09\)](#)

Discussion:

04:15:28 Chairman Buttrey
04:15:30 Sen. Facey
04:16:14 Chairman Buttrey
04:16:20 Sen. Arntzen

04:16:46 Sen. Facey
04:17:10 Chairman Buttrey
04:17:31 Sen. Connell
04:18:16 Chairman Buttrey
04:18:21 Sen. Whitford
04:18:50 Chairman Buttrey

04:19:25 **Vote:** Motion carried 9-0 by voice vote of those present and voting. Sen. Smith was excused.

04:19:35 **Motion:** Sen. Arntzen moved that **SB 396 DO PASS AS AMENDED.**

Discussion:

04:19:43 Sen. Facey
04:20:33 Sen. Arntzen
04:21:38 Sen. Brown
04:22:02 Sen. Whitford
04:23:05 Chairman Buttrey
04:23:43 Sen. Arntzen
04:24:24 Chairman Buttrey

04:24:33 **Vote:** Motion carried 6-4 by roll call vote with Sen. Stewart-Peregoy, Sen. Vance, Sen. Vuckovich and Sen. Whitford voting no. Sen. Smith voted by proxy.

EXECUTIVE ACTION ON SB 401

04:25:27 **Motion:** Sen. Arntzen moved that **SB 401 DO PASS.**

Discussion:

04:25:33 Chairman Buttrey
[EXHIBIT\(bus63a10\)](#)

04:26:40 **Motion:** Sen. Arntzen moved that **SB 401 BE AMENDED.**

Discussion:

04:26:59 Jamison Walker, Legislative Services Division (LSD)
04:28:45 Chairman Buttrey
04:29:01 Mr. Walker, LSD
04:29:08 Sen. Facey
04:29:52 Sen. Arntzen
04:30:31 Chairman Buttrey
04:30:48 Sen. Facey
04:31:09 Chairman Buttrey
04:31:29 Sen. Stewart-Peregoy
04:32:49 Sen. Vuckovich
04:33:21 Chairman Buttrey

04:33:44 **Vote:** Motion failed 1-9 by roll call vote with Sen. Buttrey voting aye. Sen. Smith voted by proxy.

04:34:38 **Motion:** Sen. Arntzen moved that **SB 401 BE AMENDED.**
EXHIBIT(bus63a11)

Discussion:

04:35:07 Chairman Buttrey

04:35:09 **Vote:** Motion carried 9-0 by voice vote of those present and voting. Sen. Smith was excused.

Discussion:

04:35:15 Chairman Buttrey

04:35:46 Mr. Walker, LSD

04:36:53 Sen. Facey

04:37:35 **Motion:** Chairman Buttrey moved that **SB 401 BE AMENDED CONCEPTUALLY.**

Discussion:

04:38:46 Mr. Walker

04:39:09 Sen. Arntzen

04:39:54 Chairman Buttrey

04:40:07 Sen. Facey

04:40:54 Sen. Arntzen

04:41:39 Chairman Buttrey

04:41:44 Sen. Arntzen

04:42:11 Sen. Brown

04:42:25 **Vote:** Motion carried 9-0 by voice vote of those present and voting. Sen. Smith was excused.

04:42:59 **Motion/Vote:** Sen. Arntzen moved that **SB 401 DO PASS AS AMENDED.**
Motion carried 9-1 by roll call vote with Sen. Connell voting no. Sen. Smith voted by proxy.

04:43:17 Chairman Buttrey

ADJOURNMENT

Adjournment: 12:43 PM

Linda Keim, Secretary

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Additional Documents:

EXHIBIT([bus63aad.pdf](#))