

MINUTES

MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chair Edward Buttrey, on February 23, 2017 at 7:00 A.M., in Room 422 Capitol

ROLL CALL

Members Present:

Sen. Edward Buttrey, Chair (R)
Sen. Dee Brown, Vice Chair (R)
Sen. Pat Connell (R)
Sen. Tom Facey (D)
Sen. Steve Fitzpatrick (R)
Sen. Daniel R. Salomon (R)
Sen. Jason D. Small (R)
Sen. Frank Smith (D)
Sen. Gordon Vance (R)
Sen. Gene Vuckovich (D)

Members Excused: None

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 289, 2/20/2017; SB 308, 2/20/2017; SB 309, 2/20/2017; SB 318, 2/20/2017; SJ 13, 2/20/2017; SR 16, 2/20/2017; SR 46, 2/20/2017; SB 325, 2/22/2017; SB 326, 2/22/2017

Executive Action: Be Adopted: SR 46
Do Pass: SJ 13, SB 318
Do Pass As Amended: SB 325, SB 309, SB 289
Tabled: SB 308, SB 326

00:00:01 Chair Buttrey

HEARING ON SB 318

Opening Statement by Sponsor:

00:01:24 Sen. Carlie Boland (D), SD 12, opened the hearing on SB 318. Revise profession and occupation regarding realty regulation.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:03:55 Sen. Boland

HEARING ON SB 289

Opening Statement by Sponsor:

00:04:42 Sen. Frederick (Eric) Moore (R), SD 19, opened the hearing on SB 289. Revise laws concerning title insurance policies.

Proponents' Testimony: None

Opponents' Testimony:

00:06:34 William Gowan, Montana Land and Title Association

Informational Testimony: None

Questions from Committee Members and Responses:

00:09:28 Sen. Brown
00:11:56 Sen. Moore
00:12:22 Sen. Salomon
00:12:44 Sen. Moore
00:13:01 Sen. Connell
00:14:23 Chair Buttrey

Closing by Sponsor:

00:14:38 Sen. Moore
00:15:08 Sen. Facey
00:15:14 Chair Buttrey

00:15:56 Recess
00:20:00 Resume

00:20:01 Chair Buttrey

00:20:18 Vice Chair Brown assumed the role of chair.

HEARING ON SR 46

Opening Statement by Sponsor:

00:20:18 Sen. Edward Buttrey (R), SD 11, opened the hearing on SR 46. Confirm Governor appointee to Board of Professional Engineers and Professional. Land Surveyors.

Proponents' Testimony:

00:20:56 Byron Stahly, Board of Professional Engineers and Land Surveyors (BPELS)
00:21:45 Raymond Gross, professional land surveyor
[EXHIBIT\(bus40a01\)](#)

00:26:03 Sen. Jeff Welborn, SD 36
00:26:40 Judy Bovington, Department of Labor and Industry

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:27:06 Chair Brown
00:29:24 Mr. Stahly, BPELS
00:29:40 Sen. Connell
00:29:44 Mr. Gross
00:34:36 Sen. Brown
00:34:39 Mr. Gross

Closing by Sponsor:

00:34:50 Sen. Buttrey

00:35:43 Chair Brown

00:35:44 Sen. Facey left the hearing.

00:35:55 Chair Buttrey assumed the position of chair.

EXECUTIVE ACTION ON SR 46

00:36:20 **Motion/Vote:** Sen. D. Brown moved that **SR 46 BE ADOPTED**. Motion carried 9-0 by voice vote. Sen. Facey was excused.

00:37:00 Sen. Facey re-entered the hearing.

HEARING ON SB 308

Opening Statement by Sponsor:

00:37:05 Sen. Frederick (Eric) Moore (R), SD 19, opened the hearing on SB 308. Revise laws related to prevailing wage and district dispatch criteria.

[EXHIBIT\(bus40a02\)](#)

Proponents' Testimony:

00:39:10 John Laney, executive director, Miles City Chamber of Commerce

00:42:08 Jason Rittal, Fallon County

Opponents' Testimony:

00:43:53 Chris Cavazos, American Federation of Labor-Congress of Industrial Organizations (AFL-CIO)

00:45:33 Cary Hegreberg, executive director, Montana Contractors Association (MCA)

00:48:25 Judy Bovington, Department of Labor and Industry (DLI)

00:49:25 Aaron Azure, self, Havre, Laborers Local 1686

00:51:14 John Johnson, construction worker, Helena; Operating Engineers Local 400

00:51:51 J. D. Lynch, Montana State Building and Construction Trades (MSBCT), International Brotherhood of Electrical Workers Local 44, Teamsters Local 2

00:52:46 John Forkan, Montana State Association of Plumbers and Pipe Fitters

00:53:41 Debbie Ball-Giop, Laborers Local 1686

00:55:05 John Gordon, International Brotherhood of Electrical Workers #233

00:55:28 Linda Fultz, self, Laborers Local 1686

00:57:25 Bernard Forrest, self, Laborers Local 1686

00:58:38 Kim Rickard, business manager, Laborers Local 1686

00:59:22 Lisa Arnold, Laborers Local 1686

Additional Written Testimony:

[EXHIBIT\(bus40a03\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

01:00:38 Sen. Connell

01:01:46 Ms. Bovington, DLI

01:02:00 Sen. Vance

01:02:18 Ms. Bovington

01:02:52 Chair Brown

01:03:35 Ms. Bovington

01:03:47 Sen. Facey
01:04:47 Mr. Hegreberg, MCA
01:05:24 Chair Brown
01:05:48 Sen. Moore
01:06:11 Sen. Small
01:07:04 Mr. Lynch, MSBCT
01:07:27 Sen. Vance
01:07:49 Sen. Moore
01:08:09 Sen. Salomon
01:08:38 Mr. Cavazos, AFL-CIO redirect
01:10:33 Ms. Rickard, Laborers Local 1686
01:11:03 Sen. Salomon
01:11:23 Mr. Hegreberg
01:11:49 Sen. Brown
01:12:08 Mr. Cavazos redirect
01:12:15 Ms. Bovington
01:12:36 Chair Buttrey

Closing by Sponsor:

01:12:46 Sen. Moore
01:14:05 Chair Buttrey

HEARING ON SB 309

Opening Statement by Sponsor:

01:16:58 Sen. Lea Whitford (D), SD 8, opened the hearing on SB 309. Revise economic development laws related to Indian country, tourism.

[EXHIBIT\(bus40a04\)](#)

Proponents' Testimony:

01:33:47 Mariah Gladstone, Governor's Office of Indian Affairs (GO)
01:34:56 Jordan Thompson, Confederated Salish and Kootenai Tribe

Opponents' Testimony:

01:37:07 Stuart Doggett, Montana Lodging and Hospitality Association (MLHA)

Informational Testimony:

01:42:12 Sean Becker, Montana Office of Tourism and Business Development,
Department of Commerce (COM)

Questions from Committee Members and Responses:

01:42:40 Sen. Brown
01:45:43 Mr. Becker, COM redirect

01:51:04 Sen. Whitford
 01:52:04 Sen. Facey
 01:52:37 Mr. Becker
 01:53:29 Sen. Facey
 01:54:11 Sen. Whitford
 01:54:38 Sen. Facey
 01:55:22 Mr. Doggett, MLHA
 01:56:05 Sen. Facey
 01:56:26 Ms. Gladstone, GO
 01:56:57 Sen. Connell
 01:58:27 Mr. Doggett
 01:59:17 Sen. Brown
 01:59:40 Mr. Doggett
 01:59:50 Chair Buttrey
 02:00:33 Mr. Becker
 02:00:49 Chair Buttrey
 02:01:42 Ms. Gladstone
 02:02:05 Chair Buttrey
 02:04:23 Mr. Becker
 02:05:02 Chair Buttrey
 02:07:37 Sen. Whitford
 02:08:05 Sen. Smith
 02:10:00 Mr. Doggett redirect
 02:10:09 Mr. Becker

Closing by Sponsor:

02:10:43 Sen. Whitford
 02:14:21 Chair Buttrey
 02:14:39 Brief Recess
 02:20:33 Reconvene

HEARING ON SB 325

Opening Statement by Sponsor:

02:20:38 Sen. Brian Hoven (R), SD 13, opened the hearing on SB 325. Give safe harbors for employers hiring certain criminals.

Proponents' Testimony:

02:23:47 Steve Cape, Montana Coalition for Safety and Justice
 02:27:14 Webb Brown, Montana Chamber of Commerce

Opponents' Testimony:

02:28:06 Don Judge, Montana Trial Lawyers Association
[EXHIBIT\(bus40a05\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

02:30:37 Sen. Facey
02:31:17 Sen. Hoven
02:31:28 Chair Buttrey
02:32:09 Sen. Hoven
02:33:05 Sen. Fitzpatrick
02:34:05 Chair Buttrey
02:34:10 Sen. Hoven

Closing by Sponsor:

02:34:23 Sen. Hoven
02:34:35 Chair Buttrey
02:34:56 Sen. Hoven

02:35:00 Chair Buttrey

HEARING ON SB 326

Opening Statement by Sponsor:

02:35:07 Sen. Brian Hoven (R), SD 13, opened the hearing on SB 326. Revise worker laws to ban certain criminal history in job applications.

Proponents' Testimony:

02:38:17 Steve Cape, Montana Coalition for Safety and Justice

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

02:41:47 Sen. Facey

Closing by Sponsor:

02:42:19 Sen. Hoven

Additional Questions from Committee Members on SB 325

02:43:01 Chair Buttrey
02:43:45 Sen. Hoven redirect
02:43:57 Jameson Walker, Legislative Services Division (LSD)

02:44:14 Chair Buttrey

02:44:25 Sen. Hoven

02:44:48 Chair Buttrey

HEARING ON SJ 13

Opening Statement by Sponsor:

02:44:55 Sen. Tom Facey (D), SD 50, opened the hearing on SJ 13. Joint resolution urging Congress to address air ambulance balance billing issues.

Proponents' Testimony:

02:46:05 Jennifer Hensley, Pacific Source

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

02:47:44 Chair Buttrey

02:49:27 Sen. Facey

Closing by Sponsor:

02:49:48 Sen. Facey

02:51:41 Chair Buttrey

02:51:55 Recess

03:08:38 Reconvene

03:08:46 Chair Buttrey

03:09:29 Vice Chair Brown assumed the position of chair.

HEARING ON SR 16

Opening Statement by Sponsor:

03:09:37 Sen. Edward Buttrey (R), SD 11, opened the hearing on SR 16. Confirm Governor's appointee to Board of Outfitters.

03:10:58 Chair Brown

03:11:03 Sen. Buttrey

Proponents' Testimony:

03:11:19 Robin Cunningham, self, licensed outfitter

03:14:45 John Way, hunting and fishing outfitter, Ennis
03:17:20 Joe Perry, retired farmer, Conrad; Montana Sportsman's Alliance
03:19:38 Dan Vermillion, self
03:22:39 Tim Aldrich, sportsman, hunter, angler
03:25:57 Paul Roos, sportsman, former hunting and fishing outfitter, Public Wildlife Private Lands Advisory Council
03:30:03 Brian Ohs, Montana Trout Unlimited
03:31:38 Nick Gevock, conservation director, Montana Wildlife Federation
03:32:16 Bob Gilbert, self, former legislator
03:34:06 John Borgreen, Russell Country Sportsmen of Great Falls
03:36:13 Mike Bias, fly fishing outfitter, Twin Bridges
03:37:59 Hugo Tureck, farmer, public lands rancher, Coffee Creek
03:45:11 Michael Korn, self, former employee of Montana Department of Fish, Wildlife and Parks, Clancy
03:47:02 Josh Tapp, fishing and hunting guide, Missoula
03:49:47 Matt Greemore, self, fishing outfitter, Twin Bridges
03:52:44 Mark Raisler, self, fishing outfitter and guide, Craig

Additional Written Testimony:

[EXHIBIT\(bus40a06\)](#)

Opponents' Testimony:

03:54:40 Jean Johnson, Montana Outfitters and Guides Association (MOGA)

[EXHIBIT\(bus40a07\)](#)

03:59:42 Chuck Rein, rancher, Big Timber; also speaking for Mac Minard, Montana Outfitters and Guides Association

[EXHIBIT\(bus40a08\)](#)

04:08:44 Tom Stusek, Bozeman, attorney for Charles Alan Lamm, outfitter

[EXHIBIT\(bus40a09\)](#)

04:15:26 John Wilkinson, outfitter, former big game board member, Montana Outfitters and Guides Association

04:18:39 Dusty Cray, rancher, outfitter, Choteau; board member, Montana Outfitters and Guides Association

04:21:45 Wagner Harmon, farmer, rancher, outfitter; board member, Montana Outfitters and Guides Association

04:24:31 Eric Albus, Hinsdale

04:25:40 Paul Ellis, hunting outfitter

04:26:10 Chris Faber, outfitter, rancher, Bears Paw mountains

Informational Testimony: None

Questions from Committee Members and Responses:

04:27:13 Sen. Facey

04:27:41 Ms. Johnson, MOGA

04:28:12 Sen. Facey

04:28:16 Mr. Aldrich, sportsman
04:29:00 Sen. Facey
04:29:03 Mr. Tureck, rancher
04:29:32 Sen. Facey
04:29:38 Mr. Way, outfitter
04:30:39 Chair Brown
04:31:19 Mr. Way

Closing by Sponsor:

04:31:57 Sen. Buttrey

04:33:56 Chair Brown
04:34:16 Chair Buttrey assumed the position of chair.

04:34:53 Chair Buttrey

04:35:35 Recess
05:20:48 Reconvene

05:20:56 Chair Buttrey

EXECUTIVE ACTION ON SJ 13

05:21:12 **Motion:** Sen. D. Brown moved that **SJ 13 DO PASS.**

Discussion:

05:21:22 Sen. Facey

05:21:36 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 325

05:21:49 **Motion:** Sen. D. Brown moved that **SB 325 DO PASS.**

05:21:55 **Motion:** Sen. D. Brown moved that **SB 325 BE AMENDED.**
EXHIBIT(bus40a10)

Discussion:

05:22:13 Sen. Brown
05:22:31 Sen. Fitzpatrick
05:22:57 Chair Buttrey

05:23:06 **Vote:** Motion failed 2-8 by roll call vote with Sen. Facey and Sen. Vuckovich voting aye.

05:24:10 **Motion/Vote:** Sen. D. Brown moved that **SB 325 BE AMENDED**. Motion carried unanimously by voice vote.

EXHIBIT(bus40a11)

05:24:50 **Motion/Vote:** Sen. D. Brown moved that **SB 325 DO PASS AS AMENDED**. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 326

05:25:07 **Motion:** Sen. D. Brown moved that **SB 326 DO PASS**.

Discussion:

05:26:04 Sen. Smith
05:26:23 Chair Buttrey
05:26:51 Sen. Salomon
05:27:07 Sen. Facey
05:27:38 Chair Buttrey

05:27:55 **Vote:** Motion failed 1-9 by voice vote with Sen. Facey voting aye.

05:28:07 **Motion/Vote:** Sen. D. Brown moved that **SB 326 BE TABLED AND THE VOTE REVERSED**. Motion carried 9-1 by voice vote with Sen. Facey voting no.

EXECUTIVE ACTION ON SB 308

05:28:20 **Motion:** Sen. D. Brown moved that **SB 308 DO PASS**.

Discussion:

05:28:28 Chair Buttrey

05:29:00 **Motion/Vote:** Sen. Connell moved that **SB 308 BE TABLED**. Motion carried 9-1 by voice vote with Sen. Brown voting no.

EXECUTIVE ACTION ON SB 309

05:29:16 **Motion:** Sen. D. Brown moved that **SB 309 DO PASS**.

05:29:26 **Motion:** Sen. D. Brown moved that **SB 309 BE AMENDED**.

EXHIBIT(bus40a12)

Discussion:

05:29:52 Sen. Brown
05:30:29 Jameson Walker, Legislative Services Division (LSD)
05:30:47 Sen. Facey
05:31:02 Chair Buttrey
05:31:14 Sen. Facey
05:31:19 Chair Buttrey

05:31:28 Sen. Smith
05:31:55 Chair Buttrey
05:32:25 Sen. Brown
05:32:55 Sen. Connell
05:33:16 Sen. Smith
05:33:18 Sen. Small

05:33:51 **Vote:** Motion failed 4-6 by roll call vote with Sen. Brown, Sen. Connell, Sen. Fitzpatrick and Sen. Vance voting aye.

05:34:54 **Motion:** Sen. Facey moved that **SB 309 BE AMENDED CONCEPTUALLY.**

Discussion:

05:35:10 Chair Buttrey
05:35:36 Mr. Walker, LSD
05:35:49 Chair Buttrey

05:36:03 Without objection, Sen. Facey withdrew the **BE AMENDED** motion.

05:36:09 **Motion:** Sen. Facey moved that **SB 309 BE AMENDED.**
[EXHIBIT\(bus40a13\)](#)

Discussion:

05:37:49 Sen. Brown
05:36:22 Sen. Facey

05:38:21 **Vote:** Motion carried 7-3 by voice vote with Sen. Brown, Sen. Buttrey and Sen. Vance voting no.

05:38:45 **Motion:** Sen. D. Brown moved that **SB 309 BE AMENDED.**
[EXHIBIT\(bus40a14\)](#)

Discussion:

05:39:23 Chair Buttrey

05:39:31 **Vote:** Motion carried unanimously by voice vote.

05:39:39 **Motion/Vote:** Sen. D. Brown moved that **SB 309 DO PASS AS AMENDED.**
Motion carried 9-1 by voice vote with Sen. Brown voting no.

EXECUTIVE ACTION ON SB 289

05:40:05 **Motion:** Sen. D. Brown moved that **SB 289 DO PASS.**

05:40:28 **Motion/Vote:** Sen. D. Brown moved that **SB 289 BE AMENDED.** Motion carried unanimously by voice vote.

[EXHIBIT\(bus40a15\)](#)

05:41:18 **Motion:** Sen. D. Brown moved that **SB 289 DO PASS AS AMENDED.**

Discussion:

05:41:40 Sen. Facey

05:41:44 Chair Buttrey

05:41:54 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 318

05:42:08 **Motion:** Sen. D. Brown moved that **SB 318 DO PASS.**

Discussion:

05:42:25 Sen. Facey

05:43:06 **Vote:** Motion carried unanimously by voice vote.

ADJOURNMENT

Adjournment: 12:45 PM

Linda Keim, Secretary

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Additional Documents:

EXHIBIT([bus40aad.pdf](#))