



Montana Chamber 2015 VOTING REVIEW

64TH REGULAR SESSION OF THE MONTANA LEGISLATURE



Chamber of Commerce

BUSINESS MAKES MONTANA STRONG

Direct questions regarding vote selection and scoring to:

Montana Chamber of Commerce

Attn: Government Relations

900 Gibbon Street / PO Box 1730

Helena, Montana 59624-1730

www.MontanaChamber.com / glenn@MontanaChamber.com

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A Message from Montana Chamber President and CEO

The Montana Chamber of Commerce is pleased to present the 2015 Voting Review for the 64th Session of the Montana Legislature and the Governor. This review is the most comprehensive look at the business and economic issues addressed during the 87-day Session. In fact, our prior voting reviews have been nationally recognized as a model for other state and local chambers of commerce. Our intent in releasing the review is to provide our members and Montana voters with information on pro-business bills, anti-business bills, and how legislators and the Governor voted on both.

Every voting study has a degree of subjectivity, and this report is no different. It is impossible, or at least very impractical, to report on each of the hundreds of bills the Chamber followed. Neither can any voting record tell the entire story of a legislator's attitude and actions on issues im-

portant to business. We try and select bills that were very important not only to the Montana Chamber, but to the business community as a whole. This review includes the most bills of any review in the state from any statewide organization.

Montana's employers are the fabric of our communities. They take risks every day to keep Montana's economy working. Many legislators tried to add to those risks as we dealt with a number of anti-business bills. However, the business community worked together and was able to stop the vast majority of those efforts to increase taxes, expand government regulation, decrease availability of health insurance, and mandate employment policies best left to a free and competitive marketplace. We also successfully promoted our proactive, positive changes as outlined in our "Montana Prosperity Plan" agenda.

We thank our 150 citizen legislators and the Executive Branch. Whether we agree or disagree on any particular business issue, we have the utmost respect and appreciation for every lawmaker. Legislators spend countless hours wading through hundreds of proposals, balancing competing interests, debating the issues that face the state, and voting for what they believe is best for their constituents and the state in general. We are grateful for their service to Montana.

This past Session was a success for business, in part, because of the hard work of the Chamber staff. Glenn Oppel developed the "Montana Prosperity Plan" and moved priority legislation through yet another tricky Session. The Montana Chamber also benefits tremendously from a strong Board of Directors – our "eyes and ears" throughout the Treasure State. We also want to acknowledge other trade groups and business lobbyists who we closely partnered with to get things done.

Finally, we thank you, the members, for your investment in us. Your participation allows us to represent your business in Helena. We look forward to continuing toward our goal of making Montana a profitable and prosperous place to maintain or start a business.

Wesley Scott Brown



Taking Stock of the 2015 Legislature – Small Victories and Unfinished Business

By Glenn Oppel, Government Relations Director

The 64th Regular Session of the Montana Legislature adjourned “Sine Die” a few days early on Wednesday, April 28. We achieved some significant legislative victories this session, both in advancing and defeating bills. With that said, much was left undone, which will set the stage for the upcoming 2015-2016 Legislative Interim and the 2017 Legislature. Following is a summary of some victories as well as unfinished business.

After adopting SB 139 during the 2013 Legislature to establish the **Small Business Impact Act**, which requires state agencies to consider the economic impact of rules and regulations on small businesses, we passed HB 396 to remove from that statute a provision that would have sunsetted the requirement on July 1 of this year. Montana joins the federal government and 42 other states with similar laws protecting small businesses from overregulation.

Although significant **tax relief** was basically out of the question from the Administration’s standpoint, the Montana Chamber and other business groups were able to get meaningful tax reform through the lawmaking process. After several attempts over previous sessions, we finally enacted the “Tax Fairness Act” with HB 379 to reduce the statute of limitations – from five years to three – for Montana Department of Revenue audits of income tax returns of individuals and sole proprietors. This Act ensures that all classes of taxpayers in Montana get the same treatment.

Along with numerous business groups, we were able to pass HB 156 to exempt from property taxation for 10 years air and water pollution control equipment and carbon capture equipment placed in service after Jan. 1, 2014.

Despite a budget surplus in the neighborhood of \$400 million, efforts to provide tax relief to Montanans were doomed from the beginning when the Administration’s proposed budget contained nothing but spending increases. A couple income tax relief measures (HB 166 and SB 200), tax simplification (SB 171), and a reduction in the business equipment tax (HB 213) were either vetoed or killed in committee by the Administration.

The Chamber was active on **work comp** proposals. One of the challenges faced by Montana employers that have employees working full-time in the Bakken in North Dakota is that they have to pay work comp insurance in both Montana and North Dakota. HB 538 finally exempts Montana employers that have full-time employees covered under North Dakota’s work comp insurance from also having to purchase work comp insurance in Montana. Unfortunately, we suffered a defeat with Governor Bullock’s veto of SB 288, which would have allowed work comp insurers to recover some of the medical benefits paid by an at-fault party. Many states allow this for work comp insurers – referred to as subrogation.

The Montana Chamber backed several proposals aimed at **workforce development** to address the “skills gap” faced by many employers in industries such as manufacturing and high-tech. A couple noteworthy proposals made it into law. HB 356 will boost funding by \$2 million over the biennium for career/vo-tech programs in school districts around the state. Additionally, we supported HB 617 to create new scholarships for Montana high school students that prepare for postsecondary studies in science, technology, engineering, or mathematics (STEM).

One of the more disappointing failures this session was the lack of additional funding for **infrastructure investment**. Early in the session, the Chamber supported HB 5, Governor Bullock’s package to invest nearly \$400 million in cash and bonding for projects across the state. It was tabled in House Appropriations. Subsequently, we supported HB 402 to create a \$55 million grant program to fund infrastructure in areas impacted by oil and gas development. The Senate passed an amended version of the bill on the last day of the session but the House adjourned *Sine Die* before it could concur. In the final hours of the session, the Chamber fought hard to garner support for SB 416, which would have invested \$150 million with a mix of cash and bonds to fund projects in communities throughout the state. It fell one vote short of the two-thirds majority required for any bill that obligates the state to go into debt through bonding.

Given the circumstances, the 2015 Legislative Session was still a success for the business community. The Chamber will continue working on all this “unfinished business” and more during the upcoming Interim period to craft a pro-growth agenda for the next legislative session.

Methodology Behind the Business Score

We have again compiled an extensive review of the Montana Legislature and Governor. We started by selecting a number of floor votes from each legislative chamber. We have assigned different points for these votes since some bills were more important than others. We also looked at the votes of members who sat on important business-related committees, such as Business and Labor, Taxation, Appropriations, Judiciary, and more. And finally, we added points for legislators who introduced pro-business bills and subtracted points for legislators who introduced anti-business bills.



Using all these factors allows the Montana Chamber to more accurately gauge an individual lawmaker's overall friendliness to business, economic development, and job creation legislation. Here is how the **Business Score** was calculated:

FLOOR VOTES:

On floor votes, legislators earned between 1 and 15 points for each bill when the legislator supported the Chamber position. If a bill is assigned a higher point value, it indicates the bill was more important. No points were awarded for votes against the Chamber position. For bills debated on the House or Senate floor, this review usually used third reading votes as taken from the House and Senate journals. The third reading vote is the last vote on each bill, and represents a legislator's final decision on any matter before them. If a legislator was absent or excused for third reading, we went back and looked at how the legislator voted on second reading. Those second reading votes are noted with an asterisk.

SPONSORSHIP POINTS:

For bill sponsorship, two points were awarded for a legislator who sponsored a pro-business bill that was supported by the Chamber. If a legislator sponsored an anti-business bill that was opposed by the Chamber, two points were subtracted. Although this may mathematically lead to some legislators having a score of more than 100% or less than 0%, all scores awarded fall within the range of 0% - 100%.

COMMITTEE VOTES:

On committee votes, legislators sitting on those committees were given one point for each bill when the legislator supported the Chamber position. No points were awarded for votes against the Chamber position.

P-BASE DISTRICT SCORE:

We also included the Power Base (P-base) number for each district to the right of the committee scores. The P-base number is an indication of each legislative district's level of support for business as measured by the most recent scientific P-base poll of 800 Montana voters conducted in November 2014. A higher number reflects a more pro-business attitude among voters in the district. Those legislators who have scores in the same range as their district's P-base score are most likely representing their district according to the opinions of their constituents. The P-base number is not factored into the final Business Score, but it utilized for the Champion of Business and Honorable Mention Awards.

BUSINESS SCORE:

Legislators have a different number of points possible depending on committee assignments and bill sponsorship. A legislator's individual points earned were divided by the total points possible for that legislator. This final number is the legislator's Business Score. While this score does not encompass all votes on business issues, it is a very reliable indicator of what level of priority the lawmaker puts on business issues versus other issues.

Recognition for Pro-Business Legislators

Most lawmakers do not get the credit or thanks they deserve for their sacrifice and hard work. This is especially true of those legislators who stand up for business and economic development. In the three previous sessions, we decided to do more to recognize the many legislators who are reliable policymakers for job creation, free enterprise, and entrepreneurship. Here is a list of the awards we are giving out over the next year:

MONTANA CHAMBER “MOST-VALUABLE POLICYMAKER” (MVP) AWARD: The Montana Chamber recognizes a legislator for exceptional service to business with a “Most-Valuable Policymaker” (MVP) Award. This award is reserved for a legislator who worked diligently to improve Montana’s business climate to create jobs and opportunity. To be considered for the MVP Award, a legislator must meet the following criteria: (1) received a higher Business Score than the P-base district score, which indicates the level of pro-business support of a legislator’s constituents; (2) no sponsorship of anti-business legislation; (3) supported the Montana Chamber’s top four priorities; and (4) sponsored a major piece of pro-business legislation that was a top priority of the Montana Chamber. Here is the recipient of the MVP Award for the 2013 Legislature:



Sen. Bruce Tutvedt (Kalispell)

MOST VALUABLE POLICYMAKER (MVP): Sen. Bruce Tutvedt (SD 3 — Kalispell)

Sen. Bruce Tutvedt led the charge on important tax and work comp legislation critical to the Chamber’s agenda. He sponsored one of the Montana Chamber’s top tax policy priorities, SB 171 to simplify income tax filing and provide tax relief. He sponsored another top priority, SB 288 to clarify subrogation in work comp. Additionally, he carried SB 207 to discourage defensive medicine — a key legal reform measure supported by the Chamber. Sen. Tutvedt chaired the influential Senate Taxation Committee, an important committee for the business community. On the Senate floor, he took every opportunity to speak on behalf of business priorities while urging his colleagues to oppose harmful proposals.

MONTANA CHAMBER “CHAMPION OF BUSINESS” AWARD: The Montana Chamber also recognizes legislators from the House and Senate throughout the interim break with its “Champion of Business” Award. To be considered for the “Champion of Business” Award, a legislator must meet the following criteria: (1) received a Business Score within 10 percentage points or higher than the P-base district score; (2) no sponsorship of anti-business legislation; (3) supported the top four Montana Chamber priorities; and (4) sponsored pro-business legislation or carried a pro-business bill on the floor. The recipients of the Montana Chamber “Champion of Business” Award are as follows:

SENATE: Ankney, Arntzen, Debbie Barrett, Blasdel, Brenden, T. Brown, Buttrey, Hamlett, Hoven, Jones, Keenan, Moore, Ripley, Rosendale, Sales, Smith, Thomas, Vincent

HOUSE: J. Bennett, Berry, Clark, Cook, Essmann, Fitzpatrick, Hertz, Hollandsworth, Jones, Knudsen, Lang, Lavin, Moore, Noland, Osmundson, Regier, Salomon, Shaw, Wagoner, Welborn

MONTANA CHAMBER “HONORABLE MENTION” AWARD: Finally, we also recognize legislators who helped out the Montana Chamber in other ways and voted pro-business most of the time. To be considered for the Montana Chamber “Honorable Mention” Award, a legislator must meet the following criteria: (1) received a Business Score within 10 percentage points or higher than the P-base district score; (2) supported HB 396 and SB 288, which were the top two Montana Chamber priorities; and (3) sponsored pro-business legislation, carried a pro-business bill on the floor, or provided pro-business floor speeches. The recipients of the Montana Chamber “Honorable Mention” Award are as follows:

SENATE: D. Brown, Connell, Fielder, Hansen, Hinkle, Howard, Kary, McNally, Swandel, Taylor, Vance, Webb

HOUSE: Ballance, Berglee, Brodehl, Burnett, Cuffe, Custer, Doane, Ehli, Flynn, Garner, Glimm, Greef, Hagstrom, Hess, Holmlund, Lamm, Laszloffy, Mandeville, Manzella, McKamey, Meyers, Miller, Olszewski, Randall, Redfield, Ricci, Richmond, Schwaderer, Staffanson, Tschida, White



HB 396

(Rep. Jones – Billings)

Reauthorize Small Business Impact Act

The Small Business Impact Act, enacted in 2013, requires state agencies to consider whether proposed rules would have an economic effect on small businesses. If an agency determines that an economic impact is likely from proposed rules or regulations, the Act further requires the agency to conduct a small business impact analysis to identify and measure the impact and, if the impact is negative, consider less burdensome or costly regulatory options. The Act adopted in 2013 included a sunset provision from the Act, making it an ongoing requirement for state agency rulemaking. It was the Chamber's top priority. It passed in the House 99-1 and the Senate 44-6. Governor Bullock signed the bill. This vote is worth 15 points.

SB 288

(Sen. Tutvedt – Kalispell)

Legal reform within work comp

SB 288 would have allowed work comp insurers to recover some of the medical benefits paid by an at-fault party. Many states allow this for work comp insurers – referred to as subrogation. Allowing subrogation would not only have improved Montana's business climate; it would have translated into savings for Montana work comp policyholders without adversely affecting the benefits that injured workers are entitled to. This proposal was a top priority. It passed 31-18 in the Senate and 52-47 in the House. Governor Bullock vetoed the bill. This vote is worth 15 points.

SB 171

(Sen. Tutvedt – Kalispell)

Income tax simplification and relief

SB 171 would have helped individual and corporate income tax filers across the state by making filing status the same as federal and requiring Montana returns to start with federal taxable income. It also would have substantially reduced the additions to and subtractions from federal taxable income. By starting with federal taxable income, much of the effect of the repeal of subtractions and credits would have been offset by the higher personal exemption and standard deduction allowed on a federal return for many taxpayers – especially those in the lower tax brackets. SB 171 was one of the Chamber's top priorities. Governor Bullock vetoed the bill, stating that while simplification was a laudable goal it raised more issues than it resolved, mainly the elimination of some tax credits favored by environmental interests and the overall cost of \$30 million through the biennium. SB 171 was a top priority for the Chamber. It passed 31-18 in the Senate and 52-48 in the House. This vote is worth 15 points.



Webb Brown and Glenn Opel join our sponsor Rep. Don Jones as Gov. Bullock signs HB 396 into law.

HB 379

(Rep. Hertz – Polson)

Tax Fairness Act

HB 379 revises several provisions relating to interest and penalties for late tax payments, late filing, not filing a return, and filing a false return. Of interest to the Chamber, it also changed the statute of limitations for the individual income tax from five years to three years – what we refer to as the Tax Fairness Act. Changes to penalties apply for tax periods beginning after the end of Calendar Year 2016. The reduced statute of limitation applies for tax periods beginning after the end of Calendar Year 2014. Changes to interest apply beginning in Calendar Year 2017. HB 379 was a top priority for the Chamber. It passed 96-4 in the House and 50-0 in the Senate. Governor Bullock signed the bill. This vote is worth 10 points.

HB 213

(Rep. Miller – Helmville)

Reduce the business equipment tax

HB 213 would have reduced the business equipment tax by increasing the exemption amount from \$100,000 to \$500,000. It was amended to reimburse local governments, schools, TIFs, and the university system for the loss of revenue from a reduction in taxable value. Tax relief would have been \$18.1 million in the 2017 biennium and \$23.6 million in the 2019 biennium. One of the Chamber's top priorities for the 2015 Legislature, it was supported by more than 20 different business groups as well as several business owners. After passing on the House floor 58-42, the bill was rereferred to House Appropriations where it was tabled. This vote is worth 10 points.

HB 156

(Rep. Miller – Helmville)

Pollution control equipment tax

As amended, HB 156 exempts pollution control and carbon sequestration equipment placed in service after January 1, 2014 from property taxation. Equipment related to the sequestration of carbon dioxide placed in service after January 1, 2014 is granted a 50% reduction in tax rates for the first 15 years. While the tax relief is welcome, the primary goal of the legislation was to prevent the taxation of equipment that is mandated by the federal Clean Air Act and provides a benefit to the public with cleaner air. It passed 82-16 in the House and 34-16 in the Senate. Governor Bullock signed the bill. This vote is worth 10 points.

HB 166

(Rep. Regier – Kalispell)

Individual income tax relief

Initially, HB 166 would have reduced each of Montana's seven marginal tax rates on personal income by 0.1%, amounting to a \$43 million in tax relief over the biennium. Tax revenues for the 2013-2014 biennium surpassed \$1 billion annually for the first time in the Montana's history – an increase of 22% from the 2011-2012 biennium. Going into the 2015 Legislature, lawmakers were sitting on a surplus of about \$350 million. After passing through the House, HB 166 was amended in Senate Taxation to reduce each marginal tax rate by 0.2%. It passed through the Senate and was concurred in by the House. The larger reduction would have amounted to \$80 million in tax relief over the biennium. It passed 58-39 in the House and 29-21 in the Senate. Governor Bullock vetoed it. This vote is worth 10 points.

SB 416

(Sen. Brenden – Scobey)

Statewide infrastructure funding

SB 416 would have provided funding and authorization for capital and infrastructure projects statewide. It would have created a local infrastructure grant and loan account and program that would have been administered by the Montana Department of Commerce. It also would have established conditions for grants and loans for infrastructure projects and required local governments to provide matching funds based on a statutory formula. The proposal would have given priority to infrastructure projects that are related to the impacts from natural resource development. It would have been funded through the creation of state debt through the issuance of general obligation bonds and general fund transfers amounting to a total of \$150 million. Because the bill contained bonding, it required a two-thirds vote of the House and Senate. While it passed in the Senate 47-3, it failed in the House 61-37. This vote is worth 5 points.



Gov. Bullock signs SB 261, the Sage Grouse Stewardship Act, into law.

HB 402

(Rep. Knudsen – Culbertson)

Infrastructure for oil and gas areas

HB 402 would have provided \$55 million in grants to local governments experiencing significant impacts from natural resource development. The \$55 million would have been transferred as cash from the general fund into the impact account. For subsequent years, HB 402 would have funded the program by changing the distribution of the state portion of the oil and gas production tax and federal mineral royalties. It passed 59-39 in the House. The bill was tabled in Senate Finance and Claims. However, when the Senate anticipated the demise of SB 416 in the House, they revived HB 402 and, on the last day of the session, passed it on the Senate floor with a 26-21 vote. The House had adjourned *Sine Die* before having a chance to concur with the Senate amendments. This vote is worth 5 points.

SB 261

(Sen. Hamlett – Cascade)

Sage Grouse Stewardship Act

SB 261 creates the Montana Greater Sage Grouse Stewardship Act to provide grant funding and measures that maintain, enhance, restore, and benefit sage grouse populations on land within the state of Montana. SB 261 also creates a sage grouse oversight team that is administratively attached to the Governor's Office to oversee these activities. Under SB 261, the Department of Natural Resources and Conservation is responsible for managing the grant program and the state special revenue account associated with it. The Chamber considered this a top priority in its efforts to protect Montana's natural resource industries and jobs. It passed 42-8 in the Senate and 89-11 in the House. Governor Bullock signed the bill. This vote is worth 5 points.

SB 207

(Sen. Tutvedt – Kalispell)

Discourage defensive medicine

Defensive medicine is the practice of ordering medical tests, procedures, treatments, therapeutic interventions, or consultations of limited clinical value, often at the request of the patient, in an effort to avoid litigation. SB 207 was an effort to contain costs by addressing defensive medicine. It would have precluded a finding of negligence against a health care provider who uses medical judgment and selects a reasonably prudent course of treatment that meets the standard of care and documents the rationale for prescribing, recommending, or ordering a given test, procedure, treatment, consultation, or other therapeutic intervention. SB 207 was a top priority for the Chamber. It passed 30-20 in the Senate but no action was taken on it after the hearing in House Human Services. This vote is worth 5 points.

SB 39

(Sen. Smith – Billings)

Prohibit patent trolling

SB 39 prohibits “bad faith assertions of patent infringements” by setting minimum standards for demand letters for patent infringement assertions and by providing enforcement and damages against perpetrators. SB 39 enhances the ability of the Montana Attorney General and businesses to fight meritless patent infringement assertions by providing some tools to help stop abuse, while not inhibiting legitimate patent infringement assertions. SB 39 should remove some of the financial incentive to assert dubious patent infringement assertions in Montana. This proposal was a top Chamber priority. It passed 47-0 in the Senate and 95-1 in the House. Governor Bullock signed the bill. This vote is worth 5 points.

SB 254

(Sen. Keane – Butte)

Transfer “Old Fund” liability to Montana State Fund

SB 254 would have required the transfer of \$50 million from the Montana State Fund (MSF) to the Old Fund account. A special session was held in May 1990 because of significant unfunded liabilities associated with work comp in Montana. At that time, the Legislature separated funding and accounts for claims and injuries resulting from accidents occurring before July 1, 1990 (Old Fund) and claims occurring on or after July 1, 1990 (New Fund, also known as the MSF). To implement SB 254, the \$50 million would have come from premium dollars and investment income paid into the MSF by policyholders all over the state. After squeaking out of committee in the Senate, the Chamber and nearly 20 other business groups sent a note to the Senate floor urging opposition to the proposal. It failed on a tie vote of 25-25. This vote is worth 5 points.



Glenn Oppel discusses priority legislation with Senate Majority Leader Matt Rosendale.

SB 398

(Sen. Keane – Butte)

Work comp dividend mandate

SB 398 would have mandated \$100 million in dividends over the biennium to be paid by Montana State Fund (MSF) to policyholders without any actuarial analysis. The Chamber and numerous business groups opposed the legislation for several reasons: 1) policyholders already have been receiving dividends based on sound actuarial consideration; 2) SB 398 would have provided a windfall to state agencies covered by MSF; 3) sound financial management of MSF benefits policyholders/ businesses and have led to reduced premiums; and 4) SB 398 would have threatened the long-term financial stability of the MSF by politicizing decisions that should be subject to strict financial considerations. The Senate passed SB 398 on a 28-21 vote. It failed in the House on a 21-79 vote. This vote is worth 5 points.

SB 157

(Sen. Tutvedt – Kalispell)

Revise tax reappraisal process

SB 157, as amended, revises property tax laws by changing the reappraisal cycle from a six-year cycle to a two-year cycle for Class 3 (residential) and Class 4 (commercial). It adjusts the rates that the market value of property is taxed to maintain taxable value neutrality between residential, agricultural, and commercial properties on a statewide basis. It extends the base period of the data for the valuation of forest land and increases the rate Class 10 (forest land) from 0.29% to 0.37%. SB 157 simplifies the reappraisal process. It passed 63-36 in the House and 34-16 in the Senate. Governor Bullock signed the bill. This vote is worth 3 points.

HB 538

(Rep. Miller – Helmsville)

Extraterritorial work comp option

HB 528 simply exempts Montana employers from having to pay work comp in Montana for their employees that work full-time and are covered by work comp in North Dakota. It allows a work comp insurer to require proof of coverage and records of work in North Dakota. It also states that any employee whose workday begins in Montana and has work comp coverage in Montana is not eligible for the exemption. HB 538 is in response to Montana employers who have employees working full-time in the Bakken in North Dakota and have to pay work comp in both states. It passed in the House 94-5 and the Senate 50-0 in the Senate. Governor Bullock signed the bill. This vote is worth 3 points.

HB 617

(Rep. Lavin – Kalispell)

STEM scholarship program

HB 617, as amended, creates a new scholarship program for Montana high school students that prepare for postsecondary fields of science, technology, engineering, and mathematics (STEM). Scholarships are funded by lottery proceeds directed to the new STEM account instead of the state general fund. The criteria include a 3.25 GPA, in-state tuition eligibility, and four years of math and three years of science. The student can get \$1,000 the first academic year and then \$2,000 for the second academic year. For the second academic year, the scholarship recipient has to declare a STEM or health care major to maintain eligibility. HB 617 was one of several bills the Chamber supported to address the “skills gap” in the labor market. It passed 94-5 in the House and 40-10 in the Senate. Governor Bullock signed the bill. This vote is worth 3 points.

HB 356

(Rep. Jones – Billings)

Career/Vo-tech funding

HB 356 increases funding for the high school career and vocational/technical training program \$2 million over the biennium. It will boost programs designed to provide trade skills to high school students while increasing the pool of skilled trade workers for employers. The Chamber testified that one of the biggest challenges facing many skilled trades industries, such as small manufacturers, is finding workers to fill positions that require specialized skills and work attitudes. Many of these positions pay well above minimum wage and offer prospects for career advancement. The Montana Chamber, the Montana Manufacturing Council (a subsidiary of the Montana Chamber), other business groups, education leaders and advocates, and a host of students stood in support of the bill. It passed 96-3 in the House and 45-4 in the Senate. Governor Bullock signed the bill. This vote is worth 3 points.



Glenn Oppel visits with Sen. Bradley Hamlett outside of the Senate Chamber.

HB 413

(Rep. Hunter – Helena)

State OSHA program

HB 413 would have started the process of authorizing the Montana Department of Labor and Industry to administer and enforce the federal Occupational Safety and Health Act (OSHA). Although the Chamber was not opposed to the concept, we joined other business groups to oppose the legislation based primarily on the concern that if the state was authorized to administer and enforce OSHA, it would also have had the authority to exceed the federal regulations per the enabling act. It failed 41-59 on the House floor. This vote is worth 1 point.

SB 394

(Sen. Blasdel – Kalispell)

Intangible personal property

SB 394 would have addressed ongoing concerns about the Montana Department of Revenue’s (DOR) treatment of exempt intangible personal property (IPP) for centrally assessed taxpayers. The current statute governing IPP was enacted in 1999 to explicitly state that all intangible property of centrally assessed taxpayers is exempt from property taxation. Up to that time, only centrally assessed intangibles were being taxed. This 1999 statutory change was part of several amendments that clarified that Montana law exempts all intangibles. SB 394 would have amended the existing statute to expand the non-inclusive list to include additional examples of exempt intangibles and to address the DOR’s refusal to fully remove all intangibles from its centrally assessed property. It passed in the Senate 29-21 but was subsequently tabled in House Taxation. Proponents could not reach a consensus with the DOR. This vote is worth 1 point.

HB 449

(Rep. Wagoner – Montana City)

Business impact in fiscal notes

HB 449 would have given the majority leader and minority leader in both the House and Senate the option to request that one bill's fiscal note include a business impact statement. The business impact statements would have been prepared by the Legislative Fiscal Division but included in the fiscal note prepared by the Office of Budget and Program Planning. The Chamber has pursued this idea in past sessions. It passed 60-40 in the House and 30-20 in the Senate. Governor Bullock vetoed the bill. This vote is worth 1 point.

SB 123

(Sen. Tutvedt – Kalispell)

Montana State Fund oversight

SB 123 moves regulatory oversight of the Montana State Fund (MSF) from the Legislature to the Montana Commissioner of Securities and Insurance (CSI). There are various advantages to the new regulatory arrangement. It discourages future efforts to transfer the Old Fund liability to MSF by the Legislature. Furthermore, moving to CSI's regulatory oversight insulates the taxpayers from ever having to compensate for any liabilities. SB 123 maintains many of the attributes of the current MSF that translate into affordable premiums and guaranteed access for policyholders, including federal tax exemption; experience rating and class code exceptions; and exemption from the state's premium tax. It passed in the Senate 45-4 and the House 56-42. Governor Bullock signed the bill. This vote is worth 1 point.

SB 354

(Sen. Ripley – Wolf Creek)

Infrastructure funding

SB 354 initially was a companion bill with SB 353 – a constitutional referendum that would have asked voters to divert 90% of existing coal taxes into infrastructure projects. SB 353 fell short of the two-thirds majority of the Legislature required to get a constitutional amendment in front of the voters. During the waning days of the session when SB 416 was unlikely to pass in the House, both chambers concurred with a revised version of SB 354 that came out of a conference committee. The revised version would have established a "trust within the Coal Trust" to dedicate future coal tax revenues to infrastructure projects. The conference committee version of the bill passed 30-19 in the Senate and 57-42 in the House. Governor Bullock vetoed the bill. This vote is worth 1 point.



SB 414

(Sen. Buttrey – Great Falls)

Seasonal employer option for UI

SB 414 would have created an optional designation for seasonal employers paying unemployment insurance (UI). The state of Montana has many employers who are subject to seasonal change and UI does not contemplate seasonal employees of the seasonal employer. Reducing the number of employees of a seasonal employer that are eligible for UI commensurate with the employer's seasonal business could have allowed the employer to pay lower amounts to UI. Federal UI law allows states to adopt a seasonal employer option and, currently, 19 states have this option. It passed in the Senate 30-20 but failed in the House 41-59. This vote is worth 1 point.

SB 99

(Sen. Cohenour – Helena)

Insure Montana

SB 99 would have required the State Auditor's Office to administer the Insure Montana program, which provides tax credits or premium incentives to small businesses that offer a group health insurance plan and pay at least 50% of the premium for their employees. SB 99 also would have expanded the current Insure Montana eligible small employer criteria from 2 to 9 employees to 1 to 25. The program would have been primarily funded from a percentage of the insurance premium tax redirected from the general fund, and additional general fund expenditures. The program began in 2005 and has served 1,200 small businesses, helping provide health insurance coverage for nearly 7,000 lives. It passed in the Senate 40-8 and the House 76-23. Governor Bullock vetoed the bill, which means the demise of the program after 2015. The vote is worth 1 point.

SB 405

(Sen. Buttrey – Great Falls)

Montana HELP Act

SB 405 creates the Health and Economic Livelihood Partnership (HELP) Act to expand health care coverage to additional eligible individuals and to improve access to health care services across Montana for able-bodied adults earning below 138% of the Federal Poverty Level. Federal matching funds over the course of the biennium will cover over 95% of the cost, or nearly \$420 million. The state portion of funding is capped at no more than 10% of benefit costs after this coming biennium. The HELP Act is unique among the states because it encourages personal responsibility and provides a path off of government aid. First, a beneficiary will be required to make copayments and pay a small portion of premiums unless the beneficiary is a Veteran, enrolled in an accredited college, participating in the workforce placement program, or actively participating in a health behavior program such as smoking cessation. Nonpayment of premiums could result in disenrollment. Second, a beneficiary will be contacted by the Montana Department of Labor and Industry (DLI) to participate in a workplace assessment survey. The survey results will be used by the DLI to identify options for training, skills development, job placement, and other options to increase income-making capabilities of the beneficiary. The new program will entail private management in the form of a third party administrator. The Chamber supported SB 405 because it expands coverage, includes reforms, entails private management, and will spur economic activity. It passed in the Senate 28-21 and the House 54-42. Governor Bullock signed the bill into law. It is worth 1 point.

HJ 11

(Rep. Lang – Malta)

Resolution supporting Keystone XL

HJ 11 urges prompt Congressional and Presidential approval for the Keystone XL Pipeline. The resolution states that the state and local jurisdictions will benefit from an increased property tax base; there will be minimal adverse impacts on the environment, landowners, and affected communities; significant infrastructure improvements, including powerlines and road and bridge improvements, will be built and paid for by TransCanada; and Montana's Congressional delegation and Governor Bullock support the approval of the pipeline. It passed in the House 71-28 and the Senate 35-14. Resolutions do not require the Governor's signature. This vote is worth 1 point.

SJ 13

(Sen. Ankney – Colstrip)

Resolution supporting coal

The Chamber has been a strong supporter of this sector of our state economy and joined various business and labor groups to support SJ 13. The resolution states that coal is one of the most reliable and affordable sources of fuel for electric generation; consumers, businesses, communities, and service providers need affordable energy more than ever during economic uncertainty; and expanded, responsible development of Montana's natural resources would benefit every Montanan by creating thousands of new jobs and billions of dollars in tax revenue. It passed in the Senate 37-13 and 69-27 in the House. Resolutions do not require the Governor's signature. It is worth 1 point.



Webb Brown joins other business groups to speak at a rally for infrastructure investment.

MONTANA SENATE

VOTING REVIEW KEY:

+ = Business Positive Vote E = Excused
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Chamber Position	Legislation	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Sponsor Points	Committee Votes	District P-base	BUSINESS SCORE
		HB 396	SB 288	SB 171	HB 379	HB 156	HB 166	SB 416	HB 402	SB 207	SB 39	SB 261	SB 398	SB 254	SB 157	HB 538	HB 617	HB 356	SB 394	HB 449	SB 123	SB 354	SB 414	SB 99	SB 405	SJ 13	HJ 11				
SENATOR	District																														
Ankney, Duane	20	+	+	+	+	+	+	+	+	+	+	-	-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+6	2/4	74	100%
Arntzen, Elsie	26	+	+	+	+	+	+	+	+	+	+	+	+	+	+	-	+	+	+	+	+	+	+	-	+	+	+2	3/4	47	100%	
Barrett, Debbie	36	+	+	+	+	+	+	+	+	+	+	+	-	+	+	+	+	+	+	+	+	+	+	+	+	+			87	93%	
Barrett, Dick	45	-	-	-	+	-	-	+	-	-	+	-	-	+	+	+	+	-	-	+	-	-	+	+	-	-	-4	1/4	13	27%	
Blasdel, Mark	4	+	+	+	+	+	+	+	+	+	+	-	+	-	+	+	+	+	+	+	+	+	+	-	+	+	+2	5/7	65	100%	
Brenden, John	17	+	+	+	+	+	+	+	+	+	+	-	-	-	-	+	+	+	+	+	+	+	+	-	+	+	+2	1/3	90	89%	
Brown, Dee	2	+	+	+	+	-	+	+	E	+	+	+	-	+	-	+	+	+	+	+	+	+	+	-	+	+		2/4	78	87%	
Brown, Taylor	28	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+		3/4	56	100%	
Buttrey, Ed	11	+	+	+	+	+	+	+	E	+	+	+	-	+	+	+	+	+	+	+	+	E	+	+	+	+	+8	3/4	49	100%	
Caferro, Mary	41	+	-	+	+	-	-	+	-	-	+	+	-	-	+	+	+	+	-	+	-	-	-	+	-	-	+4/-2	0/3	35	54%	
Cohenour, Jill	42	+	-	-	+	-	-	+	-	-	+	+	-	+	+	+	+	-	-	+	-	-	+	+	-	+	+2	3/4	45	51%	
Connell, Patrick	43	+	+	+	+	+	+	+	+	+	+	+	-	-	+	+	+	+	+	+	+	+	+	+	+	+		2/4	77	94%	
Driscoll, Robyn	25	+	-*	-	+	+	-	+	-	-	+	+	-	-	+	+	+	+	-	-	+	-	-	+	+	+	-2	1/1	39	49%	
Facey, Tom	50	+	-	-	+	-	-	+	-	-	+	+	-	-	+	+	+	+	-	-	+	-	-	-	+	-	+4	0/3	9	45%	
Fielder, Jennifer	7	+	+	+	+	+	+	+	+	+	+	-	E	+	-	+	-	+	+	+	+	+	+	-	+	+		0/1	86	91%	
Hamlett, Bradley	15	+	+	+	+	+	-	+	-	-	+	+	-	-	+	+	+	+	-	-	+	-	+	+	+	+	+6	0/3	90	80%	
Hansen, Kris	14	+	+	+	+	+	+	+	+	+	+	+	+	-	+	-	+	+	+	+	-	+	+	-	+	+		2/4	56	96%	
Hinkle, Jedediah	32	+	+	+	+	-	+	+	+	+	+	-	+	+	-	+	-	+	+	+	+	+	+	-	+	+		0/1	49	81%	
Hoven, Brian	13	+	+	+	+	+	+	+	+	+	+	+	+	-	+	+	-	+	+	+	+	+	+	+	+	+	+4	0/4	46	98%	
Howard, David	29	+	+	+	+	+	+	+	+	+	+	-	+	+	-	+	+	+	+	+	+	+	+	+	-	+		3/3	87	96%	
Jones, Llew	9	+	+	+	+	+	+	+	+	+	+	+	-	+	+	+	+	+	+	+	+	+	+	+	+	+	+2	1/3	90	99%	
Kary, Doug	22	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	-	+	+		1/1	53	100%	
Kaufmann, Christine	40	-	-	-	+	-	-	+	-	-	+	+	-	-	+	+	+	+	-	-	+	-	-	+	-	-	-2	1/4	49	29%	
Keane, Jim	38	+	-	-	+	+	-	+	-	-	+	+	-	-	+	+	+	+	-	-	+	-	+	+	+	+	-4	0/3	35	46%	
Keenan, Bob	5	+	+	+	+	+	+	+	+	+	+	-	+	+	-	+	+	+	+	+	+	+	+	-	+	+	+2	2/3	83	95%	

MONTANA HOUSE

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Chamber Position	Legislation	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Sponsor Points	Committee Votes	District P-base	BUSINESS SCORE
		HB 396	SB 288	SB 171	HB 379	HB 213	HB 156	HB 166	SB 416	HB 402	SB 39	SB 261	SB 398	SB 157	HB 538	HB 617	HB 356	HB 413	HB 449	SB 123	SB 354	SB 414	SB 99	SB 405	SJ 13				
REPRESENTATIVE	District																												
Ballance, Nancy	87	+	+	-	+	+	+	-	+	+	+	+	+	+	+	+	+	-	+	-	+	-	+	+	+2	0/3	92	85%	
Bennett, Bryce	91	+	-	-	+	-	-	-	+	-	+	+	+	+	+	+	-	-	+	-	-	+	+	-	-	+2		2	49%
Bennett, Jerry	1	+	+	+	+	+	+	-	+	+	-	+	-	-	+	+	+	+	-	+	+	+	-	+	+		0/1	87	87%
Berglee, Seth	58	+	+	+	+	+	+	-	+	+	+	+	-	+	+	+	+	+	-	+	+	+	-	+	+		0/1	80	93%
Berry, Tom	40	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+2	1/4	89	100%
Brodehl, Randy	9	+	+	+	+	+	+	-	+	+	-	+	-	-	+	+	+	+	-	+	+	+	-	+	+		0/3	85	86%
Brown, Bob	13	+	-	+	+	+	+	-	+	+	-	+	-	+	+	-	+	+	-	+	-	+	-	+	+		0/1	88	74%
Brown, Zach	63	+	-	-	+	-	+	-	+	-	+	+	+	+	+	+	-	-	+	-	-	+	+	-	-			21	53%
Burnett, Tom	67	+	+	+	+	+	+	-	+	+	+	+	-	+	-	-	+	+	-	+	+	-	-	+	+		0/3	72	87%
Clark, Christy	17	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+2	3/4	88	100%
Cook, Rob	18	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+		0/1	92	100%
Court, Virginia	50	+	-	-	+	-	-	-*	+	-	+	+	+	+	+	+	-	+	+	-	-	+	+	-	-			37	47%
Cuffe, Mike	2	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	-	+	-	+	-	+	+		0/3	98	98%
Curdy, Willis	98	+	-	-	+	-	+	-	+	-	+	+	+	+	+	+	-	-	+	-	-	-	+	-	-		0/4	39	53%
Custer, Geraldine	39	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	-	+	-	+	+	+	+		0/1	59	98%
Doane, Alan	36	+	+	+	+	+	+	-	+	+	+	+	-	+	+	+	+	+	-	+	+	+	-	+	+		0/1	97	92%
Dudik, Kimberly	94	+	E	-	+	-	-	-	+	-	+	+	-	+	+	+	-	-	+	-	-	-	+	-	-		2/3	39	49%
Dunwell, Mary Ann	84	+	-	-	+	-	-	-	+	-	+	+	+	+	+	+	-	-	+	-	-	-	+	-	-	-4	0/1	50	41%
Eck, Jenny	79	+	-	-	+	-	-	-	+	-	+	+	+	+	+	+	-	-	+	-	-	+	+	-	-			7	46%
Ehli, Ron	86	+	+	-	+	+	+	-	+	+	+	+	+	+	+	+	+	+	-	+	-	+	-	+	+		0/3	58	82%
Ellis, Janet	81	+	-	-	+	-	-	-	+	-	+	+	+	+	+	+	+	-	+	-	-	-	+	-	-		2/3	30	48%
Essmann, Jeff	54	+	+	+	+	-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	-	-	+	+	+2		86	93%
Fiscus, Clayton	43	+	-	-	+	+	+	-	+	+	+	+	+	+	+	+	+	+	-	-	-	+	-	+	+		0/1	52	70%
Fitzpatrick, Steve	20	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+		4/4	60	100%
Flynn, Kelly	70	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	-	+	+	+	-	+	+		0/1	88	95%

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REPRESENTATIVE	District																														
Funk, Moffie	82	+	-	-	+	-	-	-	+	-	+	+	-	+	+	+	+	-	-	+	-	-	+	+	-	-			46	42%	
Garner, Frank	7	+	+	+	+	+	+	+	+	+	+	+	-	+	+	+	+	+	+	+	+	+	+	+	+	+			57	98%	
Glimm, Carl	6	+	+	+	+	+	+	-	+	+	+	+	-	+	+	+	+	+	-	+	+	+	-	+	+		0/3	82	92%		
Greef, Edward	88	+	+	+	+	+	+	-	+	+	+	+	+	+	+	+	+	+	-	+	+	+	-	+	+			70	95%		
Hagstrom, Dave	52	+	+	+	+	+	+	-	+	+	-	+	+	+	+	+	+	+	-	+	+	+	-	+	+		0/3	56	91%		
Harris, Bill	29	+	-	+	+	+	+	-	+	+	+	+	-	+	+	+	+	+	-	+	+	+	-	+	+	+2		92	83%		
Hayman, Denise	66	+	-	-	+	-	-	-	+	-	+	+	+	+	+	+	-	-	+	-	-	-	+	-	-			15	45%		
Hertz, Greg	12	+	+	+	+	+	+	-	+	+	+	+	-	+	+	+	+	+	-	+	+	+	-	+	+	+4	1/1	75	97%		
Hess, Stephanie	28	+	+	+	+	+	+	+	+	+	+	+	-	-	+	+	+	+	-	+	+	+	-	+	+		0/1	52	94%		
Hill, Ellie Boldman	90	+	-	-	+	-	+	-	+	-	+	+	-	+	+	+	+	-	-	+	-	-	+	+	-			8	50%		
Hollandsworth, Roy	27	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+2	1/3	84	100%		
Holmlund, Kenneth	38	+	+	+	+	+	+	-	+	+	+	+	+	+	+	+	+	+	-	+	+	+	-	+	+		0/3	52	95%		
Hunter, Chuck	83	+	-	-	+	-	+	-	+	-	+	+	+	+	+	+	-	-	+	-	-	-	+	-	-	+2/-2	0/4	30	53%		
Jacobson, Tom	21	+	-	+	+	-	+	-	+	-	+	+	-	+	+	+	+	-	-	+	-	-	+	+	+		0/1	45	63%		
Jones, Donald	46	+	+	+	+	+	+	-	+	+	+	+	+	+	+	+	+	+	+	+	+	+	-	+	+	+4	0/4	78	99%		
Karjala, Jessica	48	+	-	-	+	-	+	-	+	-	+	+	-	+	+	+	+	-	-	+	-	-	+	+	-			48	50%		
Kelker, Kathy	47	+	-	-	+	-	+	-	+	-	+	+	+	+	+	+	+	-	-	+	-	-	-	+	+	-			40	53%	
Kipp III, George	15	+	-	-	+	-	+	-	+	+	+	+	+	+	+	+	-	-	+	-	-	-	+	-	-		0/3	19	53%		
Knudsen, Austin	34	+	+	+	+	+	+	+	+	+	+	+	-	+	+	+	+	+	-	+	+	+	-	+	+	+2		92	98%		
Lamm, Debra	60	+	+	+	-	+	+	-	+	+	-	+	-	+	-	+	+	+	-	-	-	+	-	+	+			51	77%		
Lang, Mike	33	+	+	+	+	+	+	+	+	+	+	+	-	+	+	+	+	+	-	+	+	+	-	+	+	+2	4/4	88	100%		
Laszloffy, Sarah	53	+	+	-	+	+	+	-	+	+	+	+	-	+	+	+	+	+	-	+	+	+	-	+	+		0/1	90	81%		
Lavin, Steve	8	+	+	+	+	+	+	-	-	+	+	+	-	+	+	+	+	+	+	+	+	+	-	+	+	+2	1/1	76	92%		
Lieser, Ed	5	+	-	-	+	-	-	-	+	-	+	+	+	+	+	+	-	-	+	-	-	+	+	-	-		0/1	43	46%		
Lynch, Ryan	76	+	-	-	+	-	+	-	+	+	+	-	-	+	+	+	-	-	+	-	-	+	+	+	+	+2	0/4	8	51%		

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Legislation	HB 396	SB 288	SB 171	HB 379	HB 213	HB 156	HB 166	SB 416	HB 402	SB 39	SB 261	SB 398	SB 157	HB 538	HB 617	HB 356	HB 413	HB 449	SB 123	SB 354	SB 414	SB 99	SB 405	SJ 13	HJ 11					
REPRESENTATIVE	District																													
MacDonald, Margie	51	+	-	-	+	-	-	-	+	-	+	+	+	+	+	+	-	-	+	-	-	-	+	-	-			49	45%	
Mandeville, Forrest	57	+	+	+	+	+	+	-	+	+	+	+	+	+	+	+	+	+	-	+	+	+	-	+	+			94	95%	
Manzella, Theresa	85	+	+	-	+	+	+	-	+	+	+	+	-	+	-	+	+	+	-	+	-	+	-	+	+		0/1	88	78%	
McCarthy, Kelly	49	+	-	-	+	-	+	-	+	-	+	+	-	+	+	+	-	-	+	+	-	+	+	-	-	+2	1/3	40	53%	
McClafferty, Edie	73	+	-	-	+	-	+	-	+	-	+	+	+	+	+	+	-	-	+	-	-	-	+	+	+		0/1	6	54%	
McConnell, Nate	89	+	-	-	+	-	+	-	+	-	+	-	+	+	+	+	-	-	+	-	-	+	+	-	-			16	50%	
McKamey, Wendy	23	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+			50	100%	
Mehlhoff, Robert	22	+	-	-	+	-	+	-	+	-	+	+	-	+	+	+	+	-	-	+	+	-	-	+	+	+		2/3	43	53%
Meyers, Gilbert Bruce	32	+	+	-	-	+	+	+	+	+	+	+	-	+	+	+	+	+	-	+	+	+	+	+	+			40	76%	
Miller, Mike	80	+	+	-	+	+	+	-	+	+	+	+	+	+	+	+	+	+	-	+	-	+	-	+	+	+8	0/1	84	90%	
Monforton, Matthew	69	+	+	+	+	+	+	-	-	+	-	+	-	+	-	+	+	+	-	-	-	-	-	+	+	-4	0/1	90	76%	
Moore, David	92	+	+	+	+	+	+	+	+	+	+	+	-	+	+	+	+	+	+	+	-	+	+	+		4/4	51	100%		
Mortensen, Dale	44	+	-	+	+	+	+	-	+	+	-	+	-	+	+	+	+	-	+	-	+	-	+	+			53	76%		
Noland, Mark	10	+	+	+	+	+	+	-	+	+	+	+	-	+	+	+	+	+	-	+	-	+	-	+	+	+2	4/4	80	98%	
Noonan, Pat	74	+	-	-	+	-	+	-	+	-	+	+	-	+	+	+	-	-	+	-	-	-	+	+	+	+2	2/3	7	54%	
Olsen, Andrea	100	+	-	-	+	-	-	-	+	-	+	+	-	-	+	+	-	-	+	-	-	-	+	-	-	-2	1/4	0	38%	
Olszewski, Albert	11	+	+	-	+	+	+	-	+	+	+	+	-	+	+	+	+	+	-	+	-	+	-	+	+		0/1	89	80%	
Osmundson, Ryan	30	+	+	+	+	+	+	-	+	+	+	+	+	+	+	+	+	+	-	+	+	+	-	+	+		0/3	96	91%	
Pease-Lopez, Carolyn	42	+	-	-	+	-	+	-	+	-	+	+	+	+	+	+	-	-	+	-	-	-	+	+	-			20	53%	
Peppers, Patricia Rae	41	+	-	-	+	-	+	-	+	+	+	+	+	+	+	+	-	-	+	-	-	+	+	+	+		2/3	43	61%	
Perry, Zac	3	+	-	-	+	-	+	-	+	-	+	+	-	+	+	+	-	-	+	+	-	+	+	+	+			57	53%	
Person, Andrew	96	+	-	-	+	-	+	-	+	-	+	-	-	+	+	+	-	-	+	-	-	-	+	-	-	+2		49	49%	
Pierson, Jr., Gordon	78	+	-	-	+	-	+	-	+	-	+	+	-	+	+	+	-	-	+	-	-	+	+	+	+		0/4	34	51%	
Pinocci, Randy	19	+	-	+	+	+	+	-	+	+	+	+	-	+	-	+	+	-	+	-	+	-	+	+	+		0/1	85	78%	
Pope, Christopher	65	+	-	-	+	-	+	-	+	-	+	+	+	+	+	+	-	-	+	-	-	+	+	-	-		0/4	40	53%	

MONTANA HOUSE

VOTING REVIEW KEY:

+ = Business Positive Vote E = Excused
 - = Business Negative Vote * = Used Second Reading Vote

Chamber Position	Legislation	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Sponsor Points	Committee Votes	District P-base	BUSINESS SCORE	
		HB 396	SB 288	SB 171	HB 379	HB 213	HB 156	HB 166	SB 416	HB 402	SB 39	SB 261	SB 398	SB 157	HB 538	HB 617	HB 356	HB 413	HB 449	SB 123	SB 354	SB 414	SB 99	SB 405	SJ 13	HJ 11				
REPRESENTATIVE	District																													
Price, Jean	24	+	-	-	+	-	-	-	+	-	+	+	+	+	+	+	-	-	+	-	-	+	+	+	-			50	47%	
Randall, Lee	37	+	+	+	+	+	+	+	-*	+	+	+	+	-	+	+	+	+	-	+	+	+	-	+	+		1/1	100	93%	
Redfield, Alan	59	+	+	+	+	+	+	+	-	+	+	+	+	+	+	+	+	+	-	+	+	+	-	+	+		1/1	82	96%	
Regier, Keith	4	+	+	+	+	+	+	+	-	+	+	+	+	-	+	+	+	+	+	-	+	+	+	-	+	+	+4	0/1	92	96%
Ricci, Vince	55	+	+	+	+	+	+	+	+	+	+	+	+	-	+	+	+	+	-	+	+	+	-	+	+		4/4	58	100%	
Richmond, Tom	56	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+		2/4	60	100%	
Salomon, Daniel	93	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+		3/4	52	100%	
Schreiner, Casey	25	+	-	-	+	-	+	-	+	-	+	+	-	-	+	+	-	-	+	-	-	+	+	+	+			47	49%	
Schwaderer, Nick	14	+	+	+	+	+	+	+	-	+	+	+	+	-	+	+	+	+	-	+	+	+	-	+	+		0/1	85	92%	
Shaw, Ray	71	+	+	+	+	+	+	+	+	+	+	+	+	-	+	+	+	+	+	+	+	+	+	+	+			86	96%	
Smith, Bridget	31	+	-	-	+	-	+	-	+	+	+	+	+	+	+	+	-	-	-	-	-	-	+	+	+		0/1	35	57%	
Staffanson, Scott	35	+	+	+	+	+	+	+	-	+	+	+	+	+	+	+	+	+	-	+	-	+	-	+	+		4/4	100	98%	
Steenberg, Tom	99	+	-	-	+	-	+	-	+	-	+	+	-	+	+	+	-	-	+	-	-	-	+	-	-		0/4	23	49%	
Swanson, Kathy	77	+	-	-	+	-	+	-	+	-	+	+	-	-	+	+	-	-	+	-	-	+	+	+	+			35	49%	
Tropila, Mitch	26	-	-	-	+	-	+	-	+	+	+	+	-	+	+	+	+	-	-	+	-	+	+	+	-		2/3	44	45%	
Tschida, Brad	97	+	+	+	+	+	+	+	-	+	+	+	+	-	+	+	+	+	-	+	-	+	-*	+	+		0/3	54	92%	
Wagoner, Kirk	75	+	+	+	+	+	+	+	-	+	+	-	+	-	+	+	+	+	-	+	+	+	-	+	+	+2	0/1	63	91%	
Webber, Susan	16	+	-	-	+	-	-	-	+	-	+	+	-	+	+	+	-	-	+	-*	-	+	+	-	-			12	42%	
Welborn, Jeff	72	+	+	+	+	+	+	+	+	+	+	+	-	+	+	+	+	+	+	+	+	+	+	+	+	+2	3/4	88	100%	
White, Kerry	64	+	+	-	-	+	+	+	-	+	+	-	+	+	-	+	+	+	-	+	+	+	-	+	+	+2	0/1	72	71%	
Williams, Kathleen	61	+	-	-	+	-	-	-	+	-	+	+	+	+	+	+	+	-	-	+	-	-	-	+	-	+2	0/1	41	47%	
Wilson, Nancy	95	+	-	-	+	-	-	-	+	-	+	+	+	+	+	+	+	-	-	+	-	-	-	+	-		0/1	3	45%	
Wittich, Art	68	+	-	+	-	+	+	+	-	+	+	-	+	-*	+	+	+	+	+	-	-	-	+	-	+			79	68%	
Woods, Tom	62	+	-	-	+	-	-	-	+	-*	+	+	+	+	+	+	+	-	-	+	-	-	-	+	-		2/3	9	47%	
Zolnikov, Daniel	45	+	-	+	+	+	+	+	-	+	-	-	+	-	+	-	+	+	+	-	+	+	-	+	+		1/1	74	70%	

Review of Committee Votes — Senate

Senate Business and Labor

SB 2 Raise state minimum wage (Chamber opposed)

For: Facey, Stewart-Peregoy, Vuckovich, and Whitford

Against: Arntzen, Brown, Buttrey, Connell, Smith, and Vance

SB 103 Provide presumptive disease coverage for paid firefighters (Chamber opposed)

For: Stewart-Peregoy, Vuckovich, and Whitford

Against: Arntzen, Brown, Buttrey, Connell, Smith, and Vance

Excused: Facey

SB 254 Generally revise laws related to Montana State Fund (Chamber opposed)

For: Brown, Connell, Facey, Stewart-Peregoy, Vuckovich, and Whitford

Against: Arntzen, Buttrey, Smith, and Vance

SB 398 Revise work comp dividend payment laws (Chamber opposed)

For: Arntzen, Brown, Buttrey, Connell, Facey, Smith, Stewart-Peregoy, Vuckovich, and Whitford

Against: Vance

Senate Finance and Claims

SB 167 Update tax haven laws (Chamber opposed)

For: Caferro, Hamlett, Keane, Phillips, Sesso, Windy Boy, and Wolken

Against: Blasdel, Brenden, Hansen, Howard, Jones, Keenan, Moore, Ripley, Rosendale, Smith, Taylor, and Webb

SB 254 Generally revise laws related to Montana State Fund (Chamber opposed)

For: Brenden, Caferro, Hamlett, Jones, Keane, Moore, Phillips, Ripley, Sesso, Windy Boy, and Wolken

Against: Blasdel, Hansen, Howard, Keenan, Rosendale, Smith, Taylor, and Webb

SB 398 Revise work comp dividend payment laws (Chamber opposed)

For: Blasdel, Brenden, Caferro, Hamlett, Hansen, Jones, Keane, Keenan, Moore, Phillips, Ripley, Sesso, Smith, Taylor, and Webb

Against: Howard and Rosendale

Senate Judiciary

HB 505 Establish employee safe travel to work laws (Chamber opposed)

For: Fielder, Hansen, Hinkle, Sales, Swandal, and Vincent

Against: Driscoll, Kary, Larsen, McNally, Moe, and Sands

Senate Taxation

HB 637 Provide for an apprenticeship tax credit (Chamber supported)

For: Ankney, Barrett, Cohenour, Kaufmann, Malek, and Pomnichowski

Against: Blasdel, Brown, Hoven, Taylor, Thomas, and Tutvedt

SB 166 Eliminate water's edge election for corporations (Chamber opposed)

For: Barrett, Cohenour, Hoven, Kaufmann, Malek, and Pomnichowski

Against: Ankney, Blasdel, Brown, Taylor, Thomas, and Tutvedt

SB 167 Update tax haven laws (Chamber opposed)

For: Ankney, Barrett, Cohenour, Hoven, Kaufmann, Malek, and Pomnichowski

Against: Blasdel, Brown, Taylor, Thomas, and Tutvedt

SB 374 Revise oil and gas tax rates (Chamber opposed)

For: Barrett, Cohenour, Kaufmann, Malek, and Pomnichowski

Against: Ankney, Blasdel, Brown, Hoven, Taylor, Thomas, and Tutvedt



Review of Committee Votes — House

House Appropriations

HB 5 Provide for infrastructure development (Chamber supported)

For: Dudik, Ellis, Mehlhoff, Noonan, Peppers, Tropila, and Woods

Against: Ballance, Brodehl, Burnett, Cuffe, Ehli, Glimm, Hagstrom, Hollandsworth, Holmlund, Jones, McCarthy, Osmundson, and Tschida

HB 213 Revise business equipment tax laws (Chamber supported)

For: None

Against: Ballance, Brodehl, Burnett, Cuffe, Dudik, Ehli, Ellis, Glimm, Hagstrom, Hollandsworth, Holmlund, Jones, McCarthy, Mehlhoff, Noonan, Osmundson, Peppers, Tropila, Tschida, and Woods

HB 277 Provide for an apprenticeship tax credit (Chamber supported)

For: Dudik, Ellis, Hollandsworth, McCarthy, Mehlhoff, Noonan, Peppers, Tropila, and Woods

Against: Ballance, Brodehl, Burnett, Cuffe, Ehli, Glimm, Hagstrom, Holmlund, Jones, Osmundson, and Tschida

House Business and Labor

HB 384 Increase Montana's minimum wage (Chamber opposed)

For: Curdy, Hunter, Kipp, Lynch, Olsen, Pierson, Pope, and Steenberg

Against: Berry, Clark, Fitzpatrick, Lang, Moore, Noland, Ricci, Richmond, Salomon, Staffanson, and Welborn

HB 413 Create OSHA laws applicable to private employers (Chamber opposed)

For: Berry, Curdy, Hunter, Kipp, Lynch, Olsen, Pierson, Pope, Richmond, and Steenberg

Against: Clark, Fitzpatrick, Lang, Moore, Noland, Ricci, Salomon, Staffanson, and Welborn

HB 500 Revise terms for work comp treating physician (Chamber opposed)

For: Berry, Curdy, Hunter, Kipp, Lynch, Olsen, Pierson, Pope, and Steenberg

Against: Clark, Fitzpatrick, Lang, Moore, Noland, Ricci, Richmond, Salomon, Staffanson, and Welborn

SB 398 Revise work comp dividend payment laws (Chamber opposed)

For: Berry, Clark, Curdy, Hunter, Kipp, Lynch, Pierson, Pope, Richmond, Salomon, Steenberg, and Welborn

Against: Fitzpatrick, Lang, Moore, Noland, Olsen, Ricci, and Staffanson

House Judiciary

HB 598 Referendum for gun owners access to justice act (Chamber opposed)

For: Bennett, Berglee, Doane, Fiscus, Hess, Laszloffy, Manzella, Monforton, Pinocci, Regier, and Wagoner

Against: Court, Eck, Hill, Kelker, MacDonald, McConnell, Pease-Lopez, Perry, and Person

House Taxation

SB 394 Revise intangible personal property exemption (Chamber supported)

For: Hertz, Lavin, Randall, Redfield, Schwaderer, and Zolnikov

Against: Brown, Cook, Custer, Dunwell, Flynn, Jacobson, Lieser, McClafferty, Miller, Olszewski, Smith, White, Williams, and Wilson



Legislation Selected for Sponsorship Points

PRO-BUSINESS LEGISLATION (2 POINTS ADDED)

HB 5	Rep. Jeff Welborn	Provide for infrastructure development
HB 14	Rep. Kelly McCarthy	Creating broadband development fund through bonding
HB 41	Rep. Chuck Hunter	Revise tax appeal laws
HB 74	Rep. Ryan Lynch	Require data breach notice to attorney general and insurance commissioner
HB 156	Rep. Mike Miller	Revise tax laws related to pollution control equipment
HB 166	Rep. Keith Regier	Lower state individual income tax rates
HB 201	Rep. Keith Regier	Lower state property tax mills
HB 204	Rep. Greg Hertz	Revising laws relating to liability waivers and releases
HB 213	Rep. Mike Miller	Revise business equipment tax laws
HB 222	Rep. Roy Hollandsworth	Revise laws related to oversize loads
HB 244	Rep. Jeff Essmann	Fund litigation protecting Montana products in interstate commerce
HB 249	Rep. Pat Noonan	Create Healthy Montana Act
HB 258	Rep. Kathleen Williams	Authorize benefits corporations
HB 262	Rep. Kerry White	Revise resort tax laws
HB 277	Rep. Christy Clark	Provide for apprenticeship tax credit
HB 299	Rep. Mark Noland	Revise work comp claim penalty laws
HB 341	Rep. Bill Harris	Provide tax benefits to employers and students for higher ed expenses
HB 343	Rep. Bryce Bennett	Prohibit request of online passwords as a condition of hiring or employment
HB 356	Rep. Don Jones	Revise funding for career and vocational/technical ed
HB 379	Rep. Greg Hertz	Generally revise income tax laws
HB 396	Rep. Don Jones	Revise laws related to small business impact analysis
HB 402	Rep. Austin Knudsen	Generally revise laws related to oil and gas development
HB 449	Rep. Kirk Wagoner	Require fiscal notes to include business impact
HB 455	Rep. Nancy Ballance	Generally revise Medicaid laws
HB 480	Rep. Mike Miller	Increase the maximum speed limit, including trucks
HB 503	Rep. Tom Berry	Clarify loss-run insurance law
HB 538	Rep. Mike Miller	Provide extraterritoriality option for work comp
HB 617	Rep. Steve Lavin	Provide scholarship opportunities for higher ed in Montana
HB 637	Rep. Andrew Person	Provide for apprenticeship tax credit, with increased amount for veterans
HJ 11	Rep. Mike Lang	Joint resolution regarding the keystone pipeline
SB 4	Sen. Tom Facey	Authorize temporary appointment in vacancy of work comp judge
SB 6	Sen. Fred Thomas	Clarify Department of Revenue's uniform dispute review procedures
SB 39	Sen. Cary Smith	Generally revise patent and copyright trolling laws
SB 85	Sen. Ed Buttrey	Revise unemployment insurance collections and integrity oversight laws
SB 99	Sen. Jill Cohenour	Revise insure Montana small business health insurance laws
SB 105	Sen. Elsie Arntzen	Revise unemployment insurance laws
SB 123	Sen. Bruce Tutvedt	Revising the regulatory authority over the Montana State Fund
SB 135	Sen. Tom Facey	Extend overtime exemption to certain air carrier employees
SB 136	Sen. Brad Hamlett	Generally revise hazardous waste fees
SB 138	Sen. Brian Hoven	Give safe harbors for employers, schools, landlords for criminal rehabilitation
SB 157	Sen. Bruce Tutvedt	Revise tax reappraisal laws
SB 164	Sen. Brian Hoven	Revise definitions for risks of skiing
SB 171	Sen. Bruce Tutvedt	Generally revise taxation of income, including the corporate income tax
SB 188	Sen. Chas Vincent	Revise liability for forest range fires

SB 195	Sen. Mary Caferro	Revise employment protections for national guard members of other states
SB 196	Sen. Mary Caferro	Private sector veteran hiring preference protection
SB 200	Sen. Duane Ankney	Lower individual income tax rates
SB 207	Sen. Bruce Tutvedt	Revise laws related to defensive medicine
SB 231	Sen. Nels Swandel	Revise admissibility in evidence of seat belt use laws
SB 234	Sen. Fred Thomas	Revise tax and fees for professional liability insurance
SB 259	Sen. Bruce Tutvedt	Revise work comp and occupational health and safety assessments
SB 261	Sen. Brad Hamlett	Montana sage grouse stewardship act
SB 264	Sen. Bob Keenan	Revise distribution of sales and use tax
SB 269	Sen. Duane Ankney	Revise individual income tax audit and collection laws
SB 280	Sen. Eric Moore	Generally revise loan agreement statute of frauds laws
SB 281	Sen. Eric Moore	Generally revise consumer protection damage laws
SB 288	Sen. Bruce Tutvedt	Medical recovery of work comp payment from at-fault parties
SB 291	Sen. Brad Hamlett	Revise laws on use of seatbelts and child safety restraints
SB 292	Sen. Matt Rosendale	Create a drug formulary for work comp
SB 328	Sen. Llew Jones	Provide for higher ed seeded savings accounts
SB 353	Sen. Rick Ripley	Constitutional referendum to divert coal trust and create Build MT program
SB 354	Sen. Rick Ripley	Create infrastructure funding program
SB 375	Sen. Scott Sales	Revise certain highway speed limits
SB 394	Sen. Mark Blasdel	Revise intangible personal property exemption
SB 396	Sen. Ed Buttrey	Generally revise regulation of transportation for hire laws
SB 405	Sen. Ed Buttrey	Establish the Montana Health and Economic Livelihood Partnership Act
SB 409	Sen. Chas Vincent	Revise metal mine laws
SB 414	Sen. Ed Buttrey	Create seasonal employer and employee designation for UI
SB 416	Sen. John Brenden	Provide for statewide infrastructure
SJ 13	Sen. Duane Ankney	Joint resolution supporting coal

ANTI-BUSINESS LEGISLATION (2 POINTS SUBTRACTED)

HB 384	Rep. Mary Ann Dunwell	Increase Montana's minimum wage
HB 413	Rep. Chuck Hunter	Create OSHA laws applicable to private employers
HB 500	Rep. Andrea Olsen	Revise terms for treating physician designation in work comp cases
HB 505	Rep. Matthew Monforton	Establish employee safe travel to work laws
HB 598	Rep. Matthew Monforton	Referendum for gun owner access to justice act
HJ 20	Rep. Mary Ann Dunwell	Study resolution to address a Montana living wage
SB 2	Sen. Jonathan Windy Boy	Raise state minimum wage
SB 90	Sen. Nels Swandel	Revise penalties eliminating jail time for certain misdemeanors
SB 103	Sen. Mary Caferro	Provide presumptive disease coverage for paid firefighters
SB 166	Sen. Dick Barrett	Eliminate the water's edge election for corporate income tax filers
SB 167	Sen. Dick Barrett	Update tax haven laws
SB 205	Sen. Robyn Driscoll	Provide for the Hire Montana First Act
SB 254	Sen. Jim Keane	Generally revise laws related to Montana State Fund
SB 374	Sen. Christine Kaufmann	Revise oil and gas tax rates and provide funding to local governments
SB 398	Sen. Jim Keane	Revise work comp dividend payment laws

About the Governor's Voting Record

Much like the legislative voting review, this report is the most comprehensive look at the Governor's record on business issues. Like our previous gubernatorial reviews, we have included more than just bills that get to the Governor's desk, including any bills that originate from the executive branch. This broader approach recognizes the true impact of the Governor and executive agencies on the legislative process. Like the legislative review, the state's overall P-base score is shown to give Montanans a comparison of the Governor's record to their own opinions toward business. Here is how the Governor's Business Score was calculated:

SPONSORSHIP POINTS: For bill sponsorship, two points were awarded to the Governor if an agency he oversees proposed a pro-business bill or if the idea came from the executive branch. If an agency he oversees sponsored an anti-business bill or if the idea came from his office, 2 points were subtracted.

LEGISLATION SIGNINGS/VETOES: For every pro-business bill the governor signed, he received between 1 and 15 points. The point values match those awarded for legislative floor votes. No points were awarded for vetoing pro-business bills or allowing a bill to become law without his signature.

BUSINESS SCORE: Finally, the Governor's total points earned were divided by the total points possible. This final number is the Governor's Business Score. While this score does not encompass every aspect of the Governor's performance on business issues, it is a very reliable indicator of what level of priority he puts on business and economic issues.



Bills Selected to Determine Sponsorship Points

PRO-BUSINESS LEGISLATION:

HB 5	Provide for infrastructure development	(+2)
HB 14	Creating broadband development fund through bonding	(+2)
HB 249	Create Healthy Montana Act	(+2)
HB 277	Provide for apprenticeship tax credit	(+2)

ANTI-BUSINESS LEGISLATION:

HB 384	Increase Montana's minimum wage	(-2)
HB 413	Create OSHA laws applicable to private employers	(-2)
SB 2	Raise state minimum wage	(-2)
SB 166	Eliminate the water's edge election for corporate income tax	(-2)
SB 167	Update tax haven laws	(-2)
SB 205	Provide for the Hire Montana First Act	(-2)

Chamber Position	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Sponsor Points	State P-base	BUSINESS SCORE
	HB 396	SB 288	SB 171	HB 379	HB 156	HB 166	SB 39	SB 261	SB 157	HB 538	HB 617	HB 356	HB 449	SB 123	SB 354	SB 99	SB 405			
GOVERNOR																				
Steve Bullock	+	-	-	+	+	-	+	+	+	+	+	+	-	+	-	-	+	+8/-12	57	54%

+ = Business Positive Vote

- = Business Negative Vote



Chamber of Commerce

The Voice of Business