

## MINUTES

### MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

**Call to Order:** Chair Jon Sonju, on January 23, 2013 at 9:00 AM, in Room 422 Capitol

#### ROLL CALL

**Members Present:**

Sen. Jon Sonju, Chair (R)  
Sen. Verdell Jackson, Vice Chair (R)  
Sen. Debby Barrett (R)  
Sen. Dee Brown (R)  
Sen. Tom Facey (D)  
Sen. Sharon Stewart-Peregoy (D)  
Sen. Kendall Van Dyk (D)  
Sen. Gene Vuckovich (D)

**Members Excused:** Sen. Elsie Arntzen (R)  
Sen. Frederick (Eric) Moore (R)

**Members Absent:** None

**Staff Present:** Linda Keim, Committee Secretary  
Pat Murdo, Legislative Services Division

**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 104, 1/18/2013; SB 139, 1/18/2013; SB 148, 1/18/2013; SB 103, 1/18/2013

Executive Action: SB 104, Do Pass; SB 136, Do Pass (re-referral)

**HEARING ON SB 148**

**Opening Statement by Sponsor:**

00:34:06 Sen. Llew Jones (R), SD 14, opened the hearing on SB 148. Reduce amount of award to employees who are wrongfully discharged.

**Proponents' Testimony:**

00:37:58 Glenn Oppel, Montana Chamber of Commerce (MCC)  
00:43:10 Bob Gilbert, Montana Tow Truck Association (MTTA)  
00:44:13 Maureen Connor, Montana Association of Counties (MACo)  
00:44:41 Rhonda Morgan, Montana Automobile Dealers Association (MTADA)  
  
00:44:45 Sen. Arntzen entered the hearing.

**Opponents' Testimony:**

00:45:14 Chris Cavazos, Montana State American Federation of Labor - Congress of Industrial Organizations (AFL-CIO)  
00:46:11 Phil Hohenlohe, Attorney, Helena, Montana  
00:51:49 J. D. Lynch, Teamsters Union Local #2; Montana State Construction Trades (MSCT); Pacific Northwest Regional Council of Carpenters (PNWRCC)  
00:52:44 J. C. Weingartner, Montana Education Association-Montana Federation of Teachers (MEA-MFT)  
00:57:21 Al Smith, Montana Trial Lawyers Association (MTLA)

**EXHIBIT(bus14a01)**

01:04:22 Rebecca Barger, Teamsters Union Local #190, Billings, Montana

**Informational Testimony:**

01:05:10 Roy Mulvaney, Administrator, Unemployment Insurance Program, Department of Labor and Industry (DLI)

**Questions from Committee Members and Responses:**

01:05:57 Sen. Jackson  
01:10:49 Sen. Jones  
01:11:48 Sen. Vuckovich  
01:12:13 Chairman Sonju  
01:12:41 Sen. Facey  
01:15:27 Mr. Hohenlohe, Attorney  
01:15:57 Sen. Van Dyk  
01:16:53 Mr. Hohenlohe  
01:18:18 Sen. Stewart-Peregoy  
01:18:28 Mr. Smith, MTLA  
01:19:28 Sen. Brown  
01:21:24 Mr. Hohenlohe  
01:22:27 Chairman Sonju

01:24:30 Mr. Hohenlohe  
01:25:00 Sen. Van Dyk  
01:25:26 Mr. Hohenlohe  
01:25:36 Chairman Sonju

**Closing by Sponsor:**

01:25:46 Sen. Jones  
  
01:30:14 Recess  
01:41:31 ReConvene

**Committee Business:**

01:41:37 Sen. Barrett  
01:42:05 Sen. Sonju  
01:42:11 Sen. Brown  
01:42:21 Sen. Sonju  
01:42:39 Sen. Barrett  
01:43:16 Sen. Sonju  
01:43:20 Pat Murdo, Legislative Services Division (LSD)  
01:43:28 Chairman Sonju

**HEARING ON SB 104**

**Opening Statement by Sponsor:**

01:44:08 Sen. Roger Webb (R), SD 24, opened the hearing on SB 104. Clarify that accounting firms may issue shares to nonaccountants.

**Proponents' Testimony:**

01:46:04 Gary Carlson, Montana Society of Certified Public Accountants (MSCPA);  
Anderson ZurMuehlen and Company (AZ)

[EXHIBIT\(bus14a02\)](#)

01:48:15 Bill Honzel, Certified Public Accountant, Galusha, Higgins and Galusha (GHG)

[EXHIBIT\(bus14a03\)](#)

[EXHIBIT\(bus14a04\)](#)

01:50:09 John Steinhoff, Certified Public Accountant, Junkermeier, Clarke, Campanella,  
and Stevens (JCCS)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:51:38 Sen. Brown  
01:52:12 Sen. Webb

01:52:40 Chairman Sonju  
01:52:52 Sen. Brown  
01:53:21 Mr. Honzel, GHG  
01:53:59 Sen. Facey  
01:54:05 Mr. Carlson, AZ  
01:55:07 Sen. Facey  
01:55:12 Sen. Webb

**Closing by Sponsor:**

01:55:30 Sen. Webb

**HEARING ON SB 139**

**Opening Statement by Sponsor:**

01:55:59 Sen. Edward Walker (R), SD 29, opened the hearing on SB 139. Require small business impact analyses prior to adoption of administrative rules.

**EXHIBIT(bus14a05)**

**Proponents' Testimony:**

02:01:01 Glenn Oppel, Montana Chamber of Commerce (MCC)  
02:03:11 Sen. Barrett left the hearing  
02:08:51 Riley Johnson, National Federation of Independent Business (NFIB)  
02:11:38 Kiely Keane, Montana Medical Association

**Opponents' Testimony:**

02:12:42 Janet Ellis, Montana Audubon (MA)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

02:15:38 Sen. Van Dyk  
02:16:10 Mr. Oppel, MCC  
02:16:17 Sen. Brown  
02:16:45 Ms. Ellis, MA  
02:17:48 Sen. Brown  
02:18:16 Sen. Walker  
02:19:24 Sen. Facey  
02:20:26 Mr. Johnson, NFIB  
02:21:45 Sen. Facey  
02:22:03 Sen. Walker

**Closing by Sponsor:**

02:23:00 Sen. Walker

**Committee Business:**

02:25:40 Chairman Sonju

02:25:45 Sen. Arntzen

**HEARING ON SB 103**

**Opening Statement by Sponsor:**

02:26:13 Sen. Roger Webb (R), SD 24, opened the hearing on SB 103. Allow hospital accreditation by additional entities.

**Proponents' Testimony:**

02:28:31 Cheryl Bohnet, Director Clinical Services, Billings Clinic (BC)

02:30:13 Aimee Grmoljez, Billings Clinic (BC), Montana Hospital Association (MHA)

02:31:05 Tom Ebzery, Billings Attorney, St James Hospital, Butte; Holy Rosary Hospital, Miles City; St. Patrick Hospital, Missoula; St. Vincent Hospital, Billings

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

02:31:54 Sen. Brown

02:32:50 Ms. Bohnet, BC

02:33:35 Sen. Arntzen

02:34:17 Ms. Grmoljez, MHA

02:36:14 Sen. Arntzen

02:38:35 Ms. Bohnet

02:39:15 Chairman Sonju

02:40:26 Ms. Grmoljez

02:41:30 Chairman Sonju

**Closing by Sponsor:**

02:41:40 Sen. Webb

**EXECUTIVE ACTION ON SB 104**

02:42:40 **Motion/Vote:** Sen. Facey moved that **SB 104 DO PASS**. Motion carried unanimously by voice vote. Sen. Barrett and Sen. Moore voted by proxy.

**EXECUTIVE ACTION ON SB 136**

02:44:19 **Motion/Vote:** Sen. Facey moved to **RECONSIDER PREVIOUS ACTION** on **SB 136**. Motion carried 8-0 by voice vote of those present and voting. Sen. Barrett and Sen. Moore were excused.

02:44:53 **Motion:** Sen. Facey moved that **SB 136 DO PASS**.

**Discussion:**

02:45:08 Pat Murdo, Legislative Services Division (LSD)

02:45:46 Chairman Sonju

02:45:52 Pat Murdo, LSD

02:46:55 Sen. Brown

02:47:24 Pat Murdo

02:48:03 **Vote:** Motion carried unanimously by voice vote. Sen. Barrett and Sen. Moore voted by proxy.

**Discussion:**

02:48:26 Pat Murdo

02:48:45 Chairman Sonju

02:49:02 Pat Murdo

02:49:33 Sen. Facey

02:50:10 Sen. Arntzen

02:52:29 Pat Murdo

**ADJOURNMENT**

Adjournment: 11:20 A.M.

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Linda Keim, Secretary

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**Additional Documents**

Additional Documents:

**EXHIBIT([bus14aad.pdf](#))**