

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON BUSINESS AND LABOR

**Call to Order:** Chair Tom Berry, on March 6, 2013 at 8:30 A.M., in Room 172 Capitol

#### ROLL CALL

**Members Present:**

Rep. Tom Berry, Chair (R)  
Rep. Carlie Boland, Vice Chair (D)  
Rep. Daniel R. Salomon, Vice Chair (R)  
Rep. Amanda Curtis (D)  
Rep. Steve Fitzpatrick (R)  
Rep. Edward Greef (R)  
Rep. Roger A. Hagan (R)  
Rep. Chuck Hunter (D)  
Rep. Mike Lang (R)  
Rep. Jonathan McNiven (R)  
Rep. David (Doc) Moore (R)  
Rep. Reilly Neill (D)  
Rep. Rae Peppers (D)  
Rep. Gordon Pierson Jr (D)  
Rep. Scott Reichner (R)  
Rep. Cary Smith (R)  
Rep. Tom Steenberg (D)  
Rep. Jeffrey W. Welborn (R)

**Members Excused:** Rep. Christy Clark (R)  
Rep. Carolyn Squires (D)

**Members Absent:** None

**Staff Present:** Ellen Bush, Committee Secretary  
Todd Everts, Legislative Services Division (LSD)

**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, 2/26/2013; SB 120, 2/26/2013; SB 139, 2/26/2013  
Executive Action: SB 104, SB 120

00:11:29 Chair Berry

**HEARING ON SB 120**

**Opening Statement by Sponsor:**

00:12:56 Sen. Edward Buttrey (R), SD 13, opened the hearing on SB 120, Increase from 1 to 3 the number of liquor licenses an individual may have.

**EXHIBIT(buh48a01)**

**Proponents' Testimony:**

00:17:27 Neil Peterson on behalf of Brad Griffin, Montana Restaurant Association

00:17:52 Shane Morigeau, Confederated Salish and Kootenai Tribes (CSKT)

**EXHIBIT(buh48a02)**

**Opponents' Testimony:** None

**Informational Testimony:**

00:20:30 John Iverson, Montana Tavern Association (MTA)

00:20:48 Shauna Helfert, Liquor Control Division, Department of Revenue (DOR)

**Questions from Committee Members and Responses:**

00:21:18 Rep. Hunter

00:22:10 Sen. Buttrey

00:22:51 Rep. Boland

00:23:09 Mr. Iverson, MTA

00:23:47 Rep. McNiven

00:24:57 Ms. Helfert, DOR

00:25:14 Rep. McNiven

00:25:25 Ms. Helfert, DOR

00:25:44 Rep. McNiven

00:25:49 Ms. Helfert, DOR

00:25:56 Chair Berry

00:26:07 Rep. Hunter

00:26:59 Ms. Helfert, DOR

00:27:10 Rep. Hunter

00:27:22 Ms. Helfert, DOR

00:27:50 Rep. Greef

00:28:38 Ms. Helfert, DOR

00:29:26 Rep. Greef

00:29:53 Ms. Helfert, DOR

00:30:05 Rep. Boland

00:30:23 Mr. Iverson, MTA

00:31:33 Rep. Boland

00:32:10 Mr. Iverson, MTA

**Closing by Sponsor:**

00:32:30 Sen. Buttrey

**HEARING ON SB 104****Opening Statement by Sponsor:**

00:35:31 Sen. Roger Webb (R), SD 24, opened the hearing on SB 104, Clarify that accounting firms may issue shares to nonaccountants.

**Proponents' Testimony:**

00:37:01 Gary Carlson, Certified Public Accountant, Anderson, ZurMuehlen & Company  
[EXHIBIT\(buh48a03\)](#)

00:40:23 George Olsen, Montana Society of Certified Public Accountants (MSCPA)

00:42:59 Holly Franz, Attorney, MSCPA

[EXHIBIT\(buh48a04\)](#)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

00:45:22 Rep. Webb

**HEARING ON SB 139****Opening Statement by Sponsor:**

00:46:23 Sen. Edward Walker (R), SD 29, opened the hearing on SB 139, Require small business impact analyses prior to adoption of administrative rules.

**Proponents' Testimony:**

00:49:59 Glenn Oppel, Montana Chamber of Commerce, National Federation of Independent Business (NFIB), and Montana Automobile Dealers Association (MTADA)

00:55:21 Aidan Myhre, Kalispell Chamber of Commerce

00:55:52 Jack Walsh, Montana Building Industry Association (MBIA)

00:56:40 Kiely Keane, Montana Medical Association (MMA)

**Opponents' Testimony:**

00:57:33 Jack Kane, Administrator, Business Standards Division, Department of Labor and Industry (DLI)

01:00:37 Rep. Clark arrived.

01:01:03 Anne Hedges, Montana Environmental Information Center (MEIC)

[EXHIBIT\(buh48a05\)](#)

[EXHIBIT\(buh48a06\)](#)

**Informational Testimony:**

01:10:01 Bill Gallagher, Chairman, Public Service Commission

**Questions from Committee Members and Responses:**

01:13:22 Rep. Hunter

01:14:48 Mr. Gallagher, PSC

01:15:34 Rep. Hunter  
 01:15:54 Chairman Gallagher, PSC  
 01:16:24 Mr. Everts, LSD  
 01:16:58 Rep. Hagan  
 01:18:29 Sen. Walker  
 01:19:40 Rep. Hunter  
 01:20:57 Sen. Walker  
 01:23:14 Rep. Curtis  
 01:23:58 Sen. Walker  
 01:25:00 Rep. Curtis  
 01:25:16 Sen. Walker

**Closing by Sponsor:**

01:25:51 Sen. Walker  
  
 01:29:08 Chair Berry  
  
 01:29:12 Recessed  
 01:55:46 Reconvened

**EXECUTIVE ACTION ON SB 104**

01:55:50 **Motion/Vote:** Rep. Salomon moved that **SB 104 BE CONCURRED IN**. Motion carried unanimously by voice vote. Rep. Squires voted by proxy. Rep. Moore will carry the bill.

**EXECUTIVE ACTION ON SB 120**

01:56:29 **Motion:** Rep. Salomon moved that **SB 120 BE CONCURRED IN**.

01:56:47 **Motion:** **Motion:** Rep. Salomon moved that **SB 120 BE AMENDED**.

**Discussion:**

01:57:23 Chair Berry  
 01:57:33 Rep. Salomon

01:57:40 **Vote:** Motion carried unanimously by voice vote. Rep. Squires voted by proxy.

01:58:01 **Motion/Vote:** Rep. Salomon moved that **SB 120 BE CONCURRED IN AS AMENDED**. Motion failed 9-11 by roll call vote with Rep. Berry, Rep. Clark, Rep. Curtis, Rep. Fitzpatrick, Rep. Greef, Rep. Hagan, Rep. Lang, Rep. Salomon and Rep. Welborn voting aye. Rep. Squires voted by proxy.

01:59:20 **Motion/Vote:** Rep. Salomon moved that **SB 120 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote. Rep. Squires voted by proxy.

01:59:33 Rep. Hagan  
 02:00:19 Chair Berry

**ADJOURNMENT**

Adjournment: 02:01:05

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Ellen Bush, Secretary

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Additional Documents:

**EXHIBIT([buh48aad.pdf](#))**