

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: Chair Mark Noland, on February 26, 2019 at 8:00 A.M., in Room 172
Capitol

ROLL CALL

Members Present:

Rep. Mark Noland, Chair (R)
Rep. Vince Ricci, Vice Chair (R)
Rep. Sharon Stewart Peregoy, Vice Chair (D)
Rep. Fred Anderson (R)
Rep. Neil Duram (R)
Rep. Ross H. Fitzgerald (R)
Rep. Moffie Funk (D)
Rep. Bruce Grubbs (R)
Rep. Steve Gunderson (R)
Rep. Derek J. Harvey (D)
Rep. Joel G. Krautter (R)
Rep. Denley M. Loge (R)
Rep. Gordon Pierson Jr (D)
Rep. Christopher Pope (D)
Rep. Katie Sullivan (D)
Rep. Sue Vinton (R)

Members Excused:

Rep. Edward Buttrey (R)
Rep. Willis Curdy (D)
Rep. Andrea Olsen (D)

Members Absent: None

Staff Present: Joanne Kauzlarich, Committee Secretary
Pat Murdo, 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: HB 515, 2/21/2019; HB 572, 2/21/2019; HB 579, 2/21/2019; HB 617, 2/24/2019

Executive Action: HB 523, HB 562, HB 569, HB 572, HB 578, HB 579, HB 581, HB 617

08:02:25 Chair Noland
08:04:06 Rep. Olsen and Rep. Buttrey joined the meeting.

HEARING ON HB 617

Opening Statement by Sponsor:

08:04:42 Rep. Barry Usher (R), HD 40, opened the hearing on HB 617, Generally revise franchise laws and automobile franchise laws.

EXHIBIT(buh41a01)

Proponents' Testimony:

08:09:02 Bruce Knudsen, Montana Auto Dealers Association (MTADA)
08:11:18 Donald Kaltschmidt, Montana Auto Dealers Association (MTADA)
08:15:51 Eric Henricksen, Self
08:18:37 Robbie Smith, Self
08:20:19 Jim Stanger, Self

EXHIBIT(buh41a02)

08:29:21 Scott Reichner, Montana Auto Dealers Association (MTADA)
08:32:55 Bill Dee, Self
08:38:35 Stuart Doggett, Montana Manufactured Housing and RV Dealers (MMH&RV)

Opponents' Testimony:

08:39:34 John MacDonald, Alliance of Automobile Manufacturers
08:46:16 Rep. Buttrey left the meeting.
08:53:39 Rep. Olsen left the meeting.

Informational Testimony:

08:55:54 Sarah Garcia, Motor Vehicle Division (MVD)

Questions from Committee Members and Responses:

08:56:23 Rep. Pierson
08:56:54 Scott Reichner, MTADA
08:59:56 Rep. Pierson
09:00:36 Donald Kaltschmidt, MTADA
09:02:04 Rep. Pierson
09:02:21 Donald Kaltschmidt, MTADA
09:02:51 Rep. Pierson
09:03:07 John MacDonald, Alliance of Automobile Manufacturers
09:03:16 Rep. Pierson
09:03:28 John MacDonald, Alliance of Automobile Manufacturers
09:04:00 Rep. Pierson
09:04:22 Bruce Knudsen, MTADA
09:04:50 Rep. Vinton
09:05:54 Bill Dee, Self
09:08:00 Rep. Gunderson
09:08:52 Donald Kaltschmidt, MTADA
09:09:00 Rep. Loge
09:09:33 Eric Henricksen, Self
09:10:12 Rep. Loge

09:10:41 Eric Henricksen, Self
09:11:12 Rep. Loge
09:11:16 Eric Henricksen, Self
09:11:28 Rep. Pope
09:12:41 Donald Kaltschmidt, MTADA
09:14:43 Rep. Loge
09:15:20 Bruce Knudsen, MTADA

Closing by Sponsor:

09:16:41 Rep. Usher

HEARING ON HB 515

Opening Statement by Sponsor:

09:24:45 Rep. Barry Usher (R), HD 40, opened the hearing on HB 515, Generally revise motor vehicle laws.

EXHIBIT(buh41a03)

09:24:57 Rep. Buttrey rejoined the meeting.

Proponents' Testimony:

09:26:34 Sarah Garcia, Motor Vehicle Division (MVD)

Opponents' Testimony:

09:38:51 Spook Stang, Motor Carriers of Montana (MCM)

Informational Testimony: None

Questions from Committee Members and Responses:

09:40:47 Rep. Krautter
09:41:11 Rep. Curdy joined the meeting.
09:41:27 Sarah Garcia, MVD
09:42:00 Rep. Krautter
09:42:15 Sarah Garcia, MVD
09:42:33 Chair Noland
09:43:06 Sarah Garcia, MVD
09:44:06 Rep. Duram
09:44:37 Sarah Garcia, MVD
09:46:00 Michele Snowberger, Motor Vehicles Division (MVD)
09:48:18 Rep. Duram
09:48:31 Michele Snowberger, MVD
09:48:39 Vice Chair Ricci
09:48:57 Sarah Garcia, MVD
09:49:05 Rep. Gunderson
09:49:35 Sarah Garcia, MVD
09:50:20 Rep. Gunderson
09:50:28 Sarah Garcia, MVD
09:50:54 Rep. Loge
09:51:01 Rep. Harvey left the meeting.
09:51:16 Rep. Usher

09:51:39 Rep. Loge
09:51:44 Rep. Usher

Closing by Sponsor:

09:52:32 Rep. Usher

09:56:45 Vice Chair Ricci left the meeting.

HEARING ON HB 572

Opening Statement by Sponsor:

09:57:56 Rep. Denise Hayman (D), HD 66, opened the hearing on HB 572, Revise real estate broker and salesperson laws.

[EXHIBIT\(buh41a04\)](#)

Proponents' Testimony: None

Opponents' Testimony:

10:04:39 Mark Simonich, Montana Association of Realtors (MAR)
10:11:09 Mike Nugent, Self

Informational Testimony:

10:16:09 Nick Hill, Legislative Audit Division (LAD)

Questions from Committee Members and Responses:

10:16:46 Rep. Buttrey
10:17:04 Rep. Vinton
10:17:45 Rep. Hayman
10:19:41 Chair Noland
10:20:41 Mark Simonich, MAR
10:24:11 Chair Noland
10:24:30 Rep. Hayman
10:25:35 Chair Noland
10:25:50 Rep. Hayman
10:26:42 Mark Simonich, MAR
10:27:52 Rep. Fitzgerald
10:28:40 Nick Hill, LAD
10:29:38 Rep. Fitzgerald
10:30:00 Nick Hill, LAD
10:31:09 Rep. Duram
10:31:47 Nick Hill, LAD
10:33:12 Rep. Pope
10:34:11 Nick Hill, LAD
10:35:33 Rep. Pope
10:36:27 Nick Hill, LAD

Closing by Sponsor:

10:36:43 Rep. Hayman

HEARING ON HB 579**Opening Statement by Sponsor:**

- 10:39:20 Rep. Edward Buttrey (R), HD 21, opened the hearing on HB 579, Revise laws relating to gambling & player information.
- 10:40:07 Vice Chair Ricci rejoined the meeting.

Proponents' Testimony:

- 10:44:01 Ronda Wiggers, Montana Coin Machine Operators Association (MCMOA)
- 10:51:33 Art LaGaly, Self
- 10:54:38 Brock Lohman, Self

Opponents' Testimony:

- 10:56:18 Neil Peterson, Gaming Industry Association (GIA)
- 11:02:51 John Iverson, Montana Tavern Association (MTA)

Informational Testimony:

- 11:08:19 Angela Nunn, Department of Justice (DOJ)

Questions from Committee Members and Responses:

- 11:08:43 Rep. Pierson
- 11:09:14 Rep. Buttrey
- 11:09:28 Rep. Pierson
- 11:10:02 John Iverson, MTA
- 11:10:17 Rep. Grubbs
- 11:10:34 Angela Nunn, DOJ
- 11:11:10 Rep. Grubbs
- 11:11:20 Angela Nunn, DOJ
- 11:11:50 Rep. Anderson
- 11:12:13 Ronda Wiggers, MCMOA
- 11:13:09 Rep. Pope
- 11:13:30 John Iverson, MTA
- 11:14:04 Rep. Pope
- 11:14:35 Art LaGaly, Self
- 11:16:06 Rep. Duram
- 11:16:34 Rep. Buttrey
- 11:16:38 Rep. Duram
- 11:16:56 Rep. Buttrey
- 11:17:32 Rep. Duram
- 11:17:40 Rep. Buttrey
- 11:17:58 Rep. Gunderson
- 11:18:34 Angela Nunn, DOJ
- 11:19:50 Rep. Gunderson
- 11:20:01 Rep. Buttrey
- 11:21:01 Rep. Gunderson
- 11:21:12 Rep. Buttrey
- 11:21:27 Rep. Sullivan
- 11:21:59 Rep. Buttrey
- 11:23:05 Rep. Sullivan

11:23:33 Brock Lohman, Self
11:23:43 Rep. Sullivan
11:24:02 Brock Lohman, Self
11:24:23 Rep. Sullivan
11:24:40 Brock Lohman, Self
11:25:00 Ronda Wiggers, MCMOA
11:26:25 Chair Noland
11:26:57 John Iverson, MTA
11:29:05 Chair Noland
11:29:30 John Iverson, MTA
11:29:43 Chair Noland
11:29:54 John Iverson, MTA

Closing by Sponsor:

11:30:45 Rep. Buttrey

11:31:51 Rep. Gunderson left the meeting.

Committee Business:

11:33:48 Rep. Vinton
11:34:24 Vice Chair Ricci
11:34:35 Rep. Pierson
11:34:43 Chair Noland
11:36:05 Pat Murdo, Legislative Services Division (LSD)

[EXHIBIT\(buh41a05\)](#)

[EXHIBIT\(buh41a06\)](#)

[EXHIBIT\(buh41a07\)](#)

11:39:32 Chair Noland
11:40:00 Rep. Sullivan

[EXHIBIT\(buh41a08\)](#)

11:40:15 Chair Noland
11:40:20 Rep. Sullivan
11:40:39 Rep. Duram

[EXHIBIT\(buh41a09\)](#)

11:41:08 Pat Murdo, LSD
11:41:40 Rep. Krautter
11:41:46 Pat Murdo, LSD

[EXHIBIT\(buh41a10\)](#)

11:42:20 Recessed
12:17:02 Reconvened with Rep. Olsen and Rep. Gunderson present.

EXECUTIVE ACTION ON HB 572

12:17:24 **Motion:** Rep. Ricci moved that **HB 572 DO PASS.**

12:17:45 **Vote:** Motion failed 5-14 by roll call vote with Rep. Curdy, Rep. Duram, Rep. Olsen, Rep. Stewart Peregoy and Rep. Sullivan voting aye. Rep. Harvey voted by proxy.

12:19:29 **Motion/Vote:** Rep. Ricci moved that **HB 572 BE TABLED**. Motion carried unanimously by voice vote. Rep. Harvey voted by proxy.

EXECUTIVE ACTION ON HB 579

12:20:38 **Motion/Vote:** Rep. Ricci moved that **HB 579 DO PASS**. Motion carried 11-8 by roll call vote with Rep. Anderson, Rep. Curdy, Rep. Duram, Rep. Gunderson, Rep. Harvey, Rep. Olsen, Rep. Pierson and Rep. Vinton voting no. Rep. Harvey voted by proxy.

EXECUTIVE ACTION ON HB 617

12:22:35 **Motion/Vote:** Rep. Ricci moved that **HB 617 DO PASS**. Motion carried unanimously by voice vote. Rep. Harvey voted by proxy.

EXECUTIVE ACTION ON HB 523

12:23:27 **Motion:** Rep. Ricci moved that **HB 523 DO PASS**.

12:23:37 **Motion:** Rep. Sullivan moved that **HB 523 BE AMENDED**.
(See Exhibit 5)

Discussion:

12:24:01 Rep. Sullivan

12:25:05 Rep. Vinton

12:25:36 **Vote:** Motion carried unanimously by voice vote. Rep. Harvey voted by proxy.

12:25:46 **Motion/Vote:** Rep. Ricci moved that **HB 523 DO PASS AS AMENDED**. Motion carried unanimously by voice vote. Rep. Harvey voted by proxy.

EXECUTIVE ACTION ON HB 562

12:26:19 **Motion:** Rep. Ricci moved that **HB 562 DO PASS**.

12:26:38 **Motion:** Rep. Grubbs moved that **HB 562 BE AMENDED**.
[EXHIBIT\(buh41a11\)](#)

Discussion:

12:26:58 Rep. Grubbs

12:27:38 **Vote:** Motion carried unanimously by voice vote. Rep. Harvey voted by proxy.

12:27:52 **Motion:** Rep. Ricci moved that **HB 562 DO PASS AS AMENDED**.

Discussion:

12:28:03 Rep. Olsen
12:29:01 Rep. Grubbs
12:29:40 Rep. Olsen
12:30:41 Rep. Grubbs

12:31:04 **Vote:** Motion carried 14-5 by roll call vote with Rep. Krautter, Rep. Noland, Rep. Olsen, Rep. Stewart Peregoy and Rep. Sullivan voting no. Rep. Harvey voted by proxy.

EXECUTIVE ACTION ON HB 569

12:33:02 **Motion:** Rep. Ricci moved that **HB 569 DO PASS.**

12:33:21 **Motion:** Rep. Krautter moved that **HB 569 BE AMENDED.**
(See Exhibit 6)

Discussion:

12:34:00 Rep. Krautter
12:34:42 Rep. Duram

12:34:57 **Vote:** Motion carried 13-6 by roll call vote with Rep. Duram, Rep. Gunderson, Rep. Noland, Rep. Ricci, Rep. Stewart Peregoy and Rep. Vinton voting no. Rep. Harvey voted by proxy.

12:36:21 **Motion:** Rep. Ricci moved that **HB 569 DO PASS AS AMENDED.**

Discussion:

12:36:31 Rep. Gunderson

12:36:45 **Substitute Motion/Vote:** Rep. Gunderson made a substitute motion that **HB 569 BE TABLED.** Substitute Motion carried 12-7 by roll call vote with Rep. Funk, Rep. Harvey, Rep. Krautter, Rep. Olsen, Rep. Pierson, Rep. Pope and Rep. Sullivan voting no. Rep. Harvey voted by proxy.

EXECUTIVE ACTION ON HB 578

12:38:20 **Motion:** Rep. Ricci moved that **HB 578 DO PASS.**

12:38:37 **Motion:** Rep. Buttrey moved that **HB 578 BE AMENDED.**
(See Exhibit 7)

Discussion:

12:38:57 Rep. Buttrey
12:39:38 Pat Murdo, LSD

12:40:51 **Vote:** Motion carried unanimously by voice vote. Rep. Harvey voted by proxy.

12:41:07 **Motion/Vote:** Rep. Ricci moved that **HB 578 DO PASS AS AMENDED**. Motion carried unanimously by voice vote. Rep. Harvey voted by proxy.

EXECUTIVE ACTION ON HB 581

12:41:49 **Motion/Vote:** Rep. Ricci moved that **HB 581 DO PASS**. Motion carried unanimously by voice vote. Rep. Harvey voted by proxy.

Committee Business:

12:42:34 Rep. Sullivan

EXECUTIVE ACTION ON HB 501

12:42:51 **Motion/Vote:** Rep. Sullivan moved that **HB 501 BE REMOVED FROM TABLE**. Motion failed 8-10 by roll call vote with Rep. Curdy, Rep. Fitzgerald, Rep. Funk, Rep. Grubbs, Rep. Olsen, Rep. Pierson, Rep. Pope and Rep. Sullivan voting aye.

EXECUTIVE ACTION ON HB 185

12:44:57 **Motion/Vote:** Rep. Duram moved that **HB 185 BE REMOVED FROM TABLE**. Motion failed 6-12 by roll call vote with Rep. Duram, Rep. Funk, Rep. Grubbs, Rep. Olsen, Rep. Pope and Rep. Sullivan voting aye.

EXECUTIVE ACTION ON HB 140

12:46:36 **Motion/Vote:** Rep. Krautter moved that **HB 140 BE REMOVED FROM TABLE**. Motion failed 7-11 by roll call vote with Rep. Curdy, Rep. Funk, Rep. Grubbs, Rep. Krautter, Rep. Olsen, Rep. Pope and Rep. Sullivan voting aye.

12:48:15 Rep. Vinton

ADJOURNMENT

Adjournment: 12:48:25

Joanne Kauzlarich, Secretary

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Additional Documents:

EXHIBIT([buh41aad.pdf](#))