

MINUTES

MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chair Steve Fitzpatrick, on March 19, 2019 at 8:30 AM, in Room 422
Capitol

ROLL CALL

Members Present:

Sen. Steve Fitzpatrick, Chair (R)
Sen. Dee Brown, Vice Chair (R)
Sen. Sue Malek, Vice Chair (D)
Sen. Carlie Boland (D)
Sen. Jason W. Ellsworth (R)
Sen. Terry Gauthier (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 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: HB 617, 3/13/2019; SB 325, 3/13/2019; SB 330, 3/13/2019; SR
43, 3/13/2019

08:30:37 Chairman Fitzpatrick

HEARING ON HB 617

Opening Statement by Sponsor:

08:31:30 Rep. Barry Usher (R), HD 40, opened the hearing on HB 617. Generally revise franchise laws and automobile franchise laws.

EXHIBIT(bus56a01)

Proponents' Testimony:

08:37:13 Bruce Knudsen, executive vice president, Montana Auto Dealers Association (MTADA)

08:39:02 Don Kaltschmidt, MTADA

08:43:16 Jim Stanger, owner, domestic and import franchise, Montana Auto Dealers Association

08:48:19 Eric Henriksen, family business owner, Montana Auto Dealers Association

08:51:06 Robbie Smith, family owned business, Billings and Hardin, Montana Auto Dealers Association

08:53:57 Matt Waller, former domestic auto dealer, Northern Ford

08:55:35 Stuart Doggett, lobbyist, Montana Manufactured Housing and RV Dealers

08:56:10 Bill Dee, owner, new and used automobile dealership, Dee Motors, Anaconda

08:58:45 Scott Reichner, lobbyist, Montana Auto Dealers Association

Opponents' Testimony:

09:01:27 Jonathan Emmanuel, assistant general counsel, Reynolds and Reynolds Company (RRC)

09:06:51 John MacDonald, lobbyist, Alliance for Automobile Manufacturers (AAM)

09:26:16 Glenn Oppel, CDK Global

EXHIBIT(bus56a02)

Informational Testimony:

09:27:36 Joann Loehr, Legislative Services Bureau chief, Motor Vehicle Division, Department of Justice

Questions from Committee Members and Responses:

09:28:01 Sen. Brown

09:31:43 Mr. MacDonald, AAM

09:33:10 Sen. Brown

09:34:10 Mr. Waller, self

09:37:06 Mr. Kaltschmidt, MTADA

09:37:15 Sen. Ellsworth

09:40:27 Mr. Emmanuel, RRC

09:41:04 Sen. Ellsworth

09:41:48 Mr. Waller, redirect

09:42:04 Sen. Ellsworth

09:45:20 Mr. Smith, self

09:45:54 Sen. Vance

09:49:22 Mr. Kaltschmidt

09:49:43 Sen. Malek

09:53:22 Mr. MacDonald

09:54:50 Sen. Gauthier
09:59:21 Mr. MacDonald
10:00:34 Sen. Gauthier
10:01:11 Mr. Stanger, self
10:01:23 Sen. Smith
10:02:08 Mr. Knudsen, MTADA
10:02:31 Sen. Malek
10:03:15 Mr. Dee, self
10:07:23 Sen. Gauthier
10:07:44 Mr. Dee

Closing by Sponsor:

10:08:2 Rep. Usher

EXHIBIT(bus56a03)

10:14:10 Chairman Fitzpatrick

Chairman Fitzpatrick passed the duties of the Chair to Vice Chair Brown.

10:14:57 Chair Brown

HEARING ON SR 43

Opening Statement by Sponsor:

10:15:00 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SR 43. Confirm Governor's appointee for Director, Dept. of Commerce.

Proponents' Testimony:

10:16:11 Tara Rice, nominee
10:20:12 Steve Arveschoug, executive director, Big Sky Economic Development;
president, Montana Economic Development Association (MEDA)
10:21:34 Tim Burton, executive director, Montana League of Cities and Towns

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

10:23:18 Chair Brown
10:23:55 Mr. Arveschoug, MEDA
10:25:32 Chair Brown
10:26:05 Ms. Rice, nominee
10:27:26 Sen. Ellsworth
10:28:21 Ms. Rice
10:28:57 Sen. Gauthier
10:29:55 Ms. Rice
10:30:34 Chair Brown
10:30:38 Sen. Malek
10:33:38 Ms. Rice
10:34:21 Sen. Gauthier

10:35:49 Ms. Rice
10:36:13 Chair Brown
10:37:23 Ms. Rice

Closing by Sponsor:

10:38:53 Sen. Fitzpatrick

10:39:04 Chair Brown

HEARING ON SB 325

Opening Statement by Sponsor:

10:39:25 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SB 325. Create the Montana Business Corporation Act.

Proponents' Testimony:

10:42:07 Kristen Juras, committee chair, Business, Estate, Trust, Tax, and Real Property Section, Montana State Bar (MSB)

[EXHIBIT\(bus56a04\)](#)

[EXHIBIT\(bus56a05\)](#)

10:54:42 Vincent Kalafat, attorney, Crowley Fleck PLLP

[EXHIBIT\(bus56a06\)](#)

11:01:47 Joe DeFilippis, chief legal counsel, Office of the Secretary of State (SOS)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

11:03:13 Sen. Ellsworth
11:03:23 Mr. DeFilippis, SOS defer
11:04:28 Ms. Juras, MSB
11:05:30 Chair Brown
11:05:51 Ms. Juras
11:06:32 Chair Brown
11:06:59 Mr. Kalafat
11:07:31 Sen. Malek
11:08:48 Mr. Kalafat
11:09:21 Sen. Malek
11:11:41 Sen. Fitzpatrick defer
11:12:38 Ms. Juras
11:12:42 Sen. Ellsworth
11:14:00 Mr. Kalafat
11:14:10 Sen. Malek
11:20:04 Ms. Juras

Closing by Sponsor:

11:20:23 Sen. Steve Fitzpatrick

11:21:22 Chair Brown

Sen. Fitzpatrick resumed the duties of the chair.

11:23:10 Chairman Fitzpatrick

HEARING ON SB 330

Opening Statement by Sponsor:

11:23:32 Sen. Mark Blasdel (R), SD 4, opened the hearing on SB 330. Authorize sports gambling act.

Proponents' Testimony:

11:26:41 Ronda Wiggers, Montana Coin Machine Operators Association (MCMOA)
[EXHIBIT\(bus56a07\)](#)

11:31:07 Danielle Boyd, William Hill Company

11:36:13 Travis Woltermann, vice president, Golden Entertainment, Inc.; vice president, Montana Coin Machine Operators Association (MCMOA)

11:37:48 Neil Peterson, executive director, Gaming Industry Association of Montana

11:42:32 John Iverson, Montana Tavern Association

Opponents' Testimony: None

Informational Testimony:

11:51:32 Angela Nunn, administrator, Gambling Control Division, Department of Justice (DOJ)

11:52:31 Brad Longcake, executive director, Montana Council on Problem Gambling (MCPG)

[EXHIBIT\(bus56a08\)](#)

Questions from Committee Members and Responses:

11:54:08 Sen. Brown

11:54:41 Ms. Nunn, DOJ

11:55:12 Sen. Brown

11:55:31 Sen. Blasdel

11:56:21 Sen. Ellsworth

11:57:36 Mr. Longcake, MCPG

11:58:28 Sen. Malek

11:58:31 Ms. Nunn

11:58:51 Sen. Malek

11:58:55 Mr. Woltermann, MCMOA defer

12:02:32 Ms. Wiggers, MCMOA

12:03:35 Chairman Fitzpatrick

12:03:44 Sen. Brown

12:04:12 Ms. Wiggers

12:05:50 Sen. Ellsworth

Closing by Sponsor:

12:06:10 Sen. Blasdel

ADJOURNMENT

Adjournment: 12:07 PM

Linda Keim, Secretary

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Additional Documents:

EXHIBIT([bus56aad.pdf](#))