

**MINUTES**  
**MONTANA HOUSE OF REPRESENTATIVES**  
**68th LEGISLATURE - REGULAR SESSION**  
**COMMITTEE ON (H) AGRICULTURE**

**Call to Order:** Chair Dave Fern-D, on February 21, 2023 at 2:59 PM, in 137

**ROLL CALL**

**Members Present:** Rep. Joshua Kassmier, Chair (R)  
Rep. Dave Fern, Vice Chair (D)  
Rep. Marty Malone, Vice Chair (R)  
Rep. Fred Anderson (R)  
Rep. Brad Barker (R)  
Rep. James Bergstrom (R)  
Rep. Tony Brockman (R)  
Rep. Bob Carter (D)  
Rep. Greg Kmetz (R)  
Rep. Casey Knudsen (R)  
Rep. Braxton Mitchell (R)  
Rep. Melissa Romano (D)  
Rep. Frank Smith (D)  
Rep. Katie Sullivan (D)  
Rep. Kenneth Walsh (R)  
Rep. Zack Wirth (R)

**Members Excused:** Rep. Julie Dooling (R)  
Rep. Paul Green (R)  
Rep. Marvin Weatherwax (D)

**Staff Present:** Andria Hardin, Research Analyst  
Rose Harmon, Secretary  
Loran Nelson, Remote Meeting Coordinator

**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 475 02/16/2023

Executive Action:

HB 388 DO PASS

HB 487 TO TABLE

15:00:00 Chair Kassmier passed the gavel to Vice Chair Fern.  
15:03:05 Rep. Weatherwax has arrived  
15:04:23 Chair Kassmier has left  
15:04:35 Vice Chair Malone has left

**HEARING ON HB 475 - Generally revise laws related to agricultural equipment repair**

**Opening Statement:**

15:01:38 Rep. Tom France (D), HD 94, opened the hearing on HB 475, Generally revise laws related to agricultural equipment repair.

**Proponent Testimony:**

15:09:59 Rachel Prevost, Montana Farmers Union (MFU)  
[EXHIBIT\(230221AGHa1\)](#)  
[EXHIBIT\(230221AGHa2\)](#)  
[EXHIBIT\(230221AGHa3\)](#)

15:12:59 Erik Somerfeld, Montana Farmers Union (MFU)

15:22:34 Willie Cade, Self

15:25:21 Chair Joshua Kassmier joined the meeting.

15:27:08 Paul Roberts, Founder of Secure Repairs-Information Technology and Information Security Professionals

15:30:34 Gay Gordon-Byrne, Executive Director, Digital Right to Repair Coalition

15:34:11 Gilles Stockton, Rancher, Northern Plains Resource Council, Montana Cattleman's Association

15:35:38 Richard Liebert, Rancher, Montana Cattleman's Association

15:37:18 Kevin O'Reilly, Right to Repair Campaign, Public Interest Research Group (PIRG)

**Opponent Testimony:**

- 15:42:01 Jeff Fjelstad, President, Montana Equipment Dealer's Association (MEDA), Regional Sales Manager, C and B Equipment  
[EXHIBIT\(230221AGHa4\)](#)
- 15:49:00 Adam Gilbertson, Senior Vice President, RDO Equipment Company (RDO)  
[EXHIBIT\(230221AGHa5\)](#)
- 15:49:04 Adam Gilbertson, Senior Vice President, RDO Equipment Company (RDO)  
[EXHIBIT\(230221AGHa6\)](#)
- 15:49:45 Vice Chair Marty Malone joined the meeting.
- 15:53:52 Wayne Fischer, Director of Parts, Service, and Technology, Torgerson's LLC in Montana (Torgerson), New Holland
- 15:56:22 Patrick Wheeler, Equipment Dealer, Farmer
- 15:58:45 Rep. Julie Dooling joined the meeting.
- 16:00:18 Rachel Cone, Montana Farm Bureau Federation (MFBF)  
[EXHIBIT\(230221AGHa7\)](#)
- 16:02:36 Charles Robison, Montana Chamber of Commerce
- 16:03:32 Scott Reichner, Montana Auto Dealer's Association (MTADA)
- 16:04:35 Tami Christensen, Partner, Tri-County Implement
- 16:05:38 Tim Van Dam, Partner and Owner, Churchill Equipment Company, Manhattan, Montana
- 16:08:21 Nathan Balstad, C and B Operations LLC, Billings, Montana
- 16:10:13 Dave Franck, General Service Manager, Tractor and Equipment Company
- 16:11:14 Michael Kjos, Store Manager, C and B Operations LLC, Agriculture Equipment Sales Consultant (C and B Ops)
- 16:11:33 Rep. Casey Knudsen left the meeting.

16:13:40 Tom Zimmer, Tri-State Truck and Equipment-Truck Repair Services

16:14:57 Cynthia Johnson, Farmer and President, Montana Farm Bureau Federation

**Informational Witness Testimony:**

None

**Questions from Committee:**

16:16:46 Rep. Katie Sullivan

16:17:12 Rep. Tom France-D

16:19:30 Rep. Braxton Mitchell left the meeting.

16:19:54 Rep. James Bergstrom

16:20:33 Jeff Fjelstad, MEDA

16:21:01 Rep. Greg Kmetz

16:21:58 Wayne Fischer, Torgerson

16:24:04 Rep. James Bergstrom

16:25:00 Rep. Brad Barker left the meeting.

16:25:02 Jeff Fjelstad, MEDA

16:26:32 Rep. Bob Carter

16:27:15 Rep. Tom France-D

16:29:05 Rep. Bob Carter

16:29:24 Jeff Fjelstad, MEDA

16:29:34 Rep. Bob Carter

16:30:00 Rep. Tom France-D

16:31:18 Vice Chair Marty Malone

16:32:35 Rep. Fred Anderson left the meeting.

16:32:40 Rep. Tom France-D

16:33:42 Rep. Katie Sullivan  
16:34:13 Erik Somerfeld, MFU  
16:35:50 Rep. Frank Smith  
16:36:59 Wayne Fischer, Torgerson  
16:37:10 Rep. Bob Carter  
16:37:57 Michael Kjos, C and B Ops  
16:38:38 Patrick Wheeler, Equipment Dealer and Farmer

**Closing Statement:**

16:41:09 Rep. Tom France (D), HD 94, closed the hearing on HB 475.  
  
16:45:29 **Recessed**  
  
16:54:05 **Reconvened**

**EXECUTIVE ACTION ON HB 388 - Increase penalty for uninspected livestock**

16:54:07 **Motion:** Vice Chair Marty Malone moved that **HB 388 DO PASS.**  
16:33:30 **Vote:** Motion carried 17 - 2 by voice vote with Rep. Dooling, Rep. Knudsen,  
voting no.  
Rep. Knudsen, By Proxy

**EXECUTIVE ACTION ON HB 487 - Prohibit seed cleaning/conditioning without declaration**

16:56:44 **Motion:** Vice Chair Marty Malone moved that **HB 487 DO PASS.**  
16:57:11 **Substitute Motion:** Vice Chair Dave Fern moved that **HB 487 TO TABLE.**  
16:33:30 **Vote:** Substitute Motion carried 12 - 7 by roll call vote with Rep. Bergstrom,  
Rep. Brockman, Rep. Dooling, Rep. Kassmier, Rep. Kmetz, Rep. Walsh, Rep.  
Wirth, voting no.

**ADJOURNMENT**

Adjournment: 17:00:43

---

Rose Harmon, Secretary

Additional Documents: [EXHIBIT\(230221AGHaad\)](#)