

MINUTES
MONTANA SENATE
68th LEGISLATURE - REGULAR SESSION
COMMITTEE ON (S) BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chair Jason Small-R, on March 21, 2023 at 8:00 AM, in 422

ROLL CALL

Members Present: Sen. Jason Small, Chair (R)
Sen. Willis Curdy, Vice Chair (D)
Sen. Mark Noland, Vice Chair (R)
Sen. Mike Fox (D)
Sen. Bruce Gillespie (R)
Sen. Walt Sales (R)

Members Excused: Sen. Jason Ellsworth (R)
Sen. Steve Fitzpatrick (R)
Sen. Christopher Pope (D)
Sen. Terry Vermeire (R)

Staff Present: Lynnette Sena, Secretary
Erin Sullivan, Attorney

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 242 03/14/2023
HB 247 03/16/2023
HB 292 03/16/2023
HB 314 03/16/2023
HB 358 03/16/2023
HB 443 03/16/2023
HB 524 03/16/2023
HB 805 03/16/2023

Executive Action:

HB 351 TO TABLE
HB 579
HB 611 TO TABLE
HB 771
HB 247
HB 292

HB 805

08:01:19 Sen. Vermeire has arrived

HEARING ON HB 242 - Revise alcohol laws to increase all-beverage license ownership limits

Opening Statement:

08:01:07 Rep. Edward Buttrey (R), HD 21, opened the hearing on HB 242, Revise alcohol laws to increase all-beverage license ownership limits.

Proponent Testimony:

08:07:43 Brad Griffin, Montana Restaurant Association (MRA)

08:11:17 Bob Powell, self

08:13:42 Jessie Luther, Hospitality and Development Association of Montana (HDAM)

08:15:51 Brad Anderson, Anderson Management Group

Opponent Testimony:

08:18:53 John Iverson, Montana Tavern Association (MTA)

08:21:55 Shauna Helfert, Gaming Industry Association of Montana

Informational Witness Testimony:

08:24:23 Becky Schlauch, Department of Revenue- Alcohol Beverage Control Division (DOR-ABC)

Questions from Committee:

08:24:42 Vice Chair Willis Curdy

08:26:40 Brad Griffin, MRA

08:27:01 Chair Jason Small

08:27:11 Becky Schlauch, DOR-ABC

08:27:22 Sen. Walt Sales

08:28:27 John Iverson, MTA
08:29:05 Sen. Walt Sales
08:29:28 Rep. Edward Buttrey-R
08:31:53 Chair Jason Small
08:32:23 Bob Powell

Closing Statement:

08:33:39 Rep. Edward Buttrey (R), HD 21, closed the hearing on HB 242.

HEARING ON HB 247 - Revise laws relating to exemptions to the practice of real estate

Opening Statement:

08:35:48 Rep. Sue Vinton (R), HD 56, opened the hearing on HB 247, Revise laws relating to exemptions to the practice of real estate.

Proponent Testimony:

08:37:24 Sam Sill, Montana Association of Relators (MAR)
08:38:08 Luke Bell, Zillow
08:39:19 Jaymie Bowditch, Montana Association of Realtors (MAR)

Opponent Testimony:

None

Informational Witness Testimony:

08:40:52 Quinlan O'Connor, Department of Labor and Industry

Questions from Committee:

08:41:16 Vice Chair Willis Curdy
08:42:59 Luke Bell, Zillow
08:43:23 Sen. Bruce Gillespie
08:43:50 Quinlan O'Connor, DLI

08:44:03 Sen. Bruce Gillespie
08:44:11 Luke Bell, Zillow
08:45:11 Vice Chair Mark Noland
08:46:29 Sam Sill, MRA
08:46:52 Vice Chair Mark Noland
08:47:02 Jaymie Bowditch, MRA
08:48:07 Sen. Walt Sales
08:48:44 Rep. Sue Vinton-R

Closing Statement:

08:49:05 Rep. Sue Vinton (R), HD 56, closed the hearing on HB 247.

HEARING ON HB 292 - Make board of public accountants enterprise fund permanent

Opening Statement:

08:50:59 Rep. Julie Dooling (R), HD 70, opened the hearing on HB 292, Make board of public accountants enterprise fund permanent.

Proponent Testimony:

08:52:48 Alan Lloyd, Montana Society of Certified Public Accountants (MTCPA)
[EXHIBIT\(230321BUSa1\)](#)

Opponent Testimony:

None

Informational Witness Testimony:

08:55:45 Eric Strauss, Department of Labor and Industry (DLI)

Questions from Committee:

08:56:06 Vice Chair Mark Noland
08:56:27 Eric Strauss, DLI

Closing Statement:

08:56:56 Rep. Julie Dooling (R), HD 70, closed the hearing on HB 292.

HEARING ON HB 314 - Revise compensation for members of boards, commissions, and councils

Opening Statement:

08:57:51 Rep. Tony Brockman (R), HD 9, opened the hearing on HB 314, Revise compensation for members of boards, commissions, and councils.

Proponent Testimony:

08:59:19 Lieutenant Governor Kristen Juras, Governor's Office

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

09:01:00 Vice Chair Mark Noland

09:01:14 Lieutenant Governor Kristen Juras, Governor's Office

09:01:59 Chair Jason Small

09:02:31 Sen. Walt Sales

09:02:53 Rep. Tony Brockman-R

09:03:09 Vice Chair Willis Curdy

09:03:51 Lieutenant Governor Kristen Juras, Governor's Office

Closing Statement:

09:04:32 Rep. Tony Brockman (R), HD 9, closed the hearing on HB 314.

HEARING ON HB 443 - Revise discrimination law regarding realtors and other professionals

Opening Statement:

09:06:41 Rep. Kerri Seekins-Crowe (R), HD 43, opened the hearing on HB 443, Revise discrimination law regarding realtors and other professionals.

Discussion:

[EXHIBIT\(230321BUSa2\)](#)

Proponent Testimony:

09:11:29 Donna Elford, self

09:12:41 Terri Barney, self

09:13:23 Constance Neumann, self and on behalf of the Flathead County Republican Central Committee

09:15:45 Greg Chafuen, Alliance Defending Freedom

Opponent Testimony:

09:18:20 Robyn Morrison, League of Women Voters (LWV)

Informational Witness Testimony:

None

Questions from Committee:

09:21:45 Sen. Bruce Gillespie

09:22:27 Rep. Kerri Seekins-Crowe-R

Closing Statement:

09:24:36 Rep. Kerri Seekins-Crowe (R), HD 43, closed the hearing on HB 443.

HEARING ON HB 358 - Revise property manager license law

Opening Statement:

09:26:18 Rep. Katie Zolnikov (R), HD 45, opened the hearing on HB 358, Revise property manager license law.

Proponent Testimony:

09:31:18 John Sinrud, Montana Landlord Association (MLA)

09:35:00 Caroline McCauley, self

Opponent Testimony:

None

Informational Witness Testimony:

09:41:35 Quinlan O'Connor, Department of Labor and Industry (DLI)

Questions from Committee:

09:42:02 Vice Chair Mark Noland

09:43:00 Quinlan O'Connor, DLI

09:45:30 Sen. Walt Sales

09:50:15 John Sinrud, MLA

09:51:11 Vice Chair Willis Curdy

09:51:45 Quinlan O'Connore, DLI

09:52:23 Vice Chair Willis Curdy

09:52:47 Quinlan O'Connor, DLI

09:56:15 Vice Chair Willis Curdy

09:56:27 Quinlan O'Connor, DLI

09:56:55 Vice Chair Willis Curdy

09:57:16 Rep. Katie Zolnikov-R

Closing Statement:

09:58:30 Rep. Katie Zolnikov (R), HD 45, closed the hearing on HB 358.

HEARING ON HB 805 - Revise laws related to cooperatives

Opening Statement:

10:02:40 Rep. Ross Fitzgerald (R), HD 17, opened the hearing on HB 805, Revise laws related to cooperatives.

Proponent Testimony:

10:03:58 Tracey McIntyre, Montana Cooperative Development Center (MCDC) and the Montana Council of Cooperatives (MCC)

10:07:22 Erik Somerfeld, Montana Cooperative Development Center (MCDC) and the Montana Farmers Union (MFU)

10:09:19 Ryan Hall, Montana Electric Cooperative Association (MECA)

10:09:53 Rachel Prevost, Montana Farmers Union (MFU)

10:11:01 Jasmine Krotkov, self

10:11:55 Tyrel Hamilton, Montana Cooperative Development Center (MCDC)

10:12:31 Karen Smith, Montanas Credit Unions

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

10:13:32 Sen. Bruce Gillespie

10:17:16 Tracey McIntyre, MCDC

10:18:47 Vice Chair Mark Noland

10:19:34 Tracey McIntyre, MCDC

10:21:20 Sen. Walt Sales

10:21:37 Tracey McIntyre, MCDC

Closing Statement:

10:22:50 Rep. Ross Fitzgerald (R), HD 17, closed the hearing on HB 805.

10:26:28 **Recessed**

10:56:09 **Reconvened**

EXECUTIVE ACTION ON HB 351 - Generally revise marijuana laws

10:56:41 **Motion:** Vice Chair Mark Noland moved that **HB 351 BE CONCURRED IN.**

10:56:52 **Motion:** Vice Chair Mark Noland moved that **HB 351 BE AMENDED.**

Discussion:

10:57:11 Erin Sullivan

10:58:13 Sen. Walt Sales

14:18:35 **Vote:** Motion carried unanimously by voice vote.

10:59:07 **Motion:** Vice Chair Mark Noland moved that **HB 351 BE CONCURRED IN AS AMENDED.**

Discussion:

10:59:25 Chair Jason Small

10:59:36 Vice Chair Mark Noland

14:18:35 **Vote:** Motion failed 6 - 4 by voice vote with Sen. Ellsworth, Sen. Noland, Sen. Small, Sen. Vermeire, voting yes.
Sen. Ellsworth, By Proxy

11:01:43 **Motion:** Vice Chair Mark Noland moved that **HB 351 TO TABLE.**

14:18:35 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 579 - Revise distillery laws relating to manufacturing premises and buildings

11:02:20 **Motion:** Vice Chair Mark Noland moved that **HB 579 BE CONCURRED IN.**

14:18:35 **Vote:** Motion carried unanimously by voice vote.

11:02:20 **Carrier Assigned:** Sen. Bruce Gillespie

EXECUTIVE ACTION ON HB 611 - Revise marijuana labeling requirements

11:03:20 **Motion:** Vice Chair Mark Noland moved that **HB 611 BE CONCURRED IN.**

Discussion:

11:03:39 Vice Chair Mark Noland

14:18:35 **Vote:** Motion failed 7 - 3 by roll call vote with Sen. Noland, Sen. Sales, Sen. Small, voting yes.

11:05:25 **Motion:** Vice Chair Mark Noland moved that **HB 611 TO TABLE.**

14:18:35 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 771 - Generally revise alcohol law relating to self-service

11:06:04 **Motion:** Vice Chair Mark Noland moved that **HB 771 BE CONCURRED IN.**

Discussion:

11:06:25 Vice Chair Mark Noland

11:07:55 Chair Jason Small

11:08:15 Sen. Bruce Gillespie

14:18:35 **Vote:** Motion carried 6 - 4 by voice vote with Sen. Fitzpatrick, Sen. Gillespie, Sen. Noland, Sen. Sales, voting no.
Sen. Fitzpatrick, By Proxy

11:06:04 **Carrier Assigned:** Sen. Jason Small

EXECUTIVE ACTION ON HB 247 - Revise laws relating to exemptions to the practice of real estate

11:09:52 **Motion:** Vice Chair Mark Noland moved that **HB 247 BE CONCURRED IN.**

11:10:09 **Motion:** Vice Chair Mark Noland moved that **HB 247 BE AMENDED.**

14:18:35 **Vote:** Motion carried unanimously by voice vote.

11:11:02 **Motion:** Vice Chair Mark Noland moved that **HB 247 BE CONCURRED IN AS AMENDED.**

14:18:35 **Vote:** Motion carried unanimously by voice vote.

11:11:02 **Carrier Assigned:** Sen. Terry Vermeire

EXECUTIVE ACTION ON HB 292 - Make board of public accountants enterprise fund permanent

11:11:36 **Motion:** Vice Chair Mark Noland moved that **HB 292 BE CONCURRED IN.**

14:18:35 **Vote:** Motion carried unanimously by voice vote.

11:11:36 **Carrier Assigned:** Sen. Bruce Gillespie

EXECUTIVE ACTION ON HB 805 - Revise laws related to cooperatives

11:12:38 **Motion:** Vice Chair Mark Noland moved that **HB 805 BE CONCURRED IN.**

14:18:35 **Vote:** Motion carried unanimously by voice vote.

11:12:38 **Carrier Assigned:** Sen. Willis Curdy

HEARING ON HB 524 - Revise energy laws relating to solar panels

Opening Statement:

11:17:09 Rep. Joshua Kassmier (R), HD 27, opened the hearing on HB 524, Revise energy laws relating to solar panels.

Proponent Testimony:

None

Opponent Testimony:

11:18:21 McKenna Sellers, Montana Renewable Energy Association (MREA)

[EXHIBIT\(230321BUSa3\)](#)

11:21:50 Patrick Yawakie, Blackfeet Tribe

11:23:41 Chares Denowh, Tesla

Informational Witness Testimony:

None

Questions from Committee:

10:24:01 Discussion on executive action.

11:24:52 Sen. Walt Sales

11:26:54 Rep. Joshua Kassmier-R

11:27:12 Sen. Bruce Gillespie

11:27:42 Rep. Joshua Kassmier-R

Closing Statement:

11:28:17 Rep. Joshua Kassmier (R), HD 27, closed the hearing on HB 524.

ADJOURNMENT

Adjournment: 11:29:21

Lynnette Sena, Secretary

Additional Documents: [EXHIBIT\(230321BUSaad\)](#)