

**MINUTES**

**MONTANA HOUSE OF REPRESENTATIVES  
61st LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON AGRICULTURE**

**Call to Order:** Chairman Mike Jopek, on February 19, 2009 at 3:03 P.M., in Room 472 Capitol

**ROLL CALL**

**Members Present:**

Rep. Mike Jopek, Chairman (D)  
Rep. Edward B. Butcher, Vice Chairman (R)  
Rep. Julie French, Vice Chairman (D)  
Rep. Russell Bean (R)  
Rep. Tony Belcourt (D)  
Rep. Mary Caferro (D)  
Rep. Sue Dickenson (D)  
Rep. John Fleming (D)  
Rep. Timothy Furey (D)  
Rep. Brian Hoven (R)  
Rep. David Howard (R)  
Rep. Krayton Kerns (R)  
Rep. Margaret MacDonald (D)  
Rep. Edith (Edie) McClafferty (D)  
Rep. Lee Randall (R)  
Rep. Keith Regier (R)  
Rep. J. David Roundstone (D)  
Rep. Janna Taylor (R)  
Rep. Bob Wagner (R)  
Rep. Wendy Warburton (R)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Todd Everts, Legislative Branch  
Marshall McEwen, Committee Secretary

**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: None  
Executive Action: HB 445, HB 482, HB 592, HB 551,  
HB 418, HB 575

00:01:53 Rep. Caferro  
00:02:08 Chairman Jopek  
00:02:35 Rep. Caferro  
00:02:41 Chairman Jopek

**EXECUTIVE ACTION ON HB 445**

00:02:51 **Motion:** Rep. French moved that **HB 445 DO PASS.**

**Discussion:**

00:02:56 Chairman Jopek

00:02:58 **Motion:** Rep. French moved that **HB 445 BE AMENDED.**  
**EXHIBIT** (agh39a01)

**Discussion:**

00:03:17 Chairman Jopek  
00:03:23 Rep. French

00:03:43 **Vote:** Motion carried unanimously by voice vote.

00:04:08 **Motion:** Rep. French moved that **HB 445 DO PASS AS AMENDED.**

**Discussion:**

00:04:15 Chairman Jopek  
00:04:27 Rep. French  
00:04:53 Rep. Hoven

00:05:22 **Vote:** Motion carried 14-6 by voice vote with Rep. Hoven, Rep. Kerns, Rep. Regier, Rep. Taylor, Rep. Wagner, and Rep. Warburton voting no.

00:05:59 Chairman Jopek

**EXECUTIVE ACTION ON HB 482**

00:06:15 Rep. Howard  
00:06:23 Chairman Jopek

00:06:35 **Motion:** Rep. Howard moved that **HB 482 DO PASS.**

**Discussion:**

00:06:39 Chairman Jopek

00:06:43 **Motion:** Rep. Howard moved that **HB 482 BE AMENDED.**  
**EXHIBIT (agh39a02)**

**Discussion:**

00:06:53 Chairman Jopek  
00:06:57 Rep. Dickenson exited the room.  
00:06:58 Rep. Howard  
00:07:33 Chairman Jopek  
00:07:46 Rep. Howard  
00:08:27 Chairman Jopek  
00:08:43 Rep. Furey  
00:08:53 Mr. Everts, Legislative Services Division  
00:09:29 Chairman Jopek  
  
00:09:34 **Vote:** Motion carried unanimously by voice vote. Rep.  
Dickenson voted by proxy.  
  
00:09:58 Chairman Jopek  
  
00:10:10 **Motion:** Rep. Howard moved that **HB 482 DO PASS AS**  
**AMENDED.**

**Discussion:**

00:10:15 Chairman Jopek  
00:10:20 Rep. Howard  
00:11:47 Chairman Jopek  
  
00:11:57 **Vote:** Motion carried unanimously by voice vote. Rep.  
Dickenson voted by proxy.  
  
00:12:16 Chairman Jopek

**EXECUTIVE ACTION ON HB 592**

00:12:36 **Motion:** Rep. Randall moved that **HB 592 DO PASS.**

**Discussion:**

00:12:40 Chairman Jopek  
  
00:12:42 **Motion:** Rep. Randall moved that **HB 592 BE AMENDED.**  
**EXHIBIT (agh39a03)**

**Discussion:**

00:12:47 Chairman Jopek  
00:13:00 Rep. Randall

00:13:40 Chairman Jopek

00:13:56 **Vote:** Motion carried unanimously by voice vote. Rep. Dickenson voted by proxy.

00:14:15 Chairman Jopek

00:14:20 **Motion/Vote:** Rep. Randall moved that **HB 592 DO PASS AS AMENDED**. Motion carried unanimously by voice vote. Rep. Dickenson voted by proxy.

00:14:54 Chairman Jopek

**EXECUTIVE ACTION ON HB 551**

00:15:14 **Motion:** Rep. French moved that **HB 551 DO PASS**.

**Discussion:**

00:15:26 Chairman Jopek

00:15:43 **Substitute Motion/Vote:** Rep. Kerns made a substitute motion that **HB 551 BE TABLED**. Substitute motion carried unanimously by voice vote. Rep. Dickenson voted by proxy.

00:16:06 Chairman Jopek

**EXECUTIVE ACTION ON HB 418**

00:16:30 **Motion:** Rep. Butcher moved that **HB 418 DO PASS**.

**Discussion:**

00:16:36 Chairman Jopek

00:16:43 **Motion:** Rep. Caferro moved that **HB 418 BE AMENDED**. **EXHIBIT (agh39a04)**

**Discussion:**

00:16:54 Chairman Jopek

00:17:00 Rep. Caferro

00:17:54 Chairman Jopek

00:18:08 Rep. Caferro

00:19:11 Mr. Everts

00:19:32 Rep. Caferro

00:19:57 Chairman Jopek

00:20:00 Rep. Butcher

00:22:55 Rep. Regier  
00:23:19 Rep. Belcourt  
00:23:37 Chairman Jopek  
00:23:47 Rep. Belcourt  
00:23:51 Chairman Jopek  
00:24:02 Rep. Wagner  
00:24:33 Rep. Dickenson entered the room.  
00:24:59 Mr. Everts  
00:25:30 Rep. French  
00:26:01 Mr. Everts  
00:26:15 Rep. French  
00:26:31 Mr. Everts  
00:27:11 Chairman Jopek  
00:27:21 Rep. Furey  
00:27:56 Mr. Everts  
00:28:50 Rep. Dickenson  
00:29:40 Mr. Everts  
00:30:16 Rep. MacDonald  
00:31:13 Chairman Jopek  
00:31:17 Rep. Butcher  
00:32:01 Rep. MacDonald  
00:32:47 Chairman Jopek  
00:33:10 Rep. Fleming  
00:34:25 Mr. Everts  
00:35:16 Rep. Fleming  
00:36:28 Mr. Everts  
00:36:53 Chairman Jopek  
00:37:03 Rep. Belcourt  
00:38:07 Chairman Jopek  
00:38:30 Rep. Dickenson  
00:39:49 Rep. Hoven  
00:40:54 Rep. Caferro

00:41:14 **Vote:** Motion failed 8-12 by roll call vote with Rep. Caferro, Rep. Dickenson, Rep. Fleming, Rep. French, Rep. Furey, Rep. MacDonald, Rep. McClafferty, and Rep. Roundstone voting aye.

00:42:43 Chairman Jopek

00:42:50 **Motion:** Rep. Caferro moved that **HB 418 BE AMENDED. EXHIBIT (agh39a05)**

**Discussion:**

00:42:57 Chairman Jopek  
00:43:03 Rep. Caferro  
00:43:15 Rep. Fleming exited the room.  
00:43:37 Rep. Butcher

00:44:34 Rep. Wagner  
00:45:37 Rep. Regier  
00:45:48 Mr. Everts  
00:47:16 Chairman Jopek  
00:47:27 Rep. Caferro  
  
00:47:42 **Vote:** Motion failed 8-12 by roll call vote with Rep. Caferro, Rep. Dickenson, Rep. Fleming, Rep. French, Rep. Furey, Rep. Jopek, Rep. MacDonald, and Rep. McClafferty voting aye. Rep. Fleming voted by proxy.  
  
00:48:53 Chairman Jopek

**Discussion:**

00:49:33 Rep. Dickenson  
00:51:54 Chairman Jopek  
00:52:02 Rep. Regier  
00:52:30 Chairman Jopek  
00:52:33 Rep. Bean  
00:53:01 Rep. Wagner  
00:54:16 Chairman Jopek  
00:54:21 Rep. Furey  
00:55:38 Mr. Everts  
00:56:37 Chairman Jopek  
00:57:44 Rep. Butcher  
01:01:59 Chairman Jopek  
  
01:02:05 **Vote:** Motion carried 15-5 by roll call vote with Rep. Caferro, Rep. Dickenson, Rep. Furey, Rep. MacDonald, and Rep. McClafferty voting no. Rep. Fleming voted by proxy.  
  
01:03:22 Chairman Jopek

**EXECUTIVE ACTION ON HB 575**

01:03:34 **Motion:** Rep. French moved that **HB 575 DO PASS.**

**Discussion:**

01:03:40 Chairman Jopek  
01:03:50 Rep. Kerns  
01:05:35 Chairman Jopek  
01:05:38 Rep. Taylor  
01:05:40 Chairman Jopek  
01:05:48 Rep. Roundstone  
01:07:40 Chairman Jopek  
01:07:45 Rep. Regier

01:08:29 Rep. Wagner  
01:10:49 Rep. Furey  
01:11:37 Rep. Taylor  
01:12:54 Rep. MacDonald  
01:14:40 Rep. Warburton  
01:14:46 Chairman Jopek  
01:15:01 Rep. Hoven  
01:16:13 Rep. Butcher  
01:18:00 Chairman Jopek

01:18:22 **Vote:** Motion failed 10-10 by roll call vote with Rep. Bean, Rep. Butcher, Rep. Howard, Rep. Hoven, Rep. Kerns, Rep. Randall, Rep. Regier, Rep. Taylor, Rep. Wagner, and Rep. Warburton voting aye. Rep. Fleming voted by proxy.

01:19:35 Chairman Jopek

01:19:37 **Motion/Vote:** Rep. Caferro moved that **HB 575 BE TABLED.** Motion failed 10-10 by voice vote with Rep. Belcourt, Rep. Caferro, Rep. Dickenson, Rep. Fleming, Rep. French, Rep. Furey, Rep. Jopek, Rep. MacDonald, Rep. McClafferty, and Rep. Roundstone voting aye. Rep. Fleming voted aye by proxy.

**ADJOURNMENT**

01:20:31 Adjournment: 4:33 p.m.

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Marshall McEwen, Secretary

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Additional Documents:

**EXHIBIT ([agh39aad.pdf](#))**