

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON AGRICULTURE, LIVESTOCK AND IRRIGATION

Call to Order: Chair Donald J. Steinbeisser, on March 29, 2011 at 10:00 A.M., in Room 335 Capitol

ROLL CALL

Members Present:

Sen. Donald J. Steinbeisser, Chair (R)
Sen. Taylor Brown, Vice Chair (R)
Sen. Gary Branae (D)
Sen. Bob Hawks (D)
Sen. Rowlie Hutton (R)
Sen. Cliff Larsen (D)
Sen. Frederick (Eric) Moore (R)
Sen. Terry Murphy (R)
Sen. Rick Ripley (R)
Sen. Sharon Stewart-Peregoy (D)

Members Excused: Sen. Jonathan Windy Boy (D)

Members Absent: None

Staff Present: Rinay Bender, Committee Secretary
Sue O'Connell, Legislative Services Division (LSD)

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:

Executive Action on: HB 133 Do Pass as Amended

DISCUSSION TO RECONSIDER HB 133

00:01:21 Cort Jensen, Attorney, Department of Agriculture (DOAg)
00:03:15 Sen. Larsen left the meeting.

EXECUTIVE ACTION ON HB 133

00:04:44 **Motion/Vote:** Sen. Ripley moved that **HB 133 BE REMOVED FROM TABLED.**
Motion carried unanimously by voice vote. Sen. Larsen and Sen. Windy Boy
voted by proxy.

00:05:12 **Motion:** Sen. Ripley moved that **HB 133 BE CONCURRED IN.**

Discussion:

00:05:25 Sue O'Connell, Legislative Services Division (LSD)
00:05:53 Sen. Moore
00:06:16 Nicole Rolf, Montana Farm Bureau Federation (MFBF), without objection
00:10:37 Sen. Steinbeisser

00:10:44 **Motion:** Sen. Brown moved that **HB 133 BE AMENDED.**

Discussion:

00:11:36 Ms. O'Connell, LSD
00:11:44 Sen. Brown
00:12:07 Ms. O'Connell
00:12:23 Ms. Rolf, MFBF
00:13:26 Sen. Brown
00:13:28 Sen. Larsen returned to the meeting.
00:13:32 Mr. Jensen, DOAg
00:15:47 Sen. Brown
00:16:07 Mr. Jensen
00:16:33 Sen. Stewart-Peregoy
00:18:30 Mr. Jensen
00:20:13 Sen. Ripley
00:20:36 Mr. Jensen
00:21:14 Sen. Murphy
00:22:50 Mr. Jensen
00:30:26 Sen. Murphy
00:31:25 Mr. Jensen
00:32:09 Sen. Brown
00:32:28 Ms. Rolf
00:33:52 Sen. Brown
00:34:02 Mr. Jensen
00:34:22 Ms. Rolf
00:34:41 Sen. Brown
00:34:55 Ms. Rolf
00:35:45 Sen. Brown
00:36:00 Ms. O'Connell

00:36:32 Sen. Hawks
 00:37:33 Mr. Jensen
 00:40:33 Rep. Daniel Salomon, HD 12
 00:42:00 Sen. Brown
 00:43:16 Rep. Salomon
 00:43:47 Sen. Brown
 00:44:06 Rep. Salomon
 00:44:29 Sen. Brown
 00:44:55 Carol Lambert, Women Involved in Farm Economics (WIFE), without objection
 00:45:38 Sen. Steinbeisser
 00:45:51 Mr. Jensen
 00:47:24 Sen. Larsen
 00:48:15 Rep. Salomon
 00:50:15 Sen. Larsen
 00:50:48 Rep. Salomon
 00:51:59 Sen. Steinbeisser
 00:52:05 Sen. Branae left the meeting.
 00:52:10 Sen. Hawks
 00:53:38 Sen. Moore
 00:54:17 Sen. Steinbeisser

00:54:24 **Motion:** Sen. Brown moved that **HB 133 BE CONCEPTUALLY AMENDED TO READ "THE BOARD MAY REQUEST AN INSPECTION OF LAND BY SENDING THE REQUEST BY CERTIFIED MAIL AT LEAST 10 DAYS AFTER THE INITIAL CONTACT IS ATTEMPTED."**

Discussion:

00:55:18 Harold Blattie, Executive Director, Montana Association of Counties (MACo)
 00:56:27 Sen. Brown
 00:57:10 Sen. Hawks
 00:57:50 Sen. Brown
 00:58:04 Sen. Hawks

00:58:24 **Vote:** Motion carried unanimously by voice vote. Sen. Branae and Sen. Windy Boy voted by proxy.

00:59:07 **Motion:** Sen. Brown moved that **HB 133 BE CONCURRED IN AS AMENDED.**

Discussion:

00:58:36 Sen. Hawks
 00:59:15 Mr. Jensen
 00:59:38 Sen. Hawks
 01:00:10 Ms. O'Connell
 01:00:51 Sen. Hawks
 01:01:18 Sen. Brown
 01:01:25 Sen. Branae returned to the meeting.
 01:01:28 Mr. Blattie, MACo
 01:01:52 Ms. O'Connell

01:02:07 Mr. Blattie
01:02:44 Sen. Brown
01:02:52 Ms. O'Connell
01:03:45 Mr. Jensen

01:04:04 **Motion/Vote:** Sen. Hawks moved that **HB 133 BE AMENDED WITH A CONCEPTUAL AMENDMENT THAT "CIVIL PENALTIES BE ESTABLISHED BY BOARD OF COUNTY COMMISSIONERS FOLLOWING PUBLIC NOTICE AS PROVIDED IN 7-1-2121."** Motion carried unanimously by voice vote. Sen. Windy Boy voted by proxy.

01:04:30 **Motion:** Sen. Brown moved that **HB 133 BE CONCURRED IN AS AMENDED.**

Discussion:

01:04:45 Sen. Ripley
01:05:29 Sen. Moore
01:06:34 Sen. Larsen
01:07:23 Sen. Brown
01:08:50 Sen. Steinbeisser
01:09:04 Sen. Hawks

01:09:46 **Vote:** Motion carried 7-4 by roll call vote with Sen. Moore, Sen. Murphy, Sen. Ripley and Sen. Stewart-Peregoy voting no. Sen. Larsen will carry the bill.

01:11:34 Sen. Brown

ADJOURNMENT

Adjournment: 11:20 am.

Rinay Bender, Secretary

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Additional Documents:

EXHIBIT([ags70aad.pdf](#))