

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

CONFERENCE COMMITTEE ON HOUSE AMENDMENTS TO SENATE BILL 126

Call to Order: Chair Taylor Brown, on April 18, 2011 at 10:40 A.M., in Room 350 Capitol

ROLL CALL

Members Present:

Sen. Taylor Brown, Chair (R)
Rep. Daniel R. Salomon, Chair (R)
Rep. Timothy Furey (D)
Sen. Cliff Larsen (D)
Sen. Frederick (Eric) Moore (R)
Rep. Bob Wagner (R)

Members Excused: None

Members Absent: None

Staff Present: Nadine Spencer, Committee Secretary
Dave Bohyer, Legislative Branch

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: SB 126

EXECUTIVE ACTION ON SB 126

Discussion:

00:00:22 Chairman Brown
00:00:37 Sen. Larsen
00:01:47 Chairman Brown
00:02:34 Sen. Larsen

00:02:50 **Motion/Vote:** Sen. Larsen moved to **SEGREGATE SECTION 7 FROM HOUSE AMENDMENTS TO SB 126.** Without objection, motion carried unanimously by voice vote.

00:02:58 Chairman Brown
00:03:02 Sen. Larsen
00:03:10 Chairman Brown
00:03:22 Sen. Moore
00:03:30 Chairman Brown

00:03:42 **Motion:** Sen. Larsen moved to **ACCEPT SECTIONS 1-6 and 8-11 OF HOUSE AMENDMENTS TO SB 126.**

Discussion:

00:03:56 Chairman Brown
00:05:47 Dave Bohyer, Legislative Services Division (LSD)
00:07:45 Rep. Wagner
00:11:28 Chairman Brown
00:11:40 Sen. Larsen
00:11:48 Rep. Wagner
00:12:08 Chairman Brown
00:14:36 Dave Bohyer, LSD
00:15:50 Chairman Brown
00:15:59 Rep. Salomon
00:16:24 Dave Bohyer
00:16:43 Chairman Brown
00:16:50 Sen. Larsen
00:17:15 Chairman Brown

00:17:29 **Vote:** Motion carried unanimously by roll call vote.

00:18:03 **Motion:** Rep. Wagner moved **TO ACCEPT SECTION 7 OF HOUSE AMENDMENTS TO SB 126.**

Discussion:

00:18:33 Rep. Wagner
00:21:26 Sen. Larsen
00:22:06 Chairman Brown

00:23:03 Sen. Larsen
 00:24:21 Rep. Wagner
 00:27:17 Chairman Brown
 00:28:06 Rep. Wagner
 00:29:50 Rep. Furey
 00:30:02 Sen. Larsen
 00:30:40 Rep. Wagner
 00:31:28 Dave Bohyer
 00:31:32 Chairman Brown
 00:32:39 Rep. Wagner
 00:32:47 Chairman Brown
 00:33:47 Donna Rise, Montana Department of Agriculture (DOAg)
 00:34:12 Chairman Brown
 00:34:15 Rep. Wagner
 00:34:31 Donna Rise, DOAg
 00:34:40 Rep. Wagner
 00:37:01 Chairman Brown
 00:37:07 Sen. Larsen

00:37:18 **Vote:** Motion failed 2-4 by roll call vote with Sen. Moore and Rep. Wagner voting aye.

Discussion:

00:37:52 Chairman Brown
 00:40:07 Dave Bohyer
 00:40:24 Chairman Brown
 00:40:31 Sen. Larsen
 00:40:35 Rep. Wagner
 00:42:09 Chairman Brown
 00:42:58 Rep. Wagner

00:43:16 **Motion:** Sen. Brown moved that **SB 126 BE AMENDED WITH A CONCEPTUAL AMENDMENT** inserting the word "gross" after "in" and before "annual" in line 2 on page 2.

Discussion:

00:43:34 Rep. Salomon
 00:43:43 Chairman Brown
 00:44:04 Rep. Salomon
 00:44:15 Rep. Furey
 00:45:24 Chairman Brown
 00:45:33 Sen. Moore
 00:45:36 Chairman Brown
 00:45:41 Dave Bohyer
 00:46:06 Sen. Larsen
 00:46:36 Chairman Brown
 00:46:50 Sen. Moore
 00:47:08 Dave Bohyer

00:47:44 Chairman Brown
 00:47:48 Rep. Wagner
 00:48:25 Sen. Larsen
 00:48:46 Chairman Brown

00:49:04 **Vote:** Motion carried 5-1 by roll call vote with Rep Wagner voting no.

00:49:34 Chairman Brown
 00:49:38 Rep. Wagner
 00:50:31 Chairman Brown
 00:50:42 Rep. Furey
 00:50:56 Chairman Brown
 00:51:06 Dave Bohyer
 00:51:24 Chairman Brown
 00:53:04 Sen. Larsen
 00:53:09 Chairman Brown
 00:53:20 Rep. Salomon
 00:53:30 Chairman Brown
 00:54:23 Sen. Larsen
 00:54:37 Dave Bohyer
 00:56:44 Chairman Brown
 00:56:50 Rep. Salomon
 00:57:08 Chairman Brown
 00:58:25 Donna Rise

00:59:01 **Motion:** Sen. Brown moved that **SB 126 BE AMENDED WITH A CONCEPTUAL AMENDMENT** to add that a nursery vendor does not have to obtain a license when selling or distributing nursery stock as long as combined gross sales are less than \$50,000.

Discussion:

00:59:35 Rep. Wagner
 01:00:34 Chairman Brown
 01:00:40 Dave Bohyer
 01:01:07 Chairman Brown
 01:01:27 Rep. Furey
 01:02:12 Chairman Brown
 01:02:17 Donna Rise
 01:02:48 Rep. Furey
 01:02:56 Chairman Brown
 01:03:00 Rep. Furey
 01:03:02 Donna Rise
 01:03:03 Sen. Moore
 01:03:13 Donna Rise
 01:06:57 Rep. Wagner

01:07:52 **Motion:** Sen. Brown moved to **WITHDRAW THE MOTION THAT SB 126 BE AMENDED WITH A CONCEPTUAL AMENDMENT.**

Discussion:

01:08:22 Sen. Moore
01:09:12 Chairman Brown
01:09:27 Sen. Moore
01:09:49 Dave Bohyer
01:10:39 Rep. Wagner
01:11:32 Sen. Larsen
01:11:57 Rep. Wagner
01:13:33 Chairman Brown
01:13:40 Dave Bohyer
01:14:04 Chairman Brown

01:14:08 **Motion/Vote:** Sen. Larsen moved that **SB 126 BE ADOPTED AS AMENDED AND ACCEPT THE CONFERENCE COMMITTEE REPORT.** Motion carried 4-2 by voice vote with Sen. Moore and Rep. Wagner voting no.

ADJOURNMENT

Adjournment: 11:00 A.M.

Nadine Spencer, Secretary

Additional Documents:

EXHIBIT([ccs86sb0126aad.pdf](#))