

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON AGRICULTURE

Call to Order: Chair Krayton Kerns, on February 8, 2011 at 3:31 PM, in Room 472
Capitol

ROLL CALL

Members Present:

Rep. Krayton Kerns, Chair (R)
Rep. Bob Wagner, Vice Chair (R)
Rep. Joanne G. Blyton (R)
Rep. Christy Clark (R)
Rep. Steve Fitzpatrick (R)
Rep. Alan Hale (R)
Rep. Brian Hoven (R)
Rep. David Howard (R)
Rep. Margaret (Margie) MacDonald (D)
Rep. Jonathan McNiven (R)
Rep. Carolyn Pease-Lopez (D)
Rep. Lee Randall (R)
Rep. Joe Read (R)
Rep. Daniel R. Salomon (R)
Rep. Sterling Small (R)
Rep. Frank Smith (D)
Rep. Kathleen Williams (D)

Members Excused: Rep. Timothy Furey, Vice Chair (D)

Members Absent: Rep. Lila Walter Evans (R)
Rep. Edith (Edie) McClafferty (D)
Rep. Pat Noonan (D)

Staff Present: Dave Bohyer, Legislative Branch
Lauren Head, 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: HB 331, 2/4/2011; HB 413, 2/4/2011

Executive Action: HB 287, HB 318, HB 345

HEARING ON HB 331**Opening Statement by Sponsor:**

00:01:43 Rep. David Howard (R), HD 60, opened the hearing on HB 331, State assistance for economic damage by brucellosis.

00:04:04 Rep. Noonan joined the meeting.

00:04:08 Rep. McClafferty joined the meeting.

Proponents' Testimony:

00:08:49 Jay Bodner, Montana Stockgrower Association (MSGA), Montana CattleWomen

00:13:28 Maureen Davey, County Commissioner

00:14:29 Marty Malone, Park County Commissioner

00:15:27 John Youngburg, Montana Farm Bureau Federation (MFBF)

00:15:47 Rep. Evans joined the meeting.

00:17:02 Steve White, self

Opponents' Testimony:

00:18:14 George Golie, Montana Wildlife Federation (MWF) (check)

00:19:23 Stan Frasier, self

00:20:17 Marty Zaluski, Veterinarian, Montana Department of Livestock (MDOL)

Informational Testimony: None

00:24:38 Tom Linfield, Veterinarian, Department of Agriculture (USDA)

Questions from Committee Members and Responses:

00:25:16 Rep. Clark

00:25:37 Mr. Linfield

00:26:23 Rep. Clark

00:26:51 Mr. Linfield

00:27:35 Rep. Clark

00:27:51 Mr. Linfield

00:28:21 Rep. MacDonald

00:28:47 Mr. Linfield

00:29:20 Rep. Randall left the meeting.

00:30:35 Rep. Hoven

00:30:53 Mr. Zaluski

00:31:34 Rep. Hoven

00:31:38 Mr. Zaluski

00:32:22 Rep. Randall rejoined the meeting.
00:32:56 Vice Chair Wagner
00:33:22 Mr. Linfield
00:33:59 Vice Chair Wagner
00:34:19 Mr. Linfield
00:34:36 Vice Chair Wagner
00:35:10 Mr. Linfield
00:35:42 Vice Chair Wagner
00:36:06 Mr. Linfield
00:36:23 Rep. Noonan left the meeting.
00:36:26 Chairman Kerns
00:36:37 Mr. Bodner
00:37:06 Vice Chair Wagner
00:37:14 Mr. Bodner
00:37:25 Rep. Williams
00:38:06 Mr. Zaluski
00:38:36 Rep. Williams
00:39:03 Rep. Howard
00:39:44 Rep. McNiven
00:40:05 Mr. Linfield
00:40:52 Rep. McNiven
00:41:45 Mr. Linfield
00:42:05 Rep. McClafferty
00:42:18 Mr. Linfield
00:42:55 Rep. McClafferty
00:43:14 Mr. Linfield
00:43:32 Rep. McClafferty
00:43:49 Mr. Linfield
00:44:35 Rep. Clark
00:44:58 Mr. Zaluski
00:45:45 Rep. Clark
00:46:00 Mr. Zaluski
00:46:11 Rep. Clark
00:46:27 Mr. Zaluski
00:47:03 Rep. Clark
00:47:22 Mr. Zaluski
00:48:01 Rep. Clark
00:48:16 Mr. Zaluski
00:48:42 Rep. Clark
00:49:17 Mr. Zaluski
00:50:05 Rep. Hoven
00:50:39 Mr. Zaluski
00:51:25 Rep. Read
00:51:50 Mr. Zaluski
00:52:20 Rep. Read
00:52:47 Mr. Zaluski

Closing by Sponsor:

00:53:23 Rep. Howard

HEARING ON HB 413**Opening Statement by Sponsor:**

00:58:53 Rep. Bill Harris (R), HD 30, opened the hearing on HB 413, Establish net client hunting use as outfitter property.

Proponents' Testimony:

01:03:27 Jean Johnson, Montana Outfitters and Guides Association (MOGA)

[EXHIBIT\(agh31a01\)](#)

[EXHIBIT\(agh31a02\)](#)

Opponents' Testimony:

01:12:26 George Golie, MWF

01:16:31 Stan Frasier, Helena Hunters and Anglers Association

Informational Testimony:

01:20:41 Jeanie Worsech, Bureau Chief, Business and Occupational Licencing Bureau

Questions from Committee Members and Responses:

01:21:07 Vice Chair Wagner
01:21:56 Mr. Frasier
01:22:07 Rep. Fitzpatrick
01:22:40 Ms. Johnson
01:23:35 Rep. Fitzpatrick
01:24:03 Ms. Johnson
01:25:20 Rep. Clark left the meeting
01:25:58 Rep. Fitzpatrick
01:26:07 Rep. Clark rejoined the meeting.
01:26:48 Ms. Johnson
01:27:44 Rep. Fitzpatrick
01:28:39 Rep. Harris
01:29:02 Rep. Williams
01:29:39 Rep. Harris
01:30:19 Chairman Kerns
01:30:25 Rep. Williams
01:30:40 Ms. Johnson
01:31:47 Rep. Williams
01:31:54 Ms. Johnson
01:32:08 Chairman Kerns
01:32:19 Rep. Harris
01:32:20 Chairman Kerns
01:32:22 Rep. Harris
01:32:24 Chairman Kerns
01:32:32 Rep. Harris
01:32:33 Chairman Kerns

01:32:34 Rep. Harris
01:32:35 Chairman Kerns
01:32:38 Rep. Harris
01:32:51 Chairman Kerns
01:32:54 Rep. Harris
01:32:58 Chairman Kerns
01:33:01 Rep. Harris
01:33:14 Rep. McNiven
01:33:48 Rep. Harris
01:33:52 Rep. McNiven
01:34:17 Rep. Harris

Closing by Sponsor:

01:34:36 Rep. Harris
01:37:36 Chairman Kerns

EXECUTIVE ACTION ON HB 287

01:38:25 **Motion:** Rep. Clark moved that **HB 287 DO PASS.**

Discussion:

01:38:38 Vice Chair Wagner
01:39:56 Rep. Williams
01:40:23 Rep. Clark
01:40:54 Rep. McNiven

01:41:31 **Vote:** Motion carried 16-4 by roll call vote with Rep. MacDonald, Rep. McClafferty, Rep. McNiven and Rep. Pease-Lopez voting no.

EXECUTIVE ACTION ON HB 318

01:43:23 **Motion:** Rep. Wagner moved that **HB 318 DO PASS.**

01:43:36 **Motion:** Rep. Kerns moved that **HB 318 BE AMENDED.**
EXHIBIT(agh31a03)

Discussion:

01:43:54 Dave Bohyer, Legislative Services Division (LSD)
01:44:23 Chairman Kerns

01:44:42 **Vote:** Motion carried unanimously by voice vote.

01:44:53 **Motion:** Rep. Kerns moved that **HB 318 DO PASS AS AMENDED.**

01:44:54 **Motion:** Rep. Kerns moved that **HB 318 BE AMENDED.**
EXHIBIT(agh31a04)

Discussion:

01:45:02 Mr. Bohyer
01:45:34 Rep. Smith

01:46:02 **Vote:** Voice vote was inconclusive.

01:46:32 **Vote:** Motion carried 11-9 by roll call vote with Rep. Evans, Rep. Hoven, Rep. MacDonald, Rep. McNiven, Rep. Noonan, Rep. Pease-Lopez, Rep. Small, Rep. Smith and Rep. Williams voting no.

01:47:43 **Motion:** Rep. Wagner moved that **HB 318 DO PASS AS AMENDED.**

Discussion:

01:47:53 Rep McNiven
01:48:48 Rep. Pease-Lopez
01:49:34 Rep. Clark
01:50:27 Rep. Randall
01:50:58 Vice Chair Wagner
01:53:08 Rep. Hoven
01:53:46 Rep. MacDonald
01:54:25 Rep. Williams
01:55:34 Chairman Kerns

01:56:22 **Vote:** Motion carried 13-7 by roll call vote with Rep. Evans, Rep. MacDonald, Rep. McNiven, Rep. Noonan, Rep. Pease-Lopez, Rep. Smith and Rep. Williams voting no.

EXECUTIVE ACTION ON HB 345

01:58:29 **Motion:** Rep. Wagner moved that **HB 345 DO PASS.**

Discussion:

01:58:43 Rep. Smith
01:58:58 Rep. Randall
02:00:05 Rep. Noonan
02:00:28 Rep. MacDonald

02:00:52 **Vote:** Motion carried 12-9 by roll call vote with Rep. Fitzpatrick, Rep. Furey, Rep. Hoven, Rep. MacDonald, Rep. McClafferty, Rep. Noonan, Rep. Pease-Lopez, Rep. Smith and Rep. Williams voting no. Rep. Furey voted by proxy.

ADJOURNMENT

02:02:13 Adjournment

Lauren Head, Secretary

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Additional Documents:

[EXHIBIT\(agh31a05\)](#)

Additional Documents:

[EXHIBIT\(agh31aad.pdf\)](#)