

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON AGRICULTURE

**Call to Order:** Chair Krayton Kerns, on March 29, 2011 at 3:13 PM, in Room 472 Capitol

#### ROLL CALL

**Members Present:**

Rep. Krayton Kerns, Chair (R)  
Rep. Joanne G. Blyton (R)  
Rep. Steve Fitzpatrick (R)  
Rep. Alan Hale (R)  
Rep. Brian Hoven (R)  
Rep. David Howard (R)  
Rep. Margaret (Margie) MacDonald (D)  
Rep. Edith (Edie) McClafferty (D)  
Rep. Jonathan McNiven (R)  
Rep. Lee Randall (R)  
Rep. Joe Read (R)  
Rep. Daniel R. Salomon (R)  
Rep. Sterling Small (R)  
Rep. Frank Smith (D)

**Members Excused:** None

**Members Absent:** Rep. Bob Wagner, Vice Chair (R)  
Rep. Timothy Furey, Vice Chair (D)  
Rep. Christy Clark (R)  
Rep. Pat Noonan (D)  
Rep. Carolyn Pease-Lopez (D)  
Rep. Lila Walter Evans (R)  
Rep. Kathleen Williams (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:**

Executive Action on: SB 296; SB 237; SB 218; SB 216; SB 126

**EXECUTIVE ACTION ON SJ 15**

00:01:25 **Motion:** Rep. Randall moved that **SJ 15 BE CONCURRED IN.**

00:01:43 Rep. Read

00:02:18 **Motion:** Rep. Read moved that **SJ 15 BE AMENDED.**  
**EXHIBIT(agh70a01)**

**Discussion:**

00:02:32 Rep. Read

00:02:55 Rep. Williams joined the meeting.

00:02:59 Rep. Pease-Lopez joined the meeting.

00:03:17 Dave Bohyer, Legislative Services Division (LSD)

00:03:36 Rep. Read

00:03:43 Mr. Bohyer

00:03:58 Rep. Clark joined the meeting.

00:04:06 **Vote:** Motion carried unanimously by voice vote, members present and voting.

00:04:14 **Motion/Vote:** Rep. Randall moved that **SJ 15 BE CONCURRED IN AS AMENDED.** Motion carried 19-2 by voice vote with Rep. Howard and Rep. Kerns voting no. Rep. Furey and Rep. Evans voted by proxy. Rep. Read will carry the bill.

**EXECUTIVE ACTION ON SB 296**

00:05:06 **Motion:** Rep. Randall moved that **SB 296 BE CONCURRED IN.**

**Discussion:**

00:05:37 Rep. Noonan joined the meeting.

00:05:52 Chairman Kerns

00:05:58 Vice Chair Wagner joined the meeting.

00:06:08 **Vote:** Motion carried 15-6 by roll call vote with Rep. Evans, Rep. Hale, Rep. Howard, Rep. Kerns, Rep. Small and Rep. Wagner voting no. Rep. Evans and Rep. Furey voted by proxy. Rep. Fitzpatrick will carry the bill.

**EXECUTIVE ACTION ON SB 237**

00:07:40 **Motion:** Rep. Wagner moved that **SB 237 BE CONCURRED IN.**

**Discussion:**

00:08:00 Rep. MacDonald

00:08:59 Rep. Williams

00:10:06 Rep. Salomon

00:10:45 **Vote:** Motion carried 17-4 by roll call vote with Rep. Furey, Rep. MacDonald, Rep. Pease-Lopez and Rep. Williams voting no. Rep. Evans and Rep. Furey voted by proxy. Rep. Howard will carry the bill.

**EXECUTIVE ACTION ON SB 218**

00:12:11 **Motion:** Rep. Wagner moved that **SB 218 BE CONCURRED IN.**

**Discussion:**

00:12:41 Chairman Kerns

00:12:50 Rep. Salomon

00:13:08 **Vote:** Motion carried unanimously by voice vote. Rep. Evans and Rep. Furey voted by proxy. Rep. Kerns will carry the bill.

**EXECUTIVE ACTION ON SB 216**

00:13:31 **Motion:** Rep. Wagner moved that **SB 216 BE CONCURRED IN.**

**Discussion:**

00:13:52 Rep. McClafferty

00:14:22 Rep. Williams

00:14:51 Rep. McNiven

00:18:22 Rep. Pease-Lopez

00:20:11 **Vote:** Motion failed 6-15 by roll call vote with Rep. Clark, Rep. Hale, Rep. Hoven, Rep. McNiven, Rep. Read and Rep. Salomon voting aye. Rep. Evans and Rep. Furey voted by proxy.

00:21:24 Vice Chair Wagner

00:21:28 Rep. McNiven

00:21:35 **Motion/Vote:** Rep. Wagner moved that **SB 216 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote members present and voting.

00:21:42 Rep. McNiven

**EXECUTIVE ACTION ON SB 126**

00:22:32 **Motion:** Rep. Wagner moved that **SB 126 BE CONCURRED IN.**

00:23:25 **Motion:** Rep. Wagner moved that **SB 126 BE AMENDED.**  
**EXHIBIT(agh70a02)**

**Discussion:**

00:25:04 Rep. McClafferty  
00:25:10 Vice Chair Wagner  
00:25:31 Rep. Williams  
00:25:38 Mr. Bohyer  
00:25:52 Rep. Salomon  
00:26:17 Rep. MacDonald  
00:26:40 Donna Rice, Department of Agriculture (DOAg)  
00:27:16 Vice Chair Wagner  
00:29:32 Ms. Rice  
00:30:25 Vice Chair Wagner  
00:30:34 Ms. Rice  
00:30:46 Vice Chair Wagner  
00:30:53 Ms. Rice  
00:31:02 Vice Chair Wagner  
00:31:05 Ms. Rice  
00:31:07 Vice Chair Wagner  
00:31:29 Rep. MacDonald  
00:31:58 Vice Chair Wagner

00:32:49 **Vote:** Motion carried unanimously by voice vote, members present and voting.

00:33:00 **Motion:** Rep. Wagner moved that **SB 126 BE CONCURRED IN AS AMENDED.**

00:33:09 **Motion:** Rep. Salomon moved that **SB 126 BE AMENDED.**  
**EXHIBIT(agh70a03)**

**Discussion:**

00:33:24 Rep. Salomon

00:34:41 **Vote:** Motion carried unanimously by voice vote, members present and voting.

00:34:51 **Motion:** Rep. Wagner moved that **SB 126 BE CONCURRED IN AS AMENDED.**

**Discussion:**

00:35:07 Chairman Kerns  
00:35:15 Rep. Salomon  
00:35:17 Chairman Kerns

00:35:19 Rep. Salomon  
00:35:53 Chairman Kerns  
00:35:58 Rep. Salomon  
00:36:01 Rep. MacDonald  
00:36:15 Mr. Bohyer  
00:37:15 Vice Chairman Wagner

00:38:42 **Vote:** Motion carried 17-4 by roll call vote with Rep. Fitzpatrick, Rep. Hale, Rep. Kerns and Rep. Randall voting no. Rep. Evans and Rep. Furey voted by proxy. Rep. Salomon will carry the bill.

**ADJOURNMENT**

00:39:51      Adjournment

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Lauren Head, Secretary

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Additional Documents:

**EXHIBIT([agh70aad.pdf](#))**