

## MINUTES

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

#### COMMITTEE ON AGRICULTURE

**Call to Order:** Chair Krayton Kerns, on April 5, 2011 at 2:30 PM, in Room 472 Capitol

#### ROLL CALL

**Members Present:**

Rep. Krayton Kerns, Chair (R)  
Rep. Timothy Furey, Vice Chair (D)  
Rep. Bob Wagner, Vice Chair (R)  
Rep. Joanne G. Blyton (R)  
Rep. Alan Hale (R)  
Rep. Brian Hoven (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)

**Members Excused:** None

**Members Absent:** Rep. Edith (Edie) McClafferty (D)  
Rep. Christy Clark (R)  
Rep. Pat Noonan (D)  
Rep. Steve Fitzpatrick (R)  
Rep. Lila Walter Evans (R)  
Rep. Kathleen Williams (D)  
Rep. David Howard (R)

**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: HJ 28, 3/30/2011; HJ 29 3/31/11

Executive Action on: SB 343, SB 207, HJ 28, HJ 29

**EXECUTIVE ACTION ON SB 343**

00:01:14 **Motion:** Rep. Wagner moved that **SB 343 BE CONCURRED IN.**

**Discussion:**

00:01:31 Rep. Salomon  
00:01:59 Rep. Noonan joined the meeting  
00:02:02 Rep. Blyton  
00:02:11 Chairman Kerns  
00:02:36 Rep. McNiven  
00:02:40 Rep. McClafferty joined the meeting.  
00:03:16 Rep. Hoven  
00:03:24 Rep. Randall  
00:04:55 Rep. Noonan left the meeting.  
00:05:06 Rep. Furey  
00:06:14 Rep. Smith  
00:06:19 Rep. Williams joined the meeting.  
00:06:48 Rep. McClafferty  
00:07:32 Rep. Read  
00:08:07 Rep. Noonan rejoined the meeting.  
00:09:26 Rep. Clark joined the meeting.  
00:09:30 Vice Chair Wagner  
00:12:43 Rep. MacDonald  
00:13:54 Rep. Williams

00:14:03 **Vote:** Motion carried 18-3 by roll call vote with Rep. Kerns, Rep. McNiven and Rep. Wagner voting no. Rep. Evans and Rep. Howard voted by proxy. Rep. Salomon will carry the bill.

**EXECUTIVE ACTION ON SB 207**

00:15:33 **Motion:** Rep. Wagner moved that **SB 207 BE CONCURRED IN.**

**Discussion:**

00:15:51 Rep. Randall  
00:16:07 Chairman Kerns  
00:16:29 Rep. Randall  
00:16:30 Chairman Kerns  
00:17:03 Rep. Williams

00:17:33 **Motion:** Rep. Wagner moved that **SB 207 BE AMENDED.**  
**EXHIBIT(agh76a01)**

**Discussion:**

00:17:50 Dave Bohyer, Legislative Services Division (LSD)

00:19:21 Rep. Williams

00:19:31 Mr. Bohyer

00:20:08 **Vote:** Motion carried 18-1 by voice vote with Rep. Wagner voting no, members present and voting.

00:20:29 **Motion:** Rep. Wagner moved that **SB 207 BE CONCURRED IN AS AMENDED.**

**Discussion:**

00:20:37 Rep. Clark

00:21:28 **Vote:** Motion carried unanimously by roll call vote. Rep. Evans and Rep. Howard voted by proxy. Rep. Clark will carry the bill.

**HEARING ON HJ 29**

**Opening Statement by Sponsor:**

00:23:18 Rep. Timothy Furey (D), HD 91, opened the hearing on HJ 29, Interim study of federal, state, and local regulation of food prod. & processing.

**Proponents' Testimony:**

00:27:52 Cort Jensen, Department of Agriculture (DOAg)

00:31:47 Rep. Salomon left the meeting.

00:31:54 Chris Christiaens, Montana Farmers Union (MFU)

00:36:36 Jim Barngrover, Aero

**Opponents' Testimony:** None

**Informational Testimony:**

00:38:39 Carol Olmstead, Department of Livestock

**Questions from Committee Members and Responses:**

00:39:10 Rep. Randall

00:39:29 Mr. Jensen

00:40:11 Rep. Randall

00:40:34 Mr. Jensen

00:42:29 Rep. Randall

00:43:23 Mr. Jensen

00:44:02 Rep. Randall  
00:44:40 Mr. Jensen  
00:45:33 Rep. Noonan left the meeting.

**Closing by Sponsor:**

00:45:53 Rep. Furey

**HEARING ON HJ 28**

**Opening Statement by Sponsor:**

00:47:58 Rep. Margaret (Margie) MacDonald (D), HD 54, opened the hearing on HJ 28, Interim study on regulation of dog breeders.  
00:48:02 Rep. Small left the meeting.  
00:50:26 Rep. Noonan rejoined the meeting.  
00:50:58 Rep. Hale left the meeting.

**Proponents' Testimony:**

00:52:22 Margaret Duezabou, self  
00:54:41 Cheryl Moldenhauer, self

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:55:09 Rep. Williams  
00:55:13 Rep. Hale rejoined the meeting.  
00:55:35 Rep. MacDonald

**Closing by Sponsor:**

00:56:24 Rep. MacDonald

**EXECUTIVE ACTION ON HJ 28**

00:57:01 **Motion:** Rep. Wagner moved that **HJ 28 DO PASS.**

**Discussion:**

00:57:16 Vice Chair Wagner  
00:58:23 Rep. Williams  
00:59:18 Rep. Furey

01:00:23 Rep. Randall  
01:01:33 Rep. Hoven  
01:02:06 Rep. Smith  
01:02:32 Chairman Kerns

01:03:31 **Vote:** Motion carried 14-7 by roll call vote with Rep. Evans, Rep. Hale, Rep. Howard, Rep. Kerns, Rep. Randall, Rep. Read and Rep. Wagner voting no. Rep. Evans, Rep. Howard and Rep. Small voted by proxy.

### **EXECUTIVE ACTION ON HJ 29**

01:05:32 **Motion:** Rep. Furey moved that **HJ 29 DO PASS**.

#### **Discussion:**

01:05:43 Rep. MacDonald  
01:08:13 Rep. Randall  
01:10:12 Rep. Noonan left the meeting.  
01:10:28 Rep. Hoven  
01:11:08 Rep. Read  
01:12:02 Rep. Williams  
01:13:41 Vice Chair Wagner  
01:14:13 Rep. Small left the meeting.  
01:14:30 Chairman Kerns  
01:14:52 Rep. Smith

01:15:29 **Vote:** Motion carried 18-3 by voice vote with Rep. Fitzpatrick, Rep. Hale and Rep. Kerns voting no. Rep. Evans, Rep. Noonan, and Rep. Howard voted by proxy.

### **EXECUTIVE ACTION ON SB 143**

Execitve Action was previously taken on this bill on 3/22/2011.

01:16:01 **Motion:** Rep. Clark moved to **RECONSIDER THE MOTION** on **SB 143**.

#### **Discussion:**

01:16:42 Rep. Clark  
01:17:05 Rep. MacDonald  
01:17:34 Vice Chair Wagner  
01:17:56 Rep. Williams  
01:18:26 Rep. Randall  
01:19:05 Vice Chair Wagner  
01:21:14 Rep. Pease-Lopez  
01:21:32 Rep. Clark  
01:21:46 Rep. Pease-Lopez  
01:21:57 Vice Chair Wagner  
01:22:31 Rep. Williams

01:22:55 **Vote:** Motion carried 12-6 by roll call vote with Rep. MacDonald, Rep. McClafferty, Rep. Noonan, Rep. Pease-Lopez, Rep. Smith and Rep. Williams voting no. Members present and voting.

01:24:14 **Motion:** Rep. Wagner moved that **SB 143 BE CONCURRED IN.**

**Discussion:**

01:24:24 Rep. Williams

01:24:37 Chairman Kerns

01:25:10 Rep. Williams

01:25:45 Rep. Furey

01:26:10 Recess began.

01:28:34 Meeting reconvened without Rep. Small, Rep. McClafferty, Rep. Howard, Rep. Noonan, and Rep. Evans.

01:29:21 Vice Chair Wagner

01:30:38 Rep. MacDonald

01:31:44 Rep. Hoven

01:32:59 Rep. Randall

01:33:42 Rep. Furey

01:34:25 Vice Chair Wagner

01:35:24 Rep. Hoven

01:35:43 Rep. Williams

01:36:50 Vice Chair Wagner

01:36:54 Rep. Clark

01:38:12 Rep. MacDonald

01:39:50 Rep. Salomon

01:40:44 Rep. Williams

01:41:48 Rep. Furey

01:42:16 **Vote:** Motion carried 14-7 by roll call vote with Rep. Furey, Rep. MacDonald, Rep. McClafferty, Rep. Noonan, Rep. Pease-Lopez, Rep. Smith and Rep. Williams voting no. Rep. Evans, Rep. Howard, Rep. McClafferty, Rep. Noonan and Rep. Small voted by proxy. Rep. Clark will carry the bill.

**ADJOURNMENT**

01:44:10      Adjournment

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Lauren Head, Secretary

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Additional Documents:

**EXHIBIT([agh76aad.pdf](#))**