

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
60th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON AGRICULTURE

Call to Order: By Chairman Edward B. Butcher, on January 30,
2007 at 3:00 P.M., in Room 472 Capitol.

ROLL CALL

Members Present:

Rep. Edward B. Butcher, Chairman (R)
Rep. Carol Lambert, Vice Chairman (R)
Rep. Jonathan Windy Boy, Vice Chairman (D)
Rep. Shannon Augare (D)
Rep. Scott Boggio (R)
Rep. Mary Caferro (D)
Rep. Julie French (D)
Rep. Ralph Heinert (R)
Rep. Teresa K. Henry (D)
Rep. Llew Jones (R)
Rep. Mike Jopek (D)
Rep. Jim Keane (D)
Rep. Krayton Kerns (R)
Rep. Bruce Malcolm (R)
Rep. Scott Mendenhall (R)
Rep. Diane Rice (R)
Rep. John (Jack) W. Ross (R)
Rep. Dan Villa (D)

Members Excused: None

Members Absent: None

Staff Present: Dee Barfknecht, Committee Secretary
Krista Lee Evans, 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:

Hearing: HB 380, HB 391, HB 396,
Executive Action: HB 364

HEARING ON HB 396

Opening Statement by Sponsor:

00:01:26 Rep. Kevin Furey (D), HD 91, opened the hearing on HB 396, WIC voucher use at farmer's market.

Proponents' Testimony:

00:04:26 Linda Stoll, Representative of Montana's County Public Health Officers

00:05:57 Judy Reel, Montana Association of Churches

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:07:30 Rep. Keane

00:08:04 Rep. Furey

00:08:17 Rep. Lambert

00:08:59 Rep. Furey

00:09:40 Joann Dotson, Department of Health and Human Services

00:10:35 Rep. Lambert

00:11:28 Ms. Dotson

00:12:15 Rep. Lambert

00:12:39 Ms. Dotson

00:12:51 Rep. Lambert

00:13:08 Ms. Dotson

00:13:16 Rep. Heinert

00:13:54 Ms. Dotson

00:14:22 Rep. Heinert

00:14:56 Rep. Furey

00:15:33 Rep. Heinert

00:16:00 Rep. Furey

00:16:35 Chairman Butcher

00:16:57 Rep. Furey

00:18:18 Chairman Butcher

00:19:45 Ms. Dotson

00:21:17 Chairman Butcher

00:22:08 Rep. Henry

00:23:28 Rep. Windy Boy

00:23:54 Ms. Dotson

00:24:21 Rep. Windy Boy

00:25:09 Ms. Dotson

00:25:38 Rep. Heinert

00:26:20 Rep. Furey

00:26:24 Chairman Butcher
00:26:39 Rep. Furey
00:26:43 Rep. Jopek
00:28:09 Ms. Dotson

Closing by Sponsor:

00:29:44 Rep. Furey

HEARING ON HB 391

Opening Statement by Sponsor:

00:30:37 Rep. Kevin Furey (D), HD 91, opened the hearing on HB 391, Food stamp redemption at farmer's market.

Proponents' Testimony:

00:31:46 Linda Stoll, Representative of Montana's County Public Health Officers
00:33:57 Judy Reel, Montana Association of Churches

Opponents' Testimony: None

Informational Testimony:

00:34:40 Hank Hudson, Department of Health and Human Services

Questions from Committee Members and Responses:

00:35:00 Rep. Heinert
00:35:51 Rep. Furey
00:37:06 Rep. Henry
00:37:29 Mr. Hudson
00:40:33 Rep. Henry
00:40:39 Mr. Hudson
00:40:46 Rep. Lambert
00:41:29 Mr. Hudson
00:41:38 Rep. Lambert
00:41:54 Rep. Furey
00:42:24 Rep. Lambert
00:42:36 Rep. Furey
00:43:04 Rep. Lambert
00:43:20 Rep. Furey
00:43:54 Rep. Caferro
00:44:13 Mr. Hudson
00:44:22 Rep. Caferro

00:44:39 Mr. Hudson
00:45:06 Rep. Caferro
00:46:17 Rep. Furey
00:46:26 Rep. Jopek
00:47:19 Mr. Hudson
00:48:10 Rep. Jopek
00:49:04 Ms. Stoll
00:49:33 Rep. Jopek
00:50:07 Ms. Stoll

Closing by Sponsor:

00:50:52 Rep. Furey

HEARING ON HB 380

Opening Statement by Sponsor:

00:53:01 Rep. Kevin Furey (D), HD 91, opened the hearing on HB 380, Optional food purchases by state agencies from Montana producers.

EXHIBIT (agh20a01)

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

00:55:14 Marvin Eicholtz, Administrator, General Services Division

Questions from Committee Members and Responses:

00:56:00 Rep. Rice
00:56:29 Rep. Furey
00:56:48 Rep. Villa
00:57:40 Mr. Eicholtz
00:58:19 Rep. Keane
00:58:45 Rep. Furey

Closing by Sponsor:

00:59:20 Rep. Furey

EXECUTIVE ACTION ON HB 364

01:02:15 **Motion:** Rep. Villa moved that **HB 364 DO PASS.**

01:02:58 **Motion:** Rep. Windy Boy moved that **HB 364 BE AMENDED.**
EXHIBIT (agh20a02)

Discussion:

01:03:21 Rep. Windy Boy
01:05:19 Rep. Malcolm
01:06:45 Rep. Jopek
01:08:20 Rep. Malcolm
01:08:39 Rep. Jopek
01:09:11 Rep. Malcolm
01:09:34 Chairman Butcher
01:10:08 Rep. Windy Boy
01:10:17 Rep. Lambert
01:10:59 Rep. Windy Boy

01:11:40 **Vote:** Motion that **HB 364 BE AMENDED** failed by roll call vote, 8-10. Reps. Windy Boy, Augare, Keane, Caferro, French, Henry, Villa and Jopek voted aye. Reps. Augare and French voted by proxy.

01:12:40 **Motion:** Rep. Rice moved that **HB 364 BE AMENDED BY CONCEPTUAL AMENDMENT**, "The board be administratively attached to the Department of Livestock vs. Fish, Wildlife and Parks."

Discussion:

01:13:12 Rep. Villa
01:13:30 Rep. Rice
01:13:47 Rep. Villa
01:13:52 Rep. Rice
01:14:24 Rep. Villa
01:14:29 Rep. Rice
01:14:34 Rep. Mendenhall
01:15:22 Rep. Jopek
01:16:08 Rep. Malcolm
01:18:12 Rep. Jopek
01:19:27 Rep. Boggio
01:20:25 Rep. Lambert
01:21:07 Rep. Villa
01:21:14 Rep. Henry

01:21:27 **Vote:** Motion that **HB 364 BE AMENDED, BY CONCEPTUAL AMENDMENT.** Motion carried by roll call vote, 15-3. Reps. Caferro, Jopek and Malcolm voted no. Reps. Augare and French voted by proxy.

01:23:08 **Motion:** Rep. Malcolm moved that **HB 364 BE AMENDED. EXHIBIT (agh20a03)**

Discussion:

01:24:01 Rep. Malcolm

01:24:33 **Vote:** Motion that **HB 364 BE AMENDED,** Exhibit 3, carried unanimously by voice vote, 18-0. Reps. Augare and French voted by proxy.

01:25:33 **Motion:** Rep. Malcolm moved that **HB 364 BE FURTHER AMENDED. EXHIBIT (agh20a04)**

Discussion:

01:28:10 Rep. Malcolm
01:28:14 Rep. Windy Boy
01:28:20 Krista Evans
01:28:26 Rep. Villa
01:28:58 Ms. Evans
01:29:20 Rep. Villa
01:29:24 Ms. Evans
01:30:07 Chairman Butcher
01:30:15 Rep. Rice
01:30:41 Ms. Evans

01:30:57 **Motion:** Rep. Keane moved that **NEW SECTION 7 OF Exhibit 4, HB 364,** be segregated out of the amendment.

Discussion:

01:31:11 Rep. Villa
01:31:30 Without objection, the committee agreed to vote on the previous motion to Amend Exhibit 4, and then vote on the segregation.

01:31:55 **Vote:** Motion that **HB 364 BE AMENDED,** Exhibit 4, carried by voice vote 17-1. Rep. Windy Boy voted no. Reps. Augare and French voted by proxy.

Discussion:

01:33:06 Rep. Mendenhall
01:33:14 Ms. Evans
01:33:18 Chairman Butcher
01:33:36 Ms. Evans
01:34:31 Rep. Keane
01:34:36 Ms. Evans
01:34:41 Rep. Keane
01:35:07 Rep. Windy Boy
01:35:28 Ms. Evans
01:36:21 Rep. Jopek
01:36:41 Rep. Rice
01:37:35 Rep. Henry
01:37:51 Rep. Malcolm
01:37:55 Rep. Henry
01:38:34 Rep. Malcolm
01:40:11 Rep. Jopek
01:40:16 Rep. Rice
01:40:41 Rep. Malcolm
01:41:01 Rep. Jones
01:42:00 Rep. Heinert

01:43:02 **Vote:** Motion that **NEW SECTION 7 BE LEFT 'AS IS' IN Exhibit 4, HB 364**, carried by roll call vote, 14-4. Reps. Windy Boy, Augare, Keane and Henry voted no. Reps. Augare and French voted by proxy.

Discussion:

01:44:40 Rep. Jopek
01:45:57 Chairman Butcher
01:46:03 Rep. Heinert
01:46:14 Rep. Jopek
01:46:25 Chairman Butcher
01:46:31 Rep. Jopek

01:46:40 **Vote:** Motion that **HB 364 DO PASS AS AMENDED** carried by roll call vote, 15-3. Reps. Windy Boy, Augare, and Henry voted no. Reps. Augare and French voted by proxy.

ADJOURNMENT

01:46:57 Adjournment

REP. EDWARD B. BUTCHER, Chairman

DEE BARFKNECHT, Secretary

EB/db

Additional Exhibits:

EXHIBIT ([agh20aad.pdf](#))