

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON AGRICULTURE

Call to Order: By Chairman Edward B. Butcher, on February 13,
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. 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: Rep. Ralph Heinert

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 503, HB 537, HB 569
Executive Action:	HB 391, HB 47, HB 503
	HB 569, HB 396, HB 493
	HB 432, HJ 17

HEARING ON HB 503

Opening Statement by Sponsor:

00:01:33 Rep. Dave Gallik (D), HD 79, opened the hearing on HB 503, Make permanent certification of euthanasia technicians.

Proponents' Testimony:

00:02:26 Stuart Doggett, Montana Veterinary Medical Association
00:04:09 Dave Pauley, Montana Animal Care Association
00:05:34 Richard Stockdale, Director, Flathead Animal Control

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:06:43 Rep. Gallik

HEARING ON HB 569

Opening Statement by Sponsor:

00:07:46 Rep. Diane Rice (R), HD 71, opened the hearing on HB 569, Generally revise nursery laws.

EXHIBIT(agh32a01)

Proponents' Testimony:

00:09:42 Chris Wagner, Past President of the Montana Landscape Association

Opponents' Testimony: None

Informational Testimony:

00:11:58 Greg Ames, Administrator, Department Of Agriculture

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:12:42 Rep. Rice

HEARING ON HB 537

Opening Statement by Sponsor:

00:14:00 Rep. Rick Ripley (R), HD 17, opened the hearing on HB 537, Revise state hail insurance laws.

Proponents' Testimony:

00:15:53 William Roehm, Vice President Montana Grain Growers Association

00:17:42 Charles Crane, Grain Farmer

[EXHIBIT \(agh32a02\)](#)

00:20:01 Rodney Cole, Wheat & Barley Farmer

[EXHIBIT \(agh32a03\)](#)

00:22:38 Nancy Schlepp, Montana Farm Bureau

00:22:57 Gary Gollehon, Dryland Farmer

00:26:56 Jack Gunderson, Retired Farmer, Retired Legislator

Opponents' Testimony:

00:28:09 Barry Newmack, State Rain and Hail Insurance Company

00:36:47 John Mcintosh, Wheat Growers Farm Insurance Company

00:38:14 Roger McGlenn, Executive Director of the Independent Insurance Companies

00:41:54 Greg VanHorssen, State Farm Insurance Company

Informational Testimony:

00:43:49 Lee Boyer, Department of Agriculture

00:44:08 Mari Kindberg, State Auditor's Office

Questions from Committee Members and Responses:

00:45:19 Rep. French

00:46:51 Mr. Boyer

00:46:55 Rep. French

00:47:25 Mr. Boyer

00:47:47 Rep. French

00:47:59 Mr. Boyer

00:48:08 Rep. Lambert

00:49:00 Rep. Ripley

00:49:29 Rep. Windy Boy

00:50:12 Mr. Boyer

00:50:54 Rep. Ross
00:51:15 Mr. McGlenn
00:51:35 Ms. Kindberg
00:52:04 Rep. Ross
00:52:22 Ms. Kindberg
00:52:27 Rep. Ross
00:52:30 Ms. Kindberg
00:52:43 Rep. Mendenhall
00:53:05 Mr. Newmack
00:54:11 Rep. Mendenhall
00:54:26 Mr. Newmack
00:54:38 Rep. Mendenhall
00:55:00 Mr. Newmack
00:56:09 Rep. Mendenhall
00:56:48 Mr. Roehm
00:57:11 Rep. Mendenhall
00:57:32 Mr. Roehm
00:57:53 Rep. Rice
00:58:26 Mr. Newmack
00:59:27 Rep. Rice
00:59:57 Mr. Newmack
01:00:03 Rep. Rice
01:00:15 Mr. Newmack
01:01:02 Rep. Keane
01:01:35 Mr. Boyer
01:01:47 Rep. Keane
01:02:07 Mr. VanHorsen
01:02:24 Rep. Keane
01:02:39 Mr. VanHorsen
01:03:01 Rep. Keane
01:03:06 Mr. VanHorsen
01:03:23 Chairman Butcher
01:03:52 Mr. Boyer
01:04:10 Chairman Butcher
01:04:30 Mr. Boyer
01:04:55 Chairman Butcher
01:05:01 Mr. Boyer
01:05:33 Chairman Butcher
01:06:10 Mr. Gunderson
01:07:03 Chairman Butcher

Closing by Sponsor:

01:07:15 Rep. Ripley

EXECUTIVE ACTION ON HB 391

01:09:58 **Motion:** Rep. Windy Boy moved that **HB 391 PASS.**

01:10:37 **Motion:** Rep. Windy Boy moved that **HB 391 BE AMENDED.**
EXHIBIT (agh32a04)

Discussion:

01:11:07 Krista Evans
01:12:29 Rep. Windy Boy
01:12:46 Ms. Evans
01:12:59 Rep. Henry
01:13:47 Rep. Lambert
01:14:36 Ms. Evans
01:15:00 Rep. Lambert
01:15:11 Ms. Evans
01:15:20 Chairman Butcher
01:15:25 Rep. Henry
01:15:52 Chairman Butcher
01:16:14 Ms. Evans
01:16:34 Rep. Caferro
01:17:22 Chairman Butcher
01:17:32 Ms. Evans

01:18:17 **Vote:** Motion that **HB 391 BE AMENDED** carried by roll call vote, 15-3. Reps. Ross, Boggio and Butcher voted no. Reps. Heinert, Mendenhall and Jopek voted by proxy.

01:19:50 **Motion:** Rep. Rice moved that **HB 391 DO PASS AS AMENDED.**

Discussion:

01:19:55 Rep. Rice
01:20:34 Rep. Henry
01:20:43 Rep. Rice
01:21:04 Rep. Henry
01:21:13 Rep. Caferro
01:21:51 Rep. Rice
01:22:06 Rep. Ross
01:22:27 Rep. Jones
01:22:47 Chairman Butcher
01:23:40 Ms. Evans
01:23:45 Rep. Jones

01:24:10 **Vote:** Motion that **HB 391 DO PASS AS AMENDED** failed by roll call vote 8-10. Reps. Windy Boy, Augare, Keane, Caferro, French, Henry, Villa and Jopek voted aye. Reps. Heinert and Jopek voted by proxy.

01:25:24 **Motion/Vote:** Rep. Lambert moved that **HB 391 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by those present and voting, 16-0 by voice vote.

EXECUTIVE ACTION ON HB 47

01:25:35 **Motion:** Rep. Ross moved to **RECONSIDER THE MOTION on HB 47**. (HB 47 previously Tabled on 01/26/07)

01:26:28 **Vote:** Motion that **HB 47 BE RECONSIDERED**, failed by by roll call vote, 6-10. Reps. Windy Boy, Ross, Keane, Caferro, Henry and Villa voted aye.

EXECUTIVE ACTION ON HB 503

01:28:48 **Motion/Vote:** Rep. Keane moved that **HB 503 DO PASS**. The motion carried by voice vote 17-1. Rep. Mendenhall voted no. Reps. Heinert and Jopek voted by proxy.

EXECUTIVE ACTION ON HB 569

01:30:11 **Motion:** Rep. Rice moved that **HB 569 DO PASS**.

01:30:19 **Motion:** Rep. Rice moved that **HB 569 BE AMENDED**.

Discussion:

01:30:33 Rep. Rice

01:31:25 **Vote:** Motion that **HB 569 BE AMENDED** carried unanimously by voice vote 18-0. Rep. Heinert and Jopek voted by proxy.

01:31:56 **Motion/Vote:** Rep. Rice moved that **HB 569 DO PASS AS AMENDED**. The motion carried unanimously by voice vote, 18-0. Reps. Heinert and Jopek voted by proxy.

EXECUTIVE ACTION ON HB 396

01:32:39 **Motion:** Rep. Windy Boy moved that **HB 396 DO PASS.**

Discussion:

01:33:46 Rep. Malcolm
01:34:03 Rep. Henry
01:34:56 Chairman Butcher
01:35:25 Rep. Henry
01:36:13 Rep. Windy Boy
01:36:44 Rep. Boggio

01:36:26 Rep. Windy Boy withdrew his motion.

EXECUTIVE ACTION ON HJ 17

01:37:59 **Motion:** Rep. Windy Boy moved that **HJ 17 BE ADOPTED.**

01:38:35 **Motion:** Rep. Windy Boy moved that **HJ 17 BE AMENDED.**
EXHIBIT (agh32a05)

Discussion:

01:39:14 Rep. Windy Boy
01:39:19 Rep. Rice
01:40:09 Rep. Villa
01:40:21 Rep. Rice
01:40:48 Ms. Evans
01:40:51 Rep. Rice

01:41:05 **Vote:** Motion that **HJ 17 BE AMENDED** carried by voice vote, 12-6. Reps. Rice, Lambert, Ross, Kerns, Heinert and Butcher voted no. Reps. Heinert and Jopek voted by proxy.

01:41:46 **Motion:** Rep. Windy Boy moved that **HJ 17 BE ADOPTED AS AMENDED.**

Discussion:

01:42:20 Rep. Boggio
01:42:47 Chairman Butcher

01:43:16 **Vote:** Motion that **HJ 17 BE ADOPTED AS AMENDED** carried by roll call vote 14-4. Reps. Ross, Kerns, Boggio and Mendenhall voted no. Reps. Heinert and Jopek voted by proxy.

EXECUTIVE ACTION ON HB 493

01:45:41 **Motion:** Rep. Villa moved that **HB 493 DO PASS.**

01:46:28 **Motion/Vote:** Rep. Mendenhall moved that **HB 493 BE TABLED.** Motion carried by roll call vote, 15-3. Reps. Caferro, Henry and Jopek voted no. Reps. Heinert and Jopek voted by proxy.

EXECUTIVE ACTION ON HB 432

01:48:55 **Motion:** Rep. Rice moved that **HB 432 DO PASS.**

01:49:01 **Motion:** Rep. Villa moved that **HB 432 BE AMENDED.**
EXHIBIT (agh32a06)

Discussion:

01:49:23 Ms. Evans
01:50:18 Rep. French
01:50:35 Rep. Mendenhall
01:51:30 Rep. Ross
01:51:38 Rep. Villa

01:51:44 **Vote:** Motion that **HB 432 BE AMENDED**, failed by voice vote 4-14. Reps. Villa, French, Henry and Jopek voted aye. Reps. Heinert and Jopek voted by proxy.

Discussion:

01:52:40 Rep. French
01:53:07 Chairman Butcher
01:53:13 Rep. French
01:53:28 Chairman Butcher

01:55:18 **Motion/Vote:** Rep. Lambert moved that **HB 432 BE TABLED.** Motion carried by roll call vote 14-4. Reps. Windy Boy Caferro, French and Henry voted no. Reps. Heinert and Jopek voted by proxy.

Additional Exhibits:

Document Pertaining to HB 537, Hearing 02/13/07

[EXHIBIT](#)(agh32a07)

Document Pertaining to HB 537, Hearing 02/13/07

[EXHIBIT](#)(agh32a08)

ADJOURNMENT

01:57:36 Adjournment

REP. EDWARD B. BUTCHER, Chairman

DEE BARFKNECHT, Secretary

EB/db

Additional Exhibits:

EXHIBIT ([agh32aad.pdf](#))