

## MINUTES

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

#### COMMITTEE ON AGRICULTURE

**Call to Order:** By Chairman Edward B. Butcher, on February 22, 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:**

Executive Action: HB 484, HJ 29, HB 705  
HB 720, HB 726, HJ 23

**EXECUTIVE ACTION ON HJ 29**

00:02:27 **Motion:** Rep. Lambert moved that **HJ 29 BE ADOPTED.**

00:02:39 **Motion:** Rep. Rice moved that **HJ 29 BE AMENDED.**  
**EXHIBIT** (agh40a01)

**Discussion:**

00:03:16 Rep. Rice

00:03:30 **Vote:** Motion that **HJ 29 BE AMENDED** carried unanimously by voice vote, 18-0. Rep. Windy Boy voted by proxy.

00:05:09 **Motion:** Rep. Jopek moved that **HJ 29 BE ADOPTED AS AMENDED.**

00:05:18 **Vote:** Motion that **HJ 29 BE ADOPTED AS AMENDED** failed by tie vote, roll call vote 9-9. Reps. Windy Boy, Augare, Keane, Caferro, Jones, French, Henry, Villa and Jopek voted aye. Rep. Windy Boy voted by proxy.

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**EXECUTIVE ACTION ON HB 726**

00:05:39 **Motion:** Rep. Keane moved that **HB 726 DO PASS.**

00:05:50 **Motion:** Rep. Keane moved that **HB 726 BE AMENDED.**  
**EXHIBIT** (agh40a02)

**Discussion:**

00:06:44 Rep. Keane

00:07:01 Chairman Butcher

00:07:36 Rep. Lambert

00:08:03 **Vote:** Motion that **HB 726 BE AMENDED** carried unanimously by voice vote, 18-0. Rep. Windy Boy voted by proxy.

00:08:17 **Motion:** Rep. Keane moved that **HB 726 DO PASS AS AMENDED.**

**Discussion:**

00:08:35 Rep. Lambert

00:08:41 Rep. Kerns

00:08:22 **Motion:** Rep. Heinert moved that **HB 726 BE AMENDED. EXHIBIT (agh40a03)**

**Discussion:**

00:10:17 Rep. Heinert

00:10:22 Krista Evans

00:10:36 **Vote:** Motion that **HB 726 BE AMENDED, EXHIBIT 3** carried by voice vote, 17-1. Rep. Rice voted no. Rep. Windy Boy voted by proxy.

00:10:55 **Motion:** Rep. Keane moved that **HB 726 DO PASS AS AMENDED.**

00:11:02 **Motion:** Rep. Boggio moved that **HB 726 BE AMENDED. EXHIBIT (agh40a04)**

**Discussion:**

00:12:02 Rep. Boggio

00:12:09 **Vote:** Motion that **HB 726 BE AMENDED, EXHIBIT 4** carried unanimously by voice vote, 18-0. Rep. Windy Boy voted by proxy.

00:12:20 **Motion:** Rep. Keane moved that **HB 726 DO PASS AS AMENDED.**

**Discussion:**

00:12:28 Rep. Kerns

00:13:00 **Motion:** Rep. Kerns moved that **HB 726 BE AMENDED WITH A CONCEPTUAL AMENDMENT, "Change 10 to 20."**

00:13:10 **Vote:** Motion that **HB 726 BE AMENDED, CONCEPTUAL AMENDMENT** carried by voice vote, 15-3. Reps. Caferro, Henry and Augare vote no. Rep. Windy Boy voted by proxy.

00:13:47 **Motion:** Rep. Keane moved that **HB 726 DO PASS AS AMENDED.**

**Discussion:**

00:14:01 Rep. Jopek

00:14:53 Chairman Butcher

00:15:34 Rep. Caferro

00:16:02 Rep. Heinert

00:16:07 **Vote:** Motion that **HB 726 DO PASS AS AMENDED** carried by roll call vote, 12-6. Reps. Rice, Ross, Jones, Kerns, Mendenhall and Butcher voted no. Rep. Windy Boy voted by proxy.

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**EXECUTIVE ACTION ON HB 720**

00:17:47 **Motion:** Rep. Villa moved that **HB 720 DO PASS.**

00:17:59 **Motion:** Rep. French moved that **HB 720 BE AMENDED.**  
**EXHIBIT (agh40a05)**

**Discussion:**

00:18:45 Rep. French

00:19:00 **Vote:** Motion that **HB 720 BE AMENDED** carried by voice vote, 15-3. Reps. Rice, Boggio and Heinert voted no. Rep. Windy Boy voted by proxy.

00:19:47 **Motion:** Rep. Lambert moved that **HB 720 BE AMENDED.**  
**EXHIBIT (agh40a06)**

00:20:25 **Vote:** Motion that **HB 720 BE AMENDED** carried unanimously by voice vote, 18-0. Rep. Windy Boy voted by proxy.

00:20:36 **Motion:** Rep. French moved that **HB 720 DO PASS AS AMENDED.**

**Discussion:**

00:21:52 Chairman Butcher

00:21:58 Ms. Evans

00:22:02 Rep. French

00:22:25 Chairman Butcher

00:23:06 Rep. French

00:23:33 Chairman Butcher

00:23:45 Rep. French

00:24:11 **Substitute Motion/Vote:** Rep. Mendenhall made a substitute motion that **HB 720 BE TABLED**. Substitute motion carried by roll call vote, 10-8. Reps. Windy Boy, Augare, Keane, Caferro, French, Henry, Villa and Jopek voted no.

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**EXECUTIVE ACTION ON HB 484**

00:25:58 **Motion:** Rep. Rice moved that **HB 484 DO PASS**.

**Discussion:**

00:26:45 Rep. French  
00:27:18 Rep. Villa  
00:27:38 Rep. Rice  
00:27:51 Rep. Windy Boy  
00:28:16 Chairman Butcher  
00:29:33 Rep. Jopek  
00:30:59 Rep. Keane  
00:31:14 Rep. Lambert

00:33:38 **Vote:** Motion that **HB 484 DO PASS** failed by tie vote, roll call vote, 9-9. Reps. Lambert, Rice, Ross, Jones, Kerns, Boggio, Mendenhall, Malcolm and Butcher voted aye.

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**EXECUTIVE ACTION ON HB 705**

00:33:53 **Motion:** Rep. Lambert moved that **HB 705 DO PASS**.

00:34:07 **Motion:** Rep. Lambert moved that **HB 705 BE AMENDED**.  
[EXHIBIT \(agh40a07\)](#)

**Discussion:**

00:34:22 Ms. Evans

00:35:03 **Vote:** Motion that **HB 705 BE AMENDED** carried by voice vote, 17-1. Rep. French voted no.

00:35:33 **Motion:** Rep. Lambert moved that **HB 705 DO PASS AS AMENDED**.

**Discussion:**

00:35:39 Rep. Jones

00:36:24 Rep. Jopek  
00:37:30 Rep. Lambert  
00:37:35 Rep. Jopek  
00:37:55 Rep. Windy Boy  
00:38:31 Rep. Keane  
00:39:20 Rep. Boggio  
00:41:36 Rep. Rice

00:41:49 **Motion:** Rep. Rice moved that **HB 705 BE AMENDED WITH A CONCEPTUAL AMENDMENT.** To strike, "Actively Promote."

**Discussion:**

00:43:20 Rep. Villa  
00:43:50 Ms. Evans  
00:44:12 Chairman Butcher  
00:44:29 Rep. Augare

00:44:43 **Substitute Motion/Vote:** Rep. Augare made a substitute motion that **HB 705 BE TABLED.** Substitute motion carried by roll call vote, 11-7. Reps. Lambert, Rice, Boggio, Villa, Mendenhall, Jopek and Butcher voted no.

**EXECUTIVE ACTION ON HJ 23**

00:46:06 **Motion:** Rep. Jones moved that **HJ 23 BE RECONSIDERED.** (HJ 23 previously Tabled 02/16/07)

**Discussion:**

00:47:09 Rep. Jones  
00:47:28 Rep. Windy Boy

00:47:36 **Vote:** Motion that **HJ 23 BE RECONSIDERED** carried by roll call vote, 10-8. Reps. Ross, Keane, Kerns, Heinert, Boggio, Mendenhall, Malcolm and Butcher voted no.

**Discussion:**

00:50:02 Chairman Butcher  
00:50:12 Rep. Jones

00:50:28 **Motion:** Rep. Jones moved that **HJ 23 BE ADOPTED AS AMENDED.** (Amended previously during Executive Action 02/16/07)

00:50:16 **Vote:** Motion that **HJ 23 BE ADOPTED AS AMENDED** failed by roll call vote, 8-10. Reps. Windy Boy, Augare, Caferro, Jones, French, Henry, Villa and Jopek voted aye. Rep. Augare voted by proxy.

00:51:29 **Substitute Motion/Vote:** Rep. Lambert made a substitute motion that **HJ 23 BE TABLED AND THE VOTE REVERSED.** Substitute motion carried unanimously by voice vote, 18-0. Rep. Augare voted by proxy.

**Additional Exhibits:**

Document Pertaining to HB 705, Hearing Date 02/20/07.

**[EXHIBIT \(agh40a08\)](#)**

Document Pertaining to HB 484, Hearing Date 02/08/07.

**[EXHIBIT \(agh40a09\)](#)**

**ADJOURNMENT**

00:51:49 Adjournment

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REP. EDWARD B. BUTCHER, Chairman

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DEE BARFKNECHT, Secretary

EB/db

Additional Exhibits:

**EXHIBIT ([agh40aad.pdf](#))**