

## MINUTES

### MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON AGRICULTURE, LIVESTOCK AND IRRIGATION

**Call to Order:** Chair Taylor Brown, on April 2, 2013 at 4:30 PM, in Room 335 Capitol

#### ROLL CALL

**Members Present:**

Sen. Taylor Brown, Chair (R)  
Sen. Frederick (Eric) Moore, Vice Chair (R)  
Sen. Shannon Augare (D)  
Sen. Scott Boulanger (R)  
Sen. Sue Malek (D)  
Sen. Terry Murphy (R)  
Sen. Mike Phillips (D)  
Sen. Sharon Stewart-Peregoy (D)  
Sen. Janna Taylor (R)

**Members Excused:** Sen. Mary Caferro (D)  
Sen. Scott Sales (R)

**Members Absent:** None

**Staff Present:** Sue O'Connell, Legislative Branch  
Elizabeth Whiting, 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:** HB 344 Be Concurred In  
SB 402 - Do Pass As Amended (vote failed, not reported out of committee)

02:49:56 Chairman Brown

**EXECUTIVE ACTION ON HB 344**

02:52:37 **Motion:** Sen. F. Moore moved that **HB 344 BE CONCURRED IN.**

**Discussion:**

02:53:00 Chairman Brown

02:53:22 **Vote:** Motion carried 9-0 by voice vote. Sen. Caferro and Sen. Sales were excused. Sen. Moore will carry the bill.

**EXECUTIVE ACTION ON SB 402**

02:54:02 Chairman Brown

02:55:42 **Motion:** Sen. F. Moore moved that **SB 402 DO PASS.**

**Discussion:**

02:56:04 Chairman Brown

02:56:55 **Motion:** Sen. Malek moved that **SB 402 BE AMENDED.**  
**EXHIBIT(ags68a01)**

**Discussion:**

02:57:42 Chairman Brown

03:02:43 Sen. Phillips

03:03:37 Sen. Malek

03:05:22 Karen Rice, self

03:05:41 Sen. Malek

03:06:08 Karen Rice

03:07:11 Sen. Taylor

03:08:02 Chairman Brown

03:08:23 Sen. Moore

03:13:39 Sen. Murphy

03:15:30 Chairman Brown

03:15:36 Sen. Stewart-Peregoy

03:16:03 Karen Rice

03:16:24 Sen. Moore

03:17:36 Sen. Taylor

03:18:53 Sen. Malek

03:20:38 Chairman Brown

03:21:56 **Vote:** Motion failed 3-7 by roll call vote with Sen. Brown, Sen. Malek and Sen. Taylor voting aye. Sen. Sales voted by proxy. Sen. Caferro was excused.

**Discussion:**

03:23:48 Sue O'Connell, Legislative Services Division (LSD)

[EXHIBIT\(ags68a02\)](#)

03:25:03 **Motion:** Sen. F. Moore moved that **SB 402 BE AMENDED.**

[EXHIBIT\(ags68a03\)](#)

**Discussion:**

03:26:15 Chairman Brown

03:26:28 Sen. Moore

03:27:17 **Vote:** Motion carried 10-1 by roll call vote with Sen. Malek voting no. Sen. Caferro and Sen. Sales voted by proxy.

03:28:13 **Motion:** Sen. F. Moore moved that **SB 402 BE AMENDED.**

[EXHIBIT\(ags68a04\)](#)

**Discussion:**

03:28:34 Sue O'Connell, LSD

03:29:32 Sen. Phillips

03:30:31 Sen. Murphy

03:30:42 Sue O'Connell

03:30:55 Chairman Brown

03:31:21 Sen. Murphy

03:31:31 Sen. Moore

03:31:57 Chairman Brown

03:32:13 Sen. Malek

03:32:39 Sen. Moore

03:32:42 Sen. Stewart-Peregoy

03:33:53 Chairman Brown

03:33:58 Sen. Phillips

03:35:02 Chairman Brown

03:35:38 Sen. Taylor

03:36:00 Sen. Phillips

03:36:16 Chairman Brown

03:36:21 Sen Taylor

03:36:25 Chairman Brown

03:36:39 Sen. Moore

03:36:57 Sen. Phillips

03:37:08 Sen. Boulanger

03:37:52 Sue O'Connell

03:38:14 Sen. Phillips

03:38:27 Chairman Brown

03:38:32 Sen. Moore

03:39:15 Sen. Taylor

03:39:52 Chairman Brown

03:39:59 Sue O'Connell

03:40:32 Sen. Murphy  
03:41:16 Chairman Brown  
03:41:20 Sen. Phillips  
03:41:55 Sen. Taylor  
03:42:16 Karen Rice  
03:42:41 Sen. Taylor  
03:43:04 Karen Rice

03:43:14 **Vote:** Motion failed 3-8 by roll call vote with Sen. Brown, Sen. Moore and Sen. Sales voting aye. Sen. Caferro and Sen. Sales voted by proxy.

**Discussion:**

03:44:21 Chairman Brown

03:44:36 **Motion/Vote:** Sen. Malek moved that **SB 402 BE TABLED**. Motion failed 5-6 by roll call vote with Sen. Augare, Sen. Brown, Sen. Malek, Sen. Murphy and Sen. Taylor voting aye. Sen. Caferro and Sen. Sales voted by proxy.

**Discussion:**

03:45:54 Sen. Augare  
03:47:52 Sen. Taylor  
03:48:07 Chairman Brown  
03:48:19 Sue O'Connell  
03:48:46 Chairman Brown  
03:48:53 Sue O'Connell

03:49:07 **Motion:** Sen. T. Brown moved that **SB 402 DO PASS AS AMENDED**.

**Discussion:**

03:50:09 Sen. Boulanger

03:50:57 **Vote:** Motion failed 5-6 by roll call vote with Sen. Caferro, Sen. Moore, Sen. Phillips, Sen. Sales and Sen. Stewart-Peregoy voting aye. Sen. Caferro and Sen. Sales voted by proxy. (Due to failed vote, SB 402 As Amended, was not reported out of committee.)

**Discussion:**

03:52:03 Chairman Brown

**ADJOURNMENT**

Adjournment: 6:45 pm

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Elizabeth Whiting, Secretary

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**Additional Documents**

Additional Documents:

**EXHIBIT([ags68aad.pdf](#))**