

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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announcement.

ASSISTANT CLERK: Mr. President, Senator Landis would like to hold an Executive Session of the Banking Committee under the north balcony now. That's the Banking Committee, Executive Session under the north balcony.

PRESIDENT MAURSTAD: Thank you, Mr. Clerk. Now, further discussion on the Brashear amendment, Senator Brashear.

SENATOR BRASHEAR: Mr. President, members of the body, because I didn't want to consume too much of Senator Chambers' time, because he never consumes too much (laugh), I'll give the second part of the answer now, because I may not have...I may not have articulated it clearly the first time. I really do want to make this point and then have...see if anybody agrees with me. Because we aren't using the Initiative 300 prohibition language, and I'm not intransigent, I just walked down and told Senator Bromm if there's another way to accommodate my concern I'm willing to look at that, of course. But I do want to make the point that because we're not using the Initiative 300 prohibition language, because we are by the courts assumed to always know what we're doing and do what we should and understand what we're doing and to have a purpose in doing it, I think the interpretation of the phrase that we shall not be...that packer...it shall be unlawful for a packer to be engaged in the ownership, keeping or feeding of livestock for the production of livestock or livestock products will be interpreted as a new phrase and it literally says you can't be engaged, engaged. You can't be engaged in owning them, keeping them, or feeding them. And because we're not using the Initiative 300 prohibition language and not referencing any of the interpretations thereunder, I think this a new phrase subject to a new interpretation and it literally doesn't even provide the exceptions that Senator Bromm was beginning to discuss. And that's the point...the second point that I would have made. I...I'm not in any way trying to...I think we've already defined farming and ranching to include production. I think this answers, subject to the interpretations that have been made by the Attorney General and other rules and regulations that have come from the appropriate departments, I think that answers Senator Wehrbein's earlier query concerning