

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
61st LEGISLATURE - REGULAR SESSION**

COMMITTEE ON AGRICULTURE

Call to Order: Chairman Mike Jopek, on February 17, 2009 at 3:04 P.M., in Room 472 Capitol.

ROLL CALL

Members Present:

Rep. Mike Jopek, Chairman (D)
Rep. Edward B. Butcher, Vice Chairman (R)
Rep. Julie French, Vice Chairman (D)
Rep. Russell Bean (R)
Rep. Tony Belcourt (D)
Rep. Mary Caferro (D)
Rep. Sue Dickenson (D)
Rep. John Fleming (D)
Rep. Brian Hoven (R)
Rep. David Howard (R)
Rep. Krayton Kerns (R)
Rep. Margaret MacDonald (D)
Rep. Lee Randall (R)
Rep. Keith Regier (R)
Rep. J. David Roundstone (D)
Rep. Janna Taylor (R)
Rep. Bob Wagner (R)
Rep. Wendy Warburton (R)

Members Excused: None.

Members Absent: Rep. Timothy Furey (D)
Rep. Edith (Edie) McClafferty (D)

Staff Present: Todd Everts, Legislative Branch
Marshall McEwen, 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:

Hearing & Date Posted: HB 511, HB 548, HB 592, HB 551,
HB 482, HB 575, 2/10/2009

Executive Action: None

HEARING ON HB 511

Opening Statement by Sponsor:

00:01:13 Rep. Scott Mendenhall (R), HD 77, opened the hearing on
HB 511, Revise nursery and produce license laws.

Proponents' Testimony:

00:01:59 Brent Sarchet, Manager, Helena Farmer's Market
[EXHIBIT \(agh37a01\)](#)

00:03:37 Rep. Furey entered the room.

Opponents' Testimony:

00:07:57 Greg Ames, Administrator, Agricultural Science
Division, Montana Department of Agriculture

[EXHIBIT \(agh37a02\)](#)

00:11:00 Julia Page, Northern Plains Research Council

Informational Testimony: None

Questions from Committee Members and Responses:

00:13:19 Rep. MacDonald

00:14:08 Mr. Ames

00:14:52 Rep. MacDonald

00:15:18 Mr. Ames

00:15:53 Rep. MacDonald

00:16:00 Andy Gray, Bureau Chief, Commodity Service Bureau,
Department of Agriculture

00:16:59 Chairman Jopek

Closing by Sponsor:

00:17:05 Rep. Mendenhall

00:18:13 Chairman Jopek

00:21:33 Rep. French

00:21:56 Chairman Jopek

HEARING ON HB 548**Opening Statement by Sponsor:**

00:22:11 Rep. Dave McAlpin (D), HD 94, opened the hearing on HB 548, Require inspection for dog breeding facilities.

Proponents' Testimony:

00:25:31 Dave Pauli, Montana Animal Care Association; Montana Humane Society

EXHIBIT (agh37a03)

00:29:20 Kate Bollinger, Self

00:29:39 Katherine Schaeffer, Manager, Emergency Shelter, Operation New Beginnings

EXHIBIT (agh37a04)

00:32:00 Linda Schure, Representing Jamie Miller and Diane Krantz

00:38:06 Patty Prato, Self

00:42:26 Sandy Price, Manager, Billings Animal Rescue Care

00:45:09 David Klein, City of Billings Animal Shelter

00:46:08 Cindy James, Self

00:49:57 Carol Bradley, Self

EXHIBIT (agh37a05)

00:51:26 Francis Carey, Self

00:56:09 Vicky Dawson, Operations Director, Bitterroot Humane Association

00:57:11 Donna Cook, Self

EXHIBIT (agh37a06)

00:57:29 Sandy Wulff, Self

00:57:52 Christina Rogers, Vet to Go

00:58:06 Annie Lesmeister, Self

00:58:51 Margaret Ambrose-Barton, Self

00:59:05 Laura Hughes, Mountain View Kennels

00:59:17 Jessie Applebury, Self

00:59:31 Angela Randak, Volunteer, Operation New Beginnings, Billings, Montana

00:59:52 Janice Seifert, Self

01:01:15 Diane Redenius, Volunteer, Operation New Beginnings, Billings, Montana

Opponents' Testimony:

01:02:35 Tim Ravndal, Self

01:03:49 Rep. McClafferty entered the room.

01:04:50 Peggy Duezabou, Animals and Public Policy

EXHIBIT (agh37a07)

01:08:00 Sheryl Moldenhauer, Self

01:09:30 Debra Blank, Self

01:16:52 Tana Kradolfer, Self
01:20:23 Florence Mattice, Self
01:22:24 Julie Andersen, Self
01:24:27 Bill Mattice, Self
01:27:48 Jan Breitenfeldt, Self

EXHIBIT (agh37a08)

01:32:25 Lishka Shwab, Self
01:33:51 Mike Schubarth, Self
01:34:32 Lea Anderson, Self

Informational Testimony:

01:34:57 Christian MacKay, Executive Officer, Montana Board of
Livestock

Questions from Committee Members and Responses:

01:35:41 Rep. Butcher
01:36:26 Ms. Carey
01:36:48 Rep. Butcher
01:37:33 Mr. MacKay
01:38:08 Rep. McClafferty
01:38:29 Mr. MacKay
01:38:46 Rep. McClafferty
01:39:02 Mr. MacKay
01:39:36 Rep. Warburton
01:39:52 Mr. MacKay
01:40:54 Rep. Fleming
01:41:24 Mr. MacKay
01:42:25 Rep. Dickenson
01:43:01 Rep. McAlpin
01:43:37 Rep. MacDonald
01:44:11 Mr. Pauli
01:44:43 Rep. Belcourt
01:44:56 Rep. McAlpin
01:45:32 Rep. Belcourt
01:45:41 Rep. McAlpin
01:46:08 Rep. Hoven
01:46:31 Rep. McAlpin
01:46:50 Rep. French
01:47:16 Mr. MacKay
01:47:57 Rep. French
01:48:14 Mr. MacKay
01:48:41 Rep. Butcher
01:50:08 Rep. McAlpin
01:50:30 Rep. Taylor
01:50:37 Rep. McAlpin
01:50:44 Rep. Taylor
01:50:52 Mr. Pauli
01:51:12 Rep. Wagner

01:52:34 Mr. Pauli
01:53:36 Rep. Wagner
01:54:41 Mr. Pauli
01:55:31 Chairman Jopek
01:55:47 Rep. Butcher
01:56:24 Mr. MacKay
01:57:02 Chairman Jopek
01:57:12 Rep. Roundstone
01:57:48 Mr. Pauli
01:58:04 Ms. Blank
01:58:13 Rep. Roundstone
01:58:29 Chairman Jopek

Closing by Sponsor:

01:58:33 Rep. McAlpin
01:59:15 Chairman Jopek
01:59:53 Committee takes a break.
02:08:14 Committee reconvenes.

HEARING ON HB 592

Opening Statement by Sponsor:

02:09:22 Rep. Lee Randall (R), HD 39, opened the hearing on
HB 592, Revise livestock identification law.
02:16:41 Rep. Dennis Getz, HD 38
EXHIBIT (agh37a09)

Proponents' Testimony:

02:19:34 Jack Owen, Self
02:26:15 Brett de Bruycker, President, Montana Cattleman's
Association
02:30:11 Dan Teigen, Chair, Agriculture Task Force
EXHIBIT (agh37a10)
02:34:12 Kim Baker, Vice President, Montana Cattleman's
Association
02:37:08 Linda Gryczan, Grow Montana
02:39:01 Hugh Broadus, Self

Opponents' Testimony:

02:43:08 Anne Miller, Executive Director, Montana Pork Producers
Council
EXHIBIT (agh37a11)
02:46:29 Errol Rice, Executive Vice President, Montana
Stockgrowers Association
02:52:11 Ed Hofer, Self

02:53:16 Eli Hofer, Self

Informational Testimony:

02:54:08 Christian MacKay, Executive Officer, Montana Board of
Livestock

Questions from Committee Members and Responses:

02:56:07 Rep. Butcher
02:57:00 Ms. Miller
02:58:27 Rep. Dickenson
02:59:27 Mr. de Bruycker
02:59:58 Rep. Dickenson
03:00:40 Mr. de Bruycker
03:00:55 Rep. Regier
03:01:16 Mr. Rice
03:01:33 Rep. Hoven
03:01:52 Mr. de Bruycker
03:02:59 Rep. French
03:03:19 Mr. Rice
03:03:48 Rep. French
03:03:58 Mr. Rice
03:04:55 Rep. Butcher
03:05:23 Ms. Miller
03:05:43 Chairman Jopek

Closing by Sponsor:

03:06:10 Rep. Randall
03:08:51 Chairman Jopek

HEARING ON HB 551

Opening Statement by Sponsor:

03:09:20 Rep. Dennis Getz (D), HD 38, opened the hearing on
HB 551, Restrict use of certain animal identification.
03:10:42 Chairman Jopek

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

03:11:27 Chairman Jopek (Rep. Getz gave up his right to close)

HEARING ON HB 482**Opening Statement by Sponsor:**

03:13:07 Rep. David Howard (R), HD 60, opened the hearing on HB 482, State assistance for economic damage caused by brucellosis.

EXHIBIT (agh37a12)

Proponents' Testimony:

03:19:30 Rep. Jeff Welborn, HD 72

03:19:57 Maureen Davy, Commissioner, Stillwater County; Montana Association of Counties Agriculture Committee; Beartooth Stock Association

03:23:03 Less Graham, Montana Association of Livestock Auction Markets; Montana Farm Bureau; Montana Farmers Union

EXHIBIT (agh37a13)

03:26:30 Susy Bohleen, Self

03:28:05 Bruce Malcolm, Self

03:37:50 Rep. Bob Wagner, HD 71

03:38:35 Tim Ravndal, Board of Directors, Montana Multiple Use Association

03:39:18 Rep. Ed Butcher, HD 29

03:40:22 Errol Rice, Executive Vice President, Montana Stockgrowers Association

03:41:28 Nancy Schlepp, Montana Farm Bureau Federation

Opponents' Testimony:

03:42:34 Christian MacKay, Executive Officer, Montana Board of Livestock

EXHIBIT (agh37a14)

Informational Testimony: None

Questions from Committee Members and Responses:

03:51:46 Rep. Hoven

03:52:04 Mr. MacKay

03:53:02 Rep. Warburton

03:53:29 Mr. MacKay

03:53:48 Rep. Warburton

03:54:28 Rep. Butcher

03:55:58 Rep. French

03:56:33 Mr. MacKay
03:58:04 Rep. French
03:58:28 Mr. MacKay
03:59:32 Rep. Warburton
04:00:11 Mr. Rice
04:01:34 Rep. Warburton
04:01:39 Mr. Rice
04:01:43 Chairman Jopek
04:01:50 Rep. Randall
04:02:05 Mr. MacKay
04:02:36 Chairman Jopek

Closing by Sponsor:

04:02:47 Rep. Howard
04:04:07 Chairman Jopek
04:04:40 Committee takes a break.
04:11:15 Committee reconvenes.

HEARING ON HB 575

Opening Statement by Sponsor:

04:12:46 Rep. Bill McChesney (D), HD 40, opened the hearing on
HB 575, Revise water laws relating to coal bed methane.

Proponents' Testimony:

04:17:31 Sen. Keith Bales, SD 20
04:20:19 Bruce Williams, Fidelity Exploration and Production
Company
EXHIBIT (agh37a15)
04:21:47 Dustin Shaw, Self
EXHIBIT (agh37a16)
04:25:32 Mark Moreland, Self
04:28:37 Todd O'Hair, Rio Tinto Energy America Services Company
EXHIBIT (agh37a17)
04:32:08 Willy Duffield, Montana Association of Oil, Gas, and
Coal Producing Counties
04:32:31 Bernard Crane, Vice President, Citizens for Resource
Development
04:33:16 Mike Murphy, Montana Water Resources Association
04:33:35 John Youngberg, Montana Farm Bureau
04:34:02 Dave Galt, Executive Director, Montana Petroleum
Association
04:34:15 Tom Ebzery, Saint Mary Land and Exploration
04:34:44 Jay Bodner, Montana Stockgrowers Association
04:35:26 Gail Abercrombie, Secretary, Montanans for Responsible
Energy Development

04:35:57 Don Allen, Western Environmental Trade Association
04:36:11 Tim Ravndal, Montana Multiple Use Association

Opponents' Testimony:

04:36:55 Brenda Lindlief-Hall, Attorney, Tongue River Water Users Association

EXHIBIT (agh37a18)

04:40:10 Mark Fix, Chair, Northern Plains Research Council
Coalbed Methane Task Force
04:43:49 Clint McRae, Rocker Six Cattle Company
04:47:39 Art Hays Jr., President, Brown Cattle Company;
President, Tongue River Water Users Association
04:50:25 Roger Muggli, Self
04:55:02 Late Sikorski, Self
04:55:15 Jerry Iverson, Self
04:55:45 Jim Jensen, Executive Director, Montana Environmental
Information Center
04:55:59 Ms. Lindlief-Hall, Representing Mike Cannon

Informational Testimony:

04:57:20 John Tubbs, Administrator, Water Resources, Department
of Natural Resources and Conservation
04:58:25 Tom Richmond, Administrator and Petroleum Engineer,
Board of Oil and Gas Conservation

Questions from Committee Members and Responses:

04:59:02 Rep. Wagner
04:59:32 Mr. Galt
04:59:39 Rep. Wagner
04:59:46 Chairman Jopek
04:59:55 Mr. Williams
05:00:57 Rep. Wagner
05:01:55 Mr. Williams
05:02:23 Rep. Kerns
05:02:45 Mr. Williams
05:02:49 Rep. Kerns
05:03:16 Mr. Muggli
05:04:04 Chairman Jopek
05:04:13 Rep. French
05:04:29 Mr. Williams
05:04:35 Rep. French
05:04:42 Mr. Williams
05:05:00 Rep. French
05:05:03 Chairman Jopek
05:05:17 Rep. Dickenson
05:05:43 Ms. Lindlief-Hall

05:06:48 Rep. Dickenson
05:07:17 Mr. Williams
05:08:14 Rep. MacDonald
05:09:09 Ms. Lindlief-Hall
05:10:02 Rep. Butcher
05:11:18 Mr. Muggli
05:12:19 Rep. Butcher
05:12:34 Mr. Muggli
05:13:39 Rep. Furey
05:14:16 Mr. Williams
05:15:35 Rep. Furey
05:16:16 Ms. Lindlief-Hall
05:16:33 Chairman Jopek
05:16:48 Mr. Hays Jr.
05:18:37 Rep. Bean
05:19:01 Mr. Fix
05:19:22 Rep. Bean
05:19:31 Mr. Fix
05:20:00 Rep. Taylor
05:20:20 Rep. McChesney
05:20:37 Rep. Taylor
05:20:53 Rep. McChesney
05:21:15 Rep. Hoven
05:21:32 Mr. Williams
05:22:10 Chairman Jopek
05:22:17 Rep. Fleming
05:22:55 Mr. McRae
05:24:25 Rep. Fleming
05:24:32 Mr. McRae
05:25:18 Chairman Jopek
05:25:38 Rep. Caferro
05:25:56 Mr. Jensen
05:26:51 Rep. Caferro
05:27:09 Mr. Jensen
05:27:15 Rep. Caferro
05:27:25 Ms. Lindlief-Hall
05:28:24 Rep. Caferro
05:28:30 Chairman Jopek
05:28:55 Rep. French
05:29:36 Mr. Tubbs
05:30:58 Rep. French
05:31:04 Chairman Jopek
05:31:13 Rep. Wagner
05:32:40 Mr. Williams
05:33:34 Rep. Butcher
05:35:06 Mr. Williams
05:36:09 Rep. MacDonald
05:36:56 Mr. Fix
05:38:03 Rep. Hoven
05:39:07 Ms. Lindlief-Hall

05:40:15 Chairman Jopek
05:40:23 Rep. Caferro
05:40:52 Mr. Fix
05:42:43 Chairman Jopek

Closing by Sponsor:

05:43:15 Rep. McChesney
05:48:49 Chairman Jopek

ADJOURNMENT

05:51:26 Adjournment: 9:05 P.M.

Marshall McEwen, Secretary

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Additional Exhibits:

- EXHIBIT (agh37a19)** Letter from Gloria LaMott pertaining to HB 548
- EXHIBIT (agh37a20)** Letter from John Scheuering supporting HB 548
- EXHIBIT (agh37a21)** Letter from Judie Lucas opposing HB 548
- EXHIBIT (agh37a22)** Letter from Donna Hollingsworth opposing HB 548
- EXHIBIT (agh37a23)** Letter from Liz Swearingen opposing HB 548
- EXHIBIT (agh37a24)** Letter from Peggy Atchley opposing HB 548
- EXHIBIT (agh37a25)** Letter from Don Moradian opposing HB 548
- EXHIBIT (agh37a26)** Letter from Clu Carradine opposing HB 548
- EXHIBIT (agh37a27)** Letter opposing HB 548
- EXHIBIT (agh37a28)** Letter from Tina Grant opposing HB 548
- EXHIBIT (agh37a29)** Letter from Beth Kingdon opposing HB 548
- EXHIBIT (agh37a30)** Letter from Judie Lucas opposing HB 548
- EXHIBIT (agh37a31)** Letter from Tamiko Lynch opposing HB 548
- EXHIBIT (agh37a32)** Letter from Linda Kitzman opposing HB 548
- EXHIBIT (agh37a33)** Letter from Susan Farrell opposing HB 548
- EXHIBIT (agh37a34)** Letter from Donald Black opposing HB 548
- EXHIBIT (agh37a35)** Letter from Samoyed Club of America opposing HB 548
- EXHIBIT (agh37a36)** Letter pertaining to HB 445 from Rep. Betsy Hands
- EXHIBIT (agh37a37)** Letter from The S.A.V.E. Foundation supporting HB 415

Additional Documents:

EXHIBIT (agh37aad.pdf)