

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON AGRICULTURE, LIVESTOCK AND IRRIGATION

Call to Order: Chairman Donald J. Steinbeisser, on March 17, 2009
at 3:00 P.M., in Room 317-A Capitol

ROLL CALL

Members Present:

Sen. Donald J. Steinbeisser, Chairman (R)
Sen. Terry Murphy, Vice Chairman (R)
Sen. Taylor Brown (R)
Sen. Bradley Hamlett (D)
Sen. Ken (Kim) Hansen (D)
Sen. Verdell Jackson (R)
Sen. Rick Ripley (R)

Members Excused:

Sen. Gary Branae (D)
Sen. Cliff Larsen (D)

Members Absent: None

Staff Present: Joan Linkenbach, Committee Secretary
Rachel Weiss, 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 & Date Posted: HB 445, 3/6/2009

Executive Action: HB 418

HEARING ON HB 445

Opening Statement by Sponsor:

00:01:28 Rep. Betsy Hands (D), HD 99, opened the hearing on HB 445, Farmer protection bill--patented plants.

Proponents' Testimony:

00:13:05 Bob Quinn, Big Sandy
EXHIBIT(ags59a01)

00:18:26 Kristina Hubbard
EXHIBIT(ags59a02)

00:23:19 Arlo Skari, Chester
EXHIBIT(ags59a03)

00:27:21 Ole Norgaard, Chairman, Montana Organic Association
EXHIBIT(ags59a04)

00:30:59 Dave Turner
00:32:35 Chuck Merja
EXHIBIT(ags59a05)

00:37:56 Wes Henthorne
EXHIBIT(ags59a06)

00:39:50 Nathan Merrill
00:40:33 Erik Somerfeld, Montana Farmers Union
EXHIBIT(ags59a07)

00:42:29 Dolores Turner, Golden Triangle Area
EXHIBIT(ags59a08)

00:45:57 Greg Matteson, Shelby
00:47:21 Katie Knight, Alternative Energy Research Organization
(AERO)
EXHIBIT(ags59a09)

00:50:42 Chris Stephens, Dutton
EXHIBIT(ags59a10)

00:52:37 Jonda Crosby, Executive Director, AERO
EXHIBIT(ags59a11)

00:54:34 Rep. Jopek, HD 4

00:57:12 Chris Christiaens, Montana Farmer's Union (MFU)

[EXHIBIT](#)(ags59a12)

00:59:31 Julia Page, Northern Plains Resource Council

[EXHIBIT](#)(ags59a13)

Opponents' Testimony:

01:00:49 Bing Von Bergen, President, Montana Grain Growers
Association (MGGA)

01:05:04 Sen. Bruce Tutvedt, SD 3

01:06:45 Keven Bradley, Vice President, MGGA

[EXHIBIT](#)(ags59a14)

01:10:05 John McDonnell, Montana Seed Trade

01:10:59 Greg Lackman, Beet Growers

01:12:02 Allan Skogen, eastern North Dakota

[EXHIBIT](#)(ags59a15)

01:17:04 Will Roehm, MGGA

01:19:22 Nancy Schlepp, Montana Farm Bureau

01:21:44 Douglas Jones, Idaho, Growers for Biotechnology (GFB)

[EXHIBIT](#)(ags59a16)

01:30:27 J.D. Lynch, Biotechnology Industry Organization

[EXHIBIT](#)(ags59a17)

01:33:34 Errol Rice, Acting Executive Director, Montana
Stockgrowers Association

01:35:52 Arleen Rice, Montana Agriculture Business Association

01:38:59 Dan Biggerstaff, West Bred LLC (WBLLC)

[EXHIBIT](#)(ags59a18)

01:42:59 Pam Langley Patrick, MABA

Informational Testimony:

01:49:32 Cort Jensen, Attorney, Montana Department of
Agriculture (DOA)

Questions from Committee Members and Responses:

01:51:33 Sen. Hansen

01:52:02 Rep. Hands

01:52:31 Brent Sarchet, DOA

01:53:12 Sen. Hansen

01:53:58 Rep. Hands

01:54:16 Sen. Hansen

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01:54:47 Rep. Hands
 01:54:56 Sen. Hansen
 01:55:04 Rep. Hands
 01:55:53 Sen. Hansen
 01:56:29 Ms. Turner
 01:57:23 Sen. Hansen
 01:57:47 Ms. Turner
 01:57:53 Sen. Hansen
 01:58:10 Sen. Murphy
 01:58:57 Mr. Biggerstaff, WBLLC
 01:59:16 Sen. Murphy
 01:59:33 Mr. Biggerstaff, WBLLC
 02:00:32 Sen. Murphy
 02:00:41 Mr. Biggerstaff, WBLLC
 02:01:23 Sen. Murphy
 02:01:50 Mr. Skogen
 02:02:17 Sen. Larsen
 02:02:37 Rep. Hands
 02:04:42 Sen. Larsen
 02:05:17 Rep. Hands
 02:05:49 Sen. Larsen
 02:06:27 Rep. Hands
 02:06:51 Sen. Larsen
 02:07:29 Mr. Jensen, DOA
 02:09:37 Sen. Brown
 02:10:00 Mr. Skogen
 02:10:46 Sen. Brown
 02:11:01 Mr. Skogen
 02:11:24 Sen. Brown
 02:11:46 Mr. Skogen
 02:12:24 Sen. Brown
 02:12:59 Mr. Sarchet, DOA
 02:13:34 Sen. Brown
 02:13:55 Mr. Sarchet, DOA
 02:14:41 Sen. Brown
 02:15:05 Mr. Sarchet, DOA
 02:15:28 Sen. Brown
 02:15:33 Mr. Jensen, DOA
 02:16:15 Sen. Brown
 02:16:19 Mr. Jensen, DOA
 02:16:32 Sen. Brown
 02:17:13 Ms. Hubbard
 02:17:49 Sen. Brown
 02:18:09 Ms. Hubbard
 02:19:28 Sen. Brown
 02:19:34 Ms. Hubbard
 02:19:46 Sen. Brown
 02:19:51 Ms. Hubbard
 02:20:03 Sen. Brown
 02:20:42 Mr. Quinn

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02:21:54 Sen. Brown
02:22:19 Mr. Quinn
02:22:50 Sen. Ripley
02:23:34 Mr. Jensen, DOA
02:24:07 Sen. Ripley
02:24:14 Mr. Jensen, DOA
02:24:27 Sen. Ripley
02:24:45 Mr. Merja
02:25:09 Sen. Ripley
02:25:26 Mr. Merja
02:26:34 Sen. Ripley
02:26:47 Mr. Merja
02:27:17 Sen. Ripley
02:27:37 Mr. Christiaens, MFU
02:28:15 Sen. Ripley
02:28:19 Mr. Christiaens, MFU
02:28:29 Chairman Steinbeisser
02:28:54 Rep. Hands
02:30:18 Sen. Jackson
02:31:46 Mr. Jensen, DOA
02:33:32 Sen. Jackson
02:34:08 Mr. Jensen, DOA
02:34:40 Sen. Ripley
02:35:02 Mr. Jones, GFB
02:35:24 Sen. Brown
02:36:13 Mr. Jones, GFB
02:39:21 Sen. Hamlett
02:39:56 Mr. Jensen, DOA
02:41:18 Sen. Hamlett
02:41:45 Mr. Von Bergen, MGGA
02:42:10 Sen. Hamlett
02:42:19 Mr. Von Bergen, MGGA
02:42:38 Sen. Hamlett
02:42:42 Mr. Von Bergen, MGGA
02:42:48 Sen. Hamlett
02:42:56 Mr. Von Bergen, MGGA
02:43:01 Sen. Hamlett
02:43:04 Mr. Von Bergen, MGGA
02:43:55 Sen. Hamlett
02:44:14 Mr. Von Bergen, MGGA
02:45:04 Sen. Hamlett
02:45:46 Mr. Merja
02:45:54 Sen. Hamlett
02:45:57 Mr. Merja
02:46:39 Sen. Hamlett
02:46:49 Mr. Merja
02:46:58 Sen. Hamlett
02:47:36 Mr. Jones, GFB
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02:49:24 Mr. Jones, GFB

02:50:46 Sen. Hamlett
02:51:15 Mr. Jones, GFB
02:52:09 Sen. Hamlett
02:52:21 Mr. Jones, GFB

Closing by Sponsor:

02:53:46 Rep. Hands

03:02:48 Chairman Steinbeisser
03:03:29 Recess
03:13:14 Reconvene

EXECUTIVE ACTION ON HB 418

03:13:34 **Motion:** Sen. Murphy moved that **HB 418 BE CONCURRED IN.**

Discussion:

03:14:15 Sen. Ripley

Without objection:

03:14:53 Todd Everts, Legislative Environmental Analyst and
Staff for House Agriculture Committee, Legislative
Services Division (LSD)
03:16:20 Sen. Ripley
03:16:41 Rachel Weiss, LSD
03:16:52 Mr. Everts, LSD
03:17:56 Sen. Ripley
03:18:02 Sen. Larsen
03:18:34 Mr. Everts, LSD
03:19:39 Sen. Larsen
03:19:47 Mr. Everts, LSD
03:19:56 Sen. Larsen
03:20:07 Sen. Hamlett
03:20:30 Chairman Steinbeisser
03:20:37 Mr. Everts, LSD
03:21:00 Sen. Hamlett
03:21:12 Mr. Everts, LSD
03:21:34 Sen. Murphy
03:23:07 Chairman Steinbeisser
03:23:30 Sen. Ripley
03:24:09 Sen. Jackson
03:28:44 Sen. Branae
03:29:31 Sen. Brown
03:32:06 Sen. Larsen

03:33:00 **Vote:** Motion carried 7-2 by roll call vote with Sen. Branae and Sen. Larsen voting no. Sen. Zinke will carry the bill in the Senate.

03:34:18 Chairman Steinbeisser

ADJOURNMENT

Adjournment: 6:35 P.M.

Joan Linkenbach, Secretary

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Additional Exhibits:

[EXHIBIT \(ags59a19\)](#)

[EXHIBIT \(ags59a20\)](#)

Additional Documents:

[EXHIBIT \(ags59aad.pdf\)](#)