

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON AGRICULTURE, LIVESTOCK AND IRRIGATION

Call to Order: Chair Donald J. Steinbeisser, on February 15, 2011 at 3:00 PM, in Room 335 Capitol

ROLL CALL

Members Present:

Sen. Donald J. Steinbeisser, Chairman (R)
Sen. Gary Branae (D)
Sen. Bob Hawks (D)
Sen. Cliff Larsen (D)
Sen. Frederick (Eric) Moore (R)
Sen. Terry Murphy (R)

Members Excused:

Sen. Taylor Brown, Vice Chairman (R)
Sen. Rowlie Hutton (R)
Sen. Rick Ripley (R)
Sen. Sharon Stewart-Peregoy (D)
Sen. Jonathan Windy Boy (D)

Members Absent: None

Staff Present: Prudence Gildroy, Committee Secretary
Sue O'Connell, 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: SB 300, 2/11/2011; SB 296, 2/11/2011; HJ 4, 2/11/2011

Executive Action: SB 207; SB 277; SB 237; SB 296; HJ4

HEARING ON SB 300

Opening Statement by Sponsor:

00:01:12 Sen. Bradley Hamlett (D), SD 10, opened the hearing on SB 300, Revise wheat and barley committee selection of directors.

Proponents' Testimony:

00:04:03 Gordon Stoner, President, Montana Grain Growers Association (MGGA)
00:09:34 Knud Grosen, MGGA and representing himself
00:11:23 Brian Eggebrecht, MGGA
00:12:40 Nicole Rolf, Montana Farm Bureau Federation (MFBF)

Opponents' Testimony:

00:13:46 Cort Jensen, Attorney, Department of Agriculture (AGS)
00:19:26 Kim Falcon, Montana Wheat and Barley Committee
00:23:05 Leonard Schock, Montana Wheat and Barley Committee
00:26:38 Chris Kolstad, Montana Wheat and Barley Committee
00:27:38 Olf Norgaard, Organic Farmer
00:28:43 Chris Christiaens, Montana Farmers Union
00:32:17 Bob Stevens, representing himself

Informational Testimony:

None

Questions from Committee Members and Responses:

00:36:43 Sen. Brown
00:37:16 Mr. Stoner, MGGA
00:37:46 Sen. Brown
00:38:11 Mr. Stoner
00:39:20 Sen. Hawks
00:40:10 Mr. Schock
00:40:49 Sen. Hawks
00:41:06 Mr. Schock
00:41:18 Sen. Brown
00:42:08 Mr. Schock
00:42:52 Sen. Moore
00:43:22 Mr. Stoner
00:44:13 Sen. Moore
00:44:46 Mr. Stoner
00:44:55 Chairman Steinbeisser
00:45:06 Mr. Stoner
00:45:48 Sen. Moore
00:46:06 Ms. Rolf, MFBF
00:46:55 Sen. Moore

00:46:58 Mr. Christiaens, Montana Farmers Union

Closing by Sponsor:

00:47:37 Sen. Hamlett

[EXHIBIT](#)(ags37a01)

HEARING ON SB 296

Opening Statement by Sponsor:

00:56:41 Sen. Bruce Tutvedt (R), SD 3, opened the hearing on SB 296, Increase penalty for each violation of dept. of ag quarantine.

Proponents' Testimony:

None

Opponents' Testimony:

None

Informational Testimony:

00:59:17 Cort Jensen, Department of Agriculture (AGS)

Questions from Committee Members and Responses:

01:01:17 Sen. Brown
01:01:38 Mr. Jensen, AGS
01:03:45 Sen. Brown
01:05:10 Mr. Jensen
01:06:28 Sen. Brown
01:06:52 Sen. Tutvedt
01:07:41 Sen. Brown
01:08:22 Sen. Tutvedt
01:09:29 Sen. Steinbeisser
01:10:08 Sen. Tutvedt
01:10:28 Sen. Steinbeisser
01:10:40 Sen. Tutvedt

Closing by Sponsor:

01:10:57 Sen. Tutvedt

HEARING ON HJ 4

Opening Statement by Sponsor:

01:11:41 Rep. Ken Peterson (R), HD 46, opened the hearing on HJ 4, Resolution opposing designation of national monuments without state's consent.

Proponents' Testimony:

01:19:59 Ariel Overstreet, Montana Stockgrowers Association and Montana Cattle Women, Inc.

01:22:28 Nicole Rolf, Montana Farm Bureau Federation

01:26:20 Lilya McAlister, representing herself

EXHIBIT(ags37a02)

01:28:08 Aeris Reilly, Montana Farmers Union

01:29:24 Niki Sardot

01:30:09 Sheryl Wood, Montana Association of Counties (MACo)

01:30:56 William Biernat, Executive Director, Montanans in Action

01:32:25 Judy Kline

Opponents' Testimony:

01:33:29 Janelle Holden, The Wilderness Society

01:36:44 Mark Good, Montana Wilderness Association

EXHIBIT(ags37a03)

EXHIBIT(ags37a04)

01:42:34 Dyrck Van Hyning, Great Falls

EXHIBIT(ags37a05)

Informational Testimony:

01:50:36 Clarence Getz

Questions from the Committee:

01:51:48 Sen. Ripley

01:52:28 Ms. Holden

01:53:04 Sen. Ripley

01:53:18 Ms. Holden

Closing by Sponsor:

01:54:13 Rep. Peterson

01:59:01 Recess

02:04:44 Reconvene

Sen. Hawks, Sen. Ripley and Sen. Windy Boy not present

EXECUTIVE ACTION ON SB 207

02:05:30 **Motion:** Sen. Moore moved that **SB 207 DO PASS.**

02:05:37 **Motion:** Sen. Brown moved that **SB 207 BE AMENDED.**
EXHIBIT(ags37a06)

Discussion:

02:05:56 Sen. Brown
02:09:53 Sen. Larsen
02:10:03 Sen. Brown
02:10:16 Sue O'Connell, Legislative Services Division (LFD)

02:10:40 **Vote:** Motion carried unanimously by voice vote of those present and voting.

02:10:54 **Motion:** Sen. Moore moved that **SB 207 DO PASS AS AMENDED.**

Discussion:

02:11:15 Sen. Stewart-Peregoy
02:13:09 Sen. Brown
02:13:25 Sen. Stewart-Peregoy
02:13:49 Sen. Brown
02:13:55 Ms. O'Connell, LSD
02:14:08 Sen. Stewart-Peregoy

02:14:24 **Vote:** Motion carried 9-2 by roll call vote with Sen. Stewart-Peregoy and Sen. Windy Boy voting no. Sen. Hawks, Sen. Ripley and Sen. Windy Boy voted by proxy.

02:16:22 Ms. O'Connell
02:16:28 Sen. Stewart Peregoy

EXECUTIVE ACTION ON SB 277

02:16:45 **Motion:** Sen. Moore moved that **SB 277 DO PASS.**

02:17:20 **Motion:** Sen. Moore moved that **SB 277 BE AMENDED.**
EXHIBIT(ags37a07)

Discussion:

02:17:55 Sen. Brown
02:18:22 Sen. Moore
02:18:32 Ms. O'Connell
02:19:02 Sen. Brown
02:19:32 Sen. Moore

02:19:46 Sen. Brown
02:20:25 Sen. Moore
02:20:48 Sen. Steinbeisser
02:21:01 Sen. Moore

02:21:50 **Vote:** Motion carried unanimously by voice vote of those present and voting.

02:21:55 **Motion:** Sen. Moore moved that **SB 277 DO PASS AS AMENDED.**

Discussion:

02:22:04 Sen. Moore
02:22:54 Sen. Brown
02:23:38 Christian Mackay, Executive Officer, Board of Livestock
02:24:38 Sen. Brown

02:24:52 **Vote:** Motion carried unanimously by roll call vote. Sen. Hawks, Sen. Ripley and Sen. Windy Boy voted by proxy.

EXECUTIVE ACTION ON SB 237

02:26:00 **Motion:** Sen. Moore moved that **SB 237 DO PASS.**

02:26:24 **Motion:** Sen. Moore moved that **SB 237 BE AMENDED.**
EXHIBIT(ags37a08)

Discussion:

02:26:35 Sue O'Connell, Legislative Services Division (LSD)
02:27:41 Sen. Moore

02:28:28 **Vote:** Motion carried unanimously by voice vote of those present and voting.

02:28:40 **Motion:** Sen. Moore moved that **SB 237 DO PASS AS AMENDED.**

Discussion:

02:28:50 Sen. Brown
02:30:01 Sen. Steinbeisser
02:30:19 Sen. Branae
02:30:34 Sen. Moore
02:31:08 Sen. Larsen
02:32:06 Sen. Steinbeisser
02:32:16 Sen. Brown
02:33:00 Sen. Stewart-Peregoy

02:33:39 **Vote:** Motion carried 6-5 by roll call vote with Sen. Branae, Sen. Hawks, Sen. Murphy, Sen. Stewart-Peregoy and Sen. Windy Boy voting no. Sen. Hawks, Sen. Ripley and Sen. Windy Boy voted by proxy.

EXECUTIVE ACTION ON SB 296

02:35:44 **Motion:** Sen. Murphy moved that **SB 296 DO PASS.**

Discussion:

02:36:01 Sen. Steinbeisser

02:36:06 Sen. Murphy

02:36:26 Sen. Moore

02:36:48 **Vote:** Motion carried unanimously by voice vote. Sen. Ripley voted by proxy.
Sen. Hawks and Sen. Windy Boy were excused.

EXECUTIVE ACTION ON HJ 4

02:37:28 **Motion:** Sen. Moore moved that **HJ 4 BE CONCURRED IN.**

Discussion:

02:37:41 Sen. Branae

02:38:21 Sen. Moore

02:38:49 Sen. Larsen

02:39:43 Sen. Stewart-Peregoy

02:41:30 Sen. Steinbeisser

02:41:43 Sen. Hutton

02:42:23 **Vote:** Motion carried 7-4 by voice vote with Sen. Branae, Sen. Hawks, Sen.
Stewart-Peregoy and Sen. Windy Boy voting no. Sen. Brown, Sen. Hawks and
Sen. Windy Boy voted by proxy.

Additional Exhibits:

[EXHIBIT\(ags37a09\)](#)

Written testimony on SB 300

[EXHIBIT\(ags37a10\)](#)

Information on SB 237 from Ken McDonald, Montana Fish, Wildlife and Parks

[EXHIBIT\(ags37a11\)](#)

Information on SB 277 from Christian Mackay, Executive Officer, Montana Board of Livestock

ADJOURNMENT

Adjournment:

Prudence Gildroy, Secretary

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Additional Documents:

EXHIBIT([ags37aad.pdf](#))