

## MINUTES

### MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON AGRICULTURE, LIVESTOCK AND IRRIGATION

**Call to Order:** Chair Donald J. Steinbeisser, on March 22, 2011 at 3:00 PM, in Room 335 Capitol

#### ROLL CALL

**Members Present:**

Sen. Donald J. Steinbeisser, Chair (R)  
Sen. Taylor Brown, Vice Chair (R)  
Sen. Gary Branae (D)  
Sen. Bob Hawks (D)  
Sen. Rowlie Hutton (R)  
Sen. Cliff Larsen (D)  
Sen. Frederick (Eric) Moore (R)  
Sen. Terry Murphy (R)  
Sen. Rick Ripley (R)  
Sen. Sharon Stewart-Peregoy (D)  
Sen. Jonathan Windy Boy (D)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Rinay Bender, Committee Secretary  
Megan Moore, Legislative Services Division (LSD)

**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 405, 3/17/2011

Executive Action on HB 166, HB 309, HB 318, HB 430 and HB 498

**HEARING ON SB 405**

**Opening Statement by Sponsor:**

00:00:36 Sen. Anders Blewett (D), SD 11, opened the hearing on SB 405, Revise stream access law.

[EXHIBIT\(ags64a01\)](#)

[EXHIBIT\(ags64a02\)](#)

00:15:44 Sen. Ripley

00:16:00 Sen. Blewett

**Proponents' Testimony:**

00:16:18 Larry Copenhaver, Conservation Director for Local Issues, Montana Wildlife Federation (MWF)

00:18:25 Mark Lambrecht, Lobbyist, testifying for himself

**Opponents' Testimony:**

00:20:21 John Youngberg, Montana Farm Bureau Federation (MFBF)

00:23:32 Krista Lee Evans, Association of Gallatin Agricultural Irrigators (AGAI)

[EXHIBIT\(ags64a03\)](#)

00:26:46 Jay Bodner, Montana Stockgrowers Association (MSGA)

00:28:29 Mike Murphy, Montana Water Resources Association (MWRA)

00:30:18 Bob Lane, Chief Legal Counsel, Montana Department of Fish, Wildlife and Parks (FWP)

[EXHIBIT\(ags64a04\)](#)

00:37:42 Carol Lambert, Women Involved in Farm Economics (WIFE)

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

00:38:40 Sen. Windy Boy

00:38:57 Mr. Copenhaver, MWF

00:39:24 Sen. Moore

00:39:46 Sen. Blewett

00:40:43 Sen. Steinbeisser

00:40:58 Sen. Blewett

**Closing by Sponsor:**

00:42:15 Sen. Blewett

**DISCUSSION ON GOVERNOR'S APPOINTMENTS**

00:45:46 Sen. Steinbeisser  
00:46:17 Sen. Murphy  
00:46:58 Sen. Steinbeisser

**EXECUTIVE ACTION ON HB 166**

00:48:03 **Motion:** Sen. Windy Boy moved that **HB 166 BE CONCURRED IN.**

**Discussion:**

00:48:31 Megan Moore, Legislative Services Division (LSD)

00:48:50 **Motion:** Sen. Moore moved that **HB 166 BE AMENDED .**

**Discussion:**

00:49:37 Ms. Moore, LSD

00:50:00 **Vote:** Motion carried unanimously by voice vote. Sen. Moore will carry the bill.

00:50:14 **Motion:** Sen. Windy Boy moved that **HB 166 BE CONCURRED IN AS AMENDED.**

**Discussion:**

00:50:30 Windy Boy  
00:50:57 Ms. Moore, LSD  
00:52:10 Sen. Steinbeisser

00:52:28 **Vote:** Motion carried unanimously by voice vote. Sen. Moore will carry the bill.

**EXECUTIVE ACTION ON HB 309**

00:53:10 **Motion:** Sen. Windy Boy moved that **HB 309 BE CONCURRED IN.**

00:53:59 **Motion:** Sen. Brown moved that **HB 309 BE CONCURRED IN AS AMENDED.**

**Discussion:**

00:54:27 Sen. Brown  
**EXHIBIT(ags64a05)**  
01:02:08 Sen. Windy Boy  
01:02:27 Sen. Brown  
01:03:03 Sen. Windy Boy  
01:03:18 Ms. Moore, LSD  
01:03:48 Sen. Windy Boy  
01:03:59 Sen. Brown  
01:04:17 Sen. Moore

01:05:28 Sen. Stewart-Peregoy  
 01:06:02 Sen. Brown  
 01:06:42 Rep. Welborn  
 01:07:17 Sen. Brown  
 01:07:20 Sen. Ripley and Sen. Larsen left the meeting.  
 01:07:22 Sen. Stewart-Peregoy  
 01:07:35 Rep. Welborn  
 01:07:54 Sen. Stewart-Peregoy  
 01:08:04 Sen. Brown  
 01:08:26 Rep. Welborn  
 01:08:53 Sen. Hawks  
 01:09:30 Sen. Steinbeisser  
 01:09:35 Sen. Windy Boy  
 01:10:05 Mark Aagenes, Montana Trout Unlimited (MTU)  
 01:11:34 Sen. Moore  
 01:11:59 Sen. Brown  
 01:12:35 Mr. Aagenes, MTU

01:12:49 **Motion/Vote:** Sen. Brown moved that **HB 309 BE TABLED**. Motion carried 8-3 by roll call vote with Sen. Moore, Sen. Ripley and Sen. Steinbeisser voting no. Sen. Larsen and Sen. Ripley voted by proxy.

**EXECUTIVE ACTION ON HB 318**

01:15:28 **Motion:** Sen. Brown moved that **HB 318 BE CONCURRED IN**.

**Discussion:**

01:15:52 Sen. Brown  
**EXHIBIT(ags64a06)**  
 01:18:43 Sen. Hawks  
 01:20:16 Sen. Windy Boy  
 01:22:40 Sen. Brown  
 01:24:11 Sen. Stewart-Peregoy  
 01:26:54 Sen. Steinbeisser  
 01:27:14 Sen. Branae

01:28:04 **Vote:** Motion carried 6-5 by roll call vote with Sen. Branae, Sen. Hawks, Sen. Larsen, Sen. Stewart-Peregoy and Sen. Windy Boy voting no. Sen. Larsen and Sen. Ripley voted by proxy. Sen. Brown will carry the bill.

01:29:56 Sen. Murphy  
 01:30:38 Sen. Moore

**EXECUTIVE ACTION ON HB 430**

01:31:41 **Motion:** Sen. Hutton moved that **HB 430 BE CONCURRED IN**.

**Discussion:**

01:32:00 Sen. Hawks

01:32:46 **Vote:** Motion carried 10-1 by voice vote with Sen. Windy Boy voting no. Sen. Larsen and Sen. Ripley voted by proxy. Sen. Hawks will carry the bill.

**EXECUTIVE ACTION ON HB 498**

01:33:51 **Motion:** Sen. Moore moved that **HB 498 BE CONCURRED IN.**

**Discussion:**

01:34:10 Sen. Brown

01:34:54 Mr. Murphy, MWRA

01:35:59 **Vote:** Motion carried unanimously by voice vote. Sen. Larsen and Sen. Ripley voted by proxy. Sen. Steinbeisser will carry the bill.

01:36:47 Sen. Moore

01:37:57 Sen. Brown

**ADJOURNMENT**

01:38:28 Sen. Steinbeisser adjourned the meeting.

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Rinay Bender, Secretary

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**Additional Exhibits**

**[EXHIBIT\(ags64a07\)](#)**

Montana American Indian Caucus regarding HB 318.

Additional Documents:

**[EXHIBIT\(ags64aad.pdf\)](#)**