

MINUTES

MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON AGRICULTURE, LIVESTOCK AND IRRIGATION

Call to Order: Vice Chair Kenneth Bogner, on February 25, 2021 at 3:00 PM, in Room 335 Capitol

ROLL CALL

Members Present in the Committee Room:

Sen. Mike Lang, Chair (R)
Sen. Kenneth Bogner, Vice Chair (R)
Sen. Ellie Boldman (D)
Sen. Bruce Gillespie (R)
Sen. Brian Hoven (R)
Sen. Shannon O'Brien (D)
Sen. Ryan Osmundson (R)
Sen. Walt Sales (R)
Sen. Daniel R. Salomon (R)

Members Present by Zoom Video Conference:

Sen. Susan Webber, Vice Chair (D)
Sen. Janet Ellis (D)

Members Excused: None

Members Absent: None

Staff Present: Olivia Hopkins, Committee Secretary
Jason Mohr, Legislative Branch
Cole Monte, Remote Meeting Coordinator

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 295, 2/23/2021; SB 307, 2/23/2021; SB 326, 2/23/2021; SB 347, 2/23/2021; SB 359, 2/23/2021

Executive Action: SB 295, SB 307, SB 347, SB 359, SB 209, SB 270, SB 279, SJ 11

15:28:02 Chair Bogner

HEARING ON SB 359

Opening Statement by Sponsor:

15:28:20 Sen. Steve Hinebauch (R), SD 18, opened the hearing on SB 359, Allow gates on certain county roads.

15:29:05 Sen. Boldman entered the meeting.

Proponents' Testimony:

15:30:36 Jay Bodner, Montana Stockgrowers Association (MSGA)

15:33:08 Brandon Garoutte, rancher

Opponents' Testimony:

15:34:28 Colin Cooney, Trout Unlimited (TU)

15:34:46 Sen. O'Brien entered the meeting.

Informational Testimony: None

Questions from Committee Members and Responses:

15:36:49 Sen. Salomon

15:37:06 Mr. Bodner, MSGA

15:37:28 Sen. Ellis

15:38:29 Sen. Hinebauch

15:38:53 Sen. Ellis

15:39:24 Mr. Bodner

15:40:05 Sen. Ellis

15:41:15 Mr. Bodner

15:41:22 Sen. Ellis

15:42:32 Mr. Bodner

15:42:54 Sen. Sales

15:43:28 Mr. Bodner

15:43:59 Sen. Sales

15:44:29 Mr. Bodner

15:45:01 Sen. Sales

15:45:44 Mr. Bodner

15:46:06 Sen. Webber

15:46:50 Mr. Cooney, TU

15:47:58 Chair Bogner

15:48:16 Sen. Hinebauch

Closing by Sponsor:

15:49:09 Sen. Hinebauch

HEARING ON SB 295

Opening Statement by Sponsor:

15:51:31 Sen. Bruce Gillespie (R), SD 9, opened the hearing on SB 295, Revise livestock loss board hiring laws.

Proponents' Testimony:

15:56:01 Dave McEwen, Montana Wool Growers Association
[EXHIBIT\(ags40a01\)](#)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

15:58:36 Sen. Ellis
16:04:04 Sen. Gillespie
16:04:41 Sen. Webber
16:05:27 Sen. Gillespie
16:06:13 Sen. Ellis
16:07:16 Sen. Osmundson
16:08:30 Sen. Ellis
16:09:03 Sen. Osmundson
16:09:38 Sen. Ellis
16:09:50 Sen. Osmundson

Closing by Sponsor:

16:10:17 Sen. Gillespie

HEARING ON SB 347

Opening Statement by Sponsor:

16:11:11 Sen. Theresa Manzella (R), SD 44, opened the hearing on SB347, Revise laws related to equine and livestock dental services.

Proponents' Testimony:

16:15:10 Zach Rhodes, rancher

16:16:06 Sen. Hoven entered the meeting.

16:24:18 Cassie Richardson, equine dental technician

Opponents' Testimony:

16:31:22 Stuart Doggett, Montana Veterinary Medical Association
16:33:04 Dr. Jeanne Rankin, citizen
[EXHIBIT\(ags40a02\)](#)

16:41:35 Katie Rein, veterinarian, Harlowton
[EXHIBIT\(ags40a03\)](#)

16:46:44 Tia Nelson, veterinarian
16:48:36 Kyle Kelly, associate veterinarian
16:56:23 Matthew Wtazel, equine veterinarian

[EXHIBIT\(ags40a04\)](#)

17:00:01 Linda Kauffman, veterinarian

[EXHIBIT\(ags40a05\)](#)

17:02:15 Shawn Gleason, veterinarian

[EXHIBIT\(ags40a06\)](#)

Additional Testimony Received:

[EXHIBIT\(ags40a07\)](#)

Informational Testimony:

17:05:45 Jennifer Stalkamp, attorney, Board of Veterinary Medicine, Department of Labor and Industry

Questions from Committee Members and Responses:

17:06:18 Sen. Sales
17:06:48 Ms. Richardson, equine dental technician

17:07:22 Sen. Lang entered the meeting.

17:10:28 Sen. Sales
17:11:05 Ms. Richardson
17:11:55 Sen. Sales

Closing by Sponsor:

17:12:26 Sen. Manzella

17:20:05 Recess
17:36:14 Reconvene

HEARING ON SB 307

Opening Statement by Sponsor:

17:36:22 Sen. Mike Lang (R), SD 17, opened the hearing on SB307, Revise liability limits for irrigation operators.

Proponents' Testimony:

17:38:09 Mike Murphy, Montana Water Resources Association (MWRA)
17:40:12 Gary Wiens, Montana Electric Cooperatives' Association

[EXHIBIT\(ags40a08\)](#)

17:41:19 Mark Diehl, farmer, Helena Valley Irrigation Board
17:43:22 Holly Franz, NorthWestern Energy
17:43:52 Krista Lee Evans, Association of Gallatin Agricultural Irrigators
17:44:19 Jay Bodner, Montana Stockgrowers Association
17:44:37 Rachel Cone, Montana Farm Bureau Federation

17:45:07 Mitch Konen, Montana Grain Growers Association

17:45:50 John Crowley, Bitter Root Irrigation District

17:47:53 Erling Juel, Greenfields Irrigation District

EXHIBIT(ags40a09)

17:51:02 Cole Peebles, Pondera County Canal and Reservoir Company

EXHIBIT(ags40a10)

17:51:41 James Brower, Lower Yellowstone Irrigation Project

EXHIBIT(ags40a11)

17:55:03 William Fanning, East Bench Irrigation District

EXHIBIT(ags40a12)

Additional Testimony Received:

EXHIBIT(ags40a13)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

17:58:42 Sen. Ellis

17:59:38 Mr. Murphy, MWRA

17:59:56 Sen. Ellis

18:00:51 Sen. Lang

18:01:31 Mr. Murphy

18:01:55 Sen. Ellis

18:02:11 Mr. Murphy

18:02:21 Sen. Gillespie

18:03:02 Sen. Lang

18:03:23 Sen. Gillespie

18:03:27 Sen. Lang

Closing by Sponsor:

18:03:36 Sen. Lang

HEARING ON SB 326

Opening Statement by Sponsor:

18:04:07 Sen. Mike Lang (R), SD 17, opened the hearing on SB326, Provide for irrigation district improvements by resolution.

Proponents' Testimony:

18:07:07 Mike Murphy, Montana Water Resources Association (MWRA)

18:09:51 Scott Aspenlieder, Performance Engineering

18:14:00 John Crowley, Bitter Root Irrigation District

18:15:24 Mark Diehl, Helena Valley Irrigation District

18:16:37 Krista Lee Evans, Association of Gallatin Agricultural Irrigators

18:17:32 Jay Bodner, Montana Stockgrowers Association

18:17:56 Mitch Konen, Montana Grain Growers Association

18:19:34 Dan Semmens, citizen

EXHIBIT(ags40a14)

18:28:56 James Brower, Lower Yellowstone Irrigation Project

EXHIBIT(ags40a15)

18:30:27 Anna Miller, Department of Natural Resources and Conservation

EXHIBIT(ags40a16)

Additional Testimony Received:

EXHIBIT(ags40a17)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

18:31:14 Sen. Salomon

18:32:00 Mr. Murphy, MWRA

18:32:39 Sen. Salomon

18:33:25 Mr. Murphy

18:33:52 Sen. Salomon

18:34:03 Mr. Murphy

18:34:21 Mr. Semmens, citizen

18:35:17 Mr. Murphy

18:35:41 Sen. Hoven

18:36:06 Mr. Semmens

18:36:50 Mr. Aspenlieder, Performance Engineering

18:37:22 Sen. Hoven

18:37:41 Mr. Aspenlieder

18:38:35 Sen. Hoven

18:39:18 Mr. Aspenlieder

18:39:56 Sen. Webber

18:40:27 Sen. Lang

Closing by Sponsor:

18:40:49 Sen. Lang

18:41:32 Sen. Lang assumed the duties of the chair.

18:41:47 Chair. Lang

18:44:18 Jason Mohr, Legislative Service Division

18:44:34 Chair Lang

EXECUTIVE ACTION ON SB 295

18:45:50 **Motion:** Sen. Bogner moved that **SB 295 DO PASS.**

Discussion:

18:46:11 Sen. Ellis
18:47:59 Sen. Hoven

18:48:15 **Substitute Motion/Vote:** Sen. Hoven made a Substitute Motion that **SB 295 BE TABLED**. Substitute Motion carried 10-1 by voice vote with Sen. Gillespie voting no.

EXECUTIVE ACTION ON SB 307

18:48:54 **Motion:** Sen. Bogner moved that **SB 307 DO PASS**.

Discussion:

18:49:12 Sen. Boldman

18:49:46 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 347

18:50:06 **Motion:** Sen. Bogner moved that **SB 347 DO PASS**.

18:50:19 **Motion/Vote:** Sen. Bogner moved that **SB 347 BE AMENDED**. Motion carried unanimously by voice vote.

EXHIBIT(ags40a18)

18:51:00 **Motion:** Sen. Bogner moved that **SB 347 DO PASS AS AMENDED**.

Discussion:

18:51:23 Sen. Hoven
18:52:01 Sen. Salomon
18:52:19 Sen. Webber
18:52:59 Sen. Hoven

18:53:41 **Vote:** Motion failed 3-8 by roll call vote with Sen. Bogner, Sen. Gillespie and Sen. Hoven voting aye.

EXECUTIVE ACTION ON SB 359

18:54:54 **Motion:** Sen. Bogner moved that **SB 359 DO PASS**.

18:55:07 **Motion/Vote:** Sen. Bogner moved that **SB 359 BE AMENDED**. Motion carried unanimously by voice vote.

EXHIBIT(ags40a19)

18:56:03 **Motion:** Sen. Bogner moved that **SB 359 DO PASS AS AMENDED**.

Discussion:

18:56:15 Sen. Ellis
18:57:27 Sen. Webber

18:58:21 Sen. Gillespie
18:58:38 Sen. Sales
18:58:59 Sen. Hoven
18:59:19 Sen. Salomon

18:59:51 **Substitute Motion/Vote:** Sen. Salomon made a Substitute Motion that **SB 359 BE TABLED**. Substitute Motion carried 10-1 by voice vote with Sen. Salomon voting no.

EXECUTIVE ACTION ON SB 209

19:00:17 **Motion:** Sen. Bogner moved that **SB 209 DO PASS**.

19:00:31 **Substitute Motion/Vote:** Sen. Hoven made a Substitute Motion that **SB 209 BE TABLED**. Substitute Motion carried 7-4 by voice vote with Sen. Boldman, Sen. Ellis, Sen. O'Brien and Sen. Webber voting no.

EXECUTIVE ACTION ON SB 270

19:01:27 **Motion:** Sen. Bogner moved that **SB 270 DO PASS**.

19:01:45 **Motion:** Sen. Bogner moved that **SB 270 BE AMENDED**.
[EXHIBIT\(ags40a20\)](#)

Discussion:

19:02:03 Sen. Hoven

19:02:50 **Vote:** Motion carried unanimously by voice vote.

19:02:59 **Motion/Vote:** Sen. Bogner moved that **SB 270 DO PASS AS AMENDED**. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 279

19:03:28 **Motion:** Sen. Bogner moved that **SB 279 DO PASS**.

Discussion:

19:04:00 Sen. Ellis

19:04:26 **Substitute Motion/Vote:** Sen. Ellis made a Substitute Motion that **SB 279 BE TABLED**. Substitute Motion carried 8-3 by voice vote with Sen. Bogner, Sen. Boldman and Sen. Gillespie voting no.

EXECUTIVE ACTION ON SJ 11

19:05:13 **Motion:** Sen. Bogner moved that **SJ 11 DO PASS**.

Discussion:

19:05:35 Sen. Boldman

19:06:06 Sen. Sales

19:06:18 Sen. Boldman

19:06:29 **Vote:** Motion carried unanimously by voice vote.

Discussion:

19:06:45 Chair Lang

19:07:05 Sen. Osmundson

19:07:57 Chair Lang

19:08:24 Jason Mohr, Legislative Services Division

EXECUTIVE ACTION ON SB 347

19:08:48 **Motion/Vote:** Sen. Bogner moved that **SB 347 BE TABLED**. Motion carried unanimously by voice vote.

19:09:19 Chair Lang

ADJOURNMENT

Adjournment: 19:09 P.M.

Olivia Hopkins, Secretary

oh

Additional Documents:

EXHIBIT([ags40aad.pdf](#))