

MINUTES

**MONTANA SENATE
61st LEGISLATURE - REGULAR SESSION**

COMMITTEE ON AGRICULTURE, LIVESTOCK AND IRRIGATION

Call to Order: Chairman Donald J. Steinbeisser, on March 24, 2009
at 3:00 P.M., in Room 335 Capitol

ROLL CALL

Members Present:

Sen. Donald J. Steinbeisser, Chairman (R)
Sen. Terry Murphy, Vice Chairman (R)
Sen. Gary Branae (D)
Sen. Bradley Hamlett (D)
Sen. Verdell Jackson (R)
Sen. Rick Ripley (R)

Members Excused: None

Sen. Taylor Brown (R)
Sen. Ken (Kim) Hansen (D)
Sen. Cliff Larsen (D)

Members Absent: None

Staff Present: Joan Linkenbach, 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: HB 478, 3/20/2009; SR 10, 3/11/2009
Executive Action: HB 445; SR 10

00:01:20 Chairman Steinbeisser left the room.
00:01:22 Vice Chairman Murphy assumed the chair.

HEARING ON HB 478

Opening Statement by Sponsor:

00:01:55 Rep. Wanda Grinde (D), HD 48, opened the hearing on HB 478, Eliminate licensing fees for small plant sellers.

EXHIBIT (ags65a01)

00:02:55 Sen. Larsen present

Proponents' Testimony:

00:05:38 Julia Page, Northern Plains Resource Council (NPRC)

Opponents' Testimony:

00:08:41 Ron de Yong, Director, Department of Agriculture (DOA)

EXHIBIT (ags65a02)

Informational Testimony: None

Questions from Committee Members and Responses:

00:18:55 Sen. Branae
00:19:22 Mr. de Yong, DOA
00:19:33 Donna Rise, Bureau Chief, DOA
00:20:30 Sen. Branae
00:20:40 Ms. Rise, DOA
00:21:11 Sen. Branae
00:21:28 Ms. Rise, DOA
00:21:56 Sen. Ripley
00:22:26 Mr. de Yong, DOA
00:23:13 Sen. Ripley
00:23:17 Mr. de Yong, DOA
00:23:27 Sen. Ripley
00:23:56 Ms. Page, NPRC
00:24:23 Sen. Larsen
00:25:30 Mr. de Yong, DOA
00:26:15 Sen. Larsen
00:27:36 Mr. de Yong, DOA
00:29:01 Sen. Larsen
00:29:08 Sen. Hansen present
00:29:37 Mr. de Yong, DOA
00:30:01 Sen. Jackson

00:30:25 Ms. Rise, DOA
00:30:48 Sen. Jackson
00:31:26 Ms. Rise, DOA
00:31:56 Sen. Jackson
00:32:21 Mr. de Yong, DOA
00:33:13 Sen. Jackson
00:33:21 Mr. de Yong, DOA
00:33:38 Sen. Jackson
00:34:04 Mr. de Yong, DOA
00:34:21 Sen. Hamlett
00:34:53 Mr. de Yong, DOA
00:35:00 Sen. Hamlett
00:35:07 Mr. de Yong, DOA
00:35:23 Sen. Hamlett
00:35:45 Mr. de Yong
00:36:14 Sen. Hamlett
00:36:27 Mr. de Yong
00:36:35 Ms. Rise, DOA
00:37:08 Sen. Hamlett
00:37:21 Ms. Rise, DOA
00:37:51 Sen. Hamlett
00:38:09 Rep. Grinde
00:38:24 Sen. Jackson
00:38:43 Rep. Grinde
00:38:49 Sen. Jackson
00:38:55 Rep. Grinde
00:39:03 Chairman Steinbeisser present
00:39:50 Rep. Grinde

Closing by Sponsor:

00:40:21 Rep. Grinde

HEARING ON SR 10

Opening Statement by Sponsor:

00:42:45 Sen. Donald Steinbeisser (R), SD 19, opened the hearing on SR 10, Confirm appointee to board of livestock.

00:44:04 Patti Keeblar, Board of Commissioners, representing Governor Schweitzer

Proponents' Testimony:

00:45:57 Ed Waldner, Chester

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:47:18 Sen. Ripley
00:47:59 Mr. Waldner
00:49:29 Sen. Hansen
00:50:15 Mr. Waldner
00:50:55 Sen. Hansen
00:51:17 Mr. Waldner
00:51:57 Sen. Hansen
00:52:13 Mr. Waldner
00:52:47 Sen. Larsen
00:53:23 Chairman Steinbeisser
00:53:55 Mr. Waldner
00:54:45 Sen. Hamlett
00:54:51 Mr. Waldner
00:54:57 Sen. Hamlett
00:55:06 Mr. Waldner
00:55:22 Sen. Hamlett
00:55:34 Mr. Waldner
00:55:52 Sen. Hamlett
00:56:12 Sen. Hamlett
00:56:17 Mr. Waldner

Closing by Sponsor:

00:57:16 Chairman Steinbeisser assumed the chair.

EXECUTIVE ACTION ON HB 445

00:59:34 **Motion:** Sen. Larsen moved that **HB 445 BE CONCURRED IN.**

00:59:53 **Motion:** Sen. Hamlett moved that **HB 445 BE AMENDED.**
EXHIBIT (ags65a03)

01:00:16 Sue O'Connell, Legislative Services Division (LSD)

01:01:30 **Vote:** Motion failed 4-5 by roll call vote with Sen. Branae, Sen. Hamlett, Sen. Larsen and Sen. Murphy voting aye. Sen. Brown voted no by proxy.

Discussion:

01:02:30 Sen. Murphy
01:03:46 Sen. Larsen
01:04:51 Sen. Hamlett
01:05:28 Sen. Ripley

01:06:57 Sen. Murphy

01:10:57 Sen. Branae

EXHIBIT (ags65a04)

01:11:55 Sen. Ripley

01:12:16 Sen. Hamlett

01:13:05 Chairman Steinbeisser

01:13:12 Sen. Murphy

01:14:25 Sen. Hamlett

01:14:57 Chairman Steinbeisser

01:15:19 Sen. Hansen

01:18:45 Sen. Ripley

01:18:58 Chairman Steinbeisser

01:19:44 Sen. Murphy

01:20:12 Mr. de Yong, DOA

01:20:41 Sen. Murphy

01:21:20 Mr. de Yong, DOA

01:21:40 Sen. Larsen

01:22:56 Chairman Steinbeisser

01:23:17 Sen. Larsen

01:23:24 Sen. Hamlett

01:24:55 Chairman Steinbeisser

01:25:12 Sen. Murphy

01:26:08 **Substitute Motion:** Sen. Murphy moved that **HB 445 BE TABLED.**

01:26:33 **Vote:** Motion carried 6-3 by roll call vote with Sen. Branae, Sen. Hamlett and Sen. Larsen voting no. Sen. Taylor voted yes by proxy.

01:27:31 **Motion:** Sen. Murphy moved to send a letter to Western Plant Breeders, Farm Bureau, Grain Growers, Northern Plains and Organic Organizations to start a process to see if a meeting of the minds can be reached before the next session on the subject of seed patent protection and farmer protection.

Discussion:

01:28:42 Sen. Hamlett

01:28:58 Sen. Murphy

01:29:26 John Youngbird, Montana Farm Bureau

01:30:07 Sen. Hamlett

01:30:57 Sen. Ripley

01:31:23 **Vote:** Motion carried unanimously by voice vote of those present and voting.

Discussion:

01:31:50 Sen. Hamlett
01:32:09 Chairman Steinbeisser
01:32:15 Sen. Hamlett
01:32:33 Sen. Larsen
01:32:52 Ms. O'Connell, LSD
01:33:02 Chairman Steinbeisser
01:33:18 Sen. Hamlett
01:33:38 Sen. Murphy
01:34:00 Sen. Hamlett
01:34:30 Chairman Steinbeisser
01:34:48 Sen. Hamlett
01:34:51 Chairman Steinbeisser
01:34:56 Sen. Ripley
01:35:12 Sen. Hamlett
01:35:28 Sen. Murphy
01:36:22 Sen. Hamlett
01:36:32 Chairman Steinbeisser
01:36:37 Sen. Hamlett
01:36:41 Sen. Murphy
01:37:07 Chairman Steinbeisser

EXECUTIVE ACTION ON SR 10

Motion: Sen. Larsen moved that **SR 10 BE ADOPTED.**

Discussion:

01:38:34 Sen. Hamlett
01:38:46 Chairman Steinbeisser
01:38:51 Sen. Ripley

01:39:00 **Vote:** Motion carried unanimously by voice vote with
Sen. Brown voting aye by proxy.

Discussion:

01:40:26 Chairman Steinbeisser
01:40:37 Sen. Murphy
01:40:45 Sen. Branae
01:40:50 Sen. Ripley
01:40:56 Chairman Steinbeisser

ADJOURNMENT

Adjournment: 5:00 A.M.

Joan Linkenbach, Secretary

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Additional Exhibits:

[EXHIBIT \(ags65a05\)](#)

[EXHIBIT \(ags65a06\)](#)

[EXHIBIT \(ags65a07\)](#)

Additional Documents:

[EXHIBIT \(ags65aad.pdf\)](#)