

## MINUTES

### MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON AGRICULTURE, LIVESTOCK AND IRRIGATION

**Call to Order:** Chair Donald J. Steinbeisser, on February 10, 2011 at 3:00 PM, in Room 335 Capitol

#### ROLL CALL

**Members Present:**

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

**Members Excused:**

Sen. Rowlie Hutton (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 237, 2/4/2011

Executive Action: SB 220; HB 54; SB 148; SB 207

**HEARING ON SB 237**

**Opening Statement by Sponsor:**

00:01:12 Sen. Ron Arthun (R), SD 31, opened the hearing on SB 237, Revise laws relating to brucellosis surveillance.

**Proponents' Testimony:**

00:02:46 Druska Kinkie, Cattle Producers for Responsible Animal Health Development (Cattle PRAHD)

**EXHIBIT(ags33a01)**

00:09:17 Alan Redfield

**EXHIBIT(ags33a02)**

**EXHIBIT(ags33a03)**

00:12:33 Marty Malone, Park County Commissioner

00:14:00 Rick Gibson, representing himself

00:17:36 Jay Bailey, Cattle PRAHD

**EXHIBIT(ags33a04)**

00:20:03 Lane Adamson, Madison Valley Land Owners Group

00:21:30 Tom Lane, Cattle PRAHD

00:22:24 John Younberg, Montana Farm Bureau Federation

00:24:12 Carol Lambert, Women Involved in Farm Economics (WIFE)

00:24:59 Jay Bodner, Montana Stock Growers Association, Montana Public Lands Council, Montana Association of State Grazing Districts

00:26:16 Meg Smith, Rancher

00:28:22 Rachel Kinkie, Cattle PRAHD

**EXHIBIT(ags33a05)**

**Opponents' Testimony:**

00:33:12 Ken McDonald, Fish, Wildlife and Parks (FWP)

**EXHIBIT(ags33a06)**

00:41:53 Stan Frasier, representing himself

00:44:51 Marty Zaluski, State Veterinarian, Department of Livestock (DOL)

**EXHIBIT(ags33a07)**

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

00:53:19 Sen. Moore

00:53:52 Dr. Zaluski, DOL

00:55:48 Sen. Moore

00:56:07 Dr. Zaluski

00:56:26 Dr. Kami Johnson, USDA

**EXHIBIT(ags33a08)**

00:57:37 Sen. Larsen  
 00:58:20 Mr. McDonald, FWP  
 00:59:18 Sen. Ripley  
 00:59:43 Mr. McDonald  
 01:01:16 Sen. Windy Boy now present  
 01:05:27 Sen. Ripley  
 01:05:43 Mr. McDonald  
 01:06:25 Sen. Brown  
 01:06:52 Mr. McDonald  
 01:08:31 Sen. Brown  
 01:09:19 Mr. McDonald  
 01:10:15 Sen. Brown  
 01:10:38 Ms. Kinkie, Cattle PRHAD  
 01:10:55 Sen. Brown  
 01:12:59 Ms. Kinkie  
 01:13:28 Sen. Brown  
 01:13:53 Mr. McDonald  
 01:15:34 Sen. Brown  
 01:15:44 Mr. McDonald  
 01:16:44 Sen. Ripley  
 01:17:15 Mr. McDonald  
 01:18:33 Sen. Windy Boy not present  
 01:19:00 Sen. Ripley  
 01:19:06 Mr. McDonald  
 01:19:19 Sen. Moore  
 01:20:14 Mr. McDonald  
 01:21:42 Sen. Moore  
 01:22:05 Mr. McDonald  
 01:22:43 Sen. Steinbeisser  
 01:22:54 Mr. McDonald  
 01:23:19 Sen. Steinbeisser  
 01:23:23 Mr. McDonald

**Closing by Sponsor:**

01:23:49 Sen. Arthun

**EXECUTIVE ACTION ON SB 220**

01:36:30 **Motion:** Sen. Brown moved that **SB 220 DO PASS.**

01:36:40 **Motion:** Sen. Brown moved that **SB 220 BE AMENDED.**  
**EXHIBIT(ags33a09)**

**Discussion:**

01:38:42 Sen. Brown  
 01:37:40 Ms. O'Connell  
 01:37:57 Sen. Branae

01:38:09 Sen. Larsen  
 01:38:43 Sen. Brown  
 01:39:05 Ms. O'Connell  
 01:39:34 Sen. Larsen  
 01:39:41 Sen. Hawks  
 01:40:28 Ms. O'Connell  
 01:40:50 Sen. Brown  
 01:41:02 Sen. Murphy

01:41:45 **Vote:** Motion carried by voice vote of those present and voting with Sen. Larsen voting no.

01:42:02 **Motion:** Sen. Brown moved that **SB 220 DO PASS AS AMENDED.**

**Discussion:**

01:42:16 Sen. Moore  
 01:43:48 Sen. Ripley  
 01:44:05 Sen. Branae  
 01:44:36 Sen. Hawks  
 01:44:50 Sen. Moore  
 01:45:02 Sen. Steinbeisser  
 01:45:15 Sen. Larsen  
 01:45:35 Sen. Brown

01:46:16 **Vote:** Motion failed 3-7 by roll call vote with Sen. Branae, Sen. Hawks and Sen. Stewart-Peregoy voting aye. Sen. Stewart-Peregoy and Sen. Windy Boy voted by proxy. Sen. Hutton was excused.

01:47:24 **Substitute Motion/Vote:** Sen. Steinbeisser made a substitute motion that **SB 220 BE TABLED AND THE VOTE REVERSED.** Substitute Motion carried 7-3 by voice vote with Sen. Branae, Sen. Hawks and Sen. Stewart-Peregoy voting no. Sen. Hutton was excused.

**EXECUTIVE ACTION ON HB 54**

01:47:43 **Motion:** Sen. Moore moved that **HB 54 BE CONCURRED IN.**

01:47:52 **Motion/Vote:** Sen. Moore moved that **HB 54 BE AMENDED.** Motion carried unanimously by voice vote by those present and voting.

**EXHIBIT(ags33a10)**

01:48:53 **Motion/Vote:** Sen. Moore moved that **HB 54 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote by those present and voting.

**EXECUTIVE ACTION ON SB 148**

01:49:24 Sen. Steinbeisser

01:50:41 **Motion:** Sen. Hawks moved that to create a **COMMITTEE RESOLUTION.**

**Discussion:**

Sen. Hawks

**EXHIBIT(ags33a11)**

01:51:53 Sen. Larsen

01:52:07 Sen. Moore

01:52:30 Sen. Larsen

01:53:01 Sen. Steinbeisser

01:53:23 Sen. Murphy

01:53:49 Sen. Brown

01:54:50 Sen. Hawks

01:55:46 Sen. Ripley

01:56:24 **Vote:** Motion carried 10-1 by roll call vote with Sen. Murphy voting no. Sen. Hutton, Sen. Stewart-Peregoy and Sen. Windy Boy voted by proxy.

01:57:13 Ms. O'Connell

01:57:22 Sen. Steinbeisser

01:57:37 Sen. Hawks

**Discussion re: Amendment to SB 207:**

01:57:48 Sen. Brown

01:58:25 Ms. O'Connell

01:58:52 Sen. Brown

**EXHIBIT(ags33a12)**

01:59:11 Sen. Hawks

01:59:44 Sen.. Brown

**Additional Exhibits:**

**EXHIBIT(ags33a13)**

Testimony of Ben Lamb, Montana Wildlife Federation on SB 237 dated February 10, 2011

**EXHIBIT(ags33a14)**

Testimony of Jim Hagenbarth on SB 237 dated February 10, 2011

**ADJOURNMENT**

Adjournment: 5:02

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Prudence Gildroy, Secretary

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Additional Documents:

**EXHIBIT([ags33aad.pdf](#))**