

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON AGRICULTURE

Call to Order: Chair Krayton Kerns, on March 8, 2011 at 3:00 PM, in Room 472 Capitol

ROLL CALL

Members Present:

Rep. Bob Wagner, Vice Chair (R)
Rep. Joanne G. Blyton (R)
Rep. Lila Walter Evans (R)
Rep. Steve Fitzpatrick (R)
Rep. Alan Hale (R)
Rep. Brian Hoven (R)
Rep. Margaret (Margie) MacDonald (D)
Rep. Jonathan McNiven (R)
Rep. Carolyn Pease-Lopez (D)
Rep. Lee Randall (R)
Rep. Joe Read (R)
Rep. Daniel R. Salomon (R)
Rep. Sterling Small (R)
Rep. Frank Smith (D)

Members Excused: None

Members Absent: Rep. Timothy Furey, Vice Chair (D)
Rep. Edith (Edie) McClafferty (D)
Rep. Christy Clark (R)
Rep. Pat Noonan (D)
Rep. Kathleen Williams (D)
Rep. David Howard (R)
Rep. Krayton Kerns, Chair (R)

Staff Present: Dave Bohyer, Legislative Branch
Lauren Head, Committee Secretary

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 142, 3/3/2011; SB 143, 3/3/2011; SB 195, 3/3/2011

Executive Action: HB 390, HB 407, HB 515

HEARING ON SB 195**Opening Statement by Sponsor:**

00:02:14 Sen. Rick Ripley (R), SD 9, opened the hearing on SB 195, Revise laws related to Montana seed laboratory.

Proponents' Testimony:

00:04:04 Bob Hodgskiss, Hodgskiss Farms, Hodgskiss Seed, Montana Seed Growers Association (MSGA)
00:08:11 Chris Christiaens, Montana Farmers Union (MFU)
00:08:32 Rep. Noonan joined the meeting.
00:09:40 Lola Raska, Executive Vice President, Montana Grain Growers Association (MGGA)
00:10:51 Carol Lambert, Women Involved in Farm Economics (WIFE)
00:11:36 Nicole Rolf, Montana Farm Bureau Federation (MFBF)
00:12:20 Krista Lee Evans, Montana Agricultural Business Association (MABA)
00:12:55 Jeff Jacobsen, Director, Montana Agricultural Experiment Station (MAES)

Opponents' Testimony: None

Informational Testimony:

00:14:42 Greg Ames, Administrator, Agricultural Science Division, Department of Agriculture (DOAg)

Questions from Committee Members and Responses:

00:16:35 Rep. MacDonald
00:17:00 Mr. Jacobsen
00:17:06 Rep. MacDonald
00:17:20 Mr. Jacobsen
00:18:17 Rep. Hoven
00:18:32 Mr. Jacobsen
00:18:48 Rep. Hoven
00:19:06 Mr. Jacobsen
00:19:21 Rep. Hoven
00:19:29 Mr. Jacobsen
00:19:51 Rep. Hoven
00:20:00 Mr. Jacobsen
00:20:14 Rep. McNiven
00:20:20 Rep. Clark joined the meeting.

00:20:45 Mr. Jacobsen
00:21:34 Rep. McNiven
00:22:48 Mr. Jacobsen
00:23:52 Rep. McNiven
00:24:46 Mr. Jacobsen

Closing by Sponsor:

00:25:09 Sen. Ripley

HEARING ON SB 143

Opening Statement by Sponsor:

00:26:47 Sen. Debby Barrett (R), SD 36, opened the hearing on SB 143, Revise state grizzly bear policy.

EXHIBIT(agh52a01)

00:27:44 Rep. Howard joined the meeting.

Proponents' Testimony:

00:32:24 Allen Schallenberger, self

EXHIBIT(agh52a02)

EXHIBIT(agh52a03)

00:42:40 Brian Quigley, self

EXHIBIT(agh52a04)

00:45:06 Art Noonan, Deputy Director, Fish, Wildlife, and Parks (FWP)

EXHIBIT(agh52a05)

00:48:12 Nicole Rolf, MFBF

00:49:07 Ariel Overstreet, Montana CattleWomen, Montana Stockgrowers Association (MSGGA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:50:24 Rep. MacDonald
00:51:10 Sen. Barrett
00:52:08 Rep. McNiven
00:52:47 Sen. Barrett
00:54:15 Rep. McNiven
00:54:20 Sen. Barrett
00:54:40 Rep. McNiven
00:55:43 Sen. Barrett
00:56:50 Rep. Read
00:57:25 Mr. Noonan
00:57:52 Rep. Read

00:59:43 Mr. Noonan
01:00:34 Vice Chair Wagner
01:01:05 Mr. Noonan
01:01:37 Quinton Kujala, Management Section Bureau, FWP
01:02:49 Chairman Kerns joined the meeting.
01:03:19 Vice Chair Wagner
01:03:59 Mr. Kujala
01:04:56 Vice Chair Wagner
01:05:42 Mr. Shallenberger
01:06:08 Vice Chair Wagner
01:06:16 Mr. Shallenberger
01:07:50 Vice Chair Wagner
01:08:21 Mr. Shallenberger
01:08:54 Rep. McNiven
01:10:03 Mr. Noonan
01:10:57 Mr. Kujala
01:11:37 Rep. McNiven
01:11:57 Mr. Noonan
01:12:34 Rep. Noonan left the meeting.
01:13:19 Rep. McNiven
01:14:03 Sen. Barrett

Closing by Sponsor:

01:15:34 Sen. Barrett

HEARING ON SB 142

Opening Statement by Sponsor:

01:15:57 Sen. Debby Barrett (R), SD 36, opened the hearing on SB 142, Revise public notice of predator transplantation.
01:16:21 Rep. Randall left the meeting.
01:16:40 Rep. Howard left the meeting.
01:17:17 Rep. Noonan rejoined the meeting.

Proponents' Testimony:

01:18:24 Allen Schallenberger, self
EXHIBIT(agh52a06)
i(Refer to Exhibit 1 for other handout.)
01:20:04 Rep. Fitzpatrick left the meeting.
01:23:25 Rep. Howard rejoined the meeting.
01:26:35 Nicole Rolf, MFBF
01:28:29 Ariel Overstreet, MSGA, Montana CattleWomen
01:29:24 Brian Quigley, self
01:29:59 Rep. Randall rejoined the meeting.

Opponents' Testimony:

01:31:47 Art Noonan, FWP

[EXHIBIT\(agh52a07\)](#)

01:33:06 Rep. Fitzpatrick rejoined the meeting.

Informational Testimony: None

Questions from Committee Members and Responses:

01:38:46 Vice Chairman Wagner

01:39:08 Mr. Shallenberger

01:43:37 Rep. Randall

01:44:12 Mr. Noonan

01:44:47 Rep. Randall

01:45:06 Mr. Noonan

01:45:45 Rep. Randall

01:46:26 Mr. Noonan

01:46:56 Mr. Kujala

01:48:00 Rep. Clark

01:48:09 Mr. Kujala

01:48:34 Rep. Clark

01:49:07 Mr. Kujala

01:49:36 Rep. Hale left the meeting.

01:49:56 Rep. Clark

01:50:03 Mr. Shallenberger

01:51:03 Vice Chair Wagner

01:51:20 Sen. Barrett

01:51:50 Vice Chair Wagner

01:52:37 Rep. Hale rejoined the meeting.

01:52:52 Sen. Barrett

Closing by Sponsor:

01:52:59 Sen. Barrett

EXECUTIVE ACTION ON HB 407

01:57:26 **Motion:** Rep. Wagner moved that **HB 407 DO PASS.**

01:58:48 Rep. Noonan left the meeting.

01:58:55 **Motion:** Rep. MacDonald moved that **HB 407 BE AMENDED.**

[EXHIBIT\(agh52a08\)](#)

Discussion:

- 01:59:06 Rep. MacDonald
02:02:32 Rep. Clark left the meeting.
02:03:44 Dave Bohyer, Legislative Services Division (LSD)
02:04:40 Rep. Fitzpatrick
02:05:57 Chairman Kerns
- 02:06:18 **Vote:** Motion failed 6-15 by roll call vote with Rep. Furey, Rep. MacDonald, Rep. McClafferty, Rep. Noonan, Rep. Pease-Lopez and Rep. Williams voting aye. Rep. Clark, Rep. Furey, Rep. McClafferty, Rep. Noonan and Rep. Williams voted by proxy. (Rep. Williams was voted by proxy in error.)
- 02:08:08 **Vote:** Motion failed 7-14 by roll call vote with Rep. Furey, Rep. MacDonald, Rep. McClafferty, Rep. Noonan, Rep. Pease-Lopez, Rep. Smith and Rep. Williams voting aye. Rep. Clark, Rep. Furey, Rep. McClafferty, Rep. Noonan and Rep. Williams voted by proxy. (Rep. Williams was voted by proxy in error.)
- 02:09:28 **Motion/Vote:** Rep. Wagner moved that **HB 407 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote.
- 02:09:40 Rep. Clark rejoined the meeting.

EXECUTIVE ACTION ON HB 390

- 02:09:44 **Motion:** Rep. Wagner moved that **HB 390 DO PASS**.
- 02:09:56 **Motion:** Rep. MacDonald moved that **HB 390 BE AMENDED**.
[EXHIBIT\(agh52a09\)](#)

Discussion:

- 02:10:30 Rep. MacDonald
- 02:11:25 **Vote:** Motion carried 13-8 by roll call vote with Rep. Blyton, Rep. Fitzpatrick, Rep. Hale, Rep. Howard, Rep. Kerns, Rep. McNiven, Rep. Randall and Rep. Read voting no. Rep. Furey, Rep. McClafferty, Rep. Noonan and Rep. Williams voted by proxy. (Rep. Williams was voted by proxy in error.)
- 02:12:42 **Motion:** Rep. Wagner moved that **HB 390 DO PASS AS AMENDED**.

Discussion:

- 02:13:07 Rep. MacDonald
02:14:23 Rep. Hoven
02:15:06 Rep. Fitzpatrick

02:15:48 **Vote:** Motion failed 6-14 by roll call vote with Rep. Furey, Rep. MacDonald, Rep. McClafferty, Rep. Noonan, Rep. Pease-Lopez and Rep. Smith voting aye. Rep. Furey, Rep. McClafferty and Rep. Noonan voted by proxy. Rep. Williams was absent and did not vote.

02:17:17 **Motion/Vote:** Rep. Wagner moved that **HB 390 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 515

02:17:28 **Motion:** Rep. Wagner moved that **HB 515 DO PASS**.

02:17:36 **Substitute Motion/Vote:** Rep. Small made a substitute motion that **HB 515 BE TABLED**. Substitute Motion carried 14-6 by roll call vote with Rep. Furey, Rep. MacDonald, Rep. McClafferty, Rep. Noonan, Rep. Pease-Lopez and Rep. Smith voting no. Rep. Furey, Rep. McClafferty and Rep. Noonan voted by proxy. Rep. Williams was absent and did not vote.

ADJOURNMENT

02:18:59 Adjournment

Lauren Head, Secretary

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Additional Exhibits:

[EXHIBIT\(agh52a10\)](#)

[EXHIBIT\(agh52a11\)](#)

Additional Documents:

[EXHIBIT\(agh52aad.pdf\)](#)