

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON AGRICULTURE

**Call to Order:** Chair Lee Randall, on February 19, 2013 at 3:00 PM, in Room 137  
Capitol

#### ROLL CALL

**Members Present:**

Rep. Lee Randall, Chair (R)  
Rep. Kathleen Williams, Vice Chair (D)  
Rep. Joanne G. Blyton (R)  
Rep. David Halvorson (R)  
Rep. Greg Hertz (R)  
Rep. Krayton Kerns (R)  
Rep. Mike Lang (R)  
Rep. Dennis R. Lenz (R)  
Rep. Ryan Lynch (D)  
Rep. Carolyn Pease-Lopez (D)  
Rep. Rae Peppers (D)  
Rep. Gordon Pierson Jr (D)  
Rep. Alan Redfield (R)  
Rep. Daniel R. Salomon (R)

**Members Excused:** Rep. Christy Clark, Vice Chair (R)  
Rep. Wylie Galt (R)  
Rep. Margaret (Margie) MacDonald (D)

**Members Absent:** None

**Staff Present:** McKenzie Chambers, Committee Secretary  
Joe Kolman, 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 149, 2/11/2013, HB 484, 2/14/2013, HB 495, 2/15/2013, HB 507, 2/15/2013

Executive Action: HB 396 - Do Pass, HB 395 - Do Pass, HB 375 - Do Pass As Amended

**EXHIBIT(agh37a01)**

00:15:54 Rep. Randall  
00:16:53 Rep. MacDonald joined the meeting.  
00:19:18 Rep. Clark joined the meeting.

**HEARING ON HB 149****Opening Statement by Sponsor:**

00:17:16 Rep. Pat Connell (R), HD 87, opened the hearing on HB 149, Revise ditch easement laws.

**EXHIBIT(agh37a02)**

**Proponents' Testimony:** None

**Opponents' Testimony:**

00:25:59 Rep. Williams  
00:26:09 Jean Riley, Civil Engineer  
00:28:44 Krista Lee Evans, Senior Water Rights Coalition, and Association of Gallatin Agricultural Irrigators (AGAI)  
00:32:59 John Youngberg, Montana Water Resources Association (MWRA), Montana Stockgrowers Association (MSGA), and Montana Farm Bureau Federation (MFBF)  
00:34:55 Tim Davis, Administrator, Water Resources Division, Department of Natural Resources and Conservation (DNRC)  
00:36:21 Jacob Cowgill, Montana Farmers Union (MFU)

**Informational Testimony:**

00:36:57 Barb Kingery, Subdivision Lead, Subdivision Review Section, Public Water Supply and Subdivisions Bureau, Permitting and Compliance Division, Department of Environmental Quality (DEQ)

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

00:37:28 Rep. Connell

**HEARING ON HB 495****Opening Statement by Sponsor:**

00:42:07 Rep. Virginia Court (D), HD 52, opened the hearing on HB 495, Revise laws related to rabies vaccination.

**Proponents' Testimony:**

00:45:48 Doug Ruebke, Billings Animal Control Board

**EXHIBIT(agh37a03)**

00:48:22 Erin McGowan Fincham, Association of Montana Public Health Officials (AMPHO), Montana Public Health Association (MPHA), and Montana Environmental Health Association (MEHA)  
00:49:38 Chris Puyear, Montana Veterinary Medical Association (MVMA)

**Opponents' Testimony:** None**Informational Testimony:**

00:50:28 Marty Zaluski, State Veterinarian, Animal Health Division, Department of Livestock (LIV)  
00:54:23 Rep. Galt joined the meeting.

**Questions from Committee Members and Responses:**

00:54:31 Rep. Salomon  
00:54:49 Rep. Court  
00:54:54 Rep. Salomon  
00:55:04 Rep. Court  
00:55:19 Rep. Hertz  
00:55:43 Marty Zaluski, LIV  
00:56:33 Rep. Clark  
00:57:02 Rep. Court  
00:57:57 Rep. Peppers  
00:58:28 Marty Zaluski, LIV  
01:00:17 Rep. Pierson  
01:00:41 Chris Puyear, MVMA  
01:00:56 Marty Zaluski, LIV  
01:00:59 Rep. Pierson  
01:01:19 Marty Zaluski, LIV  
01:02:02 Rep. MacDonald  
01:02:43 Marty Zaluski, LIV  
01:03:12 Rep. Williams  
01:03:46 Marty Zaluski, LIV  
01:04:19 Rep. Lang  
01:04:57 Marty Zaluski, LIV

**Closing by Sponsor:**

01:05:51 Rep. Court

[EXHIBIT\(agh37a04\)](#)

[EXHIBIT\(agh37a05\)](#)

**HEARING ON HB 484****Opening Statement by Sponsor:**

01:09:54 Rep. Alan Redfield (R), HD 61, opened the hearing on HB 484, Generally revise bison laws.

[EXHIBIT\(agh37a06\)](#)

**Proponents' Testimony:**

01:13:00 John Youngberg, MFBF  
01:16:57 Jacob Cowgill, MFU  
01:17:46 Ariel Overstreet, MSGA, and Montana CattleWomen (MCW)  
01:18:33 Jeff Cahill, Park County Stockgrowers, and Self  
01:20:34 Justin O'Hair, Self  
01:23:02 Rick Gibson, Park County Stockgrowers

**Opponents' Testimony:**

- 01:28:14 Brooklyn Baptiste, Member, Natural Resources Subcommittee, Nez Perce Tribal Executive Committee, and Vice Chair, Nez Perce Tribal Executive Committee
- 01:35:25 Ron Trahan, Member, Confederated Salish and Kootenai Tribes (CSKT), and Member, CSKT Tribal Council

**EXHIBIT(agh37a07)**

- 01:37:20 John Harrison, Member, CSKT Buffalo Staff
- 01:38:42 Dustin Monroe, Western Native Voice

**EXHIBIT(agh37a08)****EXHIBIT(agh37a09)**

- 01:43:04 Marty Zaluski, LIV
- 01:44:01 Pat Flowers, Supervisor, Region 3, Montana Fish, Wildlife, and Parks (FWP)

**EXHIBIT(agh37a10)****EXHIBIT(agh37a11)**

- 01:46:59 Ben Lamb, National Wildlife Federation (NWF), and World Wildlife Fund (WWF)
- 01:48:15 Darrell Geist, Habitat Coordinator, Buffalo Field Campaign (BFC)
- 01:51:38 Justin Sakalis, Montana Audubon
- 01:51:50 Nick Gevock, Montana Wildlife Federation (MWF)
- 01:52:26 Jeanne-Marie Souvigny, Greater Yellowstone Coalition (GYC)

**EXHIBIT(agh37a12)****EXHIBIT(agh37a13)**

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

- 01:54:23 Rep. Williams
- 01:54:45 John Harrison, CSKT
- 01:57:07 Rep. Williams
- 01:57:36 Rep. Redfield
- 01:58:31 Rep. Williams
- 01:58:37 Rep. Redfield
- 01:59:06 Rep. Williams
- 01:59:19 Rep. Redfield
- 01:59:26 Rep. Pierson
- 01:59:44 Justin O'Hair, Self
- 01:59:47 Rep. Pierson
- 01:59:57 Justin O'Hair, Self
- 02:00:07 Rep. Pierson
- 02:00:12 Rick Gibson, Park County Stockgrowers
- 02:01:36 Rep. Pierson
- 02:01:53 Rick Gibson, Park County Stockgrowers
- 02:01:57 Rep. Pierson
- 02:02:02 Rep. Lang
- 02:02:27 Ron Trahan, CSKT
- 02:02:42 Rep. Lang
- 02:03:07 Ron Trahan, CSKT
- 02:03:35 John Harrison, CSKT
- 02:05:17 Rep. Lang
- 02:05:25 John Harrison, CSKT
- 02:05:48 Rep. Clark

02:05:59 John Harrison, CSKT  
02:07:07 Rep. Clark  
02:07:32 John Harrison, CSKT  
02:08:02 Rep. Clark  
02:08:12 John Harrison, CSKT  
02:08:23 Rep. Randall  
02:08:50 Justin O'Hair, Self  
02:10:53 Rep. Randall  
02:11:05 Justin O'Hair, Self  
02:11:24 Rep. Randall  
02:11:27 Justin O'Hair, Self  
02:12:15 Rep. Randall  
02:12:34 Justin O'Hair, Self  
02:13:15 Rep. Pierson  
02:13:36 Rep. Redfield  
02:13:44 Rep. Pierson  
02:13:45 Rep. Redfield

**Closing by Sponsor:**

02:13:59 Rep. Redfield  
02:14:33 Rep. Williams  
02:14:38 Rep. Randall

**HEARING ON HB 507**

**Opening Statement by Sponsor:**

02:14:56 Rep. Bill Harris (R), HD 30, opened the hearing on HB 507, Generally revising management of wild buffalo and wild bison.

**[EXHIBIT\(agh37a14\)](#)**

**Proponents' Testimony:** None

**Opponents' Testimony:**

02:24:22 Ron Trahan, CSKT

**[EXHIBIT\(agh37a15\)](#)**

02:25:04 Brooklyn Baptiste, Nez Perce Tribe

**[EXHIBIT\(agh37a16\)](#)**

02:25:43 John Harrison, CSKT

02:26:35 Dustin Monroe, Western Native Voice

02:27:17 Rebecca Jakes Dockter, Chief Legal Counsel, FWP

**[EXHIBIT\(agh37a17\)](#)**

02:33:04 Christian, Mackay, Executive Officer, LIV

02:37:48 Nick Gevock, MWF

02:38:41 Justin Sakalis, Montana Audubon

02:38:53 Jonathan Proctor, Defenders of Wildlife

02:41:40 Darrell Geist, BFC

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

02:44:01 Rep. Williams  
02:44:31 Rep. Harris  
02:44:36 Rep. Williams  
02:45:01 Rep. Harris  
02:45:02 Rep. Williams  
02:45:10 Rep. Harris  
02:46:30 Rep. Randall  
02:46:35 Rep. Harris  
02:46:32 Rep. Randall  
02:46:35 Rep. Harris  
02:46:40 Rep. Randall  
02:46:44 Rep. Pierson  
02:47:06 Christian Mackay, LIV  
02:47:09 Rep. Pierson  
02:47:52 Rep. Harris  
02:48:05 Rep. Pierson

**Closing by Sponsor:**

02:48:10 Rep. Harris  
02:48:33 Rep. Randall  
02:48:35 Rep. Harris  
02:53:23 Rep. Randall

02:53:42 Recessed  
03:01:37 Reconvened

03:01:38 Rep. Randall

**EXECUTIVE ACTION ON HB 396**

03:02:12 **Motion:** Rep. Clark moved that **HB 396 DO PASS.**

**Discussion:**

03:02:20 Rep. Randall  
03:02:34 Rep. Williams  
03:03:37 Rep. Peppers  
03:03:55 Rep. Randall

03:04:26 **Vote:** Motion carried 12-5 by roll call vote with Rep. Lynch, Rep. MacDonald, Rep. Pease-Lopez, Rep. Peppers and Rep. Williams voting no. Rep. Pease-Lopez voted by proxy.

**EXECUTIVE ACTION ON HB 395**

03:05:18 **Motion:** Rep. Clark moved that **HB 395 DO PASS.**

**Discussion:**

03:05:20 Rep. Randall  
03:05:29 Rep. Clark  
03:06:03 Rep. MacDonald  
03:06:49 Rep. Randall

03:07:16 **Vote:** Motion carried 11-6 by roll call vote with Rep. Lynch, Rep. MacDonald, Rep. Pease-Lopez, Rep. Peppers, Rep. Pierson and Rep. Williams voting no. Rep. Pease-Lopez voted by proxy.

**EXECUTIVE ACTION ON HB 375**

03:07:59 **Motion:** Rep. Clark moved that **HB 375 DO PASS.**

**Discussion:**

03:08:05 Rep. Randall

**EXHIBIT(agh37a18)**

03:08:41 **Motion:** Rep. Clark moved that **HB 375 BE AMENDED.**

**Discussion:**

03:08:55 Joe Kolman Legislative Fiscal Division (LFD)

03:10:00 Rep. Pierson

03:10:07 Joe Kolman, LFD

03:10:22 Rep. Pierson

03:10:31 Joe Kolman, LFD

03:10:48 Rep. Williams

03:11:17 Rep. Randall

03:11:20 Joe Kolman, LFD

03:12:36 Rep. Randall

03:12:58 **Vote:** Motion carried 10-7 by roll call vote with Rep. Lynch, Rep. MacDonald, Rep. Pease-Lopez, Rep. Peppers, Rep. Pierson, Rep. Salomon and Rep. Williams voting no. Rep. Pease-Lopez voted by proxy.

03:13:44 **Motion:** Rep. Clark moved that **HB 375 DO PASS AS AMENDED.**

**Discussion:**

03:13:55 Rep. Galt

03:14:29 Rep. Lynch

03:15:07 Rep. Redfield

03:16:12 Rep. Hertz

03:16:29 Rep. Randall

03:17:25 **Vote:** Motion carried 12-5 by roll call vote with Rep. Kerns, Rep. Lynch, Rep. MacDonald, Rep. Pease-Lopez and Rep. Williams voting no. Rep. Pease-Lopez voted by proxy.

03:18:17 Rep. Randall

**ADJOURNMENT**

Adjournment: 03:18:57

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McKenzie Chambers, Secretary

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Additional Documents:

**EXHIBIT([agh37aad.pdf](#))**