

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON AGRICULTURE

Call to Order: Chair Lee Randall, on March 7, 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. Wylie Galt (R)
Rep. Greg Hertz (R)
Rep. Krayton Kerns (R)
Rep. Mike Lang (R)
Rep. Dennis R. Lenz (R)
Rep. Ryan Lynch (D)
Rep. Margaret (Margie) MacDonald (D)
Rep. Gordon Pierson Jr (D)
Rep. Alan Redfield (R)

Members Excused: Rep. Christy Clark, Vice Chair (R)
Rep. David Halvorson (R)
Rep. Carolyn Pease-Lopez (D)
Rep. Rae Peppers (D)
Rep. Daniel R. Salomon (R)

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 574, 2/25/2013, SB 252, 2/26/2013
Executive Action: HB 439, HB 471, SB 86, SB 211

[EXHIBIT\(agh49a01\)](#)

[EXHIBIT\(agh49a02\)](#)

[EXHIBIT\(agh49a03\)](#)

00:14:13 Rep. Randall

HEARING ON SB 252

Opening Statement by Sponsor:

00:15:19 Sen. Matthew Rosendale (R), SD 19, opened the hearing on SB 252, Generally revise irrigation district laws related to elections.

Proponents' Testimony:

00:18:10 Mike Murphy, Montana Water Resources Association (MTWA)

00:18:50 Rep. Peppers joined the meeting.

00:20:41 Ric Holden, Buffalo Rapids Irrigation Project

00:22:28 Rep. Clark joined the meeting.

00:30:00 Chelcie Cremer, Montana Farm Bureau Federation (MFBF)

00:31:01 Ariel Overstreet, Montana Stockgrowers Association (MSGA), and Montana CattleWomen (MCW)

00:31:28 Jacob Cowgill, Montana Farmers Union (MFU)

00:31:55 Linda Stoll, Montana Associations of Clerks and Recorders (MACR)

Opponents' Testimony:

00:32:22 Pat Mischel, Member, Buffalo Rapids Irrigation District

[EXHIBIT\(agh49a04\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

00:39:23 Rep. Williams

00:39:45 Pat Mischel, Buffalo Rapids Irrigation District

00:39:53 Rep. Williams

00:40:00 Pat Mischel, Buffalo Rapids Irrigation District

00:40:10 Rep. Williams

00:40:15 Pat Mischel, Buffalo Rapids Irrigation District

00:40:38 Rep. Williams

00:41:06 Ric Holden, Buffalo Rapids Irrigation Project

00:41:52 Rep. Williams

00:42:08 Ric Holden, Buffalo Rapids Irrigation Project

00:42:58 Rep. Williams

00:43:06 Ric Holden, Buffalo Rapids Irrigation Project

00:43:45 Rep. Williams

00:43:58 Ric Holden, Buffalo Rapids Irrigation Project

00:44:01 Rep. Williams

00:44:09 Ric Holden, Buffalo Rapids Irrigation Project

00:44:16 Rep. Williams

00:44:21 Ric Holden, Buffalo Rapids Irrigation Project

00:44:28 Rep. Pierson

00:44:48 Mike Murphy, MTWRA

00:45:14 Rep. Pierson

00:45:32 Mike Murphy, MTWRA
00:46:28 Rep. Pierson
00:46:48 Mike Murphy, MTWRA
00:46:58 Rep. Redfield
00:47:13 Ric Holden, Buffalo Rapids Irrigation Project
00:47:15 Rep. Redfield
00:47:21 Ric Holden, Buffalo Rapids Irrigation Project
00:47:51 Rep. Redfield
00:48:02 Ric Holden, Buffalo Rapids Irrigation Project
00:48:23 Rep. Redfield
00:48:25 Ric Holden, Buffalo Rapids Irrigation Project
00:48:35 Rep. Redfield
00:48:48 Ric Holden, Buffalo Rapids Irrigation Project
00:49:40 Rep. Lang
00:50:02 Mike Murphy, MTWRA
00:50:16 Rep. Lang
00:50:19 Rep. Williams
00:50:36 Ric Holden, Buffalo Rapids Irrigation Project

Closing by Sponsor:

00:50:50 Sen. Rosendale
00:51:25 Rep. Randall

HEARING ON HB 574

Opening Statement by Sponsor:

00:52:05 Rep. Champ Edmunds (R), HD 100, opened the hearing on HB 574, Establish "small herd exemption" to certain laws related to the sale of milk.

Proponents' Testimony:

00:52:52 McKee Anderson, Montana Food Distributors Association (MFDA)
00:58:11 Rep. MacDonald
00:58:17 Rep. Randall
00:58:22 Rep. Schwaderer
00:59:13 Kristen Lee-Charlson, Montana Raw Milk Alliance

EXHIBIT(agh49a05)

01:00:18 Chris Rosenau, Self

EXHIBIT(agh49a06)

EXHIBIT(agh49a07)

01:02:42 Rylie Sabo, Self
01:03:45 Jenny Sabo, Self
01:06:41 Denise Rollick, Self
01:11:36 Rep. Pease-Lopez joined the meeting.
01:11:51 Jennifer Holmes, Part-Owner, Lifeline Farm Incorporated
01:14:27 David Max, Self
01:17:31 Chris McVeda, Self
01:19:21 Tracy Brennan, Self
01:22:14 Karen Stevenson, Self
01:22:32 Lynn Evans, Self
01:22:37 Rep. Salomon joined the meeting.

01:23:19 Melissa Chase, Self
 01:24:14 Andrea Walker, Self, and Family
 01:24:26 Eunice Graham, Self
 01:26:03 Laura Monfore, Self
 01:27:56 Sam Manno, Self
 01:28:16 Jason Lehmann, Self
 01:28:48 Cheryl Erdahl, Self
 01:29:01 Jennifer Jones, Self
 01:29:15 Nicole Merrill, Self
 01:29:27 Brenda Yirsa, Self
 01:29:39 Virginia Stene, Self
 01:29:52 Aaron Stene, Self
 01:30:02 Raynor Stene, Self
 01:30:11 Hollie Greenwood, Self
 01:30:43 Darlene Martinez, Self
 01:30:55 Lydia Hermanns, Self
 01:31:03 Cole McElroy, Self
 01:31:16 William King, Self

Opponents' Testimony:

01:31:38 Christian Mackay, Executive Officer, Montana Department of Livestock (LIV)

EXHIBIT(agh49a08)

01:45:32 Mark Myer, Montana Milk Producers Association (MMPA)

01:48:03 Ed Weldner, Vice President, MMPA

01:49:38 Stuart Doggett, Montana Veterinary Medical Association (MTMVA)

01:50:28 Tim Read, Self

EXHIBIT(agh49a09)

01:54:21 Linda Stoll, Association of Montana Public Health Officials (AMPHO), Montana Environmental Health Association (MEHA), and Montana Public Health Association (MPHA)

EXHIBIT(agh49a10)

Informational Testimony: None

Questions from Committee Members and Responses:

01:56:48 Rep. Clark

01:57:56 Christian Mackay, LIV

01:59:51 Rep. MacDonald

02:00:37 Kristen Lee-Charlson, Montana Raw Milk Alliance

02:01:20 Rep. MacDonald

02:01:32 Kristen Lee-Charlson, Montana Raw Milk Alliance

02:01:42 Rep. Salomon

02:02:27 Christian Mackay, LIV

02:03:45 Rep. Salomon

02:04:01 Dan Turcotte, Bureau Chief, Milk and Egg Bureau, Meat and Milk Inspection Division, LIV

02:06:48 Rep. Salomon

02:07:11 Dan Turcotte, LIV

02:08:18 Rep. Salomon

02:09:19 Dan Turcotte, LIV

02:10:21 Rep. Salomon
02:10:30 Dan Turcotte, LIV
02:11:07 Rep. Hertz
02:12:42 Christian Mackay, LIV
02:14:47 Rep. Redfield
02:15:18 Mark Myer, MMPA
02:15:24 Rep. Redfield
02:15:39 Mark Myer, MMPA
02:15:44 Rep. Redfield
02:15:54 Mark Myer, MMPA
02:16:00 Rep. Redfield
02:16:05 Mark Myer, MMPA
02:16:06 Rep. Redfield
02:16:26 Mark Myer, MMPA
02:16:49 Rep. Williams
02:18:37 Christian Mackay, LIV
02:20:04 Rep. Williams
02:20:20 Christian Mackay, LIV
02:20:54 Rep. Williams
02:21:01 Christian Mackay, LIV
02:21:10 Marty Zaluski, State Veterinarian, Animal Health Division, LIV
02:21:52 Rep. Williams
02:22:03 Tim Read, Self
02:22:51 Rep. Clark
02:22:58 Christian Mackay, LIV
02:23:11 Christian Mackay, LIV
02:23:15 Rep. Clark
02:23:22 Christian Mackay, LIV
02:23:34 Rep. Clark
02:23:46 Rep. Peppers
02:24:03 Christian Mackay, LIV
02:24:34 Rep. Pierson
02:24:50 Christian Mackay, LIV
02:24:54 Rep. Pierson
02:25:03 Christian Mackay, LIV

Closing by Sponsor:

02:25:25 Rep. Edmunds
02:27:35 Rep. Randall

02:27:43 Recessed
02:36:55 Reconvened

02:36:56 Rep. Randall

EXECUTIVE ACTION ON SB 211

02:37:17 **Motion:** Rep. Clark moved that **SB 211 BE CONCURRED IN.**

Discussion:

02:37:35 Rep. Randall

02:38:00 **Vote:** Motion carried unanimously by voice vote. Rep. Halvorson voted by proxy. Rep. Clark will carry the bill.

02:38:08 Rep. Randall

EXECUTIVE ACTION ON SB 86

02:38:35 **Motion:** Rep. Clark moved that **SB 86 BE CONCURRED IN.**

Discussion:

02:38:40 Rep. Randall

02:39:07 Rep. MacDonald

02:39:26 Joe Kolman, Legislative Services Division (LSD)

02:39:49 Rep. MacDonald

02:40:54 Rep. Randall

02:40:31 **Vote:** Motion carried unanimously by voice vote. Rep. Halvorson voted by proxy. Rep. Salomon will carry the bill.

EXECUTIVE ACTION ON HB 471

02:40:43 **Motion:** Rep. Clark moved that **HB 471 DO PASS.**

02:40:55 **Motion:** Rep. Hertz moved that **HB 471 BE AMENDED.**

EXHIBIT([agh49a11](#))

Discussion:

02:41:17 Rep. Randall

02:41:21 Rep. Hertz

02:42:33 Rep. Williams

02:43:02 Rep. Hertz

02:43:45 Rep. Williams

02:43:59 Rep. Hertz

02:44:21 Rep. Williams

02:44:31 **Vote:** Motion carried 15-2 by voice vote with Rep. Pierson and Rep. Williams voting no. Rep. Halvorson voted by proxy.

02:44:58 Rep. Randall

02:45:00 **Motion:** Rep. Hertz moved that **HB 471 DO PASS AS AMENDED.**

Discussion:

02:49:10 Rep. Lang
02:49:34 Rep. Hertz
02:49:41 Rep. Lang
02:49:44 Rep. Hertz
02:49:51 Rep. Lang
02:50:12 Rep. Hertz
02:51:27 Rep. Lang
02:51:30 Rep. Clark
02:51:40 Rep. Hertz
02:51:43 Rep. Clark
02:51:45 Rep. Hertz

02:51:54 **Vote:** Motion carried 13-4 by roll call vote with Rep. Galt, Rep. Halvorson, Rep. Kerns and Rep. Lenz voting no. Rep. Halvorson voted by proxy.

EXECUTIVE ACTION ON HB 439

02:53:00 **Motion:** Rep. Clark moved that **HB 439 DO PASS.**

Discussion:

02:53:18 Rep. Randall

02:53:30 **Motion/Vote:** Rep. MacDonald moved that **HB 439 BE AMENDED.** Motion carried unanimously by voice vote. Rep. Halvorson voted by proxy.

EXHIBIT(agh49a12)

02:58:14 **Motion:** Rep. MacDonald moved that **HB 439 DO PASS AS AMENDED.**

Discussion:

02:58:22 Rep. MacDonald
02:59:48 Rep. Clark
03:00:43 Rep. Hertz
03:01:24 Rep. MacDonald
03:02:56 Rep. Lenz

03:03:44 **Substitute Motion/Vote:** Rep. Kerns made a substitute motion that **HB 439 BE TABLED.** Substitute 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. Halvorson voted by proxy.

03:05:30 Rep. Randall
03:05:49 Rep. Williams
03:06:17 Rep. Randall

ADJOURNMENT

Adjournment: 03:07:05

McKenzie Chambers, Secretary

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Additional Documents:

EXHIBIT([agh49aad.pdf](#))