

## MINUTES

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

#### COMMITTEE ON AGRICULTURE

**Call to Order:** Chair Lee Randall, on March 21, 2013 at 3:00 PM, in Room 472 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. David Halvorson (R)  
Rep. Greg Hertz (R)  
Rep. Krayton Kerns (R)  
Rep. Mike Lang (R)  
Rep. Rae Peppers (D)  
Rep. Alan Redfield (R)  
Rep. Daniel R. Salomon (R)

**Members Excused:** Rep. Christy Clark, Vice Chair (R)  
Rep. Ryan Lynch (D)  
Rep. Margaret (Margie) MacDonald (D)  
Rep. Carolyn Pease-Lopez (D)  
Rep. Gordon Pierson Jr (D)  
Rep. Dennis R. Lenz (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: SB 256, 03/11/2013; SB 301, 03/11/2013; SB 305,  
03/11/2013; HB 610, 03/20/2013

Executive Action: SB 144 - Do Concur In As Amended; SB 574 - Do Pass As  
Amended; HB 610 - Be Tabled

[EXHIBIT\(agh61a01\)](#)

[EXHIBIT\(agh61a02\)](#)

[EXHIBIT\(agh61a03\)](#)

[EXHIBIT\(agh61a04\)](#)

[EXHIBIT\(agh61a05\)](#)

[EXHIBIT\(agh61a06\)](#)

[EXHIBIT\(agh61a07\)](#)

00:09:15 Rep. Randall

### **HEARING ON SB 301**

#### **Opening Statement by Sponsor:**

00:10:55 Sen. Terry Murphy (R), SD 39, opened the hearing on SB 301, Revise noxious weed laws.

00:11:31 Rep. MacDonald joined the meeting.

00:13:09 Rep. Clark joined the meeting.

#### **Proponents' Testimony:**

00:13:13 Shelby DeMars, Montana Weed Control Association (MWCA)

00:15:30 John Moodry, Butte Silver Bow Weed District, and Mile High Conservation District

00:16:49 Harold Blattie, Executive Director, Montana Association of Counties (MACo)

[EXHIBIT\(agh61a08\)](#)

00:18:53 Margie Edsall, Self

00:19:45 Jacob Cowgill, Montana Farmers Union (MFU)

00:20:06 Jeff Tiberi, Montana Association of Conservation Districts (MACD)

00:20:25 Jay Bodner, Montana Stockgrowers Association (MSGA), and Montana CattleWomen (MCW)

00:21:05 Jessie Luther, BNSF Railway Company

00:21:22 Rep. Lynch joined the meeting.

00:21:48 Nicole Rolf, Montana Farm Bureau Federation (MFBF)

00:22:46 Jill Allen, Weed Coordinator, Jefferson County Weed District

00:23:08 Rep. Shaw, HD 71

**Opponents' Testimony:** None

#### **Informational Testimony:**

00:24:52 Cort Jensen, Attorney, Director's Office, Montana Department of Agriculture (AGR)

#### **Questions from Committee Members and Responses:**

00:25:57 Rep. Hertz

00:28:02 Sen. Murphy

00:29:33 Shelby DeMars, MWCA

00:30:51 Rep. Hertz

00:31:18 Shelby DeMars, MWCA

#### **Closing by Sponsor:**

00:32:14 Sen. Murphy

**HEARING ON SB 305****Opening Statement by Sponsor:**

00:32:58 Sen. Jim Peterson (R), SD 15, opened the hearing on SB 305, Generally revise laws governing bison management in Montana.

**EXHIBIT(agh61a09)****Proponents' Testimony:**

00:37:26 Sen. F. Moore, SD 20  
00:39:29 Jay Bodner, MSGA, and MCW  
00:42:38 Nicole Rolf, MFBF  
00:44:36 Shelby DeMars, United Property Owners of Montana (UPOM)  
00:45:12 Bob Gilbert, Phillips County  
00:46:04 Vicki Hofeldt, Self  
00:46:54 Margaret Morgan, Women Involved in Farm Economics (WIFE)  
00:47:22 Frank Rigler, Self

**Opponents' Testimony:**

00:47:58 Dick Dolan, Managing Director, American Prairie Reserve (APR)  
00:52:10 Ken McDonald, Administrator, Wildlife Bureau, Fish and Wildlife Division, Montana Fish Wildlife and Parks, (FWP), and representing Director Hagener  
00:54:25 Ben Lamb, National Wildlife Federation (NWF), and World Wildlife Fund (WWF)  
00:55:45 Patrick Dougherty, Bear Creek Council (BCC)  
00:57:29 Nick Gevock, Montana Wildlife Federation (MWF)  
00:59:20 Stan Frasier, Helena Hunters and Anglers Association  
01:00:29 Darell Geist, Habitat Coordinator, Buffalo Field Campaign (BFC)

**Informational Testimony:**

01:02:16 Christian Mackay, Executive Officer, Montana Department of Livestock (LIV)

**Questions from Committee Members and Responses:**

01:02:41 Rep. Hertz  
01:03:35 Darell Geist, BFC  
01:03:41 Rep. Hertz  
01:04:16 Sen. Peterson  
01:05:28 Rep. Williams  
01:05:51 Darell Geist, BFC  
01:06:28 Rep. Williams  
01:06:48 Sen. Peterson  
01:08:51 Rep. Williams  
01:09:05 Sen. Peterson  
01:09:15 Rep. Williams  
01:09:53 Sen. Peterson  
01:10:27 Rep. Williams  
01:10:44 Sen. Peterson  
01:11:28 Rep. Clark  
01:11:39 Sen. Peterson  
01:12:18 Rep. Lang  
01:12:46 Christian Mackay, LIV  
01:12:50 Rep. Lang

01:13:11 Christian Mackay, LIV  
01:13:36 Rep. Lang  
01:13:55 Joe Kolman, Legislative Services Division (LSD)  
01:14:07 Rep. Randall  
01:14:16 Rep. MacDonald  
01:15:09 Ken McDonald, FWP  
01:15:56 Rep. MacDonald  
01:16:08 Ken McDonald, FWP  
01:16:20 Rep. Peppers

**Closing by Sponsor:**

01:17:13 Sen. Peterson

**HEARING ON SB 256**

**Opening Statement by Sponsor:**

01:19:27 Sen. Frederick (Eric) Moore (R), SD 20, opened the hearing on SB 256, Making FWP liable for private property damages caused by wild buffalo/bison.  
01:26:33 Rep. Lenz joined the meeting.

**Proponents' Testimony:**

01:27:54 Vicki Hofeldt, Self  
[EXHIBIT\(agh61a10\)](#)

**Informational Testimony:**

01:30:07 Joe Sperano, Self  
01:32:35 Bill Hoppe, Self  
[EXHIBIT\(agh61a11\)](#)  
01:40:01 Rep. Randall  
01:40:12 Bill Hoppe, Self  
01:40:35 Rep. Randall

**Proponents' Testimony:**

01:40:42 Frank Rigler, Self  
01:40:53 Rep. Randall  
01:40:59 Frank Wrigler, Self  
[EXHIBIT\(agh61a12\)](#)  
[EXHIBIT\(agh61a13\)](#)  
01:44:49 Nicole Rolf, MFBF, WIFE, and Montana Wool Growers Association (MWGA)  
01:46:51 Shelby DeMars, UPOM

**Informational Testimony:**

01:47:50 Edwin Johnson, Self  
01:50:54 Rep. Randall

**Proponents' Testimony:**

01:51:03 Sen. Arthun, SD 31  
01:51:37 Lorri Williams, Self  
01:53:38 Jay Bodner, MSGA, and MCW

**Opponents' Testimony:**

01:55:58 Stan Frasier, Helena Hunters and Anglers Association  
01:58:14 Nick Gevock, MWF  
02:02:50 Ken McDonald, FWP, and representing Director Hagener

**EXHIBIT(agh61a14)**

02:08:26 Ben Lamb, NWF, and WWF  
02:14:59 Steve McEvoy, Self  
02:22:35 Patrick Dougherty, BCC  
02:24:12 Darell Geist, BFC

**Questions from Committee Members and Responses:**

02:25:36 Rep. Halvorson  
02:26:37 Sen. F. Moore  
02:27:49 Rep. Halvorson  
02:28:57 Sen. F. Moore  
02:29:40 Rep. Redfield  
02:29:58 Ken McDonald, FWP  
02:30:27 Rep. Redfield  
02:30:34 Ken McDonald, FWP  
02:30:40 Rep. Redfield  
02:30:45 Ken McDonald, FWP  
02:31:13 Rep. Redfield  
02:31:30 Ken McDonald, FWP  
02:32:07 Rep. Redfield  
02:32:13 Ken McDonald, FWP  
02:32:18 Rep. Redfield  
02:32:32 Ken McDonald, FWP  
02:32:48 Rep. Williams  
02:33:48 Sen. F. Moore  
02:34:52 Rep. Williams  
02:35:11 Sen. F. Moore  
02:35:52 Rep. Williams  
02:36:02 Sen. F. Moore  
02:36:14 Rep. Peppers  
02:36:37 Sen. F. Moore  
02:36:40 Rep. Peppers  
02:37:00 Sen. F. Moore

**Closing by Sponsor:**

02:37:32 Sen. F. Moore  
02:39:52 Rep. Randall

**HEARING ON HB 610****Opening Statement by Sponsor:**

02:40:07 Rep. Bill Harris (R), HD 30, opened the hearing on HB 610, Generally revise management of wild buffalo and wild bison.

**Proponents' Testimony:** None

**Opponents' Testimony:**

02:48:08 John Harrison, Attorney, and Member, Bison Staff, Confederated Salish and Kootenai Tribes (CSKT)

**EXHIBIT(agh61a15)**

02:51:46 Nick Gevock, MWF

02:53:37 Becky Dockter, Chief Legal Council, Legal Unit, FWP, and representing Director Hagener

**EXHIBIT(agh61a16)**

02:59:41 Ben Lamb, NWF, and WWF

03:00:18 Darell Geist, BFC

03:01:32 Stan Frasier, Helena Hunters and Anglers Association

03:04:25 Rep. MacDonald left the meeting.

03:04:41 Patrick Dougherty, BCC

**Informational Testimony:**

03:07:46 Christian Mackay, LIV

**Questions from Committee Members and Responses:**

03:09:49 Rep. Redfield

03:10:16 John Harrison, CSKT

**Closing by Sponsor:**

03:10:56 Rep. Harris

**EXHIBIT(agh61a17)**

03:13:06 Rep. Randall

03:13:18 Recessed

03:27:56 Reconvened

03:27:56 Rep. Randall

**EXECUTIVE ACTION ON SB 144**

03:28:15 **Motion:** Rep. Clark moved that **SB 144 BE CONCURRED IN.**

**Discussion:**

03:28:20 Rep. Randall

**EXHIBIT(agh61a18)****EXHIBIT(agh61a19)**

03:28:51 **Motion:** Rep. Clark moved that **SB 144 BE AMENDED.**

**Discussion:**

03:29:07 Rep. Randall

03:29:19 Joe Kolman, LSD

03:31:19 Rep. Williams

03:31:37 Rep. Randall

03:31:54 Rep. Williams

03:31:58 Rep. Randall

03:32:06 Rep. Salomon

03:32:21 Rep. Clark

- 03:32:45 Rep. Lang  
03:32:52 Rep. Randall  
03:32:55 Rep. Lang  
03:32:57 Rep. Randall  
03:33:04 Rep. Hertz  
03:33:21 Joe Kolman, LSD  
03:33:28 Rep. Hertz  
03:33:57 Joe Kolman, LSD  
03:34:13 Rep. Lang  
03:35:16 Rep. Lynch  
03:35:37 Rep. Randall  
03:36:20 Rep. Halvorson
- 03:36:31 **Vote:** Motion carried 11-6 by roll call vote with Rep. Kerns, Rep. Lang, Rep. Lenz, Rep. Lynch, Rep. Pierson and Rep. Redfield voting no. Rep. MacDonald, Rep. Pease-Lopez and Rep. Pierson voted by proxy.
- 03:37:11 Rep. Randall  
03:37:25 Joe Kolman, LSD
- 03:38:12 **Motion/Vote:** Rep. Clark moved that **SB 144 BE AMENDED**. Motion carried unanimously by voice vote. Rep. MacDonald, Rep. Pease-Lopez and Rep. Pierson voted by proxy.
- 03:38:31 **Motion/Vote:** Rep. Clark moved that **SB 144 BE CONCURRED IN AS AMENDED**. Motion carried 16-1 by voice vote with Rep. Pierson voting no. Rep. MacDonald, Rep. Pease-Lopez and Rep. Pierson voted by proxy. Rep. Randall will carry the bill.
- EXECUTIVE ACTION ON HB 574**
- 03:39:08 **Motion:** Rep. Clark moved that **HB 574 DO PASS**.
- Discussion:**  
03:39:19 Rep. Randall  
[EXHIBIT\(agh61a20\)](#)
- 03:39:50 **Motion:** Rep. Clark moved that **HB 574 BE AMENDED**.
- Discussion:**  
03:39:58 Rep. Randall  
03:40:03 Joe Kolman  
03:42:15 Rep. Randall  
03:42:20 Rep. Lang  
03:42:30 Rep. Randall
- 03:43:13 **Vote:** Motion carried unanimously by voice vote. Rep. MacDonald, Rep. Pease-Lopez and Rep. Pierson voted by proxy.
- 03:43:42 **Motion:** Rep. Clark moved that **HB 574 BE AMENDED**.  
[EXHIBIT\(agh61a21\)](#)

**Discussion:**

03:43:55 Rep. Randall  
03:44:00 Joe Kolman, LSD  
03:44:23 Rep. Randall  
03:44:31 Joe Kolman, LSD  
03:44:40 Rep. Randall

03:45:50 **Vote:** Motion carried unanimously by voice vote. Rep. MacDonald, Rep. Pease-Lopez and Rep. Pierson voted by proxy.

03:45:04 **Motion:** Rep. Clark moved that **HB 574 DO PASS AS AMENDED.**

**Discussion:**

03:45:26 Rep. Blyton  
03:45:47 Rep. Hertz  
03:46:16 Rep. Williams  
03:47:13 Rep. Redfield  
03:48:24 Rep. Clark  
03:49:27 Rep. Randall

03:50:12 **Vote:** Motion carried 16-1 by voice vote with Rep. Clark voting no. Rep. MacDonald, Rep. Pease-Lopez and Rep. Pierson voted by proxy.

03:50:23 Rep. Williams

**EXECUTIVE ACTION ON HB 610**

03:51:15 **Motion:** Rep. Clark moved that **HB 610 DO PASS.**

**Discussion:**

03:51:19 Rep. Randall  
03:51:27 Joe Kolman  
03:51:29 Rep. Randall

03:51:41 **Motion:** Rep. Clark moved that **HB 610 BE AMENDED.**

**Discussion:**

03:52:01 Joe Kolman, LSD

03:57:02 **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. MacDonald, Rep. Pease-Lopez and Rep. Pierson voted by proxy.

03:58:00 **Motion:** Rep. Clark moved that **HB 574 DO PASS AS AMENDED.**

**Discussion:**

03:58:15 Rep. Hertz  
03:58:46 Rep. Williams  
03:59:15 Rep. Redfield

- 04:00:04 **Vote:** Motion failed 7-10 by roll call vote with Rep. Galt, Rep. Halvorson, Rep. Kerns, Rep. Lang, Rep. Lenz, Rep. Randall and Rep. Redfield voting aye. Rep. MacDonald, Rep. Pease-Lopez and Rep. Pierson voted by proxy.
- 04:00:51 **Motion/Vote:** Rep. Clark moved that **HB 610 BE TABLED AND THE VOTE REVERSED**. Motion carried 15-2 by voice vote with Rep. Halvorson and Rep. Redfield voting no. Rep. MacDonald, Rep. Pease-Lopez and Rep. Pierson voted by proxy.
- 04:01:15 Rep. Randall

**ADJOURNMENT**

Adjournment: 04:02:24

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McKenzie Chambers, Secretary

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Additional Documents:

**EXHIBIT([agh61aad.pdf](#))**