

## MINUTES

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

#### COMMITTEE ON AGRICULTURE

**Call to Order:** Chair Lee Randall, on March 26, 2013 at 3:00 PM, in Room 137 Capitol

#### ROLL CALL

**Members Present:**

Rep. Lee Randall, Chair (R)  
Rep. Christy Clark, Vice 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. 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. 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: HR 4, 3/13/2013, SB 226, 3/22/2013  
Executive Action: SB 94 - Be Concurred In As Amended; SB 162 - Be Concurred In As Amended; SB 215 - Be Concurred In As Amended; SB 250 - Be Concurred In As Amended; SB 256 - Be Concurred In As Amended; SB 301 - Be Concurred In; SB 305 - Be Concurred In As Amended

[EXHIBIT\(agh65a01\)](#)

00:16:32 Rep. Randall

**HEARING ON SB 226**

**Opening Statement by Sponsor:**

00:18:12 Sen. Frederick (Eric) Moore (R), SD 20, opened the hearing on SB 226, Revise laws relating to dyed diesel and vehicles dedicated to animal husbandry.

[EXHIBIT\(agh65a02\)](#)

00:18:18 Rep. MacDonald joined the meeting.

**Proponents' Testimony:**

00:22:35 Ariel Overstreet, Montana Stockgrowers Association (MSGA), and Montana CattleWomen (MCW)

00:23:03 Jacob Cowgill, Montana Farmers Union (MFU)

00:23:31 Jim Brown, Montana Wool Growers Association (MWGA)

**Opponents' Testimony:**

00:23:59 Cary Hegreberg, Executive Director, Montana Contractors Association (MCA)

**Informational Testimony:**

00:25:19 Larry Flynn, Administrator, Administration Division, Montana Department of Transportation (MDT)

[EXHIBIT\(agh65a03\)](#)

[EXHIBIT\(agh65a04\)](#)

**Questions from Committee Members and Responses:**

00:32:13 Rep. Williams

00:32:34 Sen. F. Moore

**Closing by Sponsor:**

00:33:59 Sen. F. Moore

00:35:05 Rep. Randall

**HEARING ON HR 4**

**Opening Statement by Sponsor:**

00:35:45 Rep. Kerry White (R), HD 70, opened the hearing on HR 4, House resolution opposing the Federal Forest Jobs and Recreation Act.

[EXHIBIT\(agh65a05\)](#)

[EXHIBIT\(agh65a06\)](#)

[EXHIBIT\(agh65a07\)](#)

00:46:00 Rep. Randall

**Proponents' Testimony:**

00:46:15 Fess Foster, Self

00:50:55 Mike McGinley, Commissioner, Beaverhead County

[EXHIBIT\(agh65a08\)](#)

00:55:50 Kenneth Zahn, Self  
[EXHIBIT\(agh65a09\)](#)  
01:03:04 Steve Jennings, Beaverhead Outdoors Association  
[EXHIBIT\(agh65a10\)](#)  
01:04:06 Ben Erickson, Self  
[EXHIBIT\(agh65a11\)](#)  
01:06:59 Mary Schonsberg, Self  
[EXHIBIT\(agh65a12\)](#)  
[EXHIBIT\(agh65a13\)](#)  
01:10:33 Robin McCulloch, Montana Mining Association (MMA)  
[EXHIBIT\(agh65a14\)](#)  
[EXHIBIT\(agh65a15\)](#)  
01:12:52 Tim Ravndal, Self  
01:14:14 Jim Brown, Montana Snowmobile Association (MSA)  
01:14:53 Marvin Johnson, Jackpine Savages Snowmobile Club  
01:16:14 Jody Loomis, Self  
01:16:49 Patrick E. McCain, Member, Tea Party  
01:17:28 Lauren Blanks, Self  
01:19:39 Pat Davis, Self  
01:19:48 Greg Chilcott, Commissioner, Ravalli County  
01:20:03 Jim Brown, MWGA  
01:20:45 Becky Stockton, Self  
01:21:00 Tammy Johnson, Golden Sunlight Mine, Barrick Gold Corporation  
01:21:15 Rick Sandru, Southwest Montana Stockmen Association, and Ruby Valley Stock Association  
01:21:34 George Trischman, Chairman, Montana Public Lands Council (MPLC)  
01:21:53 Rep. Randall

**Opponents' Testimony:**

01:22:01 Rep. Court, HD 52  
01:27:15 Sherm Anderson, Sun Mountain Lumber, Inc.  
[EXHIBIT\(agh65a16\)](#)  
[EXHIBIT\(agh65a17\)](#)  
01:27:33 Rep. Randall  
01:27:34 Sherm Anderson, Sun Mountain Lumber, Inc.  
01:32:58 Greg Munther, Self  
01:35:11 Mark Petroni, Self  
[EXHIBIT\(agh65a18\)](#)  
01:41:58 Brian Sybert, Executive Director, Montana Wilderness Association (MWA)  
01:45:05 Bill Orsello, Self  
01:46:42 Patty Steinmuller, Self  
[EXHIBIT\(agh65a19\)](#)  
[EXHIBIT\(agh65a20\)](#)  
[EXHIBIT\(agh65a21\)](#)  
[EXHIBIT\(agh65a22\)](#)  
[EXHIBIT\(agh65a23\)](#)  
[EXHIBIT\(agh65a24\)](#)  
[EXHIBIT\(agh65a25\)](#)  
01:49:40 Chris Marchion, Self

01:52:08 Bill Hallinan, President, Wild Divide Chapter, MWA, and Self

[EXHIBIT\(agh65a26\)](#)

[EXHIBIT\(agh65a27\)](#)

[EXHIBIT\(agh65a28\)](#)

[EXHIBIT\(agh65a29\)](#)

[EXHIBIT\(agh65a30\)](#)

01:55:34 Mark Pearson, Director, Conservation Program, Greater Yellowstone Coalition (GYC)

[EXHIBIT\(agh65a31\)](#)

01:56:05 Nick Gevock, MWF

01:56:41 John Gatchell, Self

01:56:52 Mary Alice Chester, Self

01:57:10 Zack Porter, Self

01:57:23 Rebecca Marston, Self

01:57:31 Sam Arnold, Self

01:57:43 Megan Russell, Self

01:57:53 Morgan LaPointe, Self

01:58:00 Becca Boslough, Self

01:58:12 Molly Eimers, Self

01:58:22 Savino Ranallo, Member, MWA, and Treasurer, Montana State University (MSU)

01:58:48 Bridget Baker, MWA

01:58:53 Christopher Ponce, MWA

01:58:59 Janet Ellis, Montana Audubon

01:59:12 Mark Aagenes, Conservation Director, Montana Trout Unlimited (MTU)

01:59:26 John Todd, Self

[EXHIBIT\(agh65a32\)](#)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

02:00:01 Rep. Pierson

02:00:25 Sherm Anderson, Sun Mountain Lumber, Inc.

02:01:53 Rep. Pierson

02:02:09 Mike McGinley, Beaverhead County

02:02:27 Rep. Pierson

02:02:37 Mike McGinley, Beaverhead County

02:03:22 Rep. Pierson

02:03:42 Marvin Johnson, Jackpine Savages Snowmobile Club

02:03:45 Rep. Pierson

02:03:49 Marvin Johnson, Jackpine Savages Snowmobile Club

02:04:04 Rep. Pierson

02:04:20 Sherm Anderson, Sun Mountain Lumber, Inc.

02:05:16 Rep. Williams

02:05:33 Rep. White

02:05:38 Rep. Williams

02:05:40 Rep. White

02:05:44 Rep. Williams

02:05:49 Rep. White

02:06:39 Rep. Williams

02:06:43 Rep. White

02:06:47 Rep. Williams  
02:06:54 Rep. White  
02:07:00 Rep. Williams  
02:07:07 Rep. White  
02:07:40 Rep. Williams  
02:08:00 Rep. White  
02:08:04 Rep. Williams  
02:08:08 Rep. White  
02:08:20 Rep. Redfield  
02:08:37 Mike McGinley, Beaverhead County  
02:09:17 Rep. Redfield  
02:09:27 Mike McGinley, Beaverhead County  
02:11:41 Rep. Redfield  
02:12:21 Sherm Anderson, Sun Mountain Lumber, Inc.  
02:13:42 Rep. Redfield  
02:13:55 Sherm Anderson, Sun Mountain Lumber, Inc.  
02:13:58 Rep. Redfield  
02:14:00 Sherm Anderson, Sun Mountain Lumber, Inc.  
02:14:39 Rep. Redfield  
02:14:43 Rep. MacDonald  
02:15:49 Mr. Pierson  
02:16:06 Rep. MacDonald  
02:16:12 Rep. Randall  
02:16:15 Rep. MacDonald  
02:16:19 Rep. Hertz  
02:16:46 Mark Petroni, Self

**Closing by Sponsor:**

02:17:48 Rep. White  
  
02:20:17 Rep. Randall  
  
02:20:46 Recessed  
02:36:09 Reconvened  
  
02:36:10 Rep. Randall

**EXECUTIVE ACTION ON SB 94**

02:36:30 **Motion:** Rep. Clark moved that **SB 94 BE CONCURRED IN.**

**Discussion:**

02:36:36 Rep. Randall  
  
02:36:37 **Motion:** Rep. Blyton moved that **SB 94 BE AMENDED.**  
**EXHIBIT(agh65a33)**

**Discussion:**

02:36:56 Rep. Randall  
02:37:07 Rep. Blyton  
02:37:35 Rep. Clark

02:37:50 Rep. Blyton  
02:37:54 Rep. Clark  
02:38:05 Linda Stoll, Self

02:38:48 **Vote:** Motion carried unanimously by voice vote.

02:38:55 **Motion:** Rep. Clark moved that **SB 94 BE CONCURRED IN AS AMENDED.**

**Discussion:**

02:39:04 Rep. Williams  
02:40:07 Rep. Clark  
02:40:25 Rep. Kerns

02:40:38 **Vote:** Motion carried 9-8 by roll call vote with Rep. Clark, Rep. Lang, Rep. Lynch, Rep. Pease-Lopez, Rep. Peppers, Rep. Pierson, Rep. Salomon and Rep. Williams voting no. Rep. Laszloffy will carry the bill.

**EXECUTIVE ACTION ON SB 162**

02:41:50 **Motion:** Rep. Clark moved that **SB 162 BE CONCURRED IN.**

**Discussion:**

02:42:59 Rep. Randall  
02:42:26 Joe Kolman, Legislative Services Division (LSD)

**EXHIBIT(agh65a34)**

02:43:13 Rep. Randall

02:43:18 **Motion:** Rep. Clark moved that **SB 162 BE AMENDED.**

**Discussion:**

02:43:20 Rep. Randall

02:43:37 **Vote:** Motion carried unanimously by voice vote.

02:43:47 **Motion:** Rep. Clark moved that **SB 162 BE CONCURRED IN AS AMENDED.**

**Discussion:**

02:43:54 Rep. Randall

02:44:26 **Vote:** Motion carried 16-1 by voice vote with Rep. Kerns voting no. Rep. Lang will carry the bill.

**EXECUTIVE ACTION ON SB 215**

02:44:44 **Motion:** Rep. Clark moved that **SB 215 BE CONCURRED IN.**

**Discussion:**

02:44:54 Rep. Randall  
02:45:08 Joe Kolman, LSD

**EXHIBIT(agh65a35)**

02:45:17 Rep. Randall

02:45:22 **Motion/Vote:** Rep. Clark moved that **SB 215 BE AMENDED**. Motion carried unanimously by voice vote.

02:45:43 **Motion/Vote:** Rep. Clark moved that **SB 215 BE CONCURRED IN AS AMENDED**. Motion carried unanimously by voice vote. Rep. Randall will carry the bill.

### EXECUTIVE ACTION ON SB 250

#### EXHIBIT(agh65a36)

02:46:10 **Motion:** Rep. Clark moved that **SB 250 BE CONCURRED IN**.

#### Discussion:

02:46:15 Rep. Randall  
02:46:17 Joe Kolman, LSD  
02:46:30 Rep. Randall

02:46:37 **Motion:** Rep. Clark moved that **SB 250 BE AMENDED**.

#### Discussion:

02:46:43 Joe Kolman  
02:47:07 Rep. Williams  
02:47:19 Joe Kolman, LSD  
02:47:29 Rep. Williams  
02:47:49 Rep. Randall

02:47:57 **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.

02:48:39 **Motion:** Rep. Clark moved that **SB 250 BE CONCURRED IN AS AMENDED**.

#### Discussion:

02:48:47 Rep. MacDonald  
02:49:37 Rep. Pease-Lopez  
02:50:16 Joe Kolman, LSD  
02:50:27 Rep. Pease-Lopez  
02:50:45 Rep. Randall  
02:50:53 Rep. Pease-Lopez  
02:50:55 Rep. Randall  
02:51:06 Rep. Pease-Lopez  
02:51:13 Rep. Randall  
02:51:37 Rep. Williams  
02:52:12 Rep. Lenz  
02:52:37 Rep. Lang  
02:53:19 Rep. Peppers  
02:53:31 Rep. Williams  
02:54:14 Rep. Lang  
02:55:03 Rep. Redfield  
02:55:28 Rep. Williams  
02:55:40 Rep. Randall

02:56:09 **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. Clark will carry the bill.

02:56:49 Rep. Randall

**EXECUTIVE ACTION ON SB 256**

02:56:57 **Motion:** Rep. Clark moved that **SB 256 BE CONCURRED IN.**

**Discussion:**

02:57:03 Rep. Randall

[EXHIBIT\(agh65a37\)](#)

[EXHIBIT\(agh65a38\)](#)

02:57:27 **Motion:** Rep. Clark moved that **SB 256 BE AMENDED.**

**Discussion:**

02:57:40 Joe Kolman, LSD

02:58:23 **Vote:** Motion carried unanimously by voice vote.

02:58:27 **Motion:** Rep. Clark moved that **SB 256 BE AMENDED.**

**Discussion:**

02:58:49 Joe Kolman

02:59:22 **Vote:** Motion carried unanimously by voice vote.

02:59:27 **Motion:** Rep. Clark moved that **SB 256 BE CONCURRED IN AS AMENDED.**

**Discussion:**

02:59:40 Rep. Redfield

03:00:19 Rep. Williams

03:00:59 Rep. Peppers

03:01:29 Rep. Clark

03:02:02 Rep. Randall

03:02:33 **Vote:** Motion carried 10-7 by roll call vote with Rep. Clark, Rep. Lynch, Rep. MacDonald, Rep. Pease-Lopez, Rep. Peppers, Rep. Pierson and Rep. Williams voting no. Rep. Redfield will carry the bill.

**EXECUTIVE ACTION ON SB 301**

03:03:13 **Motion:** Rep. Clark moved that **SB 301 BE CONCURRED IN.**

**Discussion:**

03:03:19 Rep. Randall

03:03:28 Joe Kolman

03:03:29 Rep. Randall

03:04:56 Rep. Williams

03:05:17 **Vote:** Motion carried 16-1 by voice vote with Rep. Kerns voting no. Rep. Salomon will carry the bill.

**EXECUTIVE ACTION ON SB 305**

03:05:29 **Motion:** Rep. Clark moved that **SB 305 BE CONCURRED IN.**

**Discussion:**

03:05:32 Rep. Randall

**EXHIBIT**(agh65a39)

03:05:44 **Motion:** Rep. Clark moved that **SB 305 BE AMENDED.**

**Discussion:**

03:05:55 Rep. Randall  
03:06:04 Rep. Lang  
03:07:17 Rep. Clark  
03:07:37 Rep. Lang  
03:07:52 Rep. Williams  
03:08:00 Rep. Lang  
03:08:05 Rep. Williams  
03:08:16 Rep. Lang  
03:08:54 Rep. Williams  
03:09:02 Rep. Clark  
03:09:25 Joe Kolman, LSD  
03:10:04 Rep. MacDonald  
03:10:28 Rep. Randall  
03:10:35 Rep. MacDonald  
03:10:36 Rep. Lang  
03:10:40 Rep. MacDonald  
03:10:55 Rep. Williams  
03:11:06 Rep. Lang  
03:11:30 Joe Kolman  
03:12:05 Rep. Halvorson

03:12:47 **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.

03:13:31 Rep. Randall

03:14:24 **Motion:** Rep. Clark moved that **SB 305 BE CONCURRED IN AS AMENDED.**

**Discussion:**

03:14:38 Rep. Williams  
03:14:44 Rep. Peppers  
03:14:47 Rep. Williams  
03:15:02 Joe Kolman, LSD  
03:15:12 Rep. Williams  
03:15:19 Rep. Clark  
03:15:32 Joe Kolman, LSD  
03:15:46 Rep. Peppers

03:15:51 Rep. Pease-Lopez  
03:16:40 Rep. MacDonald  
03:17:10 Joe Kolman, LSD  
03:17:26 Rep. Lenz  
03:17:59 Rep. Lang  
03:18:09 Rep. Randall  
03:18:21 Rep. Lang  
03:19:25 Rep. Pease-Lopez  
03:19:32 Rep. Lang  
03:19:34 Rep. Pease-Lopez  
03:19:38 Rep. Lang  
03:20:15 Rep. Hertz  
03:21:13 Rep. Clark  
03:22:10 Rep. Peppers  
03:22:32 Rep. Randall  
03:22:42 Rep. Williams  
03:23:08 Rep. Redfield

03:23:20 **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. Lang will carry the bill.

03:23:55 Rep. Randall

[\*\*EXHIBIT\(agh65a40\)\*\*](#)

**ADJOURNMENT**

Adjournment: 03:25:54

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McKenzie Chambers, Secretary

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Additional Documents:

**EXHIBIT([agh65aad.pdf](#))**