MINUTES

MONTANA SENATE
61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON AGRICULTURE, LIVESTOCK AND IRRIGATION

Call to Order: Chairman Donald J. Steinbeisser, on February 17, 2009 at 3:00 P.M., in Room 335 Capitol.

ROLL CALL

Members Present:
Sen. Donald J. Steinbeisser, Chairman (R)
Sen. Terry Murphy, Vice Chairman (R)
Sen. Bradley Hamlett (D)
Sen. Ken (Kim) Hansen (D)
Sen. Verdell Jackson (R)
Sen. Cliff Larsen (D)
Sen. Rick Ripley (R)

Members Excused:
Sen. Gary Branae (D)
Sen. Taylor Brown (R)

Members Absent: None

Staff Present: Joan Linkenbach, Committee Secretary
Sue O'Connell, 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:


Executive Action: SB 300; SB 322; SB 217; SJR 20
HEARING ON SB 337

Opening Statement by Sponsor:

00:01:19 Sen. John Brenden (R), SD 18, opened the hearing on SB 337, Revise laws governing bison--re: translocation of quarantined bison.

00:01:29 Sen. Branae now present

Proponents' Testimony:

00:07:39 Chuck Rein, previous Chairman, Montana Stockgrowers Association Landowner/Recreation/Wildlife Committee

EXHIBIT (ags37a01)

00:10:31 Jay Bodner, Montana Stockgrowers Association (MSA)
00:14:00 Suze Bohleen, Board Member, Montana Cattle Women
00:16:25 Carl Seilstad, Fergus County Commissioner; First Vice President, Montana Association of Counties (MACo)
00:17:29 Jay Bodner, spoke in support for Montana Farm Bureau

Opponents' Testimony:

00:17:52 Chris Smith, Deputy Director, Fish, Wildlife and Parks (FWP)

EXHIBIT (ags37a02)

00:27:06 Ilona Popper

EXHIBIT (ags37a03)

00:32:13 Tom Shepard
00:38:27 John Mundinger, Private Consultant, Fish Wildlife and Parks; represented Fish Wildlife and Parks on the Greater Yellowstone Inter-agency Brucellosis Committee; Co-author of the Inter-agency Bison Management Plan

00:43:43 Sen. Branae left the room.
00:45:42 Sen. Ripley
00:46:04 Chairman Steinbeisser
00:46:14 John Vore, Montana Chapter Wildlife Society

EXHIBIT (ags37a04)

00:49:23 Dr. Marty Zaluski, State Veterinarian, Montana Department of Livestock (MDL)
00:51:59 Martha Adkins, read support from Carolyn Duckworth, President, Bear Creek Council

EXHIBIT (ags37a05)
00:53:23 Jeff Stiffarm, Fort Belknap Indian Reservation; Director, Fish and Wildlife Buffalo Department; Vice President, Montana/Wyoming Tribal Fish and Wildlife

EXHIBIT (ags37a06)

00:55:32 Robert Magnan, Director, Fort Peck Tribes Fish and Game Department

EXHIBIT (ags37a07)

00:57:39 Keith Aune, Wildlife Conservation Society (WCS)
01:00:37 Mike Fox, Fort Belknap Fish and Wildlife, Buffalo Department (FBFW)
01:02:07 Donald Fred Matt, Executive Director, Native American Fish and Wildlife Society; Past Chairman, Salish/Kootenai Tribe
01:03:35 Matt Skoglund, Wildlife Advocate for Natural Resource Defense Council
01:05:03 Jonathan Proctor, Defenders of Wildlife

EXHIBIT (ags37a08)

01:06:41 Larry Copenhaver, Conservation Director for Local Issues, Montana Wildlife Federation
01:08:12 Jennifer Nitz
01:10:08 Karrie Taggart, Coordinator for Horse Butte Neighbors of Buffalo
01:11:31 Glenn Hockett, Volunteer President, Gallatin Wildlife Association

Informational Testimony: None.

Questions from Committee Members and Responses:

01:12:16 Sen. Hansen
01:13:57 Mr. Fox, FBFW
01:15:03 Sen. Hansen
01:15:19 Mr. Fox, FBFW
01:15:48 Sen. Larsen
01:16:53 Mr. Smith, FWP
01:17:19 Sen. Larsen
01:17:37 Mr. Smith, FWP
01:17:45 Sen. Larsen
01:18:11 Sen. Brenden
01:18:34 Sen. Ripley
01:19:12 Mr. Mundlinger, FWP
01:21:16 Sen. Ripley
01:21:23 Mr. Mundlinger, FWP
01:21:37 Dr. Zaluski, MDL
01:21:44 Sen. Ripley
01:21:54 Mr. Mundlinger, FWP
Opening Statement by Sponsor:

01:41:39 Sen. Rick Ripley (R), SD 9, opened the hearing on SB 407, Revise district court confirmation of federal water contracts.

Proponents' Testimony:

01:44:41 Bill Hritsco, Attorney; Member, Board of Directors, Montana Water Resources Association
01:46:36 Sen. Branae now present
01:53:19 Bob Hardin, Greenfields Irrigation District

Opponents' Testimony:

02:02:38 Michael Van Deren, Owner, Open A Ranch
02:08:02 Mike Cusick, Water Rights Attorney
02:16:28  Sen. Hansen left the room.
02:17:45  Trisha Lund, Attorney

EXHIBIT (ags37a11)
EXHIBIT (ags37a12)

02:20:19  Chairman Steinbeisser left the room.
02:20:45  Vice Chairman Murphy took the chair.
02:23:37  Sen. Hansen now present
02:23:46  Walter Van Deren, Open A Ranch

**Informational Testimony:**

02:24:35  Dan Jewell, Area Manager, Montana Bureau of Reclamation (MBR)

**Questions from Committee Members and Responses:**

02:27:12  Sen. Hansen
02:27:52  Mr. Tubbs, DNRC
02:28:18  Mr. Jewell, MBR
02:28:35  Sen. Hamlett
02:29:09  Mr. Jewell, MBR
02:29:31  Sen. Brown
02:29:46  Mr. Jewell, MBR
02:30:07  Sen. Brown
02:30:15  Mr. Jewell, MBR
02:30:43  Sen. Jackson
02:31:16  Mr. Jewell, MBR
02:31:32  Sen. Brown
02:32:13  Mr. Tubbs, DNRC
02:33:02  Sen. Brown
02:33:26  Mr. Tubbs, DNRC
02:34:12  Sen. Brown
02:34:26  Sen. Larsen
02:34:51  Ms. Lund
02:35:33  Sen. Larsen
02:36:05  Sen. Steinbeisser now present
02:36:16  Ms. Lund
02:36:43  Sen. Brown
02:37:04  Ms. Lund,
02:37:51  Vice Chairman Murphy
02:38:31  Mr. Cusick
02:39:14  Vice Chairman Murphy
02:39:42  Mr. Cusick
02:39:56  Vice Chairman Murphy
02:40:16  Mr. Tubbs, DNRC
02:44:06  Vice Chairman Murphy
02:44:22  Chairman Steinbeisser
02:46:13  Sen. Brown
Closing by Sponsor:

02:52:33 Sen. Ripley
02:53:53 Chairman Steinbeisser resumed the chair.

02:55:10 Recess
02:55:48 Reconvened

HEARING ON SJ 20

Opening Statement by Sponsor:

02:56:04 Sen. Bob Story (R), SD 30, opened the hearing on SJ 20, Urge Congress to legalize industrial hemp.

Proponents' Testimony:

02:57:24 Representative Bergren, House District 33
03:00:00 Chris Christiaens, Montana Farmers Union (MFU); Montana Farm Bureau (MFB)

EXHIBIT(ags37a13)

03:05:42 Sabrina Smith, Missoula Retailer
03:08:19 Angela Goodhope

EXHIBIT(ags37a14)

03:10:53 Jeremy Briggs, Board Member of The Hemp Industries Association; President of the Hemp Council; Editor of Hemphasis.net; Owner, Authentic Creations; Owner, Natural Selections.
03:11:55 Sen. Brown left the room.
03:13:36 Sen. Brown now present

Opponents' Testimony: None.

Informational Testimony:

03:23:30 Tom Daubert, Patients and Family United

EXHIBIT(ags37a15)

03:25:16 Sen. Brown left the room.
Questions from Committee Members and Responses:

03:26:53 Sen. Hansen
03:27:26 Mr. Christiaens, MFU, MFB
03:27:53 Sen. Hansen
03:28:00 Mr. Christiaens, MFU, MFB
03:28:25 Sen. Ripley
03:28:34 Mr. Christiaens, MFU, MFB
03:29:15 Sen. Brown
03:29:35 Mr. Christiaens, MFU, MFB
03:30:15 Sen. Brown
03:30:49 Mr. Christiaens, MFU, MFB
03:31:58 Sen. Brown
03:32:58 Mr. Christiaens, MFU, MFB
03:33:59 Sen. Brown
03:34:23 Mr. Christiaens, MFU, MFB

Closing by Sponsor:

03:35:11 Sen. Story
03:36:05 Chairman Steinbeisser
03:36:54 Sen. Brown

EXECUTIVE ACTION ON SB 300

There being no objection, there was no Do Pass motion.

03:37:04 Motion: Sen. Steinbeisser moved that SB 300 BE AMENDED.
EXHIBIT(ags37a16)

Discussion:

03:38:10 Chairman Steinbeisser
03:38:40 Vote: Motion carried unanimously.
03:38:52 Motion/Vote: Sen. Steinbeisser moved that SB 300 DO PASS AS AMENDED. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 322

There being no objection, there was no Do Pass motion.

03:39:52 Motion: Sen. Jackson moved that SB 322 BE AMENDED.
EXHIBIT(ags37a17)
Discussion:

03:41:23  Sen. Brown
03:41:29  Sen. Jackson
03:41:46  Sen. Brown
03:41:50  Sen. Jackson
03:42:38  Sen. Hamlett
03:43:10  Sen. Ripley
03:43:41  Sen. Larsen
03:44:21  Sen. Hansen

Without Objection:

03:44:29  Donna Rise, Department of Agriculture (DOA)
03:45:31  Chairman Steinbeisser
03:45:42  Ms. Rise, DOA
03:45:54  Chairman Steinbeisser
03:46:20  Sen. Jackson

03:48:19  Vote: Motion carried 8-1 by voice vote with Sen. Hansen voting no.

03:48:19  Motion: Sen. Brown moved that SB 322 BE AMENDED. EXHIBIT(ags37a18)

Discussion:

03:48:21  Sue O'Connell, LSD
03:48:42  Sen. Larsen

03:48:45  Vote: Motion carried unanimously by voice vote.

03:49:55  Motion: Sen. Jackson moved that SB 322 BE AMENDED. EXHIBIT(ags37a19)

Discussion:

03:51:53  Sen. Murphy
03:52:32  Sen. Larsen
03:54:32  Sen. Brown
03:54:37  Ms. Rise, DOA
03:55:54  Sen. Brown
03:56:08  Ms. Rise, DOA
03:56:13  Sen. Brown
03:56:18  Ms. Rise, DOA
03:56:37  Sen. Brown
03:56:41  Ms. Rise, DOA
Motion: Sen. Ripley moved that SB 322 BE AMENDED.

EXHIBIT (ags37a20)

Vote: Motion carried unanimously by voice vote.

Motion: Sen. Jackson moved that SB 322 DO PASS AS AMENDED.

Discussion:

Sen. Brown
Sen. Larsen

Vote: Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 217

Motion: Sen. Ripley moved to RECONSIDER PREVIOUS ACTION TO TABLE SB 117.

Discussion:

Sen. Larsen
Sen. Ripley
Sen. Hansen
Sen. Brown
Sue O'Connell, LSD
Sen. Brown
Chairman Steinbeisser
Sen. Ripley
Steinbeisser

Vote: Motion carried 6-2 by voice vote, present and voting, with Sen. Hamlett and Sen. Hansen voting no.
Further discussion:

04:09:14  Sen. Ripley
04:09:21  Sue O'Connell, LSD

04:09:37  **MOTION**: Senator Ripley moved to re-refer SB 217 to Finance and Claims Committee.

04:10:03  Sen. Larsen


**EXECUTIVE ACTION ON SJ 20**

04:11:05  **Motion/Vote**: Sen. Jackson moved that SJ 20 DO PASS. Motion carried unanimously by voice vote.
ADJOURNMENT

Adjournment:  7:20 P.M.

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Joan Linkenbach, Secretary

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Additional Exhibits:
Referring to SB 337
EXHIBIT(ags37a21)
EXHIBIT(ags37a22)

Additional Documents:
EXHIBIT(ags37aad.pdf)