1/13/1977

MINUTES OF THE MEETING OF
HOUSE AGRICULTURE, LIVESTOCK & IRRIGATION COMMITTEE
MONTANA HOUSE OF REPRESENTATIVES

January 13, 1977
3:30 p.m.
Rm. 434
State Capitol Bldg.

The meeting was called to order by Chairman Day, with all members present and accounted for.

Representative Conroy, chief sponsor of H.B. 134, 135, and 136, opened discussion by stating that these three bills were the first of a series of about nine bills to be introduced concerning the brand laws in Montana. A study was made about one year ago to up date the brand laws in Montana. Rep. Conroy explained H.B. 134, was a bill to increase fees for recording, transferring and rerecording marks or brands. The bill would increase the fee from $10 to $25, which is an increase of $1.50 per year. The reason for the increase is to get more money into the Department of Livestock, for operating costs. Les Graham, Administrator, Brands Enforcement Division of the Department of Livestock, stated that over 40, state and county organizations had been approached with these bills, with only one organization opposed. There are 67 thousand brands in Montana and they need to be rerecorded every ten years, the next rerecording will be 1981. In July of 1980, they will need two additional employees, to work on the rerecording. Mr. Graham explained the procedure each employee had to go through and the need for two more employees. At the present time, all of their funding comes from earmarked revenue funds and these fees. The Department of Livestock would like to keep it that way, so there is a need for the additional raise in these fees. Representative Conroy closed with a recomended, do pass, for H.B. 134.

Representative Conroy opened discussion on H.B. 135, explaining that this is another revenue bill dealing with fees charged for handling brand security agreements filed with the Department of Livestock. Les Graham, explained that there would be a limit of $15, for these services. He went on to explain how much it actually cost to process each one of these mortgages. It amounted to $6.92, per mortgage. He felt that this bill would at least allow them to meet their costs. Rep. Conroy closed with a do pass recomendation.

Representative Conroy explained that H.B. 136 would make sure the Department of Livestock is notified when livestock is imported across the state line. This notification must be made within 48 hours after the arrival of the livestock into the state. This livestock can not be commingled with other livestock already in Montana until inspected for brands and marks by a state stock inspector or deputy state stock inspector. Rep. Conroy then submitted an amendment to the bill. The amendment inserted on page 2, section 2, line 19, following the word, "inspector." the following, "The fees for this inspection shall be the same as those imposed for county line or change of ownership inspections. The fees paid to state stock inspectors shall be remitted to the department for deposit in the earmarked revenue fund for the use of the department." Conroy closed with a do pass as amended, recomendation. Mons Teigen, representing the Montana Stockgrowers and the Montana Wool Growers Associations went on record as being in support of H.B. 134, 135, and 136.

Representative Staigmiller moved executive action be taken on H.B. 134, 135, and 136. Representative Johnston seconded the motion. The motion was carried.

An amendment to H.B. 134, was suggested to change, on Page 2, line 9, after the word, "name" to strike the work "in" and insert the word, "with".

Representative Johnston moved the above amendment be adopted. It was seconded by Rep. Bengston. The motion was carried.

Representative Johnston moved H.B. 134, do pass as amended. Representative Severson seconded the motion. The motion was carried.

Representative Smith moved H.B. 135, do pass. It was seconded by Representative Staigmiller. Discussion: Representative Brand said he would vote against the bill only because he didn't like it being put under the Administrative Procedures Act. Charles Brown, attorney for the Department of Livestock, stated the reason for this was it gave the public more hold. Representative Conroy stated it had been recomended by the Governor's office to put it this way. Question was called by Representative Gunderson. The motion was carried with one opposition, Representative Brand.

Representative Gunderson moved H.B. 136, do pass. It was seconded by Representative Staigmiller. A substitute motion was made by Representative Conroy, that the amendment be adoped and as amended do pass. It was seconded by Representative Johnston. Discussion: Rep. Dassinger, asked if there was a penalty for not having animals inspected? In reply, yes, there already is a law to cover the penalty. The motion was carried to, do pass as amended.

Chairman Day asked if it would be all right with the committee if these bills were held back until the fiscal note on H.B. 135, came back. The committee agreed.

A Motion was made by Representative Dassinger to adjourn. The motion was seconded and carried.

Adjorned at 4:20 p.m.

William M. Day, Chairman

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