

1/27/1977

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

January 27, 1977
3:30 p.m.
Rm. 434
State Capitol Bldg,

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

Senator Galt, chief sponsor of SB 35, was present to explain the bill. He stated that this bill would allow two changes to be made in the state Soil Conservation Districts. The two points were as follows: 1) Allow part of a district to leave an existing district. 2) A general election will be held to elect supervisors of the districts. He continued, that his main concern was to legalize the election of supervisors. The Department of Natural Resources requested the supervisors be elected like any other county officer, for their own protection.

Proponents to SB 35, were as follows: Bob Biggerstaff, Montana Association of Conservation Districts, and Peter Jackson, Soil Conservation District Supervisor. Mr. Biggerstaff stated that he was in favor of SB 35, and felt that the need for the election of supervisors was necessary to make the operation a legal one. Mr. Jackson, stated that the last election he was voted in by only 16 votes and this should show the need for a general election. Since revenue sharing funds are used it would only be legally right to have a general election of supervisors.

Arnold Jacobsen and Herb Koenig, Flathead Conservation District, were present as opponents to SB 35. Mr. Jacobsen, stated that he came from an area that had five district supervisors. He didn't feel the law was to unreasonable except for the fact that he felt it should be stipulated that each supervisor should come from a separate area of the district, so one area would not be able to control the whole district. Mr. Koenig stated that he felt the general election would be good but, without the stipulation stated by Mr. Jacobsen the board could be stacked. He suggested that the supervisors be elected by petition from each area of the district before the general election. He also suggested that the three and one bases for election and the three and two supervisor election, be changed to, two for six years, next election two for six years and next election only elect one supervisor.

Senator Galt replied that with the present law the fears that the the opponents had of one area controlling could happen with the present law.

Representative Severson asked what qualifications a person needed to run for district supervisor? Senator Galt answered they only need was being a registered voter.

Senator Galt, chief sponsor of SB 55, explained that this bill was a bill that would allow the Department of Livestock to slaughter an animal when in doubt of altered brand. Then pay the value of the animal to the rightful owner, instead of paying the person

in possession of the animal at the time of slaughter. It is hard for the department to get money back from a dishonest person if he was in possession of the animal at time of questioning, to pay the rightful owner.

Les Graham, Department of Livestock, was present to testify as a proponent to SB 55. He showed the committee the way an altered brand could be determined by butchering the cow, with the hide of an animal which had an altered brand. He showed how this certain brand had been altered, and how others could be done. He concluded by stating that this method of determining an altered brand was not necessary very often. It had only been used four times in the last ten years, but by passing SB 55 the state would only have to pay the rightful owner of the animal after slaughter.

Representative Johnston asked if a registered animal had to be slaughtered if the owner would only receive the market value for the animal? Senator Galt answered, that this was stipulated, in the bill, that value would be determined before slaughter.

Representative Lien, chief sponsor of HB 317, explained that this bill was a request from the Department of Agriculture, and was a bill cleaning up the language of the apiculture laws.

George Lackman, Department of Agriculture, was present as a proponent to HB 317. He explained to the committee the amount of beekeepers in Montana, kinds and amount of hives they had, and that Montana rated 6th in the nation for production. He continued by stating that the only changes were simple language changes such as changing from, "permit" to "new certificate of registration", and clarifying the rules of the apiaries in Montana.

Other proponents to HB 317, were; Will Kissinger, Montana Department of Agriculture, Boyd Smoot, Smoot Honey Company, Don Smoot, Montana Beekeepers Association, and Bob Davis, Montana Beekeepers Association. These gentlemen stated that they felt HB 317, was a good bill and the language clean up would make the apiculture laws much easier to enforce.

Representative Smith asked, how it was determined if a permit was needed? He has a couple of hives on his own property, and explained that his bees were wild bees, in two locations at his home. They were not actual hives where they were living. Will Kissinger, state inspector, explained that he should have a permit, but under the present law when this occurred the law was not enforced.

Representative Lien, chief sponsor of HB 452, stated that this bill would clarify the authority of a cooperative state grazing district to possess, manage, and control agricultural lands.

Mr. Peter Jackson and Mr. Bob Biggerstaff, Montana Association of Conservation Districts, were present as proponents to HB 452. They stated that this bill would help in the management program for grazing districts to include agricultural lands when necessary, clearing up the law for good management.

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Mons Teigen, representing the Montana Stockgrowers and the Montana Woolgrowers Association, was present as a proponent to HB 452. Questions raised were, would this allow state grazing districts to overpower individuals? Mr. Teigen stated the grazing districts' still would have to meet the other bids.

The committee went into executive session.

Representative Ellerd moved SB 55, be concurred in. It was seconded by Representative Johnston. The motion was passed unanimously.

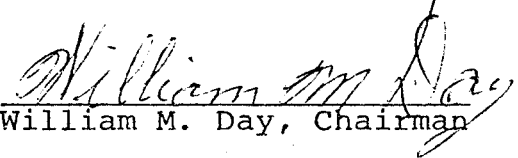
Representative Gunderson moved HB 172, be tabled in committee. It was seconded by Representative Bengtson. The motion was passed unanimously.

Representative Johnston moved HB 240, do pass. It was seconded by Representative Staigmilller. The motion was passed unanimously.

Representative Smith moved HB 452, do pass. It was seconded by Representative Ellerd. The motion was passed unanimously.

Representative Johnston moved to adjourn. The motion was passed with Representative Staigmilller opposed.

Adjourned at 4:40 p.m.


William M. Day, Chairman

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