

3/24/1977

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

March 24, 1977
10:05 a.m.
Rm. 434
State Capitol Bldg.

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

Mr. Gary Gingery, Department of Agriculture, was present to present SB 239. He stated that this bill was a result of the activities and recommendations of the Governor's Noxious Weed Management Advisory Council created by Governor Judge at the request of the Agricultural Ad Hoc Committee and the Department of Agriculture. This bill primarily provides that the department will assist agricultural producers and county noxious weed personnel in managing and delineating noxious weeds that significantly affect agricultural productions, both crop and range, in the state. The most important part of this bill addresses weed management on federal lands especially where such weed infestations directly affect range or crop lands. Some of the problems currently experienced by producers, county weed districts, and federal agencies on lands in their jurisdictions are lack of communication, planning, funding, and low priorities given to noxious weed management by some local and federal government agencies. Public law 90-583, 43 U.S.C. 1242 allows heads of federal departments or agencies to permit the state departments of agriculture or their authorized representatives to enter federal lands and effect programs to control noxious plants. The program would be operated by; 1) the department, weed districts and citizens will meet with state directors of federal agencies to develop the possible programs for federal lands; 2) they will meet with local administrators to determine the noxious plant problem in federal lands, and devise techniques to control infestations and determine the cost; 3) management plans will be prepared to develop priorities within the overall plan; 4) department personnel will meet with the representatives of department or agency heads in Washington, D.C. to request funds for these projects; 5) monies received will be provided to county weed districts to implement the various programs proposed. (prepared statement attached)

Representative Severson asked how they would control weeds on wilderness federal lands? Mr. Gingery replied that they could not do much unless they come up with a biological control method.

Representative Curtiss asked if, "Montana", should be inserted in the title before the word, "department"? Dave Cogley stated that this was not necessary because this legislature could only pass laws relating to Montana departments.

The hearing on SB 239 was closed and the hearing on SB 194 was opened.

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Senator Jergeson, chief sponsor of SB 194, stated that this bill was a request from the Department of Agriculture, for the general revision of the seed warehouse and licensing act. Most of the changes are recodification changes. One change on page 4, sets a license fee of \$50, maximum per year. Also, changing the dealers license from \$10 to \$20 per year, maximum. The department will have the authority, by rule, to establish license fees which bear a reasonable relationship to the cost of administering this chapter.

PROPOSERS:

Mr. Roy Bjornson, Department of Agriculture, added that one change recommended by the Department of Agriculture was to extend the germination labeling requirements from 9 to 12 months. In conclusion he stated that all the recommended changes are supported by the seed industry. (prepared statement attached)

The hearing on SB 194, was closed and the hearing on SB 135, was opened.

Chairman Day asked staff attorney, Dave Cogley, to explain SB 135. Dave stated that this bill pertained to floating logs on rivers. Repealing the section when logs of one owner ran into logs of another the first logger had lien over the second logger. The reason for repealing is that the floating of logs is obsolete. I am not sure why the section relating to state brands to be placed on seized logs is being repealed, possibly it is no longer used. Repealing the Colorado Interstate Compact, no action has been taken on that, to my knowledge nothing has been done. Basically they are repealing sections that are basic knowledge. Also section 45-421 should be put back into the title. After repealing the first two sections 45-421, the third section, would no longer apply to anything. I propose this be amended back into the bill.

It was requested that action be deferred on SB 135, until someone from D & R could be present to answer questions.

EXECUTIVE SESSION:

Representative Bengtson moved SB 194, be concurred in. It was seconded by Representative Johnston. The motion was passed with Representative Smith opposed.

Representative Conroy moved SB 239, be concurred in. It was seconded by Representative Staigmiller. The motion was passed unanimously.

Representative Johnston will carry SB 239, on second reading.

Representative Gunderson moved the adoption of the proposed amendments to SB 209. Discussion followed. Representative Gunderson made a substitute motion to withdraw the first proposed amendment and adopt the second amendment. It was seconded by Representative Dassinger. The motion was passed with Representatives Curtiss and McLane opposed. (amendments attached)

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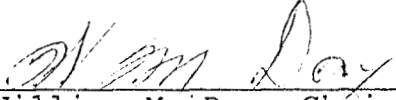
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Representative Gunderson moved SB 209, be concurred in as amended. It was seconded by Representative Dassinger. The motion was passed 8 to 6.

Representative Bengtson will carry SB 209, on second reading.

Representative Gunderson moved SB 165, be concurred in as amended. It was seconded by Representative Conroy. The motion was passed unanimously. (amendments attached)

The meeting was adjourned at 11:30 a.m.



William M. Day, Chairman

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