

MINUTES OF THE MEETING  
AGRICULTURE, LIVESTOCK & IRRIGATION  
MONTANA STATE SENATE

January 19, 1979

The fourth meeting of the Agriculture, Livestock and Irrigation Committee was called to order on the above date in Room 415 of the State Capitol Building by Chairman Galt at 1:30 p.m.

ROLL CALL: All members were present with the exception of Senator Graham who was absent.

CONSIDERATION OF SENATE BILL 95: Senator Hafferman, district 11 was the sponsor of the bill. He said he had no organized support for it. He said the state and county never used to spray along the roads in his area, between Libby and Kalispell, because it was so heavily timbered. This past year they sprayed early in the spring. He felt this spray was detrimental to the bluejays and other fowl who fed along the roadways. The spraying contaminates the gravel along the roads and this is what the bluejays, etc. fed on. He felt some other means should be found for the spraying of these weeds.

There were no further proponents.

Opponents: Al Kington, representing WETA and Wickes Forest Industries said they had some reservations about the bill. He felt it was attempting to change the definition of "forest". He said as far as the use of herbicides and pesticides went, it was usually used as a last resort in the timber. He felt any spraying of weeds had to be done on a widespread basis. It would do no good to spray only in some areas.

Representative Thoft said he was not opposed to the protection of wildlife, but all application of chemicals must be made according to directions and if the directions are followed not much harm will come. There has been training sessions for the applicators of these sprays and the spraying process is improving. He said there was no repealer in this bill and if passed it would be in direct conflict with the law.

Ron Schofield, Helena Valley Irrigation District, said the noxious weeds must be controlled.

Don Burnham, Lewis & Clark Farm Bureau, also felt the weeds have to be controlled. He stated that the Forest Service ground is not sprayed and this land is one of the major infestations of weeds. He said even the wildlife will leave weed infested ground.

In closing Senator Hafferman said he had introduced this bill just to make people aware of what is happening. He said we have to do things to better our existence and the existence of our wildlife.

CONSIDERATION OF SENATE BILL 96: Senator Harold Dover, district 24, was the sponsor of this bill. He said this bill only added a few new words other than that it was patterned after current law. He said liens can already be put on some farm associated things. This bill would add fertilizer, fuel and chemical spray. The lien must not exceed the reasonable amount of the product that was supplied. The bill would also give the farmer 60 days to comply before the lien went into effect. With prices being high these days, he felt the seller of these products would be more inclined to go a little farther with the farmer if they had some protection. The way it is now a person could sell his crop and spend the money on something else and not pay his bill.

Mr. Al Dacas, Farmers Elevator Coop from Denton spoke as a proponent. He stated that collecting on many of these bills was very costly to the elevators and suppliers. He stated if there was one large bill that they didn't collect on, it could mean all of their profit.

Elroy Letcher, Montana Council of Cooperatives, asked for the committees support of the bill to give the suppliers some type of protection.

Pete Jackson, representing himself, also supported the bill. He said he had gone through an experience of this type. He felt it was a lot harder on the supplier because they had no course of action to take if the bill owed to them was not paid.

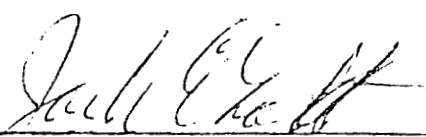
During disucssion the question was asked if the bill was passed would the supplier extend more credit to people, even if they knew the bill couldn't be paid because of the fact that they had a course of action to fall back on. The people representing the elevators felt this would not be the case.

DISPOSITION OF SENATE BILL 96: The researcher for the committee said there were a few technical changes that should be made to keep the bill in compliance with the codes. These amendments are attached, see committee report. Senator Kolstad moved the proposed amendments be passed. Seconded by Senator Nelson. Motion carried. Senator Graham absent.

Senator Nelson moved that Senate Bill 96 as amended DO PASS. Motion carried on a roll call vote of 5 to 2. Senator Graham absent.

DISPOSITION OF SENATE BILL 95: Senator Nelson moved that Senate Bill 95 DO NOT PASS. Motion carried unanimously. Senator Graham absent.

The meeting was then adjourned.

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SENATOR JACK E. GALT, Chairman



SENATE Agriculture COMMITTEE

BILL SB 95  
96

VISITORS' REGISTER

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Please note bill no. (check on SUPPORT O

NAME	REPRESENTING	BILL #	SUPPORT	O
James K. Leach	Helena	95		
Jean P. DeBree	F. & C. Weed Board	95		-
Don Burnham	F & C Farm Bureau	95		L
Don Schatz	F & C Weed Board	95		C
Myelin Donaldson	F & C Weed Board	95		-
Al Kingston	WETA - Wecker For Ind	95		L
Edwin Jackson	Water Meters	95		L
Keith Herrin	Lewis Clark Weed Dist	95		-
William J. Foster	Ranchman	95		L
RON SCHOFIELD	HELENA VALLEY IRRIGATION DIST.	95		-
F. H. Ellis	Farmer Helena Valley	95		L
Senator W. Hoffmann	Lewis Clark Weed Dist	95	✓	
ELROY LETCHER	MT COUNCIL OF COOPERATIVES	96	✓	
Bob West	Self	95		L
Bob Campbell	Farmer Coop Electric	96	✓	
Joe Anderson	"	96	✓	
Appel Damm	" " "	96	✓	L
Ray K. Messick	" " "	96	✓	
James F. Mott	Public R. & T. Co.	95		
Henry Murphy	Mont. N.F.S.			