

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

February 16, 1979

The seventeenth meeting of the Agriculture, Livestock and Irrigation Committee was called to order on the above date in Room 415 of the State Capitol Buildinb by Chairman Galt at 7:30 p.m.

ROLL CALL: All members were present with the exception of Senator Kolstad.

The witnesses that were present to testify are attached.

CONSIDERATION OF SENATE BILL 365: Senator Jergeson had introduced this bill. This bill would restrict the importation of diseased alfalfa bees into Montana. He said this industry is growing in Montana and it would be a way to help young farmers get started in alfalfa seed business.

Roy Bjornson, Department of Agriculture, said they were in support of the bill. He felt some amendments were necessary to make the bill work. The bees are important pollinators of alfalfa and the bee industry is increasing in the state and there is much concern about protecting the industry from diseased bill. The certification program that is stimpulated in the bill could be a problem since other states do not have certifications. He felt the fees should be changed since the bees are imported in gallons. He suggested \$2 per gallon.

Tom Deneny a grower of alfalfa seed arose in support of the bill and felt this legislation was needed.

Senator Jergeson presented a proposed amendment, see committee report. Senator Conover moved the proposed amendments. Motion carried.

DISPOSITION OF SENATE BILL 465 : Senator Conover moved that Senate Bill 465 DO PASS AS AMENDED. Motion carried.

CONSIDERATION OF SENATE JOINT RESOLUTION 22: Senator Jergeson was the sponsor of this bill. He had been asked to introduce this bill by Zack Stephens, from the Montana Farm Bureau. Wild oats is a growing and terrible problem. We are requesting the Governor and Montana delegation to seek out some type of funding to continue to research for the eradication of wild oats.

Mr. Zack Stephens, Montana Farm Bureau, also speaking for MFU, NFO, WIFE, supported the resolution. Dr. Strobel from MSU has been working on a solution for wild oats and it is a very worthwhile program. The funding may not come out of any state funds.

DISPOSITION OF SENATE JOINT RESOLUTION 22: Senator Boylan moved that Senate Joint Resolution 22 DO PASS. Motion carried.

CONSIDERATION OF SENATE JOINT RESOLUTION 20: Senator VanValkenburg was the sponsor of this bill. He stated that maintain the water lines in his district is a serious problem. The lines re-act to the soil and there is a considerable amount of street breakup that the water user has to pay for. He felt it was grossly unfair that the water user has to pay for repairs beyond his property lines when it is the water suppliers fault. This resolution would direct the Public Service Commission to study all there rules that were written in 1916.

Representative Eudaily agreed with what Senator VanValkenburg had stated. The supplier in his area is the Montana Power Co. and he felt they should be responsible for the street repairs.

Next, the opponents were called on. Dan Mizner, Montana League of Cities and Towns, said the bill would do away with the ordinances of the cities and towns. This would create a problem in the municipal government. He said if the bill was passed he would propose an amendment to exclude all the municipal sector and that the Public Service Commission be directed to grant up to 50% of the pro-rated structure.

Dean Holmes, Mayor, Miles City, said they have an ordinance in Miles City to take care of these kinds of problems. He felt if there was a general charge for everyone it would be unfair to some people. He suggested that a date such as January 1, 1979 for all new constructed mains be put in.

Norm Stedi, Mayor of Ronan, thought it would be quite a burden to the people who had to pay the additional expenses.

Steve Williams, Butte Water Co., said there is no way to anticipate the costs. He felt part of the bill would be in conflict with other parts of the law.

David Hunter, City of Helena, said the rate would be re-distributed on to the water users.

William Opitz, Public Service Commission, said they cannot grant a rate increase without a hearing. There rules have been reviewed but have withstood the test of time since 1916.

Senator VanValkenburg in closing said he wouldn't object to the bill be amended, but felt this problem should be addressed in some way. He said the water supplier couldn't do anything unless they were directed by the PSC. In questionning it was brought out that the PSC does not have jurisdiction over the county water districts. The committee would have to pay for these costs one way or the other. It would be a very inequitable tax on the people going into one of these districts.

DISPOSITION OF SENATE JOINT RESOLUTION 20: Senator Aklestad moved that Senate Joint Resolution 20 BE TABLED. Motion carried.

CONSIDERATION OF SENATE BILL 499: Senator Severson said this bill had been requested by the Montana Cattlemen's Association. This bill pertains to security interests on livestock. He felt this was one area that the Department of Livestock did not have to be in. The department is funded totally from the livestock industry and they feel this item relates to the lending industries.

Alice Frysle, Montana Cattlemen's Association, supported this bill. She felt it should not be up to the department to do the bookkeeping for the lending institutions.

Next, the opponents were heard from. Mr. Harold Pitts, Montana Bankers, said during the past 30 to 40 years that the present law has been in affect that the law has worked well. This bill would make it difficult on the small borrower when they would depend on the cattle for repayment of the loan. They would have no equity to operate on.

Larry Huss, Montana Independent Bankers, said the cattle markets have a dual form of security. Upon the sale of the livestock to a purchaser the purchaser takes the cattle free and clear of the security interests. The present act gives them additional securities by imposing a burden on a market. The department notifies the market that there is a security agreement on certain cattle. Payment is made out in dual form. If you do away with this law the financing institutions will still finance money but they will be much more selective. The availability of money to a marginal operator will cease.

R. A. Ellerd, said Montana is the envy of many states because we have this law and it works so well. If you do not satisfy the mortgage owner you can pay for the cattle twice.

Les Graham, Department of Livestock said the cattle aren't mortgaged the brands are. Most lending institutions file with the department.

DISPOSITION OF SENATE BILL 499: Senator Nelson moved that Senate Bill 499 BE TABLED. Motion carried. Senator Boylan voting NO.

CONSIDERATION OF SENATE JOINT RESOLUTION 26: Senator Severson was the sponsor of this bill. This resolution states that all imported meat would be labelled that it comes from outside of the United States. It would also state that all foreign meats be of the same quality as the U.S. meats.

Alice Frysle, supported this resolution. She said meat that is mixed with foreign meat will still be labelled as a percentage of foreign meat.

DISPOSITION OF SENATE JOINT RESOLUTION 26: Senator Hager moved that the resolution DO PASS. Motion carried.

CONSIDERATION OF SENATE JOINT RESOLUTION 28: Senator Dover who had requested the committee to sponsor this bill said the resolution directs the Department of Natural Resources to set up a citizens advisory board. The committee had heard prior testimony on this bill.

DISPOSITION OF SENATE JOINT RESOLUTION 28: Senator Nelson moved that the resolution DO PASS. Motion carried. Senator Kolstad voting yes.

CONSIDERATION OF SENATE BILL 520: This was a committee sponsored bill to replace the original gasohol bill Senate Bill 279. This bill would be an assessment on wheat and barley, the money to go to the Department of Agriculture to administer as they see fit.

During questionning Senator Aklestad asked Jim Christiansen from the Wheat Research Program is there wasn't some area in their budget that they could cut down so some of the money could go toward the gasohol program. They felt their budget was fully justifiable.

DISPOSITION OF SENATE BILL 520: Senator Conover moved that Senate Bill 520 DO PASS. Motion carried. Senator Hager No. Senator Kolstad voting yes.

DISPOSITION OF SENATE BILL 517: Senator Graham moved that Senate Bill 517 BE TABLED. Motion carried.

DISPOSITION OF SENATE BILL 279: Senator Aklestad moved that Senate Bill 279 BE TABLED. Motion carried.



SENATOR JACK E. GALT, Chairman

Date 2-16

7:30 p.m.

ROLL CALL

COMMITTEE

46th LEGISLATIVE SESSION - 1979

Each Day Attach to Minutes.

DATE Feb. 16 - 7:30 P.M.

COMMITTEE ON AGRICULTURE

SB 465-499

VISITORS' REGISTER SJR-20-22-26

NAME	REPRESENTING	BILL #	Check One	
			Support	Oppos
Paul M. Meier	Montana Cattlemen	SB 465		X
Jack Stevens	Farm Bureau	SJR 22	+	
Ediean Holmes	Major Miles City	SJR 20		X
Homie A. Downing	grower of alfalfa	SB 465		
Ray Johnson	Montana Dept of Agr	SB 465	X	
John Lloyd	Billings City Council	SJR 22		
David Hunter	City of Helena	SJR 20		
John Flory	City of Billings	SJR 20	X	X
Mary GRAHL	City of Billings	SJR 20		
Stephen M. Williams	Butte Water Co.	SJR 20		X
Jean M. Eichenseher	Dept. of Livestock	SB 499	X	
D. M. Sutter Jr.				
Frank Pitts	Montana Bankers	SB 499		X
Les Graham	MT. Dept. of Lvs Th	SB 499	NA	NA
Larry Hess	Montana Cattlemen	SB 465		

STANDING COMMITTEE REPORT

.....February 16..... 1979.....

MR. President.....

We, your committee on Agriculture, Livestock & Irrigation.....

having had under consideration Senate..... Bill No. 520.....

Respectfully report as follows: That..... Senate..... Bill No. 520.....

DO PASS

STANDING COMMITTEE REPORT

.....February 16.....1979.....

MR. President.....

We, your committee on Agriculture, Livestock & Irrigation.....

having had under consideration Senate Joint Resolution..... Bill No. 28.....

Respectfully report as follows: That Senate Joint Resolution..... Bill No. 28.....

DO PASS.....

STANDING COMMITTEE REPORT

February 16, 1979

MR. President,

We, your committee on Agriculture, Livestock & Irrigation,

having had under consideration Senate Joint Resolution No. 22,

Respectfully report as follows: That Senate Joint Resolution No. 22,

DO PASS

STANDING COMMITTEE REPORT

.....February 16.....1979.....

MR. President.....

We, your committee on.....Agriculture, Livestock & Irrigation.....

having had under consideration.....Senate Joint Resolution.....Bill No. 26.....

Respectfully report as follows: That.....Senate Joint Resolution.....Bill No. 26.....

DO PASS

STANDING COMMITTEE REPORT

February 17, 1979

MR. President

We, your committee on Agriculture, Livestock & Irrigation

having had under consideration Senate Bill No. 465

Respectfully report as follows: That Senate Bill No. 465,...

introduced bill, be amended as follows:

1. Page 1, line 24.

Strike: "the"

Following: "pathogens"

Strike: remainder of line 24 through line 1 on page 2

Insert: "in accordance with standards adopted by the department"

2. Page 2, line 7.

Following: "in"

Strike: remainder of line 7

Insert: "accordance with standards adopted by the department"

3. Page 2, line 9.

Following: "certification"

Strike: remainder of section

Insert: "not to exceed \$2 per gallon."

And, as so amended

DO PASS

CC.