

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

March 9, 1979

The twenty-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 1:00 p.m.

ROLL CALL: All members were present.

The witnesses that were present to testify are attached.

CONSIDERATION OF HOUSE BILL 863: Representative Curtiss district 20 had introduced this bill. This bill pertains to conservation districts having the county attorney for legal counsel. She said the need for this bill has become necessary since the legislature has mandated that the supervisors of these districts carry out more responsibilities. This bill states that the county attorneys provide legal counsel without pay. The supervisors serve without pay but they may receive some compensation for travel and special projects.

Walt Dion, Montana Association of Conservation Districts, supported the bill. His testimony is attached per exhibit #1.

Opponents: Tom Honzel, representing county attorneys, said they were not opposed to representing these districts and have done it in some cases. The Yellowstone water reservations would be a problem. Some county attorneys have been approached to sue the Department of Natural Resources about the Yellowstone River water reservations.

Representative Curtiss in closing said the legislature has mandated that these supervisors should shoulder these responsibilities and she felt the legislature had a responsibility to designate just where their legal counsel will come from.

During discussion Senator Galt asked if the three witnesses could work together to try to come up with something more compatible for all. The committee will consider this bill next Wednesday, March 14.

CONSIDERATION OF HOUSE JOINT RESOLUTION 48: Willy Day, representative from district 50 had introduced this bill at the request of the Select Water Committee. He said this resolution encourages states under the Yellowstone River Compact to abide by the provisions of that compact. Wyoming had a bill introduced in their legislature to slurry water from the Little Big Horn to Texas. This resolution would send notice to Wyoming that they are inconsistent with the compact.

Gordon McGowan, Montana Railroad Association, supported the resolution. He felt if Wyoming had found a use for this water that other uses would soon be found.

Representative Day in closing said this resolution would serve notice to them and there was a possibility that it could be taken to court.

Senator Galt asked Vice-Chairman Kolstad to chair the meeting while the committee considered a resolution sponsored by Chairman Galt.

CONSIDERATION OF SENATE JOINT RESOLUTION 32: Senator Galt had introduced this resolution. This bill deals with setting up a committee to study the combining of the two labs at M.S.U. The committee would consist of the chairman of the Board of Livestock, President of MSU, two senators and 2 representatives mandated to report to the livestock industry by January 1980 and have any legislation it deems necessary prepared by November 1980.

Alice Fryslie, Montana Cattlemen's Association, supported the resolution. She felt the legislative members appointed to the committee should be actively engaged in the livestock industry. Her testimony is attached, see exhibit #2.

Mons Teigen, Montana Stockgrowers and Montana Woolgrowers, said they supported the resolution and concurred with Alice Fryslie. He suggested that there could be three people from the industry on the board if the legislators cannot be engaged in the industry.

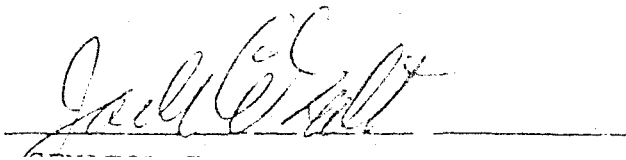
Les Graham, Department of Livestock, presented testimony on behalf of Bob Barthelmess, chairman of the Board of Livestock, who was in favor of the resolution. Also attached, exhibit #3 is a fiscal paper which has the estimates of time and expense. They wanted the committee to be aware that there are costs tied to the resolution and they may have to ask for an amendment to their budget for travel expenses.

Gene Spilde, conservation districts, supported the bill.

Dr. Teitz, Montana State University, said they would welcome the opportunity to explore the aspects of this bill.

DISPOSITION OF SENATE JOINT RESOLUTION 32: Senator Nelson moved that the resolution DO PASS. Motion carried.

DISPOSITION OF HOUSE JOINT RESOLUTION 48: Senator Graham moved that the resolution BE CONCURRED IN. Motion carried.



Handwritten signature of Jack Galt.

COMMITTEE ON

DATE March 9
AGRICULTURE

H.B. 863

VISITORS' REGISTER

HJR. 48

SJR 32

NAME	REPRESENTING	BILL #	Check One	
			Support	Opp
<i>Wm. Curtis</i>		H.B. 863		
<i>Tom Hough</i>	<i>County Attorney</i>	267		<input checked="" type="checkbox"/>
<i>Emery Leach</i>		863	<input checked="" type="checkbox"/>	
<i>W. Graham</i>	<i>Dept. of Livestock</i>	SJR 32	<input checked="" type="checkbox"/>	
<i>B. F. Sprouck, Atty</i>	" "	SJR 32	<input checked="" type="checkbox"/>	
<i>Charles Brown, Jr.</i>	" "	"	<input checked="" type="checkbox"/>	
<i>D. M. Young</i>	<i>Veget. Res. Lab., MSU</i>		<input checked="" type="checkbox"/>	
<i>Alice L. Smith</i>	<i>Montana Agricultural Expt. Sta.</i>		<input checked="" type="checkbox"/>	
<i>Bill T. Kelly</i>	<i>Mont. State Univ.</i>	SJR 32	<input checked="" type="checkbox"/>	
<i>L. B. Taylor</i>	<i>Associated Students of Mont. State Univ.</i>	SJR 32	<input checked="" type="checkbox"/>	
<i>Walt Dixon</i>	<i>Mt. Association of Counties</i>	H.B. 863	<input checked="" type="checkbox"/>	
<i>Gordon McSwain</i>	<i>Mont. R.R. Assn.</i>	HJR. 48	<input checked="" type="checkbox"/>	
<i>Chuck Lane</i>	<i>Mont. Ag. Com. Dist.</i>	H.B. 863	<input checked="" type="checkbox"/>	
<i>Mons. Tergin</i>	<i>Mont. Stockgrowers & Feeders Assn.</i>	SJR 32	<input checked="" type="checkbox"/>	

Date 3-9

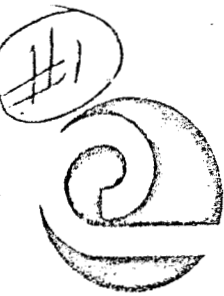
ROLL CALL

AGRICULTURE COMMITTEE

46th LEGISLATIVE SESSION - 1979

NAME	PRESENT	ABSENT	EXCUSED
SEN. KOLSTAD	✓		
SEN. AKLESTAD	✓		
SEN. BOYLAN	✓		
SEN. CONOVER	✓		
SEN. GRAHAM	✓		
SEN. HAGER	✓		
SEN. NELSON	✓		
SEN. GALT, Chairman	✓		

Each Day Attach to Minutes.



Montana Association Of Conservation Districts

7 Edwards
Helena, Montana
Ph. 406-443-5711

March 9, 1979

SENATE AGRICULTURE COMMITTEE:

Mr. Chairman, members of the committee:

HB 863 was drafted to clarify who represents Conservation Districts in legal matters. At present, districts being a subdivision of State Government, are in a position of noone wanting to address their problems. County Attorneys are not mandated to support districts so only do so in scattered cases depending on the county and the matter of concern. The Attorney General is mentioned in the law but is so busy that he is hesitant to get involved unless it is a precedent case. The Department of Natural Resources & Conservation administer the Conservation District Law but have the same time and personnel problems as the Attorney General. Neither the Department or the Attorney General have the feeling for the local situation and sentiment. Since the cost will come from the county budget anyway, the County Attorney should take the role of legal representation to Conservation Districts. The added work load should be minimal.

The other Change in this law allows supervisors to be compensated for their time on special projects. The supervisors are willing to carry on their normal duties without compensation but when it starts taking an extra one or two days a month to complete special projects delegated down by federal government and money is available, they should at least have that opportunity.

Last year districts took on an Inventory project for USDA with the agreement that they would be paid to develop questionnaires, attend meetings to describe the inventory and hold public meetings. The way the law reads now, USDA is reluctant to compensate the District for that work, even if the supervisors don't take any of the money themselves.

For these reasons we ask for a do pass recommendation on HB 863.

Walt Dion

Walt Dion, President

#2

NAME: Alice Traylor BILL NO. 2380

ADDRESS: Helen Weston DATE 3/11/51

WHOM DO YOU REPRESENT Weston Catholic Home

SUPPORT OPPOSE AMEND

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

The controversy arising out of the 1948 issues relative to the laboratory experiments conducted at MSU have, through violation of the process created by logical and reasonable interpretation of Article 22,

Defeat of Article 22 by the legislature and the courts.

The action of the legislature in 1948 and the effect on our citizens, particularly in the field of research, should be studied and the program should be actively engaged in. The proposal is that of a study of the history of the institution to be selected as a source of information.

We support 2380



DEPARTMENT OF LIVESTOCK TESTIMONY ON SR-32

BY LES GRAHAM

I am here on behalf of Mr. Bob Barthelmess, Chairman of the Board of Livestock. Mr. Barthelmess could not be present today.

The Board of Livestock is in favor of this resolution and feels that this study should be made.

I have a fiscal paper which, of course, is based on estimates of time and expense. I would like the committee to be aware of this cost and to consider the possibility of allowing the Department of Livestock to fund its representative on the study committee: MSU to fund its representative: and the Legislature to fund its own representatives.

I will be happy to answer questions.

I. ASSUMPTIONS

1. The Committee will meet 5 times, 2 days each in F/Y 1980
2. The Committee will take one 3 day trip out of state to visit laboratories in 1980
3. There will be five 1 day meetings with livestock industry groups in 1981
4. Two staff members will be at each meeting and on the trip.

II. ESTIMATES

	<u>FY '80</u>	<u>FY '81</u>
<u>Personal Services</u>		
Committee 10 days of meetings and 3 days of travel @ \$150.00 per day	\$1,950.00	
Staff 26 man days @ \$120.00 per day	3,120.00	
Committee 5 days of meetings @ \$150 per day		750.00
Staff 10 man days @ \$120.00 per day		1,200.00
<u>Travel</u>		
Committee mileage average 470 miles for member per meeting @ 17¢ per mile	\$2,397.00	\$2,397.00
Committee air fare \$400.00 per member	2,400.00	
Staff air fare \$400.00 each	800.00	
Staff mileage average 470 miles each per meeting @ 17¢ per mile	799.00	799.00
Committee meal allowance in state \$13.00 per day each	780.00	390.00
Committee meal allowance out of state \$16.50 per day each	297.00	
Staff meal allowance in state \$13.00 per day each	338.00	130.00
Staff meal allowance out of state \$16.50 per day each	99.00	
Committee lodging \$21.00 per day in state, \$40.00 per day out of state each	1,980.00	630.00
Staff lodging \$21.00 per day in state, \$40.00 per day out of state each	<u>660.00</u>	<u>210.00</u>
	\$15,620.00	\$6,506.00

STANDING COMMITTEE REPORT

March 3 19 79

MR. President

We, your committee on Agriculture, Livestock & Irrigation

having had under consideration Senate Joint Resolution Bill No. 32

Respectfully report as follows: That Senate Joint Resolution Bill No. 32

DO PASS

STANDING COMMITTEE REPORT

March 9 19 79

MR. President

We, your committee on Agriculture, Livestock & Irrigation

having had under consideration House Joint Resolution Bill No. 48

Day (Graham)

Respectfully report as follows: That House Joint Resolution Bill No. 48

BE CONCERNED IN DO-PASS