

THE MINUTES OF THE MEETING OF THE AGRICULTURE COMMITTEE  
March 18, 1981

The meeting was called to order by CHAIRMAN SMITH on Wednesday, March 18, 1981 at 12:30 p.m. in Room 431 of the Capitol.

All members were present but REPRESENTATIVE FEDA and REPRESENTATIVE MANUEL.

The meeting was called into EXECUTIVE SESSION.

QUESTION was called for.

REPRESENTATIVE SCHULTZ MOVED that SENATE BILL 156 "Do Pass".

DISCUSSION was called for.

REPRESENTATIVE JENSEN stated that he did not have time to call all the dairymen on a list that he had but from the answers he received he did not believe that they were totally in favor of this bill. Representative Jensen said that there was one other dairymen in the House that said that he has been pressured so much that he does not want to try to oppose the Bill but has proposed some amendments.

What the amendments would do would allow a dairymen or producer, as he is called in the bill, to be exempt from this assessment or revenue by filing a written statement each year.

REPRESENTATIVE JENSEN MOVED the amendments (EXHIBIT A).

REPRESENTATIVE ELLERD said he represents the Gallatin Valley area and he has not had one person call him to object to this bill. Representative Ellerd presented a telegram from Del Kamerman, secretary of the Gallatin Dairies stating that they have 48 producers and have voted by a large majority to support S.B. 156. (Telegram attached)

REPRESENTATIVE ROBBINS said that most of the dairymen in his area support S.B. 156.

REPRESENTATIVE McLANE said that she reached one of the dairymen in her area that expressed the reason they approved this bill is because they believed this bill could be used to fight an initiative in the regulation of the milk control board, and was wondering if these people were misled.

REPRESENTATIVE BENGTON spoke in opposition to the amendments, saying that it brings it back to a voluntary situation.

REPRESENTATIVE ROBBINS said that REPRESENTATIVE NEUMAN wants the amendments to set up the organization.

REPRESENTATIVE BENGTON remarked that it is a complete reversal to what has worked in the marketing act before.

REPRESENTATIVE SMITH said that this is like the wheat bill that if they take the money out you can get it back quarterly.

The Chairman called for the Question on the amendment.

Roll call vote was taken:

Smith	Yes	Briggs	Yes	Holliday	No
Schultz	No	Underdal	No	Roush	No
Ernst	Yes	McLane	Yes	Conroy	No
Jensen	Yes	Manuel	Absent		
Ellerd	No	Bengtson	No		
Ryan	Yes	Jacobsen	No		
Feda	Absent	Robbins	No		

MOTION FAILED. 6 voting yes, 9 voting no, and 2 absent.

Another set of amendments were presented, asked for by the department. BOB PERSON, read the amendments to the Committee. (EXHIBIT B)

#### AMENDMENTS TO S.B. 156

1. Page 8, line 17.

Following: "account"

Insert: "--appropriation--assessment of costs"

2. Page 9.

Following: line 4

Insert: (3) The balance of the proceeds received under the provisions of this part are appropriated to the committee for the purposes of carrying out the provision of (this act).

Renumber: subsequent subsection

BOB PERSON said that this amendment creates a situation in which the money that is collected and gets into the federal and private revenue fund, would automatically by statue, appropriated to the committee, and would be the same amendment put into the alfalfa seed commission bill by this Committee. It assures that this money does not have to come back to the appropriation committee every two years.

REPRESENTATIVE BENGTON MOVED the AMENDMENTS to S.B. 156.

DR. GLOSSER explained that these amendments came about from the track record of Wheat Marketing and Research Act, and after the Attorney General rendered the Opinion. The Legislature can appropriate money for commodity accounts for other purposes than administering this account. If you look at the track record of the Wheat Marketing and Research, the 'in least' amount in appropriations from the Wheat Marketing and Research Act from 1973 to the projected of 1983, rose from \$7000 in Centralized Services, to administer this act, to \$83,000, purposed in the biennium of FY83. Rail and transportation was involved from that. In researching that area, it is suggested that these amendments be put in.

ROLL CALL VOTE was taken on the amendments.

Smith	yes	Briggs	no	Holliday	yes
Schultz	yes	Underdal	yes	Roush	yes
Ernst	no	McLane	no	Conroy	yes
Jensen	no	Manuel	absent		
Ellerd	yes	Bengtson	yes		
Ryan	no	Jacobsen	yes		
Feda	absent	Robbins	yes		

MOTION PASSED. 10 voting yes, 5 voting no and 2 absent.

The MOTION by REPRESENTATIVE SCHULTZ was restated, that S.B. 156 BE CONCURRED IN AS AMENDED. MOTION PASSED AS AMENDED with all members present voting AYE.

The meeting adjourned at 1:45 p.m.

  
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CARL SMITH, CHAIRMAN

lmw

*joined*

## AMENDMENT TO SB 156

## TO PROVIDE FOR EXEMPTION FROM ASSESSMENT

1. Page 7, line 12.

Following: line 12

Insert: "(4) A producer is exempt from the assessment levied by this section for a period of one year if he files a written statement of his desire not to pay the assessment with the person to whom the milk is sold in commercial channels and with the committee. The producer ~~may~~<sup>shall</sup> review his exemption by filing the written statement each year."

Renumber: subsequent subsection

## AMENDMENTS TO SB 156

1. Page 8, line <sup>17</sup>~~16~~.

Following: "account"

Insert: "--appropriation--assessment of costs"

2. Page 9.

Following: line <sup>2</sup>~~1~~.

Insert: (3) The balance of the proceeds received under the provisions of this part are appropriated to the committee for the purposes of carrying out the provision of [this act].

Renumber: subsequent subsection

	Date: 3-18-81 NO: 36156 AMENDMENT (by JOE G. MANN)	Date: 3-18-81 NO: 36156 AMENDMENT by the SEPT	Date: NO:	Date: NO:	Date: NO:	Date: NO:
SMITH, Chairman	YES	yes				
SCHULTZ, Vice Chairman	No	yes				
ERNST	YES	No				
JENSEN	YES	No				
ELLERD	No	No				
RYAN	YES	No				
FEDA	A	A				
BRIGGS	Yes	No				
UNDERDAL	No	No				
MC LANE	YES	No				
MANUEL	A	A				
BENGTSON	No	yes				
JACOBSEN	No	yes				
ROBBINS	No	No				
HOLLIDAY	No	No				
ROUSH	No	No				
CONROY	No	yes				
	6 yes	10 yes				
	9 No	5 no				
	2 ABSENT	2				

## VISITORS' REGISTER

HOUSE COMMITTEE

RULL \_\_\_\_\_ Date \_\_\_\_\_

SPONSOR \_\_\_\_\_

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.