

MINUTES OF THE MEETING OF THE HOUSE AGRICULTURE,
LIVESTOCK AND IRRIGATION COMMITTEE, MARCH 7, 1983

The meeting was called to order by Chairman Jacobsen, on Monday, March 7, 1983 at 12:30pm in Room 129, State Capitol. All members of the Committee were present with the exception of Representatives Ryan and Ellerd, who were excused.

HEARINGS

SENATE BILL 277. SEN. MAX CONOVER, District 36, Yellowstone County, testified as sponsor of the bill which would allow irrigation districts to withhold water to delinquent tax payers.

PROPONENTS

MR. ROBERT ELLIS, Helena Valley Irrigation District, said delinquent taxpayers burden other users as the districts are non-profit.

MR. KEN KELLY, Montana Water Development Association, said the bill would promote effeicient operation of the districts.

MRS. JO BRUNNER, Women Involved in Farm Economics, stated her support of the bill in prepared testimony (exhibit).

OPPONENTS

There were no opponents of the bill.

QUESTIONS

REP. SCHULTZ asked Mr. Ellis what recourse a water user would have who is experiencing financial problems. Mr. Ellis replied language on page 2, line 14 stated "may" and not "shall".

REP. BENGSTON asked if delinquent taxpayers would be listed publicly. Mr. Ellis replied it has not yet been done, adding delinquency averages about 10%.

REP. SPAETH asked if water were not paid for when it was used. Mr. Ellis replied the first half of the assessment is paid in November and the second in May.

REP. BENGSTON commented she agreed there should be a time limit but thought the bill was too tough.

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REP. JENSEN told the Committee his water district already has this authroity and he wondered why it was needed in the code.

REP. LYBECK asked if those 10% delinquent taxpayers referred to in testimony owed for one year only. Mr. Ellis replied that was correct.

REP. SPAETH asked whether one year would be better than two since water user associations worry about collecting for past summers. Mr. Ellis said he would have no objection to such a change.

IN CLOSING, Sen. Conover advised he, too, would not object to the change.

SENATE BILL 278. SEN. MAX CONOVER, District 36, Yellowstone County, testified as chief sponsor of the bill which raises the amount of a purchase or rental to which an irrigation district board may bind its district without consent of the landowners, from \$125,000 to \$150,000. He told the Committee, presently appropriations over \$125,000 must be approved by the Department of Natural Resources and Conservation.

PROPONENTS

MR. ROBERT A. ELLIS, Helena Valley Irrigation District, stated his support of the bill.

MR. KEN KELLY, Montana Water Developers Association advised the bill would allow efficient operation of irrigation districts.

MRS. JO BRUNNER, Women Involved in Farm Economics, stated her support of the bill in prepared testimony (exhibit).

OPPONENTS

There were no opponents of the bill.

QUESTIONS

REP. BENGSTON told the Committee spending authority given by the Legislature circumvents landowners and said she was concerned the users were not being conacted for their preferences.

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IN CLOSING, Sen. Conover informed Rep. Bengston he shared her concerns and reminded her that board members are elected by the users.

SENATE BILL 265. SEN. CARROLL GRAHAM, District 29, Big Horn County, testified as sponsor of the bill, which was requested by the Department of Livestock and would require persons shipping infected cattle into the State to pay for costs arising from Departmental action to correct the situation. He said 4,500 scabies-infested steers were shipped to Montana which cost the Department \$8,000 to gather and dip the cattle.

PROPONENTS

DR. JIM GLOSSER, Administrator, Animal Health Division, Department of Livestock said the bill would amend a 1921 statute and told the Committee the violation referred to by Sen. Graham resulted in district court action, whereby the violator was ordered to reimburse the Department. He said after the Department was notified of the problem between 10 and 12 days were needed to correct it in addition to air surveillance of neighboring herds for possible spread of the infestation.

MS. JEANNE RANKIN, Montana Farm Bureau, stated her support of the bill.

OPPONENTS

There were no opponents of the bill.

QUESTIONS

REP. SCHULTZ asked if potential violators were charged for investigative costs when no violation was discovered. Dr. Glosser replied they were not.

REP. KOEHNKE asked how many similar incidents had occurred. Dr. Glosser said there had been three in the past 10 years.

REP. BENGSTON asked if this were the first time a violator had been prosecuted in district court. Dr. Glosser said a fine was originally paid to Big Horn County which the violators contested, resulting in the district court action.

DR. GLOSSER advised the Committee 4,500 infected cattle were mixed with 200 others in two townships.

The hearing on Senate Bill 265 was closed.

EXECUTIVE SESSION

SENATE BILL 355. REP. SAUNDERS moved the bill Be Concurred In. Rep. Bengston seconded the motion, which was unanimously approved by the Committee.

SENATE BILL 317. REP. SAUNDERS moved the bill Be Concurred In.

REP. BACHINI asked if hail insurance coverage had ever been refused to farmers by private insurance companies. Rep. Schultz replied private rates are very high in certain areas in Fergus County.

REP. ERNST advised the private insurance rate in his area is 17% and the State rate, 10%.

REP. ROUSH said he was concerned with removing Section 8 on page 18 of the bill.

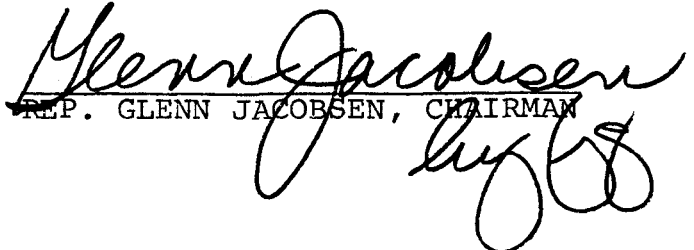
REP. SCHULTZ questioned the amendment pertaining to advertising and the possibility of establishing competitive rates. Rep. Ernst suggested the bill remain in its present state and the Board be reinstated.

REP. BLISS suggested the Committee consider reinserting language pertaining to advertising and that new language on page 7, lines 8-9 be deleted.

REP. ERNST said the Senate objected to new language on page 18, line 20 of the bill and preferred it be left in its original state.

REP. SAUNDERS advised his district was in favor of retaining the Board. Action on the bill was delayed until the next executive session.

The meeting was adjourned at 1:45pm.


REP. GLENN JACOBSEN, CHAIRMAN

Joann T. Gibson, Secretary

STANDING COMMITTEE REPORT

MARCH 7 19 83

MR. SPEAKER

We, your committee on AGRICULTURE

having had under consideration SENATE Bill No. 355

THIRD reading copy (BLUE)
color

A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE THE
LAWS RELATING TO ALFALFA LEAF-CUTTING BEES; AMENDING
SECTIONS 80-6-1102, 80-6-1103, 80-6-1105, 80-6-1107, AND
80-6-1108, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

Respectfully report as follows: That SENATE Bill No. 355

BE CONCURRED IN

BY THE

REP. GLENN JACOBSEN

Chairman.

VISITOR'S REGISTER

HOUSE

Agriculture

COMMITTEE

BILL

SB. = 277

DATE _____

3-7-83

SPONSOR

Conover

[illegible]

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

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITOR'S REGISTER

HOUSE

Agriculture

COMMITTEE

BILL

SB

278

DATE _____

3-7-83

SPONSOR

Conover

[illegible]

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

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITOR'S REGISTER

HOUSE

Agriculture

COMMITTEE

BILL

SB

265

DATE _____

3-7-83

SPONSOR

Graham

[illegible]

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

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

WITNESS STATEMENT

Name Robert A. Ellis Committee On Agric.
 Address 1735 Sierra Rd Date 3/7
 Representing Mont Water Development Support ✓
 Bill No. SB 272 & SB 278 Oppose _____
 Amend _____

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1. The amendment to 85-7-1904 and 85-7-1904 are the results
2. requests of the Irrigation Dist. of Mont at a meeting before legislation started
- 3.
- 4.

Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.



WIFE Women Involved in Farm Economics

NAME JO BRUNNER BILL NO. SB 277
ADDRESS 662 2nd ST URENA DATE Mar. 7/83
REPRESENTS WOMEN INVOLVED IN FARM ECONOMICS
SUPPORT X OPPOSE AMEND

MINUTES:

Mr. Chairman, members of the committee, for the record, my name is Jo Brunner and I represent the members of the Women INVolved in Farm Economics organization.

We wish to go on record in support of SB 277 which will allow our irrigation districts to collect monies owed the districts, for the most part, for work done to the individual landowners and then who did not pay the bill for that work. Many of our districts do machinery work, such as back hoe, digging and laying pipe, covering it ectera and then the bills do not get paid. Often the work is done for small acraages. Consequently, if the bill is not paid, it has to be picked up elsewhere, putting the burden on the rest of the water users inthe districts and projects.

We request a do pass on SB 277.

Thank you.1



WIFE Women Involved In Farm Economics

NAME JO BRUNNER BILL NO. SB 278
ADDRESS 563 3rd ST HELENA DATE Mar. 7/83
REPRESENT WOMEN INVOLVED IN FARM ECONOMICS
SUPPORT X OPPOSE AMEND

COMMENTS:

Mr. Chairman, members of the committee, my name is Jo Brunner and I represent the members of the Women Involved in Farm Economics organization.

We are supportive of this legislation. While it may seem to be giving our district boards a right to spend money freely, we feel that when you take into consideration the cost of the type of machinery used for our construction and maintenance work, and the often emergency need for such machinery, this change is justified. We elect our board members to represent our landowners and we expect them to be judicious in spending our money and in caring for our needs.

We ask a do pass.

Thank you.

WITNESS STATEMENT

Name K. M. Kelly Committee On Agriculture
 Address Albany Date Mar. 9, 1983
 Representing Mont. Water Development Assn. Support X
 Bill No. SB 277 and SB 278 Oppose _____
 Amend _____

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1. *The Montana Water Development Assn. Support SB 277 and SB 278. We support these changes*
2. *to take 85 in order that the Irrigation Districts may operate more efficiently.*
3. *K. M. Kelly*
- 4.

Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.

WITNESS STATEMENT

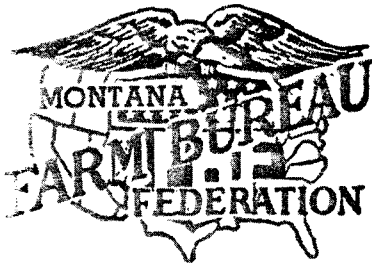
Name SIM GLOSSER Committee On AGRICULTURE
Address HELENA Date 3/7/83
Representing DEPT OF JUSTICE Support X
Bill No. SB 265 Oppose _____
Amend _____

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1. *Bill ~~was~~ reflects amendments to meet the*
2. *requirements of a recent Supreme Court decision (1982)*
- 3.
- 4.

Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.



MONTANA FARM BUREAU FEDERATION

502 SOUTH 19th

Dial 587-3153

BOZEMAN, MONTANA 59715

DATE March 7, 1983

NAME JEANNE RANKIN BILL NUMBER SB # 265
SUPPORT X OPPOSE _____ AMMEND _____

THE MONTANA FARM BUREAU WOULD LIKE TO C/O ON RECORD
IN SUPPORT OF SB # 265. I urge CONCURRENCE OF THIS BILL.

3-7-83

Jeanne M. Rankin

EXCUSE

DATE 3-7-83

REPRESENTATIVE Underdal

IS EXCUSED FROM COMMITTEE HEARING.

Glenn Jacobsen
REP. GLENN JACOBSEN, CHAIRMAN
AGRICULTURE COMMITTEE

PROXY VOTE

Date 3-7-83

REPRESENTATIVE Underdal

BILL NO. _____

INSTRUCTIONS _____

SB 355 - yes

SB 317 - yes

SB 401 - yes

Melvin Underdal
SIGNATURE