

MINUTES OF THE MEETING OF THE HOUSE AGRICULTURE,
LIVESTOCK AND IRRIGATION COMMITTEE, MARCH 16, 1983

The meeting was called to order by Chairman Jacobsen on Wednesday, March 16, 1983 at 12:30pm, in Room 129, State Capitol. All members were present with the exception of Representatives Howe and Ellerd who were excused.

EXECUTIVE SESSION

SENATE BILL 259. REP. SCHULTZ moved the bill Be Concurred In and then moved the amendments to the bill including clerical renumbering of sections and other amendments.

REP. SPAETH said the penalty fee was not commensurate with costs. Mr. John MacMaster, Legislative Council Attorney, told the Committee, lines 12 and 13 on page 34, following "established by" could be amended to read "fee in an amount established by a rule of the Department" and the Statement of Intent could be changed accordingly, on line 10 by inserting "or penalty" after "fee" and on line 8 by inserting "or penalties".

REP. SCHULTZ restated his motion to included the amendments proposed by Mr. MacMaster. The motion was seconded by Rep. Hanson and unanimously approved by the Committee.

REP. SCHULTZ moved the bill Be Concurred In as Amended.

REP. SPAETH told the Committee lines 2-3, page 15 and lines 19-20, page 16 are inconsistent, adding lines 2-3 on page 15 should be stricken from the bill. Mr. MacMaster agreed with Rep. Spaeth. Mr. Les Grahsm, Department of Livestock, advised the bill would be more consistent if "exempt" through "less" were stricken from lines 2-3, page 5 of the bill.

REP. HOLLIDAY moved the bill be so amended. Rep. Lybeck seconded the motion which was unanimously approved.

REP. HOLLIDAY moved the Committee reconsider its action on the Statement of Intent, whereby language was added pertaining to a penalty. Rep. Ernst seconded the motion, which was unanimously approved.

REP. HOLLIDAY moved the Statement of Intent be amended to read (following line 11): "The Legislature intends that a penalty be established by rule for failure to apply for renewal of a license required by 81-22-208. The penalty should be sufficient to encourage renewal of licenses." The motion was seconded by Rep. Ernst and unanimously approved.

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REP. SCHULTZ moved the bill Be Concurred In as Amended. Rep. Ryan seconded the motion which, was unanimously approved.

SENATE BILL 278. REP. LYBECK moved the bill Be Concurred In. Rep. Ernst seconded the motion. All members voted aye except Rep. Koehnke, who voted no. Rep. Lybeck was asked to carry the bill.

SENATE BILL 279. REP. SPAETH moved the bill Be Concurred In. Rep. Roush seconded the motion, which was unanimously approved.

SENATE BILL 294. REP. ERNST moved the bill Be Concurred In. Rep. Lybeck seconded the motion which was unanimously approved.

SENATE BILL 415. REP. SPAETH moved the bill Be Concurred In. Rep. Saunders seconded the motion.

MR. JOHN MACMASTER, Legislative Council Attorney, advised the Committee page 6, line 7, prior to "package", "any" should be inserted since the bill is presently too vague as to who is to label a package, parcel or lot.

REP. SCHULTZ asked if the language would cover repackaging. Mr. MacMaster replied it would.

REP. SPAETH said the language was awkwardly worded before and the original amendment was to make certain a person offering seed for sale would be responsible.

CHAIRMAN JACOBSEN asked if the bill would eliminate bartering. Rep. Spaeth suggested insertion of language to address trade.

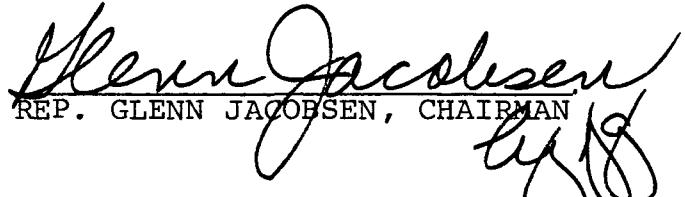
REP. HOLLIDAY moved, following "Any" on page 6, line 7 of the bill, "person offering for sale a", be inserted. Rep. Spaeth seconded the motion which was unanimously approved by the Committee.

REP. KOEHNKE told the Committee lines 7-11 on page 5 address bartering.

CHAIRMAN JACOBSEN told the Committee House Bill 401 would be considered in executive action on March 18, and House Joint Resolution's 34 and 35, on March 21, 1983.

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The meeting was adjourned at 1:37pm.


REP. GLENN JACOBSEN, CHAIRMAN
JGJ

Joann T. Gibson, Secretary

STANDING COMMITTEE REPORT

MARCH 16

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MR. SPEAKER:

We, your committee on AGRICULTURE

having had under consideration SENATE 259 Bill No.

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color

A BILL FOR AN ACT ENTITLED: "AN ACT REESTABLISHING THE BOARD OF LIVESTOCK UNDER EXISTING STATUTORY AUTHORITY AND RULES; ADDING A PUBLIC MEMBER TO THE BOARD; REMOVING THE BOARD OF LIVESTOCK FROM PERIODIC AGENCY EVALUATION; ESTABLISHING FEES COMMENSURATE WITH COSTS; CLARIFYING THE TIME FOR TRANSMITTING LIVESTOCK TAXES; REQUIRING DESIGNATION OF THOSE INSPECTORS AND DETECTIVES CONSIDERED LAW ENFORCEMENT OFFICERS; AUTHORIZING THE DEPARTMENT OF LIVESTOCK TO ADOPT RULES AND ESTABLISH FEES FOR HANDLING ESTRAYS; REVISING COMPENSATION FOR THE PROK RESEARCH AND MARKETING COMMITTEE; ELIMINATING REQUIREMENTS CONCERNING NOTIFICATION OF SALE OF FIVE OR LESS HEAD OF LIVESTOCK AND BONDS FOR OPERATING A LIVESTOCK MARKET; ELIMINATING THE SALE OF FIVE OR LESS HEAD OF LIVESTOCK AS AN EXEMPTION FROM BANK INSPECTION; AMENDING SECTIONS 2-8-103, 2-15-3102, 15-24-925, 31-1-102, 31-1-201, 31-2-502, 31-3-107, 31-3-205, 31-3-210, 31-3-211, 31-3-214, 31-3-216, 31-4-605, 31-5-202, 31-7-504, 31-8-256, 31-8-276, 31-8-304, 31-8-603, 31-9-113, 31-9-201, 31-9-301, 31-9-411, 31-20-201, 31-21-102, 31-21-102, 31-22-102, 31-22-204, 31-22-205, AND 31-22-208, MCA; REPEALING SECTIONS 31-2-216 AND 31-8-257, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

259

Respectfully report as follows: That SENATE Bill No.

31-3-211, 31-3-214, 31-3-216, 31-4-605, 31-5-202, 31-7-504, 31-8-256, 31-8-276, 31-8-304, 31-8-603, 31-9-113, 31-9-201, 31-9-301, 31-9-411, 31-20-201, 31-21-102, 31-21-102, 31-22-102, 31-22-204, 31-22-205, AND 31-22-208, MCA; REPEALING SECTIONS 31-2-216 AND 31-8-257, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

Be Amended as Follows:

- 1) Statement of Intent, Line 5.
Following: "section"
Strike: "5"
Insert: "4"
- 2) Statement of Intent, Line 7.
Following: line 6
Strike: "14"
Insert: "12"

~~DO NOT PASS~~ (continued on page 2)
AND AS AMENDED
BE CONCURRED IN

RSP. GLENN JACOBSEN

Chairman.

HOUSE AGRICULTURE COMMITTEE
AMENDMENTS TO SB 259
(continued)

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3) Statement of Intent, Line 11.
Following: "expenses."

Insert: "The Legislature intends that a penalty be established by rule for failure to apply for renewal of a license required by 81-22-203. The penalty should be sufficient to encourage renewal of licenses."

4) Statement of Intent, Line 13.
Following: "Section"

Strike: "14"

Insert: "12"

5) Page 15, line 2.

Following: "livestock"

Strike: "exempt from the change-of-ownership inspection" through "when purchased in lots of 5 head or less" on line 3

6) Page 34, line 13.

Following: "established by"

Insert: "a rule of"

ANDAAS AMENDED

BE CONCURRED IN

REP. GLENN JACOBSEN, CHAIRMAN

STANDING COMMITTEE REPORT

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SPEAKER:

MR.

AGRICULTURE

We, your committee on.....

having had under consideration **SENATE 278** Bill No.

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**A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION
85-7-1904, MCA, TO INCREASE FROM \$125,000 TO \$150,000 THE
AMOUNT OF A PURCHASE OR RENTAL TO WHICH AN IRRIGATION
DISTRICT BOARD MAY BIND A DISTRICT WITHOUT CONSENT OF THE
LANDOWNERS."**

Respectfully report as follows: That **SENATE 278** Bill No.

BE CONCURRED IN

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REP. GLENN JACOBSEN

Chairman.

STATE PUB. CO.
Helena, Mont.

COMMITTEE SECRETARY

STANDING COMMITTEE REPORT

MARCH 16

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SPEAKER:
MR.

AGRICULTURE

We, your committee on

having had under consideration

SENATE 279

Bill No.

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**A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION
85-5-107, MCA, TO REVISE THE REPORTING REQUIREMENTS FOR
AND COSTS ASSESSABLE BY A WATER COMMISSIONER."**

Respectfully report as follows: That.....

SENATE 279

Bill No.

BE CONCURRED IN

XXXXXX
DO PASS

REP. GLENN JACOBSEN

Chairman.

STATE PUB. CO.
Helena, Mont.

COMMITTEE SECRETARY

STANDING COMMITTEE REPORT

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MR. SPEAKER:

We, your committee on AGRICULTURE

having had under consideration SENATE Bill No. 294

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE STATUTES GOBERNING THE MANNER IN WHICH TAXES AND ASSESSMENTS ARE MADE AGAINST IRRIGATION DISTRICT LANDS; REMOVING THE \$5 MINIMUM FEE FOR LANDS NOT ABLE TO RECEIVE WATER; PROVIDING FOR ASSESSMENTS UNDER CONTRACTS WITH THE STATE; AND PROVIDING FOR ASSESSMENT OF CONSTRUCTIONCOSTS FOR GRAVITY SYSTEMS; AMENDING SECTIONS 85-7-2103 AND 85-7-2104, MCA."

Respectfully report as follows: That SENATE Bill No. 294

BE CONCURRED IN

~~DOCKXSSX~~

REP. GLENN JACOBSEN

Chairman.

STATE PUB. CO.
Helena, Mont.

COMMITTEE SECRETARY

STANDING COMMITTEE REPORT

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MR. SPEAKER:

We, your committee on AGRICULTURE

having had under consideration SENATE Bill No. 415

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A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE AND CLARIFY CERTAIN SECTIONS RELATING TO AGRICULTURAL SEED; AMENDING SECTIONS 30-5-101, 30-5-102, 30-5-104, 30-5-107, 30-5-112, AND 30-5-201 THROUGH 30-5-204, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

Respectfully report as follows: That SENATE Bill No. 415

Be amended as follows:

1) Page 6, line 7.
Following Any
Insert: "person offering for sale a"

AND AS AMENDED
BE CONCURRED IN

DOCKMASS

REP. GLENN JACOBSEN

Chairman.

STATE PUB. CO.
Helena, Mont.

COMMITTEE SECRETARY