

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

January 17, 1983

The Agriculture, Livestock and Irrigation Committee meeting was called to order on the above date, in Room 415 of the State Capitol Building, at 1:00 p.m., by Chairman Galt.

ROLL CALL: All members present, except Senator Lee.

SENATE BILL 102: Senator Donald Ochsner, District 26, introduced the bill on behalf of the Department of Livestock. It refers to the travel permit for rodeo producers. The Department felt it would be better to change the seven-month period to a calendar year now that rodeos are held in the winter months, as well as summer.

Jack Sedgwick, Montana Department of Livestock, Brand Enforcement Division, supported the bill. He noted there have been ten to twelve permits issued in a year and the rodeo producers have been very cooperative.

In answer to Senator Graham's question, Les Graham, Department of Livestock, said the short-term permits were issued because the rodeo season had always ended early but now they have been having winter rodeos.

DISPOSITION OF SB 102: Senator Graham moved SB 102 DO PASS. Motion carried unanimously.

SENATE BILL 60: Anne Brodsky, Legislative Council, presented amendments to SB 60. The amendments followed testimony of Don Copley, Montana Department of Highways, to make the bill consistent. In reviewing the laws, the harvesting equipment was referred to in two other sections of the codes. The first three amendments refer to the title of the bill. Amendments four and five pertain to the substance. Anne said she had talked with Mr. Copley regarding the amendments but he had not seen them. He had specifically requested them in his testimony of January 10.

DISPOSITION OF SB 60: Senator Conover moved the amendments to SB 60. Motion carried unanimously.

Senator Ochsner moved SB 60, as amended DO PASS. Motion carried unanimously.

SENATE BILL 59: Senator Graham reported that he had read the entire "Use It or Loose It" study and he couldn't see any reason to rush into SB 59. He understood, if a conflict should arise, it would probably occur after the year 2,000. He referred to page 25 of the study. He said the Mahoney-Millikan amendments put us in pretty good shape and it seemed like we could use a lot of water without any serious effects. He didn't

Agriculture
January 17, 1983
page 2

feel there was any great danger right now. He referred to the Compact Commission which is in negotiation with the federal reserved water rights of the various federal entities.

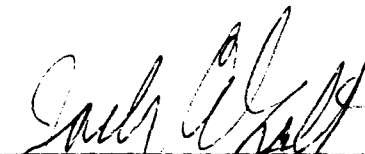
Anne referred to page 33 of the "Use It or Loose It" study, saying they do state that non use of water would lead to argument and that it should be changed, but they don't specifically say that they want the reservations used.

Senator Boylan felt the various bills regarding this water was stirring up a hornet's nest. All the various water bills would cause many uncalled for problems with the Indians just when everything was going along smoothly. He did not feel the State of Montana should jump into anything before it was carefully considered and the water properly adjudicated.

DISPOSITION OF SB 59: Senator Boylan moved SB 59 DO NOT PASS.
Motion carried unanimously. SB 59 will receive an ADVERSE Committee report.

Senator Galt announced there would be no meeting Wednesday, January 19.

There being no further business, the meeting adjourned.



SENATOR JACK GALT, Chairman

ROLL CALL

AGRICULTURE COMMITTEE

48th LEGISLATIVE SESSION - - 19 83

Date 1-17-83

NAME	PRESENT	ABSENT	EXCUSED
GALT, Jack E.	✓		
KOLSTAD, Allen C.	✓		
AKLESTAD, Gary C.	✓		
OCHSNER, J. Donald	✓		
GRAHAM, Carroll	✓		
BOYLAN, Paul F.	✓		
CONOVER, Max	✓		
LANE, Leo	✓		
LEE, Gary		✓	

Each day attach to minutes.

SENATE APPROPRIATIONS COMMITTEE

BILL 102

VISITORS' REGISTER

DATE 1-17-83

Please note bill no.

(check one)

NAME

REPRESENTING

BILL #

SUPPORT

OPPOSE

Lee GRANN

Mont Dept of Internal Security

✓

John CRAWFORD

NY Dept of Justice

✓

STANDING COMMITTEE REPORT

January 17, 1983

MR. PRESIDENT:

We, your committee on AGRICULTURE, LIVESTOCK AND IRRIGATION,

having had under consideration SENATE Bill No. 102

Respectfully report as follows: That SENATE Bill No. 102

DO PASS

JG

STANDING COMMITTEE REPORT

January 17 19 83

MR. **PRESIDENT:**

We, your committee on **AGRICULTURE, LIVESTOCK AND IRRIGATION**

having had under consideration **SENATE** Bill No. **60**

Respectfully report as follows: That **SENATE** Bill No. **60**
Introduced bill, (white)
be amended as follows:

1. Title, line 4.

Strike: "SECTION"

Insert: "SECTIONS 15-24-301,"

2. Title, line 5.

Following: "15-24-1001,"

Insert: "AND 15-70-312,"

3. Title, line 6.

Following: "NONRESIDENT"

Strike: "CUSTOM COMBINERS'"

Insert: "AGRICULTURAL HARVESTING EQUIPMENT"

~~XXXXXX~~
~~DO PASS~~

(CONTINUED)

y/c

4. Page 1.

Following: line 9

Insert: "Section 1. Section 15-24-301, MCA, is amended to read:
"15-24-301. Personal property brought into the state -- assessment -- exceptions -- custom combine equipment. (1) Except as provided in subsections (2) through (6), property in the following cases is subject to taxation and assessment for all taxes levied that year in the county in which it is located:

(a) any personal property (including livestock) brought, driven, or coming into this state at any time during the year that is used in the state for hire, compensation, or profit;

(b) property whose owner or user is engaged in gainful occupation or business enterprise in the state; or

(c) property which comes to rest and becomes a part of the general property of the state.

(2) The taxes on this property are levied in the same manner and to the same extent, except as otherwise provided, as though the property had been in the county on the regular assessment date, provided that the property has not been regularly assessed for the year in some other county of the state.

(3) Nothing in this section shall be construed to levy a tax against a merchant or dealer within this state on goods, wares, or merchandise brought into the county to replenish the stock of the merchant or dealer.

(4) Any motor vehicle not subject to the light vehicle license fee brought, driven, or coming into this state by any nonresident person temporarily employed in Montana and used exclusively for transportation of such person is subject to taxation and assessment for taxes as follows:

(a) The motor vehicle is taxed by the county in which it is located.

(b) One-fourth of the annual tax liability of the motor vehicle must be paid for each quarter or portion of a quarter of the year that the motor vehicle is located in Montana.

(c) The quarterly taxes are due the first day of the quarter.

(5) Agricultural harvesting machinery classified under class eight, licensed in other states, and operated on the lands of persons other than the owner of the machinery under contracts for hire shall be subject to a fee in lieu of taxation of \$35 per machine for a--60-day--period the calendar year in which the fee is collected. The machines shall be subject to taxation under class eight only if they are sold in Montana.

(CONTINUED)

(6) The provisions of this part do not apply to automobiles and trucks having a rated capacity of three-quarters of a ton or less. These vehicles are subject to the fee provided for in 61-3-532."

Renumber: subsequent section

5. Page 3.

Following: line 9

Insert: "Section 3. Section 15-70-312, MCA, is amended to read:

"15-70-312. Fees for temporary permits -- duration of temporary permits. (1) The temporary special fuel permits shall cost the special fuel vehicle user a fee of \$30. The permit shall be valid for a period of time not to exceed 72 hours and will be automatically void should the vehicle leave the state of Montana during the 72-hour period.

(2) A temporary special fuel permit for a nonresident operating agricultural harvesting equipment shall cost \$30 per unit for ~~a period beginning July 1 and ending October 31~~ the calendar year in which the fee is collected. The permit shall not be transferable. A unit shall be defined as:

- (a) one truck suitable for hauling produce;
- (b) one harvesting machine; and
- (c) pickup trucks and any other accessory vehicles.

(3) All fees collected shall be remitted to the department or deposited directly in the earmarked revenue fund for the department of highways."

And, as so amended,
DO PASS

J/C

STANDING COMMITTEE REPORT

January 17 19 83

MR. **PRESIDENT:**

We, your committee on **AGRICULTURE, LIVESTOCK AND IRRIGATION,**

having had under consideration **SENATE** Bill No. **59**

Respectfully report as follows: That **SENATE** Bill No. **59**

DO NOT PASS
~~DO NOT PASS~~

JJC