

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

January 24, 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.

SENATE BILL 38: Senator Don Ochsnor, District 26, reviewed SB 38 and the proposed amendments to the bill. Amendments attached as Exhibit #1. He said the Veterinary Technicians Board had been sunsetted and this bill calls for relicensing of the technicians. He felt this bill is necessary as there is a need for veterinary help with inoculations, as well as animal injuries.

Loretta Doran, who owns a Great Falls veterinary service, and is a licensed veterinary technician, supported the bill. She feels this maintains the creditability, pride and dignity of the service. She pointed out that they perform a number of animal services.

Pat Obrecht, who works for a Great Falls veterinary service, said clients feel a lot better because they know the technicians are competent to do the various jobs and it is important technicians take the test.

OPPONENTS: Doctor Robert Painter, Montana Veterinary Medical Association, said he had helped with the original bill. He pointed out that this bill was not sponsored by the Montana Veterinary Association. He agreed that a bill was needed, but did not feel this was a good bill.

Curtis Hansen, Montana Veterinary Medical Association, opposed the bill. He favored licensing, but not the way SB 38 went about doing it. He asked the committee to notify him when they planned to consider the amendments in executive session. Testimony attached as Exhibit #2.

Brenda St. Clair, Board of Veterinarians, read testimony in opposition to SB 38. Testimony attached as Exhibit #3.

Senator Matt Himsl, District 9 Kalispell, opposed the bill. He was chairman of the Audit Committee that sunsetted the bill. He referred members to the Sunset Review audit report, page 26, explaining the various functions. Exhibit #4. He did not feel qualifications and functions were specific enough. He had no problems with certification of technicians, but wondered if the public interest was being protected and

if it was necessary to have the board.

In answer to Senator Graham's question, Doctor Painter didn't want to see veterinary technicians setting up their own offices. He felt the board was needed to oversee the technician's work.

Senator Galt questioned the money for expenses and travel in regard to licensing fees. Dave Cogley, legislative research, said the \$25 fee is simply a fee for persons being grandfathered in. The board would set the fee for annual renewal of the licenses. One amendment provides for the amount to be set by the board.

HOUSE BILL 82: Representative Rex Manuel, House District 11, explained that the bill reestablishes milk control and amends other sections of the bill.

Senator Matt Himsl, District 9, Chairman of the Audit Committee, explained that, when they initiated the sunset review, they were convinced it should be abolished because of complaints that came in. Most of the complaints were that the prices were too high. Since then other conditions had changed their opinions. Testimony attached as Exhibit #5.

Representative Manuel pointed out the amendment on page 2, line 1: Strike "2-18-122", Insert "2-8-122". He then reviewed the amendments in the bill and explained the reasons. The bonding was discontinued because the audit committee decided the bond was too expensive to collect, he emphasized.

Ken Kelly, representing the dairy industry, endorsed Senators Himsl and Manuel's testimony. He especially emphasized the bonding problems. See Exhibit #6.

George Schulze, President of the Montana Dairywomen's Association, also supported the changes and the regulation of registration of producers wholesale and retail. Exhibit #7.

Representative Ray Lybeck, House District 16, concurred with what had been said. He felt this would assure jobs for people in the industry. Exhibit #8.

Terry Murphy, President of the Montana Farmers Union, thought it had worked well. He did not consider the price of milk as being too high. He compared the price of milk with soda pop and pointed out that one permits tooth decay while the other promoted strong bones.

Joe Brunner, WIFE, supported the bill. Testimony attached as Exhibit #9.

Ed McHugh, Helena, owner and manager of Clover Leaf Dairies, supported the bill. Testimony attached as Exhibit #10.

Agriculture
January 24, 1983
page 3

Jeanne M. Rankin, Montana Farm Bureau, supported the bill with testimony attached as Exhibit #11.

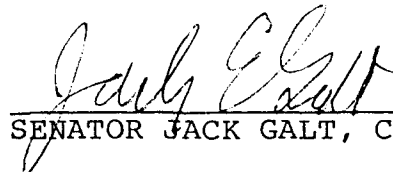
The hearing was closed on HB 82.

DISPOSITION OF HB 82: Senator Ochsner moved the amendment to HB 82. Motion carried unanimously.

Senator Conover moved HB 82, as amended, BE CONCURRED IN. Motion carried unanimously.

Senator Boylan will carry the bill on the floor.

There being no further business, the meeting adjourned.



SENATOR JACK GALT, Chairman

ROLL CALL

AGRICULTURE COMMITTEE

48th LEGISLATIVE SESSION - - 19 83

Date 1-24-83

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 Agriculture COMMITTEE

BILL SB38 HB82

VISITORS' REGISTER

DATE 1-24-83

Please note bill no.

NAME	REPRESENTING	BILL #	(check one)	
			SUPPORT	OPPOSE
Loretta M. Doran	Veterinary technicians	38		
PATRICIA K. OBRECHT	"	"		
K.M. Kelly	Milk Industry	H.B. 82	✓	
Brenda H. Clair	Bd of Veterinarians	SB38		as introduced
Harvey Myers	Bilgrade	82	✓	
Don Kilham	Belmonts	82	✓	
Ways Thelmer	Bonman	82	✓	
Larry Dykman	Bogerman	82	—	
Robert G. Reed	Woods	82	✓	
Ed McHugh	Helena	82	✓	
Jim Herrick	Billing	82	✓	
Harold F. Moss	Bogerman	82	✓	
Bill Row	State of Mont.	82	✓	
Ken Brater	Kalispell	82	—	
Harry Murphy	Mont. Farmers Union	82	✓	
JO BRUNNER	W. L. F. E.	82	✓	
George E. Phibbs	M.D.A.	82	✓	
Sam Korsmoe	MTN			
Gerald Schulte	Conductor	82	✓	
GB Huron	M.V.M.A.	38		✓
James J. Lee	1st Farm Bureau	82	✓	
Robert D. Painter	M.V.M.A.	38		✓

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY

1. Title, line 4.

Following: "TO"

Insert: "CREATE A BOARD OF VETERINARY TECHNICIANS: TO"

2. Page 1

Following: line 7

Insert: "Whereas, the service of veterinary technicians will enable the veterinary to devote more time to critical needs and therefore be of greater service to the client; and

WHEREAS, the service of veterinary technicians would reduce the ultimate cost of veterinary services provided to a Client; and

WHEREAS, the service of veterinary technicians will allow closer monitoring of the animals entrusted to the care of the veterinary practice, clinic, or animal hospital; and

WHEREAS, a licensing requirement would ensure that the veterinary technician is indeed competent to provide the proper care for animals entrusted to the veterinary practice, clinic, or animal hospital.

THEREFORE, it is the purpose of this act to establish qualifications and licensing requirements for veterinary technicians.

3. Page 1

Following: line 9

Insert: "Section 1. Board of veterinary technicians.

(1) There is a board of veterinary technicians.

(2) The board consists of six members appointed by the governor with the consent of the senate. Five members must be licensed veterinary technicians employed in a veterinary practice, clinic or animal hospital, or employed by a college or university as a veterinary technician. One members must be a licensed veterinary.

(3) Board members shall serve 4-year terms. Prior to July 1, 1984 the governor shall appoint 3 members who shall serve initial terms of 2 years, and 3 members who shall serve 4-year terms, which terms shall commence July 1, 1984.

(4) The board is allocated to the department for administrative purposes only as prescribed in 2-15-121."

Renumber: subsequent sections.

✓ 4. Page 1, line 11

Strike: "this chapter" 10

Insert: "[sections 2 through 9]"

5. Page 1

Following: line 12

Insert: "(1) "Board" means the board of veterinary technicians as provided in [section 1]."

Renumber: subsequent subsections

6. Page 1

Following: line 23

Insert: "Section 3. Organization -- meetings -- compensation -- records. (1) The board shall annually elect from its members a president, vice-president, and secretary-treasurer and shall hold at least two regular meetings each year. At a meeting four members of the board constitute a quorum.

(2) Each member of the board is entitled to receive compensation

and travel expenses as provided for in 37-1-133.

(3) The board shall keep complete records of all proceedings and of its receipts and disbursements and a full and accurate list of persons licensed by the board. These records are public records and are at all times open to public inspection."

✓ 7. Page 1, line 25.

Following: "applicants." "A"

Insert: "(1) ~~Strike: "A"~~ Except as provided in [section 6], a "

8. Page 2, line 1.

Strike: "examination"

Insert: "licensure"

9. Page 2, line 6.

Following: "board."

Insert: "(2)" and indent

10. Page 2, line 8.

Following: "and"

Insert: ":(a)" and indent

11. Page 2, line 10.

Following: "board"

Strike: ", as well as such other information as may be required by the board."

Insert: "and the American veterinarian medical association and is recommended by 2 licensed practicing veterinarians; or

(b) has been employed continuously for 2 years by a veterinarian, clinic, or animal hospital and is recommended in writing by the licensed veterinarian under whom he worked."

✓ 12. Page 2, line 14.

Strike: "1 through 7"

Insert: "2 through 8" ₁₀

✓ 13. Page 2, lines 17 and 18.

Strike: "1 through 7"

Insert: "2 through 8" ₁₀

14. Page 2, line 20.

Following: "held."

Insert: "Examinations must be administered at least once and not more than twice annually."

16. Page 3, line 13.

Following: "supervision."

Insert: "--responsibility of supervision veterinarian"

6 17. Page 3, line 15.

Strike: "1"

Insert: "2"

17 18. Page 3, line 18.

Following: "supervision."

Insert: "A veterinarian supervising a veterinary technician is responsible for any act or failure of the veterinary technician to act."

18 19. Page 4, line 4

Following: "board"

Insert: "in an amount, together with other fees herein, efficient to provide for all operating costs of the board"

19 20. Page 5

Following: line 17

Insert: "Section 10.6 Continuing education requirements. Veterinary technicians shall successfully complete 8 hours of continuing education per year as a condition of licensure. The courses attended must be approved by the American veterinarian medical association technician's association or the Montana veterinary medical association. The school or seminar attended shall provide to the veterinary technician a description of the courses and a record of attendance by him at the end of the school or seminar."

Renumber: subsequent sections.

20 21. Page 2

Following: line 20

Insert: "Section 12. Initial appointment of board. Within 30 days after July 1, 1983, the governor shall appoint 6 members to the board to serve until July 1, 1984. Five of the members must be persons who were licensed as veterinary technicians prior to the repeal of Title 3, chapter 18, part 4 MCA, and one must be a licensed veterinary."

Renumber: Subsequent section.

21 22. Page 6

Following: line 21

Insert: "(1" Section 1 is intended to be codified as an integral part of Title 2, Chapter 15, part 18.

(2)"

22 23. Page 16, line 22

Strike: "1 through 7"

Insert: "2 through 8", 10 "

23 24. Page 16, line 24

Strike: "1 through 7"

Insert: "2 through 8", 10 "

Exhibit #2
Agriculture
1-23-84

BEFORE THE SENATE

AGRICULTURE, LIVESTOCK & IRRIGATION COMMITTEE

IN OPPOSITION TO:

SENATE BILL NO. 38

Gentlemen,

My name is Curtis B. Hansen and I appear here today as the registered lobbyist for and representing the Montana Veterinary Medical Association.

As opponents to this bill we do want it understood that we are not opposed to the licensure of Veterinary Technicians. However, We do object to the ways and means presented to accomplish that licesnurs within this bill.

Legislation to regulate and register Veterinary Technicians was adopted during the 1975 Legislative Session.

Six years (three sessions) later - during the 1981 Legislative Session - those provisions were removed and eliminated at the suggestion of the Legislative Auditor.

Under the provisions of the Sunset Law - review was mandated in 1981. The Sunset Law requires the Legislative Audit Committee to conduct a performance review and objective examination of regulatory Boards and their functions. Based on information gathered in hearings, public forms, testimony and audit review and information from Professionals, agencies, and members of the interested public the answers to the following questions were formed. Those questions mandated by the Legislature were;

- 1) Would the absence of regulation significantly harm or endanger the public's health, safety or welfare?
- 2) Is there a reasonable relationship between the exercise of the State's Police Power and the protection of the public's health, safety or welfare?
- 3) Is there another less restrictive method of regulation available ehich would adequately protect the public?
- 4) Does regulation have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree?
- 5) Is the increase in cost more harmful to the public than the harm, if any, which would result from the absnece of regulation?
- 6) Are all facets of the regulatory process designed solely for the purpose of, and have as their primary effect, the protection of the public?

The Committee after all such consideration, is to make recommendations for reestablishment, modification, or termination - so the Legislature will be in a better, more informed, position

to ensure that agencies, their programs, rules, regulations and all of those provisions exist only to be responsive to State Residents needs.

After due, deliberate, careful and detailed consideration of all facts, the Sunset Review by the Legislative Audit Committee determined that;

The Board of Veterinarians should no longer issue to qualified applicants licenses for the practice of Veterinary Technology.

Such recommendations were followed by that Legislative Assembly and provisions were eliminated for the licensure of Veterinary Technicians.

These recommendations and actions were based, in part, on the findings that;

The Law was not specific regarding what, if any, authority was granted to a Veterinary Technician that is not already legally performed by non-licensed individuals involved in the periphery of the Veterinary Profession, such as; Kennel Assistants and other veterinary personnel, and/or totally untrained individuals outside the practice of Veterinary Medicine.

Rules and statute did specify certain actions that cannot be performed by a Veterinary Technician, but actually grant no authority over and above those already possessed by any and all members of the general public.

Review of other licensure of professionals such as Registered Nurses and Licensed Practical Nurses indicate such granting of authority is necessary before the placement of restrictions thereon.

The absence of specific definitions which would exclude nonlicensees from performing various functions indicated that such regulation was not designed for the protection of the public.

Since the final responsibility for actions by Veterinary Technicians rests with the Veterinarian there was no need at all for the licensure of Veterinary Technicians!

Senate Bill No. 38 - Does not appear to correct any of these deficiencies that were inherent in the law removed by the 1981 Legislature.

If anything Senate Bill NO. 38 magnifies these deficiencies in that it states, in part;

"VETERINARY TECHNICIAN" means a person providing veterinary services under the direct supervision of a licensed veterinarian.

"DIRECT SUPERVISION" means an order by the supervising licensed veterinarian to the veterinary technician, with notice to the client, to perform a specific

function for that client within the veterinarian's routine practice, with a followup by the veterinarian to evaluate and determine the quality and effectiveness of the function performed and with all billing for such services to be made by the veterinarian.

(This appears to eliminate the leaving of general orders with the veterinary technician by the veterinarian and would require that the veterinarian give the veterinary technician specific and detailed orders on each and every individual function for each individual client)

Since reinstatement of these provisions as now being considered would not eliminate any of the reasons for their removal, it is fairly certain that they would again be removed for the same reasons as before.

It would therefore seem that the most reasonable and prudent thing to do would be to table this proposed legislation for this session and in the time before the next Legislative Session a cooperative effort made to propose proper legislation for such licensure considering and eliminating the objectionable provisions contained herein.

WE WOULD RECOMMEND A "DO NOT PASS" on Senate Bill No. 38.

(3)

(end)

BOARD OF VETERINARIANS
DEPARTMENT OF COMMERCE

EXHIBIT #3
SB 38 Agriculture Comm.
January 24, 1983

1424 9TH AVENUE

STATE OF MONTANA

(406) 449-3737

HELENA, MONTANA 59620 0407

Senator Jack Galt
Chairman, Senate Agriculture Committee
Capitol Station
Helena, Montana 59620

Re: Senate Bill 38

Dear Senator Galt:

As President of the Board of Veterinarians, I am submitting this letter as testimony on Senate Bill 38 that would reestablish the licensing of veterinary technicians. We are sorry we are unable to attend the hearing on this bill and hope this information will be useful to your committee when discussing this bill.

It is the consensus of the majority of the Board to express their concern with this bill as introduced. We are not opposed to some type of licensing or certification of veterinary technicians, but feel that this bill would be cumbersome to handle and in the past has been unworkable. This bill is almost identical to the licensing requirements of veterinary technicians which was repealed by the 1981 Legislature.

As a tool for information for your committee, I am enclosing the Report to the Legislature on the Sunset Review of the Board of Veterinarians. Page 25 contains the comments on the licensing and authority of veterinary technicians. As a result of this Sunset Review, Senate Bill 395 was introduced in the 1981 Legislature to reestablish the Board of Veterinarians and to delete the licensure of veterinary technicians. The bill passed and is in the 1981 Montana Session Laws, Chapter No. 341.

Should you have any questions, please do not hesitate to contact us.

Sincerely yours,

Harry A Michael

Harry A. Michael, D.V.M.,
President

bsc

Brenda St Clair

Chapter IV

AREAS FOR LEGISLATIVE CONSIDERATION

The design and effectiveness of various aspects of regulation may warrant legislative consideration. The intent of the following sections is to briefly discuss these aspects as they apply to the Board of Veterinarians.

The areas for consideration include:

1. Clarification of veterinary technician license authority.
2. Timeliness of complaint resolutions.
3. Standards of conduct for veterinarians and veterinary technicians.
4. Board member nominations and reappointments.
5. Board membership of veterinary technicians.
6. Drug and instrument sales by feed stores and other retail outlets.
7. Citizenship requirements for veterinarians.
8. Renewal forms and licensee reporting responsibility.
9. Examinations.
10. Administrative functions.
11. Other areas of consideration.

LICENSING AND AUTHORITY OF VETERINARY TECHNICIANS

Licensing for veterinary technicians is relatively new in Montana. Legislation to regulate and register these individuals was adopted in 1975. However, Title 37, Chapter 18, Part 3 of the MCA is not specific

regarding the authority of the veterinary technician and what functions may be performed by unlicensed individuals. Currently, various functions performed by veterinary technicians, such as assisting during surgery, are also performed by kennel assistants and other veterinary personnel.

Board rules and statute specify certain actions that cannot be performed by a veterinary technician, such as surgery and disease diagnosis. Board rules also specify what functions can be performed in case of an emergency when life saving aid or treatment may be necessary. However, neither statute nor board rules specify the technician functions that cannot be performed by an unlicensed individual such as a kennel assistant, etc. The absence of specific rules and regulations may result in unknowledgeable individuals assuming responsibility for actions for which they are not qualified. These factors may endanger both animal and human health or life, particularly when various drugs or medications are involved.

On the other hand, the absence of specific definitions which would exclude nonlicensees from performing various functions raises some question as to whether or not the present level of regulation is designed solely to protect the public. Since there is no distinction between the duties performed by licensees and nonlicensees, and because the final responsibility for actions

within a veterinary practice rests with the veterinarian, there is some question within the veterinary profession regarding the need for licensing the veterinary technician.

COMPLAINT RESOLUTION AND DISCIPLINARY DELAY

The board has been hampered in its attempts to act on several complaints where suspension or revocation of a veterinarian license was appropriate.

Two recent complaint cases have resulted in lengthy delays. The first case involves two separate complaints against the same veterinarian. One complaint alleges malpractice, the other, improper inspection of livestock. The first of these complaints has been pending for 32 months since June 1977, and the other since February 1978. Progress toward resolution of the complaints against this individual has been hampered by legal complications, including evidence problems and prehearing plea bargaining. There was also some problem with obtaining input from the contracted hearing officer. A new hearing officer was recently appointed from the Attorney General's Office and a prehearing conference was held. A date for hearing had still not been set as of January 1, 1980.

The second case involves a recently licensed veterinarian accused of stealing and using the former

State of Montana

REPORT TO THE LEGISLATURE

Sunset Review

BOARD OF VETERINARIANS

The 1977 Sunset Law requires the Board of Veterinarians to submit a report to the Legislature to assist the Legislature in evaluating the effectiveness of the Board's activities in carrying out its duties.

This report contains information about the Board's activities during the year 1976.

- 1. Administration of the Board's activities
- 2. Financial activities of the Board
- 3. Standards of practice
- 4. Board membership and appointments
- 5. Drug sales by retail outlets

Office of the Legislative Auditor
Room 135, State Capitol
Helena, Montana 59601

(B&I rm 420)

SUMMARY -- Board of Milk Control

1. Montana is an exporter of milk products -- pg 3
2. There are 12 processing plants in Montana -- pg 3
3. Board has 5 public members -- pg 5
4. Board & Bureau is financed by earmarked a/c -- pg 6
5. Board functions:
Pg 10 A. Set minimum prices Prod. 60¢ Wholesaler 52¢
Retail 11¢ (1.23)
B. ~~Set~~ Hauling rates for milk
C. Establish base & quota if needed
 - 1) 2 base plans Missoula & Kalispell
 - 2) No active quota plan
6. Bureau functions:
 - A. Audit distributor payments to producers -- pg 12
 - B. License producers, distributors, jobbers
 - C. Review unfair Labor Practices
7. Federal Milk Market Order system sets prices paid to producer for about 80% of Grade A producers -- pg 17
 - A. To join producers have to petition federal government
 - B. Montana is not in the system -- pg 17
 - C. 95% of Grade A milk has producer price control -- pg 21
8. Deregulated in Wyoming & South Dakota
 - A. Wyo. 9¢ per ½ gal higher -- a shortage state
 - B. S. Dak. & Idaho -- 4¢ lower -- surplus state
 - C. Decontrol -- higher for some -- lower for others
 - D. Effect on plants -- not known -- competition might reduce.

E. Milk is fragile

F. If system breaks down-- 2 years to get
into federal system

9. Benefits for abolition of control do not appear
compelling enough to out weigh the dangers the disruption
of the system might have, hence the committee recommen-
dation to re-establish the Board of Milk Control.

NAME: K. M. Kelly DATE: 1/24/83

ADDRESS: Helena

PHONE: 458-5861

REPRESENTING WHOM? Dairy Industry

APPEARING ON WHICH PROPOSAL: HB 87

DO YOU: SUPPORT? X AMEND? _____ OPPOSE? _____

COMMENTS: _____

The Dairy Industry both processors and
Producers support the Legislative Audit Committee's
Bill to continue the Board of Milk Control,

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

Exhibit #7
agriculture.
1-24-83

WITNESS STATEMENT

Name GEORGE E. SCHULZE Committee On _____
Address 1302 WHITEFISH STAGE, kal. mt. Date JAN. 24, 83
Representing MONTANA DAIRYMEN'S ASSN. Support X
Bill No. HB-82 Oppose _____
Amend _____

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1. We support the Legislative Audit Committee recommendation to reestablishment of the Board of Milk Control.
2. Reestablish regulation of producer, wholesale and retail prices under the current board structure.
3. Delete the statutory provision relating to marketing areas.
4. Delete the statutory provision relating to rate of return.
5. Make the license revocation process consistent with the Administrative ~~Provision~~ Procedures Act.
6. Delete the statutory provision requiring a distributor's bond.
7. Montana Dairymen's Assn. recomend a DO PASS HB-82.

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

NAME: Rep. Ray Lybeck DATE: 1-24-82

ADDRESS: 3060 Villard space 201

PHONE: 449-7847

REPRESENTING WHOM? my self

APPEARING ON WHICH PROPOSAL: H.B. 82

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: There are 2000 jobs provided for Montana
in producing, processing and distributing milk.
I recommend that this committee do pass on this
vote on this bill for our states economy.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.



WIFE Women Involved in Farm Economics

NAME JO BRUNNER BILL NO. HB 82
ADDRESS 563 3rd St. Helena DATE JAN. 24, 1982
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 WOMEN INVOLVED IN FARM ECONOMICS ORGANIZATION.

MR. CHAIRMAN, THE MEMBERS OF THE W.I.F.E. SUPPORT THE CONTINUANCE OF THE MILK BOARD.

IT IS OUR OPINION, THROUGH OBSERVATION AND ACTUAL PRACTICE BY MEMBERS OF OUR ORGANIZATION, THAT THIS BOARD IS A VERY NECESSARY AND BENEFICIAL INSTRUMENT IN THE PRICING AND DISTRIBUTION OF MILK AND MILK PRODUCTS IN THE STATE OF MONTANA AND IS A NEEDED PROTECTION FOR OUR MILK PRODUCERS, AND FOR OUR CONSUMERS. A GREAT MAJORITY OF OUR W.I.F.E. FAMILIES ARE CONSUMERS WHERE MILK IS CONCERNED. WE CONCUR WITH HB. 82.

THANK YOU.



CLOVER LEAF DAIRY

Exhibit # 10
Agric. Com.
1-24-83

2231 N. Montana • Helena, Montana 59601

I am Ed McHugh owner, manager of Clover Leaf Jersey Dairy. We have a processing plant in Helena and have jobbers in Butte and Anaconda..

I would first like to complement the Legislative Auditor and staff and in particular Scott Seacat for doing a very professional job in compiling the report on " Board of Milk Control".

We at Clover Leaf Dairy support H.B. 82 and feel that the work and study by the committee has been productive in their recommended changes.

You have copies of the Formula Computations showing that it is heavily weighted on economic factors that reflect our economy. The weak economy of the United States has kept the price of milk down in Montana. In 1980 the $\frac{1}{2}$ gal. milk price went from 1.12 to \$1.18, a 3.4% increase when the inflation rate was 12%. The price went from \$1.18 to \$1.21 in 1981, a 3c raise for a 2.4% increase in a year of 10% inflation. This past year 1982 the price went from \$1.21 to \$1.24 a 3c raise for a 2.4% increase in a year of over 5% inflation.

The Board of Milk Control is doing a good job for the Producers, Processors, Distributers and Consumers of Montana. A healthy Montana Dairy industry will protect Montana jobs and keep a reasonably priced high quality milk on the consumers table.

I hope you will give H.B. 82 a do pass recommendation.

OFFICIAL COMPUTATION FORMULA INDEX

January 5, 1983

PRODUCER FORMULA

August '81 Amendment

November, 1969 = 100

And An Interval = 4.5

Consists Of Seven (7) Factors:

FACTOR DATE	FACTOR	%	CONVERSION FACTORS	CURRENT VALUE	WEIGHTED VALUE
<i>Nov 82</i>	UNEMPLOYMENT - U.S. (6.67 (3.8 - C) + 100) .05	5%		10.80	2.66330000
<i>Nov 82</i>	UNEMPLOYMENT - MONTANA (6.67 (6.1 - C + 100) .10	10%		9.90	7.46540000
<i>Oct 82</i>	WEEKLY WAGES - TOTAL PRIVATE (Revised and Seasonally adjusted)	15%	272.57 .13297873	268.94	35.76329965
<i>Nov 82</i>	PRICES RECEIVED BY FARMERS - MT. Oct. 1969 Index - 106. ('77 = 100)	15%	.22960139	138.00	31.68499182
<i>Dec 15, 82</i>	MIXED DAIRY FEED	20%	.32258065	160.00	51.61290400
<i>Dec 15, 82</i>	ALFALFA HAY	12%	^{55.00} .48000000	61.03	29.29440000
<i>Nov 82</i>	PRICES PAID BY FARMERS - U.S. ('77 = 100)	23%	.41990335	156.00	65.50492260

TOTAL - - - - - 100%

* 223.99141807

Nov. 1982 MINNESOTA-WISCONSIN SERIES = \$ 12.52
PLUS + \$ 3.00

TOTAL = \$ 15.56

NOTE: The reported revised weekly wage - Total Private is seasonally adjusted by dividing each months revised figures by the following factors: Jan.-.9770; Feb.-.9760; March-.9795; April-.9838; May-.9934; June-1.0067; July-1.0292; August-1.0274; Sept.-1.0221; Oct.-1.0135; Nov.-1.0027; and Dec.-.9887.

FORMULA INDEX PRICE PER CWT.

161.0 - 164.6 - - - - -\$10.79
165.5 - 169.1 - - - - -\$11.02
170.0 - 173.6 - - - - -\$11.25
174.5 - 178.1 - - - - -\$11.48
179.0 - 182.6 - - - - -\$11.71
183.5 - 187.1 - - - - -\$11.94
188.0 - 191.6 - - - - -\$12.17
192.5 - 196.1 - - - - -\$12.40
197.0 - 200.6 - - - - -\$12.63
201.5 - 205.1 - - - - -\$12.86
206.0 - 209.6 - - - - -\$13.09
210.5 - 214.1 - - - - -\$13.32
215.0 - 218.6 - - - - -\$13.55
219.5 - 223.1 - - - - -\$13.78
224.0 - 227.6 - - - - -\$14.01 *Feb 1983*

FORMULA INDEX PRICE PER CWT.

228.5 - 232.1 - - - - -\$14.24
233.0 - 236.6 - - - - -\$14.47
237.5 - 241.1 - - - - -\$14.70
242.0 - 245.6 - - - - -\$14.93
246.5 - 250.1 - - - - -\$15.16
251.0 - 254.6 - - - - -\$15.39
255.5 - 259.1 - - - - -\$15.62
260.0 - 263.6 - - - - -\$15.85
264.5 - 268.1 - - - - -\$16.08
269.0 - 272.6 - - - - -\$16.31
273.5 - 277.1 - - - - -\$16.54
278.0 - 281.6 - - - - -\$16.77
282.5 - 286.1 - - - - -\$17.00
287.0 - 290.6 - - - - -\$17.23

* Indicates No Change in Producer

OFFICIAL COMPUTATION FORMULA INDEX

January

, 19 83

DISTRIBUTOR FORMULA November, 1979-Amendment

NOVEMBER, 1969 BASE = 100
AND AN INTERVAL OF 5.3
CONSISTS OF FIVE 5 - ECONOMIC FACTORS:

FACTOR DATE	FACTOR	%	CONVERSION FACTOR	CURRENT VALUE	WEIGHTED VALUE
<u>Oct 1982</u>	*WEEKLY WAGES - Total Private **(Revised & seasonally adjusted)	50%	<u>272.57</u> .4035187	<u>268.94</u>	<u>108.5223191</u>
<u>Nov 1982</u>	WHOLESALE PRICE INDEX (U.S.)	28%	.2607076	<u>300.40</u>	<u>78.31652304</u>
<u>Nov 1982</u>	PULP, PAPER & ALLIED PRODUCTS(US)	12%	.1142857	<u>289.60</u>	<u>33.09713872</u>
<u>Nov 1982</u>	INDUSTRIAL MACHINERY (U.S.)	6%	.0556586	<u>281.30</u>	<u>15.65276418</u>
<u>Nov 1982</u>	MOTOR VEHICLE & EQUIPMENT (U.S.)	4%	.0376294	<u>257.50</u>	<u>9.68957050</u>
TOTAL - - - - -		100%			

*** 245.28235522

*Amended on November, 1979 to use 5 factors instead of 7.

**The reported revised weekly wage - total private is seasonally adjusted by dividing each month's revised figures by the following factors:
Jan. - .9770; Feb. - .9760; March - .9795; April - .9838; May - .9934;
June - 1.0067; July - 1.0292; August - 1.0274; Sept. - 1.0221;
Oct. - 1.0135; Nov. - 1.0027; Dec. - .9887.

Handler Incremental Deviation from last official reading of present Formula.
(December, 1973 = 122.10; Formula Base = November, 1969; Interval = 5.3)

FORMULA INDEX	HANDLER MARGIN INCREASE OR DECREASE	FORMULA INDEX	HANDLER MARGIN INCREASE OR DECREASE
111.90 - 116.14	0.00	249.70 - 253.94	0.26
117.20 - 121.44	0.01	255.00 - 259.24	0.27
122.50 - 126.74	0.02	260.30 - 264.54	0.28
127.80 - 132.04	0.03	265.60 - 269.84	0.29
133.10 - 137.34	0.04	270.90 - 275.14	0.30
138.40 - 142.64	0.05	276.20 - 280.44	0.31
143.70 - 147.94	0.06	281.50 - 285.74	0.32
149.00 - 153.24	0.07	286.80 - 291.04	0.33
154.30 - 158.54	0.08	292.10 - 296.34	0.34
159.60 - 163.84	0.09	297.40 - 301.64	0.35
164.90 - 169.14	0.10		
170.20 - 174.44	0.11		
175.50 - 179.74	0.12		
180.80 - 185.04	0.13		
186.10 - 190.34	0.14		
191.40 - 195.64	0.15		
196.70 - 200.94	0.16		
202.00 - 206.24	0.17		
207.30 - 211.54	0.18		
212.60 - 216.84	0.19		
217.90 - 222.14	0.20		
223.20 - 227.44	0.21		
228.50 - 232.74	0.22		
233.80 - 238.04	0.23		
239.10 - 243.34	0.24		
244.40 - 248.64	0.25 <u>Feb 83</u>		

NOTE: This chart is amended to reflect a two cent (\$0.02) reduction in the Distributor's margin based on a half (1/2) gallon of whole milk, as Ordered by the Board of Milk Control on September 15, 1979.

*** Indicates AN INCREASE in the Distributor

margin of \$.01 ,

Effective February 1 19 83

WITNESS STATEMENT

Exhibit #11
Agriculture Comm

NAME JEANNE M. RANKIN BILL No. HB- 82
ADDRESS Bozeman, MT DATE Jan. 24 1983
WHOM DO YOU REPRESENT MONTANA FARM BUREAU
SUPPORT XXXXXXXX OPPOSE AMEND

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Mr. Chairman:

THE MONTANA FARM BUREAU WOULD LIKE TO GO ON RECORD
IN SUPPORT OF HB-82. OUR MEMBERS BELIEVE THAT THE DAIRY
INDUSTRY IS A VITAL PART OF AGRICULTURE IN MONTANA.
THE POLICIES AND PROGRAMS OF THE MONTANA MILK CONTROL"
BOARD PROTECTS THE CONSUMER FROM INFERIOR MILK PRODUCTS
WHILE AT THE SAME TIME PROVIDING A STABLE MARKET FOR
THE PRODUCER.

I URGE YOUR SUPPORT OF HB-82.

Jeanne M. Rankin

SKYLINE VETERINARY CLINIC

POST OFFICE BOX 2905
GREAT FALLS, MT 59403
406-761-8282

B. G. MacDonald, D.V.M.

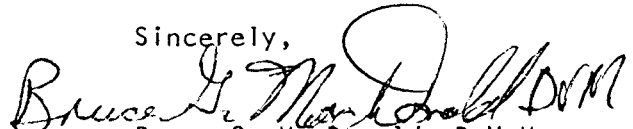
January 21, 1983

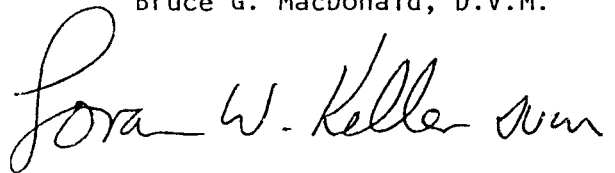
Senator Ochsner
Capitol Building
Helena, Montana 59601

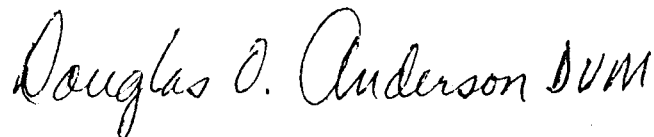
Dear Legislators,

It is my opinion that the licensure of veterinary technicians would eventually lead to better quality veterinary medicine in Montana. I am in favor of bill #38.

Sincerely,


Bruce G. MacDonald, D.V.M.


Lora W. Keller DVM


Douglas O. Anderson DVM

bgm/bk

Star Route
Vaughn, Montana
January 23, 1983

Senator Gary Lee
Capitol Building
Helena, Montana

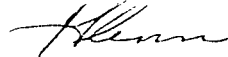
Dear Gary:

This is a letter in support of the recent bill requiring the licensure of Veterinary Technicians.

The licensing of Veterinary Technicians has many advantages. Not only does it provide protection for the veterinarian, but more importantly, it ensures a high degree of competency in the care of our patients.

Please consider these points when the bill comes before the Senate.

Sincerely yours,



Glenn M. Graves, D.V.M.

GREAT FALLS VETERINARY SERVICE

DORAN ANIMAL HOSPITAL

3700 SECOND AVE. NO. • P.O. BOX 1665 • GREAT FALLS, MT 59403
PHONE (406) 453-1629

M.P. DORAN, D.V.M.
J.A. SCOTT, D.V.M.

J.H. BAILEY, D.V.M.
J.B. STEYEE, D.V.M.

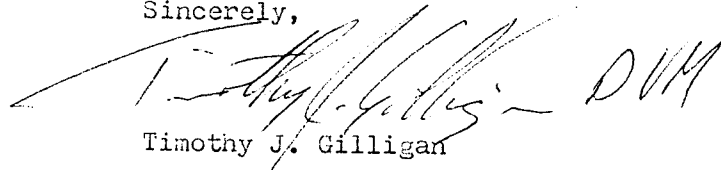
January 22, 1983

Senator Ochsner
Capitol Building
Helena, MT 59601

Dear Legislators:

It is my opinion that the licensure of veterinary technicians would eventually lead to better quality veterinary medicine in Montana. I am in favor of bill #38.

Sincerely,

A handwritten signature in dark ink, appearing to read "Timothy J. Gilligan", followed by the letters "DVM" in a larger, stylized script.

Timothy J. Gilligan

TJG/ln

GREAT FALLS VETERINARY SERVICE

DORAN ANIMAL HOSPITAL

3700 SECOND AVE. NO. • P.O. BOX 1665 • GREAT FALLS, MT 59403

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J.A. SCOTT, D.V.M.

J.H. BAILEY, D.V.M.
J.B. STEYEE, D.V.M.

Senator Ochsner
Capitol Building
Helena, Montana 59602

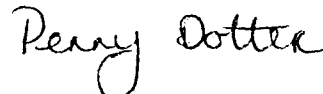
Dear Legislators:

As an unlicensed veterinary technician I would like to express my sincere approval and hopeful enthusiasm on the licensure of technicians.

After having spent two years in school learning all I could, necessary to graduate as a veterinary technician, being able to go forward and earn a license would be felt and acknowledged as a worthwhile accomplishment.

I also feel a license would stand as a point of confidence and satisfaction towards the job of a veterinary technician.

Sincerely,



Penny Dotter

CUSTER VETERINARY CLINIC

P.O. Box 121
MILES CITY, MONTANA 59301

JOE K. BABER, D.V.M.

PHONE (406) 232-4674

Sen Aschner:

We are in favor of re-instituting the veterinary technician licensing. High quality veterinary practices benefit by the skills of trained and certified technicians. Licensing will help assure that the technician is qualified to perform his or her duties accurately.

Sincerely,
Joe K. Baber D.V.M.
Kathy Baber.

January 21, 1983

Senator Ochsner
Capitol Building
Helena, Montana 59601

Dear Legislators,

As a previously licensed technician in the state of Montana, I would like to support the bill for examination, licensure, and annual registration of Veterinary Technicians.

I believe this bill would enable technicians to assist veterinarians with providing high quality medical services for animals.

This bill would also require continuing education, which I believe is important.

Sincerely,

Jeanne Augustine

STANDING COMMITTEE REPORT

January 24

19 83

PRESIDENT:

MR.

AGRICULTURE, LIVESTOCK AND IRRIGATION,

We, your committee on

having had under consideration House Bill No. 82

Manuel (Boylan)

Respectfully report as follows: That House Bill No. 82

third copy (blue), be amended as follows:

1. Page 2, line 1.
Strike: "2-18-122"
Insert: "2-8-122"

And, as so amended,

BE CONCURRED IN

~~XXXXXX~~
DO PASS

..... Jack E. Galt, Chairman.

W.C.