

MINUTES OF THE MEETING
AGRICULTURE COMMITTEE
MONTANA STATE
HOUSE OF REPRESENTATIVES

January 11, 1985

The meeting of the Agriculture Committee was called to order by Chairman Schultz on January 11, 1985 at 3:00 p.m. in room 317 of the State Capitol building.

ROLL CALL: All members were present.

HOUSE BILL NO. 60: Hearing commenced on House Bill No. 60. Representative Marian Hanson, District #100, sponsor of the bill, stated that the Department of Livestock wants a gross vehicle weight enforcement officer to be authorized to inspect for proper identification and documentation of ownership of transported animals. (Exhibit A attached hereto)

PROPOSERS: Stuart Doggett from the Montana Stockgrowers Association spoke in support of the bill. He stated that this bill would help to alleviate illegal livestock hauling by giving GVW officers the authority to request livestock certificates or permits. (Exhibit B attached hereto)

Jack Sedgwick from the Department of Livestock stated that the department relies on much of the information received by the officers.

Don Copley from the Department of Highways spoke in support of the bill.

There being no further proponents or opponents of the bill, Representative Hanson closed.

DISCUSSION ON HB 60: Chairman Schultz opened the meeting up for discussion. Representative Rapp-Svrcek asked if a GVW officer would have the right to be able to detain a person long enough until authorities got there. Don Copley replied by saying that they cannot detain them. Representative Holliday asked if there was any danger involved and, if so, if the GVW officers would be able to carry guns. Again Copley replied that it was department policy that they cannot be armed and foresees no reason. Representative Devlin asked if the bill would be effective in October. Copley replied that they would like it to be effective as soon as possible.

Representative Ellerd made a motion to amend the bill for an effective date upon passage and approval. Representative Rapp-Svrcek seconded the motion. The amendment passed unanimously.

HOUSE BILL NO. 61: Representative Marian Hanson, sponsor of the bill stated that this bill was just asking for a \$500 penalty. (Exhibit C attached hereto)

PROPOSERS: Don Ferlicka from the Department of Livestock spoke in favor of this bill. He stated that this bill would allow them to protect against Brucellosis. Stuart Doggett from the Montana Stockgrowers Association stated he supports this bill.

There being no further proponents or opponents of the bill, Representative Hanson closed.

DISCUSSION ON HB 61: Representative Devlin asked if the bill was to be effective upon passage and approval. Don Ferlicka replied by saying that he wanted it effective as soon as possible. Representative Ellerd moved to amend HB 61. The amendment carried.

EXECUTIVE SESSION

Representative Ellerd moved that House Bill No. 60 DO PASS AS AMENDED. Representative Fritz seconded the motion. The motion passed with a UNANIMOUS vote.

Representative Bachini moved that House Bill No. 61 DO PASS AS AMENDED. Representative Keller seconded the motion. The motion passed with a UNANIMOUS vote.

Chairman Schultz next commented on the number of bills coming into this committee and felt that there wasn't enough for us to have a hearing on all scheduled days. He asked the committee if they would be interested in having people come into the committee and talk on why certain bills are placed in other committees when they feel they have an affect on agriculture. Discussion was held on this matter.

Chairman Schultz then informed the committee of the meeting on Monday, January 14, on House Bill No. 110.

ADJOURN: There being no further business before the committee, the meeting was adjourned at 3:35 p.m.


JAMES SCHULTZ, Chairman

DAILY ROLL CALL

~~Agriculture~~ COMMITTEE

49th LEGISLATIVE SESSION -- 1985

Date 1-11-85

NAME	PRESENT	ABSENT	EXCUSED
James Schultz, Chairman	X		
Gay Holliday, V-Chairman	X		
Bob Bachini	X		
Dorothy Cody	X		
Duane Compton	X		
Gerry Devlin	X		
Robert Ellerd	X		
Orval Ellison	X		
Harry Fritz	X		
Ramona Howe	X		
Loren Jenkins	X		
Vernon Keller	X		
Francis Koehnke	X		
John Patterson	X		
Bing Poff	X		
Paul Rapp-Svrcek	X		
Gary Spaeth	X		
Dean Switzer	X		

STANDING COMMITTEE REPORT

January 11

19 35

MR. SPEAKER

We, your committee on AGRICULTURE

having had under consideration HOUSE Bill No. 61

FIRST reading copy (WHITE)
color

PROVIDING PENALTY FOR VIOLATION OF BRUCELLOSIS VACCINATION REQUIREMENTS

Respectfully report as follows: That HOUSE Bill No. 61

BE AMENDED AS FOLLOWS:

1) Title, line 6.

Following: "REQUIREMENTS"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2) Page 1.

Following: line 16

Insert: "Section 3. Effective date. This act is
effective on passage and approval."

AND AS AMENDED,

~~DO PASS~~

STANDING COMMITTEE REPORT

.....January 11..... 19 85.....

MR. SPEAKER.....

We, your committee on AGRICULTURE.....

having had under consideration HOUSE..... Bill No. 69.....

FIRST reading copy (WHITE)
color

INCLUDE Gvw ENFORCEMENT OFFICER IN LIST OF
LIVESTOCK PERMIT INSPECTORS

Respectfully report as follows: That HOUSE..... Bill No. 69.....

BE AMENDED AS FOLLOWS:

1) Title, line 8.

Following: "MCA"

Insert: " , AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2) Page 3.

Following: Line 21

Insert: "Section 2. Effective date. This act is
effective on passage and approval."

DO-PASS AS AMENDED DO PASS

DO-PASS

Exhibit H
HB 60
January 11, 1985

HB 60

MCA Section 81-3-231 provides that various officers may request a Certificate of Inspection, Market Consignment Permit, or Market Release Certificate for review. G.V.W. Officers have for many years inspected livestock hauling papers.

It is the feeling of the Department of Livestock that legal authority to inspect such papers should be granted.

If stolen or illegal livestock, forged papers, etc., were found by a G.V.W. Officer, subsequent prosecution may be difficult without this authority.

Listed on the back are the number of livestock checked by various law enforcement personnel in Montana.

Exhibit 15
January 11, 1985
H 13 60

TESTIMONY TO THE HOUSE AG COMMITTEE

For the record, my name is Stuart Doggett and I am representing the Montana Stockgrowers Association and the Association of State Grazing Districts.

We support House Bill 60 as introduced to this Committee and it is our feeling that it would help to alleviate illegal livestock hauling by giving GVW officers a ⁷⁶~~statutory~~ authority to request ~~the~~ required livestock certificate or permits,

Statistics from the Department of Livestock show that in 1984 GVW stations checked over 273,922 head of cattle or approximately 70 percent of the total livestock transportation checks that were made during that year. Since these GVW stations are in the position to inspect for the proper livestock permits, it only seems fitting that Gross Vehicle Weight enforcement officers be included on the list of officials authorized to demand the appropriate livestock certificate or permits.

Mr. Chairman, and members of the Committee, the Montana Stockgrowers and the Association of Grazing Districts is strongly in support of this bill and hopes that you will clear the way for its passage.

HB 61

Exhibit C
1413 61
January 11, 1961

Amendment of Section 81-2-801 M.C.A., REQUIRED BRUCELLOSIS VACCINATION

Amendment: Addition of Penalty Section

Rationale: Montana has an excellent reputation as a cattle exporting state. They maintain this reputation by raising and exporting healthy, disease-free cattle.

Therefore, preventing the import of cattle infected with brucellosis is one of the most important duties entrusted to the Department of Livestock. Prohibiting the import of female cattle which have not been vaccinated is an effective first step, especially if criminal penalties are attached. A penalty section was inadvertently left out when this law was written. Because it had no penalty, the Department and several county attorneys have been unable to use it when needed. If a penalty section was added, the law would become an effective tool to be used against the disease of cattle brucellosis.

VISITOR'S REGISTER

HOUSE

Agriculture

COMMITTEE

BILL

60 E 61

DATE _____

1-11-85

SPONSOR

177. Hanson

[illegible]

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

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.