

MINUTES OF THE MEETING  
AGRICULTURE, LIVESTOCK & IRRIGATION COMMITTEE  
50TH LEGISLATIVE SESSION  
HOUSE OF REPRESENTATIVES

February 20, 1987

Rep. Duane W. Compton, Chairman of this committee, called the meeting to order at 1:00 p.m. in Room 317 of the Capitol, Helena.

ROLL CALL

Representatives Gene DeMars, Gay Holliday and Rep. Paul Rapp-Svrcek were excused, all other members were present, as was Tom Gomez, researcher for the committee assigned from the Legislative Council.

Bills to be heard today were HB 814, HB 822, HJR 36, HB 779, HB 778, HB 815, HB 804, HB 837, HJR 38.

HOUSE BILL 814

Rep. Gene Donaldson, House District #15, was chief sponsor of HB 814, which is an act establishing a state meat inspection program; providing for its enforcement and application by the Board of Livestock providing for licensing of meat establishments; amending several sections; and repealing several sections of the MCA. A Statement of Intent is necessary because the Board of Livestock is to adopt rules implementing the state meat inspection program, copy of which is attached to the Standing Committee Report. There is an amendment, EXHIBIT #1, dealing with appropriation for administration of meat inspections. He would like to have that increase in the bill.

It has taken some time to put this together. This puts the state back into the meat inspection business in Montana. Montana is not even slaughtering enough animals to feed our own population. The number and capacity of plants has continued to deteriorate. This attempts to get the small meat packing plants back in business. One of the main problems in meat inspection is that there is very little place for a plant owner to appeal if he has problems with inspectors. Placer Gold Label was lost. They bought the original plant and added on for hog kill. Gold actually produced a good product. They employed 40 people. Federal inspectors made some ridiculous requests such as making them buy their soap or oil from specific out-of-state plants when they could buy the same thing in Montana. Also after their requests were installed, they changed their minds and required something

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else. There was no place for them to appeal. This puts it into a state Meat and Poultry Inspection Act. The definitions include game farms and buffalo they may want to sell as a specialty. That may be a good seller someplace else.

This sets up a chief meat inspector and a plant owner can go to the Board of Livestock if he has inspection questions. It provides for some economic growth in Montana. He has worked with the Board of Livestock over the years and they could best oversee this. Veterinarians are scattered across the state and could stamp the meat.

PROPONENTS

LES GRAHAM, Executive Secretary of the Board of Livestock, has worked with Rep. Donaldson and the Governors Council on Economic Development, and feels they have the expertise to handle this. Approximately 26 or 27 states now have meat inspection capability in place. He has met with some of them and talked this over. The fiscal note isn't here yet. Figures have not been finalized, just estimates they have put together. Personnel services would be \$220,000 split between state and federal funds 50-50. This could be lower in the beginning since they have no idea of how many plants would come under this, they estimate there might be 25 plants. Any inspections rules in the state have to meet the minimum of the federal requirements. Maybe only 10 or 15 plants would come under this, in which case they could use some of their own personnel at the present time. See EXHIBIT #2.

MIKE GROVE, Governors Economic Development Council, chaired the committee that looked into the agriculture situation. There are real problems in the agriculture sector that affect all of us. In many small communities there are packing houses that are idle. When asked why they are idle, they were told because rules were changed when the inspection process was turned over to the federal inspectors. They looked at what would be involved to bring inspection back to Montana. Everybody was in agreement with this concept. The main reason agriculture is in poor shape is because there is no way to be innovative. They couldn't get a major packing plant to come in so rather than trying to get something new, they tried to open up local ones. Packing plants say they never know what the rules are going to be. Inspectors keep changing. People are afraid to make an investment. If we had small packing plants, we would see many of our ranchers coming in with ideas. The problem in the meat industry is that it is too highly concentrated and federal regulation is part of the reason.



WIFE Women Involved In Farm Economics

Mr. Chairman

EXHIBIT #2 B

DATE Mar. 13, 1987

SB 142 - Sen.

Cecil Steading

Wife supports SB 142 as  
originally written.

H. F. F. E.

Jo Ann Jarman  
1st Vice President  
3-13-87

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The value added of a meat plant is one of the highest in the state. They end up with rendering services, hide business, coolers, transportation - the multiplier effect is 4-1. Employment would be significant both in the plant and related businesses. There would be more feed lots, and more innovation from producers. The retailer and restaurant people could get what they wanted. The small plants would be able to supply what was wanted. This was one of the most significant recommendations of substantial opportunities and it is all positive. He urged support of the bill as presented.

MR. CORBETT has a small meat packing business in the valley and really would like to see this bill passed. You can't keep going if you don't know what the rules are. Inspectors tell you one thing and tell somebody else something else. There have been a lot of small plant closures in the past year putting two or three people out of a job which multiplies several times and affects everyone. Montana needs this business in the state, farmers and ranchers need it. These plants cannot keep open because the rules and regulations keep changing. He is just asking to know what the rules are. He has asked for the rules, but they don't send them to him. He gets no reply from either Billings or Washington, D.C. If you do get a reply, it says it is up the local inspector. The small custom plant will no longer be in business. He is pushed to the limit. He has no money and they keep requiring changes and he can't comply. It is wrong. A clear cut set of rules is a necessity in order to survive. Midland and Pierce Packing are closed as are several local plants. The USDA doesn't send out their rules or stick to them. Something must be done about it. You cannot play the game unless you know the rules.

MONS TEIGEN, Montana Stockgrowers and the Montana Cattlemen support HB 314 and agree with previous testimony.

RAY MYERS, Bozeman, sees a lot of cattle go down the road to Idaho and meat come back. Montana just raises them, not many are being slaughtered.

OPPONENTS - None

QUESTIONS (OR DISCUSSION) FROM THE COMMITTEE

Rep. Cody asked if the feds would object. Rep. Donaldson answered Montana standards would meet the federal standards. There are rules and regulations but the interpretations get us into trouble. Need a change in attitude and have state inspections rather than federal. He is not interested in a poor quality meat. Rep. Cody asked what would happen if you have a state inspector and a federal inspector, and the state

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writes out the rules and the feds say that doesn't work? Rep. Donaldson stated a state inspected plant would primarily sell meat in the state. There may be a possibility that we may be able to export. It would be handled only by the state. It would eliminate a lot of local complaints also. Actually there are two types of plants involved. State inspection would cover the plant for local consumption at this point. Maybe the feds will relax that. If we get a packing plant, they will meet the federal requirements. Maybe some money can be made on a state inspection basis. We might see this grow.

Rep. Campbell mentioned the prison slaughter house was shut down. It would take \$10-15,000 to comply. Is there a possibility that could be opened without that much cost? Rep. Donaldson said this generally deals with the individual that is trying to put it together. We are not talking about a low quality of meat.

Rep. Patterson thought the amendment would make this an appropriation bill. Rep. Donaldson said they will know in two weeks if this can be afforded.

Rep. Cody remarked the amendment would be a general fund match with federal dollars. Rep. Donaldson said they will accept their standards but the interpretation would be up to Montana; 27 states are doing this now. It compromises the program if people themselves try to make the federal match.

Rep. Koehnke asked if you knew the rules, could you comply with them or would the cost be too great? Mr. Corbett said he could comply with the rules but the inspectors do not say the same thing. He bought his plant under federal inspection and as the new owner could not comply under a new inspector. Have to have the rules.

Rep. Donaldson closed. In no way are we trying to reduce the quality. The appropriations will be put up in front. Mr. Corbett will have some avenues of relief. If the rules are interpreted correctly, he will have to live with them, and if they are wrong, he has some avenue of relief.

HOUSE BILL 822

Rep. Tom Hannah, House District #86, Billings, was chief sponsor of HB 822 which is an act authorizing the Department of Agriculture to adopt rules authorizing the equivalent of surety bonds to be posted by produce wholesalers and itinerant merchants; amending sections 80-3-603 and 80-3-705, MCA; and providing an immediate effective date. This bill would authorize the Department of Agriculture to adopt rules authorizing the equivalent of surety bonds.

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PROPONENTS

KEITH KELLY, Director of the Department of Agriculture, supports HB 822. A surety bond is probably better than a bond and would be easier to get.

OPPONENTS - None

QUESTIONS (OR DISCUSSION) FROM THE COMMITTEE - None

Rep. Hannah closed asking for favorable consideration.

HOUSE JOINT RESOLUTION 36

Rep. Bernie Swift, House District #64, Valley County, is a sponsor of HJR 36 which is a joint resolution of the Senate and House of Representatives of the state of Montana to encourage the secretary of the United States Department of Agriculture to amend rules concerning eligibility for crop benefit payments to producers of agricultural commodities under the Food Security Act of 1985. HJR 36 was introduced at the request of the House Appropriations Committee.

The purpose of HJR 36 is to try to solve problems which the Department of State Lands as a landlord has with some of their 600,000 acres of leased agricultural lands. The problem with the federal Food Security Act of 1985 is they set up a landlord as having come under these practices even if a lessee violates the rules, and they are subject then to loss of any federal benefits from that land. HJR 36 asks the USDA to look at that problem and make some changes. The 'sodbuster' Act made some rules that basically set standards for erodible lands, and if they are violated eligibility to receive any of the crop benefits of other agricultural acts is denied.

PROPONENTS

KELLY BLAKE, Administrator of the Lands Division of the Department of State Lands, supports HJR 36. This resolution urges the Secretary of the Department of Agriculture implementing the highly erodible land program to make some changes in rulings on the 'sodbuster' Act. See his testimony, EXHIBIT #3. The Montana State Land Department has about 2600 lessees, and if one violates the Act, all can be considered in violation.

OPPONENTS - None

QUESTIONS (OR DISCUSSION) FROM THE COMMITTEE

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Rep. Patterson asked if HJR 36 would affect the \$50,000 limit. Mr. Blake said that limit does not apply to the state of Montana.

Rep. Cody thought HJR 36 says just as long as the state gets the money, it is alright to do sodbusting. Mr. Blake said if any one of the 2600 lessess of state land breaks any land or if a lessee of private land breaks any erodible land, that throws the landlord out of compliance. This would throw the whole state out of compliance and that jeopardizes payments to all others in the state. NO sodbusting is a condition of state leases. The DSL is not able to inspect every tract they have every year. A person must file a 1026 form saying that he has not broken any erodible land. Their concern isn't that the one individual would be fined, it is the throwing of the whole state out of compliance and they wouldn't get their money for the school trust program.

Rep. Ellison remarked the rule is in direct contradiction to the law in the first place. There is a conflict between the rule and the law. HJR 36 sends a message to Washington that backs this concern.

Rep. Jenkins asked if there isn't a lot of ground that isn't set up for erosion control. Mr. Blake said this applies to any breaking of new land.

Rep. Swift closed saying this has nothing to do with changing the actual rule itself except that one item and there is no effort on the part of the Appropriation Committee or the DSL to avoid the sodbusting act. He asked the committee's support.

HOUSE BILL 779

Rep. Ted Schye, House District #18, Glasgow, sponsor of HB 779, introduced this bill at the request of the Montana Water Development Association. It is an act clarifying evidence or title for purposes of determining a holder of title to land under the irrigation district laws; amending 85-7-102, MCA; and providing an effective date. He turned explanation of the bill over to R.A.Ellis.

R. A. ELLIS, Montana Water Development Association, and chairman of the Helena Valley Irrigation District, stated this is to clarify landowner title for tax purposes for which the county treasurer collects. There are a lot of absentee landowners and the county treasurer mails them the notice and the person going out to buy the land is not notified that he

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has been assessed for this. HB 779 describes documents sufficient to prove title to land under the irrigation district.

There were NO OPPONENTS or QUESTIONS FROM THE COMMITTEE.

Rep. Schye closed.

HOUSE BILL 778

Rep. Loren Jenkins, House District #13, chief sponsor of HB 778 said this is an act to require the Department of Agriculture to assist farmers and ranchers in determining the most efficient scheduling and use of water for irrigation purposes; and providing an immediate effective date. We are looking at a similar situation to that in 1985. No snow out there means the possibility of shortage of irrigation water.

The purpose of this act is to encourage and assist irrigators in making the most efficient use of their water. Also it is to maximize cooperation among the department, the cooperative extension service, the college of agriculture at Montana state university, private business, water user associations, irrigation districts, water conservancy districts, volunteer organizations, individual farmers and ranchers, and as necessary during periods of drought, the disaster and emergency services division in the department of military affairs.

PROPOSERS

GEORGE OCHENSKI, Montana Environmental Information Center, was actually involved with the Governors Water Development committee in 1985 when we were short of water. He sat in the advisory council meetings, and heard over and over again about the damage caused by improper use of irrigation water. It was good and fine to report the damage, but the problem was how to get the most advantage from water use. This program was implemented and was not being used.

R. A. ELLIS, Montana Water Development Association, a voluntarily funded irrigation district in Montana, said this will help them.

JACK HEYNEMAN, a rancher from Fishtail, urged support of HB 778. This is a common sense bill. He goes to the Department of Agriculture for information, and feels that is where this information should be available.

OPPONENTS - None

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QUESTIONS (OR DISCUSSION) FROM THE COMMITTEE

Rep. Poff asked how this would be controlled. What if somebody uses excessive water and somebody turns him in? Rep. Jenkins said there is no control. It is just a means of learning how much water to use.

Rep. Koehnke asked what other expenses there would be. Rep. Jenkins said the telephone would be under the hotline. This will have to be sent to the appropriations committee.

Rep. Bachini asked how this would be enforced as it is written? Keith Kelly said it doesn't have the teeth to make somebody listen or pay attention.

Rep. Poff asked if the DOA had requests from this. Mr. Kelly answered no. It was a result of the drought of a couple of years ago. They have not been involved with requests on this.

Rep. Ellison advised it is against Montana law to waste water. The only way to enforce this would be to take them to court. Rep. Jenkins said the bill is being misunderstood. It is only an information bill to allow farmers or ranchers to learn how to irrigate with proper water usage. Some studies have shown by over irrigating fertilizer has been lost and has caused other people problems. He thinks this is a good time to put this into effect.

HOUSE BILL 815

Rep. Marian Hanson, House District #100, parts of Rosebud and Powder River counties, chief sponsor of HB 815, said this is an act to generally revise the law regulating activities relating to alfalfa leaf-cutting bees; to require registration of bees; to provide for voluntary certification of bees; amends 80-6-1101 through 80-6-1109, MCA; and provides an immediate effective date. In the 1983 session a bill was implemented regulating the leaf cutter bee people; this bill regulates management of the alfalfa leaf-cutting bee owners. She has some revisions.

PROPOSERS

T. ALLEN WHITMER, is a current member of the board of directors of the Seed Growers of Montana, Glendive. The alfalfa leaf-cutter bee is a small bee about the size of a house fly. They are necessary for pollinating alfalfa, but they can be a disaster if not used properly. There are poor financially economic conditions in the bee industry. There is mandatory bee inspection which is oppressive. They do resent

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the present law. They proposed this legislation which has very good support from the industry. This bill also provides for voluntary testing of bees, retaining the present certified class for defining their queen area. They are not asking for any money at all. This bill is to be totally supported by the industry. The Montana alfalfa seed growers association committee was to find some common ground. HB 815 is that proposal. He asked the committee to pass HB 815.

Other proponents introduced themselves: Gill M. Sorg, John Wold, Gary Wiltse is on the seed growers legislative committee in southeastern Montana and urged passage; Tim Joliet, Carbon County. They all raise alfalfa bees.

KEITH KELLY, Director of the Department of Agriculture, said they will go along with the program. They have reduced the hours of their current employees since November, and are trying to carry the program by limping along with a one-half time person. This will reduce the money, but hopefully there will be greater participation in the program. If the DOA can get by with a half time employee this season and get the industry back on its feet, they will go along with that. As an agency they have discussed with them that if the money is not there, they will have to have an escape clause that at some point we may have to say it is not there and our desire would be to terminate the action underneath the statute. That industry has had some tough times like all other agriculture.

OPPONENTS - None

QUESTIONS (OR DISCUSSION) FROM THE COMMITTEE - None

Rep. Hanson closed saying it is necessary to revise laws because of the drought of the last few years. The industry is willing to work with the DOA. A raiser can still certify his bees but he doesn't have to. There is no sting in this bill!

HOUSE BILL 804

Rep. Loren Jenkins, House District #13, is sponsor of HB 804 which is an act to limit the preference right of a lessee to renew a lease for state agricultural or grazing land if the lessee subleases the land; and amends three sections. This will tighten down state land leases. He offered some amendments, EXHIBIT #4.

HB 804 is a combination of supreme court decisions in the state land leasing laws. Unfortunately, almost every time the DSL has taken a case to court they have lost. This puts it in writing so that there will be no doubt. They lost the Jerke case, and in the Skillman case, which they also lost, the

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supreme court decision said that state lands are to be held in trust for the people of Montana, and allowing the preference right to be exercised by a lessee who subleases the land would be to install the lessee as the trustee of state land. In the John Steffan subleasing case the supreme court found that he was managing the land and did not sublease. He had his lease preference reinstated. HB 804 says as drawn up it says he cannot sublease more than two years or you lose your preference. If you sublease more than three, you lose your lease. There is an exception but it has a wording problem. An exception is that you have five years without losing preference or the lease, if it is subleased only to close relations. In talking with the department they thought that the grazing districts were protected. But what happened to the person who lost his herd and put his pasture out for rent? That is covered by the amendment #5. on the Exhibit #4. This goes retroactively into effect January 1, 1987.

It also says if you have a lease that is five or six years into it and you have subleased it, if you had lost your preference under the three years, that three years has been exempted from loss of lease, but at the same time if you have subleased for three years, you cannot sublease it for two more. If you sublease it for even one more on top of two or three years before Jan 1, 1987, that can cause the loss of your lease. It is there in writing, and all parties have been protected. Everybody that has read the bill with the amendments is in agreement with it now.

PROPONENTS

DENNIS REHBERG, is in full agreement with HB 804 as it is amended. See his note, EXHIBIT #4A.

KELLY BLAKE, Lands Division Administrator for the DSL, stands in approval of the bill as amended. It will provide a direct guidance to the department regarding the controversiality of subleasing on state lands and will clear the matter once and for all and they will have legislative direction.

OPPONENTS

KIM ENKERUD, was representing the Montana Association of State Grazing Districts, Montana Stockgrowers, Montana Woolgrowers and the Montana CattleWomen. See her testimony, EXHIBIT #5. She urged the committee not to pass HB 804. Ranchers need this state land preference for their operations. They had not seen the amendments.

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JOCK ANDERSON has no direct interest in this bill. He is not a rancher. He did represent John Steffan. As an attorney he was concerned about the original bill. The amendment kept him silent when they asked for opponents of the bill. It will give persons in the situation John Steffan was in to keep their ranches together during times when they are not utilizing the land for their own stock. In the John Steffan matter there was a considerable dispute as to whether or not it was necessary or not to also manage the cattle as well as managing the land. The amendment says one of the criteria for pasturage agreement is that the lessee perform all animal husbandry functions. He thinks who actually manages the cattle ought to be irrelevant to the concerns of the state as to land management. On balance the amendment is a good one and it solves most of his concerns. He thinks it is fair.

Rep. Gay Holliday took the chair because Rep. Compton was called out on an emergency.

QUESTIONS (OR DISCUSSION) FROM THE COMMITTEE

Rep. Giacometto asked if it is better to leave the law as it is now, or amend this bill with this amendment and go from there. Mr. Anderson thought on balance it would be better with this amendment. The lessee of the state land should be responsible for the land not the cattle. The amendment is very good with the elimination of the animal husbandry.

Rep. Giacometto asked if the animal husbandry requirement is stricken is the DSL going to have a lot of problems with it? Mr. Blake said the DSL would not have any problems with it. The reason for the way the amendment was drafted was to make it as foolproof as absolutely possible. They are tired of arguing the matter in court. They want to get the thing on road so they have some directives.

Rep. Giacometto said he does have some school leases and he is here right now, and he is running cattle for another individual on his place. He has a hired person to take care of the fences, do the feeding, etc. He wants to receive some legal information so he will know what is required. Mr. Blake said their concern is that a pasturing agreement is considered a sublease. If you are pasturing someone else's cattle that means you are administering all phases of management. So there are no holes in the interpretation of how a pasturing agreement is going to be administered by the DSL is why that was put in there.

Rep. Giacometto said the written agreement requirement would make for a large paper influx to the DSL. What is your feeling on that? Mr. Blake said they have never had the ability to have written agreements in the past. They went

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through the administrative rules procedure and got approval. It is in their rules currently. They realize there are going to be a lot of people applying for it and under the statute which requires an approval and on the form that is administered by the department. Pasturing agreements would have to do the same thing. There are a lot of people asking for them. He has held up on putting together a form based on what happens to HB 804. If you are pasturing cows on state land and you have not reported it to DSL, you are guilty of subleasing.

Rep. Hanson asked if the amendment just pertains to people who sublease on state land. Mr. Blake said this only applies to pasturing agreements. They have a verified sublease and a pasturing agreement. Under the sublease if you are the lessee and you turn all responsibilities over to someone else, then he is responsible and is liable just as much as you are for his actions. You are still responsible for his actions. In a regular sublease, you give up all management functions to the other individual. Under a pasturing agreement you are taking in his livestock, but you don't have any cows on the land itself, but you are performing the management functions that go along with that responsibility.

Rep. Patterson realized this bill and amendment works for grazing leases. Will this create problems on your grain leases? Mr. Blake said under the current rules if a farmer or producer of grain is allowing someone else to farm the lands he is relinquishing his management responsibilities which in fact falls under the subleasing statute also. Contract farming as long as it is done on a per acre basis charge is permissible - cannot crop share under the crop share that comes to the state of Montana. HB 804 only deals with livestock. They have adequate ability to address the concern for grain farmers under their administrative rules at this point.

Rep. Jenkins closed saying the DSL is charged by state law to make the most income for the education system for the state of Montana. There is very little problem here but it is being addressed in the books, so it might save some court costs down the road. Livestock growers will find the amendment covers any concerns they may have.

Rep. Loren Jenkins, Vice Chairman took the chair.

HOUSE BILL 220 REHEARING

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Rep. John Patterson said this Rep. Gene DeMars bill. He is unable to be here today. This discussion will take place on the second reading copy of HB 220. Vice Chairman. Rep. Jenkins, Rep. Gene DeMars and Rep. Patterson had been appointed to a subcommittee to resolve problems there were with this bill. Some minor changes were made to it at a meeting last Wednesday of the subcommittee and the seed growers. Tom Gomez has prepared some amendments that will clarify the bill. EXHIBIT #6.

PROPOSERS

HARRY JOHNSON, Townsend, is a member of and represents the Montana Seed Trade Association. The changes made at the last Wednesday meeting were minor in nature and they support the bill as it is now written.

LOREN WEISNER, Plant and Soil Science Department of the Montana State University representing the Seed Trade and the Montana Seed Growers Association, after having the chance to meet with the subcommittee, said they feel they have worked those lighter problems out and they are now very much in support of this bill.

HOWARD BAUMAN, representing the Montana Seed Growers Association said they want to support HB 220 as amended by the subcommittee. He thanked the committee for allowing them time to look the bill over.

LEE HART, a member of the Plant and Soil Science Department at MSU, supervises the state seed testing laboratory. In that capacity he speaks in behalf of the bill. In his position he is probably called upon more in an advisory capacity to answer to the DOA and the seed industry, individual farmers as to how this law applies to them in their individual situations. His personal thoughts are that this is more of a cleanup situation of editorizing the bill that we presently have, making clarification of situations that have been a problem in the past and from that standpoint, he feels it is an improvement. He asked the committee's support.

KEITH KELLY, DOA, sensed the time is right for a Do Pass.

OPPOSERS - None

QUESTIONS (OR DISCUSSION) FROM THE COMMITTEE

Rep. Patterson closed saying he is comfortable about it. The seed industry is comfortable with it. This is a major revision for the Montana seed laws. Major concerns were taken

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care of in making sure noxious weed seeds are addressed so they fall into our 1985 seed law. Under the old law they were sort of omitted. It will bring us up to par with other states. It is time for Montana to pass this legislation and look forward to the 1990s.

EXECUTIVE SESSION

HOUSE BILL 220

Rep. Harriet Hayne moved HB 220 Do Pass. Rep. Koehnke seconded the motion. Rep. Patterson moved the amendments and Statement of Intent be adopted. Rep. Hanson seconded the motion. The amendments were unanimously adopted.

Rep. Hayne moved HB 220 DO PASS AS AMENDED WITH STATEMENT OF INTENT ATTACHED. Rep. Giacometto seconded the motion and it was unanimously adopted.

HOUSE BILL 814

Rep. Dorothy Cody moved HB 814 Do Pass. Rep. Poff seconded the motion. Rep. Cody moved the amendments Do Pass; Rep. Giacometto seconded this motion and the amendments were unanimously adopted.

Rep. Keller moved HB 814 DO PASS AS AMENDED; Rep. Giacometto seconded the motion. Rep. Giacometto moved the Statement of Intent be adopted and HB 814 DO PASS AS AMENDED. There was discussion about the effects of this bill on local slaughter plants. Most committee members thought it would not hurt our processors. This might help agriculture by opening up an industry. There would be value added. There would be less indecision about inspections, rules would be adopted by the Board of Livestock.

Rep. Holliday asked what had been done with the federal meat inspector. Rep. Bachini said nothing has been done with the federal meat inspector, you will still have one. There will be guidelines from the federal program. The state will take over that inspection and will benefit people in Montana because they don't know where they are at the moment.

Rep. Jenkins said this will allow packing plants to get an explanation of the rules. Federal exemptions keep changing.

Rep. Holliday asked if we are bringing in some other inspector. They have one federal inspector in her area who is there all the time. Rep. Jenkins advised this would be

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in compliance with the state and would be under the Board of Livestock. Rep. Cody advised this is only referring to meat for consumption in Montana and is not for exporting.

Rep. Corne' said it sounded like they were being jerked around by a federal inspector. If we passed this and bring Montana slaughter houses under Montana law and inspection, that doesn't necessarily mean there won't be any federal inspector. They will still be there. Will a conflict continue?

Rep. Holliday said with the committee members' explanations she has no problems with voting on the bill. Mr. Kelly was asked what he feels this bill will do. He said it offers an opportunity for those people who want to stay with the federal inspection program or come under a state inspection program to do so. Those people selling meat within the confines of Montana that don't ever export meat out of Montana, would still have to meet the federal criteria. If they ship into and out of Montana they will have to be inspected by a federal inspector. It offers the option to go either way.

The motion that HB 814 DO PASS AS AMENDED WITH STATEMENT OF INTENT ATTACHED was passed unanimously.

HOUSE BILL 822

This is Rep. Hannah's bill. Rep. Koehnke moved HB 822 DO PASS; Rep. Cody seconded the motion. Rep. Cody then moved the Statement of Intent be adopted; Rep. Hayne seconded the motion and it was unanimously adopted. Rep. Koehnke moved that HB 822 DO PASS WITH THE STATEMENT OF INTENT ATTACHED; Rep. Cody seconded the motion. It was unanimously adopted.

HOUSE BILL 815

Rep. Hanson moved HB 815 DO PASS; Rep. Giacometto seconded the motion. Rep. Hanson moved the amendments and the Statement of Intent be adopted. Rep. Cody seconded the motion which was unanimously adopted. Rep. Hanson moved HB 815 DO PASS AS AMENDED WITH STATEMENT OF INTENT ATTACHED. The motion was unanimously adopted.

ADJOURNMENT

The meeting adjourned at 3:00 p.m.

Duane W. Compton, Jr.  
REP. DUANE W. COMPTON, Chairman

AGRICULTURE, LIVESTOCK & IRRIGATION COMMITTEE

Date Feb 20 1987

[illegible]

# STANDING COMMITTEE REPORT

February 20 19 87

Mr. Speaker: We, the committee on AGRICULTURE, LIVESTOCK & IRRIGATION

report HOUSE BILL 822

☒ do pass  
☐ do not pass

☐ be concurred in  
☐ be not concurred in

☐ as amended  
☒ statement of intent attached

REP. LOREN JENKINS, VICE Chairman

  
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STATEMENT OF INTENT

House Bill No. 822

A statement of intent is required for this bill because it authorizes the department of agriculture to adopt rules establishing the equivalent of surety bonds to be posted by produce wholesalers and itinerant merchants. It is the intent of the legislature that the rules be similar to those adopted for establishing equivalents to surety bonds for commodity dealers under 80-4-504.

*MS*

# STANDING COMMITTEE REPORT

February 20 19 97

Mr. Speaker: We, the committee on AGRICULTURE, LIVESTOCK & IRRIGATION  
report HOUSE BILL 315

☒ do pass  
☐ do not pass

☐ be concurred in  
☐ be not concurred in

☒ as amended  
☒ statement of intent attached

## REVISE ALPALPA LEAF-CUTTING BEE LAW

Be Amended as Follows:

REP. LOREN JENKINS, VICE Chairman

1. Page 2, line 24.  
Following: "owned"  
Insert: "or leased"

2. Page 3, line 4.  
Following: "shall"  
Strike: "may"  
Insert: "shall"

3. Page 3, line 5.  
Following: "pathogens"  
Strike: "1"  
Insert: "and"  
Following: "parasites"  
Strike: "1"  
Insert: "."

4. Page 3, line 6.  
Following: line 5  
Insert: "(3) The department may adopt rules establishing  
minimum standards for the presence of"  
Renumber: subsequent subsections

5. Page 4, line 14.  
Following: "shall"  
Strike: "may"  
Insert: "shall"

6. Page 6, line 7.  
Following: "fee"  
Strike: "prescribed"  
Insert: "set"  
Following: "by"  
Strike: "the"  
Following: "department"  
Insert: "rule"

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February 20 19 87

7. Page 5, line 23.  
Following: "certified"  
Strike: "must"  
Insert: "may"

8. Page 10, line 2.  
Following: line 1.  
Insert: "NEW SECTION. Section 11. Termination of  
program. If fees are insufficient to finance the costs  
of services under this part, all authority of the  
department for administration of this part is  
terminated."  
Renumber: subsequent sections

7051f/L:JEA\WP:jj

## STATEMENT OF INTENT

House Bill No. 815

It is the specific intent of the legislature that the department of agriculture establish standards for tolerances of pathogens, parasites, predators, and nest destroyers that threaten alfalfa leaf-cutting bees. These standards should specify the parameters for the certification, importing, and quarantining of bees. The standards should be based upon scientific and economic considerations. The department also should establish the necessary procedures for registration, certification, quarantining, sampling, importing, and other functions designated in the act. These procedures should be reasonable and be based upon scientifically sound practices or logical administrative management. It is further the intent of the legislature that the department establish fees for services on a cost basis. The department shall consider both direct and indirect cost in determining the proper fee structure.

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# STANDING COMMITTEE REPORT

February 21 312-A 19 87

Mr. Speaker: We, the committee on House Agriculture, Livestock and Irrigation  
report House Bill 804

☒ do pass  
☐ do not pass

☐ be concurred in  
☐ be not concurred in

☒ as amended  
☐ statement of intent attached

Chairman

## AMENDMENTS AS FOLLOWS

1. Title, line 5.  
Following: ", "  
Strike: "AND"

2. Title, line 7.  
Following: "MCA"  
Insert: "AND PROVIDING AN APPLICABILITY DATE AND AN IMMEDIATE EFFECTIVE DATE"

3. Page 5, line 23.  
Following: "subleasing"  
Insert: "-- pasturing agreements"

4. Page 5, line 24.  
Following: "in"  
Strike: "subsection"  
Insert: "subsections"  
Following: "(3)"  
Insert: "and (4)"

5. Page 6, line 14.  
Following: line 13  
Insert: "(4) The lessee does not lose the preference right for subleasing as provided under this section if:  
(a) the sublease is considered to be a pasturing agreement; and  
(b) the pasturing agreement is approved in writing by the department prior to the initiation of the agreement.

(c) For purposes of this section, a sublease may not be considered a pasturing agreement unless the lessee personally retains all elements of management and physical control of the land and livestock. "Management" means, but is not limited to:

(a) providing all costs for improvements, land maintenance, and range renovation, if range renovation is approved by the department;

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(b) making all decisions regarding rotation or other placement of livestock on state land;

(c) providing notification to the department of turn-in and turn-out dates of the livestock on state land; and

(d) making all decisions regarding proper range management, including placement of water, fencing, and salt."

6. Page 6.

Following: line 25

Insert: NEW SECTION. Section 8. Applicability.

(1) Except as provided in subsection (2), this act does not apply to a lessee who has subleased state land during the term of an existing state lease.

(2) This act applies to a lessee of state agricultural or grazing land if, after the effective date of this act, the lessee enters into an agreement to sublease the land to another person.

NEW SECTION. Section 9. Effective date. This act is effective on passage and approval."

GOMEZ/tpg/7051C.TXT

Representative W. Compton

# STANDING COMMITTEE REPORT

February 20 19 87

Mr. Speaker: We, the committee on AGRICULTURE, LIVESTOCK & IRRIGATION  
report HOUSE BILL 814

☒ do pass  
☐ do not pass

☐ be concurred in  
☐ be not concurred in

☒ as amended  
☒ statement of intent attached

REP. LOREN JENKINS, Vice Chairman

## STATE MEAT INSPECTION PROGRAM

### Be Amended as Follows:

#### 1. Title, line 7.

Following: "ESTABLISHMENTS;"

Insert: "APPROPRIATING MONEY TO OPERATE THE PROGRAM;"

#### 2. Page 28.

Following: line 21

Insert: "NEW SECTION. Section 26. Appropriation. (1) There is appropriated the following amounts from the general fund to the board of livestock to match federal funds available to establish and operate a state meat inspection program:

(a) fiscal year ending June 30, 1988	\$139,400
(b) fiscal year ending June 30, 1989	136,900

(2) There is appropriated the following amounts from the federal special revenue fund to the board of livestock to establish and operate a state meat inspection program:

(a) fiscal year ending June 30, 1988	\$139,400
(b) fiscal year ending June 30, 1989	136,900"

  
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**STATEMENT OF INTENT**

**House Bill No. 814**

This bill requires a statement of intent because section 4 requires the board of livestock to adopt rules implementing the state meat inspection program. Section 4 indicates the scope of the rules. It is intended that the rules conform in all respects to the requirements of the Federal Meat Inspection Act and the Federal Poultry Products Inspection Act, in order to qualify the state program under those acts. It is also intended that the program be developed and administered in cooperation with the food safety and inspection service, United States department of agriculture, to ensure that it is at least "equal to" the requirements contained in the federal law.

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# STANDING COMMITTEE REPORT

February 21 19 87

Mr. Speaker: We, the committee on AGRICULTURE, LIVESTOCK & IRRIGATION

report HOUSE JOINT RESOLUTION 36

☒ do pass  
☐ do not pass

☐ be concurred in  
☐ be not concurred in

☐ as amended  
☐ statement of intent attached

REP. DUANE W. COMPTON

Chairman

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# STANDING COMMITTEE REPORT

February 21 87

19

Mr. Speaker: We, the committee on AGRICULTURE, LIVESTOCK : IRRIGATION

report HOUSE BILL 779

☒ do pass  
☐ do not pass

☐ be concurred in  
☐ be not concurred in

☐ as amended  
☐ statement of intent attached

REP. DUANE W. COMPTON

Chairman

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## STATEMENT OF INTENT

H Bill No. 314

This bill requires a statement of intent because section 4 requires the board of livestock to adopt rules implementing the state meat inspection program. Section 4 indicates the scope of the rules. It is intended that the rules conform in all respects to the requirements of the Federal Meat Inspection Act and the Federal Poultry Products Inspection Act, in order to qualify the state program under those acts. It is also intended that the program be developed and administered in cooperation with the food safety and inspection service, United States department of agriculture, to ensure that it is at least "equal to" the requirements contained in the federal law.

EXHIBIT #1  
DATE Feb 20, 1987  
HB 814 - Rep  
Gene Donaldson

Amendments to HB 814 (Introduced bill)

1. Title, line 7.

Following: "ESTABLISHMENTS;"

Insert: "APPROPRIATING MONEY TO OPERATE THE PROGRAM;"

2. Page 28.

Following: line 21

Insert: "NEW SECTION. Section 26. Appropriation. (1)

There is appropriated the following amounts from the general fund to the board of livestock to match federal funds available to establish and operate a state meat inspection program:

(a) fiscal year ending June 30, 1988	\$139,400
(b) fiscal year ending June 30, 1989	136,900

(2) There is appropriated the following amounts from the federal special revenue fund to the board of livestock to establish and operate a state meat inspection program.

(a) fiscal year ending June 30, 1988	\$139,400
(b) fiscal year ending June 30, 1989	136,900

DEPARTMENT OF LIVESTOCK

EXHIBIT #2  
DATE Feb 20 1987  
HB 814 Rep. Gene  
Donaldson



TED SCHWINDEN, GOVERNOR

CAPITOL STATION

STATE OF MONTANA

(406) 444-2023

HELENA, MONTANA 59620

February 20, 1987

RE: Testimony - H.B. 814

The Department of Livestock favors H.B. 814. We feel we have the supervisory experience in place and could set up and administer the requirements of the act.

There are, at this time, approximately 26 states now conducting such programs.

*Les Graham*

Call Montana Livestock Crimestoppers 800-647-7464

## STATEMENT OF INTENT

H Bill No. 822

A statement of intent is required for this bill because it authorizes the department of agriculture to adopt rules establishing the equivalent of surety bonds to be posted by produce wholesalers and itinerant merchants. It is the intent of the legislature that the rules be similar to those adopted for establishing equivalents to surety bonds for commodity dealers under 80-4-604.

*Reilly Burke  
Supt. of State Lands*

EX #187 #3  
DATE Feb 20, 1987  
HB HJR 36-AP  
Bernie Swift

# TESTIMONY FOR HOUSE JOINT RESOLUTION 36

This resolution urges the Secretary of the United States Department of Agriculture to amend the administrative rules implementing the Highly Erodible Land and Wetland Conservation provisions of Subtitles B and C of Title XII of the Food Security Act of 1985 (P.L. 99-198). I'll refer to this legislation simply as the "sodbuster" Act.

This "sodbuster" Act was designed to stop agricultural production on fragile, minimally-productive agricultural ground. The sanction imposed by Congress upon illegal sodbusting was the revocation of all Federal crop benefits. However, 28 U.S.C. Section 3843(b) of the "sodbuster" Act provides that the ineligibility of a tenant shall not cause a landlord to be ineligible for Federal crop benefits. Thus, Congress has provided protection to landlords.

Unfortunately, the Secretary of Agriculture has adopted rules that are contrary to the express provisions of the "sodbuster" Act. The Secretary has provided by rule that a landlord (such as the State of Montana) who leases land on a share-crop basis is a "producer" under the "sodbuster" Act and is ineligible for all Federal crop benefits on all his land if one tenant should illegally sodbust.

Obviously, this interpretation by the Secretary of the "sodbuster" Act poses a serious, illegal threat to the right of the State of Montana to collect Federal benefits upon its School Trust Lands. In recent years, these Federal crop benefits have ranged from one to two-and-one-half million dollars.

Because these Federal crop benefits are a vital source of funding for our public schools, I strongly urge you to support this resolution.

EXHIBIT #4  
DATE Feb. 20, 1987  
HB 804 - Rep. Loren  
Jenkins

AMENDMENT TO HB 804

1. Title, line 6.

Following: ";

Strike: "AND"

2. Title, line 7.

Following: "MCA"

Insert: "AND PROVIDING AN APPLICABILITY DATE AND AN IMMEDIATE EFFECTIVE DATE"

3. Page 5, line 23.

Following: "subleasing"

Insert: "-- pasturing agreements"

4. Page 5, line 24.

Following: "in"

Strike: "subsection"

Insert: "subsections"

Following: "(3)"

Insert: "and (4)"

5. Page 6, line 14.

Following: line 13

Insert: "(4) The lessee does not lose the preference right for subleasing as provided under this section if:

(a) the sublease is considered to be a pasturing agreement; and

(b) the pasturing agreement is approved in writing by the department prior to the initiation of the agreement.

(5) For purposes of this section, a sublease may not be considered a pasturing agreement unless the lessee personally retains all elements of management and physical control of the land and livestock. "Management" means, but is not limited to:

(a) providing all costs for improvements, land maintenance, and range renovation, if range renovation is approved by the department;

(b) making all decisions regarding rotation or other placement of livestock on state land;

(c) providing notification to the department of turn-in and turn-out dates of the livestock on state land; and

(d) making all decisions regarding proper range management, including placement of water, fencing, and salt."

6. Page 6.

Following: line 25

Insert: "NEW SECTION. Section 8. Applicability.

(1) Except as provided in subsection (2), this act does not apply to a lessee who has subleased state land during the term of an existing state lease.

(2) This act applies to a lessee of state agricultural or grazing land if, after the effective date of this act, the lessee enters into an agreement to sublease the land to another person.

NEW SECTION. Section 9. Effective date. This act is effective on passage and approval."

# MONTANA ASSOCIATION OF STATE GRAZING DISTRICTS

EXHIBIT # 5

DATE Feb. 20, 1987

HB 804 Rep. Loren Jenkins

420 North California St.

Helena, Montana 59601

(406) 442-3420

John Pfaff, President ..... Miles City  
Sever Enkerud, Vice President ..... Glasgow  
Stuart Doggett, Executive Secretary ..... Helena

## DIRECTORS

Bill Almy ..... Ismay  
Lynn Cornwell ..... Glasgow  
Mark Davies ..... Chinook  
Joe Etchart ..... Glasgow  
Jack Hughes ..... Grassrange

HB 804

My name is Kim Enkerud and I am representing the Montana Association of State Grazing Districts, *the stockmen, + the woolgrowers, + the cattlemen.*

Many ranchers in the ~~30 grazing districts~~ <sup>state</sup> are lessees of state lands. Most of them use their leases with their own cattle. However in the past few years, some ranchers were not able to stock these leases due to their reducing their herd numbers. Many of them then brought in outside cattle. These outside cattle were turned over to the lessee for his control and care. He is responsible for the management of these cattle. He provides for all the essentials including the leasehold interest in the state land. He retains responsibility and control over the state land for the sublease period.

These ranchers, upon restocking of their own herds will again use the state lands with their own cattle. To deny them a preference right will be detrimental to their operation. Many state land leases are an essential part of a rancher's operation.

On September 9, 1986, the Supreme Court of the State of Montana rendered a decision in regard to what I have just mentioned. They determined in ~~the~~ John Steffan vs. Department of State Lands, Board of Land Commissioners, Dennis Hemmer, and Commissions of State Land that Mr. Steffan while using another's cattle on his grazing lease, had retained significant responsibility and control over the leased land throughout the sublease periods. He retained control of what the season of use was, weed control, access, and payment of the state of its annual lease money. There was no mismanagement of the land. The Court determined Mr. Steffan had not lost his preference right and his lease was renewed. ~~I have included a copy of the decision with this testimony.~~

*Don what the original bill stated because we did not see the amendment*

I urge the committee to do not pass HB 804. Ranchers need this state land preference for their operations. *Present law plus the Steffan decision will take care of those who abuse state land leases.*  
Thank you.

## Amendment to HB 804; Introduced Bill - White Copy

1. Page 6, following line 13.

Insert: (4) The lessee shall not lose the preference right for subleasing as provided in this section if the sublease is deemed to be a pasturing agreement approved in writing by the department prior to initiation of such pasturing agreement.

A sublease shall not be deemed a pasturing agreement unless the lessee personally retains all elements of management and physical control of the land and livestock. "Management" means, but is not limited to: providing all costs for improvements, land maintenance and range renovation (if range renovation is approved by the department); making all decisions regarding rotation or other placement of livestock on state land; providing notification to the department of turn-in and turn-out dates of the livestock on state land; performing all animal husbandry functions; making all decisions regarding proper range management, including but not limited to placement of water, fencing, and salt; and performing all of the physical labor associated with the above-described management responsibilities. The Board of Land Commissioners may further provide by rule those instances and conditions of subleasing which comprise a pasturing agreement.

## STATEMENT OF INTENT

H Bill No. 215

It is the specific intent of the legislature that the department of agriculture establish standards for tolerances of pathogens, parasites, predators, and nest destroyers that threaten alfalfa leaf-cutting bees. These standards should specify the parameters for the certification, importing, and quarantining of bees. The standards should be based upon scientific and economic considerations. The department also should establish the necessary procedures for registration, certification, quarantining, sampling, importing, and other functions designated in the act. These procedures should be reasonable and be based upon scientifically sound practices or logical administrative management. It is further the intent of the legislature that the department establish fees for services on a cost basis. The department shall consider both direct and indirect cost in determining the proper fee structure.

AMENDMENT TO HB 815

1. Page 2, line 24.  
Following: "owned"  
Insert: "or leased"

2. Page 3, line 4.  
Following: "~~shall~~"  
Strike: "may"  
Insert: "shall"

3. Page 3, line 5.  
Following: "pathogens"  
Strike: "and"  
Insert: "and"  
Following: "parasites"  
Strike: "and"  
Insert: "."

4. Page 3, line 6.  
Following: line 5  
Insert: "(3) The department may adopt rules  
establishing minimum standards for the presence of"  
Renumber: subsequent subsections

5. Page 4, line 14.  
Following: "~~shall~~"  
Strike: "may"  
Insert: "shall"

6. Page 6, line 7.  
Following: "fee"  
Strike: "prescribed"  
Insert: "set"  
Following: "by"  
Strike: "the"  
Following: "department"  
Insert: "rule"

7. Page 6, line 23.  
Following: "certified"  
Strike: "must"  
Insert: "may"

8. Page 10, line 2.  
Following: line 1.  
Insert: "NEW SECTION. Section 11. Termination of  
program. If fees are insufficient to finance the costs  
of services under this part, all authority of the  
department for administration of this part is  
terminated."

EXHIBIT 76

DATE Feb 20, 1987

Receiving <sup>HB</sup> 220 Rep Gene De Mars

AMENDMENT TO HB 220

1. Title, line 3.  
Following: line 2  
Strike: line 3 in its entirety
2. Title, line 5.  
Following: "AN ACT"  
Insert: "TO GENERALLY REVISE THE AGRICULTURAL SEED LAWS;"
3. Title, line 6.  
Following: "RULE"  
Strike: "THE"
4. Title, line 8.  
Following: ";"  
Strike: "AND"  
Insert: "TO ESTABLISH CERTAIN LICENSING REQUIREMENTS;"  
Following: "SECTIONS"  
Strike: "80-5-101 AND"  
Insert: "80-5-102 through"  
Following: ","  
Insert: "80-5-107 through 80-5-113, 80-5-202, 80-5-204, 80-5-205, and 80-5-207,"  
Following: "MCA"  
Insert: "; REPEALING SECTIONS 80-5-101, 80-5-106, 80-5-201, AND 80-5-203, MCA; AND PROVIDING EFFECTIVE DATES"
5. Pages 1 through 9.  
Strike: everything after the enacting clause  
Insert: "NEW SECTION. Section 1. Definitions. As used in this chapter, unless the context requires otherwise, the following definitions apply:  
  
(1) "Agricultural seeds" means the seeds of grass, forage, cereal, fiber crops, and any other kinds of seeds commonly recognized within this state as agricultural seeds. The term includes lawn seeds and mixtures of seeds.  
  
(2) "Approximate percentage" and "approximate number" mean the percentage or number with the variations above and below that value as allowed

according to the tolerance limits defined in the "rules for seed testing" adopted by the association of official seed analysts.

(3) "Bin-run seed sales" means seed sales from one farmer to another farmer with seeds sold "as is" without guarantee or analysis.

(4) "Certifying agency" means:

(a) an agency authorized under the laws of a state, territory, or possession of the United States to officially certify seed and which has standards and procedures to assure the genetic purity and identity of the seed certified; or

(b) an agency of a foreign country determined by the department to adhere to procedures and standards for seed certification that are comparable to those adhered to generally by the seed certifying agencies described in subsection (4)(a).

(5) "Controlling the pollination" means to use a method of hybridization that will produce pure seed which is at least 75% hybrid seed. Hybrid designations must be treated as variety names.

(6) "Flower seeds" means seeds of herbaceous plants grown for their blooms, ornamental foliage, or other ornamental parts and that are commonly known and sold under the name of flower seeds in this state.

(7) "Hybrid", as the term applies to varieties of seed, means the first generation seed of a cross

produced by controlling the pollination and by combining:

(a) two or more inbred lines;

(b) one inbred or a single cross with an open pollinated variety; or

(c) two or more selected clones, seed lines, varieties, or species.

(8) "Indigenous seeds" means the seeds of those plants that are naturally adapted to an area where the intended use is for revegetation of disturbed sites. These plants include grasses, forbs, shrubs, and legumes.

(9) "Labeling" means to affix, before offering the seed for sale, on the exterior of the container in a conspicuous place a label written or printed in the English language that has not been altered, giving the information required under this chapter.

(10) "Montana certified seed grower" means a member of an authorized Montana seed certifying agency who has consented to produce seed under the rules for certified classes of seed, with respect to the maintenance of genetic purity and variety identity, set forth by the establishing agency.

(11) "Name of the state in which the seed was grown" means any of the several states of the United States or a foreign country.

(12) "Other crop seeds" means any agricultural, vegetable, or flower seeds other than the seed or the mixture of seeds under consideration.

(13) "Percentage of germination" means the percentage of seeds that show normal sprouts as evidence of vitality when the seeds are subjected to the proper moisture and temperature conditions with proper aeration for the customary length of time for each specific kind of seed, as specified in the "rules for seed testing" adopted by the association of official seed analysts.

(14) "Percentage viability" means the percentage of live seed capable of producing a normal seedling under optimum growing conditions, after all forms of dormancy have been overcome, if present.

(15) "Person" means any individual, firm, partnership, corporation, or association.

(16)(a) "Prohibited noxious weed seeds" means the seeds of perennial and other noxious weeds that not only reproduce by seed but also may spread by underground roots, stems, and other reproductive parts and that, when well established, are highly destructive and difficult to control in this state by ordinary good cultural practice. Prohibited noxious weed seeds include the seeds of:

(i) leafy spurge (*Euphorbia esula*); and

(ii) Russian knapweed (*Centaurea repens*).

(b) "Prohibited noxious weed seeds" includes the seeds or bulbets of any other plant designated as prohibited weed seeds under rules adopted by the department.

(17) "Protected variety" means a variety for which a certificate has been issued by the United States plant variety protection office or for which an application for protection has been filed granting the owner or his authorized agent exclusive rights in the sale and distribution of the variety.

(18) "Restricted noxious weed seeds" means the seeds and bulbets of any plant designated as restricted weed seeds under rules adopted by the department. The term includes the seeds of:

- (i) spotted knapweed (*Centaurea maculosa*); and
- (ii) dyers woad (*Isatis tinctoria*).

(19) "Screening" means chaff, sterile florets, immature seed, weed seed, inert matter, and any other materials removed from seed by any kind of cleaning or conditioning.

(20) "Seed conditioning plant" means any place of business that repackages, conditions, blends, treats, or otherwise manipulates agricultural seeds.

(21) "Seed dealer" means any person who offers for sale, sells, or barter agricultural seeds.

(22) "Seed labeler" means any person affixing labels to agricultural seeds, with his name and address

listed as required in 80-5-102 when such seed is distributed in Montana.

(23) "Sell" means to offer for sale, expose for sale, have in possession for sale, exchange, barter, or trade. The term includes furnishing agricultural seed to growers for the production of a crop on contract.

(24) "Vegetable seeds" means seeds of those crops that are or may be grown in gardens or on truck farms and are or may be sold generally under the name of vegetable seeds.

(25) "Weed seeds" means the seeds or bulbets of all plants generally recognized as weeds within this state and includes noxious weed seeds.

Section 2. Section 80-5-102, MCA, is amended to read:

"80-5-102. Labeling of agricultural seeds. Any person offering for sale a package, parcel, or lot of agricultural seeds, as defined in 80-5-101 [section 1], that contains 1 pound or more of agricultural seeds, whether in package or in bulk, must have affixed to it a label specifying:

(1) a lot number or other distinguishing mark;

(2) kind. The name of each kind of seed present in excess of 5% shall be shown on the label and need not be accompanied by the word "kind". When two or more kinds of seed are named on the label, the name of each

kind shall be accompanied by the percentage of each. When only one kind of seed is present in excess of 5% and no variety name or type designation is shown, the percentage of that kind may be shown as "pure seed" and such percentage shall apply to seed of the kind named.

(3) variety, as follows:

(a) the following kinds of agricultural seeds shall be labeled to show the variety name or the words "variety not stated":

alfalfa	oat
barley	pea, field
bean, field	rye
beet, field	safflower
brome, smooth	sorghum
clover, crimson	sorghum-sudan hybrid
clover, red	soybean
clover, white	sudan grass
corn, field	sunflower
corn, pop	trefoil, birdsfoot
fescue, tall	<u>wheat, club</u>
flax	wheat, common
millet, foxtail	wheat, durum

(b) if the name of the variety is given, the name may be associated with the name of the kind with or without the words "kind and variety". The percentage in this case may be shown as "pure seed" and shall apply only to seed of the variety named. If separate

percentages for the kind and the variety or hybrid are shown, the name of the kind and the name of the variety or the term "hybrid" shall be clearly associated with the respective percentages. When two or more varieties are present in excess of 5% and are named on the label, the name of each variety shall be accompanied by the percentage of each.

(4) that the seed is hybrid, if any one kind or kind and variety of seed present in excess of 5% is "hybrid" seed. The percentage that is hybrid shall be at least 95% of the percentage of pure seed shown unless the percentage of pure seed which is hybrid seed is shown separately. If two or more kinds or varieties are present in excess of 5% and are named on the label, each that is hybrid shall be designated as "hybrid" on the label. No one kind or variety of seed may be labeled as "hybrid" if the pure seed contains less than 75% hybrid seed. Any one kind or kind and variety that has pure seed which is less than 95% but more than 75% hybrid seed as a result of incompletely controlled pollination in a cross shall be labeled to show:

(a) the percentage of pure seed that is hybrid seed; or

(b) a statement such as "Contains from 75% to 95% hybrid seed";

(5) state or country of origin, if known, of alfalfa, red clover, white clover, native range

grasses, and field corn other than hybrid. If the origin is unknown, the fact shall be stated.

(6) the approximate percentage of germination of agricultural seed, together with the date of test of germination. In all cases where hard seeds remain at the end of the germination test, the percentage of actual germination and the percentage of hard seeds shall be stated separately, with the provision that any portion or all of the percentage of hard seeds may be added to the percentage of germination and stated as "total germination and hard seed".

(7) the germination date that must include the calendar month and year in which the germination test was completed;

(8) the purity analysis that must include:

~~(7)~~ (a) the approximate percentage by weight of pure seed, meaning the freedom of agricultural seeds from inert matter and from other seeds;

~~(8)~~ (b) the approximate percentage by weight of sand, dirt, broken seeds, sticks, chaff, and other inert matter combined in agricultural seeds;

~~(9)~~ (c) the approximate total percentage by weight of weed seeds;

~~(10)~~ (d) the approximate percentage by weight of other crop seeds in agricultural seeds; and

~~(11)~~ (e) the name and approximate number of each kind or species of restricted noxious weed seeds

occurring per pound of agricultural,--vegetable,--or flower-seeds; seed;

{12} (9) the full name and address of the seedsman, importer, dealer or agent, or other person, firm, or corporation selling the agricultural seed;

{13} (10) in the case of mixtures of agricultural seeds which contain two or more kinds of seed in excess of 5% by weight of each, when sold as mixtures:

(a) name of mixture;

(b) name and approximate percentage by weight of each kind of agricultural seed present in the mixture in excess of 5% by weight of the total mixture;

(c) approximate percentage by weight of broken seeds and other inert matter in the mixture of agricultural seeds;

(d) approximate percentage by weight of weed seeds as defined in 80-5-101 [section 1];

(e) approximate percentage by weight of other crop seeds in the mixture of agricultural seeds;

(f) name and approximate number of each kind or species of restricted noxious weed seeds occurring per pound of mixtures of agricultural seeds, subject, however, to restrictions ~~as--specified-in~~ established under 80-5-105;

(g) approximate percentage of germination of each kind of agricultural seed present in the mixture in excess of 5% by weight, together with the month and

year the seed was tested. In all cases where hard seeds remain at the end of the germination test, the percentage of actual germination and the percentage of hard seeds shall be stated separately, with the provision that any portion or all of the hard seed may be added to the percentage of germination and stated as "total germination and hard seed".

(h) full name and address of the vendor of the mixture."

Section 3. Section 80-5-103, MCA, is amended to read:

"80-5-103. Exchange of seed between labelers.

(1) When seed is exchanged or transferred from one seed labeler to another, it shall be accompanied by a shipping document which clearly shows the kind(s) of seed and quantity of each kind. Each container of seed in a lot shall carry appropriate a lot number designation and--shall--be--accompanied--by--mechanical analysis-for-each-lot-so-involved.

(2) While seed is in the possession of a licensed seed labeler, it must carry a lot number on each container at all times. When seed is made available for sale or sold, a complete label must be attached to each container of a lot."

Section 4. Section 80-5-104, MCA, is amended to read:

"80-5-104. Labeling of vegetable, flower, and indigenous seeds. (1) Vegetable and flower seeds in packets and in larger containers shall be labeled with the required information as follows:

(a) each container of 1 pound or less:

(i) the commonly accepted name of the kind or the kind and variety of the seed;

(ii) the name and address of the person who labeled the seed or who sells the seed within this state;

(iii) the name and number per pound of each kind of restricted noxious weed seeds as prescribed ~~in~~ by rules adopted under 80-5-105;

(iv) in the case of seed which has a percentage of germination less than the standard prescribed in the Federal Seed Act:

(A) the percentage of germination;

(B) the percentage of hard seed, if more than 1%;

(C) the month and year the test to determine the data required by this section was completed;

(D) the words "below standard germination" in not less than 8-point boldface type;

(b) each container of more than 1 pound:

(i) the name of the kind and variety of the contents;

(ii) the lot numbers or other lot identification;

(iii) the name and number per pound of each kind of restricted noxious weed seeds as prescribed in by rules adopted under 80-5-105;

(iv) the percentage of germination and whether the percentage of germination meets or exceeds the standard established in the Federal Seed Act;

(v) the percentage of hard seed, if more than 1%;

(vi) the month and year the test to determine the data required by this section was completed;

(vii) the name and address of the person who labeled the seed or who sells the seed within this state.

(2) Indigenous seeds, as defined in ~~80-5-101~~ [section 1], in amounts of 1 pound or more, whether in package or bulk, must be labeled with the following information:

(a) the statement "Labeled only for reclamation purposes";

(b) lot number or other distinguishing mark;

(c) the common name, genus, species, and subspecies when applicable, including the name of each kind of seed present in excess of 5%. When two or more kinds of seed are named on the label, the label shall specify the percentage of each. When only one kind of seed is present in excess of 5% and no variety name or type designation is shown, the percentage must apply to seed of the kind named. If the name of the variety is

given, the name may be associated with the name of the kind. The percentage in this case may be shown as "pure seed" and must apply only to seed of the variety named.

(d) state or country of origin, if known. If the origin is unknown, that fact shall be stated.

(e) the approximate percentage of viable seed, together with the date of test. When labeling mixtures, the percentage viability of each kind shall be stated.

(f) the approximate percentage by weight of pure seed, meaning the freedom of seed from inert matter and from other seeds;

(g) the approximate percentage by weight of sand, dirt, broken seeds, sticks, chaff, and other inert matter;

(h) the approximate total percentage by weight of other seeds;

(i) the name and approximate number of each kind of species or restricted noxious weed seeds occurring per pound of seed;

(j) the full name and address of the person, firm, or corporation selling the seed."

Section 5. Section 30-5-105, MCA, is amended to read:

"30-5-105. Prohibitions. A person, firm, corporation, partnership, or association may not sell or transport for use in planting in this state any agricultural, vegetable, or flower seed that:

(1) contains prohibited noxious weed seeds;  
 (2) contains restricted noxious weed seeds in excess of either:

(a) the maximum numbers per pound allowed under rules adopted by the department; or

(b) the maximum numbers per pound as follows:

Common name	Species	Number of seeds per pound
codder	{Euscuta-spp-}	18
<u>dyers woad</u>	<u>(Isatis tinctoria)</u>	<u>0</u>
blue-lettuce	{Lactuca-pulchella}	27
St.-Johnswort	{Hypericum-perforatum}	27
oxeye-daisy	{Chrysanthemum-leucanthemum}	90
spotted	(Centaurea maculosa)	18 <u>0</u>
knapweed		
hoary-alyssum	{Berteroa-incana}	9
wild oats	(Avena fatua)	45

(per pound of grass seed)

9

(per pound of cereal seed)

buckhorn	{Plantago-lanceolata}	90
plantain		
chickweed	{Stellaria-spp-}	9
curly-dock	{Rumex-crispus}	45

(3) contains in excess of 2% or more of weed seed;

(4) is offered or exposed for sale more than 12 calendar months from the last day of the month in which the germination test was completed. This 12-month limitation does not apply when seed is packaged in hermetically sealed containers within 12 months after harvest. The container must be conspicuously labeled in not less than 8-point type to indicate that:

(a) the container is hermetically sealed;

(b) the seed has been preconditioned as to moisture content;

(c) the germination test is valid for a period not to exceed 18 months from the date of the germination test for seeds offered for sale on a wholesale basis and for a period not to exceed 36 months for seeds offered for sale at retail;

(d) the germination of vegetable seed at the time of packaging was equal to or above standards prescribed in the Federal Seed Act of August 1939, 7 U.S.C. 1551 through 1610, amended October 15, 1967, with subsequent revisions;

~~(5) is represented in any manner to be for lawn seeding purposes, unless it contains at least 50% pure seed of fine-textured perennial species which shall be specified by rules under this part. However, grass mixtures which do not contain 50% pure seed of fine-textured perennial grasses may be sold. When these grass mixtures are contained in packages of 25 pounds~~

or--less,--they--shall---carry--the--statements:---"Not recommended--for---a--fine-textured---perennial---turf. Satisfactory--for---a--temporary-ground--cover--or--where coarse-grass--is-not--objectionable." A--definition--of fine-textured-varieties-to-be--adopted-in-the-rules--is as-follows:

------(a)--bluegrasses--all---varieties--except---Canada bluegrass--(Poa--compressa),---annual--bluegrass---(Poa annua),---and--rough-bluegrass--(Poa-trivialis),

------(b)--chewings---red---fescue--and---all---improved varieties,

------(c)--creeping---red---fescue--and---all---improved varieties,

------(d)--bentgrass--all-varieties,

------(e)--fine-textured-ryegrasses,

(6) (5) is labeled, advertised, or otherwise represented as being certified seed of any class thereof unless:

(a) it has been determined by a seed certifying agency that such seed conforms to standards of purity and identity as to kind, species (and subspecies, if appropriate), or variety; and

(b) the seed bears an official label issued for such seed by a seed certifying agency certifying that the seed is of a specified class and a specified kind, species (and subspecies, if appropriate), or variety;

+7+ (6) is labeled with a variety name for which a U.S. certificate of plant variety protection has been issued or applied for under the provisions of the Plant Variety Protection Act (7 U.S.C. 2321, et. seq.) without the authority of the owner of the variety or is labeled with a variety name but not certified by an official seed certifying agency when it is a variety for which the certificate or application for "protection" specifies sale only as a class of certified seed, provided that seed from a certified lot may be labeled as to variety name when used in a mixture by or with approval of the owner of the variety."

Section 6. Section 80-5-107, MCA, is amended to read:

"80-5-107. Exemptions. ~~Agricultural-seeds~~ Seed or mixtures of same shall be exempt from the provisions of this part:

(1) when possessed, exposed for sale, or sold for food purposes only;

(2) when sold to merchants or dealers to be conditioned before being sold or offered for sale for seeding purposes;

(3) when in store for the purpose of conditioning or not possessed, sold, or offered for sale for seeding purposes within the state."

Section 7. Section 80-5-108, MCA, is amended to read:

"80-5-108. Inspection Analysis by grain-and seed laboratory -- reports. The grain-and seed laboratory of the agricultural experiment station shall inspect, analyze, and test seeds sold or offered or exposed for sale in this state at a time and place and to the extent the director of the agricultural experiment station and the department determine. The laboratory shall report to the department all violations as they appear. It ~~shall~~ may also annually before September 1 make a report to the department of all tests made and the results, which may be published by the department. ~~The-laboratory--and--the--department--shall--have--free access-at--all--reasonable--hours-to--all--premises--or structures-to--make-examination--of--any-seeds--or--any other-premises--of-a--warehouse, elevator, or railway company. Upon-tendering-payment--at-the-current--value, the-department-may-take-any-sample-of-seeds.~~"

Section 8. Section 80-5-109, MCA, is amended to read:

"80-5-109. Testing of submitted samples. The grain and seed laboratory shall analyze any official seed samples taken from seed lots offered for sale in the state and or submitted by the department using methods such as those established under the Federal Seed Act

and the procedural guidelines developed by the association of official seed analysts."

Section 9. Section 80-5-110, MCA, is amended to read:

"80-5-110. Laboratory testing of samples -- fees. Any citizen of this state may request the grain--and seed laboratory to examine, analyze, and test samples of seed upon payment of the fee and compliance with rules governing the submission of seed samples for such service. Samples of seed analyzed and tested shall be charged for at rates ~~determined-jointly~~ established by the rule of the department ~~and--the-director--of--the grain--and--seed--laboratory~~ as recommended by the agricultural experiment station. All fees collected by the grain-and seed laboratory shall be used to defray the expenses incurred by the laboratory under ~~80-5-101~~ 80-5-102 through 80-5-113."

Section 10. Section 80-5-111, MCA, is amended to read:

"80-5-111. Certificate of test presumptive evidence. The certificate of the grain--and seed laboratory, giving results of any examinations, analyses, or tests of any seed samples made under the authority of the department, is presumptive evidence of the correctness of the facts stated in it."

Section 11. Section 80-5-112, MCA, is amended to read:

"80-5-112. Enforcement -- rules. The department shall administer and enforce ~~80-5-101~~ 80-5-102 through 80-5-113. For that purpose, the department may adopt rules. The department may issue and enforce a written or printed "stop sale" order to the owner or custodian of any lot of ~~agricultural~~ seed which the department finds in violation of ~~80-5-101~~ 80-5-102 through 80-5-113. The order shall prohibit further sale of the seed until the department has evidence that the law has been complied with. The seed may not be confiscated or destroyed. Upon proper correction, by reconditioning, labeling, or otherwise, and when, in the judgment of the department, the requirements of ~~80-5-101~~ 80-5-102 through 80-5-113 have been met, the stop sale order shall be lifted and the seed may be sold. The department shall adopt all necessary rules relating to the agricultural experiment station's duties under ~~80-5-101~~ 80-5-102 through 80-5-113."

Section 12. Section 80-5-113, MCA, is amended to read:

"80-5-113. Penalty. Any person, firm, or corporation which sells or offers or exposes for sale or distribution in the state any ~~agricultural~~--seeds seed for seeding purposes without complying with the requirements of ~~80-5-101~~ 80-5-102 through 80-5-113 is guilty of a misdemeanor and upon conviction shall be fined not less than \$100 or more than \$300 plus costs

of such prosecution and upon conviction of the second or any subsequent offense shall be fined not less than \$500 or more than \$1,000 plus costs of such prosecution."

Section 13. Section 80-5-202, MCA, is amended to read:

"80-5-202. Licensing ~~---issuance -- application -- fee---bonding---insurance.~~ (1) All seed conditioning plants ~~and seed---labelers~~ shall obtain a license from the department for each plant before doing business in this state; however, a Montana-certified seed grower, when conditioning ~~or-labeling--certified~~ seed from his own production, is not required to be licensed under this part. ~~Bin-run--seed--sales--from--one--farmer--to another--are-exempt-from-this-part.~~

(2) Each conditioning plant must post in a conspicuous location in the facility:

(a) its fees for conditioning services; and

(b) the license designation for the facility.

~~(3) All licenses are issued on a fiscal year basis and expire on June 30 of each year.~~

(3) All seed labelers and growers who label or affix written claims to their seed shall obtain a license from the department before doing business in Montana. The following persons, however, are excluded from the licensing requirements under this subsection:

(a) a Montana certified seed grower when labeling certified seed from his own production; and

(b) any person who updates germination test data by affixing to the package of seed a supplemental label bearing new germination data, the lot number, and his name and address.

(4) No person may sell or distribute seed in Montana without obtaining a seed dealer's license from the department for each place where seed is located, except for:

(a) a person who distributes seed only in sealed packages of 10 pounds or less that are properly labeled;

(b) a Montana certified seed grower when selling certified seed from his own production; and

(c) a person when making bin-run seed sales.

(5) Each person selling seed from a location other than the licensed place must be listed on the application for license.

~~(6) Application for license is made in a manner and on forms provided by the department. A nonresident shall file a written power of attorney designating the secretary of state as his agent, and the power of attorney shall be so prepared and in such form as to render effective the jurisdiction of the courts of the state of Montana over the nonresident applicant. A nonresident who has a duly appointed resident agent~~

~~upon whom process may be served as provided by law is  
not required to designate the secretary of state as his  
agent. The department shall be furnished with a  
certified copy of the designation of the secretary of  
state or of a resident agent.~~

(6) The department shall set by rule the period  
for which a license is issued under this section.

~~(4) (7) The department may establish by rule  
minimum standards for equipment and handling procedures  
for facilities to be licensed and may carry out  
inspections during normal business hours to determine  
that these standards are being adhered to.~~

~~(5) (8) Each license shall cost no more than \$50 a  
year. The fee must include the cost of application for  
a license and must be nonrefundable. The department  
may by rule establish license fees which bear a  
reasonable relationship to the cost of administering  
this part.~~

~~(6) Failure on the part of a licensee to comply  
with the rules issued under the authority of this  
section is sufficient cause for cancellation of a  
license by the department, provided the licensee is  
given a reasonable opportunity to correct inadvertent  
and nonrecurring deficiencies.~~

(9) An application for a license under this  
section must be made in a manner and on forms provided

by the department. Such application must contain among other things:

(a) the location of each seed conditioning plant if the application is for a seed conditioning plant license;

(b) a sample label if the application is for a seed labeler license; and

(c) a list of persons selling seed if the application is for a seed dealer's license."

Section 14. Section 80-5-204, MCA, is amended to read:

"80-5-204. Screenings -- restrictions on movements. All screenings whether from seed conditioning plants or other sources represent both a valuable and potentially hazardous product. Their movements are restricted as follows:

(1) The viability of prohibited noxious weed seed as defined in 80-5-204 [section 1] shall be destroyed before screenings are utilized in feed or in any other way in which they may propagate their kind. However, if these screenings are sold for feed, it shall be the responsibility of the feed buyer to haul under a tarp cover or other tight container until the provisions of this part are met.

(2) The department ~~has authority--to~~ may issue adopt rules to restrict or exempt from restriction the

holding and movement of screenings when the public interest is served by so doing."

Section 15. Section 80-5-205, MCA, is amended to read:

"80-5-205. Violations. The following acts caused within the state of Montana are prohibited:

(1) the failure or refusal to obtain a license as required in 80-5-202 and ~~80-5-203~~;

(2) the misbranding or mislabeling of ~~agricultural~~ seeds seed;

(3) the violation or failure to comply with rules issued under the authority of this part.

Section 16. Section 80-5-207, MCA, is amended to read:

"80-5-207. Violation -- cancellation of license -- enforcement proceedings. ~~(1) The department may cancel any license issued by it when the provisions of this part have been violated by the holder of the license.~~ Distribution of seeds that are not legally labeled or failure to comply with this chapter or rules issued under its authority constitutes sufficient grounds for the department to cancel or deny a license to a licensee, provided that the licensee is given a reasonable opportunity to correct inadvertent and nonrecurring deficiencies.

(2) Any person convicted of violating the provisions of this part or rules promulgated under the

authority of this part is guilty of a misdemeanor and shall be fined not less than \$100 or more than \$300 for the first violation and not less than \$500 or more than \$1,000 for each subsequent violation.

(3) Nothing in this part shall be construed as requiring the department or its representatives to report violations of this part when it believes that the public interest will be best served by a suitable notice of warning.

(4) It is the duty of each county attorney to whom any violation is reported to cause appropriate proceedings to be instituted and prosecuted in a court of competent jurisdiction without delay.

(5) The department is authorized to apply for and the court to grant a temporary or permanent injunction restraining any person from violating or continuing to violate any of the provisions of this part or any rule promulgated under this part notwithstanding the existence of other remedies at law. An injunction is issued without bond.

(6) Any person adversely affected by an act, order, or ruling made pursuant to the provisions of this part may within 30 days bring action in the district court of the county or any county where the alleged violation occurred for trial of the issues bearing upon such act."

NEW SECTION. Section 17. Inspection. To enforce this chapter, the department may enter, at reasonable times, any public or private premises, including any vehicle of transport, and upon entry to the premises, the department may obtain samples, examine seeds and labels, inspect equipment, and review records relating to distribution of seed in Montana. The department may take any sample of seeds as may be required; however, the department shall pay, upon request, the firm current market value for each sample.

NEW SECTION. Section 18. Publication of reports. The department may publish the names and addresses of persons licensed under this chapter.

NEW SECTION. Section 19. Repealer. Sections 30-5-101, 30-5-106, 30-5-201, and 30-5-203, MCA, are repealed.

NEW SECTION. Section 20. Extension of authority. Any existing authority of the department of agriculture to make rules on the subject of the provisions of this act is extended to the provisions of this act.

NEW SECTION. Section 21. Effective dates.

(1) Section 20 and this section are effective on passage and approval, except rules adopted by the department may not take effect until October 1, 1987.

(2) The remaining sections of this act are effective October 1, 1987.

-END-

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WITNESS STATEMENT

NAME Harry Johnson BILL NO. 220  
ADDRESS Box E Townsend DATE 2/20/8  
WHOM DO YOU REPRESENT? Montana Seed Trade Assn  
SUPPORT ✓ OPPOSE \_\_\_\_\_ AMEND \_\_\_\_\_

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

WITNESS STATEMENT

NAME Howard F. Bowman BILL NO. 220  
ADDRESS 1116 S. Sproule Bozeman DATE \_\_\_\_\_  
WHOM DO YOU REPRESENT? MONTANA Seed Growers Assn  
SUPPORT ☒ OPPOSE \_\_\_\_\_ AMEND \_\_\_\_\_

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

WITNESS STATEMENT

NAME Loren W. Wiesner BILL NO. 220  
ADDRESS 2622 Spr. Cr. Dr. Bozeman DATE \_\_\_\_\_  
WHOM DO YOU REPRESENT? Montana Seed Growers  
SUPPORT ✓ OPPOSE \_\_\_\_\_ AMEND \_\_\_\_\_

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Agriculture, Livestock & Forestry COMMITTEE

DATE Feb. 20, 1987

SPONSOR HB 814

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FO  
PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

## VISITORS' REGISTER

Agriculture, Livestock & Dairy. COMMITTEE

BILL NO. H B 815, 814, 804,  
220, 778, 779, 837  
 SPONSOR HJR 36 - HJR 38

DATE Feb. 20, 1987

SPONSOR HJR 36 - HJR 38

NAME (please print)	REPRESENTING	SUPPORT	OPPOSE
[illegible]	[illegible]	[illegible]	
[illegible]	[illegible]	[illegible]	
[illegible]	[illegible]	H.B. 815	
[illegible]	[illegible]	H.B. 815	
[illegible]	[illegible]	H.B. 815	
[illegible]	[illegible]	H.B. 815	
T. Allen Whitmer	Bee Graven	H.B. 815	
GEORGE CCHENSKI	MT. ENCL. INF CNTR	HB 778	
[illegible]	[illegible]	[illegible]	
R. H. ELLIS	[illegible]	HB 778	
LARRY ALLEN	[illegible]	H.B. 815	
[illegible]	[illegible]	317	
[illegible]	[illegible]	-H.B.	
[illegible]	[illegible]		
[illegible]	[illegible]		
J.P. Meyer	[illegible]	X-1A	
Athen [illegible]	[illegible]	H.B. 815	
Mary Tenny	[illegible]	H.B. 815	H.B. 815
Kelly Blake	Dept. of State Lands	H.B. 815	H.B. 815

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.