

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

March 4, 1987

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

ROLL CALL: All members present except for Senators Galt, Kolstad and Story who were excused.

CONSIDERATION OF HOUSE BILL 446: Representative Dean Switzer, House District 28, told the committee that this bill suspends the 25 cents per head beef promotion tax in the State of Montana for the year 1987 and until the referendum is held on the national dollar checkoff in 1988. He said if the national referendum should fail, the Department of Livestock will have authority to reinstate the 25 cents and if the national referendum passes, the suspension will remain in effect.

PROPOSERS: Les Graham, from the Montana Department of Livestock, spoke in support. Exhibit #1

Carol Mosher, representing the Montana Stockgrowers and the Montana Cattlewomen, also spoke in support.

OPPOSERS: There were none.

QUESTIONS FROM THE COMMITTEE: Senator Lybeck asked when the vote would be held on the national referendum. Rep. Switzer responded in August 1988. If there is a negative vote the money collected will automatically be refunded. Senator Jergeson asked if Rep. Switzer had any objection to making the suspension permanent from January 1, 1988 through the effective date of the national checkoff so there would not have to be another bill next legislative session. Rep. Switzer referred the question to Dave Cogley, Legislative Researcher, who stated there is a provision in federal law where another referendum could be called in the future and it would take a certain amount of people being assessed to do this. Because of the potential future referendum he was not sure how long that federal checkoff would be in place so it would be difficult to exempt the state checkoff.

DISPOSITION OF HOUSE BILL 446: Senator Jergeson MOVED HB 446 BE CONCURRED IN. The motion carried. Senator Lybeck will carry the bill on the Senate floor.

CONSIDERATION OF HOUSE BILL 620: Representative Leo Giacometto, House District 24, stated this bill deals with the landowner's rights in a hearing procedure in a weed dispute. The law had

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not been clear in regards to how a hearing goes and if the county should spray for weeds before the landowner had his hearing, it could cost the landowner up to \$60,000. This bill provides for a hearing before the weed board may spray and a determination of what portion the landowner will have to pay. In case of an emergency, for instance in a drainage basin where leafy spurge or something of that nature is ready to go to seed, then the weed board may go ahead and spray and the determination of responsibility for payment will be made at the hearing.

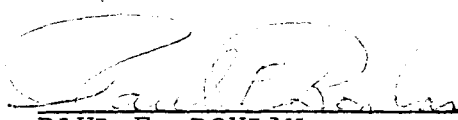
PROPOSERS: Lorna Frank, Montana Farm Bureau; Bob Stephens, Montana Grain Growers' Association; Carol Mosher, Montana Stockgrowers and Montana Cattlewomen, State Grazing Association; Terry Carmody, Montana Farmer's Union; Jo Brunner, Montana Grange and Montana Cattle Feeders were all in support.

OPPOSERS: There were none.

QUESTIONS FROM THE COMMITTEE: To clarify committee questions, Rep. Giacometto stated that under current law if you want a hearing the landowner can go before the commissioners and have a hearing and you may then go on to district court if you are not satisfied. The current law does not require notice to the landowner that he may have a hearing. With this bill before the county could spray, they must let the landowner have a hearing. He noted it can cost as much as \$500 an acre to spray for knapweed in his particular area.

DISPOSITION OF HOUSE BILL 620: Senator Beck MOVED HOUSE BILL 620 BE CONCURRED IN. The motion carried. Senator Beck will carry the bill on the Senate floor.

There being no further business, the meeting adjourned.



PAUL F. BOYLAN, Chairman

AGRICULTURE

COMMITTEE

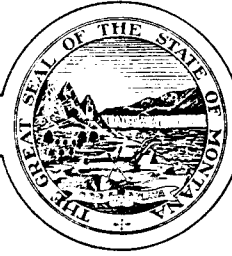
50th LEGISLATIVE SESSION -- 1987

Date 3-4-87

NAME	PRESENT	ABSENT	EXCUSED
ABRAMS, Hubert J.	✓		
BENGTSON, Esther G.	✓		
BECK, Tom	✓		
JERGESON, Greg	✓		
KOLSTAD, ALLEN C.			✓
LYBECK, Ray	✓		
STORY, Peter R.			
THAYER, Gene	✓		
GALT, Jack VICE CHAIRMAN			
BOYLAN, Paul CHAIRMAN	✓		

Each day attach to minutes.

DEPARTMENT OF LIVESTOCK



TED SCHWINDEN, GOVERNOR

CAPITOL STATION

STATE OF MONTANA

(406) 444-2023

HELENA, MONTANA 59620

Testimony
House Bill 446

SENATE AGRICULTURE

EXHIBIT NO. 1

DATE 3-4-87

BILL NO. HB 446

The Department of Livestock favors this proposed legislation and are prepared to enact it's provisions.

Call Montana Livestock Crimestoppers 800-647-7464

STANDING COMMITTEE REPORT

MARCH 4

1937

MR. PRESIDENT

We, your committee on AGRICULTURE, LIVESTOCK & IRRIGATION

having had under consideration..... HOUSE BILL No. 446

third reading copy (blue)

Switzer (Lybeck) color

SUSPEND BEEF RESEARCH AND MARKETING ASSESSMENT

Respectfully report as follows: That..... HOUSE BILL No. 446

BE CONCURRED IN

~~XPCNRASS~~

~~XPCNRASS~~

.....
PAUL F. BOYLAN,

Chairman.

STANDING COMMITTEE REPORT

MARCH 4

19 87

MR. PRESIDENT

We, your committee on AGRICULTURE, LIVESTOCK & IRRIGATION

having had under consideration..... HOUSE BILL No. 620

third reading copy (blue)
color

Giacometto (Beck)

PROVISION FOR HEARING IN CASE OF WEED CONTROL DISPUTE

Respectfully report as follows: That..... HOUSE BILL No. 620

BE CONCURRED IN

~~DO PASS~~

~~DO NOT PASS~~

.....
Chairman.

PAUL F. BOYLAN,