

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 51st LEGISLATURE - REGULAR SESSION

COMMITTEE ON AGRICULTURE, LIVESTOCK AND IRRIGATION

Call to Order: By Chairman Bob Bachini, on January 30th
1989, at 2:55 p.m.

ROLL CALL

Members Present: All with exception of:

Members Excused: Rep. DeMars, Rep. Driscoll, Rep. Ream

Members Absent: none

Staff Present: Connie Erickson, Legislative Council and
Maureen Cleary, Committee Secretary

Announcements/Discussion: A presentation to the Committee
was given by the Montana State University, Bozeman,
Agriculture Research Services.

HEARING ON HOUSE BILL 360

Presentation and Opening Statement by Sponsor:

REP. CONNELLY: District 360. The mint growers of Flathead County asked that I sponsor this bill. This bill is considered vital to their industry as mint producers. Out of about 25 million dollars in income to the district, approximately \$1,700,000.00 is generated by the mint growers. The growers in this district would like to establish a Mint Committee under the management of the Department of Agriculture. To conduct research, and establish assessment guidelines for the growers. I feel that this bill is necessary for the continued progress that is inevitable for the mint growers in our state. The revenue from the Mint Committee would be deposited into a State Special Revenue Fund. The Committee would consist of 5 members. The director would be appointed by the Dept. of Agriculture and the remaining 4 would be appointed and directly involved with the production of mint. These members would serve a 2 year term. Providing information to the growers while monitoring and establishing guidelines. The Committee would accept grants or gifts that also would be deposited into the State Special Fund.

List of Testifying Proponents and What Group They Represent:

Mr. Les Toews/ farmer, Flathead County, MT. Mint Growers

Mr. Henry Ficken/ farmer, Flathead County

Mr. Ralph Peck/ Dept. of Agriculture, Helena

List of Testifying Opponents and What Group They Represent:

none

Testimony:

Mr. Les Toews: The growers which I represent, support the bill fully. The Mint Committee could regulate disease problems, pest control, research and enforce strict rules for growers to prevent further problems with the growers in the district. At this time the number of acres involved in the production of mint is approximately 1200 and could possibly increase to 1700 acres within the next year.

Mr. Henry Ficken: The establishment of the Mint Committee would be important for the economy of the Flathead Valley and further protect the industry of mint growers.

Questions From Committee Members:

REP. KOEHNKE: Who would staff the Mint Committee? MR.

TOEWS: A clause would be needed stating that the Dept. of Agriculture would provide a consultant. The person doing this job would need to be able to conduct visual inspection of mint for certain diseases. And have considerable experience in the production of mint. Dr. Bruce Johnson has worked with the growers in the Flathead Valley for several years and has considerable experience in mint production. He would be employed through the Dept. of Agriculture and paid through the Dept. The Mint Committee would reimburse the Dept. of Agriculture for his services.

REP. KASTEN: Have you informed and received feedback from the growers in your district about the proposed bill?

REP. CONNELLY: There is a total of 18 mint growers in my district, all growers were contacted through a survey. We found that 90% of the growers agreed with the bill in its entirety and that 94% of the acreage involved has support of the bill. The remaining growers were not necessarily opposed but they wanted to monitor the progress of the Mint Committee and then

make their decision.

REP. STEPPLER: Is the Flathead Valley the only area where mint is produced in the state? REP. CONNELLY: (deferred to Mr. Ficken) There are a few experimental areas within the state now growing mint. Those farmers would be responsible to market their own crops independent of the Flathead regional growers. REP. STEPPLER: Is the mint produced, distilled locally? MR. FICKEN: Yes, the distillation process is carried out locally through a mechanical process.

REP. ELLIOTT: Would all mint growers within the state be affected by the establishment of a Mint Committee? MR. FICKEN: All producers of mint would be affected somewhat. All new growers would be assessed.

REP. WESTLAKE: Is research already in progress? MR. FICKEN: There is a Mint Industry Resource Council that has been established for many years. I am a board member. Over the years this organization has invested thousands of dollars in comprehensive research to aid the production of mint within the United States. The MIRC is funded by the major buyers of mint in the United States.

REP. ELLISON: Would the Dept. of Agriculture be reimbursed for their expenses? MR. FICKEN: Yes, the program would be "farmer financed". MR. PECK: The budget has generally taken about 20% of the service costs and allocated them back. There would be no direct costs to the Dept. All the work would be conducted on a contract basis. The Dept. would help the Mint Committee enforce and provide additional information. The Dept. would provide staff and budgeting information. Making certain that the Mint Committee would meet state regulations.

REP. BACHINI: If assessment costs should increase over the years, would the board go directly to the Mint Committee for the additional funding or directly to the farmer? MR. TOEWS: The reason for the 10 cent minimum and 15 cent maximum was due to our belief that as the demands grow the assessments will be made yearly by the Mint Committee. We will therefore be able to meet the financial demands of the growing industry. I anticipate now that 7 and 1/2 cents will cover the cost of the program. 2 and 1/2 cents will go towards research and approximately 2 cents will be for costs of administration purposes. The anticipated per acreage within the next two years will be about 12 cents, as the acreage grows it will more than likely drop to the 10 cent mark.

REP. BACHINI: Were the farmers you contacted in agreement with the proposed amendments? REP. CONNELLY: Yes, they were.

Closing by Sponsor:

REP. CONNELLY: Mint farming is a young industry in the state and the bill would protect and promote growth of the industry. I feel that it is the Committee's obligation to do everything they can to help and promote the mint farmers in our state.

DISPOSITION OF HOUSE BILL 360

Motion: Rep. Koehnke: made the motion to "do pass"

Discussion: none

Amendments and Votes: Rep. Koehnke: made the motion to "do pass" on the amendments. A vote was taken and the amendments passed. (See Standing Committee Report)

Recommendation and Vote: THE COMMITTEE THEREFORE RECOMMENDS A "DO PASS AS AMENDED" FOR THIS BILL.

DISPOSITION OF HOUSE BILL 352

Motion: Rep. Westlake: made the motion to "reconsider House Bill 352" A vote was taken and passed to reconsider this bill.

Discussion: The researcher, Ms. Erickson stated to the Committee that the original amendments would alter the intent of the bill. The amendments would actually have to be added to the content of the bill. The Committee was in agreement to the addition.

Amendments and Votes: Rep. Elliott: made the motion for a "do pass as amended" Amendments were passed. (See Standing Committee Report)

Recommendation and Vote: THE COMMITTEE THEREFORE RECOMMENDS A "DO PASS AS AMENDED" FOR THIS BILL.

ADJOURNMENT

Adjournment At: 4:25 p.m.



REP. BOB BACHINI, Chairman

BB/mc

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DAILY ROLL CALL
 AGRICULTURE COMMITTEE

50th LEGISLATIVE SESSION -- 1989

Date January 30th

HB 352 HB 360

NAME	PRESENT	ABSENT	EXCUSED
Rep. Bob Bachini, Chairman	✓		
Rep. Francis Koehnke, Vice Ch.	✓		
Rep. Gene DeMars			✓
Rep. Jerry Driscoll	error.		✓
Rep. Jim Elliot	✓		
Rep. Linda Nelson	✓		
Rep. Bob Ream			✓
Rep. Don Steppler	✓		
Rep. Vernon Westlake	✓		
Rep. Duane Compton	✓		
Rep. Orval Ellison	✓		
Rep. Bert Guthrie	✓		
Rep. Marian Hanson	✓		
Rep. Harriet Hayne	✓		
Rep. Betty Lou Kasten	✓		
Rep. Vernon Keller	✓		
Rep. John Patterson	✓		

STANDING COMMITTEE REPORT

January 30, 1989

Page 1 of 2

Mr. Speaker: We, the committee on Agriculture, Livestock, and Irrigation report that HOUSE BILL 360 (first reading copy -- white) do pass as amended .

Signed: _____
Bob Bachini, Chairman

And, that such amendments read:

1. Page 4, line 11.
Following: "provide"
Strike: ", through the department,"
2. Page 5, lines 3 through 7.
Strike: subsection (5) in its entirety
Renumber: subsequent subsections
3. Page 6, line 23.
Strike: "committee-appointed"
Insert: "department-appointed"
4. Page 7, line 25.
Following: "shall"
Insert: "by rule"
5. Page 8, lines 7, 15, 18, 19, and 25.
Strike: "department"
Insert: "committee"
6. Page 9, lines 2 and 6.
Strike: "other"
Insert: "state"
7. Page 9, lines 16 and 25.
Strike: "department"
Insert: "committee"
8. Page 10, line 2.
Strike: "department"
Insert: "committee"

9. Page 11, lines 4 and 9.
Strike: "department"
Insert: "committee"

STANDING COMMITTEE REPORT

January 30, 1989

Page 1 of 2

Mr. Speaker: We, the committee on Agriculture, Livestock, and Irrigation report that HOUSE BILL 352 (first reading copy -- white) do pass as amended .

Signed: _____
Bob Bachini, Chairman

And, that such amendments read:

1. Title, line 5.

Following: "CONSTITUTES"

Insert: "A VACANCY IN THE OFFICE OF CONSERVATION DISTRICT
SUPERVISOR;"

2. Title, line 6.

Strike: "SECTION"

Insert: "SECTIONS 76-15-312 AND"

3. Page 1.

Following: line 9

Insert: " Section 1. Section 76-15-312, MCA, is amended to read:

"76-15-312. Term of office and vacancies. (1) The term of office of each supervisor shall be 4 years, except that the supervisors who are first appointed by the department shall be designated to serve for terms of 2 years from the date of their appointment. An elected supervisor shall hold office until his successor has been elected and has qualified.

(2) A vacancy is created when any of the following events occurs before the expiration of the term of the incumbent:

(a) death;

(b) a determination pursuant to Title 53, chapter 21, part 1, that the incumbent is mentally ill;

(c) resignation;

(d) removal from office;

(e) neglect of duty or malfeasance in office;

(f) ceasing to be a resident of the district;

(g) conviction of a felony or a violation of official duties; or

(h) the decision of a court declaring void the incumbent's election or appointment.

(2) (3) Any vacancy occurring in the office of an elected supervisor shall be filled by appointment by the remaining supervisors until the next regular election, when a successor shall be elected to serve the unexpired term."

Renumber: subsequent sections

HB 360

MONTANA MINT COMMISSION PROPOSAL

EXHIBIT #01
DATE 1/30/89
HB 360

Peppermint acreage in the Flathead Valley has grown dramatically in the last 12 years. Growth has continued each year to the approximately 1200 acres harvested in 1988. Excellent soils, climate, and farming skills have produced some of the most desirable oil in the United States.

There are 18 growers and 4 distillation plants in the county. The 108,000 pounds of oil produced this year should bring receipts of over \$1,700,000 into the state. If this same acreage would have been planted to barley, it would generate only about \$200,000. Favorable prices and good yields have spurred growth to 1720 acres planted for 1989 harvest. Grower intentions indicate an acreage of 2500 acres within 2 years is probable.

In an attempt to protect the state and county from Verticillium Wilt a quarantine was placed on Flathead and Lake counties. Now as a further effort to protect our thriving crop, we would like your help in establishing a mint commission that would aid all of us in pest monitoring and research. Maintaining a disease free environment will go a long way toward keeping the mint industry profitable. Our intent with the establishment of this commission is to authorize the collection of an assessment from each of the growers within the state. These monies will be used for 3 purposes, 1) Conducting a research program, 2) Funding an integrated pest management program complete with field scouting services, and 3) Provide for the expenses of the commission.

It is of utmost importance to move quickly in the establishment of this commission while the industry is still young and vibrant. This act has the support of 90% of the growers and 94% of the acreage involved. We as representatives of the mint growers desire to establish this commission with the least amount of overhead possible and limit its functions to those described above, including the states enforcement abilities.

Agriculture, Livestock Irrigation COMMITTEE

DATE January 30th

[illegible]

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

ROLL CALL VOTE

AGRICULTURE, LIVESTOCK & IRRIGATION

COMMITTEE

DATE Jan. 30th

BILL NO. 360

NUMBER _____

NAME	AYE	NAY
BOB BACHINI, CHAIRMAN	✓	
FRANCIS KOEHNKE, VICE CHAIRMAN	✓	
GENE DE MARS	✓	
JERRY DRISCOLL	✓	
JIM ELLIOT	✓	
LINDA NELSON	✓	
BOB REAM	✓	
DON STEPPLER	✓	
VERNON WESTLAKE	✓	
DUANE COMPTON	✓	
ORVAL ELLISON	✓	
BERT GUTHRIE	✓	
MARIAN HANSON	✓	
HARRIET HAYNE	✓	
BETTY LOU KASTEN	✓	
VERNON KELLER	✓	
JOHN PATTERSON	✓	

TALLY

(17)

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Maureen Cheang
~~Mary Lou Schmitz~~
Secretary

BOB BACHINI, Chairman
Chairman

MOTION: Motion: Koehnke to Amend.
discussion: Ø

ROLL CALL VOTE

AGRICULTURE, LIVESTOCK & IRRIGATION

COMMITTEE

DATE Jan. 30th

BILL NO. 352

NUMBER _____

NAME	AYE	NAY
BOB BACHINI, CHAIRMAN	✓	
FRANCIS KOEHNIKE, VICE CHAIRMAN	✓	
GENE DE MARS	✓	
JERRY DRISCOLL	✓	
JIM ELLIOT	✓	
LINDA NELSON		
BOB REAM	✓	
DON STEPPLER	✓	
VERNON WESTLAKE	✓	
DUANE COMPTON	✓	
ORVAL ELLISON	✓	
BERT GUTHRIE	✓	
MARIAN HANSON	✓	
HARRIET HAYNE	✓	
BETTY LOU KASTEN	✓	
VERNON KELLER	✓	
JOHN PATTERSON	✓	

TALLY

(17)

Maureen Cleary.
~~Mary Lou Schmitz~~
Secretary

BOB BACHINI, Chairman
Chairman

MOTION: motion: "to reconsider" Westlake
motion bill: Rep. Guthrie Rep. Compton - DO PASS
motion ^{Accept:} Rep. Elliott
determined amend altered original intent of
bill - take amends & added to bill. Amend
under original content.