

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 51st LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON AGRICULTURE, LIVESTOCK AND IRRIGATION

Call to Order: By Chairman Bob Bachini, on February 15th 1989,  
at 2:55 p.m.

#### ROLL CALL

Members Present: All present with exception of:

Members Excused: Rep. Bert Guthrie

Members Absent: none

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

Announcements/Discussion: none

#### HEARING ON HOUSE JOINT RESOLUTION 23

##### Presentation and Opening Statement by Sponsor:

REP. JOHN COBB: House District #42. The focus of this bill is on  
page 4, lines 14 through 23 (Read text). Basically what we  
are trying to do is put pressure on the Forest Service to  
make them do a better job of managing fires.

##### Testifying Proponents and Who They Represent:

Mr. Dave McClure/ President, MT. Farm Bureau, Lewistown

Mr. Jerry Jack/ MT. Stockgrowers

Ms. Kay Norenberg/ Women Involved in Farm Economics, Helena

Ms. Jo Brunner/ MT. Water Resources Association, Helena

Ms. Carol Moser/ MT. Cattle Women, Helena

Rep. Marian Hanson/ House District #100

##### Proponent Testimony:

Mr. McClure: Important to keep pressure on the U. S. Forest  
Service in order to resolve the problem of poor fire  
management practices.

Mr. Jack: (See Exhibit #1)

Ms. Norenberg: We would like to be on record in support of this resolution.

Ms. Brunner: (See Exhibit #2)

Ms. Moser: (See Exhibit #3)

Rep. Hanson: I stand in strong support of HJR23. We were one of the victims of this fire. The forest service did not cooperate with us. We need a strong message sent to them.

Testifying Opponents and Who They Represent:

Mr. Richard Parks/ Greater Yellowstone Coalition, Gardiner

Ms. Janet Ellis/ MT. Audubon Legislative Fund, Helena

Opponent Testimony:

Mr. Parks: As a businessman in Gardiner, I suffered a 50% loss of gross sales during September. I know from personal experience the concerns that were addressed by the proponents. Our Coalition is a group of over 1000 people living in the greater Yellowstone area. Our concern is less with the inclusions found in the resolution itself, than in the inflammatory nature of the language. I thought the purpose of this resolution was to put out the fire, not start them. I offer an amended form of the resolution to the Committee (See Exhibit #4). We would ask that the inflammatory nature of the language be reviewed and be redrawn to reflect properly the conclusion that we are focusing on. I will also submit a copy of the report on fire management policy (See Exhibit #5).

Ms. Ellis: As with the last speaker, we have no problem with the conclusion of the resolution. But we do question the language and it's inflammatory nature. The terminology used is at times abrasive and the statements, questionable. This resolution should be accurate if we are going to send a message. We would like to see a resolution that is aimed at opening up communication, not closing it down. We appreciate the effort that went into this resolution. We do support the conclusion. I agree we need to send a strong message, but one that will open communications, not close them.

Questions From Committee Members:

REP. KASTEN: Do you want a change in the "let it burn" policy, or do you have problems with how the current policy is being implemented? REP. COBB: I am not questioning whether we should have prescribed burns. But I do have problems with the way that the policy was implemented this year. REP. KASTEN: What are your comments on the substitute resolution handed to the Committee by the Greater Yellowstone Coalition? REP. COBB: I would rather you just kill the

resolution than change the wording. Sometimes the wording in this resolution is inflammatory, but sometimes you just have to tell the truth. REP. KASTEN: On page 2, line 7. Perhaps we need to review of our temperament. REP. COBB: I think the intentions of the forest service were good, but they just did not take a proper perspective in managing the fires. REP. KASTEN: Are you aware if the policy has written guidelines? REP. COBB: There are policies written for each area.

REP. WESTLAKE: How can we make them recognize this problem and act on it? REP. COBB: We need to keep the pressure on. This is just one way of doing that.

REP. PATTERSON: Do you think that the Dept. of Interior and the Bureau of Land Management should also be included? REP. COBB: Yes.

REP. GUTHRIE: I am in support of the resolution. But, I wonder if the resolution goes quite far enough? My concern is accountability. I question whether the fire policy management review team composition is correct. Do you think the composition is the proper one? REP. COBB: I don't know these people, so I cannot criticize them. I wish that there were more private citizens on the team. But I am not sure. REP. GUTHRIE: You attended a public review meeting in Augusta, following the fire. Where the private sector was allowed input that was going to be carried to the policy review team. It was said at that meeting that the only way you could qualify for the review team was to have "feds" stamped on your forehead. Don't you think that unless this resolution goes further in addressing the composition of that review team, we could have a re-run of past events? REP. COBB: I don't care who is on the review teams. I just don't want this mess again. It was a real disaster. If you want to address those concerns in this, I don't care.

Closing by Sponsor:

REP. COBB: waived closing.

#### DISPOSITION OF HOUSE JOINT RESOLUTION 23

Motion: Rep. Compton: made the motion "do pass"

Discussion: Rep. Ream: I have to speak out against the resolution. There is validity in sending a resolution, and the suggested resolution offered by the Greater Yellowstone Coalition is appropriate. But, when a message is totally negative such as the one we have before us. I don't think it will do much good. It is so full of inaccuracies and false statements it will be disregarded and thrown away. If you can approach a problem in a constructive way, it may work. I can see errors in most of the points made in this bill. REP. ELLIOTT: I would like to ask Rep. Ream to provide that

information to the Committee. REP. REAM: First of all we must recognize that this was an extreme year in the state in regard to weather. The forest service was stretched to it's absolute limits throughout the entire country. Not just Montana. We cannot look at our own little back yard and believe that we were the only state with problems. Regarding the second "Whereas", line 16, (read text), there certainly are differences between human and natural caused fires. The third "Whereas", line 19, the drought effects were not ignored. The Forest Service was fully aware of the severity of the drought. Fourth "Whereas", line 21, there are some cases where fire plans take into account private lands. Fifth "Whereas", line 24, there are copies of the Bob Marshall Fire Management Plan that have been available to citizens for a number of years. They have been circulated all over the state. Seventh "Whereas", page 2 line 5, any time that there is a fire, particularly a wild-fire, there is a stringent accountability that is set up in a chain of command form. There certainly is accountability. Eighth "Whereas", page 2 line 7, the buildup of fuel is the direct result of fire control for the past fifty years. It is an inaccuracy to state that. Ninth and Tenth "Whereas", page 2 lines 11, I question the language "there seems to be", this was a wild-fire not a prescribed fire. There is flexibility in the policy. Eleventh "Whereas", page 2 line 16, the resources were stretched all over the country. The fires were not just in Montana. Page 3 line 18, I don't know why the Dept. of State Lands was brought into this because they had no involvement. It was not within their fire management jurisdiction. Page 3 line 23, the use of the word "arrogance" is inappropriate. Page 4, line 2, I question the idea that there was a lack in communication. There was certainly a lot of involvement, communication, rationale and methodology in fighting the fires. I feel the resolution is inexact. REP. BACHINI: If you would like to submit amendments you are certainly entitled to, but Rep. Cobb stated that he would rather leave it as is. REP. REAM: My preference would be to consider the substitute resolution that was given to us by the Greater Yellowstone Coalition. But Rep. Cobb does not want that. I suppose we should just vote on it the way it is. REP. BACHINI: There was a lot of confusion during the fires and we need to be made aware of the misinformation. Thank you Rep. Ream.

Amendments, Discussion, and Votes: Rep. Patterson: made the motion to "pass" the first set of amendments offered. A vote was cast and those amendments passed. Rep. Driscoll: made the motion to "pass" the second set of amendments offered. A vote was cast and those amendment passed. (See Standing Committee Report)

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

HEARING ON HOUSE BILL 658

Presentation and Opening Statement by Sponsor:

REP. CHUCK SWYSGOOD: House District #73. This bill is an act to establish agriculture development programs (Read text of bill). The statement of intent clarifies the purpose.

Testifying Proponents and Who They Represent:

Ms. Jo Brunner/ MT. Growth Through Agriculture Council

Mr. Terry Wagner/ self, Miles City

Proponent Testimony:

Ms. Brunner: (See Exhibits #6)

Mr. Wagner: The seed capital program is important as a complimentary issue to bank loans. Farmers can use this program to compliment bank loans making their operation more feasible.

Testifying Opponents and Who They Represent:

none

Opponent Testimony:

none

Questions From Committee Members:

REP. WESTLAKE: Currently, what is the success rate of this program? REP. SWYSGOOD: The seed capital that we are addressing in this bill has not been in effect prior to this. The other areas of the program have been somewhat slow in developing. But all phases are progressing well. The only issue not addressed in the original bill was the seed capital issue.

MS. MONA JAMISON:(Legal council to the Bond Council) The original statute was very similar to the Science and Tech statute administered by Dept. of Commerce. There had to be a test case on that statute because the seed capital program was financed by bond-proceeds. Bond Council will not issue bonds, and will not be underwritten unless there is an opinion from the Supreme Court of that state saying that it is constitutional. With this bill, a test case will not be needed, because bond proceeds will not be used to finance the agricultural projects. The Supreme Court of the State of Montana, last July, determined that the program was unconstitutional. To the extent that bond proceeds were used to finance seed capital projects. They also ruled that the delegation in the Science and Tech statute was unconstitutional because it was vague. Because the

legislature did not give enough specifics to the Science and Tech Board on how to actually structure the program. The loan agreement provisions must be in the statute. The limitations have to be set by the Legislature. We decided to protect the integrity of the program and make certain that this statute met the Supreme Courts test and criteria. This bill provides rule making to the Council, which is critical in terms of procedures for reviewing applications and the process they will use. This statute contains more legislative direction than most. If not all other statutes previously passed by the Legislature.

Closing by Sponsor:

REP. SWYSGOOD: Urged the Committee's support.

DISPOSITION OF HOUSE BILL 658

Motion: Rep. Hanson: made the motion "do pass"

Discussion: none

Amendments, Discussion, and Votes: Rep. Linda Nelson: made the motion "do pass" on amendments. A vote was cast and the amendments passed. (See Standing Committee Report)

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

HEARING ON HOUSE BILL 650

Presentation and Opening Statement by Sponsor:

REP. CHUCK SWYSGOOD: House District #73. This bill is complex but simple in it's intent. I will provide amendments for your review (See Exhibit #8).

Testifying Proponents and Who They Represent:

Mr. Carl Davis/ lawyer, Dillon, Clark Canyon Water Supply  
Irrigation District

Ms. Jo Brunner/ MT. Water Resources Council

Mr. Robert Ellis/ Helena Irrigation District

Proponent Testimony:

Mr. Davis: I support the intent of this bill.

Ms. Brunner: (See Exhibit #8)

Mr. Ellis: We would appreciate favorable consideration.

Testifying Opponents and Who They Represent:

none

Opponent Testimony:

none

Questions from the Committee:

none

Closing by Sponsor:

Rep. Swysgood: Briefly closed to the Committee reiterating his opening statements.

DISPOSITION OF HOUSE BILL 650

Motion: Rep. Ream: made the motion "do pass"

Discussion: none

Amendments, Discussion, and Votes: Rep. Ellison: made the motion "do pass on amendments". A vote was cast and the amendments passed. (See Standing Committee Report)

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

DISPOSITION OF HOUSE BILL 477

Motion: Rep. DeMars: made the motion for a "do pass"

Discussion: Ms. Erickson: Clarified conflicts between HB477 and HB165 and offered amendments (See Exhibit #8). The concern is increasing fees in one bill and decreasing fees in the other. If both bills were to pass, what would happen? You would have conflicting statutes. What we would need to do is place a "coordination clause" on House Bill 477. If both bills pass, the coordination clause would take care of it.

Amendments, Discussion, and Votes: Rep. DeMars: made the motion "do pass on amendments". A vote was cast and the amendments passed. (See Standing Committee Report)

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

ADJOURNMENT

Adjourned at: 4:45 p.m.

Bob Bachini  
REP. BOB BACHINI, CHAIRMAN

BB/mc

3901.min



## DAILY ROLL CALL

AGRICULTURE

COMMITTEE

50th LEGISLATIVE SESSION -- 1989

Date February 15<sup>th</sup>

NAME	PRESENT	ABSENT	EXCUSED
Rep. Bob Bachini, Chairman	✓		
Rep. Francis Koehnke, Vice Ch.	✓		
Rep. Gene DeMars	✓		
Rep. Jerry Driscoll	✓		
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	✓		

J-16 27  
S.C.

STANDING COMMITTEE REPORT

February 16, 1989

Page 1 of 1

Mr. Speaker: We, the committee on Agriculture, Livestock, and Irrigation report that HOUSE JOINT RESOLUTION 23 (first reading copy -- white) do pass as amended.

Signed: \_\_\_\_\_  
Bob Bachini, Chairman

And, that such amendments read:

1. Page 4, line 19.

Following: "to"

Insert: "the President of the United States, the United States Secretary of Interior,"

2. Page 4, line 20.

Following: "Agriculture,"

Insert: "the Director of the Bureau of Land Management,"

2-16-89  
8:20  
JG

STANDING COMMITTEE REPORT

February 16, 1989

Page 1 of 1

Mr. Speaker: We, the committee on Agriculture, Livestock, and Irrigation report that HOUSE BILL 658 (first reading copy -- white), with statement of intent included, do pass as amended.

Signed: Bob Bachini, Chairman

And, that such amendments read:

1. Page 13, line 1.  
Strike: "commerce"  
Insert: "agriculture"
2. Page 13, line 2.  
Strike: "2-15-1801"  
Insert: "2-15-3001"

2-16-89  
7:15 am  
[Signature]

STANDING COMMITTEE REPORT

February 16, 1989

Page 1 of 1

Mr. Speaker: We, the committee on Agriculture, Livestock, and Irrigation report that HOUSE BILL 650 (first reading copy -- white) do pass as amended .

Signed: [Signature]  
Bob Bachini, Chairman

And, that such amendments read:

1. Page 16, line 5.

Following: "18.75%"

Strike: "limitation"

Insert: "limitations"

Following: "of"

Strike: "subsection (1)"

Insert: "subsections (2) and (3)"

2. Page 16, line 9.

Following: "The"

Strike: "limitation"

Insert: "limitations"

Following: "of"

Strike: "subsection (1) does"

Insert: "subsections (1) through (3) do"

3. Page 16, line 12.

Following: "The"

Strike: "limitation"

Insert: "limitations"

Following: "of"

Strike: "subsection (1) does"

Insert: "subsections (1) through (3) do"

4. Page 16, line 20.

Following: "The"

Strike: "limitation"

Insert: "limitations"

Following: "of"

Strike: "subsection (1) does"

Insert: "subsections (1) through (3) do"

3-16-89  
8:00  
70

STANDING COMMITTEE REPORT

February 16, 1989

Page 1 of 1

Mr. Speaker: We, the committee on Agriculture, Livestock, and Irrigation report that HOUSE BILL 477 (first reading copy -- white) do pass as amended.

Signed: Bob Bachini  
Bob Bachini, Chairman

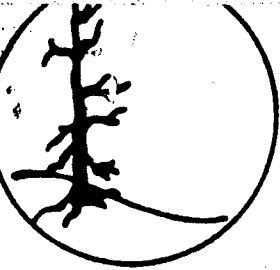
And, that such amendments read:

1. Page 3.

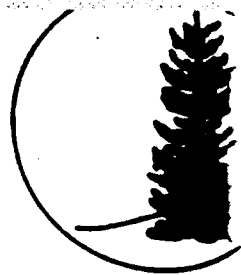
Following: line 3

Insert: "NEW SECTION Section 3. Coordination. If House Bill No. 477 and House Bill No. 165 are both passed and approved, the fee-in-lieu of tax provided for in [section 5] of House Bill no. 165 is increased by \$1."

Renumber: subsequent section



# "FIRES OF 88"



MONTANA STATEWIDE STEERING COMMITTEE

JAN 20 1988

January 13, 1989

Jerry Jack  
Montana Stockgrowers Assn.  
P.O. Box 1679  
Helena, MT 59624

EXHIBIT #1  
DATE 2/15/89  
HB H2022

Enclosed is a copy of the Fire Policy Report released December 15, 1988,  
proposed by the National Fire Management Policy Review team.

Your interest in serving on the Statewide Committee and being a part of the  
many discussions for the Fires of 88 in Montana is certainly appreciated.

ERNEST R. NUNN  
Forest Supervisor



United States  
Department of  
Agriculture

Forest  
Service

R-1

REPLY TO: 5100/2320

Date: JAN 5 1989

SUBJECT: Fire Policy Report

TO: Forest Supervisors and Staff Directors

Enclosed is a copy of the Fire Policy Review Report that was released on December 15, 1988. The cover letter from the Director of Fire and Aviation Management, WO, requests a review and response to this document by late February. District level comments, as well as SO and RO level input are invited.

The report contains several recommendations relative to our fire policy. After the review process is completed, and dependent on the comments received, some or all of these recommendations can be expected to become modifications to our current policy. These changes will have a significant impact on the Region's fire management program. Please take the time to review this report and forward your comments to Aviation and Fire Management in the Regional Office by February 10, 1989.

A small ad hoc group will be assembled to review the report and to prepare a response that incorporates those comments received from the field.

*Christopher Rist*  
for JOHN W. MUMMA  
Regional Forester

Enclosure

cc: District Rangers

HELENA N.F.

JAN 9 '89

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1 copy to  
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EXHIBIT #2  
DATE 2/15/89  
HB HJR23.

\_\_\_\_\_HJ23\_\_\_\_\_Representative Cobb\_\_\_\_\_Feb.15, 1989\_\_\_\_\_  
\_\_\_\_\_Support\_\_\_X\_\_\_Oppose\_\_\_\_\_Amend\_\_\_\_\_  
\_\_\_\_Montana Water Resources Association\_\_\_\_\_  
\_\_\_\_Jo Brunner, Executive Secretary\_\_\_\_\_

The Montana Water Resources Association supports HJ23. It is our assessment that the policies advocated and carried out this past summer were not reasonable nor responsible and certainly did not take into consideration climatic conditions, nor other pertinent information.

The Gates Park fire, allowed to burn for many weeks, almost completely destroyed the North Fork of the Sun River watershed. We are torn between being grateful for the heavy snows we are getting and our great concern for what spring melt and run off will do to the streams that will carry the burned wastes and silt into our storage reservoir. Irrigation systems, dependent on snowpack and mountain streams have quite a delivery system that is not man made. Our living watersheds, the forests, are not overnight growths. The trees, with their extensive root systems will take many years to replace. Even in the most ideal of circumstances, not drought, the seeding of grasses will accomplish little until a root system can grow. When grasses do take hold, they will not replace the trees in the watershed system, and it will be years before the trees will maintain the stability necessary to prevent horrendous earth and stream erosion caused by melting snows and heavy rains.

MWRA passed a resolution at the September 1988 Convention protesting a let burn policy and asking in essence, that common sense be used in further fire controlling decisions.

We ask your support of HJ23.





P.O. Box 1679  
Helena, Montana 59624  
(406) 442-3420

EXHIBIT #3  
DATE 2/15/89  
HB HJR23

February 15, 1989

To: Chairman and Members of the House Agriculture Committee

I am Carol Mosher, representing the Montana CattleWomen and myself as a rancher. We are very much in support of HJR23 and I am speaking as a close observer and victim of the "let it burn" policy.

Our ranch is on the Rocky Mountain Front west of Augusta. This past September we felt the "hot breath of hell" roaring at us for days on end. the mental and physical anguish to my neighbors and my family will be with us forever.

The Canyon Creek fire burned over 140 thousand acres in one night - 40 thousand of those were on private lands. We were able to evacuate and saved most buildings by soaking them with water. We weren't able to save our beautiful lush mountain front. We saw our cattle die, our fences and precious grass destroyed. Our watershed is gone. I cannot describe to you those hours of not knowing where our families were as everyone drove themselves and rode horses to near death in attempts to drive livestock from the fire danger.

Those of us who have spent a lifetime in that area know the dangers of the often hurricane force winds that sweep down from the mountain slopes onto the plains. That is what makes it great cattle country as it blows the snow away so cattle can graze even in winter. But these winds mean that fires can be an especially scary experience.

For days we had asked that the Forest Service use all efforts to extinguish that fire which started out so small, way back in the wilderness. Our pleas were not heard. The smoke was so thick that it was impossible to tell which way the fire was coming and not once did the Forest Service contact us to warn of the danger possible to ourselves, our homes and our animals.

Yes, we probably will have fresh green grass this spring, but those trees are gone for a generation. The spring run-offs in the years ahead will be watched with great apprehension since the threat of floods could be with us for many years with the loss of our watershed.

All of this did not need to happen and to continue the "let it burn" policy without strict guidelines is a mockery of the many gifts God has given us.

This resolution says it all and we urge your support.

HOUSE JOINT RESOLUTION NO. 23

EXHIBIT #4  
DATE 2/15/89  
HB HR 23

WHEREAS, major problems were encountered in the implementation of the natural burn policy on Forest Service lands in Montana during the 1988 fire season; and

WHEREAS, there was damage to certain private lands from fires originating on Forest Service lands; and

WHEREAS, increased local participation and involvement in the development of fire plans and in the implementation of the natural burn policy is necessary and would be beneficial; and

WHEREAS, the Department of Agriculture and Department of Interior Fire Management Policy Review Team has addressed many of the issues, concerns and problems relating to the implementation of the natural burn policy.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the U.S. Department of Agriculture and the United States Forest Service be urged to reevaluate and modify the prescribed burn policy, taking into account the recommendations of the Fire Management Policy Review Team as set forth in their Report on Fire Management Policy, dated December 14, 1988, and also taking into account local conditions and local expertise.

**Report  
on  
Fire Management Policy**

**December 14, 1988**

EXHIBIT #5  
DATE 2/15/89  
H2 HJR 22

This entire report is included as part of Exhibit 1.

EXHIBIT #6  
DATE 2/15/89  
HB AB658

HB658 Represe ntative Swysgood 2/15/89  
Support X Oppose Amend

Jo Brunner, Montana Growth Through Agriculture Council

You may remember from my testimony on HB18, the transfer of the Montana Growth Through Agriculture Council from the Department of Commerce to the Department of Agriculture of the circumstances of my sitting on the Council, so I will not go through that again, but I do want to refresh your memories, for those of you who were here last session, and to inform those of you who are new this session of one of the reasons for this Act.

It was the intent of the legislation passed last session to provide assistance to rural communities, not necessarily agriculture endeavors, but rural communities. Although we were hopeful that the incubator and marketing aspects of our law would prove beneficial by providing jobs, added value, and so on, we were truly excited about the seed capital portion of the bill. We envisioned small businesses starting up, supplementing the income of rural families, in turn increasing local spending, and in general just being a helping hand to revitalize rural communities.

The Council proceeded along those lines and it is safe to say that each Council member had been approached frequently by people in thier communities interested in the seed capital program. Interest was indeed high. From our first meeting people from all parts of the state attended, interested if this program would indeed accomplish what they hoped it would, help the rural communities in even a small way. And then came the White Decision, and the Seed Capitol portion of the development program was at a stand still.

However, we were determined to have a seed capital progams. We never, ever, thought it would not come about, and over the months between that decision and to this date, the Council has spent many hours, with the more than able help of legal council, Mona Jamison, ensuring that any legislation we offered to this session would be as fool proof as possible, and I use the expression advisedly. I do not remember how many times Mona came before the Council to check and double check, making sure that the instructions we had given her were exact, that we were covered legally in our requests, and that we would come before the Legislators with a viable and forthright request.

Representative Swysgood has probably attended as many Council meetings as some of the Council members, and we appreciate his support in this effort.

We are not asking for additional funding, although that would be nice, but only that we be allowed to pursue the intent of the Council.

We ask a do pass on HB658.

# MISSOULA COUNTY

BOARD OF COUNTY COMMISSIONERS

• Missoula County Courthouse • Missoula, Montana 59802

(406) 721-5700

BCC-89-107  
February 13, 1989

EXHIBIT # 7  
DATE 2/15/89  
HB 477

Bob Bachini, Chairman  
Agriculture, Livestock & Irrigation Committee  
Montana House of Representatives  
Capitol Station  
Helena, MT 59624

Dear Chairman Bachini and Committee Members:

We are in opposition to HB-477, regarding the noxious weed management trust fund, unless the bill is amended to specify that funds collected through a special fee on ATV's and motor vehicles for weed control be deposited in the county noxious weed fund as provided for in MCA 7-22-2142. Currently, this money goes into a noxious weed management trust fund which is administered by the Montana Department of Agriculture and the funds are awarded on a grant basis to acceptable projects.

Certainly vehicles, particularly ATV's, contribute to the spread of weeds, and the weed trust fund has helped many excellent projects. The trust fund program has been very popular with weed control interests across Montana, but the program has the following limitations:

- 1) The larger urban counties with more vehicles contribute the most to the program. Missoula County's contribution would be an estimated \$65,000 to \$70,000, or 9 to 10% of the total collected under this legislation. The smaller counties receive the bulk of the grant money.
- 2) The county noxious weed management programs are a vital part of the effort. They help people organize projects, monitor approved programs and oversee grant monies that come to the counties. For projects to be approved, the county must levy 1.6 mills for weed control, or, in the case of first-class counties, they must have a weed control budget of at least \$100,000. Due to the property tax freeze, shrinking dollars for the local weed control programs and increasing costs, it is becoming more difficult to meet the requirements of the weed management trust fund and carry out effective programs.

BCC-89-107  
February 13, 1989  
Page Two

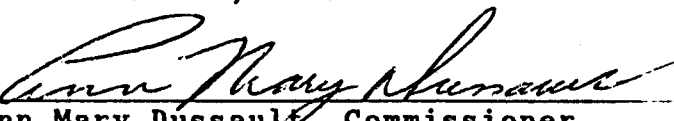
- 3) Although not part of this legislation, the Montana Department of Agriculture has proposed that the State Weed Coordinator Program be funded out of the noxious weed management trust fund, which increases the administrative costs of the program. The dollars could be managed locally without this added cost.

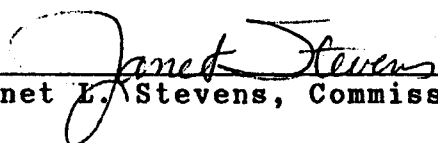
Assessing vehicles for some of the costs for noxious weed management is justified; however, we recommend that this legislation be amended so that the money is deposited in the county noxious weed fund, as provided in MCA 7-22-2142.

Sincerely,

MISSOULA BOARD OF COUNTY COMMISSIONERS

  
Barbara Evans, Chairman

  
Ann Mary Dussault, Commissioner

  
Janet L. Stevens, Commissioner

BCC/lm

cc: Missoula Representatives  
Gordon Morris, Executive Director  
MACo

EXHIBIT # 8  
DATE 2/15/89  
HB 650

\_\_\_\_HB650\_\_\_\_Rep. Swysgood\_\_\_\_Feb. 15, 1989\_\_\_\_

\_\_\_\_Montana Water Resources Association\_\_\_\_

\_\_\_\_Jo Brunner, Executive Secretary\_\_\_\_

The Montana Water Resources Association supports  
Representative Swysgoods HB650.

A great many of our members are Irrigation Districts. Last session the Association sponsored a bill that allowed our districts to offer for sale to the State of Montana, bonds for financing improvements to their entities.

Several of our irrigation district members are interested in creating a subdistrict within their district. Since much of the provisions in this bill are actual reflections of the laws concerning bonding and indebtedness procedure by Irrigation Districts, they are familiar to them, and in agreement with the safeguards concerning participation by the landowners, the bonding procedures, the indebtedness incurred, repayment and other provisions. The methods provided within this bill are in accordance with their understanding of the necessities to accomplish the purpose.

We ask a do pass.

EXHIBIT #8a  
DATE 2/15/89  
HB 650

Amendments to House Bill No. 650  
First Reading Copy

Requested by Representative Swysgood  
For the House Committee on Agriculture

February 14, 1989

1. Page 16, line 5.  
Following: "18.75%"  
Strike: "limitation"  
Insert: "limitations"  
Following: "of"  
Strike: "subsection (1)"  
Insert: "subsections (2) and (3)"
2. Page 16, line 9.  
Following: "The"  
Strike: "limitation"  
Insert: "limitations"  
Following: "of"  
Strike: "subsection (1) does"  
Insert: "subsections (1) through (3) do"
3. Page 16, line 12.  
Following: "The"  
Strike: "limitation"  
Insert: "limitations"  
Following: "of"  
Strike: "subsection (1) does"  
Insert: "subsections (1) through (3) do"
4. Page 16, line 20.  
Following: "The"  
Strike: "limitation"  
Insert: "limitations"  
Following: "of"  
Strike: "subsection (1) does"  
Insert: "subsections (1) through (3) do"



EXHIBIT #9  
DATE 2/15/89  
HB 477

Amendments to House Bill No. 477  
First Reading Copy

Requested by Representative Grady  
For the Committee on House Agriculture, Livestock, and Irrigation

Prepared by Connie Erickson  
February 15, 1989

1. Page 3.

Following: line 3

Insert: "NEW SECTION Section 3. Coordination. If house bill  
no. 477 and house bill no. 165 are both passed and approved,  
the fee-in-lieu of tax provided for in [section 5] of house  
bill no. 165 is increased by \$1."

Renumber: subsequent sections

## VISITORS' REGISTER

Agriculture

COMMITTEE

BILL NO. HJR 23DATE Feb 15<sup>th</sup>

SPONSOR \_\_\_\_\_

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
Dave McClure <sup>Farm Bureau</sup>	Lewistown	✓	
R. A. Ellis	Halena M D R A	✓	
Carol Mosher	Mt. Battle Women	✓	
Kay Penney	WIFE	✓	
Jo Bauman	M D R A	✓	
Janet Ellis	Audubon		amend
Richard Parks	GYC		
Kim Wils	Sierra Club		✓
Jerry Jack	Mt Stockgrowers	✓	
Martin Barber	H. P. A	✓	

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

# VISITORS' REGISTER

COMMITTEE

DATE Feb. 15<sup>th</sup>

SPONSOR \_\_\_\_\_

[illegible]

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Agriculture COMMITTEE

DATE Feb. 15<sup>th</sup>

[illegible]

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

# ROLL CALL VOTE

AGRICULTURE, LIVESTOCK & IRRIGATION

COMMITTEE

DATE 2/15/89 BILL NO. HR 23 NUMBER \_\_\_\_\_

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

TALLY

(11)

(5)

Maureen Cleary

~~Mary Lou Schmitz~~

Secretary

BOB BACHINI, Chairman

Chairman

MOTION: rep. compton "do pass"  
rep. patterson amendments (80)  
rep. patterson "amendments" (16) aye  
rep. driscoll amend (119)  
rep. driscoll "amends" (16) aye.  
rep. ream spoke against HR23 - for language.

HR23 do pass as amended

# ROLL CALL VOTE

AGRICULTURE, LIVESTOCK & IRRIGATION

COMMITTEE

DATE 2/15/89 BILL NO. HB658 NUMBER           

NAME	AYE	NAY
BOB BACHINI, CHAIRMAN	✓	
FRANCIS KOENIKE, 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

16 0

Maureen Cleary  
Mary Lou Schmitz  
Secretary

BOB BACHINI, Chairman  
Chairman

MOTION: rep. hanson "do pass" 16  
rep. nelson "amendments" (16) Aye.  
Discussion: patterson side II tape 2 (30)

(DO PASS AS AMENDED)  
Stmt of intent

# ROLL CALL VOTE

AGRICULTURE, LIVESTOCK & IRRIGATION

COMMITTEE

DATE 2/5/89 BILL NO. HB650 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

16

Maureen Cleary  
~~Mary Lou Schmitz~~  
Secretary

BOB BACHINI, Chairman  
Chairman

MOTION: rep. ream "do pass" 16  
ellison "amendments" 16

DO PASS AS AMENDED

# ROLL CALL VOTE

AGRICULTURE, LIVESTOCK & IRRIGATION

COMMITTEE

DATE 2/15/89

BILL NO. HB477

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

(14)

(2)

Maureen Cleary.  
Mary Lou Schmitz  
Secretary

BOB BACHINI, Chairman.  
Chairman

MOTION: motion rep demands: "do pass"  
demands: "amendments" "do pass" Kasten

DO PASS AS AMENDED