

MINUTES

MONTANA SENATE 53rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON AGRICULTURE, LIVESTOCK, & IRRIGATION

Call to Order: By Senator Rea, on February 3, 1993, at 1 p.m.

ROLL CALL

Members Present:

Sen. Jack "Doc" Rea, Chair (D)
Sen. Francis Koehnke, Vice Chair (D)
Sen. Gary Aklestad (R)
Sen. Tom Beck (R)
Sen. Betty Bruski-Maus (D)
Sen. Jim Burnett (R)
Sen. Gerry Devlin (R)
Sen. Mike Halligan (D)
Sen. Bob Pipinich (D)

Members Excused: None

Members Absent: Sen. Forrester

Staff Present: Doug Sternberg, Legislative Council
David Martin, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing: HB 163
Executive Action: SB 254, HB 163

HEARING ON HB 163

Opening Statement by Sponsor:

Rep. Herron, District 6, appeared representing the mint growers of Montana. Mint is becoming an extremely important crop in Montana. A high quality mint oil is produced from this plant.

Rep. Herron referred to page 1, line 4 and wanted to change that section to "establish an Integrated Pest Management Program by rule, rather than by statute". Page 2, line 21-25. "The purpose of the program is to identify , as early as possible, any potentially damaging diseases, weeds. or pests that could inhibit the long-term health of the Montana mint industry". This language would allow the industry to move quickly if there were weeds or pests that are endangering the crop.

Proponents' Testimony:

Ralph Peck, Department of Agriculture, represented Leo Giacometto by reading a letter supporting HB 163. (Exhibit #1)

Will Kissinger, Department of Agriculture, read a letter from Brian Schweitzer, Secretary of Montana Mint Committee. (Exhibit #2).

Opponents' Testimony:

NONE

Questions From Committee Members and Responses:

Sen. Halligan asked Mr. Kissinger if a rule making process will occur before July, including public hearings. Mr. Kissinger replied that the Department of Agriculture is proposing by legislative statute to lower the lower limit to 5 cents per pound. By rule it is 8 cents per pound, the current level is 10 cents per pound. The fiscal note is based on 8 cents per pound.

Sen. Beck asked if the 5 cent to 15 cent range would allow this fund to be self-supporting in the future, if necessary. Mr. Kissinger replied affirmatively.

Sen. Halligan asked if it was necessary to reflect that the Integrated Pest Management statute is being repealed. Doug Sternberg, Legislative Council, said that was correct. On page 2, line 8, the Committee would be repealing the statutory provision, allowing the agency by rule to come up with a management program. This means repealing the statutory provision that established the Integrated Pest Management Program(IPMP). This program would become administrative rather than statutory.

Sen. Halligan emphasized that the pest management control program was not being rejected but being made more flexible. Mr. Kissinger replied that the IPMP would become voluntary. Under the amendment by rule, growers wishing an inspection would pay the corresponding fee and thus keep the program self-funding.

Sen. Devlin asked if the fees from this program go into a revolving or state special revenue account. If so, what is the balance. Mr. Kissinger replied that the money goes into a special revenue account. Sen Devlin asked how much was in the account. Mr. Kissinger answered that the balance was \$2981.86 in the summer of 1992. There is a cash balance invested in STIP, a state investment program, at \$31,000, and there are currently outstanding research grants which have not been charged to the program.

ROLL CALL

SENATE COMMITTEE AGRICULTURE DATE 2-3-93

[illegible]

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
February 3, 1993

MR. PRESIDENT:

We, your committee on Agriculture, Livestock, and Irrigation having had under consideration House Bill No. 163 (first reading copy -- white), respectfully report that House Bill No. 163 be concurred in.

Signed: Jack "Doc" Rea
Senator Jack "Doc" Rea, Chair

AW Amd. Coord.
BN Sec. of Senate

Sen. Pignich
Senator Carrying Bill

271347SC.San

ADVERSE


SENATE STANDING COMMITTEE REPORT

Page 1 of 1
February 3, 1993

MR. PRESIDENT:

We, your committee on Agriculture, Livestock, and Irrigation having had under consideration Senate Bill No. 254 (first reading copy -- white), respectfully report that Senate Bill No. 254 do not pass.

Signed:


Senator Jack "Doc" Rea, Chair

 Amd. Coord.

Sec. of Senate

271351SC.San



MARC RACICOT
GOVERNOR

STATE OF MONTANA
DEPARTMENT OF AGRICULTURE

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(406) 444-3144

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FEBRUARY 3, 1993
HOUSE BILL 163
SENATE AGRICULTURE, LIVESTOCK AND IRRIGATION COMMITTEE
MONTANA DEPARTMENT OF AGRICULTURE
LEO A. GIACOMETTO, DIRECTOR

Chairman Rea and members of the Committee. For the record, I am Leo Giacometto, Director of the Montana Department of Agriculture.

House Bill 163 is sponsored by the Montana Mint Committee which is attached to the department for Administrative purposes. The bill changes the mint field scouting program from a mandatory program to a voluntary program. With this change the Mint Committee proposes to lower the Mint oil assessment. This will save Montana mint growers approximate \$6,000 in FY '94 and \$7,200 in FY '95. The Department supports passage of the amendments.

Will Kissinger, Administrator of the Department's Plant Industry Division, is here to answer any technical questions you may have.

Mr. Chairman and members of the Committee, I request that you support and vote for the passage of House Bill 163.

SENATE AGRICULTURE
EXHIBIT NO. 1
DATE 2-3-93
BILL NO. HB 163

Whitefish, Montana
2/3/93

Sen. Jack Rea
Chairman of Sen Ag. Livestock and Irrigation Comm.

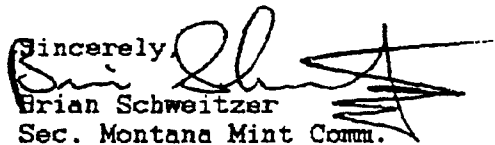
Dear Senator Rea,

We understand that you will be considering Senate bill 163 today. I am a Mint farmer, a member of the Montana Mint Committee and can assure you that this bill has the full support of the entire Montana mint industry.

A mandatory field inspection was created some years ago to provide an early warning system to growers in the event of an outbreak of Verticillium wilt (a mint fungus). During 1992, V. wilt has been found to be present in most established mint farms in Montana. This being the case, the former inspection procedure is obsolete.

Since the mandatory inspection procedure is to be abolished, we further request that the mint oil assessment fee be reduced as we will no longer need the funds to finance the program.

Thank you for your support in passing this bill.

Sincerely,

Brian Schweitzer
Sec. Montana Mint Comm.
1490 KM Ranch
Whitefish, Mt. 59937
ph. 752-9099

cc. Will Kissing Mont Dept of Ag.
Senator Tom Beck
Senator Mike Halligan

SENATE AGRICULTURE
EXHIBIT NO. # 2
DATE 2-3-93
HB 163



MONTANA STATE SENATE

SENATOR DELWYN GAGE
SENATE DISTRICT 5
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PHONE (406) 873-2301

COMMITTEES:
BUSINESS AND INDUSTRY
LOCAL GOVERNMENT
RULES
TAXATION

CAPITOL STATION
HELENA, MONTANA 59620
PHONE (406) 444-4800

Feb. 2, 1993

Agriculture, Livestock & Irrigation Committee
Senator Jack Rea, Chairman

Gentlemen:

Regarding the bill that I introduced to eliminate milk control at the retail and wholesale level, I had an interesting call today from a consumer by the name of Mark Blatter. He is one of those people that I talked about on the presentation of the bill that was not able to be at the hearing because he was out making a living. He is part of the vast majority of Montana citizens who are part of the "it is broke so lets fix it" bunch as opposed to the members of the closed corporation who have the milk industry of our state at their mercy and say "if it ain't broke don't fix it".

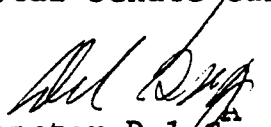
It is still my contention that the fix this group has on quotas is in a class all by its self and is next to scandalous. You will recall that the group who testified against the bill all made the claim that milk prices in Montana were very near that in non-control states in our area. These are the prices that Mark Blatter was quoted from Albertsons in various stores on Feb. 2, 1993:

Idaho Falls, Idaho	2% - 2.03	1% - 1.99
Salt Lake City, Ut	2% - 1.73	1% - 1.64
Spokane, Wa	2% - 1.77	1% - 1.77

Helena prices the last time he shopped were 2.80 and 2.83. These prices are from 80¢ to \$ 1.00 higher in Montana. Someone flat lied to your committee in their testimony and it sure was not me as I did not mention prices except to say that Common Cause was said to have reported that control in Montana had cost the Montana consumer compared to surrounding states about \$ 4 million per year.

Mr. Blatter indicated that based on the above prices it costs him over \$ 300.00 more for milk in Montana than it would in some of the other states.

At least consider bringing the bill to the Senate floor so the total senate can hear this ridiculous story.


Senator Delwyn Gage

Sen Ag
Exh #3
2-3-93
HB 163

DATE 2-3-93

SENATE COMMITTEE ON AGRICULTURE

BILLS BEING HEARD TODAY: HB 163

PLEASE
PRINT

Name

Representing

Bill
No.

Check One
Support Oppose

Ralph Peck	MT Dept of Ag.	HB 163	✓	
WILL KISSINGER	" " "	HB 163	✓	

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY