

MINUTES

MONTANA SENATE 54th LEGISLATURE - REGULAR SESSION

COMMITTEE ON AGRICULTURE, LIVESTOCK & IRRIGATION

Call to Order: By VICE-CHAIRMAN GERRY DEVLIN, on January 18,
1995, at 1:05 P.M.

ROLL CALL

Members Present:

Sen. Charles "Chuck" Swysgood, Chairman (R)
Sen. Gerry Devlin, Vice Chairman (R)
Sen. Don Hargrove (R)
Sen. Ric Holden (R)
Sen. Reiny Jabs (R)
Sen. Greg Jergeson (D)
Sen. Linda J. Nelson (D)
Sen. Bob Pipinich (D)

Members Excused: Sen. Tom Beck (R)

Members Absent: none

Staff Present: Doug Sternberg, Legislative Council
Jennifer Gaasch, Committee Secretary

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

Committee Business Summary:

Hearing: HB 40 and HB 56
Executive Action: HB 40 and HB 56

*{Tape: 1 ; Side: A; Approx. Counter: ; Comments: Ms. Hoveland was very hard to
hear on the tape and so the record may not be very accurate.}*

HEARING ON HB 40

Opening Statement by Sponsor:

REPRESENTATIVE HARRIET HAYNE, HD 86, from Dupuyer, presented HB 40. She stated that this is a bill repealing the termination of the tax checkoff for the agriculture in Montana schools (AMS) program. This bill will reinstate the AMS checkoff line on the state income tax forms. The AMS did not raise \$20,000 per year and this is the reason that it was terminated. This is strictly a volunteer program without the use of any state or federal funds.

They work by donations, grants and the money given by the state income tax checkoff. The goal of AMS is to give Montana students a greater awareness of the contributions of agriculture to their lives and to the national economy and society so that they can become better informed citizens. The major purpose of AMS is to provide free, factual teaching tools to Montana teachers.

Proponents' Testimony:

Leo Giacometto, Department of Agriculture (DOA), stated that a key point is that this is the only program in the DOA where the administrative costs are not taken out. The department assists in the program without charging administrative costs. They work hard to promote AMS.

Marie Hoveland, President of AMS, read her testimony of a short history and overview of AMS (**Exhibit 1**). A folder of information was handed out (**Exhibit 2**).

Maureen Cleary-Schwinden, representing Women in Farm Economics, stated that they support HB 40.

Lorna Frank, representing the Mt. Farm Bureau, stated that they support HB 40. They are hoping that in the following year they can do some advertising for AMS through their department.

REPRESENTATIVE JOHN "SAM" ROSE stated that he strongly supports HB 40.

Mike Murphy, Mt. Water Resources Association, stated that they support HB 40.

Bob Stephens, Mt. Graingrowers Association, stated that they support SB 40.

Jennifer Hill, representing the Mt. Stockgrowers Association (MSGa) and the Mt. Woolgrowers Association stated that they support SB 40.

George Paul, representing the Farmers Union, stated that this program gives information to the urban communities and the nonagricultural audience. As a portion of the AMS budget the checkoff is very important.

Candace Torgerson, Mt. Cattlemen's Association stated that they support HB 40.

Cork Mortensen, representing the Board of Livestock stated that they support HB 40.

Opponents' Testimony:

Mick Robinson, director of the Department of Revenue, stated that it is a good program, but they are not in favor of the tax checkoff line being the means of fundraising. The \$20,000 threshold was set because of the administrative fee and the history of this program has been that not a lot of money was raised. In 1994 the amount that came in was \$7,752 and the fee was \$2,850. The tax checkoff is not a very efficient way to fund raise.

Questions From Committee Members and Responses:

SENATOR LINDA NELSON asked **Mr. Robinson** what percentage does the state receive of the money. **Mr. Robinson** replied that they try to identify the direct costs of the checkoff up to a maximum of \$3,000. This one was \$2,850.

{Tape: 1; Side: A; Approx. Counter: ; Comments: Ms. Hoveland was very hard to hear on the tape and so this may not be very accurate.}

SEN. NELSON asked **Marie Hoveland** how many schools are actually using AMS? **Ms. Hoveland** stated that AMS sends the materials to the schools and it is up to them to use them and they are not sure how many schools are using the program.

SEN. NELSON asked **Ms. Hoveland** do you have 10 volunteer teachers that go out in the state? **Ms. Hoveland** replied that there are 3 teachers that go out and teach a course that is a college credit course. They have worked with around 1,200 teachers.

SEN. NELSON asked **Ms. Hoveland** why the contributions have lessened since 1993 and does AMS have a plan to increase the amount of money that they are receiving? **Ms. Hoveland** replied that 1992 was a bad year for everyone. She replied that they have tried to advertise, including word of mouth.

SENATOR GERRY DEVLIN asked **Ms. Hoveland** if they have tried to get free radio time? **Ms. Hoveland** replied that it might not be heard by very many people because it is on late at night.

SENATOR DON HARGROVE asked **Mr. Robinson** if they had thought of another way to fund raise for the program. **Mr. Robinson** suggested that AMS take the \$2,850 and spent it in direct mailing fundraising perhaps they would get a better response.

SEN. HARGROVE asked **Mr. Giacometto** if he had any alternatives to the tax checkoff method? **Mr. Giacometto** replied that AMS is a program that the DOA will assist with however they receive their money. They do not charge the administrative fee. There are other ways to get money and this might not be the best, but they need it.

SENATOR REINY JABS asked **Mr. Robinson** if the program brought in over \$20,000 would a fee still be \$3,000? **Mr. Robinson** stated that this was correct.

SENATOR GREG JERGESON asked **Mr. Robinson** of the 400,000 tax returns anticipated each year what is the number of farmers, ranchers or agricultural employees? **Mr. Robinson** replied that he did not know. **Mr. Giacometto** replied that there are approximately 23,000 farms and ranches in Montana. **SEN. JERGESON** asked if there were 900 of the 23,000 that utilized the checkoff. **Mr. Giacometto** said that this was true.

SEN. JERGESON asked **Mr. Giacometto** why several people have seen the checkoff line on the tax return and why are there so few people that know of the program? **Mr. Giacometto** stated that the DOA is trying to promote all the programs and they will continue to help them. He stated that it is because most people have a CPA do their taxes and they do not even see the checkoff line on the form.

Closing by Sponsor:

REPRESENTATIVE HAYNE stated that the program was strictly voluntary and they will try to do more advertising in order to raise more money.

HEARING ON HB 56

Opening Statement by Sponsor:

REPRESENTATIVE JOHN "SAM" ROSE, HD 87, from Choteau, presented HB 56 and stated that HB 56 was to delete the requirement of the Department of Livestock to develop a staggered brand recording and rerecording system. The equipment would be very costly and it is likely to add two more staff members.

Proponents' Testimony:

Cork Mortensen, representing the Board of Livestock, read his written testimony (**Exhibit 3**).

Jennifer Hill, representing the Mt. Stockgrower's Association and the Mt. Woolgrowers Association stated that they support HB 56.

Maureen Cleary-Schwinden, representing Women in Farm Economics, stated that they support HB 56.

Candace Torgerson, representing the Mt. Cattlemen's Association stated that they support HB 56.

Lorna Frank, representing Mt. Farm Bureau, stated that they were in support of HB 56.

Opponents' Testimony:

None

Questions From Committee Members and Responses:

SEN. DEVLIN asked **Cork Mortensen** if the effective date was sufficient for their needs. **Mr. Mortensen** replied that it was.

Closing by Sponsor:

REP. ROSE stated that he was in support of the bill and urged the committee to support it also.

EXECUTIVE ACTION ON HB 40

Motion/Vote: **SEN. NELSON** moved that HB 40 BE CONCURRED IN. The MOTION CARRIED unanimously.

Discussion: **CHAIRMAN SWYSGOOD** asked who would carry HB 40 if **REP. HAYNE** did not designate someone. **SEN. NELSON** replied that she would.


EXECUTIVE ACTION ON HB 56

Motion/Vote: **SEN. HARGROVE** moved that HB 56 BE CONCURRED IN. The MOTION CARRIED unanimously.

Discussion: **CHAIRMAN SWYSGOOD** asked who would carry HB 56. **SEN. HARGROVE** stated that he would.

ADJOURNMENT

Adjournment: 1:55 p.m.


CHUCK SWYSGOOD, Chairman


JENNIFER GAASCH, Secretary

CS/JG

**MONTANA SENATE
1995 LEGISLATURE
AGRICULTURE COMMITTEE**

ROLL CALL

DATE _____

1-18-94

[illegible]

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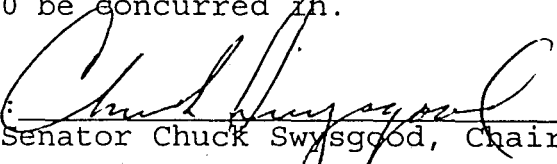
SENATE STANDING COMMITTEE REPORT

Page 1 of 1
January 18, 1995

MR. PRESIDENT:


We, your committee on Agriculture, Livestock, and Irrigation having had under consideration HB 40 (third reading copy -- blue), respectfully report that HB 40 be concurred in.

Signed:


Senator Chuck Swysgood, Chair


SA

Amd. Coord.
Sec. of Senate


Senator Carrying Bill

151406SC.SPV

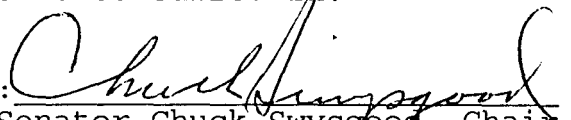
SENATE STANDING COMMITTEE REPORT


Page 1 of 1
January 18, 1995


MR. PRESIDENT:

We, your committee on Agriculture, Livestock, and Irrigation having had under consideration HB 56 (third reading copy -- blue), respectfully report that HB 56 be concurred in.

Signed:


Senator Chuck Swysgood, Chair

 Amd. Coord.

 Sec. of Senate


Senator Carrying Bill

151409SC.SPV

TESTIMONY TO LEGISLATIVE AG. COMMITTEE
JANUARY 3 & 18, 1995
HELENA

SENATE AGRICULTURE

EXHIBIT NO. 1

DATE 1-18-95

BILL NO. HB 40

THANK YOU MR. CHAIRMAN AND COMMITTEE MEMBERS:

I AM --- *Marie Hoveland*

I WAS ASKED TO GIVE A SHORT HISTORY AND OVERVIEW OF
AGRICULTURE IN MONTANA SCHOOLS PROGRAM.

MANY PEOPLE SEEM TO HAVE A DIFFERENT IDEA WHAT
AGRICULTURE IS. EVERYONE USES SOME TYPE OF AGRICULTURE
PRODUCT EVERY DAY. WE CAN NOT DO WITH OUT IT - IT IS WHAT WE
EAT AND WHAT WE WEAR.

IT IS MONTANA'S NO. 1 INDUSTRY. NOW SINCE MORE AND
MORE GENERATIONS ARE GETTING FURTHER AND FURTHER AWAY FROM
THE LAND - THEY JUST DON'T SEEM TO REALIZE HOW AGRICULTURE
AFFECTS THEIR DAILY LIVES.

BACK IN 1981 SEC. OF AGRICULTURE JOHN BLOCK
REALIZED THIS FACT AND CALLED TOGETHER VARIOUS GROUPS
ORGANIZING WHAT IS NOW KNOWN AS A NATION WIDE PROGRAM CALLED
AGRICULTURE IN THE CLASSROOM. IT WAS ORGANIZED IN MONTANA IN
1982 AS AGRICULTURE IN MONTANA SCHOOLS, OR AS EVERYONE USES
INITIALS AMS.

AGRICULTURE IN MONTANA SCHOOLS IS A NON-PROFIT, NON -
POLITICAL, NON-GOVERNMENTAL, NON-BIASED , ALL VOLUNTEER
ORGANIZATION. (ONE OF THE ONLY 2 IN THE US.)

1. WHAT WE DO - IS SUPPLY FACTUAL MATERIAL ON AGRICULTURE
TO THE STATE'S PUBLIC SCHOOLS - THAT THE TEACHER CAN IN-
CORPORATE INTO WHAT SHE/HE IS ALREADY TEACHING. IT IS NOT
A SEPARATE CURRICULUM.

2. WHAT DO WE HAVE - 3 TEACHER'S MANUALS - K-3, 4-6, AND
7-8. (WE ARE NOT IN THE HIGH SCHOOLS YET) WE ARE IN THE

2.

PROCESS OF MAKING A 5 VIDEO SERIES ON AGRICULTURE IN MONT.
THE 1ST 4 ARE FINISHED - AN OVERVIEW - AGRONOMY - LIVESTOCK -
AND NATURAL RESOURCES. THE 5TH WILL BE ON ALTERNATE CROPS.
WE ALSO HAVE IN EVERY PUBLIC SCHOOL LIBRARY (ANY SCHOOL WITH
20 OR MORE STUDENTS) A TREASURE CHEST - THAT IS FILLED WITH
HANDS ON MATERIAL FOR THE TEACHER TO USE - POSTERS, BOOKS,
SOIL AND GRAIN SAMPLES, CHARTS ON ANY SUBJECT RELATED TO
AGRICULTURE. THIS CHEST GETS UPDATED AND ADDED TO ATLEAST
ONCE A YEAR. (SMALLER SCHOOLS, PRIVATE AND HOME SCHOOLS CAN
CHECK OUT THE SAME MATERIAL FROM THEIR COUNTY SUPT. OF SCHOOL
OFFICE.)

3. OUR MEMBERSHIP COMES FROM REPRESENTATIVES OF COMMODITY
ORGANIZATIONS, AG BUSINESSES, DEPT. OF AG. OPI, MSU, TEACHERS,
FARM ORGANIZATIONS, GROUPS SUCH AS SOIL CONSERVATION
DISTRICTS AS WELL AS INTERESTED INDIVIDUALS.

4. THE AMS BOARD CONSISTS OF OFFICERS, DISTRICT DIRECTORS
(WE HAVE THE STATE DIVIDED INTO 16 DISTRICTS), COMMITTEE
CHAIRMEN AS WELL AS REPRESENTATIVES FROM THE DIFFERENT MEMBER
GROUPS.

5. WE GET OUR FUNDS FOR OUR BUDGET THROUGH

MEMBERSHIPS - THERE ARE 5 DIFFERENT TYPES OF MEMBERSHIP -

- A. REGULAR - VOTING - \$100/YR
- B. ASSOCIATE - NON VOTING - \$25/YR
- C. SUSTAINING - VOTING - \$500/YR
- D. LIFE TIME - NON VOTING - \$1000 (ONE TIME)
- E. DEPARTMENTAL - VOTING - (THOSE GROUPS THAT
ASSIST AMS WITH IN-KIND SERVICE OF \$1,000 OR
MORE)

WE ALSO GET FUNDS THROUGH:

- A. GRANTS
- B. MEMORIALS
- C. DONATIONS

AND

HAVE BEEN FROM THE VOLUNTARY CHECK OFF ON THE
STATE'S INCOME TAX FORMS

EXHIBIT 1
DATE 1-18-95
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3.

6. WE ALSO HAVE A TEACHER'S RESOURCE LIBRARY - FROM WHICH TEACHERS CAN CHECK OUT - VIDEOS, MANUALS, BOOKS, FILMS, COMPUTER PROGRAMS - LESSON PLANS - MATERIAL WHICH WE DO NOT HAVE FUNDS ENOUGH TO SUPPLY TO EVERY TREASURE CHEST.

7. WE HAVE COLLEGE CREDIT WORKSHOPS (THROUGH MSU)FOR THE TEACHERS -

- A. WEEKEND COURSE (HAVE 3 CERTIFIED TEACHERS WHO WILL TRAVEL ANYWHERE IN THE STATE WHERE THERE ARE ATLEAST 10 TEACHERS REGISTERED FOR THE COURSE)
- B. A SUMMER WORKSHOP ON MSU'S CAMPUS IN THE AG DEPT. THIS IS A 4 DAY WORKSHOP.

8. WE HAVE 2 CONTESTS FOR THE STUDENTS

- A. BUMPER STICKER - K-6
WINNERS RECOGNIZED DURING AG DAY
- B. ESSAY CONTEST - 7-11
WINNERS HAVE A SUMMER WORKSHOP ON MSU'S CAMPUS THROUGH THE AG DEPT.
ON CAREERS IN AGRICULTURE.

THE COOPERATION WE RECEIVE FROM MSU, OPI, MONT.DEPT OF AG - AS WELL AS OTHER MEMBER GROUPS IS OUTSTANDING.

THEY REALIZE THAT EDUCATION OF OUR STUDENTS AS WELL AS TEACHERS IS ONE OF THE MOST IMPORTANT PRIORITIES IF MONTANA IS GOING TO SURVIVE. THE CHECK-OFF FOR AMS GIVES THE CITIZENS OF MONTANA A WAY TO HELP PROMOTE THAT VERY IMPORTANT AGRICULTURE EDUCATION.

THANK YOU



United States
Department of
Agriculture

SENATE AGRICULTURE

EXHIBIT NO. 2

DATE 1-18-95

BILL NO. HB 40

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SENATE AGRICULTURE

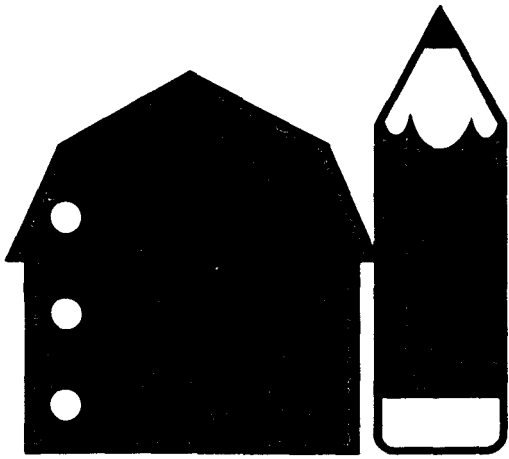
EXHIBIT NO. 2

DATE 1-18-95

BILL NO. HB 40

The original of this document is stored at the Historical Society at 225 North Roberts Street, Helena, MT 59620-1201. The phone number is 444-2694.

(folder)



Ag in the Classroom

EXHIBIT 2

DATE 1-18-95

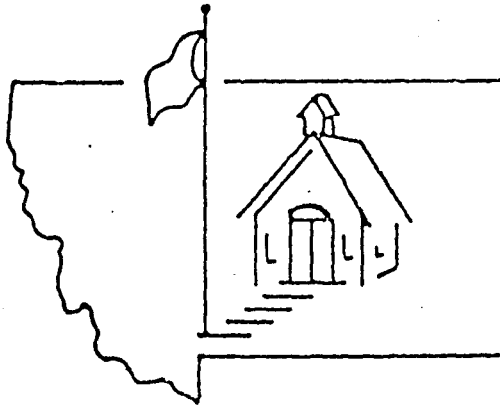
HB 40



AGRICULTURE IN MONTANA SCHOOLS, INC.

1993

ANNUAL REPORT



SENATE AGRICULTURE

EXHIBIT NO. 3DATE 1-18-95BILL NO. HB 56HOUSE BILL 56

SENATE AGRICULTURE

EXHIBIT NO. 3DATE 1-18-95BILL NO. HB 56

Mr. Chairman and members of the committee, for the record my name is Cork Mortensen and I am the Executive Secretary to the Board of Livestock. The Board and Department of Livestock support this legislation and urge you to support House Bill 56 for the following reasons:

1. This is a time of economic restraint for the livestock industry and for its agency the Department of Livestock. We do not feel that we can afford the extra expense of implementing a staggered re-record system, as it would necessitate the hiring of at least one and possibly 2 full time personnel. In addition, the change in our computer programming for the brand mortgage system would need to be altered. (This alone could cost approximately \$15,000).

2. As to Section 81-3-107, subsection 2, the legislative auditor has suggested that in order to be in compliance of certain deposit requirements, we should change our statutes to allow a reasonable time for depositing the recording and re-recording fees. We have therefore added this to avoid potential problems with the auditor's office.

3. Lastly, under 81-3-107, subsection 1, we have inserted or the board to allow the Board of Livestock the authority to declare an emergency situation should the need arise for the board and department to have to spend more than 10% of the net re-recording fees in any one year. This is because of the uncertain times we live in. We don't know what might happen which would necessitate this kind of declaration, but you have merely to look at the Yellowstone Park bison situation to see that there could be circumstances arise which would force us to put more personnel in that area and, in

order to keep the rest of the industry properly serviced we might need to hire additional personnel, etc.

Thank you for your time and consideration in this matter. Once again, the Board and Department of Livestock urge you to support this legislation. If you have any questions or need more information, I should be happy to respond.

Thank you,

A handwritten signature in cursive script that reads "Cork Cork" followed by the date "1-18-95".

E.E. "Cork" Mortensen, Executive Secretary
To the Board of Livestock

DATE Wednesday January 18, 1995

SENATE COMMITTEE ON Agriculture, Livestock, and Irrigation

BILLS BEING HEARD TODAY: HB 40, HB 56

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PLEASE PRINT

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Check One

Name	Representing	Bill No.	Support	Oppose
Lee Boyer	Dept of Ag	HB40		
Marice Havland	Ag. in MT Schools	HB40	✓	
Bob Stephens	Int Grain Growers	HB40	✓	
George Paul	Farmers Union	HB56 HB40	✓	
Ralph Peck	Mont Dept of Ag	HB40	✓	
Jennifer Hill	MT Stockgrowers, MT Hodgegrowers	40 & 56	✓	
Maureen Cleary-Schwintzen	Women In. Farm Eco	40-56	✓	
Lorna Frank	MT. Farm Bureau	40 & 56	✓	
JACK HAYNE	SELF	40	✓	
Cork Mortensen	Livestock	40 & 56		
Vicki Baber	Ag in Mt Schools	HB 40	✓	
Mike Murphy	MT Water Res. Assn	HB40	✓	
Candace Torgerson	Mont Cattlewomen	HB56 HB40	✓	
Les GRAHAM	Dairymens Assoc	HB 40	✓	

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY