

MINUTES

MONTANA SENATE 54th LEGISLATURE - REGULAR SESSION

COMMITTEE ON AGRICULTURE, LIVESTOCK & IRRIGATION

Call to Order: By **CHAIRMAN CHUCK SWYSGOOD**, on March 27, 1995, at 3:35 p.m.

ROLL CALL

Members Present:

Sen. Charles "Chuck" Swysgood, Chairman (R)
Sen. Gerry Devlin, Vice Chairman (R)
Sen. Thomas A. "Tom" Beck (R)
Sen. Don Hargrove (R)
Sen. Ric Holden (R)
Sen. Reiny Jabs (R)
Sen. Greg Jergeson (D)
Sen. Bob Pipinich (D)

Members Excused: Sen. Linda J. Nelson (D)

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 513, and HB 395
Executive Action: HB 513, and HB 395

{Tape: 1; Side: A}

HEARING ON HB 513

Opening Statement by Sponsor:

REPRESENTATIVE ROGER DEBRUYCKER, HD 89, Floweree, said HB 513 relieves the Department of Agriculture from having to audit or license feedlot operators when they buy grain.

Proponents' Testimony:

Leo Giacometto, representing the Department of Agriculture, said they spoke with all of the industry groups and they were in support of HB 513.

Bob Stephens, representing the Montana Graingrowers Association, stated they were in support of HB 513.

Jim Almond, representing the Montana Stockgrowers Association, stated he supported HB 513.

Opponents' Testimony:

None

Informational Testimony:

None

Questions From Committee Members and Responses:

None

Closing by Sponsor:

REP. DEBRUYCKER stated he closed.

EXECUTIVE ACTION ON HB 513

Motion:

SENATOR GERRY DEVLIN MOVED TO CONCUR IN HB 513.

Vote:

The MOTION CARRIED UNANIMOUSLY.

SENATOR GREG JERGESON will carry HB 513 on the Senate floor.

HEARING ON HB 395

Opening Statement by Sponsor:

REPRESENTATIVE BOB RANEY, HD 26, Livingston, stated HB 395 was a bill that was to bring together all of the state agencies with the Department of Agriculture. That weed coordinator will then take that operation that currently exists to the County Weed Boards and ensure that there would be a cooperative effort working between the agencies and the weed boards in the various counties. He said they were trying to put together all of the money so that they can integrate noxious weed management in Montana. He said they were requiring that the agencies file a biannual report and a form will be sent out to local governments asking them how the new governments were working.

Proponents' Testimony:

Bob Carlson, the Silver Bow County weed supervisor, stated he supported HB 513.

Ann Rowser, Broadwater County weed supervisor and representing Bob Grub, the weed supervisor for Gallatin County, read written testimony. (EXHIBIT #1)

Ed Kirby, representing the United Right of Way, he said HB 513 puts forth an effort to get cooperation from everyone. He stated in would be the best chance to solve the problems that they have had.

Opponents' Testimony:

None

Informational Testimony:

None

Questions From Committee Members and Responses:

SENATOR BOB PIPINICH said HB 395 was going to cost about \$150,000 for 2 years. Is that put in HB 2?

REP. RANEY replied it was not going to cost them anything because they did put it into HB 513. They did not give them any authorization for another FTE in HB 395 or in HB 2. They will have to pay for it out of their existing budgets. He said it they did not want to put forth the effort, the local weed board would do that for them. They will have to sign the agreement.

SEN. DEVLIN said at Fish, Wildlife, and Parks (FWP) and that was their biggest cause of licensing and all is the biggest cause of the spread of noxious weeds and are they really adequate.

REP. RANEY replied no. He said they would put more of the FWP money into weed management at fishing access sights.

SENATOR TOM BECK said in the fiscal note \$14,400 hit to the Commissioner of Higher Education, can he afford that?

REP. RANEY replied no, but they did not give that money to him either. It was not included in HB 513 or in HB 2. They would have to do that within their existing budgets.

SEN. BECK asked if he had enough in his existing budget to designate that kind of money.

REP. RANEY said the Commissioner said he needed the money to hold four meetings for each of the twelve county plans. He had no idea why they would have to hold the meeting in the first place.

The state weed coordinator can give them the plan. They do not need any money.

CHAIRMAN SWYSGOOD asked if HB 513 appeared on potential appropriation impacts.

REP. RANEY stated it came through the House Appropriations Committee.

CHAIRMAN SWYSGOOD asked if it was shown on the status sheet that they get from the legislative fiscal analyst?

REP. RANEY replied it showed a \$1.6 million potential impact in the Department of Transportation.

SEN. BECK asked if that was under special revenue.

REP. RANEY replied that was correct.

CHAIRMAN SWYSGOOD asked if someone does not want to have an agreement?

REP. RANEY replied they are required by law to do that, but there was no penalty. He said he asked how he could put penalties in and that cannot be done.

CHAIRMAN SWYSGOOD asked if the \$145,000 and the \$159,000 listed on the fiscal note is not anywhere in HB 513 and will not be a fiscal requirement addressed later on in the session to fund.

REP. RANEY replied that was correct. It is not in HB 513 and not in HB 2.

SEN. DEVLIN said it talks to the executive budget as recommended, but that is not in HB 2.

REP. RANEY replied the figures that are on the fiscal note were not put in HB 2.

Closing by Sponsor:

REP. RANEY said they were not pulling themselves together to control the weeds in Montana. With HB 513 they will begin to figure out what they will do about the noxious weed control. They will be planning on a 6 year plan and they will put a budget plan in every 2 years.

EXECUTIVE ACTION ON HB 395

Motion:

SEN. BECK MOVED TO CONCUR IN HB 395.

Vote:

The MOTION CARRIED UNANIMOUSLY.

SENATOR BECK will carry HB 395 on the Senate floor.

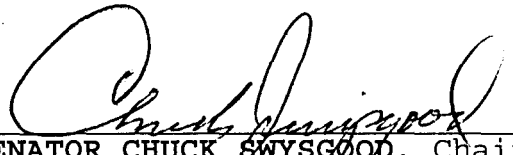
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ADJOURNMENT

Adjournment: 4:00 p.m.



SENATOR CHUCK SWYSGOOD, Chairman



JENNIFER GAASCH, Secretary

CS/jg

MONTANA SENATE
1995 LEGISLATURE
AGRICULTURE COMMITTEE

ROLL CALL

DATE _____

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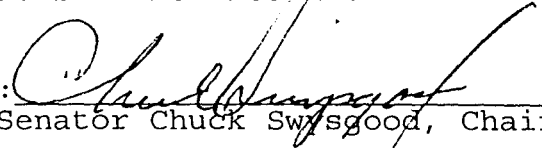
SENATE STANDING COMMITTEE REPORT


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
MR. PRESIDENT:

We, your committee on Agriculture, Livestock, and Irrigation having had under consideration HB 395 (third reading copy -- blue), respectfully report that HB 395 be concurred in.

Signed:


Senator Chuck Swysgood, Chair

 Amd. Coord.

 Sec. of Senate


Senator Carrying Bill

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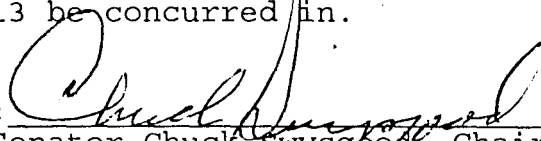
SENATE STANDING COMMITTEE REPORT


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
MR. PRESIDENT:

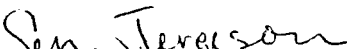
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Signed:


Senator Chuck Swysgood, Chair


Amd. Coord.

 Sec. of Senate


Senator Carrying Bill

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Testimony for House Bill 395

The Gallatin County Weed Control Board would like to enter its' support for House Bill 395, entitled "An Act implementing an integrated noxious weed control program for state agencies and entities by clarifying what provisions must be included in cooperative agreements between state agencies and entities and the district weed boards regarding plans of operation and budgets; requiring the coordination of weed control efforts through the state weed coordinator; amending section 7-22-2151; and providing and effective date."

The Gallatin County Weed Control District enjoys good communication and a fair amount of cooperation between the District and most of the state agencies within the County. Even though we do have these open channels of communication, cooperative guidelines for implementing weed management programs are needed to **standardize** noxious weed management practices between districts and state agencies. By entering written integrated noxious weed control programs for state owned or controlled lands with the weed control districts, cooperative efforts can be formed to develop integrated management plans that comply with the County Noxious Weed Control Act; 7-22-2101 through 2153. This would also provide a **yearly** commitment by both state agencies and weed districts to **actively manage** the noxious weeds on these lands.

This Bill promotes cooperation between weed district personnel, agency personnel, and support agencies (i.e. USDA-APHIS/ARS, MSU Cooperative Extension), to combine their resources in designing effective integrated noxious weed management plans that take into account budgets, resources, ecological and environmental concerns, along with any special issues related to the management area. With six year plans updated biennially, the management plans can be evaluated over time to ascertain their effectiveness, and to implement changes when and where they are needed.

House Bill 395 provides weed control districts, agency personnel, and the Department of Agriculture with information on both the noxious weed control efforts and their efficacy on the state owned/controlled lands within the county(s). This information will help these agencies to provide consistent answers to questions regarding noxious weed control efforts on these lands. It promotes cooperative weed management plans that cross property boundaries which in turn encourages the development of comprehensive county weed management programs which diverge from the historical hit and miss programs of the past. With the implementation of realistic **integrated** management plans that include all types of weed management (i.e. Chemical, Biological, Cultural/Mechanical), landowners can be informed of the efforts that are being undertaken to control the noxious weeds on state owned/controlled lands. This could help form positive relationships between the state/county agencies and adjacent landowners.

Managing the noxious weeds, and informing the landowners and general public about the management practices implemented on the state owned/controlled lands, can establish positive cooperation between these groups while helping to alleviate some of the negative sentiments that have arisen over the years.

DATE March 27, 1995

SENATE COMMITTEE ON Agriculture

BILLS BEING HEARD TODAY: HB 395 and HB 513

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Check One

Name	Representing	Bill No.	Support	Oppose
Bob Carlson	Butte-Silver Bow weed District	395	X	
Don Rausen	Bondwater Co. Weed Bot. Shrub, Gallatin Co. Weed	395	X	
Ed Zuby	United Right of Way	395	X	
Mike Berschauer	URW	395	X	
Bruce Barrett	MIDT	395		
Jim Almond	MSG A	513	X	
Bob Stephens	Mt Grain Growers	513 395	X	

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY