



1 *Senate* JOINT RESOLUTION NO. *12*  
2 INTRODUCED BY *Wendling*

3  
4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF  
5 REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING CONGRESS  
6 TO CLARIFY ELIGIBILITY REQUIREMENTS FOR GENERAL PARTNERS  
7 RECEIVING FARM COMMODITY PROGRAM PAYMENTS.

8  
9 WHEREAS, in the Food Security Act of 1985, Congress  
10 established a general limit of \$50,000 on payments that  
11 could be made to any person under one or more federal  
12 programs for wheat and feed grains; and

13 WHEREAS, the intent of such payment limitations was to  
14 provide incentives to well-managed owner-operated family  
15 farms as the best means of promoting wise land-use practices  
16 and enhancing commodity price stability through limiting  
17 production; and

18 WHEREAS, Congress provided that the Secretary of the  
19 United States Department of Agriculture define the term  
20 "person" and assure fair application of the limitations in  
21 regulations issued to implement the Act; and

22 WHEREAS, current regulations do not adequately define  
23 payment eligibility of general partners or limit payments as  
24 intended by Congress; and

25 WHEREAS, large institutional farming enterprises are

1 being structured wherein investors with minimal investment  
2 and no operational involvement are each eligible to receive  
3 payments under the Act; and

4 WHEREAS, with no effective limit on program payments to  
5 owners of such an enterprise, the farm program:

6 (1) encourages large-scale block farming with little  
7 incentive for practicing good farming or soil conservation  
8 techniques;

9 (2) results in certain entities engaging in farming  
10 solely for program benefits; and

11 (3) enables institutional enterprises to hold the land  
12 for speculative purposes, thereby denying entry of new  
13 owner-operators into farming at an opportune time; and

14 WHEREAS, owner-operated family farms are more conducive  
15 to a strong rural social structure and local economy than  
16 the institutional nonowner-operated farm.

17  
18 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE  
19 OF REPRESENTATIVES OF THE STATE OF MONTANA:

20 (1) That Congress is urged to clarify the eligibility  
21 requirements for general partners receiving federal  
22 commodity payments by requiring that such persons provide  
23 material input and bear a substantial portion of risk in the  
24 farming operation upon which eligibility is based.

25 (2) That Congress is urged to take any necessary

1 action to ensure that its intent in establishing program  
2 eligibility and imposing payment limitations is properly  
3 implemented by the United States Department of Agriculture.

4 (3) That a copy of this resolution be sent by the  
5 Secretary of State to each member of the Montana  
6 Congressional Delegation, the chairman of the Senate  
7 Committee on Agriculture, Nutrition, and Forestry, the  
8 chairman of the House Committee on Agriculture, and the  
9 Secretary of the United States Department of Agriculture.

-End-

APPROVED BY COMMITTEE  
ON AGRICULTURE LIVESTOCK  
& IRRIGATION

1 ~~Senate~~ JOINT RESOLUTION NO. 12  
2 INTRODUCED BY Wieding  
3

4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF  
5 REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING CONGRESS  
6 TO CLARIFY ELIGIBILITY REQUIREMENTS FOR GENERAL PARTNERS  
7 RECEIVING FARM COMMODITY PROGRAM PAYMENTS.  
8

9 WHEREAS, in the Food Security Act of 1985, Congress  
10 established a general limit of \$50,000 on payments that  
11 could be made to any person under one or more federal  
12 programs for wheat and feed grains; and

13 WHEREAS, the intent of such payment limitations was to  
14 provide incentives to well-managed owner-operated family  
15 farms as the best means of promoting wise land-use practices  
16 and enhancing commodity price stability through limiting  
17 production; and

18 WHEREAS, Congress provided that the Secretary of the  
19 United States Department of Agriculture define the term  
20 "person" and assure fair application of the limitations in  
21 regulations issued to implement the Act; and

22 WHEREAS, current regulations do not adequately define  
23 payment eligibility of general partners or limit payments as  
24 intended by Congress; and

25 WHEREAS, large institutional farming enterprises are

1 being structured wherein investors with minimal investment  
2 and no operational involvement are each eligible to receive  
3 payments under the Act; and

4 WHEREAS, with no effective limit on program payments to  
5 owners of such an enterprise, the farm program:

6 (1) encourages large-scale block farming with little  
7 incentive for practicing good farming or soil conservation  
8 techniques;

9 (2) results in certain entities engaging in farming  
10 solely for program benefits; and

11 (3) enables institutional enterprises to hold the land  
12 for speculative purposes, thereby denying entry of new  
13 owner-operators into farming at an opportune time; and

14 WHEREAS, owner-operated family farms are more conducive  
15 to a strong rural social structure and local economy than  
16 the institutional nonowner-operated farm.  
17

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

20 (1) That Congress is urged to clarify the eligibility  
21 requirements for general partners receiving federal  
22 commodity payments by requiring that such persons provide  
23 material input and bear a substantial portion of risk in the  
24 farming operation upon which eligibility is based.

25 (2) That Congress is urged to take any necessary



1 action to ensure that its intent in establishing program  
2 eligibility and imposing payment limitations is properly  
3 implemented by the United States Department of Agriculture.

4 (3) That a copy of this resolution be sent by the  
5 Secretary of State to each member of the Montana  
6 Congressional Delegation, the chairman of the Senate  
7 Committee on Agriculture, Nutrition, and Forestry, the  
8 chairman of the House Committee on Agriculture, and the  
9 Secretary of the United States Department of Agriculture.

-End-

1 ~~Senate~~ JOINT RESOLUTION NO. 12  
 2 INTRODUCED BY Wendling  
 3

4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF  
 5 REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING CONGRESS  
 6 TO CLARIFY ELIGIBILITY REQUIREMENTS FOR GENERAL PARTNERS  
 7 RECEIVING FARM COMMODITY PROGRAM PAYMENTS.  
 8

9 WHEREAS, in the Food Security Act of 1985, Congress  
 10 established a general limit of \$50,000 on payments that  
 11 could be made to any person under one or more federal  
 12 programs for wheat and feed grains; and

13 WHEREAS, the intent of such payment limitations was to  
 14 provide incentives to well-managed owner-operated family  
 15 farms as the best means of promoting wise land-use practices  
 16 and enhancing commodity price stability through limiting  
 17 production; and

18 WHEREAS, Congress provided that the Secretary of the  
 19 United States Department of Agriculture define the term  
 20 "person" and assure fair application of the limitations in  
 21 regulations issued to implement the Act; and

22 WHEREAS, current regulations do not adequately define  
 23 payment eligibility of general partners or limit payments as  
 24 intended by Congress; and

25 WHEREAS, large institutional farming enterprises are

1 being structured wherein investors with minimal investment  
 2 and no operational involvement are each eligible to receive  
 3 payments under the Act; and

4 WHEREAS, with no effective limit on program payments to  
 5 owners of such an enterprise, the farm program:

6 (1) encourages large-scale block farming with little  
 7 incentive for practicing good farming or soil conservation  
 8 techniques;

9 (2) results in certain entities engaging in farming  
 10 solely for program benefits; and

11 (3) enables institutional enterprises to hold the land  
 12 for speculative purposes, thereby denying entry of new  
 13 owner-operators into farming at an opportune time; and

14 WHEREAS, owner-operated family farms are more conducive  
 15 to a strong rural social structure and local economy than  
 16 the institutional nonowner-operated farm.  
 17

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

20 (1) That Congress is urged to clarify the eligibility  
 21 requirements for general partners receiving federal  
 22 commodity payments by requiring that such persons provide  
 23 material input and bear a substantial portion of risk in the  
 24 farming operation upon which eligibility is based.

25 (2) That Congress is urged to take any necessary



LC 1500/01

1 action to ensure that its intent in establishing program  
2 eligibility and imposing payment limitations is properly  
3 implemented by the United States Department of Agriculture.

4 (3) That a copy of this resolution be sent by the  
5 Secretary of State to each member of the Montana  
6 Congressional Delegation, the chairman of the Senate  
7 Committee on Agriculture, Nutrition, and Forestry, the  
8 chairman of the House Committee on Agriculture, and the  
9 Secretary of the United States Department of Agriculture.

-End-

SENATE JOINT RESOLUTION NO. 12  
INTRODUCED BY WEEDING

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING CONGRESS TO CLARIFY ELIGIBILITY REQUIREMENTS FOR GENERAL PARTNERS RECEIVING FARM COMMODITY PROGRAM PAYMENTS.

WHEREAS, in the Food Security Act of 1985, Congress established a general limit of \$50,000 on payments that could be made to any person under one or more federal programs for wheat and feed grains; and

WHEREAS, the intent of such payment limitations was to provide incentives to well-managed owner-operated family farms as the best means of promoting wise land-use practices and enhancing commodity price stability through limiting production; and

WHEREAS, Congress provided that the Secretary of the United States Department of Agriculture define the term "person" and assure fair application of the limitations in regulations issued to implement the Act; and

WHEREAS, current regulations do not adequately define payment eligibility of general partners or limit payments as intended by Congress; and

WHEREAS, large institutional farming enterprises are

being structured wherein investors with minimal investment and no operational involvement are each eligible to receive payments under the Act; and

WHEREAS, with no effective limit on program payments to owners of such an enterprise, the farm program:

(1) encourages large-scale block farming with little incentive for practicing good farming or soil conservation techniques;

(2) results in certain entities engaging in farming solely for program benefits; and

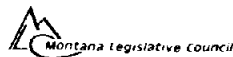
(3) enables institutional enterprises to hold the land for speculative purposes, thereby denying entry of new owner-operators into farming at an opportune time; and

WHEREAS, owner-operated family farms are more conducive to a strong rural social structure and local economy than the institutional nonowner-operated farm.

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

(1) That Congress is urged to clarify the eligibility requirements for general partners receiving federal commodity payments by requiring that such persons provide material input and bear a substantial portion of risk in the farming operation upon which eligibility is based.

(2) That Congress is urged to take any necessary





1 action to ensure that its intent in establishing program  
2 eligibility and imposing payment limitations is properly  
3 implemented by the United States Department of Agriculture.

4 (3) That a copy of this resolution be sent by the  
5 Secretary of State to each member of the Montana  
6 Congressional Delegation, the chairman of the Senate  
7 Committee on Agriculture, Nutrition, and Forestry, the  
8 chairman of the House Committee on Agriculture, and the  
9 Secretary of the United States Department of Agriculture.

-End-