

MINUTES OF THE MEETING
AGRICULTURE COMMITTEE
MONTANA STATE
HOUSE OF REPRESENTATIVES

February 13, 1984

The meeting of the Agriculture Committee was called to order by Chairman Schultz on February 13, 1985 at 3:15 in Room 325 of the State Capitol.

ROLL CALL: All members were present.

CONSIDERATION OF HOUSE BILL NO. 659: Representative Harper, District #44, sponsor of the bill, stated that this is a bill to rewrite the weed laws for the State of Montana. This bill has been worked on throughout the state. We need to do something about the weeds. The reason for these bills is because a number of people do not believe a rewrite can be done properly. There are deficiencies with the present law and cannot be corrected. We need an offensive weed law. He then went through the bill and explained it to the committee. Rep. Harper further stated that 2 mills can only be levied for the counties that need it and in many cases that is not enough. This bill allows a combination of 2 mills or general fund usage. He commented on House Bill 716 saying that it is a good effort to bring the current law up-to-date and is workable. It retains many existing problems, and it doesn't provide the incentive for the landowner to do his own work.

PROPOSERS: Doug Johnson, representing the Montana Weed Control Association, testified that they feel that one of the purposes is to give the counties control of the weed problem. They feel that there should be a weed plan in each county and every county should address each problem separately. It is not a statewide problem. They also feel there should be a prohibited, as well as, a noxious weed list. The land agencies shall have a written land agreement with each county which would give some incentive to the landowners. Cost sharing is a very flexible way to deal with the weeds. The mill levy allows counties additional 2 mills because the county should not have to sacrifice other projects. The Trust Fund can be used to help start the program, but it must have a good hard fund. (Exhibits A, B, and C attached)

Jim Richard, representing the Montana Wildlife Federation, testified that the Federation supports this bill. They want to ensure that agriculture is productive as long as possible. They do not want to see this program abused.

Terry Murphy, Montana Farmers Union, stated that the draft of this bill was submitted to the union. The funding of the bill was looked upon as an evil, but a controlled evil. Statewide coordination and state-wide control is a must to make this program work.

Lorraine Gillies, representing the Montana Farm Bureau Federation, testified that this is a long overdue effort to coordinate a Noxious Plant Management Program. Cooperation, planning and swift implementation of policies are essential to our economic and environmental health. Her testimony is attached as Exhibit D.

Donna Pratt, WIFE, testified that the Noxious Plant Management Act gives county weed boards many options and that is what impresses her. Montana is so large, so diverse, with each area having such different problems, they are happy that someone is finally addressing the fact that the existing weed law is inadequate. We should not fear that the length of this bill will give the weed boards more power than before; the board will still be your neighbor, friend or people generally interested in the well-being of their community. Her testimony is attached as Exhibit E.

Paul Newby, representing the Agricultural Preservation Association, testified in support of House Bill No. 659. They want to ensure that federal and state agencies are encouraged to participate with the citizens of the state both physically and financially in bringing the noxious plant problem in Montana under control. They offered amendments to the bill. His testimony is attached hereto as Exhibit F.

Carol Mosher, representing the Montana Cowbells, stated that House Bill 659 does a good job of supporting the need of a standard noxious weed program. The bill has broad, sweeping powers, but we believe the problem with weeds has reached the point where this type of legislation is necessary. Her testimony is Exhibit G and is attached hereto.

Robert Gibson, representing the Helena National Forest Service, testified that the Forest Service supports the emphasis the State of Montana is placing on noxious weed control. It supports the effort that the state is making to encourage a cooperative effort between all involved landowners, land management agencies and County Weed Control Boards. They support the provision for planning and

cooperation in carrying out Noxious Plant Management as provided in this bill. His testimony is attached as Exhibit H.

Stuart Doggett, Montana Stockgrowers Association and the Association of State Grazing Districts, testified in support of House Bill 659. They feel the bill is definitely a step in the right direction to help with state-wide noxious plant control programs. This bill has many broad and sweeping powers, but they feel that such legislation is necessary because Montana's noxious weed problem truly deserves this near mandatory approach. His testimony is attached as Exhibit I.

Reeves Petroff, Bozeman Weed Control Supervisor, testified in support of House Bill No. 659.

Ted Lucas, Highwood, stated that this bill gives the counties the tools they need to address the weed problems.

Joe Goufried, Toole County Commissioner, testified in support of the bill. He stated that the spread of noxious weeds has been appalling in his county. He wanted to be able to enter an agreement with the federal government and would also appreciate the states participation.

Keith Kelly, representing the Department of Agriculture, testified that the Department endorses the concept of House Bill 659. This bill is a realistic approach for improving the administration of county weed control programs. One of the bills most important feature is the provision allowing for long term agreements between a landowner and the district on the management of the noxious weeds on the landowners land. His testimony, along with a letter from the Attorney General to the Cascade County Weed Control District, is attached as Exhibits J and K respectively.

Ron McOwen, representing the Montana Environmental Enterprises, testified that he is confident that the committee will consider all the testimony heard here today, and present a comprehensive bill to the House that, when passed, will allow for an equitable funding method for the implementation of a Noxious Plan Management Act. His testimony is attached as Exhibit L.

George Oberst testified in favor of this bill over other revisions of existing statutes. He stated that if weeds are indeed the major agricultural problem claimed; then they need to be dealt with in a comprehensive, planned and evaluated manner. Previous weed management efforts have been largely unsuccessful. This bill addresses the need for statewide evaluation and planning. To achieve

results different from previous efforts a unified approach is needed. His testimony is attached as Exhibit M.

Bill Hadden, Lewistown Weed District, stated that due to the fluctuation of the weed law they feel that House Bill 659 would give the weed districts flexibility to deal with the problem.

Representative Ernst, representing the Montana Weed Control Board District, testified that this bill allows them to use other money. He asked the committee to take a close look at the bill.

George Ochenski, representing the Environmental Information Council, stated they support the comprehensive effort against noxious weeds in Montana.

Charles Rust, Bozeman, testified in support of the bill.

OPPONENTS: Jo Brunner stated she is in agreement with portions of this bill and hopes that by the time the subcommittee completes their work that those portions will be included in the final bill, along with portions of the other bills offered. The Montana Cattlemen and the Montana Cattlefeeders wish to go on record as opposed to the bill. Her testimony is attached as Exhibit N.

Tom Murphy, Ravalli County Weed Board, testified that they realize the problem with weeds. We feel that we are controlling our weeds the same way as the law states now. They feel that the Weed Board does not have the time to go from District to District. The farmers know what the problem is and what the solution is, but the problem is the same for both farmers and legislators.

Frank Williams, Chairman for the Ravalli County Commissioners, testified that Ravalli County is controlling the weeds under the present law. He stated that the cost of controlling the weeds is going to have a very heavy increase.

Representative Thoft testified that this bill will establish bureaucracy no one can live with. There is a risk of being in court with this bill. The increase of property tax is totally unacceptable. This bill manages to attack your pocketbook.

Darrel Hanson, Powder River Weed Board, stated that this is a monstrosity. Their county is getting along just fine with what they have got.

R. A. Ellis stated that 15 years ago there was no knapweed and now the state is covered with it. This bill makes him feel that he is responsible for the weed problem.

There being no further proponent nor opponents to the bill, Representative Harper closed stating that he doesn't know who is responsible for the weed problem and we have a major problem. This bill will maintain and increase the power of the weed boards and this bill is not robbing anyone of their individual rights.

DISCUSSION ON HOUSE BILL NO. 659: Representative Switzer stated that the fiscal note is hard to understand; particularly assumption #5 which states the Department of Agriculture will write five pages of rules, hold two hearings and have two mailings to each county annually; and assumption #3 which states the Department of Natural Resources and Conservation has 10,500 acres of land of which 75% requires control efforts at \$40.00 per acre. Representative Harper informed Rep. Switzer that he doesn't know how the cost figure in assumption #3 was arrived at, but the problem still remains that we have to manage the weeds.

Representative Ellison asked Representative Harper if we are going to use this bill, would he object to the plan where 51% of landowners could veto a program that was set up. Representative Harper said he had no objections.

Representative Rapp-Svrcek asked Rep. Thoft what he suggests they bring to the district and counties. Rep. Thoft stated that the only way the program is going to work is by voluntary measures.

Representative Jenkins asked Representative Harper if the private landowners are going to get stuck with the clean up of weeds. Representative Harper stated that if you sign a written agreement you could be responsible for them.

There being no further questions from the committee, the hearing on House Bill 659 was closed. We adjourned for ten minutes to move back into room 317 for the rest of our meeting.

CONSIDERATION OF HOUSE BILL NO. 716: Representative Thoft, District 63, sponsor of the bill, stated that the reason for this bill is because he went over House Bill 659 and honestly believes it is unamendable.

Proponents: Jo Brunner, representing the Montana Cattle-feeders and the Montana Cattlemen Association, testified in support of the bill. She stated that any law, no matter how good it appears, must be enforced to do the job it is meant to do. Her testimony is attached as Exhibit A.

Jerry Allen, Ravalli County, stated he supports the bill.

Tom Murphy, Ravalli County Weed Control Board, testified that this bill is a good one to simplify, modify and get the job done.

Pat Anzour testified in support of House Bill 716 stating we need adequate input for weeds.

OPPONENTS: Doug Johnson stated he really opposes this bill. He doesn't think that any county will allow 5 mills. The committee should take a good look at the weed bills and try to make an agreement that they can live with economically. He stated it will be difficult to put together an enforcement program.

There being no further proponents and no opponents to the bill, Representative Thoft closed saying that he is sure the subcommittee can come up with some amendments, and try and come out with something that is workable.

DISCUSSION ON HOUSE BILL NO. 716: Representative Cody asked Representative Thoft if there will be any recourse for negligence on control of weeds. Representative Thoft stated that giving weed districts the ability to work with people is the best approach.

Representative Jenkins asked Representative Thoft who is going to pay to clean the federal grounds. He replied that there is no way a private landowner can afford to control the weeds.

Representative Switzer asked Representative Thoft if he thinks the people who object have any other way of controlling the weeds. He stated that he is very optimistic, but it isn't going to happen overnight.

There being no further questions, the hearing on House Bill No. 716 was closed.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 10: Senator Neuman, District #21, sponsor of the bill, stated that this is a resolution to discuss and study the crisis today. The farmers loss for last year is an estimated \$43 million. The situation is so wide-spread.

PROPONENTS: Keith Kelly, Department of Agriculture stated they support the resolution.

Lorraine Gillies, representing the Montana Farm Bureau, stated they support this resolution.

Jo Brunner, representing the Montana Cattlemen and the Montana Cattlefeeders Association, testified in support of the SJR.

There being no further proponents and no opponents to the resolution, Senator Neuman closed stating that there are a number of issues arising in agriculture. About 1/3 of the Agriculture industry is finding financing and are struggling, and 1/2 will be unable to find any credit in time to get their crop in. He stated that only 55% of Montana's farmers and ranchers will be able to stay in business over 5 years and over 9% of the farmers and ranchers say they can survive one more year. 48% say they will farm until they retire. The purpose of the proposed committee would be to generate a greater understanding of agriculture's problems and situations; suggest solutions; investigate all possible solutions and alternatives; and the committee would carry forth these ideas and solutions to the national level.

DISCUSSION ON SENATE JOINT RESOLUTION NO. 10: Representative Schultz asked Senator Neuman what direction he would like to see the resolution go in. He replied that he would like to see it tabled pending the outcome in Washington D.C. this week.

There being no further business before the committee, the meeting was adjourned at 6:00 p.m.



JAMES SCHULTZ, Chairman

DAILY ROLL CALL

Agriculture COMMITTEE

49th LEGISLATIVE SESSION -- 1985

Date 2-13-85

NAME	PRESENT	ABSENT	EXCUSED
James Schultz, Chairman	X		
Gay Holliday, V-Chairman	X		
Bob Bachini	X		
Dorothy Cody	X		
Duane Compton	X		
Gerry Devlin	X		
Robert Ellerd	X		
Orval Ellison	X		
Harry Fritz	X		
Ramona Howe	X		
Loren Jenkins	X		
Vernon Keller	X		
Francis Koehnke	X	<i>Came in late</i>	
John Patterson	X		
Bing Poff	X		
Paul Rapp-Svrcek	X	<i>Came in late</i>	
Gary Spaeth	X		
Dean Switzer	X		

STATEMENT OF INTENT

HB BILL NO. 659

It is the intent of the legislature that the rulemaking authority granted to the department of agriculture under [section 9] be employed to designate noxious plants and prohibited noxious plants in a manner consistent with the definitions of noxious plants and prohibited noxious plants provided in [section 3] and consistent with the criteria to be developed under [section 21(4)(g)].

Exhibit #
HB 659

STATE
OF
MONTANA
**ATTORNEY GENERAL
MIKE GREELY**

JUSTICE BUILDING, 215 N. SANDERS, HELENA, MONTANA 59620
TELEPHONE (406) 444-2020

8 January 1985

Doug Johnson
Cascade County Weed
Control District
521 First Avenue N.W.
Great Falls MT 59404

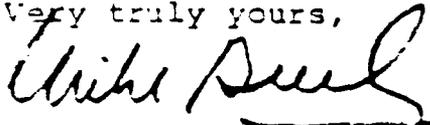
Dear Mr. Johnson:

Pursuant to your request I have recently reviewed proposed legislation known as "The Montana Noxious Plant Management Act." While I do not want to take a position on each issue involved in the Legislature, it is my judgment that the effort to have a modern, comprehensive statute dealing with noxious plants is long overdue and greatly needed. The current statutes are antiquated and in some areas a hodgepodge of piecemeal amendments.

I am familiar with the argument that certain modern practices of noxious plant control are currently being done although not specifically authorized by existing law. Thus, the argument goes, why change the law? The reason is that if some of these practices are the subject of litigation or dispute, and they are not specifically authorized by law, it is probable that they would be held illegal. It is a general principle of law that county entities can exercise only those powers specifically granted by the Legislature.

In my view, this situation argues for revising and up-dating the laws dealing with noxious plants to conform to modern practices. My best wishes in your efforts.

Very truly yours,


MIKE GREELY
Attorney General

PROPOSED TEN YEAR PROGRAM
OF
DESIGNATED WEED CONTROL IN ALBANY COUNTY

BY
Thomas McNamee

December 20, 1974
Weed Science and Technology 607D
Dr. Harold Alley

In reviewing Albany county, we find that it consists of four thousand four hundred (4,400) square miles or 2,816,000 acres. This means it compares approximately in size to the State of Connecticut, twice the size of the state of Delaware or four times the size of the state of Rhode Island.

If one to five percent of this area is infested with some type of designated weeds it means the land owners of Albany County are faced with the responsibility of controlling or eradicating some 28,000 to 141,000 acres of weeds.

With these figures in mind I have attempted to develop a ten year program of designated weed control in Albany County.

Time was spent working with the Soil and Water Conservations Service to determine the water drainage areas in the county. There are thirty three (33) different watersheds, but because of similarity of some of these areas they have been combined into one major watershed. The county was thus broken down into 9 major watershed areas consisting of:

- Area - A - Little Laramie Watershed
- Area - B - Upper North Laramie Watershed
- Area - C - Big Laramie Watershed
- Area - D - Sybille Watershed
- Area - E - Sand Creek Watershed
- Area - F - Bosler Watershed
- Area - G - Rock Creek Watershed
- Area - H - Marshall Watershed
- Area - I - Pole Mountain Watershed

Each of the nine major watershed areas have further been divided into areas of concentration where an attempt will be made to establish a program of weed control within that area in a given year. The areas of concentration were developed with the idea of beginning in the upper regions of the major watershed areas first, and continuing through to the ultimate control of the designated weeds throughout the county.

EXAMPLE A - 1 - 75

- A - Little Laramie Watershed
- 1 - Area of Concentration for a weed control program
- 75 - Year program will be established

A great deal of time was spent with the County Assessor to determine ownerships of land within the county. The following are approximate figures:

Acres of National Forest	378,950
Acres of State Lands	205,000
Acres of B.L.M. Lands	286,850
Acres of U.P.R.R. Lands	33,000
Miles of U.P.R.R. Right-of-Way	120
Miles of State Roads	265
Miles of County Roads	600

Every effort has been put forth to cooperate with the Federal, State and County Governments for the control of weeds on these lands.

Even though emphasis will be placed on concentrated areas each year, an effort will be made to cooperate with anyone within the county who may be

interested in establishing a weed control program on their own property.

An example of this might be the Musk Thistle problem in the Sybille Canyon area. Because of the potentially rapid infestation of Musk Thistle, a great deal of work was done this past year. More is planned for the following year.

It is my feeling that one of the first steps in any program is that of education. The public must be made aware of the potential economic loss to the area, if a weed infestation is allowed to go uncontrolled. In the winter months, prior to the spraying season, it is my intention to hold educational meetings in the designated areas of concentration for the purpose of explaining the program of the district, as to cost sharing, available equipment, cost of application, identification of weeds, and hopefully answer any questions which the people may have concerning control of weeds and pests.

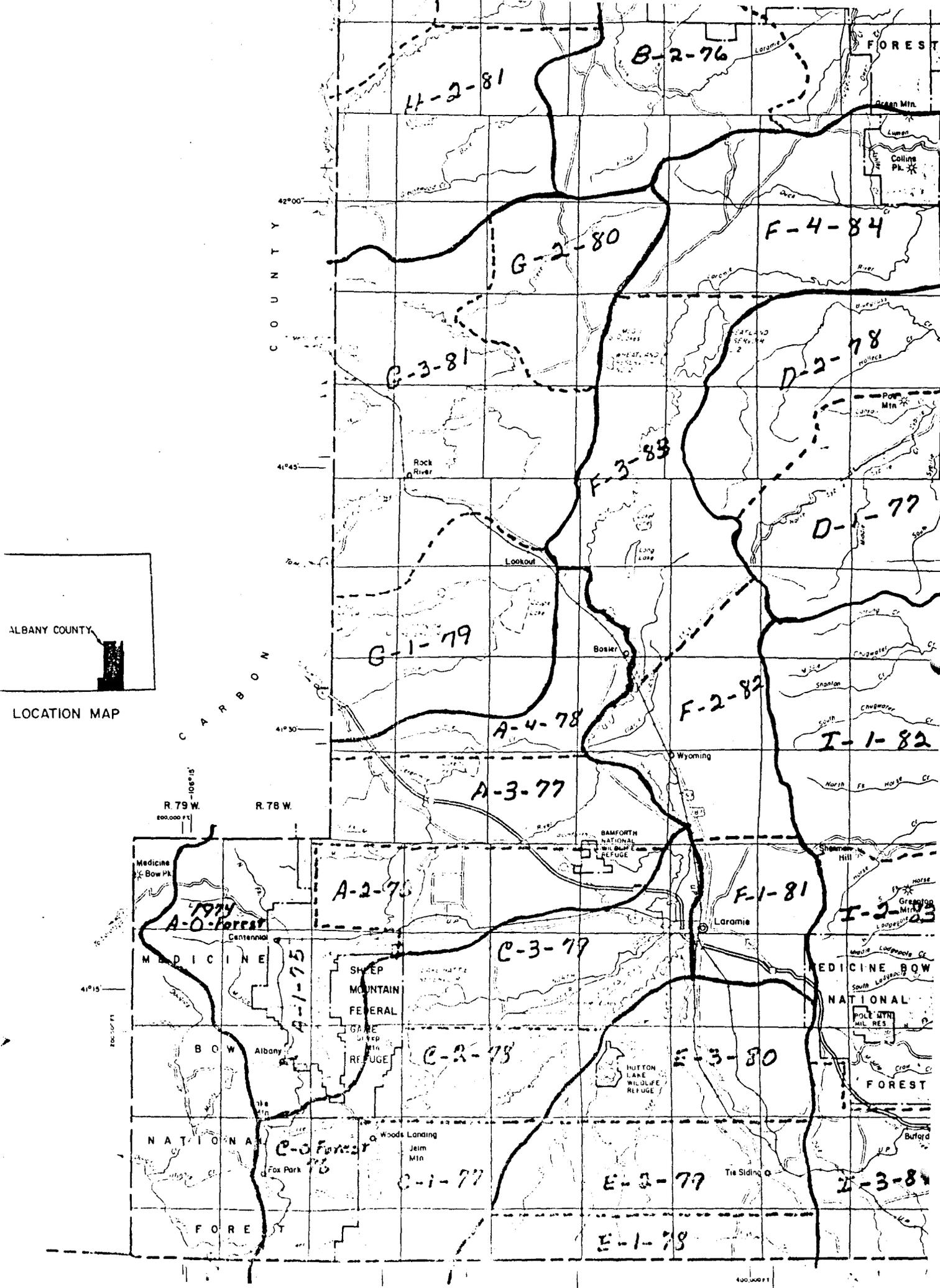
Starting the latter part of April I plan to publish in the local newspaper, a series of articles on identification of weeds. These articles will be taken from Bulletin 498, Weeds of Wyoming, published by the University of Wyoming.

The attached sheet and map will outline this proposed program as to the major watersheds, the areas of concentration, and the year that program will be established.

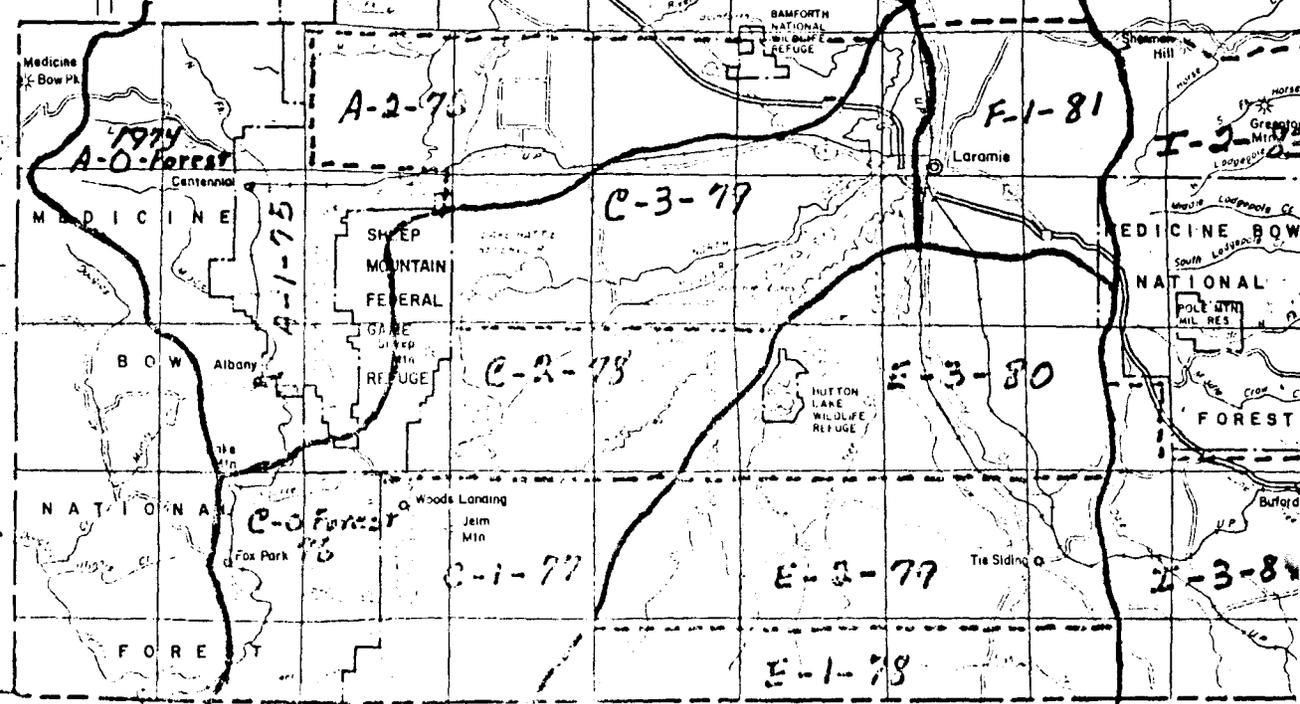
I would hope that by the year 1984 we will have every resident land owner involved in a conscientious weed control program.

AREAS OF CONCENTRATION

AREA-A	AREA-B	AREA-C	AREA-D	AREA-E	AREA-F	AREA-G	AREA-H	AREA-I	
Old District & Forest									1974
A-1-75	B-1-75								1975
A-2-76	B-2-76	C-Forest-76							1976
A-3-77	B-3-77	C-1-77	D-1-77						1977
A-4-78		C-2-78	D-2-78	E-1-78					1978
		C-3-79		E-2-79		G-1-79			1979
		C-4-80		E-3-80		G-2-80	H-1-80		1980
					F-1-81	G-3-81	H-2-81		1981
					F-2-82		H-3-82	I-1-82	1982
					F-3-83			I-2-83	1983
					F-4-84			I-3-84	1984



ALBANY COUNTY
LOCATION MAP



EDUCATION AND REGULATORY SECTION

Gus Foster, Moderator¹

The Education and Regulatory Section of the Western Society of Weed Science considered two themes: Education of a Concerned Grower/Landowner and Education of a Concerned Public.

Under the Education of a Concerned Grower/Landowner three subjects were presented. "PIK and Weed Control: The Aftermath" was developed as a group discussion. Major questions raised from the discussion were: (1) should the WSWS and other ag related organizations put pressure on Congress to think practically and technically about the consequences of such programs as PIK; and (2) should the grower have the responsibility to use some money received from PIK government programs for weed control practices on set-aside acres. Robert Parsons, Supervisor - Park County Weed and Pest Control District, Powell, Wyoming discussed weed quarantine as a tool to promote weed control. An overview of Montana's noxious weed awareness program was presented by Celestine Lacy, a graduate student at Montana State University, Bozeman, Montana.

Two subjects were the focus of the Education of a Concerned Public. Herbicide Hullabaloo was the topic addressed by Dr. W. R. Mullison - consultant to Dow Chemical, Midland, Michigan. Pam Crocker-Davis of the National Audubon Society, Olympia, Washington, presented an overview of a citizen's perspective toward pesticide use in the environment.

¹Velsicol Chemical Corp., Fort Collins, CO.

WEED QUARANTINE ENFORCEMENT:
ANOTHER TOOL TO PROMOTE WEED CONTROL

Robert R. Parsons¹

On behalf of the Park County Weed and Pest Control District Board of Directors and myself, I want to thank you for the opportunity to be here today. I hope that by the conclusion of my talk that some of you who work in the enforcement end of weed control might consider adding a type of quarantine or inspection policy to your arsenal of weed controlling tools. We have used some type of enforcement program in Park County off and on for thirty years and are relatively satisfied with the results.

To explain why the Wyoming State Legislature would be willing to give the power of a quarantine to Wyoming weed and pest control districts, a brief explanation of a weed quarantine is in order. "Quarantine", as used

¹Supervisor, Park County Weed and Pest Control District, Powell, WY.

in the Weed and Pest Act of 1973, is interchangeable with the words "enforcement or inspection". Although there are four types of quarantines defined in Wyoming statutes, they all basically allow for: inspection for contamination, control of movement of infested farm products, enforcement of the law, and penalties for violations. They do not authorize the weed and pest districts to destroy any crop or farm product, although that is an option the owner may take if found guilty of having infested farm products. I want to eliminate the concept of border guards or inspectors with guns on their hips. Basically, we're just a public relations agency with a little legal aid to help promote good weed control practices within our districts.

In order to best explain how we make the quarantine work in Park County, I need to give you a couple of history lessons. The first is a little background on Park County and why a quarantine works in that county as far as the topography, and also a short history on the Wyoming weed and pest districts and the Weed and Pest Act which gives us the authority to implement a quarantine. Park County is located in the northwestern part of Wyoming. It is bordered on the west by Yellowstone National Park, on the north by Montana and on the south and east by Big Horn, Hot Springs, and Washakie counties. Over fifty percent of Park County's 3,350,000 acres belongs to Shoshone National Forest. Along with the BLM and other federal lands, over seventy-two percent of Park County is owned by the federal government. Of the slightly more than one million acres of private land, only about 100,000 acres are irrigated and most of that by flood irrigation. The main cultivated crops are: malting barley, sugar beets, corn, dried beans, alfalfa and other forage crops.

It is in this farm ground that the majority of our noxious weed problems have developed. The infestation has increased over a period of time and is more noticeable in the earlier homesteaded areas than it is in areas which weren't settled until after World War II. Most of our farmers are either first or very young second generation farmers who are usually a little more progressive and more apt to utilize modern farming practices. This background provides Park County with the groundwork to pursue effective quarantine.

Weed and pest districts have existed in Wyoming since as early as 1936. In most cases these districts were not county-wide and were designed simply to serve the local need. In 1973, the state legislature passed a law requiring that all counties have a weed and pest district for the purpose of controlling certain designated noxious weeds and pests. These districts are county-wide and are governed by a five or seven man board appointed by the county commissioners. They may operate on a levy up to one mill of the assessed evaluation of the county, with an additional one mill available for leafy spurge control. The board is responsible for developing an effective weed and pest control program which can include treatment with chemicals or other types of control, the sale of pesticides, and the use of enforcement procedures when necessary. This law, with amendments made in 1979, is the basis for our present weed and pest program in Park County.

There are four types of quarantines authorized by Wyoming statutes. They are: the individual quarantine -- which brings actions against a single individual or farm unit that is spreading weeds or pests to the detriment of others; the section or state quarantine -- which is initiated

to prevent the spread of infested farm products or equipment from a given area; the district-wide quarantine -- which prevents the movement of infested farm products into, within, or out of a county and the importation quarantine -- which is initiated by a county or counties to prevent the introduction of weeds, diseases, or pests which could become a problem within the state. The types of quarantines that Park County uses are the individual and district-wide.

Although the district-wide quarantine can be implemented in three different methods, we chose to hold a public meeting to insure that the direct input of the landowners affected by a quarantine could be discussed. Based on the input from the public attending the hearing (which was overwhelmingly in favor of a district-wide quarantine) we developed a law that basically makes it unlawful for any individual to move a farm product off of the farm on which it was grown without a prior inspection and release from the supervisor or his deputies. Exempt from the law are all livestock, livestock feed, and farm products that are grown and fed back on the same land. Although it has not been necessary to initiate legal action under this type of quarantine, it is an invaluable tool to our over-all weed program and aids in the success of the individual quarantine.

The individual quarantine has many advantages over the district-wide quarantine. Included are the facts that it can be used to require control on all crop land, range land, non-agricultural lands, subdivisions, interstate and intrastate transporters and even urban areas. Enforcement of the individual quarantine is also easier since violation can result in a fine of \$50.00 per day to a maximum of \$2,500.00, as compared to a maximum of \$100.00 for violation of the district-wide quarantine. The individual quarantine is our most used tool and deserves a more detailed examination.

Wyoming statutes 11-5-109 states: "Whenever the district board has probable cause to believe that there exists land infested by weeds or pests which are liable to spread and contribute to the injury or detriment of others, it shall make . . . an investigation of the suspected premises through the use of lawful entry procedures." "If the suspected area is found to be infested, the district board, by resolution adopted by two-thirds of its members, shall confirm such fact." "The district board may set forth minimum remedial requirements for control of the infested area." "The district board shall deliver, . . . 1) a copy of the resolution, 2) a statement of the costs of fulfilling requirements and 3) a request that the requirements contained in the resolution be carried out at the owner's expense within a designated period of time or on a cooperative basis." "At the request of the landowner the district board shall hold a hearing in accordance with the Wyoming Administrative Procedures Act."

To anyone knowledgeable of the Wyoming Weed and Pest Act, this section of the law is lengthy and well spelled out compared to other parts of the act. It was designed to protect the rights of the individual at all times and to insure that the weed and pest board does not overstep their authority. Even the penalty and fine are described in detail stating: "A landowner who is responsible for an infestation and fails or refuses to perform the remedial requirements for the control of the weed or pest . . . may be fined no more than \$50.00 per day for each day of violation and not more than \$2,500.00 per year as determined by the court." "Any person under this act is entitled to a trial by jury."

With all this background, I'll try to tie it all together. In order to illustrate how we use our district-wide and our individual quarantines in conjunction with one another to promote better weed control in Park County, let's take a hypothetical situation of a farmer who is raising malting barley to be sold through one of the local elevators in town. Through visual observations during the spring, we see a weed problem developing. Someone from the district will visit the farmer in the early summer, discuss weed control, the Weed and Pest Act, the quarantines, and how they directly affect him. Most of the time this is the only action necessary to make the farmer aware of his weed problems and to convince him to take care of them before we have to take legal action. Should the farmer choose to ignore our suggestions or requests, we then consider our options. If we do not issue a release, the farmer cannot legally haul his crop to town as the elevators in Park County require that the individual have a weed release before they will accept this crop. If our hypothetical farmer should decide to use his barley for feed on his own place rather than control the weeds, we still have the option of using the individual quarantine if the district feels that these weeds will spread to other areas.

Based on past experience a typical individual quarantine action would take place as follows. First we would establish that the problem exists through a visual inspection taken from the county roads or other public access to insure that we do not violate the individual's rights by trespassing on his land. Then we would contact the landowner and/or renter to inform him that a problem exists. At this time we would issue what we call a "reminder-form", which is simply a written notice of the Weed and Pest Act, the Park County weed quarantine, and the fact that we believe the land is contaminated with weeds which could spread to the detriment of others. If no action is taken after a reasonable amount of time, we send a letter stating that the board is considering legal action. We also inform him of all of his rights and ask permission to go onto the land for the purpose of inspection. Unless the landowner specifically refuses us entry, this written notice is adequate to allow us to enter onto the land, otherwise, we have to try to obtain a search warrant. If the landowner still chooses to take no action, we then have a lawyer draw up a resolution for the board to approve or reject. Should the board approve the resolution, we send a copy of it to the operator along with a statement of estimated costs for treatment. To date, in the three years we have been operating under this procedure, we have never taken the quarantine past this step. In all the cases where the board has passed a resolution requiring that these problem areas be controlled, minimal action has been taken by the landowner in the time period allowed. However, should the individual still ignore our requests, we then would turn all of the materials over to our attorney to instigate legal action through the courts.

We feel that we need both types of quarantines in Park County to aid in an effective noxious weed control program. We use the district-wide quarantine as a public relations tool; and the inspection of every farm and ranch in Park County each year helps insure that we are on a first-name basis with the growers in Park County. This often eliminates us having to implement individual quarantines against many of the farmers and ranchers who are planning to harvest and sell a crop. If we do instigate an

individual quarantine against someone, we can point out that we are attempting to control the noxious weeds on all facets of the county through the district-wide quarantine. It must be pointed out that whether we are considering an individual quarantine or enforcing the district-wide quarantine, that we use public relations and reason as much as possible, and fall back on legal action by the board or courts only as a last resort.

Believe it or not, the quarantine in Park County is relatively popular. Most farmers and ranchers feel that it not only requires that their neighbors control their weeds, but also it motivates everyone to do a better job of noxious weed control. Another reason for the popularity or acceptance of the quarantine, I feel, is because of the way that we enforce it by using it more as a tool or a motivator rather than an attempt to "strong arm" the individual. We remind the farmers and ranchers that they requested the quarantine and we are only trying to do what they asked. It is also a matter of public record that at the public hearing there were no negative comments against implementing a district-wide quarantine.

The advantages of a quarantine, whether it be district-wide or individual include: preventing or reducing the spread of noxious weeds, either from outside sources or from within the district; it reduces the chance of new infestations of non-designated weeds by restricting the movement of infested farm products; it cleans up weeds within the district by requiring that large infestations be controlled and eventually reduced to a non-problem size; it gives more purpose to the weed and pest district; and it forces a one-to-one contact between the weed and pest district and the landowner. This contact gives the district the opportunity to sell the weed and pest program and the advantages of weed control. Many times the discussions will be outside the realm of noxious weed and pest control, but this still helps to promote the program.

There are a few disadvantages to the quarantine, although I don't feel that these are in any way major ones nor do any outweigh the advantages. Some of the disadvantages are: it costs the district more money -- usually they have to hire additional people to do the inspections and the legal costs could also increase, it is sometimes difficult to enforce a district-wide quarantine equally in different areas within the county -- in some areas the weed problem may have become so immense before the quarantine was implemented that requiring a 99 percent control of noxious weeds could break the landowner, the use of the district-wide and the individual quarantines require more time -- since the members of the district board are not paid it is important that the county commissioners appoint devoted individuals, and it must also be kept in mind that the quarantine is not popular with everyone -- especially individuals from outside the district who are trying to sell "infested" farm products into the country or individuals within the county who are not convinced that noxious weeds are hurting their overall crop yields.

To summarize, I want to insure you that I do not feel that a district-wide or even the intensive use of individual quarantines are going to be successful in all areas. One of the reasons why they have been successful in Park County is because we have a large amount of the private-owned land operated by farmers who are growing row crops for which there are

pesticides and other farming practices that can help them control the noxious weeds. I do not feel that a district-wide quarantine would be of much benefit in an area that is used largely for livestock production. However, I would recommend that any counties that do have a large farming population and a serious noxious weed problem strongly consider the implementation of some type of an inspection and release system whether it be called a quarantine or any other name.

I hope that through this presentation I have answered a few questions, raised a few concerns, and promoted a lot of thinking. I hope that you will consider that I have tried to condense seven years of experience into a twenty minute talk, and that you realize that any oversight in the long and difficult enforcement process of quarantines was not intentional. Irregardless, the quarantine should only be considered as an additional "tool" in our neverending battle to control noxious weeds, much as a can of herbicide and a spray rig are considered "tools" of the trade.

MONTANA'S WEED AWARENESS PROGRAM

C. Lacey and P. K. Fay¹

Introduction

There are over 63 million acres of rangeland in Montana. Although this land is a valuable resource, the economic return per acre is relatively low. Thus when weeds invade a range site, many landowners are reluctant to use control methods because the return on their investment may not be immediately apparent. As a result, several weed species have become a major threat to the productivity of range and pastureland in Montana.

Leafy spurge (Euphorbia esula L.) and spotted knapweed (Centaurea maculosa) are the two most serious range weed problems in Montana. Leafy spurge currently infests over 545,000 acres of rangeland in the state. This weed spreads both by seeds and vegetative buds, and once established, is very difficult and expensive to control. Herbicide costs to control leafy spurge can exceed \$100.00 per acre and retreatments are usually necessary.

Spotted knapweed occupies over 2 million acres of rangeland in Montana. Although infestations are most severe in the western half of the state, spotted knapweed has been reported in every county. This weed can reduce forage production by as much as 95 percent and can spread rapidly because of an inhibitor effect on other plant species.

The key to controlling noxious range weeds is early detection and treatment. Therefore, in 1983 the Plant and Soil Science Department at Montana State University initiated a leafy spurge and spotted knapweed public awareness program.

The purpose of this paper is to review Montana's Extension effort on the two weeds in 1983. Hopefully, our experiences contain some ideas that will help you fight weeds in other states.

¹Plant and Soil Science Dept., Montana State University, Bozeman, MT.

is not established, the district board shall administer a program for the city or town.

(b) A district having a city or town with a population of five thousand (5,000) or more which establishes a program shall, within thirty (30) days after receipt of any funds collected pursuant to W.S. 11-5-111, transfer eighty-five percent (85%) of the funds attributed to the property within the corporate limits of the city or town to the governing body of the city or town, retaining fifteen percent (15%) of the funds for administration of the district and for technical assistance rendered to the city or town by the district board.

(c) Monies received by the cities from the district may be used in any phase of weed and pest control as determined by the governing body of the city or town. The control program shall include work on designated weeds and pests as determined by the district board.

(d) The governing body of a city or town which establishes a control program may petition the district board for special assistance and funding authorized by W.S. 11-5-113 and 11-5-114. 11-5-116. Quarantine by commissioner; request by district. (a) Whenever the commissioner, the district board or their agents find any section of the state to be infested with insects, pests, poisonous or injurious plants or plant diseases, and it is established that farm products from that section are liable to spread the insects, pests, poisonous or injurious plants or plant diseases into other sections to the injury of others, the commissioner shall without unnecessary delay, declare a quarantine against such section to prevent the transfer of farm products from the quarantined area. When it is ascertained that insects, pests, weed seed, poisonous or injurious plants or plant diseases are likely to be introduced into Wyoming by the importation of farm products, domestic animals or other objects, the commissioner shall declare a quarantine against the importation of such farm products.

(b) A district may initiate a district-wide quarantine by one (1) of the following procedures:

(i) A district may request in writing that the commissioner declare a district-wide quarantine. Upon receipt of the request, the commissioner shall instruct the district to circulate a petition for ninety (90) days within the district to obtain signatures of at least two-thirds (2/3) of all resident landowners owning at least fifty-one percent (51%) of all resident-owned land. Upon receipt of the properly executed petition, the commissioner shall declare a district-wide quarantine;

(ii) A district board may hold a hearing in compli-

ance with the Wyoming Administrative Procedure Act. The commissioner shall declare a district-wide quarantine when the district has provided the commissioner with proper documentation that a hearing has been held and the district has found a need for a district-wide quarantine;

(iii) The district board may hold a district-wide referendum. The commissioner shall declare a district-wide quarantine upon receipt of a certified document indicating that the referendum was accepted by a majority of the electors who voted in the election.

(c) The commissioner shall declare an individual quarantine when requested by resolution adopted by a two-thirds (2/3) majority of the board.

(d) The district board in compliance with W.S. 11-5-101 through 11-5-119 may request a quarantine against the entry of infested farm products that may be injurious and detrimental to the state and enter into agreements with the law enforcing agencies to carry out the quarantine provision:

(i) Farm products and equipment shall be certified free of designated noxious weed seeds or infested farm products prior to entry into the state, with the exception of any processed feed or grain to be reprocessed and fed to livestock;

(ii) Farm products and equipment are to be certified in the state of origin by the proper officials;

(iii) Interstate shipment of farm products through the state need not be certified if covered in a prescribed manner as not to allow the dissemination of infested farm products.

11-5-117. Criminal provision; penalty. Any person violating any provision of this act is guilty of a misdemeanor, and shall be fined not more than one hundred dollars (\$100.00) in addition to fines provided for in W.S. 11-5-109(e).

11-5-118. Inspection for contamination. Farm products and agricultural, commercial or industrial equipment entering or moving within the district are subject to inspection for contamination of designated weeds and pests by the district board through its designated agents. The board and the Wyoming weed and pest council may promulgate rules and regulations which establish inspection standards and remedial requirements under this section.

11-5-119. Rules and regulations. The board, with the approval of a majority of the districts, may promulgate, adopt and publish rules and regulations in accordance with the Wyoming Administrative Procedure Act for the purpose of carrying out the intent of this act.



502 South 19th

Bozeman, Montana 59715

Phone (406) 587-3153

Exhibit K
HB 659

TESTIMONY BY: Lorraine Gillies

BILL # HB 659 DATE 2/13/85

SUPPORT Support OPPOSE _____

Mr. Chairman, Members of the Committee:

For the record, my name is Lorraine Gillies, and I am representing Montana Farm Bureau Federation. I'm a member of the Board of Directors, and Chairman of the Natural and Environmental Resources Committee.

We speak in support of HB 659 as a long overdue effort of agriculture interests, city, county, state and federal agencies, ~~road~~ roads, public utilities, and federal agencies, as well as individuals to co-ordinate a noxious plant management program. Cooperation, planning, and swift implementation of policies are essential to our economic and environmental health. The bill is heavy handed at times, but hopefully that can be worked out. We would also like to have Tansy and Diffuse Knapweed added to the list of noxious plants.

Thank you.

Lorraine Gillies
SIGNED



WIFE Women Involved In Farm Economics

NAME Donna Pratt H.B. No. 659 & H.B. No. 506
ORGANIZATION Women Involved In Farm Economics

Mr. Chairman, members of the committee, my name is Donna Pratt. My husband and I farm and ranch in Daniels County near Scobey. I am the state weed chairman for W.I.F.E., I serve on the board of directors of the Montana Weed Control Association, as well as on the Daniels County Weed Board. These various involvements have helped me to see the weed problems we face from different angles and views.

As you know, noxious weeds are a constant economic, time consuming, and environmental threat costing our state millions annually. Therefore I and Montana Women Involved In Farm Economics support H.B. No. 659 and H.B. No. 506.

The Weed Coordinator position is needed to help us to begin a unified plan for our counties or districts, that is most suited to their needs.

The Weed Trust Fund will help provide the funds for various projects.

The Noxious Plant Management Act gives county weed boards many options, and that is what impresses me most.

As an example, Daniels County, which is primarily agricultural, spends about \$14,000 a year on weed control. We are fortunate to not have the problem some areas do, and have our weeds fairly well under control.

Missoula County, however, spends approximately \$236,000 on



WIFE Women Involved In Farm Economics

weed control annually, is ~~virtually~~^{mostly} non-agricultural, but their weed problem is out of control.

Montana is so large, so diverse, with each area having such different problems, I'm very happy we are finally addressing the fact that the existing weed law is inadequate.

H.B. No. 659 spells out in detail the many options and guidelines we have needed for so long. Section 8, subsection 5 states that prior to adopting any plan the board shall prepare a draft and issue public notice. There are then to be hearings on the plan etc. with due consideration given to the public. Section 15 gives many avenues that the board may take.

The present weed law has many frightening things in it, such as Section 7-22-2124 saying supervisors are authorized to take possession and control of any infested land within the district, or Section 7-22-2126 stating that in the opinion of the supervisor when noxious weeds are intermixed with a growing crop so that the field is a menace to the district, the supervisor shall have the power to order the destruction of said crop.

My point is we should not fear that the length of this bill will give weed boards more power than before. The boards will still be your neighbors, friends, or people generally interested in the well-being of their communities. They are aware of the present economic depression. I hate to think that we are fearful of passing laws because there is no one trustworthy enough

WIFE Women Involved In Farm Economics



to administer them. If we don't have faith in our leaders such as pastors, teachers, bureaucrats, as well as our legislators to do their best, the legislative process is doomed.

I sincerely hope you will consider my testimony and support H.B. No. 559 and H.B. No. 506. Thank you very much.

TESTIMONY OF: Paul G. Newby
BEFORE: House Agriculture Committee
DATE: February 13, 1985
REPRESENTING: Agricultural Preservation Association
RE: House Bill No. 659

Mr. Chairman and members of the committee, I am Paul Newby from Belgrade, a member of, and representing the APA as the Vice Chairman of its Weeds and Pesticides Committee.

The APA is supportive of the effort to control noxious weeds in the State of Montana which is present in HB 659, and we offer here for your consideration a few amendments and suggestions.

Portions of HB 659 are reprinted here with the parts we suggest deleting underlined, and our suggested amendments underlined and boldfaced.

Section 2. Policy and purpose. Noxious plants are an economic and environmental problem requiring intensive long-term management. The management of noxious plants is primarily the responsibility of landowners, (landholding entities, both private and public). When infestations are of an unusual(a) nature, proportion, or intensity, (requiring control) the cooperation and resources of individuals, communities, and governmental entities may be desirable(will be utilized) to manage noxious plants. Therefore, each county shall develop, fund, and implement immediate and long-range noxious plant management programs. The county shall take particular precautions while planning and implementing this program to protect the environment.

Section 3. Definitions. As used in this act, the following definitions apply:

(15) "Responsible party" means the person who has financial responsibility for managing noxious plants on an area of land. The responsible party is the landowner, (landholding entity, both private and public), unless a written agreement is in effect specifying that a lessee, occupant, manager, employee, or other person has financial responsibility for noxious plant management on a specified area of land.

Section 6. Appointment of board.

(3) The term of a board member is 3 years, except as provided in subsection (4). No more than 6 years may be served consecutively.

Section 7. Duties and powers of the board.

(5) The board may issue orders to restrict the movement of any materials, products, or equipment into, within, or out of a district when same are known or suspected to carry noxious plants or noxious plant parts. The board shall issue orders to restrict the movement of any materials, products, or equipment when same are known or suspected to carry prohibited noxious plants or prohibited noxious plant parts. (The board shall have the power to close public access to and use of public access areas which are contaminated with noxious plants until appropriate control levels have been effected.)

(8) The board shall issue public notice of its intention to delineate any intensive management zones or standards exemption zones no fewer than 15(10) days nor more than 45(30) days before taking action. The board shall accept public comment during this period and shall provide the opportunity for oral testimony on the proposal during at least one board meeting prior to its decision on whether to delineate any intensive management zones or standards exemption zones.

Section 8. Noxious plant management plan.

(5) Prior to adopting any plan, the board shall prepare a draft plan and issue public notice of its availability. The notice must specify the date on which the board will conduct a public hearing on the draft plan. The hearing date must be not less than 15 10 days or more than 30 30 days after the issuance of public notice.

Section 9. Designation of noxious plants and prohibited noxious plants.

(4) (b) The board shall hold a public hearing on its proposal no fewer than 15 (10) days nor more than 45 (30) days after the issuance of public notice. The board shall accept public comment on its proposal for no fewer than 7 days after the hearing.

Section 15. Implementation of noxious plant management by the board.

(8) Tax-exempt lands, as specified in 15-6-201 et seq., shall be charged for the noxious plant management costs in the same manner as specified for taxable lands in subsection (7), except that the charges shall be assessed as service fees, instead of tax assessments. The fee is due before the following October 1. A service fee on tax-exempt lands due and unpaid under this act or any portion thereof is not paid at the time it becomes due, the county treasurer may issue a warrant in the name of the county, directed to the clerk, who shall enter in the judgment docket in the column for judgment debtors the name of the delinquent person (and or landholding entity) mentioned in the warrant and, in the appropriate columns, the amount of fees, penalties, interest, and other costs for which the warrant is issued and the date when such warrant is filed. The warrant so docketed has the effect of a judgment rendered by a district court and docketed in the office of the clerk thereof, and the county has the same remedies against the responsible party as under any other judgment.

Section 18. Noxious plant management fund. (1) The county governing body or bodies within a district shall create a noxious plant management fund by:

(a) appropriating money from the general fund of the county;

(b) levying a noxious plant management tax not exceeding 3 mills of total taxable valuation in the county or counties; \$.03 per acre of land in the county, or counties in the district excluding road right of way. The minimum charge per landowner or responsible party shall be \$2.50;

(c) levying a special noxious plant management tax not exceeding 2 mills of total taxable valuation in the county or counties; \$.02 per acre of land in the county or counties in the district excluding road right of way. The minimum charge per landowner or responsible party shall be \$2.00; the special noxious plant management tax-----

EXAMPLE OF PROPOSED TAXATION METHOD (GALLATIN COUNTY)

	ACRES	\$.01/Ac Tax	\$.02/Ac Tax	\$.03/Ac Tax	\$.04/Ac Tax	\$.05/Ac Tax
GALLATIN COUNTY TOTAL	1,610,880.0	16,108.80	32,217.60	48,326.40	64,435.20	80,544.00
FEDERAL AGENCY LAND	647,440.0	6,474.40	12,948.80	19,423.20	25,997.60	32,372.00
STATE AGENCY LAND	44,800.0	448.00	896.00	1,344.00	1,792.00	2,240.00
ROAD RIGHT OF WAY	8,204.0	82.04	164.08	246.12	328.16	410.20
AG ACRES (TAXABLE)	879,100.0	8,791.00	17,582.00	26,373.00	35,164.00	43,955.00
		\$2.50 Min.	\$5.00 Min.	\$7.50 Min.	\$10.00 Min.	\$12.50 Min.
SUB-DIVIDED LOTS (TAXABLE)	32,732.0	81,830.00	163,660.00	245,490.00	327,320.00	409,150.00

It is the concern of the membership of APA in offering these amendments that this bill be strengthened in its descriptions and language to insure that federal and state agencies are encouraged to participate with the citizens of this state both physically and financially in bringing the noxious plant problem in Montana under control.

As we pointed out in testimony given before this committee concerning HB 506, the weed problem in Montana is closely related in its increasing nature to transportation and recreation--a people and land use problem, and we have chosen a taxation method for your consideration which we feel creates participation financially in relation to the mechanisms which are spreading the problem across the state. The numbers we have suggested under section 18 of the bill would generate (in Gallatin County) up to \$128,970.20 per year for operation of the Board and up to \$96,890.80 for special projects or equipment purchases per year. The former amount is approximately twice the funding being utilized in Gallatin county at the present time and should be adequate to provide the funding necessary to establish and operate an aggressive program such as is needed.

Thank you for your time and consideration of this matter.

Paul G. Newby
Agricultural Preservation Association.

Exhibit C
HB 659
2-13-85



NAME Carol Mosher BILL NO. HB 659

ADDRESS Augusta, MT. DATE Feb. 13, 1985

WHOM DO YOU REPRESENT Montana CowBelles

SUPPORT OPPOSE AMEND

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

House Bill 659 does a good job of supporting the need of a statewide noxious weed program. The bill has broad, sweeping powers, but we believe the problem with weeds has reached the point where this type of legislation is necessary. We urge your support of this bill.

Exhibit # 11
HB 65
2-13-85

STATEMENT OF
ROBERT GIBSON, FOREST SUPERVISOR, HELENA NATIONAL FOREST
NORTHERN REGION
FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE

At a Hearing Held in Helena, Montana
By the House Agriculture Committee

CONCERNING A BILL FOR AN ACT ENTITLED: "AN ACT TO BE KNOWN
AS THE NOXIOUS PLANT MANAGEMENT ACT, GENERALLY REVISING THE
LAWS RELATING TO COUNTY WEED CONTROL; AMENDING SECTIONS
7-3-4453, 7-14-2131, 7-14-2132, 7-22-2215,
7-22-4101, 7-30-314, 77-6-113, 77-6-114, 77-6-303, AND
80-5-101, MCA; REPEALING SECTIONS 7-22-2101 THROUGH
7-22-2108, 7-22-2121 THROUGH 7-22-2127, AND 7-22-2141 THROUGH
7-22-2150, MCA; AND PROVIDING AN EFFECTIVE DATE."

February 13, 1985

The U.S. Forest Service is pleased to be here today and testify on House Bill 659.

The Forest Service supports the emphasis the State of Montana is placing on noxious weed control. Our role is one of cooperation. We recognize the seriousness of the weed problem in Montana.

The Forest Service fully supports the effort the State is making to encourage a cooperative effort between all involved landowners, land management agencies and County Weed Control Boards. Improvement in cooperative area-wide control efforts will be beneficial to all involved.

The noxious plant management plan requirement proposed in this bill will assure that the intent of the Carlson-Foley Act is being met in reference to there being a County program for the control of noxious plants and that the same procedures are required on all ownership. Being involved in area or County-wide planning will be of value to the Forest Service in helping to establish priorities for an efficient coordinated weed control effort that meets County Weed Control Boards needs as well as those of the Forest.

The Forest Service supports the provision for planning and cooperation in carrying out noxious plant management as provided in this bill.

This completes my statement.

Thank you.



MONTANA ASSOCIATION OF STATE GRAZING DISTRICTS

420 North California St.

Helena, Montana 59601

Stuart H. Doggett, Executive Secretary/Treasurer

Phone (406) 442-3420

TESTIMONY FOR HOUSE AG COMMITTEE ON HB 659

Mr. Chairman, members of the Committee, for the record my name is Stuart Doggett. I am representing the Montana Stockgrowers Association and the Association of State Grazing Districts.

We support HB 659 and feel the bill is definitely a step in the right direction to help with state-wide noxious plant control programs. The bill enlarges many areas necessary for noxious weed control such as definitions, authority, penalties, and methods for restricting weed infested products ^{moving} from one area to another.

In the last two years, the Associations I represent today have passed numerous resolutions requesting legislation to help turn the tide on noxious weed infestations in Montana. This bill has many broad and sweeping powers but we feel that such legislation is necessary because Montana's noxious weed problem truly deserved this near mandatory approach.

Exhibit J
HB 659
2-13-85

TESTIMONY OF MONTANA DEPARTMENT OF AGRICULTURE
DIRECTOR KEITH KELLY FOR
THE HOUSE AGRICULTURE, LIVESTOCK AND
IRRIGATION COMMITTEE ON
HB 659
HELENA, MONTANA
FEBRUARY 13, 1985

The department endorses the concept of HB 659. This bill is a realistic approach for improving the administration of county weed control programs.

Counties will improve their definition of local weed problems and establish workable objectives to contain or reduce weed infestations.

Weed District Boards are given greater flexibility to implement short and long term weed control efforts.

Funding options and levels are significantly improved while still ensuring local control by county commissioners.

One of its most important features is the provision allowing for long term agreements between a land owner and the district on the management of the noxious weeds on the landowners land. You may hear in your consideration of this bill concerns of the powers of the weed board over lanowners. I believe a specific comparison between this bill and the current act will reveal a greater regard for private rights in this proposal. The powers under the current act are broad and not subject to specific standards.

I recommend that the committee review a letter from the Attorney General to the Cascade County Weed Control District (1/8/85) concerning the current weed act. I believe it is important for this committee to recognize that many groups and individuals either participated in development or reviewed and commented on drafts of this bill.

I recommend your favorable action on this bill.

TELEFAX MESSAGE

EXHIBIT R
HB 659
-2-13-85

To: Keith Kelly

MT Dept Agriculture
Agriculture / Livestock Bldg
Capitol Station
Helena Montana 59620

FROM: MONTANA STATE OFFICE, Billings, Montana

NAME Harlan L. Hayes OFFICE CODE MT 931

NUMBER OF PAGES TO FOLLOW: 2

DATE 2/13/85

SPECIAL INSTRUCTIONS: ~~Send to Telefax~~
~~Give Call~~ Notify Keith Kelly's
Office at 444-3144

If there is a problem, call: COM 405-657-6571
FTS 585-6671



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
222 North 82nd Street
P.O. Box 36800
Billings, Montana 59107

REPLY REFER TO:

9222 (931)

February 13, 1985

Agriculture/Livestock Building
Capitol Station
Helena, Montana 59620

Dear Mr. Kelly:

We are sorry that time is too short to obtain Washington Office clearance to testify at the hearing on House Bill 659. However, we do have some comments we would like to communicate to you.

The Bureau of Land Management feels that the revision of the laws relating to noxious weed control is a step in the right direction. We have cooperated with local landowners and county weed boards in the past. The new law would assist in furthering this cooperation.

A coordinated noxious weed plan, as required by this bill, would assist us in performing our noxious weed activities more effectively. It would help us set priorities and insure that our efforts would complement landowners and county weed boards efforts.

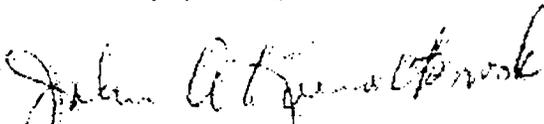
We do, however, have some reservations on the term "eradication," Section 3(6) and (12) and Section 7(4), as pertains to prohibited weeds. Although this is a worthy goal, we feel this may not be attainable for some species with the resources presently available. We feel a more realistic strategy for noxious weed management should emphasize control rather than eradication. A precise definition of eradication and/or control is needed.

Another item that needs to be clarified is the relationship of the county weed boards and federal agencies, Sections 6 and 10, where the federal agencies are major land managers in the counties or districts. We feel further clarification of that relationship would foster closer cooperation, avoid counterproductive adversarial relationships left by the lack of any indication as to the roles of the federal land manager and the district. Another solution may be for the federal agency to have an ex officio representative on the county weed board.

An additional concern is Section 11 on revegetation of rights-of-way (R/W). Our agency has a considerable work load in this area. Those items required by Section 11(2) and (3a) are routinely required in our rights-of-way agreements. It appears that Section 11(3)(b) may require a duplication of approval on R/W applications. Some exclusionary language for federal rights-of-way grants in which revegetation is required will avoid duplication of effort.

Despite these concerns, we certainly support the efforts of the State of Montana to update the existing law. It will improve noxious weed control coordination and cooperation between all affected by this serious problem confronting all landowners in Montana.

Sincerely yours,


John A. Kwiatkowski
Deputy State Director

WITNESS STATEMENT

NAME Ronald R. McDonald BILL NO. 659
ADDRESS P.O. Box 851 BOZEMAN MT DATE FEB 15, 199
WHOM DO YOU REPRESENT? Maintain Environmental Enterprises
SUPPORT X OPPOSE _____ AMEND YES

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments: I HAVE SUBMITTED WRITTEN STATEMENT W/ SECRETARY



MONTANA ENVIRONMENTAL ENTERPRISES

P.O. Box 851 - Bozeman, Montana, 59715

TESTIMONY OF: Ronald R. McOwen
BEFORE: House Agricultural Committee
DATE: February 14, 1985
REPRESENTING: Montana Environmental Enterprises
RE: House Bill No. 659

Mr. Chairman and members of the Committee. I am Ronald R. McOwen. I am the owner of Montana Environmental Enterprises and a member of the Gallatin County Agricultural Preservation Association.

I stand before you in support of H-B 659. In the past few years, I have been active in the management of noxious weeds throughout Gallatin County, and have been frustrated by a losing effort. I believe the state-wide noxious weed epidemic is due to the lack of a comprehensive state-wide Noxious Plan Management Act.

Although I support H-B 659, I would like to take the opportunity to offer the following suggestions as possible amendments to the Act.

NEW SECTION. Section 2. Policy and purpose.....The management of noxious plants is the primary responsibility of ~~landowner~~ landholding entities, both private and public. When infestations are of ~~an unusual nature~~ a nature, proportions or intensity requiring control, the cooperation and resources of individuals, communities, and governmental entities ~~may be desirable~~ will be utilized to manage noxious plants.....

(15) "Responsible party".....
The responsible party is the ~~landowner~~ landholding entity, both private and public.

NEW SECTION. Section 6.
(3) The term of the board is 3 years.....5 years.

NEW SECTION. Section 7.....
The board shall have the power to close public access to, and the use of public access areas which are contaminated with noxious plants until appropriate control levels have been effected.

Wherever the minimum days required is 15, reduce it to 10, and wherever the maximum days is 45, reduce it to 30.

NEW SECTION. Section 11. Revegetation.....
by construction of a road, irrigation, drainage ditch or flood control dike.

NEW SECTION. Section 18. Noxious plan management fund. I agree with the 1 mill increase from the current 2 mill maximum now permissible. 22 counties are currently at the 2 mill maximum and still falling behind in their effort to control the spread of noxious weeds.

In recognition that an increased mill levy is out of favor, I would like to submit an alternative funding proposal.



MONTANA ENVIRONMENTAL ENTERPRISES

P.O. Box 851 - Bozeman, Montana, 59715

This proposal is the same flat rate tax that is being suggested by the Gallatin County Agricultural Preservation Association. A flat tax rate of \$.03/acre or \$2.50/lot whichever is greater. In Gallatin County it would generate approximately \$108,203.00.

TOTAL ACRES IN GALLATIN COUNTY-----	1,610,880
TOTAL FEDERAL ACRES (BLM & F.S.)-----	647,440
TOTAL STATE ACRES-----	44,800
TOTAL AGRICULTURAL ACRES-----	879,100
TOTAL ROAD RIGHT-OF-WAY (STATE & COUNTY)-----	8,204
SUBURBAN, COMMERCIAL, CITIES (APPROXIMATELY)-----	32,732

For the sake of calculation, I will use 1 acre as the average lot in the county. All subdivisions, commercial and city lots.

Funding proposal-----\$.03/acre or minimum of \$2.50/lot.	
TOTAL AGRICULTURAL ACRES-----879,100 X \$.03	= 26,373.00
TOTAL NON-AGRICULTURAL LOTS--- 32,732 X \$2.50	= 81,830.00
TOTAL REVENUE GENERATED BY THIS PROPOSAL-----	= \$108,203.00

TOTAL TAXABLE VALUES IN GALLATIN COUNTY FOR 1984	= 59,529,846.00
CURRENTLY, GALLATIN COUNTY LEVIES 1.01 MILLS FOR WEEK CONTROL	
TOTAL REVENUE GENERATED BY THE CURRENT MILL LEVY	= 60,125.00

HOUSE BILL 659 WILL ALLOW COUNTIES TO LEVY A MAXIMUM OF 3 MILLS OF TOTAL TAXABLE VALUE.

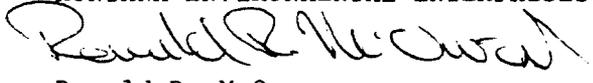
59,529,846.00 X .003 = \$178,589.00

I only suggest this Flat tax rate as an alternative to the funding proposal contained in H-B 659.

I am confident that the Committee will consider all the testimony heard here today, and present a comprehensive Bill to the House of Representatives that when passed, will allow for an equitable funding method for the implementation of a NOXIOUS PLAN MANAGEMENT ACT.

Mr. Chairman and members of the Committee; thank you for the opportunity to address the Committee this afternoon.

Sincerely,

MONTANA ENVIRONMENTAL ENTERPRISES

 Ronald R. McOwen
 Owner



Montana Association Of Conservation Districts

7 Edwards
Helena, Montana 59601
Ph. 406-443-5711

January 13, 1985

TO: The Honorable James Schultz, Chairman
House Agriculture, Livestock & Irrigation Committee

TESTIMONY ON HB 659 and HB 716 ON WEED LEGISLATION

The Montana Association of Conservation Districts is one of the many organizations that has recognized the severe problems of weeds in Montana.

The Association is in support of some kind of weed legislation to improve the ability of weed districts to work with landowners to control the weed problem in Montana.

Dave Donaldson
Executive Vice President

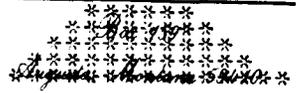
DD:dv

Exhibit N
HB 659
2-13-85



Jo Brunner

AGRICULTURE LEGISLATIVE WORK



NAME Jo Brunner COMMITTEE House Ag.

ADDRESS 1469 Kodiak Road, Helena DATE 1/13/85

REPRESENT self BILL. NO. HB 659

SUPPORT _____ OPPOSE X AMEND _____

Mr. Chairman, members of the committee, my name is Jo Brunner and for the record, I wish to speak on HB 659 as a farmer, as a livestock producer, and as a very concerned citizen, who recognizes not only the immensity of our weed problems but our seemingly endless efforts to bring them under some kind of control.

The decision to oppose HB 659 was a difficult one for me to make, not because I believe that we don't need legislation, nor because I think our present law is adequate, I know as well, and probably better than many how desperate the weed situation is, and how badly we need good laws.

I first want to say that I am in agreement with portions of this bill and I hope that by the time the sub-committee completes thier work that those portions will be included in the final bill, along with portions of the other bills offered.

On the lighter side, I truly was hopeful as I read through the bill, over and over, and compared it to our existing law, that I would uncover a sentence or a paragraph that would explain prohibited noxious weeds. I did not, and I am still hopeufl that it means we can put up a sign saying noxious weeds prohibited here!, just as we prohibited ~~here~~ littering and parking, ectera, but I am afraid that we would have even less luck with the weeds. For the sake of brevity, I am not going to read all of the references in my testimony and I ask the committee to take time after the hearing to go through that material more thoroughly.

Section 3-definitions --many of these I feel are necessary.

I am in agreement with section 5 concerning the makeup of weed districts and with Section 6 ---the makeup of the weed board, which will be volunteer. From there on out I have problems----Chapter 7, page 7 line 12 begins the almost minute details of the responsibilities of the board----I do not know personally of any actively operating farmer or rancher who will be able to devote the time needed to fulfill those responsibilities and still operate his business.

Board responsibilities go on for the major portion of this bill in one form or another. The board will not be expected to do all of this personally and Page 10-line 8- paragraph 11 lists those the board may employ, certainly a supervisor is a necessity, as probably is at least part time office help-- If the board does not have the time or the inclination to carry out the extensive laws the staff would be obligated to under direction of the board. Just how much staff will be required to do the investigation into the landowners fields, crops, machinery, negotiate contracts with the landowner, or the state agency, or the municipality-----Section 12, page 17--line 18 and on through page 19---prepare the reviews, designate the extensive management zones-Section 13, page 18---onto page 19----discern who is eligible for exemption zones, page 19,---section 14, lines 19.

Who is going to do the court work, when the supervisor, or the board, or another employee or all, decided that the responsible landowner is not adhering to the laws they have designated on his land, and that landowner does not agree to the management plan offered to him--and asks for a hearing? page 25, section lines 22 on through page 26?

Asking for a hearing does not guarantee that he will get one--the board has the option to decide that he does not have that right --page 25-lines 25---- and the landowner may then go to court--no matter what is happening to his crop back on the farm.

By now you may have gathered that my concern for the individual rights of a landowner rival my concern for weed control. I believe that we can and must have both, --this bill does not provide either! To my mind it sets up a bureaucracy in each and every district. It gives that board and those they hire to do their work the right to dictate what each and every farmer and rancher must do---and it gives the landowner very little recourse. I would suggest those who are concerned with public trust doctrine really have food for thought in this bill.

Page 1--section 2- lines 20-21 states that the management of noxious weeds is primarily the responsibility of landowners. I agree!!! Page 29, section 19, and you might note that the section outlining the responsibilities of the landowner is a very, very short section in comparison to others, lines 18-19

sub.c states that ~~the~~ one of the responsibilities of the landowner is to ~~assist~~

"assist the supervisor as much as practical in carrying out the provisions and intent of Sections 1-2" This is my land we are talking about and this law will state that it is my responsibility to take care of the weeds on that land, and then it will also state that to do so, I shall assist the supervisor in his efforts to control weeds on my land!!!!

Well, not to worry, we are going to be notified, one way or the other about any changes in management zones, in standards, in noxious weed designation and also prohibited weeds---Page 9, paragraph 8--lines 16, ectera. and page 15 lines 1-12, sub-paragraph (c) section 9 and in truth the process for adopting noxious weed zones, ectera is quite an extensive and open to the public for comment and recomment. But check out page 9, section 7--sub(8) lin 16, which refers you down to the same page line 25--sub--9-which says the board need not comply with the provisions of the above mentioned sub (8).

Go on to page 23, section 15--paragraph 4--lines 8-12--which says that the landowner must be notified and then continues on down the page to tell what the notification must contain. Now go to page 24 same section paragraph 6--lines 6-9 which says that the board can take emergency action without going through the aforementioned process although, they should try to attempt to contact the landowner.

Section 18 has to do with the funding of these minutely detailed laws--it would levy more taxes on our already overburdened lands, lands on which we can't afford to control the weeds to the extent they should be---but we will pay a taxes to control weeds on our neighbors and our own lands, if this board so decides, plus money out of the general funds.

In my area, farmers are making the decision to cut back on fertilizer use and weed control. Most of us already are not working the summerfallow as often as it needs, we do not have the money to save the money I keep hearing this bill for weed control will provide.

Can our weed boards actually take care of weeds on the Highway--Section 18, page 29, paragraph 9--lines 3-8 turn the bills into the state and get paid for that work? After the Highway department runs out of the funds they have allocated for weed control are they then going to take the funds away from another program and hand it over to the county boards? Try section 24--page 34---an amended section, -line 12, sub (2), or will the county assessed taxes pay for the extra? Page 22, Sec. 15--lines 17-23 para. 2 sub 5-6.

If you should be concerned about the gigantic responsibilities of the weed boards and the supervisors and whatever staff they are allotted, don't worry they aren't alone!. Turn to page 31-33 to the responsibilities of the Dept. of Agriculture, the Extension service and the agriculture experiment station..

NAME: J. Brunner DATE: 2/13/85

ADDRESS: 1496 Kodak Rd Helena

PHONE: 443-4254

REPRESENTING WHOM? Mont-Cattlefeeders Mt Cattleman

APPEARING ON WHICH PROPOSAL: Use Bill 617

DO YOU: SUPPORT? X AMEND? _____ OPPOSE? _____

COMMENTS: I on the record - J Brunner -
Our organization wish to go on record as in
support of H.B. 617. It is our opinion that
the existing law with the amendments
offered in H.B. 617 should ~~be~~ provide
the vehicle to ~~for~~ the law governing weed
control in Montana - as it comes out of sub committee

We wish to further state that any law
no matter how good it ~~app~~ must be enforced
to do the job it is meant to do. Instead
of ~~passing~~ more laws on top of existing laws we
need to enforce the ones we have

Thank you - We ask your concern
in H.B. 617

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

SENATOR NEUMAN: FACT SHEET ON AGRICULTURE

THE PROBLEM

The immediate problem for Montana's agricultural industry is the deteriorating financial condition of Montana's farmer/ranchers. This financial predicament threatens to destabilize current ownership patterns which may accelerate the loss of Montana's productive crop and range land.

A recent agricultural credit study (Montana Department of Agriculture, November, 1984) profiles Montana agriculture's financial health. According to the report nearly 30% of Montana's farm/ranch owners have debts exceeding 40% of their assets. Many may be unable to refinance and are certain to face foreclosure. Ultimately, if foreclosures are widespread, the financial stability of half the remaining ranch/farm operations will be jeopardized.

As if to signal a dismal new year for Montana agriculture, in January, 1985, three Montana production credit associations (PCA) decided to liquidate, the first in the 51 years of Montana's PCAs. Mounting problems are also forcing the reorganization of the five-state Federal Intermediate Credit Bank of Spokane.

Public officials, though quick to react, have been unable to do more than gather information and consider various policy options. In January, U. S. Senator John Melcher held a public hearing in Helena for the Senate Agriculture Committee. Ranchers, bankers and agricultural experts gave various explanations for agriculture's plight ranging from the federal deficit to low commodity prices. Most agreed that credit is not to blame for agriculture's depressed condition.

William Hoffman, associate deputy director of the Farm Credit Administration, argued that "Credit can help farmers adjust to the basic economic, social and political conditions that exist, but it is not the primary cause of those conditions." He added that "Only in the very short run can credit substitute for income, for profitability. It can help achieve economic adjustment, so long as it is not viewed as an alternative."

The central problem, then, is the profitability of agriculture. Ironically, the current indebtedness resulted from the profitability of agriculture during the 1970s. Flush with success, ranchers and farmers hurried to farm lending institutions to expand their operation to take

advantage of an apparently expanding market. For their part, lenders were willing to lend on the basis of increasing land value, securing these operating loans with land.

By the time agriculture is restored to profitability, a significant percentage of Montana's farmers and ranchers will no longer be in business unless they receive additional credit. Their immediate concern is credit, a concern shared by their creditors. Neither the rancher nor the banker wants foreclosure. The rancher wants to retain his property and his way of life, and the banker does not want the burden of selling agricultural land in a depressed market.

Results of Farm Operator Survey

Results of the farm operators survey as conducted by the Montana Department of Agriculture shows that 18 percent of Montana farmers are delinquent on real estate loan payments. A breakdown shows that about half of those have been able to stay current on interest payments only. The delinquency rate is somewhat higher among farms of less than a thousand acres, averaging 25 to 29 percent.

Only 7 Out Of 10 Current On Operating Loans

For non-real estate or loans used to purchase operating equipment and supplies 31 percent of the state's farmers are delinquent in their payments. However, 61 percent of those are current on interest payments only. All sizes of operations seem to be having trouble keeping current on operating loans, but those under 1,000 acres in size are running above average on delinquency, while those between 1,000 and 2,000 acres are below average.

Loan Delinquency Rate By Size of Farm

SIZE OF FARM	REAL ESTATE LOANS DELINQUENT	NON-REAL ESTATE LOANS DELINQUENT
---Acres---	-----Percent-----	
499 or less	25.0	31.8
500-999	28.6	37.5
1,000-1,999	14.3	24.5
2,000-2,999	18.8	34.1
3,000-4,999	13.6	32.1
5,000-9,999	8.6	31.8
10,000 +	12.7	28.3
STATE TOTAL	17.6	30.6

Interest rates averaged 10.4 percent for real estate and 13.9 percent for non-real estate loans. Six percent of the survey respondents had been denied credit between January and September 1984. About 4 out of 10 were able to obtain credit elsewhere.

Debt To Asset Ratios On The Rise

The debt to asset ratio measures the economic health of the farming and ranching business. A comparison of debt to asset ratios from 1979 to 1984 shows a steadily worsening financial balance sheet for Montana farmers. The average debt to asset ratio based on results of this survey was 28.2. This means the average farm debt was 28.2 percent of total farm assets. This statistic isn't alarming in itself, but closer examination of the data shows that 24 percent of those surveyed had ratios exceeding 50 percent and 7 percent reported debts exceeding 70 percent of assets.

Forty-five Percent Won't Survive Over 5 Years

Assuming current trends in farm income and expenses, only 55 percent of Montana's farmers and ranchers will be able to stay in business over 5 years. Over 9 percent say they can only survive one more year, but 48 percent will farm until they retire.

MONTANA FARM FINANCE BALANCE SHEET BY DEBT/ASSET RATIO

DEBT/ASSET RATIO CATEGORY	NUMBER OF REPORTS	DEBT TO ASSET RATIO AVERAGE	FARM ASSETS AVERAGE	FARM DEBT AVERAGE	PERCENT DEBT IN LAND CONTRACTS	INTEREST PAID AVERAGE
-Percent-		-Percent-	-----Dollars-----		--Percent--	-Dollars-
0	77	0	573,702	0	0	48
0-10	58	4.3	805,751	34,866	32.4	4,865
10-20	53	14.0	883,587	123,679	52.3	15,587
20-30	41	24.6	1,097,016	270,009	60.1	31,168
30-40	43	33.8	907,062	306,881	55.5	30,070
40-50	43	43.7	894,245	390,499	48.7	40,251
50-60	52	53.8	764,533	411,426	57.1	36,762
60-70	19	63.8	470,708	300,628	57.3	33,969
70 +	28	82.2	601,765	494,965	53.7	49,279
STATE TOTAL	414	28.2	769,114	216,854	39.7	22,241

KEY PLAYERS

In view of the challenges that face the agricultural sector of the economy, whose responsibility is it to forge the solutions? Who are the key players? Certainly the farmers/ranchers, bankers/institutional lenders and the food consuming public will be high on the list of big winners when a solution is finally found and implemented. Take a brief look at the special interests of each of these key participants.

The farmers and ranchers on a large scale have not been able to satisfy their current financial obligations: as a consequence the farm/ranch sector will be unable to attract the necessary capital resources for its future growth and development. While the failure to meet current obligations is simply on a large scale, the consequent drought in long term capital resources is likely to be on a total scale.

The banks and institutional lenders are key players also. They are not innocent bystanders. The agricultural credit industry has fallen into the old trap of advancing credit on the basis of raw land values rather than on the more conservative basis of the capitalized operating values of the land. As an expected result, many of the nation's most trusted and faithful agricultural lenders find their portfolios clogged with functionally non-performing loans. Their logical response has been to display great reluctance to consider new "AG" credits, even on solid operations. The Agricultural sector's sources of long term capital have become immobilized, frozen in a block of non-performing loans. On the basis of this example, new and old lenders alike have exercised other alternative uses for their remaining funds.

The public, through its harmonic voice, the political system and the market place, demands a reliable, plentiful, high quality and relatively inexpensive food supply. The farm public, once a majority, has become a relatively powerless minority: Its political influence being vastly overshadowed by the urban majority.

In response, the farm community has come to rely upon the bureaucracy of the federal government to implement a comprehensive farm policy designed to place agriculture on firmer financial ground. The federal government, being understandably more responsive to its larger urban constituency, has failed to implement such a policy, electing in the alternative to insure a plentiful and cheap food supply.

What Is The Major Cause Of Farm Problems Today?

	All Farmers & Ranchers	Cash Grain	Livestock Producers	Commercial Banks	FmHA	PCAS	Fed. Land Bank
----- --Percent-- -----							
Bought Land Too High	3.7	3.1	4.3	5.0	---	---	---
High Cost of Equipment	12.9	15.2	13.7	6.3	---	---	---
High Interest Rates	22.3	19.9	23.1	17.5	50.0	10.0	13.3
Government Farm Programs	4.8	3.6	6.7	2.5	---	---	---
High Input Costs	10.0	7.6	9.8	6.2	---	30.0	6.7
Low Market Prices	36.0	36.9	33.1	39.4	---	60.0	40.0
Natural Disasters	8.7	11.5	8.9	6.9	20.0	---	20.0
Other 1/	1.6	2.1	8.4	16.2	30.0	---	20.0
	-----	-----	-----	-----	-----	-----	-----
	100.0	100.0	100.0	100.0	100.0	100.0	100.0

1/ Poor management, over-mechanized and all other.

ISSUES

The following are a few of the many issues that may be considered.

1. FARM CREDIT

This issue must be addressed immediately. An investigation concerning the farm credit system must be conducted in order to initiate legislation at the state and federal level.

2. COMMODITY PRICES

Policy needs to be developed to provide an equitable price to the farmer/rancher for his products in order to insure a profitable return.

3. LONG-TERM PROGRAM

New farm legislation, both at the state and federal level, must be bi-partisan effort directed at a long term program. Any agricultural plan must provide workable provisions withstanding changes in administration, yet be flexible enough to adjust to domestic and international economic fluctuations.

4. AGRICULTURAL
MARKETING

Present agricultural marketing problems must be investigated. Among the issues include:

Exports
Embargo Protection
Foreign Aid Food Programs
Subsidized Food Export
Programs
Supply Management Programs
Imported Meats

5. NATIONAL ECONOMIC
ISSUES

Those economic issues directly affecting agriculture particularly the Federal Deficit and High Interest Rates.

PERSONAL REMARKS

In a state such as Montana, where 34% of the total revenue is generated from agriculture and where many main street businesses are intricately linked to the agricultural industry; any solution, either of long- or short-term significance or at the state or federal level; must include the comments, suggestions and consideration from a cross-section of the Montana citizenry. In order to accommodate the vast array of participants, the resolution suggests the committee be composed of 10 members of the House of Representatives and 10 members of the Senate, with equal representation from both parties.

Many Montana farm organizations have worked very hard to develop proposals that will effect long-term farm profitability. However, the majority of these proposals are not understood by many people outside the agricultural community. The proposed committee would enable many of these non-agricultural groups the opportunity to fully understand the individual proposals and their potential impact on their own organizations and on the entire state. Also, Governor Schwinden and several members of the legislature, including Senator Kolstad and Senator Boylan, serve on national committees which will make recommendations to Congress concerning the 1985 Farm Bill.

The purpose of the proposed committee would be as follows: First, the committee would generate a greater understanding of agriculture's problems and situations. Second, the committee could suggest possible solutions to agriculture's immediate problems. Third, the committee should investigate all the possible options and alternatives in order to derive possible solutions to agriculture's problems. Fourth, the committee, on behalf of the State of Montana, would carry forth these ideas and solutions to the national level, especially concerning the 1985 Federal Farm Programs.

EXHIBIT B
SJR 10
2-13-85

WITNESS STATEMENT

NAME Lorraine Gillies BILL NO. SJR 10
ADDRESS Box 278 Philipsburg 17855 DATE 2-13-85
WHOM DO YOU REPRESENT? Montgomery Farm Bureau Federation
SUPPORT Support OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments: MFBF goes on record as supporting the concept
of this Resolution

VISITORS' REGISTER

AGRICULTURE

COMMITTEE

BILL NO. HB 659 & HB 716 & SJR 10 DATE February 15, 1985

SPONSOR Rep. Harper & Rep. Thoft

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
George J. Oberst	438 Dearborn #4 Helena Box 609 NOXON MT	HB 659	
REEVES PETROFF	ROOM 304, COURTHOUSE BOZEMAN MT 59715	HB 659	716
DONNA PRATT	Box 535 Seehey, Mt. 59263	HB 659	HB 716
Charles Rust	CES - MSU - Bozeman	HB 659	
KEITH KELLY	DEPT OF AGRICULTURE	HB 659	
Dob Gibson	Helena MT	HB 659	
Lorraine Gillis	Philipsburg Mt.	SJR 10 HB 659	
Larna Frank	Bozeman	HB 659	
B. A. Ellis	Helena		HB 659
Stuart Doggett	mt. Stockgrowers, mt. Ass of Grazing Districts	HB 659	
DON GRUEL	DEPT OF Highways	HB 659	
Laurina Lubinus	WIFE	HB 659	
Jeri Richard	MT. Wildlife Fed	HB 659	
Walter Savoy	St. Ignace, Mont	HB 716	HB 659
Pat Ruler	Ravalli Co. West Hamilton		HB 659
Jerry Allen	Ravalli County		HB 659
Pete Murphy	" " Board		HB 659
Frank Williams	" " Comm		HB 659
Bill Otten	Missoula Co. West Board	HB 659	HB 716

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

AGRICULTURE

COMMITTEE

BILL NO. HB 659 & HB 716 & SJR 10 DATE February 15, 1985

SPONSOR Rep. Harper & Rep. Thoft

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
<i>[Handwritten Signature]</i>	Creat Falls	659	716
<i>[Handwritten Signature]</i>	Stevensville	716	659
<i>[Handwritten Signature]</i>	1496 Kodak Rd	716	659
<i>[Handwritten Signature]</i>	Mess auto		
GEORGE OCHENSKI	HELENA E.I.C.	659	
<i>[Handwritten Signature]</i>	Montana Grow Belles	659	
<i>[Handwritten Signature]</i>	Mt. Farmers Union	659 + SJR 10	
James Welch	Bozeman	659	
Dwane H Miller	Bozeman	659	
Mark Rasmussen	Mont. Green Growers	659 + SJR 10	
Ted Lucas	Highwood	659	
Ann Humphrey	Helena Mt. Audubon Council	659	
<i>[Handwritten Signature]</i>	W I F E	659	
Dev Butler	Levitown Chamber of Com.	659	
<i>[Handwritten Signature]</i>	W I F E	659	
<i>[Handwritten Signature]</i>	W I F E	659	
<i>[Handwritten Signature]</i>	Red Mt. Hill		716
Daryl Hansen	Bozeman River Water Board	716	
<i>[Handwritten Signature]</i>	Sydney Mont Assoc		

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

