

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
54th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON AGRICULTURE, LIVESTOCK & IRRIGATION

Call to Order: By **CHAIRMAN JOE BARNETT**, on January 19, 1995, at 3:28 P.M.

ROLL CALL

Members Present:

Rep. Joe Barnett, Chairman (R)
Rep. John "Sam" Rose, Vice Chairman (Majority) (R)
Rep. Don Larson, Vice Chairman (Minority) (D)
Rep. Jon Ellingson (D)
Rep. Dick Green (R)
Rep. Harriet Hayne (R)
Rep. Rick Jore (R)
Rep. Gay Ann Masolo (R)
Rep. Judy Murdock (R)
Rep. Karl Ohs (R)
Rep. George Heavy Runner (D)
Rep. Robert R. Story, Jr. (R)
Rep. Jay Stovall (R)
Rep. Lila V. Taylor (R)
Rep. Cliff Trexler (R)
Rep. Kenneth Wennemar (D)

Members Excused: Rep. Bill Ryan and Rep. Dore Schwinden

Members Absent: None

Staff Present: Connie Erickson, Legislative Council
Jaelene Racicot, Committee Secretary

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

Committee Business Summary:

Hearing: HB 170
Executive Action: HB 170 DO PASS

HEARING ON HB 170

Opening Statement by Sponsor:

REP. JOHN "SAM" ROSE, HD 87, explained that he represented people within his district who owned approximately 200,000 acres of irrigated land. He expressed HB 170 would only affect land within the project and when the Bureau of Reclamation started

these projects, the limitation was 160 acres. As time progressed, the limitation went to 320 acres and now this bill requests a limitation of 960 acres on irrigated land within the project. **REP. ROSE** reported that some districts have paid off their reclamation to the government and are now separate entities. Currently the Greenfield District was paying the federal government and to make themselves a separate district. HB 170 has an acreage restriction of 960 acres and they would like to perpetuate this after they go into their own district. **REP. ROSE** added this limitation may be imposed based on a petition signed by not less than 60% of the landowners who would represent not less than 60% of the irrigated land within the boundaries of the irrigation district. The minimum average acres that may be imposed is 960.

REP. ROSE contended that if an individual owner or lessee had more than 960 acres, they would have to pay for the extra water. Generally each person gets one vote for every 40 acres he/she farms. He said they would not want to see a few individuals own a majority of the land because the whole concept for settlement projects was to provide a way to keep the family farm together. **REP. ROSE** affirmed that they had to have some control in order to keep one big entity from coming in. If one entity controls enough land, they will also control the water.

Proponents' Testimony:

Maureen Cleary-Schwinden, Women Involved In Farm Economics, stated HB 170 was a good bill and urged the committee to support it.

Dan Andrews, President of the Greenfield Irrigation District, urged the committee to pass HB 170. Mr. Andrews handed in written testimony. **EXHIBIT 1**

Mike Murphy, Executive Director of the Montana Water Resource Association, explained that the association wanted to go on record as supporting HB 170 because it provided flexibility. He said it was a voluntary program which would be good for agriculture.

Lorna Franks, Montana Farm Bureau, said they supported HB 170 because of the same reasons **Mr. Andrews** stated in his testimony.

Bob Stephens, Montana Grain Growers Association, declared they were in favor in passage of HB 170.

Opponents' Testimony:

None

Informational Testimony:

None

Questions From Committee Members and Responses:

REP. TREXLER asked REP. ROSE if he could clarify why they were limiting this to 960 acres and if someone already had a farm of 1500 acres, would passage of HB 170 cut that person back. REP. ROSE said that it would not. If a water shortage situation came about, the person would be able to maintain their 960 acres and still pay for water on the other 400 acres. He said the tone of the bill is limitation.

Closing by Sponsor:

REP. ROSE said if anyone had questions such as the one REP. TREXLER had please contact him. He said the last thing he wanted to do was create problems within the agriculture communities and they just wanted to maintain some limits on irrigation districts. He urged the committee to pass HB 170.

EXECUTIVE ACTION ON HB 170

Motion: REP. HAYNE MOVE HB 170 DO PASS.

Discussion: None

Vote: The motion carried unanimously with (oral) proxy votes from REP. RYAN and REP. SCHWINDEN.

ADJOURNMENT

Adjournment: 3:54 P.M.



JOE BARNETT, Chairman



JAELENE RACICOT, Secretary

JB/jr

HOUSE OF REPRESENTATIVES

Agriculture

ROLL CALL

DATE 1/19/95

NAME	PRESENT	ABSENT	EXCUSED
Rep. Sam Rose Vice Chairman, Majority	✓		
Rep. Don Larson, Vice Chairman, Minority	✓		
Rep. Jon Ellingson	✓		
Rep. Dick Green	✓		
Rep. Harriet Hayne	✓		
Rep. George Heavy Runner	✓		
Rep. Rick Jore	✓		
Rep. Gay Ann Masolo	✓		
Rep. Judy Rice Murdock	✓		
Rep. Karl Ohs	✓		
Rep. Jay Stovall	✓		
Rep. Bill Ryan			✓
Rep. Dore Schwinden			✓
Rep. Robert Story			✓
Rep. Lila Taylor	✓		
Rep. Cliff Trexler	✓		
Rep. Ken Wennemar	✓		
Rep. Joe Barnett, Chairman	✓		



HOUSE STANDING COMMITTEE REPORT

January 19, 1995

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Mr. Speaker: We, the committee on Agriculture, Livestock, and Irrigation report that House Bill 170 (first reading copy -- white) do pass.

Signed: Joe Barnett
Joe Barnett, Chair

Committee Vote:
Yes 8, No 0

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GREENFIELDS IRRIGATION DISTRICT

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Phone (406) 467-2533 • FAX (406) 467-2705

EXHIBIT 1
DATE 1/19/95
HB 170

January 18, 1995.

TO: House Agricultural Committee
FROM: Greenfields Irrigation District, a proponent of HB 170

Mr. Chairman and Committee members:

-My name is Dan Andrews, I am President of Greenfields Irrigation District. I'm testifying as a proponent of House Bill 170.

-GID is part of the 95,000 acre Sun River Irrigation Project located west of Great Falls. We, along with numerous other "Reclamation Projects" in Montana, participate in Reclamation's acreage limitation. This program limits the size of project farms to 960 acres. The intent of the program is to preserve reasonably sized family farm operations, and to assume wide distribution of benefits. The program has been a success and the family farm atmosphere certainly prevails on Montana projects.

-It seems important for irrigation districts to have acreage limitations since voting processes are driven by number of acres per landowner rather than the number of landowners. In retrospect, large farm or ranch entrepreneurs could control project activities without acreage limits.

-Irrigation districts such as ours were formed to operate and maintain project works, and to repay project costs. Some large districts have completed their repayments such as the Huntley Project near Billings, the Lower Yellowstone at Sidney, Greenfields and Fort Shaw on the Sun River, some of the Milk River districts, and others.

-Districts and the federal government are now exploring the transfer of title and interest of these projects. In doing so, we would no longer be eligible to participate in their acreage limitation program. This is the main reason for this bill.....to grant authority for districts to continue the program.

-The bill is designed to be entirely voluntary. The majority of district landowners must vote favorably for acreage limitation. It is confined to irrigation districts who have very defined legal boundaries.

-This is a good bill for Montanans. Please vote in favor of its passage. Thank you....

HOUSE OF REPRESENTATIVES
VISITORS REGISTER

Agriculture COMMITTEE
BILL NO. HB 170 SPONSOR(S) Rose

DATE 1/19/95

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	Support	Oppose
Dan Andrews Power Mt. 59468-9319	Greenfield Terr Dist	<input checked="" type="checkbox"/>	
Dan Andrews Power Mt 59468-9319	Greenfield Terr. Dist	yes	
MIKE MURPHY	MT. WATER RES. ASSN	<input checked="" type="checkbox"/>	
Maureen Cleary-Schwinder	Women In Farm Econ.	<input checked="" type="checkbox"/>	
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Lorna Frank	N.Y. Farm Bureau	<input checked="" type="checkbox"/>	

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.