

MINUTES OF THE MEETING
AGRICULTURE, LIVESTOCK AND IRRIGATION
MONTANA STATE SENATE

February 16, 1987

The Agriculture, Livestock and Irrigation Committee meeting was called to order on the above date, in Room 415 of the State Capitol, at 1:00 p.m. by Chairman Boylan.

ROLL CALL: All members present.

CONSIDERATION OF SB 327: Senator Yellowtail, SD 50, said the bill was introduced to allow irrigation districts to expand their capabilities in developing water projects to include issuing revenue bonds to fund irrigation projects. This bill allows the issuance of revenue bonds by irrigation districts or by a joint board of control made up of more than one district. These bonds would be repaid by revenues from the profits. Debt service can be used for the benefit of one district or all the districts as a whole. This bill was written mainly by the bond counsel for the development program and modeled after municipal revenue bond laws.

PROPOSERS: R. A. Ellis, Director, MT Water Development Assoc., and Chairman of the Bd of the Helena Valley Irrigation District, said they are in the process of building a 12 megawatt power plant on Canyon Ferry. This type of financing would be helpful for other associations around the state in regard to other projects, including the one on Sun River.

K. M. Kelly, Director, MT Water Development Assoc., spoke in favor. Exhibit #1.

OPPOSERS: John Alke, MT/DA Utilities, said this bill does not just make irrigation district's bonds marketable. On page 2, line 2, it defines undertaking to include "or works for the generation and distribution of electricity." In Sec. 4 of the bill, page 3, sub sections 1 & 2, the bill provides that an irrigation district under this bill can condemn an undertaking. Undertaking has been defined as the generating and distribution of electrical facilities. The bill would permit an irrigation district to condemn electrical generation distribution facilities of MDU, MT Power or any other co-op. The bill specifies that this condemnation can occur either within or without the irrigation districts so the condemnation power the districts want is not limited to a project within their own boundaries. They will have the power to sell electrical service. This would dramatically increase the powers of irrigation districts. He was strongly against irrigation districts having the power of condemnation as it would deprive him of customers he was depending on to utilize his facilities.

Gene Phillips, Kalispell Pacific Power & Light Co., opposed this bill for the reasons cited by Mr. Alke. He said districts already have authority to generate electricity and they can sell it. He said the legislature should provide an amendment to the necessary statutes under the Public Service Commission, to bring the districts under regulation by that body, otherwise there would be an unregulated utility engaged in selling electricity to the co-ops and investor owned utilities. On page 9, under section 16, referring to the security interest in an undertaking and if you can issue a mortgage or trust indenture, he said those two types of documents refer to an interest in real property; a security interest refers to an interest in personal property. He said that was two conflicting types of language and it should be clarified.

Senator Allen Kolstad, on behalf of himself, opposed the bill because it included things beneficial to the PUD bill of a few years ago. As a former president of the MT Water Development Assoc., he, too, opposed the bill for all the previous reasons. The bill overlooks people living in the area affected and it gives the right of condemnation on a statewide basis.

Carla Gray, MT Power Co., concurred in the comments of the previous opponents in opposing the bill.

Stewart Doggett, MT Chamber of Commerce, on record for the previous reasons.

J. Donnell, MT Electric & Telephone Cooperatives, did not think this bill would accomplish what the sponsors have outlined. He said this is the privatization of a public resource without due process. They are opposed to the condemnation and taking of hydro electric resources.

COMMITTEE QUESTIONS: Senator Jergeson asked if the real problem with the opposition was section 4 on page 2, the right of eminent domain. Mr. Alke answered that the major rub in the bill is the definition of an undertaking as generation and distribution of electricity on the top of page 2. Secondly, section 4 which provides right of eminent domain, both within and without the district. Third, every reference throughout the bill to acquisition which is not limited to a certain section. Throughout the bill there is discussion of the power of a district to construct, acquire or remodel. He said we would have to go through the bill and strike out all references to acquisition which means if you did not have the specific eminent domain statute, there would be an argument made that, by specifying acquisition, you were indirectly requiring eminent domain.

Senator Story thought that could be fixed by starting on page 3, line 2 and changing it to read: "construct, acquire by gift or purchase but not through the exercise or the right of eminent domain, or improve any undertaking within or outside the irrigation district." He asked Mr. Alke if districts can-

not use eminent domain, did he care about the bonding provision? Mr. Alke answered that originally he thought irrigation districts were only interested in financing co-generation enterprises. When you get into eminent domain situations, you have a problem. On the assumption that the reference to co-generation at the top of page 2, the reference was to work for the generation and distribution of electricity, and if he was to assume they were seeking the ability to bond to build a co-generation facility, he would agree you might want a reference like that in the bill and, by scratching out the eminent domain provision, you would probably cure the problems he had with the bill. He said the committee may also want to address whether they want an irrigation district to have explicit condemnation rights for water districts.

Mr. Phillips said he didn't see any purpose in including on line 3, p 2 works for distribution of electricity because if they were going to finance the construction of a co-generation project, they didn't need to be into distribution nor do they need the power of eminent domain.

Senator Thayer asked why they wanted power of eminent domain outside the districts. Senator Yellowtail said it wasn't their intention for irrigation districts to have broad eminent domain. The bond council, Dorsey & Whitney, couldn't be here today because it is a holiday but he would bring them before the committee to explain the drafting of the bill.

Senator Lybeck asked Ted Doney how he viewed the questions raised on p 2, lines 2 & 3 and the eminent domain situation. Mr. Doney replied that he is on the Board of Directors of the Water Development Assoc. He said Mae Ann Ellinson was the chief drafter of this bill. The intent of the bill is to provide revenue bonding by the districts. They currently have the power to sell bonds but not revenue bonds. Districts currently have the authority to condemn property. The Constitution of the State of MT, Article 9, section 3, provides that any person or entity that wants to engage in the development of water can condemn property in the development of water. He said if you tinker around with the statutes on condemnation this should be taken into account. The districts, currently, can generate electricity. He did agree there were some legal problems the way the bill was drafted. He suggested putting this bill into a subcommittee. Bond council will be here tomorrow and they could work on the bill to try to solve the problems.

Senator Story questioned Article 9, section 3, giving the right to condemnation. Mr. Doney said the provision in the old constitution carries over to the new constitution in subsection 2 of section 3. It says "The use of all water that is now or may hereafter be appropriated for sale, rent, distribution or other benefit of use, right-of-way over the lands of others or all ditches, drains, flues, canals or aqueducts necessarily used in connection therewith, sites for reservoirs necessary for the collecting and storing of waters shall be held

to be a public use" and that means they can be condemned. Several court decisions in the last century have said that, according to Mr. Doney.

Senator Story said there is a slight difference. It does not specifically give them the right of condemnation. The distinction is that this legislature can withhold the right of condemnation without violating the constitution. Mr. Doney said perhaps the legislature can do that on an irrigation district, but they cannot do that for a private corporation or private individual. There is a case ruled on by the supreme court of the St of MT which he will show Senator Story should he want to read it. He said the intent of this bill is the availability of revenue bonds and he thought we needed the bond council here for that.

Senator Yellowtail, in closing, said the intent of the bill is clear. He agreed that a subcommittee, including all the interested parties, should get together and work out the problems with co-generation and the kind of bonding the irrigation districts wanted. Senator Boylan asked Senator Yellowtail to take care of this and the committee will consider the bill further on Wednesday.

DISPOSITION OF SB 277: Senator Lybeck reported that the bill had been corrected with the proposed amendments, exhibit #2. He said the people who participated were agreeable on this. They felt that by taking out the 75% and leaving in 50% it addressed the concerns of the majority of producers affected.

Senator Lybeck moved to adopt the amendments for SB 277. Motion carried.

Senator Lybeck moved SB 277, as amended, DO PASS. Motion carried.

FURTHER CONSIDERATION OF SB 321: Senator Galt asked Senator Jergeson if MN had mandatory mediation and if he had heard of any problems in MN. The question was referred to Dave Cogley who answered that there has been 2 lawsuits filed regarding mandatory mediation in MN. This bill is patterned after the MN bill. The first case that has been decided in the state court system was a challenge on the basis of impairment of contract and due process violations. The state court in MN upheld the law and said there was no impairment of contracts and no violation of due process of the lenders involved. The reason the MN court upheld this was because the bill did not affect the basic rights of the contract. It affected the way those rights could be enforced, the remedies. When you are merely affecting the remedy, there is no impairment of contracts. This decision is not unanimous in the various jurisdictions where a remedy is changed. There is a split in the courts as to whether or not this type of thing is, in fact, an impairment of contract. Kansas had similar

legislation which was decided differently by two state courts. They both involved forestalling of a foreclosure process under the Kansas Family Farm Preservation Act. One state court held that there was an impairment of contract where the foreclosure was held up under that law and the other state court, in a different jurisdiction, held that there was no impairment of contracts, that it simply affected the remedy and was therefore OK. That has not gone to their supreme court yet. In MN there is another case pending where the farm credit system has challenged mandatory mediation as well as some of the other concepts we are talking about in the other bills. That case has not been resolved and about all that has happened in the last year is that it has been filed in court. Discovery is going on right now. He said he had talked with the MN Attorney General's Office and they feel comfortable in being able to defend their law, primarily with what the state court has said about it.

Senator Jergeson said the committee could look into whether or not the language would allow the mediation to drag out forever. It is not the intent that either party could use mediation to forestall, forever or indefinitely, either foreclosure or filing of bankruptcy. There are 14 days in order to file the mediation and the time period starts after 14 days. Then there are 45 days and then the mediator can extend the 45 day period. Once the 45 day period provided for in sub-section 2, page 9, is ended, no mediation can continue beyond 10 days with either the farmer or the creditor. Further mediation would not be effective. At that point either the farmer or creditor can say it isn't going to accomplish anything. There will have been no agreement and no change of any contractual obligations and it will have ended. Hopefully there would be those occasions where an objective non-interested party may be able to help the two sides resolve an agreement beneficial to both sides. This is the purpose of the program. He referred to Mrs. Waller and the Gebhart Bill, known as the "Save the Family Farm Act" that congress is considering. It would require states to set up a mediation service in order for state farmers to participate in that particular farm program. He said there is no assurance that Mr. Gebhart's legislation would ever be enacted on by congress and signed by the president but, nevertheless, congress is looking at those kinds of issues of putting some kind of connection between the use of federal farm programs whether or not states have set up this type of a program. It is similar to the farm program requiring states to develop the centralized lien programs.

Senator Boylan asked Mr. Cogley if we did have the compulsive mediation and someone took it to court right away, would it stop all the foreclosing. Mr. Cogley answered that has not been the case in MN. The plaintiffs chose not to ask for any injunction. The commercial banks have not challenged the

law. Even the federal credit system is abiding by the mediation provisions of the law, but that is not to say that a plaintiff in MT couldn't ask for an injunction.

Senator Jergeson moved that SB 321 DO PASS.

Senator Story expressed concern that we want as many to make it as can but not everyone is going to. The people who are on the edge are going through an informal mediation. It is a question of whether or not there is a cash flow. Should the person on the edge be left to live on a strapped budget. The creditor might tell him, after having gone through all the mediation, that it might be another 60 days, plus the year's redemption. Should the creditor give the farmer his notices and start the process now. He thought if we kept mediation informal, it may give this farmer one more chance, one more year to harvest his crops. Much of this goes on from the time the crop is sown right through the winter and, adding 45 days or more on to it, gets down to where you are having to put in the next crop.

Senator Jergeson felt this bill supplemented what Senator Story suggested because, in those cases, it would be beneficial to both sides to have a mediator. When a banker deals with a farmer and says he can't have this money, the relationship plummets from there. If an objective third party tells him he can't have the money, it is easier for him to leave without blaming the lender. He didn't think this would add an additional inducement for the lender to foreclose. Chapter 12 is already in place, and the economy's tough shape is already in place. He didn't think the 60 day period would cause any bigger problem. It may, in a specific year, determine whether the lender would start this process in Jan. rather than waiting until Apr.

Senator Bengtson asked how this bill compared with the voluntary mediation bill from the special session. Sen. Jergeson said that in the voluntary mediation bill, both sides have to agree to go into mediation. In this case, either side can request mediation be enforced and they will both go into mediation.

Senator Bengtson asked what the enforcement of this was. Sen. Jergeson said you simply can't foreclose if you don't mediate.

Senator Bengtson asked if Sen. Jergeson was familiar with the success of the voluntary mediation program. He answered that there may be some problems with the voluntary mediation program and #1 was that it wasn't a well known program; #2 if one side can refuse to go to the table then you aren't going to have a period of negotiation. In this case, both sides would have to come to the table if one side or the other requested it. The other way this differs from the voluntary mediation program is that the taxpayers were paying for voluntary mediation and, with mandatory mediation, the parties in mediation are picking up the cost. He thought that was a benefit because a person

who was not serious about getting a solution to the conflict would not be asking for mediation if he knew it would be costing him money.

Senator Lybeck said we have been talking about the problems the farmer and rancher had and he wanted to remind the committee that, at the hearing the other night, the distressed banker was up at 2 in the morning pacing the floor, also. He said it would bring the farmer and the banker together and is a bill that would work for both sides.

Senator Galt asked Dave Cogley what section 14, regarding the temporary confidentiality of records meant and whether after July 1, 1987 the records would no longer be confidential. Mr. Cogley answered that the way the bill was drafted was to use some of the provisions in the voluntary mediation law passed during the special session and add to those and make amendments. This is one of the sections of that bill which was scheduled to terminate on July 1, 1987 and the language Sen. Galt referred to merely reflects the termination of the law and has nothing to do with records no longer being confidential. It shows that this section, unless you act on it with this bill, will terminate on July 1, 1987 and has nothing to do with the confidentiality of these records after that date.

Senator Boylan asked if there was a termination date on the voluntary mediation. Mr. Cogley answered, yes, it was part of the agricultural assistance and counseling program and that terminated July 1, 1987 subject to this legislature doing something with it. The bill to extend it (HB 71) has been killed in the House.

Senator Jergeson said that, to those who would prefer voluntary mediation to mandatory mediation, this is the only bill left. Should this one also die, there would be nothing left for mediation service of any kind.

Senator Galt asked who pays for training the mediators. Sen. Jergeson said there is a fiscal note on this. The Dept. of Agriculture already has that in place now through voluntary mediation, should the program be continued.

Senator Lybeck said there were a couple of retired people in his area that are working on the voluntary mediation.

Senator Galt felt if this was mandatory, there would be a need for many mediators. There would have to be more than just a couple.

Senator Bengtson inquired about the credit analyst on page 7 and having to get one for the Dept. of Agriculture. She wanted to see the fiscal note on this. Senator Jergeson said

the analyst would come from the Dept. of Agriculture.

Senator Bengtson asked about p 12, regarding the claim forms which have to be filled out. She figured there would be a lot of enforcement with this or there would be law suits. If this wasn't done in a timely fashion or she wasn't satisfied with how it was done, where would she go for justice. She thought if it didn't meet the requirements of the law she would have a case against the lender. Senator Jergeson didn't see her problem. He said you simply get these people to the table and work out an agreement. If they are unable to work out an agreement, then the current contractual obligations are the ones that apply.

Senator Beck asked Sen. Jergeson about the contracts for deeds with a neighbor and where you have to sit down with the mediator. If he sat down with the mediator and he said the only way he would settle this was to get his money because the neighbor let the place run down and made a shambles of it, if he didn't get the money, the neighbor could get out. If we had the mandatory mediation, the mediator could sit there and drag it out and take another \$4000 or \$5000 to try to mediate this. Yet, when you get down to the end, it is just going to cost him half and it goes on and on. He asked for an explanation of this. Senator Jergeson replied that Sen. Galt asked about the situation regarding contracts for deed and he felt mediation would apply there just as well as with any other borrower-lender relationship. In fact, if you had developed such animosity with the person to whom you sold the property that you aren't able to work out some kind of a solution, and you come into the meeting with wanting the absolute balance of the money owed to you and the person to whom you sold the property is coming in with "if you don't get off my back and give me everything I want, I'm going to file bankruptcy", then nobody gets anything. He said mediation could resolve that type of situation and it may cost some money at some point but, if the person you sold to really wants to hang on to the land, then he will be willing to pay his part to the mediator to solve it. He said that, in a real knock down, drag out fight, both parties would be losing.

Senator Galt disagreed. He said the fellow might not come in wanting his money, but he might want his land back because it is April and he has to get his crops in by May, then he runs into the 60 day period right at a crucial time. Sen. Jergeson suspected that, in a situation like that, it probably had not been a short time since all this started. It has been a pattern you have been watching for a long time.

Senator Galt said a contract for deed sets out ties - you have money due such a day, you have 2 weeks to notify the fellow, you have 2 weeks to take it back, and you are in that process right now in April and you have to delay the

whole thing and mediate, when you could have had the place back by the 1st of April. You could get into limbo during the crucial spring period. Senator Jergeson said there are ways not to get into that type of situation.

Senator Thayer said he had supported the voluntary mediation bill in June and realized it hadn't had much time to really get underway but he didn't remember hearing any testimony that it wasn't working. He got the impression that the program that is in effect now, given a chance, may be the only vehicle left for mediation. The House killed the voluntary mediation so now there is no chance at all. Senator Jergeson said it was killed on the basis of the fiscal note attached. This one under any conditions, even if the Dept. has to train another 20 mediators, would be considerably less expensive because the parties in mediation under this bill would be paying for mediation.

Senator Abrams said he asked Keith Kelly, Dept. of Agriculture, the other night, how successful the mediation has been. He said the committee was told that 4 came to the mediation table and they thought 3 were going to make it. The 4th one had asked to have it dropped. He then asked Sen. Jergeson about page 8, line 7 where it says "an unsecured creditor may participate in mediation between a farmer and a secured creditor if each party agrees or if the mediator determines that an unsecured creditor is a necessary party" - the mediator in turn can ask for additional expertise. Who pays for that - does it go into the overall cost. Sen. Jergeson said the mediator is not asking for more expertise from the unsecured creditor. If in his determination an unsecured creditor has a big enough stake in the outcome of the mediation agreement, he can allow the unsecured creditor to participate in mediation. For example, an unsecured creditor may be owed more than \$20,000 by the borrower in question.

Senator Thayer asked about page 1, lines 19 through 21, where the bill states that agricultural economy also adversely affects the economic conditions for business in rural communities, which is a fact, yet this bill only addresses the problem incurred by the farmers, themselves. There are a lot of other businesses that will be and have been effected in many of the towns, yet this bill doesn't address their problem. Sen. Jergeson said their plight is addressed derivatively. If the farmer can't get his money from the lending institution to pay his suppliers, then the suppliers will suffer first. This is one of the reasons we should be trying to untangle as many of these situations as we can, as soon as we can, because that main street businessman is suffering more than anybody.

Senator Lybeck pointed out that, historically, when the farmer is doing good, everybody up and down main street is doing good. Regarding the 4 positive mediation sessions they held, with 3

of them coming out on the positive side, he said Keith Kelly, Dept. of Agriculture, also pointed out that they had some 800 telephone calls with 153 peer counseling out of that. He said who is to say and who is to know how many suicides were prevented, how much help they were able to give these people and maybe something in the way of financial and legal help had helped solve some of their problems. He said this was the picture for voluntary mediation we needed to look at and how will we know what could be accomplished by mandatory mediation.

DISPOSITION OF SB 321: A roll call vote was called on Senator Jergeson's motion that SB 321 DO PASS. There were 4 yes votes and 6 no votes. Motion failed. Senator Beck moved SB 321 DO NOT PASS. Motion carried, vote reversed. The bill will leave committee with an adverse committee report.

DISPOSITION OF SB 142: Senator Story moved SB 142, as amended, DO NOT PASS.

Senator Story felt the bill would harm far more people than it would help. He said it has been amended but he thought it would not be constitutional. Senator Jergeson didn't agree. He said nobody had shown the committee that it was unconstitutional.

Senator Story said that it had been suggested that we couldn't do what we did in the gray bill.

Senator Boylan asked for a roll call vote on Senator Story's motion. There were 5 yes and 5 no votes. The motion failed because of a tie vote and will remain in committee.

DISPOSITION OF SB 268: Senator Galt said there are a lot of problems with this bill. It made it impossible for anyone to sell the land because there is always this threat of someone coming in and wanting part of it back. You don't know what part he wants back.

Senator Galt moved SB 268 DO NOT PASS. Roll call vote was called for. There were 2 no and 8 yes votes. Motion carried.

DISPOSITION OF SB 278: Senator Thayer moved SB 278 DO NOT PASS.

Senator Jergeson said he had a long conversation with Randy Johnson from the MT Grain Growers Assoc., after the hearing the other day. They did not come to an agreement, but Sen. Jergeson pointed out to him, regarding the poll they took of grain producers last summer as to whether or not they wanted to continue with the current farm program or if they wanted some other alternative, the overwhelming majority of grain farmers and ranchers indicated they were not satisfied with the current program. He didn't know whether this bill was the alternative that the people who voted wanted, but the people

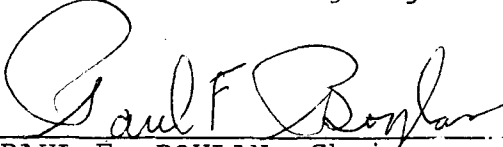
were not satisfied with what they have now and he could see this commission acting in an audit capacity. If the grain trade is operating as it ought to be, this will be proved by this commission. He said if the grain trade was secure in their position, they should not be fearful of what this commission would come up with. He thought it was a small price to pay to find out whether or not the grain trade and the current farm programs are the best possible situation we can have or whether something else may work.

Senator Thayer said it was never spelled out just what this commission was going to do. He thought it would be a total waste of money. He said the farm program, whatever course it is going to take, will be determined at the federal level and not by this commission. He said there must be at least 30 or more major farm organizations and they never agree among themselves what the best course is. As far as re-regulating the grain trade itself, and Sen. Weeding saying there is 3 1/2% dockage in their grain, he has a copy of an actual tender and the tender showed zero percent dockage. As soon as the federal grade reaches 1/2 percent, (5/10 of 1%), the whole shipload of grain would be rejected. He said that the grain trade is probably one of the most highly regulated businesses. They try to help some farmers out by upgrading the grain, but they don't try to adulterate grain. Federal specs are so tight today that he is convinced that it is not done at the elevator level anyway. Anyone unhappy with the current farm program can do better by working with congress on that issue. He said that it was pointed out the other day that we are being paid more for barley in MT than it is being sold for overseas today. That is a result of federal programming trying to rid the country of the surplus we have. He said that Randy Johnson pointed out that we ought to encourage all the other states to get into the compact and the St of MT should stay out of it. MT has nothing to gain by being part of the greater compact in terms of helping market our own products.

Senator Abrams asked Sen. Thayer if something like this could be incorporated into the wheat and barley research and marketing program. Sen. Thayer thought maybe it could. He said most of the states have already joined Western Wheat Associates and they are a national organization and MT has a membership. He thinks they are already doing what this commission would do.

Roll call vote was called on Senator Thayer's motion that SB 278 DO NOT PASS. There were 7 yes votes and 3 no votes. Motion carried.

There being no further business, the meeting adjourned.



PAUL F. BOYLAN, Chairman

ROLL CALL

AGRICULTURE

COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date 2-16-86

NAME	PRESENT	ABSENT	EXCUSED
ABRAMS, Hubert J.	✓		
BENGTSON, Esther G.	✓		
BECK, Tom	✓		
JERGESON, Greg	✓		
KOLSTAD, ALLEN C.	✓		
LYBECK, Ray	✓		
STORY, Peter R.	✓		
THAYER, Gene	✓		
GALT, Jack VICE CHAIRMAN	✓		
BOYLAN, Paul CHAIRMAN	✓		

Each day attach to minutes.

DATE

2/16/86

COMMITTEE ON

VISITORS' REGISTER

NAME

REPRESENTING

BILL #

Check One

Support

Oppose

K.M. Kelly

MUDA

5B327

GENE PHILLIPS

PP&L

5B327

Karla Gray

MPC

5B327

John All

MOY

5B327

R.A. Ellis

Mont Water Development Assoc
Helena Valley Prog Dist

5B327

Stuart Daggott

Mt. Chamber of Commerce

5B327

(This sheet to be used by those testifying on a bill.)

NAME: Kim Kelly DATE: 2/16/87

ADDRESS: Helena

PHONE: 458-5861

REPRESENTING WHOM? Mont. Water Development Assn.

APPEARING ON WHICH PROPOSAL: SB 327

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENT:

Many times our respective District will have these projects approved & start working on them in place only to have the project fail because of failure to all bonds for the whole state share by funding.

This bill is an attempt to make irrigation District bonds more reliable.

Kim Kelly

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

SENATE AGRICULTURE
EXHIBIT NO. 1
DATE 2-16-87
BILL NO. SB 327

#1

Amendments to SB 277

1. Page 7, line 6.

Following: "The"

Strike: "referendum" through "and the" on line 9

2. Page 7, line 10.

Strike: "those"

Insert: "the producers, producer-distributors, and distributors"

SENATE AGRICULTURE

EXHIBIT NO. 2

DATE 2-16-86

BILL NO. SB277

STANDING COMMITTEE REPORT

FEBRUARY 16 19 87

MR. PRESIDENT

We, your committee on AGRICULTURE, LIVESTOCK & IRRIGATION

having had under consideration..... SENATE BILL No. 277

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color

REVISION OF STATEWIDE MILK POOLING LAW

Respectfully report as follows: That..... SENATE BILL No. 277

be amended as follows:

1. Page 7, line 6.

Following: "The"

Strike: "referendum" through "and the" on line 9

2. Page 7, line 10.

Strike: "those"

Insert: "the producers, producer-distributors, and distributors"

AND AS AMENDED

DO PASS

~~DO NOT PASS~~

.....
PAUL F. BOYLAN,

Chairman.

ROLL CALL VOTE

SENATE COMMITTEE AGRICULTURE

Date 2-16-87 SB Bill No. 142 Time 2:17 p.m.

NAME	YES	NO
ABRAMS, Hubert J.		✓
BENGTSON, Esther G.		✓
BECK, Tom	✓	
JERGESON, Greg		✓
KOLSTAD, Allen C.		✓
LYBECK, Ray		✓
STORY, Peter R.	✓	
THAYER, Gene	✓	
GALT, Jack VICE CHAIRMAN	✓	
BOYLAN, Paul CHAIRMAN	✓	
	5	5

Rita Tenneson
Secretary

Paul Boylan
Chairman

Motion: SB 142 Do Not Pass as amended
Senator Story's Motion

STANDING COMMITTEE REPORT

FEBRUARY 16 1937

MR. PRESIDENT

We, your committee on AGRICULTURE, LIVESTOCK & IRRIGATION

having had under consideration SENATE BILL No. 321

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PROVIDES FOR RIGHT TO MEDIATION OF AGRICULTURAL LAND

Respectfully report as follows: That SENATE BILL No. 321

~~XXXXXX~~

DO NOT PASS

.....
PAUL F. BOYLAN,

Chairman.

ROLL CALL VOTE

SENATE COMMITTEE AGRICULTURE

Date 2/16/87 SB Bill No. 321 Time 2:08pm

NAME	YES	NO
ABRAMS, Hubert J.	✓	
BENGTSON, Esther G.		✓
BECK, Tom		✓
JERGESON, Greg	✓	
KOLSTAD, Allen C.		✓
LYBECK, Ray	✓	
STORY, Peter R.	✓	
THAYER, Gene		✓
GALT, Jack VICE CHAIRMAN		✓
BOYLAN, Paul CHAIRMAN		✓
	4	6

Rita Tenneson
Secretary

Paul Boylan
Chairman

Motion: SB321 Do Pass.
Sen Jergeson's Motion.

ROLL CALL VOTE

SENATE COMMITTEE AGRICULTURE

Date 2/16/86 SB Bill No. 268 Time 2:21

NAME	YES	NO
ABRAMS, Hubert J.	✓	
BENGTSON, Esther G.	✓	
BECK, Tom	✓	
JERGSON, Greg		✓
KOLSTAD, Allen C.	✓	
LYBECK, Ray		✓
STORY, Peter R.	✓	
THAYER, Gene	✓	
GALT, Jack VICE CHAIRMAN	✓	
BOYLAN, Paul CHAIRMAN	✓	
	8	2

Rita Tenneson
Secretary

Paul Boylan
Chairman

Motion: SB 268 - Do Not Pass
Senator Galt's Motion

STANDING COMMITTEE REPORT

FEBRUARY 16 19 87

MR. PRESIDENT

We, your committee on AGRICULTURE, LIVESTOCK & IRRIGATION

having had under consideration SENATE BILL No. 263

first reading copy (white)
color

PARTIAL REDEMPTION OF FORECLOSED AGRICULTURAL LAND

Respectfully report as follows: That SENATE BILL No. 263

~~DO NOT PASS~~

DO NOT PASS

Chairman.

PAUL F. BOYLAN,

ROLL CALL VOTE

SENATE COMMITTEE AGRICULTURE

Date 2/16/86 SB Bill No. 278 Time 2:32pm

NAME	YES	NO
ABRAMS, Hubert J.		✓
BENGTSON, Esther G.	✓	
BECK, Tom	✓	
JERGESON, Greg		✓
KOLSTAD, Allen C.	✓	
LYBECK, Ray		✓
STORY, Peter R.	✓	
THAYER, Gene	✓	
GALT, Jack VICE CHAIRMAN	✓	
BOYLAN, Paul CHAIRMAN	✓	
	7	3

Rita Tenneson
Secretary

Paul Boylan
Chairman

Motion: SB 278 Do Not Pass
Sen. Thayer's Motion

STANDING COMMITTEE REPORT

FEBRUARY 16

19. 57

MR. PRESIDENT

We, your committee on **AGRICULTURE, LIVESTOCK & IRRIGATION**

having had under consideration..... **SENATE BILL** No. **273**

first reading copy (white)
color

ADOPTS THE INTERSTATE COMPACT ON AGRICULTURAL GRAIN MARKETING

Respectfully report as follows: That..... **SENATE BILL** No. **273**

~~MARKS~~

DO NOT PASS

.....
PAUL F. BOYLAN,

Chairman.