

HOUSE JOINT RESOLUTION NO. 29
INTRODUCED BY S. DICKENSON

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA URGING THE UNITED STATES GOVERNMENT TO PROTECT FAMILY FARMS AND RANCHES AND THE RIGHTS OF STATES TO REGULATE AGRICULTURAL PRODUCTION WITHIN THEIR BORDERS FOR THE ECONOMIC AND ENVIRONMENTAL HEALTH OF CITIZENS AND FAMILY AGRICULTURAL PRODUCERS.

WHEREAS, agriculture is Montana's top industry, and the state therefore has a vested interest in the development of sound agricultural policy that protects and promotes the state's family agricultural producers; and

WHEREAS, the viability of family farmers and ranchers is severely threatened by high input costs coupled with disproportionately low prices for their products, frequently resulting in "forced sales"; and

WHEREAS, the current nationwide trend is to relinquish ownership of agricultural production operations from family farms and ranches to a small number of large-scale, corporate agribusinesses; and

WHEREAS, four corporations control 82% of the nation's beef cattle market, and five major packers control 55% of the hog industry, and economists consistently contend that when four firms control over 40% of the market, competitiveness declines; and

WHEREAS, nationally renowned rural sociologists have found that laws protecting family farms and ranches are beneficial to the economies and the people of rural communities; and

WHEREAS, the 10th amendment to the United States Constitution outlines a state's right to establish laws and to provide rights within state boundaries for the protection and enhancement of the well-being of the citizens of that state, but courts at all levels in the United States repeatedly invoke the commerce clause of the United States Constitution to limit that right; and

WHEREAS, nine states have statutorily protected family farmers and ranchers with laws regulating the business practices of large-scale, nonfamily farm corporations, and Montana producers deserve the same protection; and

WHEREAS, Montana must use economic development strategies that do not further diminish the role of the localized family farm structure in favor of concentrating agricultural production in the hands of a few.

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

STATE OF MONTANA:

That it is in the best interests of the State of Montana to recognize and promote the family farm and ranch as the most stable and most desirable structure for agricultural production and to enhance the economic and social stability of the state's rural communities.

BE IT FURTHER RESOLVED, that the United States Congress be urged to interpret the federal commerce clause to better protect the rights of states to regulate business practices that affect the economic and environmental health of citizens of every state.

BE IT FURTHER RESOLVED, that the United States Congress be urged, through any future regulatory action, to protect and promote family farms and ranches.

BE IT FURTHER RESOLVED, that, for purposes of any future regulatory action, a family farm or ranch corporation be defined as a corporation in which:

(1) at least one-half of voting stock is held by persons related to one another within the fourth degree of kinship and their spouses;

(2) at least one of those related persons resides on the farm or is actively engaged in its day-to-day labor and management;

(3) the stockholders are natural persons or estates; and

(4) two-thirds of the corporate income is derived from farming.

BE IT FURTHER RESOLVED, that the Secretary of State send a copy of this resolution to Montana's Congressional Delegation and the Governor of Montana.

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