



# ENVIRONMENTAL QUALITY COUNCIL

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Aug. 27, 2012

To: Environmental Quality Council (EQC) members  
From: EQC staff  
Re: Public comment related to LC9022

In July, the EQC approved draft legislation to eliminate the Alternative Livestock Advisory Council. This legislation is related to HB142, which requires interim committees to review statutorily required agency reports and statutorily established advisory councils.

The documents were posted for a 30-day public comment period that ended on August 22. A request for comment was posted on the EQC Listserv, included in the *Interim* newsletter, and sent out on Newslinks.

No comments were received by the deadline. The draft legislation has been attached.

If any comments are received in the meantime, copies will be provided in your meeting folder on September 12.

**Unofficial Draft Copy**

As of: May 24, 2012 (11:38am)

LC9022

\*\*\*\* Bill No. \*\*\*\*

Introduced By \*\*\*\*\*

By Request of the Environmental Quality Council

A Bill for an Act entitled: "An Act eliminating the alternative livestock advisory council and its duties; repealing section 87-4-432, MCA; and providing an immediate effective date."

Be it enacted by the Legislature of the State of Montana:

**NEW SECTION.   Section 1. {standard} Repealer.** The following section of the Montana Code Annotated is repealed:

87-4-432. Alternative livestock advisory council -- appointment of members -- duties.

{Internal References to 87-4-432: None.}

**NEW SECTION.   Section 2. {standard} Effective date.** [This act] is effective on passage and approval.

- END -

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## **ALTERNATIVE LIVESTOCK ADVISORY COUNCIL**

The Alternative Livestock Advisory Council (ALAC) fulfills duties required by the following statutes:

**87-4-432. Alternative livestock advisory council -- appointment of members -- duties.** (1)

There is an alternative livestock advisory council to advise the department on the administration of alternative livestock ranches in this state.

(2) The alternative livestock advisory council is composed of five members, appointed by the governor as follows:

- (a) one member of the board of livestock or the department of livestock;
- (b) one member of the fish, wildlife, and parks commission or the department;
- (c) one member who is a representative of the alternative livestock industry;
- (d) one member who is a veterinarian licensed to practice veterinary medicine in this state; and
- (e) one member who is a representative of the sportspersons of Montana.

(3) Members of the alternative livestock advisory council shall serve staggered 2-year terms.

A member may serve one additional consecutive 2-year term.

(4) The alternative livestock advisory council is attached to the department and the department of livestock in an advisory capacity only, as defined in [2-15-102](#). The department and the department of livestock shall provide staff support and assistance necessary for the council to perform its functions.

Prior to the passage of I-143 in November of 2000, an applicant for an alternative livestock ranch license could request that the alternative livestock advisory council review a department proposal to deny an alternative livestock ranch license or to issue a license with stipulations by petitioning the alternative livestock advisory council for review within 10 days of the department's proposed decision. The alternative livestock advisory council was responsible for issuing a recommendation to the FWP commission to either grant the license, propose to deny the license, or issue the license with stipulations. With the passage of I-143, however, the statutes dealing with issuance of an alternative livestock ranch license and with review of a decision on issuance of a new license were repealed.

Staff and support assistance for the ALAC is provided by the MFWP Manager of Commercial Wildlife permitting (that position has been vacant since January, 2012) and Marjorie Kelley of the Department of Livestock. The ALAC has met 3 times since August of 2000 and no meetings have been held since 2007. Meetings are to be convened when issues arise requiring discussion by the ALAC or input from the ALAC to FWP or Department of Livestock. The terms of five of the appointees to the Council expired in January, 2012. One appointment expired in January, 2011 but we have not been notified of that person's reappointment or a different appointment.

The issues that precipitated the passage of legislation to establish the council have, to a great extent, been resolved by the passage of I-143 and subsequent handling of more procedural issues by FWP and D o L. Those issues, combined with the few meetings held in the last decade lead FWP to believe that at this point, the council is no longer necessary.



# **Montana Fish, Wildlife & Parks**

**Law Enforcement Bureau**  
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Helena, MT 59620-0701  
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## **MEMORANDUM**

**TO:** Environmental Quality Council

**FROM:** Jim Kropp, Chief

**DATE:** August 27, 2012

**RE:** Alternative Livestock Advisory Council

At the July EQC meeting, the question was asked how much it would cost to leave the Alternative Livestock Advisory Council in place. When it was regularly meeting, it consisted of 5 members with staff support from Montana Fish, Wildlife & Parks and the Department of Livestock. We anticipate that should the council be reactivated the only direct costs would be for travel, lodging and per diem for council members, depending on their distance traveled to the meeting site. In years past this has amounted to about \$1000 per meeting.

If you have any questions, do not hesitate to contact me.