

3/22/1977

MINUTES OF THE MEETING OF  
HOUSE AGRICULTURE, LIVESTOCK AND IRRIGATION COMMITTEE  
MONTANA HOUSE OF REPRESENTATIVES

March 22, 1977  
10:00 a.m.  
Rm. 436  
State Capitol Bldg.

The meeting was called to order by Chairman Day with all members present except, Representatives Conroy, Johnston, and Staigmiller.

Senator Galt, chief sponsor of SB 165, explained that this bill was requested by the Department of Agriculture and was the grasshopper bill of two years ago. This is a very important bill, giving the authority to the Department of Agriculture to survey for and maintain surveillance of insect pests. Giving them the power to research to determine whether a serious infestation exists or threatens to occur within a county. Allowing the department to control insect programs between counties. To come up with an alternative control program not involving toxic chemicals. The programs for controlling the insects are split in thirds. One third state, one third county, and one third landowner, with those involved retaining the ability to be excluded if they want to be excluded from programs.

PROPOSERS:

Mr. George Lackman, Department of Agriculture, stated that over the past two years grasshopper populations have been quite high in many areas of eastern Montana. Prior to the inception of the Insect Pest Detection and Surveillance Program in 1975, only minimal assistance with pest management decisions was available to the producer. Survey efforts resulted in the delineation of economically infested acreage in and around crops approximating two million acres in each of the past two years. We feel the amendments proposed in SB 165 will allow the department to more efficiently continue the program objectives outlined. (prepared statement attached)

Mr. George Gingery, Department of Agriculture, explained that the definition of "Emergency" is requested because, should counties and producers experience extremely serious insect pest infestations and expended considerable funds for control and the department has limited or no general funds to cost share, a request could be made utilizing the provision of this bill to obtain emergency and disaster funding from the Governor. The emergency and disaster act does include the concept of "plagues of insects". New wording in the bill allows the department to assist agricultural commodity groups to resolve insect pest problems prior to such infestations becoming serious. This function is a preventive activity to correct pest problems, if possible, prior to it becoming serious. Other sections of the bill allows the department to conduct, cooperate in, or coordinate insect pest management services in one or more counties. These services would be provided upon request of any county. Another section has been modified because it is the department's experience that the appropriate county officials should be contacted first on the results of their survey activities and findings. These officials

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usually in cooperation with department employees then meet with affected producers if a serious infestation is declared by the department. It does little good to publish the results of departments findings if neither the county or producers or both, do not desire to initiate a control program on a cost share basis. It is our belief that the department should be available to provide assistance to counties and their citizens and that our role is not to force upon them any control programs they do not desire. Our experience also indicates that if serious pest infestations are experienced in a county, the word spreads rapidly by word of mouth, radio, T.V., and local newspapers. (prepared explanation of all changes made in the bill attached)

Mr. Gregg McCurdy, Association of Counties, stated that they work with the department on testing during the summer. He suggested that the words, "governing body" be used throughout the bill instead of, "county commissioners", which was the original way the law read and should not have been amended. He stated that the split of the cost of one third for the state, county, and the landowner is traditional but, in an emergency the county may pay more. Recommending a, he concurred in, for SB 165.

Representative Bengtson asked if the county could make its own plans of attacking the problems, or does the state have to approve what the county does? Mr. Gingery answered that the counties could set up their own programs without state approval but, if they wanted any state funding it had to be approved by the state. They can do this now, also.

Representative Gunderson asked if they could make the producers spray? Mr. Gingery replied that some producers were against insecticides and want to use a different kind of method to control the insects. The state can't force them to spray, but he still is obligated to pay his one third share of the cost to control. What happens if one sprays and the man next does not? Sometimes buffer zones are set up, which is spraying every ten days or so, for control.

Representative Davis asked if there was a problem with the environmentalist and the spraying? Mr. Gingery stated that the USDA Environmental Impact Statement approved pest control agencies in Washington D.C. The only regulations are that we stay away from the water to prevent pollution, from the spray.

The hearing on SB 165, was closed and the hearing on SB 209 was opened.

Senator Galt, chief sponsor of SB 209, explained that this bill would empower conservation districts to deal with saline seep and water quality control problems. He stated that the only changes the Senate made were inserting, on page 1, line 21, the words; "water quality, and saline seep".

PROPOSERS:

Mr. Richard Klinger, Montana "208" Agencies, stated that the 208 water quality program was a federally made program and is funded by the federal government. This bill would empower the conservation districts to implement water quality management programs. Several agencies implement water quality problems. The conservation districts have been working with the 208 programs and we feel they could implement the problems well. The government funds the 208 program and we would like to see it implemented on the local level, by the conservation districts, to receive cooperation from the local people. He closed with a, he concurred in, recommendation.

Representative Davis stated that he thought the title of the bill was misleading with the wording, "saline seep and other water salinity problems". It would be clearer if water quality was inserted in the title instead of water salinity, since they will be dealing with the 208 program, on water quality.

Representative Bengtson asked if the soil conservation districts agreed with this new burden that would be put on them? The reply was that they have been consulted and had no objections.

Senator Galt closed by stating that he had no objections to amending the title to, water quality, but wanted to point out, to the committee, that the bill was dealing with saline seep and not only water quality. The bill would affect the whole state. In areas where saline seep is a problem, not only in the 208 program areas.

Representative Day asked why subsection 16, on page 7, was deleted? Senator Galt replied that it was a duplication. The same material appeared in subsection 1.

Dave Cogley was asked to work out an amendment for the title too include, water quality.

EXECUTIVE SESSION:

Representative Gunderson moved SB 165, be amended, changing the words; "county commissioners", to "governing body", throughout the bill. Representative Dassinger seconded the motion. It was passed unanimously.

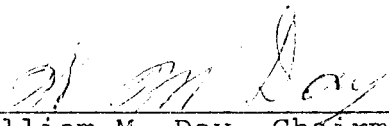
Representative Curtiss moved further action on SB 165, be differed. With no objections, considered differed.

Representative Curtiss moved action be differed on SB 209. With no objections, considered differed.

Representative Gunderson moved the meeting be adjourned. It was seconded and passed unanimously.

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Adjourned at 11:15 a.m.

  
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William M. Day, Chairman

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