

HOUSE AGRICULTURE, LIVESTOCK, AND IRRIGATION COMMITTEE

January 17, 1979

The meeting was called to order by Chairman Day at 1:30 p.m. with all members present except Representative Smith.

BOB LANE, Staff Attorney, was introduced to the committee and his services offered for any help which the committee may need.

HOUSE BILL NO. 99

REPRESENTATIVE ORVAL ELLISON, Chief Sponsor, explained that this bill would provide for the creation and operation for rodent control districts. This bill provides for rodent districts to be setup in the same way as the mosquito districts were setup. The creation of a district may be initiated only by a petition, signed by at least 25% of the owners of the land within the proposed district, then submitted to the County Commissioners, who will post and notify for a hearing. The district may not be created if the owners of at least 51% of the land in the proposed district file written objections with the County Clerk. The district may be abolished at anytime that 51% feels there is no longer a need for that district.

PROponents:

KEN SEYLER AND LES GRAHAM, Montana Department of Livestock, explained that the Richardson Ground Squirrel poses a serious pest problem in many areas of central Montana by competing in pasture and rangeland areas with livestock for forage, and also causes serious damage to hay and grain crops. Estimates derived from a 1973 rodent questionnaire indicated Richardson Ground Squirrels accounted for \$4,708,710 worth of damage in 27 Montana counties.

Rodent control planning meetings and training demonstrations were conducted in Park County during the spring of 1977, landowners expressed dissatisfaction of hand baiting for controlling large infestations of Richardson Ground Squirrels. Landowners reported that baiting by hand was effective but too slow and too expensive for treating large acreages. The Department of Livestock was requested to come up with an alternative method.

Nine sites were selected and evaluated coming up with a cyclone seeder for distributing the grain over the infested area.

In 1975-1976, the Legislature authorized the Department of Livestock to look into methods of control and work with the counties to implement a method of control for the various rodents. (Detailed testimony attached)

DEAN ZENNEIKER, Montana Association of Counties, proposed some amendments to House Bill No. 99, to insert a new subsection 7 to read as follows: "(7) Subordinate service district means an area within the county in which creation services are carried out and in which taxes may be levied to finance the service."; and further amend page 4 by deleting Section 8 in its entirety and inserting the following in lieu thereof: "Section 8. Rodent Control. Rodent control may be provided: (1) directly by

Minutes

January 17, 1979

Page 2

a local government through an office or a department with or without an administrative or advisory board; (2) through the establishment of a subordinate service district or a rural improvement district; (3) by purchasing the services from a public or private vendor; or (4) through an already existing rural improvement district board encompassing the area to be served. The county governing body shall by resolution determine the method of service delivery prior to the hearing required in this act."; And further amend by striking the word, "board" and inserting the word, "county". (detailed amendments attached)

GARY LANGLEY, Representing the Montana Stockgrowers Association and the Montana Woolgrowers Association, and GORDON DOIG, Meagher County Commissioner, were also present as proponents to the bill.

OPPONENTS:


TED DOWLING, Montana Railroad Association, stated that the railroad is the only nonagricultural association that has been included in the bill to pay a share in the rodent control districts. We feel this is discriminatory. The railroad should only have to pay on their agricultural lands not on lands where their tracks have the right of way.

HANK FISCHER, Defenders of Wildlife, felt the bill was infringing upon a persons rights. The control should be left up to the individual landowners and County Extention Officers, not forced upon people who do not want it.

REPRESENTATIVE ELLISON closed by stating he would not object to the proposed amendments. Addressing Mr. Dowling, concerning the railroad, the bill would require there input where agricultural lands were involved. In some districts the railroad owns large amounts of agricultural land. If one landowner in an area does not control their rodents you are wasting your time because 30 days later they will be back. By forming these districts all the people in the area will have to use controlling methods. In our democracy the majority rules, here the same applies, if 51% chooses not to form a district or wishes to abolish a formed district, the majority rules.

After questions by the committee, Chairman Day put House Bill No. 99 into a subcommittee for further consideration. The members of that subcommittee are: Representative Conroy, Chairman; Representative Bengtson; and Representative Schultz. The committee will work with Representative Ellison and the Department of Livestock.

The meeting was adjourned at 2:15 p.m.



William M. Day, Chairman