

MINUTES OF THE MEETING
AGRICULTURE COMMITTEE
MONTANA STATE
HOUSE OF REPRESENTATIVES

January 16, 1985

The meeting of the Agriculture Committee was called to order by Chairman Schultz on January 16, 1985 at 3:05 p.m. in room 317 of the State Capitol Building.

ROLL CALL: All members were present with the exception of Representative Ellerd who was excused by the Chairman.

CONSIDERATION OF HOUSE BILL NO. 148: Representative Rex Manuel appeared before the Committee as sponsor of the bill. He explained to the Committee that this bill has a little change on it and all it is doing is putting in a 6-hour training program instead of 100 training credits. This applies only to the private applicators that need to recertify their special-use permits.

PROPOSERS: Representative Gene Ernst, Co-sponsor of the bill, urged the committees' support. He stated that farmers do not like bureaucracy.

Ross Fitzgerald, who is from Power, Montana and the Vice-President of the Montana Grain Growers Association, testified in support of House Bill No. 148. He stated that allowing a producer to meet the recertification requirements by attending one update meeting imposes less burden on both the producer and the county. Not only is it easier and less expensive for a producer to attend one meeting, but it is less costly for counties, as they must provide the extension personnel for the meetings. There also appears to be no reason that all of the pertinent information cannot be provided to applicators at one meeting. (His testimony is attached hereto)

Representative Devlin stated he supports this bill. He explained to the committee that he participated in a county field tour where each person sprayed a patch of weeds. He made the statement that he learned more on the tour than he learned in a classroom.

There were no opponents present.

Keith Kelly from the Department of Agriculture testified neither in support nor opposition to the bill. He explained to the committee that the criteria for private applicators requires knowledge in seven specific areas and to meet the criteria applicators must follow the guidelines. There are a number of ways a private applicator can obtain the needed

recertification training credits. A brief summary of these are:

1. Extension educational workshops
2. Spray check program
3. Crop protection clinics
4. Research Center field days
5. County field tours

If a private applicator does not attend training during the 5 year requalification period, he has the option of taking a graded written exam. Mr. Kelly also stated that if training was required only one time during a 5 year cycle it would be possible to go 9 years between training sessions. (Exhibit B is attached hereto)

Representative Manuel closed his presentation of the bill.

DISCUSSION OF HOUSE BILL NO. 148: Representative Cody asked if the training sessions apply to all credits. Mr. Fitzgerald replied by saying that some sessions do and some don't.

Representative Devlin asked what the difference was between credits and hours. Mr. Gary Gingery from the Department of Agriculture informed the committee that credits are obtained by participating in courses offered by the Co-operative Extension Agency. Every course an applicator attends over a 5 year period he receives credits as long as it meets the criteria.

Representative Rapp-Svrcek asked how they arrived at six hours. Representative Manuel said they felt they could put on a very effective class in this amount of time.

There being no further questions the hearing was closed.

EXECUTIVE SESSION

Representative Ellison moved the bill DO PASS. The motion was seconded by Representative Keller.

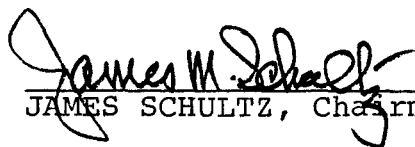
Representative Spaeth moved to amend the bill. No action was taken on the bill pending a Statement of Intent and an amendment.

Chairman Schultz informed the committee of the meeting on Friday, January 18 to act on House Bill No. 148. The committee was also informed of the joint meeting with Judiciary and Fish

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and Game Committees on January 22, 1985 at 7:30 p.m. in Room 325 of the State Capitol Building.

ADJOURN: The meeting was adjourned at 3:50.


JAMES SCHULTZ, Chairman

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DAILY ROLL CALL

Agriculture COMMITTEE

49th LEGISLATIVE SESSION -- 1985

Date 1-16-85

NAME	PRESENT	ABSENT	EXCUSED
James Schultz, Chairman	X		
Gay Holliday, V-Chairman	X		
Bob Bachini	X		
Dorothy Cody	X		
Duane Compton	X		
Gerry Devlin	X		
Robert Ellerd			X
Orval Ellison	X		
Harry Fritz	X		
Ramona Howe	X		
Loren Jenkins	X		
Vernon Keller	X		
Francis Koehnke	X		
John Patterson	X		
Bing Poff	X		
Paul Rapp-Svrcek	X		
Gary Spaeth	X		
Dean Switzer	X		

Exhibit A
HB 148
1-16-85



P.O. Box 1165 • 750 6th Street S.W. • Great Falls, Montana 59403 • 406/761-4596

TESTIMONY BEFORE HOUSE AG COMMITTEE ON BILL 148

Mr. Chairman, Members of the Committee:

For the record, my name is Ross Fitzgerald. I am a small grain producer from Power, Montana. I am also Vice President of the Montana Grain Growers Association. I would like to testify in support of House Bill 148, which would revise the pesticide training requirements for farm applicators.

The process of training and certifying pesticide applicators, as a whole has worked out well, except in the area of recertification points. That process has been somewhat cumbersome. It has been costly both in terms of the administration and the producer. In many cases it has been logistically impossible to get required number of points at the right time.

This bill addresses this problem. Allowing a producer to meet the recertification requirements by attending one update meeting imposes less burden on both the producer and the county. Not only is it easier and less expensive for a producer to attend one meeting, but it is less costly for counties, as they must provide the extension personnel for these meetings.

There also appears to be no reason that all of the pertinent information cannot be provided to applicators at one meeting. Information on new developments in safety, application and chemicals can certainly be given in one session.

It should also be pointed out that MCGA feels the chemical industry is taking a bigger role in promoting the safe use of their chemicals. They have a stake in seeing that their products are applied correctly and safely, and are assuming more and more of that responsibility.

In the interest of economy and efficiency, without the sacrifice of any safety, the Montana Grain Growers Association supports the passage of House Bill 148.

MARK RASMUSSEN
President
Haviland

ROSS FITZGERALD
Vice President
Power

HOWARD HAMMOND
Secretary
Mullan

GREGG HOLT
Treasurer
Great Falls

Exhibit 13
HB 148
1-16-85

TESTIMONY OF MONTANA DEPARTMENT OF AGRICULTURE
DIRECTOR KEITH KELLY FOR
THE AGRICULTURE COMMITTEE
ON HOUSE BILL 148
HELENA, MONTANA

"An Act to revise the requalification training requirements for farm applicators."

A Memorandum of Understanding between the Montana Department of Agriculture and the Montana Cooperative Extension Service that went into effect in January of 1984 establishes the Montana CES as the agency that will develop and provide training for private pesticide applicators in Montana.

The Montana Pesticide Act (and FIFRA) establishes the certification criteria for private applicators which requires knowledge in seven (7) specific areas.

1) Pests and Pest Control; 2) Pesticides; 3) Labels and Labeling; 4) Application Equipment and Mixing Chemicals; 5) Pesticide Safety; 6) Environmental Concerns; 7) Laws and Regulations.

To meet these criteria, applicator training guidelines have been established and can be summarized as follows:

Recertification

1) Training offered at least 3 out of 5 years; 2) Training must meet certification criteria; 3) must submit training program to extension coordinator for approval 30 days prior to advertising the training workshop.

There are a number of ways by which a private applicator can obtain the needed recertification training credits. A brief summary of these follow:

1) Extension educational workshops (1/3 credit); to qualify must have one workshop that is 4 hours long or that covers 3 certification criteria; or two workshops that are 2 hours each or that cover 3 certification criteria. 2) Spray check program (1/3 credit) one spray check program qualifies (5-year period); to qualify must have information on application equipment, calibration procedures, economics of proper application. 3) Crop protection clinics (1/3 credit); to qualify program must be approved by training coordinator and program must include 3 certification criteria.

Training credit can also be obtained in other areas such as:

Agricultural Research Center Field Days qualify for recertification training if: 1) Extension agents help plan the program; 2) Program covers required training criteria; 3) Program is submitted by the Extension agent to the training coordinator and is approved thirty (30) days in advance; 4)

Program must meet the criteria for a full one-third (1/3) credit.

County Field Tours can qualify for recertification training if:
1) Extension agent helps plan the tour; 2) Tour includes required training criteria; 3) Tour is planned and program submitted to training coordinator for approval thirty (30) days in advance.

The Montana Pesticide Advisory Council (1981-1982) recommended to the Montana Department of Agriculture that more and higher quality training should be available to private applicators. The present training program was developed partially in response to the recommendation. Although examinations are available as an option for initial certification and recertification most people view training as a much more desirable option.

If a private applicator does not attend training during the 5 year requalification period, the only option he or she has (if they want to remain in the system) is to take a graded written examination (passing grade = 70%). This examination is much more comprehensive than the examination offered for initial certification.

At the present time there are 8,135 private applicators licensed to use restricted use pesticides in the state of Montana. Under the present training scheme these applicators will receive 9-12 hours of instruction on pesticide use and application during the 5 year recertification period. Under this system private applicators can receive credit for more than one training workshop per calendar year but; 1) can qualify for only 2/3 of the total credits and; 2) only one spray check program qualifies for credit during the 5 year period. The purpose for this is to provide a mechanism to keep private applicators abreast of the changes in pesticide application equipment and new generation chemicals. If training was required only one time during a 5 year cycle it would be possible to go 5 years between training sessions.

VISITOR'S REGISTER

HOUSE Agriculture

COMMITTEE

BILL House Bill 148

DATE 1-16-85

SPONSOR R. Samuel Ernst

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.