

SENATE BILL 95

IN THE SENATE

January 13, 1979

Introduced and referred to  
Committee on Agriculture,  
Livestock and Irrigation.

January 20, 1979

Committee recommend bill, do  
not pass.

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*House* BILL NO. *95*  
INTRODUCED BY *Huffman R. Smith Watt Palmer*

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROHIBIT THE USE OF HERBICIDES AND INSECTICIDES ALONG ROADWAYS LOCATED IN FORESTED LANDS WEST OF THE CONTINENTAL DIVIDE."

WHEREAS, birds of many species are beneficial to mankind, both aesthetically and because they are a natural control of harmful, destructive insects; and

WHEREAS, the blue jay population which helps to control pine beetle infestations is a prime example of a beneficial bird species; and

WHEREAS, indiscriminate spraying with herbicides and insecticides is harmful to the beneficial bird populations.

THEREFORE, it is the intent of this bill to prohibit the use of herbicides and insecticides along roadways located in forested areas west of the Continental Divide to preserve the balance of nature by protecting the beneficial bird populations.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Definitions. As used in [this act], the following definitions apply:

(1) "County road" means a public highway opened,

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established, constructed, maintained, abandoned, or discontinued by a county in accordance with Title 7, chapter 14.

(2) "Forested land" means land which has enough timber, standing or down, slash, or brush to constitute, in the judgment of the department of natural resources and conservation provided for in Title 2, chapter 15, part 33, a substantial habitat for beneficial birds.

(3) "Herbicide" means a substance or mixture of substances for preventing, destroying, repelling, or mitigating any weed.

(4) "Insecticide" means any substance or mixture of substances for preventing, destroying, repelling, or mitigating any insects present in any environment.

(5) "State highway" means a public highway planned, laid out, altered, constructed, reconstructed, improved, repaired, maintained, or abandoned by the department of highways provided for in Title 2, chapter 15, part 25.

(6) "Right-of-way" means land or property or any interest therein, usually in a strip, acquired for or devoted to highway purposes.

Section 2. Restrictions on herbicide and insecticide use. The use of herbicides and insecticides is prohibited on the right-of-way of any portion of a state highway or county road that is located in forested land west of the

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INTRODUCED BILL  
SB 95

LC 0588/01

1 Continental Divide.

-End-