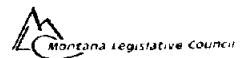




1 *Senate* BILL NO. *238*  
 2 INTRODUCED BY ~~\_\_\_\_\_~~  
 3 *Megan Hensch Drachy Campbell*  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO IMPOSE A SURCHARGE  
 5 ON THE RETAIL SALE OF FIELD RODENTICIDES AND TO AUTHORIZE  
 6 THE DEPARTMENT OF AGRICULTURE TO EXPEND THESE FUNDS FOR  
 7 VERTEBRATE PEST MANAGEMENT PURPOSES; TO ESTABLISH A  
 8 VERTEBRATE PEST MANAGEMENT ADVISORY COUNCIL; AMENDING  
 9 SECTION 80-7-1102, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE  
 10 DATE."

11  
 12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
 13 Section 1. Section 80-7-1102, MCA, is amended to read:  
 14 "80-7-1102. Expenditures authorized. The department  
 15 may make expenditures for to:  
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 17 expenses,---including---expenditures---for personal services,  
 18 which are necessary to execute the functions imposed on it  
 19 by this part;  
 20 (2) obtain data on vertebrate pesticide registration  
 21 and research information on alternative vertebrate pest  
 22 management techniques;  
 23 (3) conduct research or evaluation studies;  
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 25 individuals, universities, other states, state or federal

1 agencies, or other entities it considers appropriate to  
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 3 (5) maintain and support registration of current  
 4 rodenticides such as compound 1080, strychnine, and zinc  
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9 (f) one member from a sportsmen's or wildlife group;

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11 (h) one member representing public land interests.

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24 NEW SECTION. Section 7. Codification instruction.  
25 Sections 2 through 6 are intended to be codified as an

LC 1587/01

1 integral part of Title 80, chapter 7, part 11, and the  
2 provisions of Title 80 apply to sections 2 through 6.

3 NEW SECTION. Section 8. Effective date. This act is  
4 effective on passage and approval.

-End-

## STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB238, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

A bill for an act entitled: "An act to impose a surcharge on the retail sale of field rodenticides and to authorize the Department of Agriculture to expend these funds for vertebrate pest management purposes; to establish a vertebrate pest management advisory council; amending section 80-7-1102, MCA; and providing an immediate effective date."

ASSUMPTIONS:

1. EPA proposes cancellation of strychnine, zinc phosphide and Compound 1080 for use as rodenticides unless registration data requirements can be filled. These data requirements include: residue chemistry data for rodenticide use on croplands; fate (degradation and mobility in soil) of the rodenticide compounds in the environment; wildlife and aquatic organism data including secondary hazard studies; toxicology data; and efficacy data.
2. The registrants of these products are small businesses and have neither the funds nor the personnel to carry out the required research to achieve registration.
3. If the states currently using strychnine, and potentially 1080 as rodenticides, wish to maintain these registrations, the needed data will have to be generated by them.

FISCAL IMPACT:

Expenditures:	FY88			FY89		
	Current Law	Proposed Law	Difference	Current Law	Proposed Law	Difference
Personal Services	\$ 0	\$ 350	\$ 350	\$ 0	\$ 350	\$ 350
Operating Expense	0	4,250	4,250	0	4,250	4,250
Benefits/Claims	0	19,900	19,900	0	19,900	19,900
TOTAL	\$ 0	\$ 24,500	\$ 24,500	\$ 0	\$ 24,500	\$ 24,500

Funding:

Special Revenue*	\$ 0	\$ 24,500	\$ 24,500	\$ 0	\$ 24,500	\$ 24,500
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\* Breakdown of Revenue is as follows:

5% Surcharge	\$ 0	\$ 11,500	\$ 11,500	\$ 0	\$ 11,500	\$ 11,500
Cost-Share	0	10,000	10,000	0	10,000	10,000
Donations/Grants	0	3,000	3,000	0	3,000	3,000
TOTAL	\$ 0	\$ 24,500	\$ 24,500	\$ 0	\$ 24,500	\$ 24,500

EFFECT ON COUNTY OR OTHER LOCAL REVENUE OR EXPENDITURES:

None

David L. Hunter DATE 2/3/87  
 DAVID L. HUNTER, BUDGET DIRECTOR  
 Office of Budget and Program Planning

Tom Beck DATE 2-4-87  
 TOM BECK, PRIMARY SPONSOR

Fiscal Note for SB238, as introduced.

SB 238

APPROVED BY COMMITTEE  
ON AGRICULTURE LIVESTOCK  
AND IRRIGATION

STATEMENT OF INTENT

SENATE BILL 238

Senate Agriculture, Livestock & Irrigation Committee

This bill requires a statement of intent because section 6 authorizes the department of agriculture to adopt rules implementing the vertebrate pest management law. The department may operate management programs and may cooperate with other governmental and private entities for vertebrate pest management purposes.

It is the intent of the legislature that the department adopt rules for the orderly administration of the rodenticide fund and the collection of revenue as provided in the bill. The department shall provide a method of giving notice to the rodenticide registrant and a procedure for payment of the surcharge.

It is the intent of the legislature that the department adopt rules relating to the expenditure of funds generated by this bill. Specifically, the department shall use the criteria stated in 80-7-1102 and 80-7-1103 as the basis for the expenditure of the funds. The legislature intends that the money given in the form of grants and contracts be primarily on a cost-share basis. The department shall determine the ratio of cost sharing by considering the entity being given the money, its ability to find other

sources of funding, the need for the project for which it receives the money, and the amount of benefit it bestows on the area involved. The legislature intends that projects involving greater community action and benefit receive increased priority.



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2 INTRODUCED BY BECK, ANDERSON, HOFMAN,  
3 MEYER, HIRSCH, GRADY, CAMPBELL, SWYSGOOD

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22 and research information on alternative vertebrate pest  
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SB 0238/02

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3 provisions of Title 80 apply to sections 2 through 6.

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## 2 SENATE BILL 238

3 Senate Agriculture, Livestock & Irrigation Committee  
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-End-

# HOUSE

March 6 19 87

Mr. Speaker: We, the committee on AGRICULTURE, LIVESTOCK & IRRIGATION

report SENATE BILL 238

do pass

be concurred in

as amended

do not pass

be not concurred in

statement of intent attached

*Duane W. Compton*  
\_\_\_\_\_  
REP. DUANE W. COMPTON Chairman

*MD*

Third

reading copy ( Blue )  
color