

EXHIBIT 3
DATE 2-3-05
HB 359

Testimony of Paul G. Newby
Sec./Treas. of Assoc. of Mt. Aerial Applicators (AMAA)
2/3/05
House Government Committee
House Bill No. 359

Chairman Noennig and members of the committee:

I am Paul G. Newby of Bozeman, a lifelong resident of the Gallatin Valley and an aerial applicator of 40 years experience, nearly 46 years as a pilot, and 49 years work experience in this industry.

I speak here today in opposition to HB 359 for the following reasons:

A. There exists today in all levels of government a mechanism by which any citizen may ask for changes in the requirements for notification and posting regarding pesticide application. In Montana that process leads to the State Department of Agriculture where the authority rests for making such decisions. They also possess or have access to the expertise needed to deal with such subjects.

B. Empowering local government at the County or City level which is much further removed from the necessary resources and expertise will ultimately lead to decisions which are much more likely to be made on the basis of emotion rather than fact, and will lead to a patchwork quilt of regulation throughout our state which will be inconsistent at the least, and nightmarish in the extreme.

C. Though this legislation appears to leave my segment of the industry out of the picture for the moment, it would become a stepping stone for further change in the future and I therefore view it as a threat to creating disarray in the entire industry.

D. Last in my view, it would create further activities, committees, and expense in more levels of Government which are already struggling with income, expense, and are being swamped with the need for services, real and perceived, that they cannot handle.

I have lived through the entire process which was started by President Nixon many years ago when his administration brought the EPA into existence and recognize that both good and bad have been accomplished since that time. I cannot see the need for legislation such as this and earnestly encourage you kill HB 359.

Thank you for your kind attention, and I would gladly answer any questions you might have.

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