



# Legislative Background Brief

for the  
Economic Affairs Interim Committee

August 2011

## Noxious Weed Summit Advisory Council

Prepared by Pat Murdo, Legislative Research Analyst

### Administrative Appointments: By Governor

**Established** - By Executive Order No. 14-2005 (automatic renewal specified in the Executive Order, which does not jibe with the format for renewal described in 2-15-122(10), MCA. That format says an advisory council is to be for no more than two years, unless required for federal funds, and that an advisory council that is continued is to have a new termination date set, which can then be rescheduled after those two years.)

### Purposes:

- provide advice to the governor on weed management policies that affect Montana;
- promote weed management principles and practices consistent with current science;
- promote integrated weed management practices to meet weed management objectives.

### Duties:

- review the Montana Weed Management Plan and recommend, when appropriate, that the Department of Agriculture update the plan;
- recommend to the governor coordination and partnerships among private, county, state, and federal entities regarding noxious weed management;
- promote coordination of noxious weed management programs, policies, and resources;
- facilitate the exchange of information on noxious weed management;
- review and establish guidelines for private, county, state, and federal land managers.

**Council Members: 12 members.** See below for list of what entities must be represented.

Members	Representing	Term Expires
Ron de Yong, chair Dept. of Agriculture Director	Governor	serves at pleasure of Governor
Scott Bockness Billings	Montana Weed Control Assn.	serves at pleasure of Governor
Jim Ghekiere Chester	County Weed District	serves at pleasure of Governor
Dave Burch	MT Dept. of Agriculture	serves at pleasure of Governor
Lindy Garner US Fish & Wildlife Service	Federal Agency	serves at pleasure of Governor
Kevin Chappell DRNC, Trust Lands	State Agency	serves at pleasure of Governor
Dave Schultz Virginia City	MT Assn. of Counties (MACO)	serves at pleasure of Governor

Jerry Marks, Missoula	MSU Extension Agent	serves at pleasure of Governor
Tracy Sterling Bozeman	MSU Agricultural Experiment Station	serves at pleasure of Governor
Doug Dupuis Pablo	Tribe	serves at pleasure of Governor
Celestine Duncan Helena	Crop Protection Product Industry	serves at pleasure of Governor
Sarese Pankratz Dodson	Irrigation District (not required in executive order)	serves at pleasure of Governor

**Topics of Interest**

Is there a disconnect between the legislatively created Noxious Weed Management Advisory Council and the Noxious Weed Summit Advisory Council, created by executive order?

**2011 Legislation Impacting Noxious Weed Summit Advisory Council**

Nothing specific to the advisory council. The following bills were enacted regarding noxious weeds:

- HB 133, by Rep. Salomon at request of the Department, to clarify procedures and allow for court orders to help control noxious weeds.
- HB 166, by Rep. Esp, to generally revise weed control laws
- HB 212, by Rep. Ingraham, as part of a revision of county classification laws allowed county commissioners to appropriate money for a county noxious weed fund from any source "in an amount not less than \$100,000 or an amount equivalent to 1.6 mills levied upon the taxable value of all property" among other changes, including subjecting the tax for weed control to 15-10-420, MCA, limiting taxation.

**Audits**

No performance audits