



Legislative Background Brief

for the
Economic Affairs Interim Committee

August 2014

Noxious Weed Seed Free Forage Advisory Council

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Administrative Appointments: By Department of Agriculture Director

Statutorily Established - 80-7-904, MCA. Created in 1995, as part of the Noxious Weed Seed Free Forage Act, also enacted in 1995. Title 80, chapter 7, part 9.

Purposes:

Advise the department on noxious weed seed free forage activities, including:

- fees established for processing applications, inspections, and minimum administration (80-7-907, MCA);
- rules regarding contracts and agreements, certification standards, inspections, operations, records, reciprocal agreements with other states or Canadian provinces, penalties (subject to 80-7-922, MCA), and various fees (80-7-909, MCA);

Council Members: 10 members plus 2 ex-officio nonvoting members. There will be four vacancies on Sept. 17, 2014. Voting members are: the director of the Department of Agriculture; four members who produce forage under a certified forage noxious weed seed free program and who represent different geographical parts of the state; one member who processes forage into pellets, cubes, or related products, one member representing the livestock or agricultural industry, two members who represent county weed districts involved in a forage certification program and who are members of the Montana weed control association and are from different geographical areas of the state, one member of an outfitter or guide organization, and one from a recreationist/wildlife group, a member who is a herbicide dealer or applicator; a consumer group member, a member representing biological research and control, a member of the Montana Weed Control Association, one member representing a western county, one member representing an eastern county, and one at-large member from the agricultural community. Includes two ex-officio nonvoting members who are the director of Montana State University-Bozeman's agricultural experiment station and the director of the Montana State University-Bozeman extension service.

Members/Address	Representing	Term Expires
Ron de Yong, Helena	Director, Dept. of Agriculture	NA
Tom Benson, Pablo	Weed Districts, western MT	9/17/2014
Jennifer Cramer, Hysham	Weed Districts, eastern MT	9/17/2014
Kehoe Wayman	Outfitters & Guides Association	9/17/2016
Mark Siderius, Kalispell	forage producer (western)	9/17/2016
Carter Butori, Dillon	forage producer (south central)	9/17/2015
Jim Bouma, Choteau	forage producer (Golden Triangle)	9/17/2016

Michelle Whiteside, Miles City	feed pellets, cube production	9/17/2014
Ken Smith, Kalispell	livestock/agricultural industry	9/17/2015
Steve Johns, Canyon Creek	forage producer (central)	9/17/2014
Jane Mangold, Bozeman	MSU Extension Service	NA
David Wichman	MSU Agricultural Experiment Station	NA

Budget

The Noxious Weed Seed Free Forage program budget expenditures for FY 2014 were \$100,225.

Topics of Interest

- The Advisory Council meets one or two times annually or as needed when issues arise. Meeting minutes are available on the website: <http://agr.mt.gov/About/Boards/WeedFree/Meetings/>
- A proposed [rule](#) increasing fees for inspecting the fields of noxious weed seed free forage producers was suspended temporarily by the Economic Affairs Committee at its [August meeting](#) pending efforts to determine if the producers had commented on the increase. The explanation for the rule change noted that changes in Senate Bill No. 144 reduced the Department of Agriculture's administrative funds from the Noxious Weed Trust Fund, which previously had been used in part to supplement support of the forage program. The committee lifted its opposition at its [October meeting](#) and the revised fees and [rule](#) went into effect on March 14, 2014. The fee increase has not yet been realized as hay inspections and billing information has not been completed for calendar year 2014, according to the Department. The Department anticipates this process to be completed in late October.

2013 Legislation Enacted Regarding Noxious Weed Seed Free Forage

- SB 144, by Sen. Jon Sesso, revised use of reverted grant funds and prohibited the Department of Agriculture from applying for or receiving grant awards from the Noxious Weed Management special revenue fund. Also revised percentage of the Noxious Weed Trust Fund that could be used for the Department of Agriculture's administration.
- A proposed 2013 bill draft, LC 2027, to remedy the funding reduction with an appropriation did not get introduced.