

Summary of work on SJ42 (noxious weed control)

ENVIRONMENTAL QUALITY COUNCIL
JAN. 5, 2026

WHAT IS SJ42?

Senate Joint Resolution 42 ([Study of noxious weed control](#)) asks the [Environmental Quality Council](#) to:

- examine state law and department rules related to containment, suppression, and eradication of noxious weeds in Montana
- research noxious weed control strategies, including herbicides, materials, and equipment
- examine how other states have incorporated noxious weed control in statute
- propose legislation
- collaborate with relevant stakeholders

WHAT'S IN THE EQC WORK PLAN FOR SJ42?

- Panel discussion
- Staff background paper/presentation on existing statutes, including funding mechanisms, methods of weed control, and responsibilities of weed boards and coordinators
- Examine responsibilities of weed boards and coordinators, identify areas of need
- Examine currently available noxious weed control methods in industry
- Identify any effects that updating statutory language could have on funding
- Deliverables: Report of committee's findings; legislation to clarify responsibilities and enforcement for weed boards and commissions; framework for other, future control methods

WHAT HAS BEEN DONE?

On Oct. 22, staff from the Dept. of Agriculture and the Montana Invasive Species Council [reviewed the related laws](#), which include:

<i>Statute</i>	<i>Summary</i>
County Weed Control act	Establishes weed districts, weed boards (all counties have a weed district, though number of employees and level of funding varies) Unlawful to permit noxious weeds to propagate (Ag Dept. designates 41 species as "noxious;" subdivisions, gravel pits must have approved weed plans) Procedures for noncompliance (complaints, inspection, notification, hearing, appeal, court order to control weeds, costs/penalties; most voluntarily comply with notices)
Administration of State Lands	State authorization to control weeds on state land
Seed Labeling, Licensing, Certification	Prohibited and restricted noxious weed seeds ("a person may not sell or transport for use in planting in this state any seed that contains prohibited noxious weed seeds or contains more restricted weed seeds in excess of department rules")

<u>Control of Diseases and Insects in Nurseries</u>	Dept. of Agriculture regulation (importation rules) of grain, plants, seeds et al., harmful to Montana plant communities; biennial reporting requirement
<u>Noxious weed management funding</u>	Includes codification of 2004 Constitutional amendment; trust advisory council
<u>Noxious Weed Seed Free Forage Act</u>	Department of Ag certification of weed-free hay
<u>Montana Aquatic Invasive Species Act</u>	Ag, FWP, DNRC, MDT develop strategic plans to management agreed-upon list of aquatic invasives, i.e., boat check stations
<u>Invasive Species Council</u>	Policy recommendations, stakeholder coordination, education and outreach
<u>Kelly Flynn Wildlife Habitat Improvement Act</u>	Habitat projects must include noxious weed plan
<u>Greater Sage-Grouse Stewardship Act</u>	Projects for sage grouse habitat must reduce spread of invasive weeds

WHAT'S ON THE JAN. 13 AGENDA?

Council staff invited panelists based on SJ42's list of relevant stakeholders; those that accepted are reflected on the meeting agenda.

Staff also provided panelists with a list of "discussion prompts." These questions are intended to guide testimony and provide relevant information to the council:

1. What is the scale of Montana's noxious weed problem? What sorts of ecological and economic impacts do noxious weeds pose? What noxious weeds are most problematic? What are the emerging threats?
2. How are weed districts funded? How is the money used? Is the amount of funding adequate? If not, what opportunities exist for increased funding?
3. Are there adequate numbers of weed coordinators in Montana? Characterize the training needs for weed coordinators? Is the current system working?
4. How do weed districts enforce noxious weed laws? Are private landowners aware and receptive to this? What improvements or clarifications are necessary to improve enforcement and awareness?
5. How do weed districts coordinate with other state, federal, or local agencies? Should this coordination be altered?
6. How would early detection rapid response teams help combat noxious weeds? Are herbicide-resistant weeds a problem?
7. What strategies, laws, or efforts in other states may be useful in Montana?

WHAT COMES NEXT?

The council and its [work plan](#) will direct the next step of the SJ42 study, which may include industry control methods, noxious weed management funding.

The council meets next on March 24 or 25.