Legislative Background Brief

for the

Economic Affairs Interim Committee

January 2012

Noxious Weed Seed Free Forage Advisory Council

Prepared by Pat Murdo, Legislative Research Analyst

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. 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 onefrom 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	9/17/2013
Mark Siderius	forage producer, Kalispell	9/17/2013
James Melin, Livingston	forage producer, southcentral MT	9/17/2012
Jim Bouma, Choteau	forage producer	9/17/2013
Michelle Miller, Billings	feed pellets, cube production	9/17/2014

Ken Smith, Kalispell	livestock/agricultural industry	6/30/2012
Don Walker, Helena	forage producer	9/17/2014
Dennis Cash, Bozeman	MSU Extension Service	NA
David Wichman	MSU Agricultural Experiment Station	NA

Budget
The Noxious Weed Seed Free Forage program, as reported in February 2010 minutes, was authorized to spend $26,394 -- less than the $70,000 previously accessed from the Noxious Weed Trust Fund.

The February 2010 meeting cost $1,263. The next meeting is set for January 19, 2012.

Topics of Interest
- Last met February 24, 2010. Discussed budget concerns and proposed legislation to require use of noxious weed seed free forage for horses, mules, dogs, cattle or oxen used for recreational purposes on public lands. (This idea was not proposed in legislation.)

2011 Legislation Enacted Regarding Noxious Weed Seed Free Forage
- HB 166, by Rep. Esp, to generally revise weed control laws, including requiring county approval of weed management plans and embargo releases for forage not in compliance with the chapter governing noxious weed seed free forage (Title 80, chapter 7, part 9).