Legislative Background Brief

for the
Economic Affairs Interim Committee

August 2011 (revised for January 2012)

Noxious Weed Management Advisory Council

Prepared by Pat Murdo, Legislative Research Analyst

Administrative Appointments: By Department of Agriculture Director

Statutorily Established - 80-7-805, MCA. Created in 1985.

Purposes:

- advise the department on noxious weed management funding.

Council Members: 11 members. Includes director of the Department of Agriculture, a member representing livestock production, a member representing agriculture crop production, a member 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.

Members/Address	Representing	Term Expires
Ron de Yong, Helena	Director, Dept. of Agriculture	NA
Dan Jackson, Pablo	livestock production	June 30, 2012
Todd Wagner, Glasgow	agriculture crop production	June 30, 2013
Jennifer Anderson, Livingston	recreationist/wildlife group	June 30, 2012
Jim Gordon, Huntley	herbicide dealers/applicators	June 30, 2013
James Olivarez	consumer groups	June 30, 2013
Jim Story, Corvallis	biological research & control	June 30, 2013
Jack Eddie, Dillon	Montana Weed Control Assn.	June 30, 2013
Margie Edsall, Sheridan	a Western county	June 30, 2013
Dick Zoanni, Sidney	an Eastern county	June 30, 2013
Nico Cantalupo, Baker	at-large member	June 30, 2012

Budget

The Noxious Weed Management Advisory Council had expenses of $16,530 in FY 2010 and $14,885 in FY 2011.

The Noxious Weed Trust Fund's principal balance, reported as of June 9, 2011, was $10,192,273. The Department of Agriculture, with advice by the council, awarded grants in

FY 2011 of $2,423,870. Program administrative expenses were about $168,891, or roughly 6.2% of program revenue, as reported to the council in June 2011.

Topics of Interest

- Last met October 20, 2011, to discuss whether to move education funding from Montana State University to the Montana Weed Control Association (MWCA). The Advisory Council voted 4-3 to immediately move $50,000 to the MWCA, pending transfer of other agency funding (Bureau of Land Management, U.S. Forest Service and Montana Department of Transportation) from MSU to the MWCA, which noted that it would not charge the 17.5% indirect cost rate. Department of Agriculture Director Ron de Yong said he would take the vote under advisement. The director did not vote, but the representative of the MWCA was in the majority on the vote.

2011 Legislation 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, which as part of a revision of county classification laws included a statute coordinated with HB 166.

Audits

- December 2008 Performance Audit of Weed Management at State Parks and Fishing Access Sites. Primarily an audit of the Department of Fish, Wildlife, and Parks. The audit mentions a weed management committee on pp. 4, 5, and 20.