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**Economic Affairs Interim Committee**  
**63rd Montana Legislature**

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BART CAMPBELL, Staff Attorney  
PAMELA ROSSI, Secretary

August 22, 2013

Ron deYong  
Director, Department of Agriculture

by email and intraoffice mail

Dear Director deYong:

The Economic Affairs Interim Committee voted 6-2 at its Aug. 21 meeting to object to the proposed rule increasing fees for the noxious weed seed free forage program noticed in the Montana Administrative Register, MAR 4.14.213, on Aug. 8, 2013. The Committee directed that a letter be sent to notify the Department of Agriculture that, pursuant to the Montana Administrative Procedure Act, 2-4-305(9), MCA, the Committee will put the question about whether the proposed increase in fees is commensurate with costs on the agenda for its next meeting, Oct. 22.

The committee would like to hear from producers and facilities regarding the impact of the fee increases and whether the value of the inspections and noxious weed seed free forage certifications is worth the increased cost. The committee also would appreciate a written explanation of the certification process and a detailed explanation of how the indirect costs are assessed for the noxious weed seed free forage program, how the direct program costs are calculated and whether the costs for personnel in the program are shared with other programs, and why the enactment of Senate Bill No. 144 resulted in some of the fees more than doubling for the noxious weed seed free forage program.

In sum, the Committee would like the following information for its Oct. 22 meeting:

- information on whether the program costs are worth the value to producers and facilities;
- an explanation of direct and indirect costs for the program and how those fees are commensurate with the costs; and
- an explanation of why the department has decided the program must be self-supporting, along with suggestions of other options for program support.

Thank you for your attention to this request for information. As you can see from 2-4-305(9), the Economic Affairs Committee may at its Oct. 22 meeting decide that the objection is no longer necessary. For that reason, the supporting documentation is important.

Sincerely,

Sen. Bruce Tutvedt, presiding officer

cc: Noxious Weed Seed Free Forage Advisory Council  
Montana Farm Bureau  
Montana Farmers' Union  
Montana Stockgrowers Association  
Montana State University Extension Service  
Montana Wheat and Barley Association  
Montana Board of Outfitters  
U.S. Forest Service

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