

Department of Agriculture

Agency Overview

August 2011

For the Economic Affairs Interim Committee

Department Head: Ron de Yong, Director (appointed by Governor with Senate approval)

Description and Responsibilities:

- Department constitutionally required for protecting, enhancing, and developing all agriculture. (Article XII, Section 1)
- Licenses and regulates produce/commodity dealers and commodity warehouses, including use of bonds and claims against bonds.
- Provides inspectors and graders for agricultural products.
- Maintains a testing laboratory for certifying grade or protein of grains.
- Licenses facilities that condition agricultural seed and assesses fees on certain sales.
- Registers and regulates apiaries.
- Licenses, inspects, regulates plant nurseries.
- Oversees and provides management help to control pests and weeds.
- Licenses commercial pesticide applicators and dealers.
- Licenses, inspects, and regulates commercial feed, pet foods.
- Regulates fertilizers and licenses distributors. Advisory committee to meet once a year.
- Shares with the Department of Environmental Quality a duty to inspect and regulate hazardous waste and disposal of solid waste.
- Retains appraisers for losses insured by hail insurance board.
- May inspect produce under Montana Produce Act.
- Collects and publishes statistics on ag products' and allied interests' production/marketing
- Assists and promotes the organization of farmers' institutes, societies, and the holding of fairs, livestock shows, or other ag exhibits.
- Helps devise and maintain distribution systems.
- May maintain a market news service and act as a clearinghouse for producers and consumers.

Administratively Attached Entities:

with Governor appointments

- Montana Agriculture Development Council 2-15-3015, 90-9-103, MCA
- Montana Alfalfa Seed Committee 2-15-3004, MCA
- Board of Hail Insurance 2-15-3003, MCA, and Title 80, ch. 2, part 2
- Montana Mint Committee 2-15-3006, MCA
- Montana Wheat and Barley Committee 2-15-3002, MCA
- Montana Noxious Weed Summit Advisory Council (established by executive order No. 14-2005)

with Department appointments

- Noxious Weed Management Advisory Council 80-7-805, MCA
- Montana Noxious Weed Seed Free Forage Advisory Council 80-7-904, MCA
- Montana Cherry Advisory Committee created under 80-11-510, MCA (allowing department to set up)
- Organic Commodity Advisory Council, required under 80-11-601 once certification program created.
- Montana Potato Advisory Committee, created under 80-11-510, MCA
- Montana Pulse Crop Advisory Committee, created under 80-11-510, MCA

allowed but not in existence

- Vertebrate Pest Management Advisory Council, 80-7-1104 allows department to create/appoint
- Advisory Council on special pesticide problems, 80-8-108 allows department to create/appoint

Legislative Audits:

- Financial compliance audit, November 2009 and September 2007. Next one due this year.
- Performance audit, State Grain Laboratory Operations and Future Viability, January 2008.

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Agency Bills Passed During 2011 Session:

- HB 133, by Rep. Salomon, to provide for court orders, fines, and liens for noncompliance with noxious weed laws
- SB 74, by Sen. Steinbeisser, to allow commodity dealers to use full or 110% bond for commodities to be purchased

Agency Bills That Failed During 2011 Session:

- none

Department of Agriculture Divisions, Selected Programs, FTE, and FY2012-13 Funding:

Program	FY'13 FTE	General Fund	State Other	Proprietary	Federal	Total ALL
Central Services	14.87	\$245,202	\$1,620,388	\$251,816	\$253,550	\$2,370,956
Ag Sciences	65.78	\$593,017	\$13,767,180	0	\$4,388,349	\$18,748,546
Ag Development	38.75	\$1,015,265	\$8,587,585	\$15,979,224	\$16,718	\$25,598,792
Growth thru Ag	4.00	\$1,380,000	0	0	0	\$1,380,000
Wheat & Barley*	5.00	0	\$5,810,357	0	0	\$5,810,357
Grain Lab*	19.65	\$246,830	\$1,487,139	0	0	\$1,733,969
Commodities**	4.89	0	\$974,883	0	0	\$974,883

* Included in Ag Development Funding

** Included in Ag Sciences Funding

Source: Legislative Fiscal Division

Significant Non-Agency Bills During 2011 Session:

- HB 166, by Rep. Esp, to revise weed control laws
- HB 498, by Rep. MacLaren, to clarify irrigation district voting and petition requirements
- HB 621, by Rep. Ankney, to revise aquatic invasive species laws and provide appropriation
- SB 5, by Sen. Brown, to remove the sunset provisions on milk control laws
- SB 126, by Sen. Larsen, to revise fees and licensing, inspection laws for plant nurseries and vendors
- SB 195, by Sen. Ripley, to give Montana seed laboratory authority to set fees, among other changes
- SB 218, by Sen. Steinbeisser, to establish laws governing patented plant protections
- SB 296, by Sen. Tutvedt, increasing penalty for a violation of department quarantine

Hot Topics of 2011 Session and Areas of Interest to Economic Affairs Committee:

- Aquatic invasive species (Ag, FWP, DNRC share in \$1.748 million for prevention/control)- under EQC
- Bonding bill - reflected in SJR 15 study assigned to Economic Affairs Committee