



## OVERVIEW: NOXIOUS WEED SEED FREE FORAGE ADVISORY COUNCIL

The Montana Noxious Weed Seed Free Forage Advisory Council is created under 80-7-904, MCA, as part of the Noxious Weed Seed Free Forage Act in Title 80, chapter 7, part 9, MCA. Last reviewed by the Economic Affairs Interim Committee in January 2012 (see [briefing paper](#)), the Advisory Council meets once a year to advise the Department of Agriculture's noxious weed seed free forage program and to review weed seed free forage production in the previous year.

Appointments to the Advisory Council are statutorily to be made by the Director of the Department of Agriculture, who serves as the presiding officer. Members serve staggered 3-year terms with a limit of no more than two consecutive terms.

### Advisory Council Duties

In addition to providing general program advise and reviewing production, the Advisory Council by statute is to advise the Department of Agriculture as to:

- program fees needed to make the program self-sufficient (80-7-907, MCA); and
- rules needed to implement the noxious weed seed free forage program (80-7-909, MCA).

Noxious Weed Seed Free Forage Advisory Council Member	Location	Representing	Membership Term Expires
Ben Thomas	Helena	Dept of Agriculture	
Wade Durham	Cameron	Outfitters & Guides	9/17/2020
Margie Edsall	Virginia City	Madison Weed Dist	9/17/2020
Joe Lockwood	Billings	Yellowstone Weed District	9/17/2020
Jim Melin	Livingston	Forage Producer	9/17/2020
Chuck Miller	Hamilton	Forage Producer	9/17/2022
Vince Muggli	Miles City	Feed Pellets/Cube Products	9/17/2020
Bob Rangitsch	Ovando	Livestock/Agriculture	9/17/2021
Darrin Boss	Havre	MSU-Ag Experiment Station	Ex Officio
Emily Meccage	Bozeman	MSU Extension Service	Ex Officio
Wendy Velman	Billings	Bureau of Land Management	
Michelle Cox	Missoula	USDA Forest Service	
Heather Unverzagt	Bozeman	MT Seed Growers Association	
Vacant (2)		Forage Producer	

### Department Duties

The effort to control the spread of noxious weeds in Montana, especially through the sale of forage products, involves a blanket prohibition under 80-7-912, MCA, against claims that forage products have been certified as weed seed free and against the sale of forage that does not meet the department-approved process for being certified as weed seed free. That process also allows for reciprocal agreements with another state or a Canadian province.

The department has permissive authority for basic program responsibilities but is required to enforce embargoes on products that violate the Noxious Weed Seed Free Forage Act. See 80-7-924, MCA.

Among the duties the department may pursue according to 80-7-9-5, MCA, are:

- establishing certification standards and processes for forage and byproducts of forage;
- establishing fee assessments to make the certification program financially self-supporting;

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- base on science and operational considerations a standard range of variances or tolerances for different forages;
- cooperate with local, state, or national organization or agency in joint research, education, product protection, or publicity for products regulated by Title 80, chapter 7, part 9, MCA.

## Funding

Fees are intended to be adopted to make the program financially self-sufficient. As outlined in 80-7-907, MCA, fees may be adopted for processing applications, inspecting forage acreage and processing into pellets, cubes, and related products, as well as for minimum administration.

Operating Expenses FY 2019		Revenues FY2019	
Personnel Services	\$43,582	General Fund	\$0
Operating Expenses	\$10,005	Fees (into State	
<u>Indirect</u>	<u>\$9,994</u>	Special Revenue Acct.)	\$66,962
<b>Total</b>	<b>\$63,581</b>	<u>Penalties</u>	\$0
		<b>Total</b>	<b>\$66,962</b>

Penalties also are to be deposited into the state special revenue account for the state noxious weed forage program. Under 80-7-908, MCA, the state may contract with people for collection of fees.

## Legislative Audits

None specific to the Noxious Weed Seed Free Forage Advisory Council

## Possible Topics of Interest

Is there the need for a statutorily assigned advisory council?