

HOUSE BILL 722

Introduced by Grady, et al.

2/08	Introduced
2/08	Referred to Local Government
2/09	First Reading
2/19	Hearing
2/20	Committee Report--Bill Passed
2/21	Placed on Consent Calendar
2/23	3rd Reading Passed
	Transmitted to Senate
2/25	First Reading
2/25	Referred to Agriculture, Livestock & Irrig.
3/08	Hearing
3/12	Tabled in Committee

House BILL NO. *722*

INTRODUCED BY

T. Beck

Donny Hoff *Frankie Ferguson*

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT A MEMBER OF A BOARD OR GOVERNING BODY WITH LAND THAT IS INCLUDED IN A NOXIOUS WEED MANAGEMENT PROJECT AREA DOES NOT HAVE A CONFLICT OF INTEREST IF THE MEMBER ABSTAINS FROM THE BOARD'S OR GOVERNING BODY'S DELIBERATIONS AND DECISIONS RELATED TO THAT PROJECT AREA; AND AMENDING SECTION 80-7-814, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 80-7-814, MCA, is amended to read:

"80-7-814. Administration and expenditure of funds. (1)

Money deposited in the noxious weed management trust fund may not be committed or expended until the principal reaches \$2,500,000, except as provided by 80-7-815 in case of a noxious weed emergency. Once this amount is accumulated, any interest or revenue generated by the trust fund and by other funding measures provided by this part must be deposited in the special revenue fund and may be expended for noxious weed management projects in accordance with this section, so long as the principal of the trust fund remains at least \$2,500,000.

(2) The department may expend funds under this section

through grants or contracts to communities, weed control districts, or other entities it considers appropriate for noxious weed management projects. A project is eligible to receive funds only if the county in which the project occurs has funded its own weed management program with a levy in an amount not less than 1.6 mills or an equivalent amount from another source or by an amount of not less than \$100,000 for first class counties, as defined in 7-1-2111.

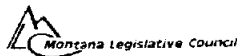
(3) The department may expend funds without the restrictions specified in subsection (2) for the following:

(a) employment of a new and innovative noxious weed management project or the development, implementation, or demonstration of any noxious weed management project that may be proposed, implemented, or established by local, state, or national organizations, whether public or private. Such expenditures must be on a cost-share basis with such organizations.

(b) cost-share noxious weed management programs with local weed control districts;

(c) special grants to local weed control districts to eradicate or contain significant noxious weeds newly introduced into the county. These grants may be issued without matching funds from the district.

(d) costs of collecting the surcharge imposed by 80-7-812, not to exceed 3% of the total surcharge proceeds;



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1 (e) administrative expenses incurred by the noxious
2 weed management advisory council; and

3 (f) any project recommended by the noxious weed
4 management advisory council, if the department determines
5 the project will significantly contribute to the management
6 of noxious weeds within the state.

7 (4) In making such expenditures, the department must
8 give preference to weed control districts and community
9 groups.

10 (5) If the noxious weed management trust fund is
11 terminated by law, the money in the fund must be divided
12 between all counties according to rules adopted by the
13 department for that purpose.

14 (6) A person who is a member of a district weed board,
15 a board of supervisors of a conservation district, or the
16 governing body of a community or other entity that may apply
17 for and receive funds under this section shall abstain from
18 all deliberations and decisions by the board or governing
19 body to apply for funds for a noxious weed management
20 project and to administer, disburse, or use any funds that
21 are received if the person owns, leases, or manages land
22 included in that project area. A member of a board or
23 governing body that complies with the requirements of this
24 subsection is not in violation of 2-2-201."

-End-

APPROVED BY COMM.
ON LOCAL GOVERNMENT

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2 INTRODUCED BY [Signature]
3 T. Beck [Signature]

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 3 T. Beck Ferguson

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