

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 52nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON AGRICULTURE, LIVESTOCK, & IRRIGATION

Call to Order: By CHAIR LINDA NELSON, on January 23, 1991, at 3:00 P.M.

ROLL CALL

Members Present:

Linda Nelson, Chair (D)
Don Steppler, Vice-Chairman (D)
Bob Bachini (D)
Joe Barnett (R)
Gary Beck (D)
Jane DeBruycker (D)
Roger DeBruycker (R)
Jim Elliott (D)
Marian Hanson (R)
Harriet Hayne (R)
Vernon Keller (R)
Don Larson (D)
Jim Madison (D)
Ed McCaffree (D)
John Phillips (R)
John Scott (D)

Staff Present: Connie Erickson, Legislative Council
Claudia Johnson, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

HEARING ON HB 190

Presentation and Opening Statement by Sponsor:

REP. ROGER DEBRUYCKER, House District 13, Floweree, said this bill revises the method of distribution of noxious weed fees by requiring a percentage of herbicide surcharge fees and a percentage of motor vehicle registration weed control fees be placed in the county general fund for exclusive use by the county for noxious weed control and research; revising the definition of herbicide; and providing an effective date and an applicability date. He wanted to impose the 1% tax on lawn and garden herbicides and on herbicides sold in containers of less than 1 gallon or 10 pounds. He said that 30% of the chemical companies sales are in this range. He said there is a fiscal note with this which isn't signed because he did not agree with it. This

bill would allocate a portion of the herbicide surcharge and the weed control fee to counties for weed control and research. It would reduce the amount of money available in the noxious weed trust fund for statewide grants. REP. R. DEBRUYCKER said the counties can use the money for research, but cannot use it to lower their taxes. They have to levy the 1.6 mills to receive the other funds.

Proponents' Testimony:

Chris Hindoi, Teton County Weed Supervisor, said the formula used to figure the return that each county would receive under this proposal is one that would never change. The amount of money that is brought in each year may vary due to the number of license plates the state sells, but with this formula the counties would always receive the same portion of the funds collected. Using the formula of how many square miles the county covers divided by the total number of square miles in the state equals the percentage that county would receive. The funds of the 26 counties total \$741,199.06 and are from the vehicle fees only. Taking into consideration the amount above, and subtracting the \$287,585.22, the counties would divide 66 2/3 percent of \$453.613.84. EXHIBITS 1 and 2

Opponents' Testimony:

REP. ED GRADY, House District 47, said he opposes this bill because he brought the noxious weed trust fund in to get rid of the noxious weeds. The idea of the trust fund was to get the counties on their feet so they could do it on their own. Grants are available for the counties to take advantage of. He said this is one of three bills to get rid of the trust fund.

Dave Burch, President elect, Montana Weed Control Assoc., said the Montana Weed Control Assoc. passed a resolution to support and maintain the Montana noxious weed trust fund grants program as it is currently administered. He said the association believes the trust fund does work effectively and has proven itself to work. EXHIBIT 3

Kay Norenberg, WIFE, opposed HB 190.

Kim Enkerud, Mt. Stockgrowers, opposed HB 190.

Jim Freeman, Past President Cascade Weed Program, opposed HB 190,

Janet Ellis, Audubon, opposed HB 190. EXHIBIT 4

Chris Kaufmann, MEIC, said HB 190 is a piecemeal approach, counties do not need to be doing their own research. She urged the committee to kill the bill.

Dave Moss, Beaverhead County, said he opposes HB 190. I-15 and the railroad bring in the weeds.

Dale Peterson, Chairperson Range Weed Organization, said the fund has operated since 1985 and has been very effective for the Headwater's area of 1.3 million acres and he opposed HB 190.
EXHIBIT 5

John C. Anderson, Chairman Ruby Valley Conservation District, opposed HB 190. EXHIBIT 6

Dave Pickett, Butte, opposed HB 190. EXHIBIT 7

Neil Peterson, Weed Coordinator for Madison County, opposed HB 190. EXHIBIT 8

Wally Kolzerac, Twin Bridges, opposed HB 190.

Wesley Williams, Weed Board County Commissioners of Granite County, opposed HB 190. This bill would reduce weed control in many of the smaller counties. EXHIBIT 9

John Allhands, Commissioner Madison Co., opposed to HB 190.

Candace Durand, L & C County, opposed HB 190.

REP. JIM ELLIOTT, House District 51, opposed HB 190.

Al Kurki, AERO, opposed HB 190.

Peggy Parmelee, Mt. Conservation District Assoc., opposed HB 190.

Celestine Lacy, Private Consultant, L & C County, opposed HB 190. She works with Oregon, Idaho and Wyoming and the noxious weed program in Montana is envied by the other states. She urged the committee to keep the program. EXHIBIT 10

Bill Murphy, Self, Powell Co., said the landowners are putting in dollar for dollar and want to keep the program. He urged the committee to oppose HB 190.

Dean Stenchfield, Wise River Project area, opposed to HB 190.

Will Mott, Silver Bow County, opposed to HB 190.

Questions From Committee Members:

REP. PHILLIPS asked Barbara Mullan, Weed Coordinator Department of Agriculture, about the leafy spurge grant for cattle. Ms. Mullan said that particular grant was funded by the Advisory Council because there had been discussion if leafy spurge was toxic to cattle. She said cattle avoid leafy spurge because it causes blistering in their mouth and dermatitis on their eyes.

REP. KELLER asked Ms. Mullan how sheep react to leafy spurge. She said a research study was done and sheep will eat it, they do very well on it.

REP. DEBRUYCKER (Jane) asked how do they determine who receives these grants. Ms. Mullan said the advisory council determines the projects worth funding. She distributed an exhibit showing the flow of the grants program. EXHIBIT 11

REP. BECK asked how well are the biological programs are working. Ms. Mullan replied they are funding three major areas in biological control at this time: spotted knapweed, leafy spurge, and flax. There are 7 insects that are being researched and institutionalized in Montana for spotted knapweed, there are two types of doll flies that are widespread in the state and are actively distributed by weed controls in the state for this study. Leafy spurge is widespread and is being researched by Montana State University (MSU). Last year a study was funded on leafy spurge in the northeast corner of the state to develop insectory sites for the leafy spurge insect. Another study is being done on flax. It was started about 3 years ago, so it is in the early stages; the insects are still being screened in Europe. She said Montana is probably the forerunner of biological weed control because of the plant growth center at MSU, and the state's quarantine regulations on insects.

REP. DEBRUYCKER (Jane) asked who helps these people to receive grants. Ms. Mullan said she does. Basically they are community action projects and are usually started by very concerned landowners who contact their county extension agents, or some weed supervisor that has become involved, and they contact her for the grants.

REP. BARNETT asked if the sheep feed on this and do very well, are they responsible for spreading leafy spurge. Ms. Mullan said in using sheep as a biological control tool and weed management tool, the most important thing that needs to be emphasized is proper management. They will spread leafy spurge and it needs to be controlled just like chemical control.

Closing by Sponsor:

REP. DEBRUYCKER (Roger) said it was not his intention to get rid of the weed control board. He said there was very little testimony from the eastern part of the state so the project must be working.


EXECUTIVE ACTION ON HB 190

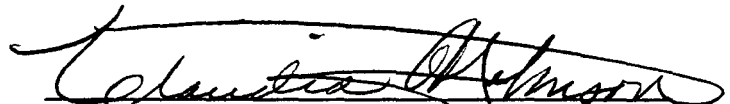
Motion: REP. KELLER MOVED HB 190 BE TABLED.

Vote: HB 190 BE TABLED. Motion CARRIED unanimously.

ADJOURNMENT

Adjournment: 4:10 p.m.


LINDA NELSON, Chair


CLAUDIA JOHNSON, Secretary

LN/cj

HOUSE OF REPRESENTATIVES

AGRICULTURE, LIVESTOCK AND IRRIGATION COMMITTEE

ROLL CALL

DATE 1-23-91

NAME	PRESENT	ABSENT	EXCUSED
REP. DON STEPPLER, VICE-CHAIRMAN	✓		
REP. BOB BACHINI	✓		
REP. JOE BARNETT	✓		
REP. GARY BECK	✓		
REP. JANE DEBRUYCKER	✓		
REP. ROGER DEBRUYCKER	✓		
REP. JIM ELLIOTT	✓		
REP. MARIAN HANSON	✓		
REP. HARRIET HAYNE	✓		
REP. VERNON KELLER	✓		
REP. DON LARSON	✓		
REP. JIM MADISON	✓		
REP. ED MCCAFFREE	✓		
REP. JOHN PHILLIPS	✓		
REP. JOHN SCOTT	✓		
REP. LINDA NELSON, CHAIR	✓		

EXHIBIT 1
DATE 1-23-91
HB 190

January 2, 1991

To Whom it may concern,

The following information is being distributed to inform you of an attempt to change a part of the Montana Noxious Weed Trust Fund Act. The way the funds in the system are being dispersed, (80-7-810) MCA, is currently under fire. I personally believe that with the proposed change found in this packet that the counties that currently have a concerned effort to fight weeds would be able to do a much better job with the infusion of funds this would provide them. The money would directly impact the county level of weed control by using the funds in a various manner of ways, labor, chemical or new equipment. I would ask that you look at the information and then let us know your feelings on the idea.

Thank you,

CHIK
Chris Hindoién
Teton County Weed Dist.
Choteau, MT 59422
466-2155

DON - IF RICHLAND COUNTY WAS TO LEVY 1.6 mills
THEY WOULD BENEFIT \$10,376.79

EXHIBIT 1
DATE 1-23-91
HB 190

This is the way the Montana Noxious Weed Trust Fund Act currently reads, and on the following page is how the new version would read if approved.

80-7-810 Disposition of proceeds. Three percent (3%) of the proceeds from the fee imposed in 61-3-510* may be retained by the county treasurer for costs of collection. The remainder must be deposited in the special revenue fund and must be expended as provided in 80-7-814 (2) and (3). Twenty-five percent (25%) of the money deposited in the special revenue fund under this section must be used for research and development of nonchemical methods of weed management.

***61-3-510 is the MCA Code allowing for the \$1.50 tax to be imposed on all license plates sold to motor vehicles under the restrictions set forth in the section.

PROPOSED CHANGES IN THE CURRENT MONTANA NOXIOUS WEED TRUST FUND ACT

- (1) 80-7-810 Disposition of proceeds. Three percent (3%) of the proceeds from the fee imposed by 61-3-510, may be retained by the county treasurer for costs of collection.

- (1) The county will also retain 66 and two-thirds (66 2/3%) of the funds placed in the fund from 61-3-510 to be prorated back to the counties based on the number of square miles the county covers. The funds will be made available to counties currently funding their weed budgets with a minimum of 1.6 mills. These funds will be used as an addition to the current budget as non-taxable revenue. The funds are for weed budgets only and may not be spent in any other department.

The remainder of the fees, 33 and one-third percent (33 1/3%) and any funds from the counties unable to meet the requirements of the proposal shall have the monies deposited in the special revenue fund and must be expended as provided in 80-7-814 (2) and (3). Twenty-five percent (25%) of the money deposited in the special revenue fund under this section must be used for research and development of nonchemical methods of weed management in the state of Montana.

The formula used to figure the return that each county would receive under this proposal is one that would never change. The amount of money that is brought in each year may vary due to the number of license plates the state sell, but with this formula the counties would always receive the same portion of the funds collected. Using the formula of how many square mile the county covers divided by the total number of square miles in the state equals the percentage that county would receive. A brief example of this would be:

TETON COUNTY = 2,294 sq miles divided by STATE OF MONTANA = 145,392 sq miles equals the percentage Teton County would receive.

$2,294 \text{ divided by } 145,392 = 0.02$

Teton County would receive 2 percent of the funds annually collected by 61-3-510.

On the following pages will be a breakdown of what each county would be able to receive under this formula. The information used for this study is from the Montana Department of Agriculture booklet on the Montana Noxious Weed Trust Fund current standing.

This information is for the year ending December 31, 1990

\$1,111,743.00 was total amount raised through 61-3-510 for above year.

The first page is the 26 counties that would currently benefit from this proposal. The second page is those counties that don't benefit and what they would if they met the requirements of this proposal.

Another point to remember is that we are only after 66 2/3% of the funds raised by 61-3-510. This gives us an amount of \$741,199.06 to be divided up by these 26 counties.

EXHIBIT 1
DATE 1-23-91
HB 190

County	Square Miles	Percent of funds	Total
Beaverhead	5551	3.8%	\$28,165.56
Broadwater	1193	.008%	\$ 5,929.59
Carbon	2066	1.4%	\$10,376.79
Carter	3313	2.3%	\$17,047.58
Cascade	2661	1.8%	\$13,341.58
Deer Lodge	740	.005%	\$ 3,706.00
Glacier	2964	2.0%	\$14,823.98
Granite	1733	1.1%	\$ 8,153.19
Jefferson	1652	1.1%	\$ 8,153.19
Judith Basin	1880	1.2%	\$ 8,894.39
Lake	1494	1.0%	\$ 7,411.99
Madison	3528	2.4%	\$17,788.78
McCone	2607	1.7%	\$12,600.38
Meagher	2354	1.6%	\$11,859.18
Park	2626	1.8%	\$13,341.58
Petroleum	1655	1.1%	\$ 8,153.19
Pondera	3288	2.2%	\$16,306.38
Powell	2336	1.6%	\$11,859.18
Prairie	1730	1.1%	\$ 8,153.19
Sanders	2778	1.9%	\$14,082.78
Stillwater	1794	1.2%	\$ 8,894.39
Sweet Grass	1840	1.2%	\$ 8,894.39
Teton	2294	1.5%	\$11,117.99
Toole	1950	1.3%	\$ 9,635.59
Treasure	998	.006%	\$ 4,447.19
Wibaux	890	.006%	\$ 4,447.19
<i>482-1706</i>			

26 counties	57,915	38.8%	\$287,585.22
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These funds are from the vehicle fees only!!

Taking into consideration that the amount we started with was \$741,199.06 and subtracting the \$287,585.22 leaves an amount of \$453,613.84 left of the 66 2/3% the counties would divide.

The amount of spendable income from the herbicide surcharge is:	\$ 183,877.50
The 33 1/3% left untouched of 61-3-510 is:	\$ 370,543.94
The amount left by the counties to be returned to use:	\$ 453,613.84
The amount of oil overcharge funds:	\$ 150,000.00

Total funds returned to the trust for grants and M&O	\$1,158,035.28
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Please carryover that amount to the next page for a summary. Thank you.

EXHIBIT 1
DATE 1-23-91
HB 190

Total Noxious Weed Program of Grants

According to the Montana Department of Agriculture, the total program revenues for fiscal year '90 were \$1,445,621.00. The following is a breakdown of expenditures.

Total Grants	\$ 1,180,828.00	82% of total revenue
Admin costs	\$ 64,750.00	4% of total revenue
Indirect cost	\$ 33,000.00	2% of total revenue
Balance	\$ 160,043.00	12% of total revenue
<hr/>		
Total	\$ 1,438,621.00	100% of total revenue

There is a mathematical difference of \$7000.00 unaccounted for. This is not intended to be an audit but an explanation of the program.

On the previous page our proposal would leave funds in the amount of \$1,158,035.28 for grants and M&O. The above breakdown requires a total of \$1,445.621.00 for the year.

Our Proposal	--	\$ 1,158,035.28
Plus Balance	--	160,043.00
Plus difference	-	7,000.00

Total revenue
under our proposal \$ 1,325,078.28

Projected shortfall \$ 120,542.72

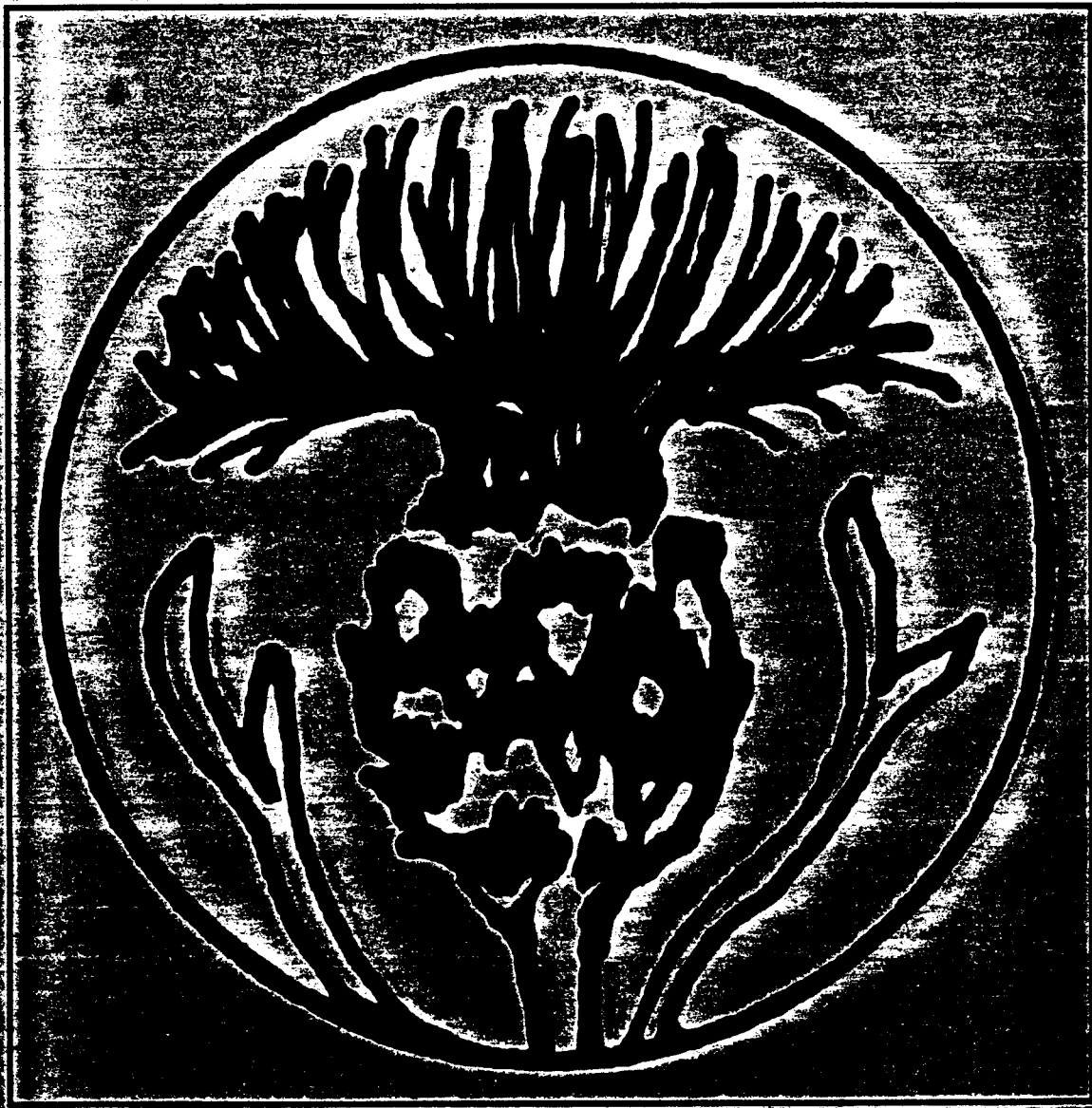
While we feel that this system does serve its purpose for fighting weeds in the State of Montana, it must be mentioned that Montana State University has benefitted a rough estimate of \$367,150.00 in this fiscal year alone.

This figure in itself is \$ 79,564.78 more than the amount to be divided by the 26 qualifying counties.

EXHIBIT 2
DATE 1-23-1991
HB 190
House Agriculture

MONTANA NOXIOUS WEED TRUST FUND SUMMARY REPORT

DECEMBER 1990



MONTANA DEPARTMENT OF AGRICULTURE

EXHIBIT 2
DATE 1-23-1991
HB 190
House Agriculture

MONTANA NOXIOUS WEED TRUST FUND SUMMARY REPORT

DECEMBER 1990



MONTANA DEPARTMENT OF AGRICULTURE

MONTANA WEED CONTROL ASSOCIATION

EXHIBIT 3

DATE 1-23-91

HB 190

WRITTEN TESTIMONY FOR HB 190

JANUARY 23, 1991

MONTANA WEED CONTROL ASSOCIATION,

DAVE BURCH, PRESIDENT ELECT

- AT THEIR ANNUAL BUSINESS MEETING HELD JANUARY 17, 1991, THE MONTANA WEED CONTROL ASSOCIATION PASSED A RESOLUTION TO SUPPORT AND MAINTAIN THE MONTANA NOXIOUS WEED TRUST FUND GRANTS PROGRAM AS IT IS CURRENTLY ADMINISTERED. THE ASSOCIATION BELIEVES THAT THE TRUST FUND DOES WORK EFFECTIVELY, AND HAS PROVEN ITSELF TO WORK.

IN 1986, 22 TOTAL PROJECTS WERE FUNDED, THIS INCLUDED:

12 ON THE GROUND PROJECTS	\$200,565
1 ON THE GROUND BIO-CONTROL PROJECTS....	\$ 2,000
4 RESEARCH PROJECTS.....	\$ 69,778
1 RESEARCH NON-CHEMICAL PROJECT.....	\$ 2,500
4 EDUCATIONAL PROJECTS.....	\$ 10,000
TOTAL AMOUNT.....	\$1,248,050

IT HAS GROWN TO A TOTAL OF 91 PROJECTS IN 1990, WHICH INCLUDED:

64 ON THE GROUND PROJECTS.....	\$653,086
4 ON THE GROUND BIO-CONTROL PROJECTS...	\$ 67,714
2 RESEARCH PROJECTS.....	\$ 59,000
11 RESEARCH NON-CHEMICAL PROJECTS.....	\$333,220
10 EDUCATIONAL PROJECTS.....	\$135,030
TOTAL AMOUNT.....	\$1,248,050

THROUGH THE PAST YEARS, 1985-1990, THE TOTAL NUMBER OF ON THE GROUND PROJECTS IS 176, 9 ON THE GROUND BIO-CONTROL, 16 RESEARCH, 31 RESEARCH NON CHEMICAL AND 36 EDUCATIONAL PROJECTS, FOR A TOTAL OF 268 PROJECTS, AT A GRAND TOTAL OF \$3,105,282.00.

WE ALSO BELIEVE THAT AS A WHOLE, MONTANAN'S SUPPORT THE NOXIOUS WEED TRUST FUND AS SHOWN IN THESE LETTERS FROM COUNTY COMMISSIONERS, HEAD WATERS RESOURCE, CONSERVATION AND DEVELOPMENT AREA, INCORPORATED, BUTTE SILVERBOW CHIEF EXECUTIVE OFFICE, AND COUNTY WEED BOARDS.

THE GRANT PROCESS PROVIDES NECESSARY FUNDING TO HELP COOPERATIVE WEED PROJECTS GET A START AND GENERALLY PROVIDE MORE PUBLIC AWARENESS FOR THE STATE. IF 70% IS TAKEN OUT OF THIS FUND IT WOULD LEAVE APPROXIMATELY \$240,000 FOR GRANTS PER YEAR. WE BELIEVE THAT BY TAKING THIS MONEY AND GIVING IT TO INDIVIDUAL

EXHIBIT 3
DATE 1-23-91
HB 190

3

COUNTIES, IT WILL UNDERMINE THE ORIGINAL INTENT OF THE PROGRAM.
YOU WILL BE GIVING MONEY TO COUNTIES WHO HAVE YET TO SET UP A
COMPREHENSIVE WEED CONTROL PROGRAM WHICH WILL IN TURN TAKE FUNDS
AWAY FROM THOSE COUNTIES WHO ARE ACTIVELY COMMITTED TO WEED
CONTROL.

** PLEASE FIND A COPY OF THE MT NOXIOUS WEED TRUST FUND ACT,
LETTERS FROM THE COUNTIES AGAINST CHANGING THE TRUST FUND GRANTS
PROGRAM, AND SUMMARY SHEETS FOR THE YEARS 1986, 1987, 1988, 1989,
1990.

EXHIBIT 2
DATE 1-23-91
HB 190

SUMMARY FOR 1986

<u>TYPE OF PROJECT</u>	<u># OF PROJECTS</u>	<u>DOLLAR AMT</u>
ON-THE-GROUND	12	\$ 200,565
ON-THE-GROUND/BIO CONTROL	1	2,000
RESEARCH	4	69,778
RESEARCH/NON CHEMICAL	1	2,500
EDUCATIONAL	4	10,000
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TOTAL	22	\$ 284,843

EXHIBIT 3
DATE 1-23-91
HB 190

SUMMARY FOR 1987

<u>TYPE OF PROJECT</u>	<u># OF PROJECTS</u>	<u>DOLLAR AMT</u>
ON-THE-GROUND	19	\$ 188,262
ON-THE-GROUND/BIO CONTROL	1	3,000
RESEARCH	3	31,178
RESEARCH/NON CHEMICAL	4	73,850
EDUCATIONAL	5	16,840
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TOTAL	32	\$ 313,130

EXHIBIT 3
DATE 1-23-91
HB 190

SUMMARY FOR 1988

TYPE OF PROJECT	# OF PROJECTS	DOLLAR AMT
ON-THE-GROUND	34	\$ 431,133
ON-THE-GROUND/BIO CONTROL	2	28,000
RESEARCH	4	20,965
RESEARCH/NON CHEMICAL	10	188,792
EDUCATIONAL	7	51,500
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TOTAL	57	\$ 720,390

EXHIBIT 3
DATE 1-23-91
HB 190

SUMMARY FOR 1989

<u>TYPE OF PROJECT</u>	<u># OF PROJECTS</u>	<u>DOLLAR AMT</u>
ON-THE-GROUND	47	\$ 358,870
ON-THE-GROUND/BIO CONTROL	1	8,000
RESEARCH	3	23,666
RESEARCH/NON CHEMICAL	5	113,613
EDUCATIONAL	10	34,720
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TOTAL	66	\$ 538,869

EXHIBIT 5
DATE 1-23-91
HB 190

SUMMARY FOR 1990

<u>TYPE OF PROJECT</u>	<u># OF PROJECTS</u>	<u>DOLLAR AMT</u>
ON-THE-GROUND	64	\$ 653,086
ON-THE-GROUND/BIO CONTROL	4	67,714
RESEARCH	2	59,000
RESEARCH/NON CHEMICAL	11	333,220
EDUCATIONAL	10	135,030
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TOTAL	91	\$ 1,248,050

EXHIBIT 3
DATE 1-23-91
HB 190

GRANT SUMMARY 1985 - 1990

<u>TYPE OF PROJECT</u>	<u># OF PROJECTS</u>	<u>DOLLAR AMT</u>
ON-THE-GROUND	176	\$ 1,831,916
ON-THE-GROUND/BIO CONTROL	9	108,714
RESEARCH	16	204,587
RESEARCH/NON CHEMICAL	31	711,975
EDUCATIONAL	36	248,090
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TOTAL	268	\$ 3,105,282

EXHIBIT 3
DATE 1-23-91
HB 190

MONTANA NOXIOUS WEED TRUST FUND ACT

Title 80, Chapter 7

Sections

80-7-801 through 80-7-821

M.C.A. 1985

AND

RULES

Rules 4.5.101 through 4.5.112

State of Montana
Department of Agriculture
Noxious Weed Coordinator
Agriculture/Livestock Building
Capitol Station
Helena, MT 59620
(406) 444-2944

BOARD OF COMMISSIONERS

EXHIBIT 3
DATE 1-23-91
HB 190

County of Carbon



Red Lodge, Montana
59068

December 10, 1990

Montana Weed Control Association
P.O. Box 1911
Bozeman, MT 59771

RE: Montana Noxious Weed Trust Fund

Dear Association

Carbon County is pleased to report that our present weed control program is most effective and we strongly oppose any changes in funding of that program.

The Noxious Weed Trust Fund grants program has benefited many Carbon County landowners with a net result of weed control county-wide. Statistics document that Carbon County generated \$8,482.00 in motor vehicle fees from January 1, 1989 to December 31, 1989. We have received grant monies in excess of that which has enhanced our local programs.

We do support the program as it is currently established and are not in favor of any legislative change.

Sincerely

Mona Nutting
Mona Nutting, Chairman Carbon County Commissioners

Don Taylor
Don Taylor, Member

John E. Prinkki
John Prinkki, Member



EXHIBIT 3

DATE 1-23-91

Office of HE 190

The Board of County Commissioners

Granite County

COMMISSIONERS
CLIFFORD G. NELSON, CHAIRMAN
STAR ROUTE — DRUMMOND, MT 59832
FRANK WALDBILLIG
P. O. BOX 1 — PHILIPSBURG, MT 59858
ROBERT E. IVIE
P. O. BOX 674 — PHILIPSBURG, MT 59858

OFFICE TELEPHONE
406-859-3771

Post Office Box B

Philipsburg, Montana 59858

November 26, 1990

Montana Weed Control Association
P. O. Box 1911
Bozeman, Montana 59771

To Whom It May Concern:

Please be advised that the weed control program in Granite County is extremely successful and we feel that the method for funding that program should not be changed.

The license fee grants seem to us to be a logical and effective way to fund this type of program. We are not in favor of any type of legislative change that would alter the funding method for this program.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
OF GRANITE COUNTY


Clifford G. Nelson, Chairman

CC/mk

cc: Esther McDonald
Barbra Mullin

EXHIBIT 3
DATE 1-23-91
HB 190

Board of
County Commissioners
Carter County, Montana

Ekalaka, Montana

59324

October 19, 1990

Montana Association of Counties
2711 Airport Road
Helena, MT 59601

ATTN: Fellow Commissioners

The Carter County Commissioners would like to go on record as showing the utmost support for the ongoing use of funds collected through the Motor Vehicle Tax Collection Program and utilized through the Noxious Weed Trust Program.

We are not in support of the Teton County proposal to tap that program and disperse the monies back into the counties. We feel the collections to be made currently are more effective being dispersed by the Advisory Council based upon application from all areas of the state.

Please advise if we can be of further assistance to you in this matter.

Sincerely,

CARTER COUNTY COMMISSIONERS
CARTER COUNTY, MONTANA

Milton T. Markuson
MILTON T. MARKUSON, CHAIRMAN

Joseph Padden
JOSEPH PADDEN, MEMBER

Norman O. Lambert
NORMAN O. LAMBERT, MEMBER



EXHIBIT 3 HA
DATE 1-23-91
HB 190

COUNTY OF STILLWATER
STATE OF MONTANA

COLUMBUS, MONTANA

November 19, 1990

Brad DeZort
Board of County Commissioners
Teton County
Choteau, MT 59422

Dear Commissioner:

We as County Commissioners of Stillwater County wish to officially oppose your interest in changing the use of Weed Trust Fund money in Montana. It is our understanding you wish to have each county retain a portion of the funds derived from the \$1.50 per vehicle at licensing time.

The intent of the program would be defeated as legislated. Smaller counties were to benefit from the program through a process of application for funding of worthy projects. The applications have been varied in innovativeness and number more than 80 active projects currently.

In regard to your statement of funds utilized by State Government in Helena we find that 8% is used for administration. This includes the salary, travel and expenses of the Montana Weed Coordinator. This position is of extreme importance to monitor the funding program. It is not possible for an organization to absorb a program of this magnitude that requires close supervision and accountability.

We need to point out that 92% of the available funds are being distributed to worthy projects. Approximately 30% is designated for research projects and 70% for county programs engineered to provide education and implementation of special activity most of which is direct weed control.

Your statement regarding "MSU Professorships" does not cover the purpose. This funding would be to provide personnel for the expanded Bio-research Center which has recently been funded through a \$1.25 million budget appropriation from Congress. Part of the requirement is some funding from Montana. The source of funding through the Weed Trust Fund will cover a specialist in Bio-Research and another in Plant Physiology. These are critical to success of future weed programs in Montana.

EXHIBIT

3

DATE

1-23-91

HB

190

A summary of collection of \$1.50 fees is interesting. The counties vary considerable with the number of vehicles thus causing variation in the amount of funds generated. Stillwater County totaled \$10,651.22 from July, 1989 through June, 1990. The Stillwater Weed Management District submitted requests for funding this year in the amount of \$44,000. This covered projects in addition to the regular weed budget and provided sources of funding that expanded local programs. The trust fund money was intended for financing projects beyond the regular county budgets and was not intended to replace county budgeted funds.

We as county commissioners are not in favor of your proposal and encourage you to rethink the process of diverting Trust Fund money.

BOARD OF COUNTY COMMISSIONERS


Chairman
Member
Member

cc: Montana Weed Association
Montana Association of Counties
Gary Akelstad

F E R G U S C O U N T Y
S T A T E O F M O N T A N A

Lewistown, Montana 59457

EXHIBIT 3
DATE 1-23-91
HB 190

November 19, 1990

To: Montana County Commissioners
From: Fergus County Commissioners
Re: Montana Noxious Weed Trust Fund

The County Commissioners of Fergus County want to voice our support of the Montana Noxious Weed Trust Fund. The program took a lot of hours of work to develop, so the taxpayers would support the program. This is a unique program where the whole State is working together to solve one problem and that is to stop the spread of noxious weeds. Individually as counties, we can't afford the size of projects the grants are supporting.

We the Commissioners of Fergus County believe we have to support the Montana Noxious Weed Trust Fund to it's full extent so we can benefit hundreds of Montana landowners, to help prevent the spread of weeds.

BOARD OF COUNTY COMMISSIONERS
FERGUS COUNTY

Alfred B. Miller
Alfred B. Miller, Chairman

Vernon Petersen
Vernon Petersen, Vice-Chairman

Donna Heggem
Donna Heggem, Commissioner

ANACONDA-DEER LODGE COUNTY

Courthouse - 800 South Main
Anaconda, Montana 59711
Telephone (406) 563-8421

EXHIBIT 3

DATE 1-23-91

HB 190

January 4, 1991

Montana Weed Control Association
P.O. Box 1911
Bozeman, Montana 59717

To Whom It May Concern:

Please be advised that the commissioners of Anaconda-Deer Lodge County took action at its meeting of December 12, 1990 to formally protest any proposed changes to the method of funding the noxious weed trust fund program.

The Commission does not support the Teton County proposal which would have counties retain a portion of the vehicle licensing tax levied for said licensing county.

If we can be of any further assistance in this matter, please do not hesitate to contact us.

For the Commission, I remain,

Sincerely yours,

Gene Vuckovich
Gene Vuckovich
City-County Manager

GV:cg

cc Barbara Andreozzi, Extension Agent
Commission
File

EXHIBIT 9
DATE 1-23-91
HB 190
JEANNE L. BARNARD

PHILLIPS COUNTY

COUNTY COMMISSIONERS

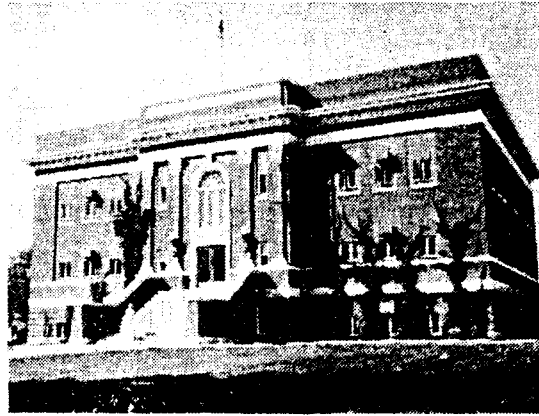
CHAIRMAN
EUGENE (GENE) COWAN
Loring, Montana

SHERMAN DOUCETTE
Malta, Montana

DANN M. GARRISON
Saco, Montana

Clerk and Recorder
INGELEF I. SCHWARTZ

Treasurer
MARION K. GOULET



MALTA, MONTANA

59538

DECEMBER 17, 1990

Sheriff - Coroner
MIKE CAMP
Clerk of Court
FRANCES WEBB
Superintendent of Schools
DOLORES HUGHES
County Attorney
JOHN C. McKEON
Justice of Peace
GAYLE STAHL
District Judge
LEONARD H. LANGEN
Glasgow, Montana

MONTANA WEED CONTROL ASSOCIATION
P.O. BOX 1911
BOZEMAN, MT 59771

RE: MONTANA NOXIOUS WEED TRUST FUND

The Phillips County Commissioners would like to go on record as showing support for the ongoing use of funds collected through the Noxious Weed Trust Program.

We are not in support of the Teton County proposal to tap that program and disperse the monies back into the counties. We feel the collections to be made currently are more effective being dispersed by the Advisory Council based upon application from all areas of the state. We believe that weed control monies should be spent where weeds are, not where people are.

BOARD OF COUNTY COMMISSIONERS
PHILLIPS COUNTY, MONTANA

D. M. Garrison CHAIRMAN
D. M. GARRISON

Eugene E. Cowan MEMBER
EUGENE E. COWAN

Sherman Doucette MEMBER
SHERMAN DOUCETTE

COUNTY COMMISSIONERS
DON PETERSON
District One
RAY HARBIN
District Two
GERALD L. NEWGARD
District Three

TREASURER
PATRICIA J. COOK

CLERK AND RECORDER
SURVEYOR
LORIN JACOBSON

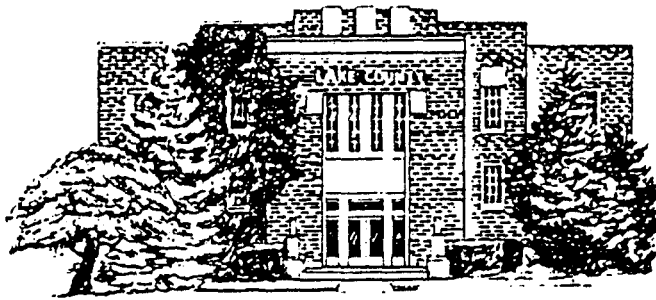


EXHIBIT 3
ASSESSOR
DATE 1-28-91 LENORE A. ROSE
HB JOE GORDON SHERIFF AND CORONER
CLERK OF COURT
KATHERINE E. PEDERSEN
SUPERINTENDENT OF SCHOOLS
GLENNADENE FERRELL
COUNTY ATTORNEY
LARRY J. NISTLER
JUSTICE OF THE PEACE
CHUCK WHITSON

LAKE COUNTY

PHONE 406/883-6211 • 106 FOURTH AVENUE EAST • POLSON, MONTANA 59860


MEMORANDUM


TO: MONTANA COUNTY COMMISSIONERS
FROM: LAKE COUNTY COMMISSIONERS
SUBJECT: MONTANA NOXIOUS WEED TRUST FUND
DATE: DEC. 7, 1990

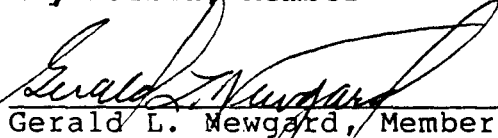
Lake County has perfected a very successful weed control program with a great deal of cooperation from our local landowners and taxpayers. With this foremost in mind, we feel any further erosion of our funding or diverting these funds is not acceptable to us.

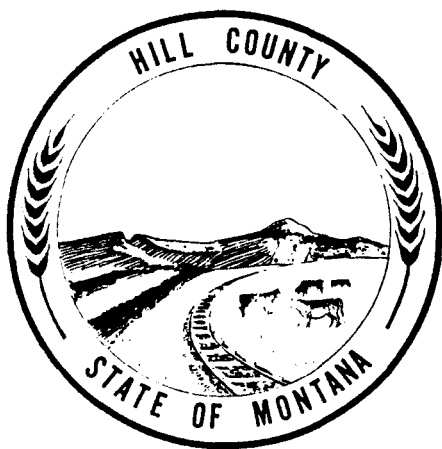
Therefore, we go on record as opposing Teton County's proposal of tapping the Noxious Weed Trust Fund and oppose any type of legislative changes which might alter the funding method for this program.

BOARD OF LAKE COUNTY COMMISSIONERS


Don Peterson, Chairman


Ray Harbin, Member


Gerald L. Newgard, Member



COUNTY OF HILL

STATE OF MONTANA
Havre, Montana 59501

EXHIBIT 3
DATE 1-23-91
HB 190

Arthur Rambo, Chairman

Dan Morse, Commissioner

Nora Nelson, Commissioner

[406]265-5481 Ext. 27

December 4, 1990

Montana Weed Control Association
P.O. Box 1911
Bozeman, Montana 59771

Dear Members of the Board:

The Hill County Commissioners wish to go on record in support of the Montana Noxious Weed Trust Fund. Without the ability to apply for additional funds, Hill County would not be able to control large infestations of weeds. Counties are limited to 1986 dollars which barely covers regular weed spraying in the county. The Trust Fund allows the county to apply for additional large sums of monies to use to control a break-out of noxious weeds that the local levy couldn't cover. Although receiving the \$1.50 vehicle license fee would increase the yearly weed budget, it would not be enough to cover the spraying of the unexpected noxious weeds.

Hill County currently received a grant from the weed trust fund to help control a break-out of Russian Knapweed north of Gildford. Without this grant, Knapweed would have spread throughout our county. There is not adequate funding to cover out-breaks and also to cover other spraying needs in our county.

The Board strongly supports the grant program as it prevents the spread of noxious weeds, benefiting all of Montana.

Sincerely,

Arthur Rambo
Arthur Rambo, Chairman

Nora Nelson
Nora Nelson, Commissioner

cc: County Weed Supervisor Turner
MACO 4&5 Chairman Art Kleinjan
MACO

EXHIBIT 3

DATE 1-23-91

HB 190

HEADWATERS

Resource, Conservation and Development Area, Inc.
305 W. Mercury, Suite 211
Butte, Montana 59701
(406) 782-7333 • FAX # 782-9675

December 5, 1990

Montana Association of Counties
2711 Airport Road
Helena, MT 59601

Dear Sirs:

The Headwaters RC&D Range/Weed Committee membership has become aware of the proposal by the Board of Commissioners, Teton County, Montana to legislatively change the recipient of the current License Noxious Weed Fee from the State Noxious Weed Trust Fund to the counties. The Range/Weed Committee is in opposition to this proposal and will definitely lobby against any submitted legislation regarding any change in the Noxious Weed Licensing Fee.

The Range/Weed Committee membership consists of landowners, concerned citizens and Weed Managers from an eight (8) county area of southwest Montana. The counties include Granite, Powell, Anaconda/Deerlodge, Butte/Silver Bow, Jefferson, Broadwater, Beaverhead and Madison. The Range/Weed Committee were the sponsors of the current legislation that enacted the Vehicle License Fee for Noxious Weed Management.

It was never the committee's intention that any funds were to remain at the county level. Neither was it the committee's intention that any funds were to be used for governmental administration except for weed management.

The Range/Weed Committee will be in opposition to any legislative efforts to change the intent of current state statutes.

Neil O. Peterson

Neil O. Peterson, Chairman
Headwaters RC&D Range/Weed Committee

cc: Montana Weed Control Association
State Weed Coordinator



BUTTE-SILVER BOW
OFFICE OF CHIEF EXECUTIVE
COURTHOUSE
BUTTE, MONTANA 59701

November 28, 1990

EXHIBIT 3
DATE 1-23-91
HB 190

AREA CODE 406
PHONE 723-8262

Montana County Commissioners

Dear County Commissioners:

The original concept of the Weed Trust Fund was to promote weed control on a state-wide basis because counties did not address, or could not afford to address, weed control issues as they arose. Examples of this inability to address emerging weed threats include, spotted knapweed which spread throughout western Montana, and leafy spurge, which is a tremendous problem throughout Montana. Only since the formation of the Weed Trust Fund has any significant effort been made to control these weeds.


The cost of administration of the Weed Trust Fund by the Montana Department of Agriculture is small (5.5%), considering the fact that 140 grants are being selected, administered, and evaluated on a state-wide basis. The majority of Weed Trust Fund money (approximately 65%) has been used for on-the-ground weed control work which is a direct benefit to the counties.

Twenty five percent of the fund has always been allocated for biological control research. It is the belief of those who practice weed control, that the ultimate long term solution to weed problems has to be biological control. The Weed Trust Fund has been a major source of funding for biological control in the State of Montana for the past five years.

The Trust Fund has made possible various educational programs not possible on a county by county basis. An example is funding of the education and control program for dyers woad which is a new weed threat to the State of Montana. This program funded by the Weed Trust Fund has been effective in stopping the spread of dyers woad in Silver Bow County. An effort currently being funded is education and control of purple loose strife which poses a major threat to waterways in Montana.

The Weed Trust Fund has been an effective tool for weed control. We urge you to support this program as it is currently structured.

Sincerely,


Jack Lynch, Chief Executive

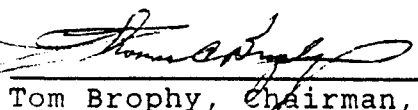

Tom Brophy, Chairman, Council of Commissioners



EXHIBIT 3
DATE 1-23-91
HB 190
City County Building
P.O. Box 1724
316 North Park
Helena, Montana 59624
Telephone 406/443-1010

LEWIS AND CLARK COUNTY

Board of County Commissioners

December 10, 1990

Montana Weed Control Association
P.O. Box 1911
Bozeman, Montana 59771

Dear Sir:

We are writing to let you know of Lewis and Clark County's strong support for the Montana Noxious Weed Trust Fund Program.

We understand that there may be an attempt during the upcoming legislature to alter the manner in which the trust fund money is distributed. In our experience, the current trust fund program is working very effectively. We, therefore, would oppose any legislative attempts to change the current Noxious Weed Trust Fund Program.

On behalf of the Commission, I remain

Sincerely yours,

David E. Fuller

David E. Fuller
County Commissioner

Dave Burch
Weed Supervisor

LEWIS & CLARK
COUNTY



WEED DISTRICT

3402 Cooney Drive
Helena, Montana 59601
443-5672

EXHIBIT 3 Glenn Bristow
DATE 1-23-91 Weed Manager
HB 190

TO: Teton County Commissioners
Bard DeZort Chairman

FR: Lewis and Clark County Weed Board
Alice Otten Chairperson *Alice Otten*

RE: Montana Noxious Weed Trust Fund

The Lewis and Clark County Weed Board at this time wish to go on record as opposing the concept and proposal you have presented to the county commissioners of Montana on the Montana Noxious Weed Trust Fund.

Your proposal will defeat the intent of the program and will in reality hurt counties with less population and/or vehicles registered.

The board agrees with you that a different and more substantial way of funding weed districts is needed. All counties must continue to get suitable funding for Noxious Weed Management and Weed District operations. We feel that weed control is very important and must continue in order to preserve Montana and it's natural resources.

CC: Gary Aklestad
Montana Weed Control Assoc.
Ed Grady
Lewis & Clark County Senators & Representatives



Board of County Commissioners

EXHIBIT 3

DATE 1-23-91

HB 190

Box 278

VIRGINIA CITY, MONTANA 59755

Phone 843-5392

December 6, 1990

Montana Association of Counties
2711 Airport Road
Helena, MT 59601

Dear Commissioners:

The Board of Madison County Commissioners would like to go on record for supporting the Noxious Weed Trust Fund as it presently exists. The Board does not wish to see any legislative changes made to the current Trust Fund Program.

The Trust Fund funding source is an open competition available to all entities in Montana. The program is working well and providing a real incentive for a total weed management program throughout the State of Montana.

We hope that you will consider Madison County's opposition in this matter and will reconsider making any changes to the present Trust Fund Program.

Thank you.

Sincerely,

BYRON BAYERS, Chairman

JOHN ALLHANDS, Commissioner

BILL DRINGLE, Commissioner

BB/JA/BD/ks

cc: Montana Weed Control Association
State Weed Coordinator

COMMISSIONERS

John Allhands

Byron Bayers

Bill Dringle

WITNESS STATEMENT

NAME Janet Ellis ~~BILL~~ BUDGET HB 190

ADDRESS _____

WHOM DO YOU REPRESENT? MT Audubon

SUPPORT _____ OPPOSE X AMEND _____

COMMENTS: _____

1. This would dramatically reduce the amount of money going into biological control research. Currently 25% of this money must be used for research and development of "nonchemical methods of weed management."
2. The current system, which has counties apply for grants, requires counties to plan how they will use this money. By automatically giving counties money such planning will not be done. Planning makes us all more efficient at how we spend our time and money.
3. Currently the commission that allocates money for grants ~~is~~ encourages integrated ~~control~~ management of weeds. Although not always possible, integrated weed control programs are generally kinder to the environment.

Thank you.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

January 22, 1991

TO: The Chairman and Members of the Agriculture Committee

RE: HB 190, Representative Roger DeBruyker: A Bill for
revising the Noxious Weed Trust Fund.

FOR: The Record

My name is Neil O. Peterson. I am the Chairperson for the Southwest Montana Coordinated Range/Weed Committee. The committee is comprised of Weed Management people from eight (8) counties in Southwest Montana. The counties include: Granite, Powell, Anaconda/Deerlodge, Butte/Silver Bow, Beaverhead, Jefferson, Broadwater and Madison.

The Range/Weed Committee would like to go on record as OPPOSING HB 190.

The Committee's positions are as follows:

1. The current Noxious Weed Trust Fund and Council are in place and are doing an excellent job in the activity of Weed Management in Montana.
2. The Committee was instrumental in the passage of Bills in 1985, 1987 and 1989, which created and implemented Montana's Noxious Weed Trust Fund. The enacted intentions of all prior legislation was for the funds to be allocated by the Council on a competitive and needed basis for Weed Management. This is occurring, and the results in both on-the-ground and research activities are the show cases in the Weed Management.
3. The Montana Noxious Weed Trust Fund is the envy and to my knowledge, not yet copied in other states. Montana is viewed as the most progressive state in Weed Management and the Fund plays a major role in the innovative and progressive programs occurring in Montana.
4. The Fund has operated since 1985. To date, in the ^{Headwater's} area 1.3 million acres have been effected for the control of Spotted Knapweed; Leafy Spurge; Dalamatia Toadflax; Canada Thistle and other Category I Noxious Weeds. The Trust Fund, in our area, has directly affected activities other than direct control. These activities have been Public Awareness; Butte's Urban Weed Control; Weed Prevention; Weed Seed Free Forage; Biological and Cultural practices. In other words, through the Trust Fund, Weed Management has and continues to be a very professional activity.

EXHIBIT 5
DATE 1-23-91
HB 190

In summary, The Southwest Montana Range/Weed Committee supports the present Noxious Weed Trust Fund and opposes HB 190 and any legislation that results in effecting the current excellent programs of the Noxious Weed Trust Fund.

If it isn't broke - there is no need to fix it!

Sincerely,



Neil O. Peterson
Chairperson
Range/Weed Committee

EXHIBIT 4
DATE 1-23-91
HB 190

RUBY VALLEY CONSERVATION DISTRICT
P.O. BOX 295
SHERIDAN, MT. 59749
PHONE (406) 842-5741

JANUARY 22, 1991

RE: HB190 - DeBruycker, Roger Revision of Noxious Weed
Trust Fund

TO THE RECORD

Chairperson and Members of the House Agriculture Committee,

I, John C. Anderson, Chairman of the Ruby Valley Conservation District, wishes to go on record for the Conservation District as opposing House Bill 190.

The Conservation District's opposition to the bill are:

1. The existing Noxious Weed Trust Fund has created an excellent weed management tool. This tool is viewed as a very viable and aggressive weed management activity.
2. The Trust Fund is being managed by the Governor's Trust Fund Council with an excellent record.
3. The Trust Fund is an open competition to all weed entities in the State of Montana. The open competition is what has made the Trust Fund a success.

In summary the Conservation District wishes are to retain the operation of the Trust Fund as it currently exists.

Sincerely,



John C. Anderson, Chairman
Ruby Valley Conservation District

JCA/lar

STATEMENT OF OPPOSITION TO HB 190 - HOUSE AGRICULTURE COMMITTEE
BY DAVE PICKETT, BUTTE FEB. 23, 1991

I urge the Committee to kill this bill. There are two problems with the bill. First, there is ample evidence that many counties do not have effective weed control programs. They do not have active weed boards, full time professional weed supervisors, weed management plans as required by state law, etc. We have seen repeatedly that unless there is widespread landowner support for weed control at the local level, money alone will not solve the problem or spur effective weed management. Some counties use money from weed budgets for non-weed purposes. How will you monitor the possible misuse of approx. \$800,00 across Montana? We have counties who can't get on top of a few acres of a new weed from outside Montana such as dyers woad. Counties could spend this money to spray weeds on private land with no cost-sharing, thus perpetuating the myth that weeds are the governments problem, not the landowners problem. The bill allocates funds based on miles of public road, a criteria that has little to do with weed management priorities. This bill doesn't mandate that the money be appropriated from the county general fund for weed management (see page 3, lines 22-24, uses the word "may").

Second, the Trust Fund process has made significant progress in weed management in Montana, why fix something that isn't broke? The current process promotes coordinated weed management with groups of landowners, promotes bio-control, education, etc., and can respond to special problems such as the dyers woad case mentioned above. It promotes up-front commitment (control projects get little priority unless at least a year of prior cooperative effort is demonstrated) and requires at least a 50-50 match of funds. It enables us to address problems with concern for local problems AND statewide priorities, rather than a fragmented, county by county approach.

We see case after case where local programs were ineffective prior to the establishment of the Trust Fund. With the incentive for coordinated efforts, groups of landowners are joining together, making progress against weeds, and submitting good proposals which get funds. This sometimes occurs in spite of, not because of, the program of local government.

Finally, I cannot overstate the excellent job of direction provided by the Dept. of Ag. and the Advisory Council. They have encouraged landowners from all parts of Montana to do more on weeds, and have done an excellent job of putting funds where they will do the most good for the benefit of all Montanans. This money is in good hands! The Legislature has given an excellent vehicle to those of us who want good weed management in Montana, don't jerk three tires off the rig now.

A statement from the Butte - Silver Bow government is attached. Thank you.



BUTTE-SILVER BOW
OFFICE OF CHIEF EXECUTIVE
COURTHOUSE
BUTTE, MONTANA 59701

EXHIBIT 7
DATE 1-23-91
HB 190

AREA CODE 406
PHONE 723-8262

November 28, 1990

Montana County Commissioners

Dear County Commissioners:

The original concept of the Weed Trust Fund was to promote weed control on a state-wide basis because counties did not address, or could not afford to address weed control issues as they arose. Examples of this inability to address emerging weed threats include spotted knapweed which spread throughout western Montana, and leafy spurge which is a tremendous problem throughout Montana. Only since the formation of the Weed Trust Fund has any significant effort been made to control these weeds.

The cost of administration of the Weed Trust Fund by the Montana Department of Agriculture is small (5.5%), considering the fact that 140 grants are being selected, administered, and evaluated on a state-wide basis. The majority of Weed Trust Fund money (approximately 65%) has been used for on-the-ground weed control work which is a direct benefit to the counties.

Twenty-five percent of the fund has always been allocated for biological control research. It is the belief of those who practice weed control, that the ultimate long term solution to weed problems has to be biological control. The Weed Trust Fund has been a major source of funding for biological control in the State of Montana for the past five years.

The Trust Fund has made possible various educational programs not possible on a county by county basis. An example is funding of the education and control program for dyers woad which is a new weed threat to the State of Montana. This program funded by the Weed Trust Fund has been effective in stopping the spread of dyers woad in Silver Bow County. An effort currently being funded is education and control of purple loose strife which poses a major threat to waterways in Montana.

The Weed Trust Fund has been an effective tool for weed control. We urge you to support this program as it is currently structured.

Sincerely,


Jack Lynch, Chief Executive


Tom Brophy, Chairman, Council of Commissioners

EXHIBIT 8
DATE 1-23-91
HB 190

January 22, 1991

RE: HB 190, Representative Roger DeBruyeker: A Bill for revising the Noxious Weed Trust Fund.

TO: Chairman and Members of the Agriculture Committee

FOR: The Record

My name is Neil O. Peterson, I am the Weed Coordinator for Madison County and am speaking for the Madison County Weed Board.

The Madison County Weed Board wishes to go on record as OPPOSING HB 190.

The Weed Board, for time purposes, submits for the record, written reasons for opposition to HB 190.

The Madison County Weed Board has supported the Noxious Weed Trust Fund since its legislative inception in 1985. Madison County has competed for Trust Funds every year since 1985. The county's success in the competition has been 90% or better.

The Trust Fund has provided flexibility within the county's own budget to become more involved in the other activities that comprise Weed Management. These activities have been Weed Prevention and Public Awareness. Madison County believes that these activities are the state's leaders in the Weed Seed Free Forage Program.

This program, in 1990, has grown to 37 producers, 1200 acres of hays, straw, grain being certified and local production of certified hay/grain pellets. Within Madison County approximately 750,000 acres of Federal and State Public Lands have regulations governing entry of only certified forage.

The Trust Fund flexibility has extended into several years of releases of biological agents and implementation of cultural practices. The Weed Board has used the Trust Fund concept to assist project areas to start coordinated control for a year prior to requesting Trust Fund assistance.

Madison County has seen the cooperative projects grow from one project area to 12 projects in 1990 and 1991. These projects have all been upon request by landowners resulting from the "Peer" influence generated by the Trust Fund.

EXHIBIT 8
DATE 1-23-91
HB 190

The success of the Trust Fund in Madison County can be described in one word "EXCELLENT". The Board knows that the fund has assisted the Board in controlling many acres of previous non-controlled acres of knapweed, Leafy Spurge and etc. The weed awareness within the county is at a high level and improves each year.

The fund has allowed Madison County to Groundwater Risk Class 160 Soil Map Units (soil types) in the county. This was based on the published SCS Soil Map Publication for the county.

The Trust Fund has assisted the county to develop an aggressive Weed Management Program covering all activities.

The Madison County Weed Board opposes HB 190. The Trust Fund is an excellent program. This has been proven many times over in Madison County.

Remember, the Trust Fund is open to all Montana Weed entities. It was intended to be a competitive program and precluded no county from the competition. Madison County has taken aggressive approaches to this competition and has been successful.

Our message is "START COMPETING" and move ahead in Weed Management.

Keith Rustad, for

Keith Rustad, Chairman
Madison County

EXHIBIT 4
DATE 1-23-91
Office of HB 190



The Board of County Commissioners

Granite County

COMMISSIONERS
CLIFFORD G. NELSON, CHAIRMAN
STAR ROUTE — DRUMMOND, MT 59832
FRANK WALDBILLIG
P. O. BOX 1 — PHILIPSBURG, MT 59858
ROBERT E. IVIE
P. O. BOX 674 — PHILIPSBURG, MT 59858

OFFICE TELEPHONE
406-859-3771

Post Office Box B

Philipsburg, Montana 59858

January 23, 1991

Memo to: Montana Legislative Agriculture Committee

From: Granite County Board of Commissioners
Granite County Noxious Weed Control Board
Granite County Private Weed Districts as follows:

1. Antelope
2. Bearmouth
3. Douglas-Barnes Creek
4. Marshall Creek
5. Maxville
6. North Cow Creek
7. Poison Patch
8. Rattler
9. Rock Creek
10. Seldom Seen
11. Skalkaho
12. Trout Creek

Regarding: House Bill 190

Be it known the above mentioned organizations are opposed to House Bill 190 on the following grounds:

1. The bill does not require generated funds to be designated for weed control work only.
2. The bill would result in greatly curtailing the weed control efforts in small counties by reducing dollars to buy chemical, reducing the ability of small landowners to participate in weed control, and reducing the county Weed Board budgets as a result.
3. This bill would penalize small counties that have worked to establish private weed districts.
4. It is estimated this bill would reduce weed control in small counties by 75%.
5. This bill could result in some counties lowering their county weed control millage levels.

Montana Legislative Agriculture Committee
Page Two
January 23, 1991

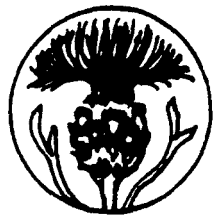
EXHIBIT 9
DATE 1-23-91
HB 190

6. This bill would discourage many of the present multi-county weed control activities.
7. This bill would weaken much of the Intergrated Pest Management Program that is presently established.
8. This bill would compromise the established unity within the weed control community.
9. This bill would put the County in the decision making role for allocating those weed control funds and would eliminate their cooperative faciliator role.
10. This bill would reduce the ability of small counties to prevent the spread of weeds to their larger neighbors.
11. Overall, this bill would be an economic set-back for small, low millage counties.

Presented by Wes Williams

Granite County Noxious Weed Control Board Secretary





Weed Management Services

P.O. Box 9055
Helena, MT 59604

EXHIBIT 1
DATE 1-23-91
HB 190

TESTIMONY OF CELESTINE LACEY
for the House Agricultural Committee
on House Bill 190
Wednesday, January 23, 1991

Chairperson Nelson and Members of the Committee. The purpose of this testimony is to oppose HB 190 that would revise the method of distribution of noxious weed fees collected under section 80-7-810, 80-7-812, and 80-7-814.

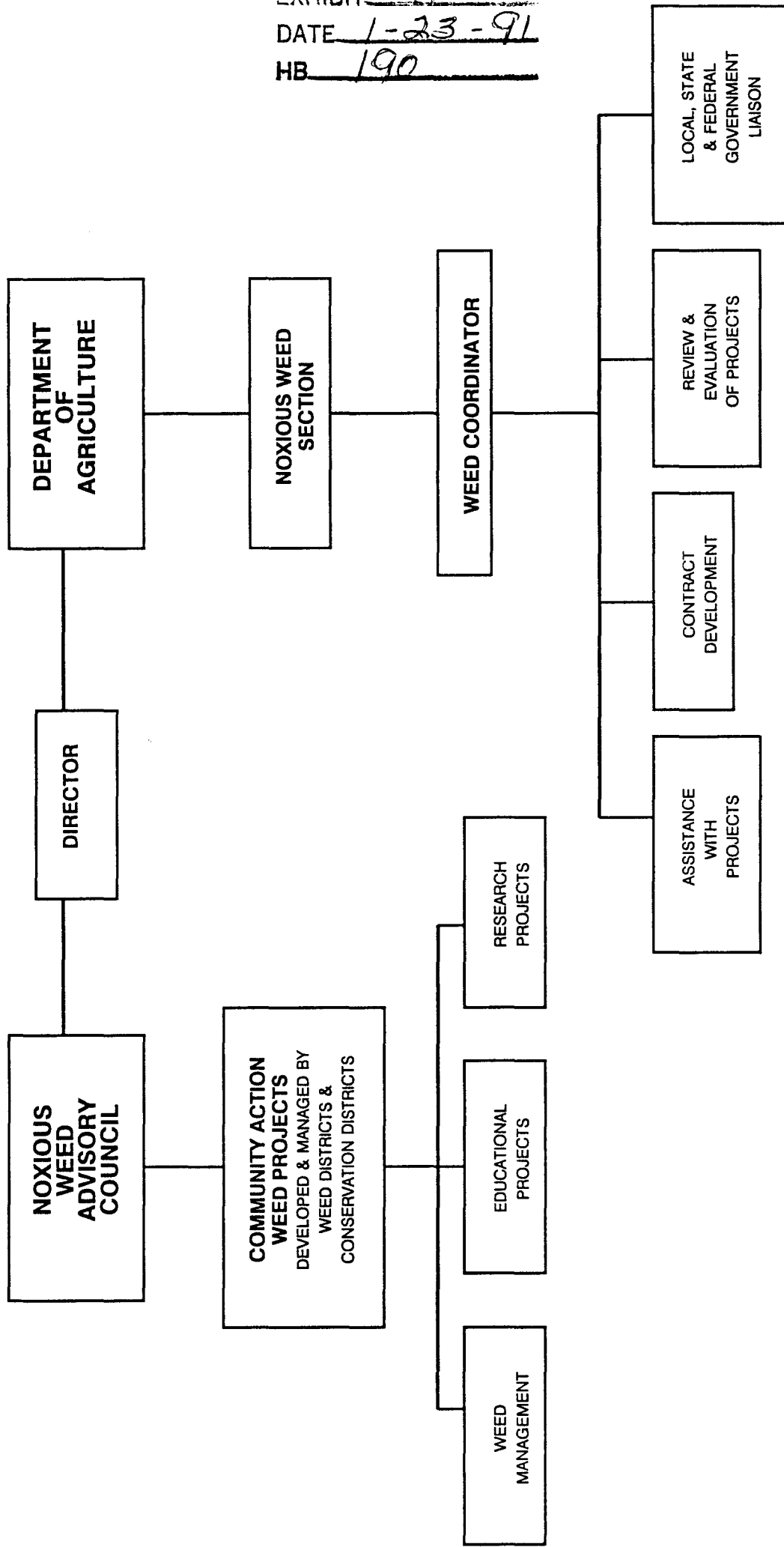
The original intent of the Noxious Weed Trust Fund Act (NWTF) was to provide grant funding for management, research, and educational programs on noxious weeds. These "special" grant projects target statewide priorities for noxious weed management, including screening and release of biological control agents, educational programs, weed research, and on-ground control efforts. Although grant projects always compliment county control efforts, targeting funds to priority areas on a statewide perspective allows for more efficient use of revenue.

To date the NWTF has proven to be an extremely effective tool for reducing the spread of weeds in Montana. Returning seventy percent of the revenue to counties will dilute the effectiveness of the present control effort by providing increased revenue to counties with the largest population - and not to those counties with the greatest weed problem.

In addition, I also oppose amending the definition of herbicide to include home, lawn, and garden products. Costs of collection will greatly exceed revenue generated for these products.

MONTANA NOXIOUS WEED GRANTS PROGRAM

EXHIBIT 11
DATE 1-23-91
HB 190



HOUSE OF REPRESENTATIVES

VISITOR'S REGISTER

Agriculture COMMITTEE BILL NO. HB 190
 DATE 1-23-91 SPONSOR(S) Rep. Roger Webruncker

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NAME AND ADDRESS	REPRESENTING	BILL	OPPOSE	SUPPORT
CHRIS HINDOEN	TETON COUNN WIEED	190	X	AS WRITTEN
Peggy Parmelee	MT Conservation Dist Assoc	190	X	
Brad DeZort	Teton Co	190	X	
Joe P. M... ..	Butte Week End	190	X	
Bill Murphy	Self, Powell Co.	190	X	
Sandy Stitt	Helmville District Powell County	190	X	
Wayne Slight	Self + Powell Co.	190	X	
Chris Kaufmann	MEIC	190	X	
Kay Norenberg	WIFE	190	X	
Wally Klose	Rancher	190	X	
Jim Jensen	MEIC	190	X	
John Althaus	Madison co	190	X	
Wes Williams	Granite Co.	190	X	

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 DATE 1-23-91 SPONSOR(S) Roger Helmerich

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NAME AND ADDRESS	REPRESENTING	BILL	OPPOSE	SUPPORT
<u>Phil Radgran</u>	<u>Same</u>		X	
<u>Dean Stanchfield</u>	<u>Miss River Project area</u>		X	
<u>Celestine Lacey</u>	<u>self</u>		X	
<u>Wanda Moss</u>	<u>Beaumont County</u>		X	
<u>Larry Hoffman</u>	<u>L/C County Weed D.</u>		X	
<u>David Burch</u>	<u>Montana Weed Control Assoc.</u>	<u>190</u>	X	
<u>James D. Freeman</u>	<u>Cascade County Weed District</u>	<u>190</u>	X	
<u>Al Kurki</u>	<u>AERO</u>	<u>190</u>	X	
<u>Janet Ellis</u>	<u>Audubon</u>	<u>190</u>	X	
<u>Kel D. Peterson</u>	<u>Headwater RCD - Rangol Weed Committee - Madison Co.</u>	<u>190</u>	X	
<u>Dan Pickett</u>	<u>Batte Weed Board</u>	<u>190</u>	X	
<u>Kim Enkerud</u>	<u>MT stockgrowers</u>	<u>190</u>	✓	
<u>Rick Young</u>	<u>Stillwater County</u>	<u>190</u>	X	

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NAME AND ADDRESS	REPRESENTING	BILL	OPPOSE	SUPPORT
Candace Deussen	self	190	X	

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