

MINUTES

MONTANA SENATE 52nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON FINANCE & CLAIMS

Call to Order: By Senator Judy Jacobson, Chairman, on January 28, 1991, at 4:40 p.m., Room 108.

ROLL CALL

Members Present:

Judy Jacobson, Chairman (D)
Greg Jergeson, Vice Chairman (D)
Gary Aklestad (R)
Thomas Beck (R)
Esther Bengtson (D)
Don Bianchi (D)
Gerry Devlin (R)
Harry Fritz (D)
H.W. Hammond (R)
Ethel Harding (R)
Bob Hockett (D)
Thomas Keating (R)
Richard Manning (D)
Dennis Nathe (R)
Lawrence Stimatz (D)
Larry Tveit (R)
Eleanor Vaughn (D)
Mignon Waterman (D)

Members Excused: Senator Weeding

Staff Present: Teresa Olcott Cohea(LFA).

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

Announcements/Discussion: none

HEARING ON SENATE BILL 105

Presentation and Opening Statement by Sponsor:

Senator Gene Thayer, District 19, Great Falls, said he is introducing this bill on behalf of the McLaughlin Research Center, and it has full support of the entire Cascade County delegation. He stated in the last legislative session there was a bill appropriating two million dollars if a federal match could be found to be used for a medical research center. At that time it was planned to try to obtain an eight million dollar grant

from the federal government, and the bill wording said it had to be matched by a four to one federal match. He noted Senate Bill 105 indicates the money can be spent for equipment. It changes the four to one match to a two and one half to one match, and it extends the time of appropriation to 1993.

Proponents' Testimony:

George Carlson, scientific director at McLaughlin Research Institute, said they were able to get a five million dollar appropriation from the federal government for the construction of the new facility in Great Falls. Having a new facility will provide a means to bring new scientists into the state who will bring their active research programs into Montana. He said the change in the match to two and one half to one is important in that the money will be used for internationally recognized scientists doing the research. Doing the research in Montana provides for cost effective means for the federal government in spending their grant dollars because the same research can be done in this state for less than many urban areas of the country. The expansion of the institute could have a substantial impact on the economy of Great Falls and the state. With the planned construction, it will house five to seven senior scientists, which would have a substantial impact on the economy.

Ardi Aiken, Great Falls mayor, stated the expansion will create many high level jobs with the implementation of the current expansion plans. She said the current law with the ratio required makes them eligible for about 1.25 million from the State science and tech alliance. The estimated cost of construction of the new facility is 6.9 million dollars which leaves a deficit. The expansion has been supported by all levels of government, including the city government which appropriated one hundred thousand dollars for the initial design phase. They are also offering to lease city land for the structure. She said the expansion will bring in new money, create well paying jobs and could potentially attract commercial biotechnology firms.

Dennis Anderson, president of Great Falls Chamber of Commerce, stated support for the bill in that it also would allow time to receive and secure the fully allocated federal grant for funding the institute. They support the change in the matching fund formula to maximum the ability to secure the full appropriation on reserve by the federal government.

Steve Huntington, consultant residing in Helena, speaking on behalf of the Billings Deaconess Research Institute, said funding for the institutes are critical to making them a success, and he stated the job done by the McLaughlin Center in securing a five million dollar federal appropriation was tremendous in matching state money.

Representative Diana Wyatt, Great Falls, stated the support

of the Great Falls delegation in support of the McLaughlin Research Center.

Opponents' Testimony:

None

Questions From Committee Members:

Senator Beck questioned if the federal government is requiring the two and one half to one match. Senator Thayer they put the requirement on themselves when drafting the bill in the last session because of the eight million dollar expectation, but ultimately they were able to secure five million dollars. Regarding leasing land from the city, the mayor said that is an option available; that there are several different sites.

Senator Jacobson said the \$750,000 which is the money over and above the 1.25 million, four to one match, is in the governor's executive budget. He allowed for 2 million dollars going toward this project. Because the LFA deals with current law which states a four to one match, that \$750,000 does not show in the LFA budget. She has assumed 1.25 would go to this project, and 85 percent would go to the general fund and 15 percent to the school equalization account which means we would have to look at a \$750,000 decrease in the ending fund balance if we go with the full 2 million dollars. Terry Cohea added that in revenue estimating they look at existing law and available balances, and this was one balance that under the current law with the federal action existed. If this passes, it would amend fiscal year 1991 appropriation to spend 2 million dollars. If this bill passes, we are continuing the appropriation through 1993 and changing the matching ratio so the institute would be able to claim the entire 2 million dollars.

Closing by Sponsor:

Senator Thayer said the last appropriation was made until June 30, 1991, and he is hoping the science and tech people are going to act on this proposal within the next couple months, and maybe the need to extend the date will not be necessary. He noted that members of the Montana congressional delegation indicated one of the reasons for success in getting the five million dollar grant was because of Montana's commitment made in the last session. He said this bill would create jobs for university graduates as well as cash brought into the state to operate these projects.

HEARING ON SENATE BILL 123

Presentation and Opening Statement by Sponsor:

Senator Greg Jergeson, Senate District 8, sponsor, said the

main intent of the bill is to provide for an ongoing program at the agricultural experiment station in funding integrated weed control systems and a determination whether alternative weed management systems are viable, economical and efficacious. He noted there are many changing conditions in the control of weeds on croplands in the state. Some of the chemicals used on the croplands are being delisted or withdrawn by the manufacturers, and alternatives will have to be found. The research necessary to develop viable and economic alternatives is not a short-term proposition. They will have to be tested in a variety of conditions over a number of drought as well as wet years. Another part of the bill deals with where the money will come from, and he acknowledged there has been debate on the way the bill is written and whether there is satisfaction with how the bill imagines revenues derived to go into this research program. Because of this, he asked that the committee not take executive action anytime soon so that all interested parties can review the funding proposal. He stated his desire within the next couple of weeks to be able to work out the funding with the proponents and opponents.

Proponents' Testimony:

Chuck Merja, wheat and barley producer from Sun River and president of the Montana Grain Growers Association, stated his support of SB 123. (See Exhibit 2)

Don Mathre, associate director, Montana Agricultural Experiment Station and also a plant pathologist. He said there are a number of problems producers are having with weeds and the loss of herbicides. He said the Experiment Station has a number of programs on weed control and biological control of noxious weeds, but a program not in existence is the use of other agents other than chemicals in cropland situations.

Peter Fay, weed scientist at Montana State University, stated he conducts research on weeds using herbicides. He noted the discontent about herbicides from the general public. He feels with two percent of our population farming there is a very serious risk of some serious litigation restricting pesticide use and he feels the farmers are at risk. He feels this bill would put together a research program at this time which would look at alternatives to pesticides in Montana.

Neva Hassanein, Northern Plains Resource Council, stated her support and said people want more tools and resources to deal with weed problems in their croplands, and they would like to go on record supporting an effort towards increasing those research abilities through the Extension Service.

Jon Tester, Alternative Energy Resources Organization, and also a farmer from Big Sandy, stated he went from conventional to organic farming. He thinks we need to educate farmers, and this bill is an effective way to do it. He feels the bill has both

benefits to the organic farming industry as well as the conventional farming industry. He said there is a need for weed biologists and a weed microbiologist in this state. He feels by passage of this bill, net farm income will be increased by reducing or eliminating herbicide expense, yet maintaining production using techniques researched and developed by the hiring of weed ecologists. He stated that less federal government aid will be needed, and this bill is a step in the right direction to achieve that goal. Health benefits will also be generated. He concluded now is the time to adopt and fund this bill.

Al Kurki, executive director of the Alternative Energy Resources Organization, stated his support of SB 123 and presented testimony (See Exhibit 3). He also presented testimony from Bob Quinn, a farmer from Big Sandy (See Exhibit 4)

Janet Ellis, Montana Audubon legislative fund, stated her support for the research proposed in this legislation as being very important. Regarding funding for this proposal, even though it is controversial, she encouraged the committee to find a satisfactory method.

Chris Kaufmann, Montana Environmental Information Center, stated her support in the reduction of the use of herbicides, primarily for the protection of our groundwater. She noted her concern for the funding mechanism of the bill in that it is confusing and complex, and urged that time be given to take care of the funding. She supports the use of the herbicide surcharge for research on projects on cropland weeds and not the use of vehicle registration tax portion of that.

Pam Langley, executive director, Montana Agricultural Business Association, stated her support for Senate Bill 123 with its current funding sources or general fund monies. She stated her opposition to the way the noxious weed grant funds are being spent presently. She noted her opposition to continuing the one percent which is to be sunsetted to another bill to fund this because the net effect would be a serious reduction in the number of pesticides available to farmers today.

Bud Daniels, President of Montana Farmers Union, stated their concern about the weed problem and the fact that we seem to be losing ground on weeds rather than gaining. He felt less herbicides and insecticides need to be used.

Opponents' Testimony:

Representative Bob Thoft, testified to his opposition to the amount of money and the source. He feels funding should be on an ongoing basis, and if the bill is passed in its present form the university system will have \$160,000 a year and no reason for them to come back for justification. He would like the committee to take under consideration the funding of the bill.

Representative Ed Grady, District 47, stated he is not against the idea of the bill and would be willing to try to work out the necessary funding, but he stated his opposition to taking away weed trust money. He presented to the committee a copy of the "Montana Noxious Weed Trust Fund Summary Report, December 1990" (See Exhibit 5)

Kim Enkerud, Montana Stockgrowers Association, stated her support of the concept of the bill but her concern with the erosion of the noxious weed trust fund.

Kay Norenberg, representing Women Involved in Farm Economics (WIFE), stated their opposition to this bill. (See Exhibit 6)

David Burch, Montana Weed Control Association president, presented written testimony in opposition to this bill (See Exhibit 7), and also from Gerald W. Marks, Chairman of the Western Montana Weed Council (See Exhibit 8).

Questions From Committee Members:

Senator Devlin questioned if this bill referred to herbicide research and was informed that was correct. Regarding a question from Senator Keating regarding a weed control program being worked on now at the experiment station, Mr. Mathre said there are several programs being worked on at present, but the two positions proposed would expand what they are doing. Regarding the funding at the current time for the weed management program, he said it would be from the general fund and the federal appropriation. Regarding the Fish and Game Department experimenting with weed control by the introduction of bugs to eat weeds, K. L. Cool said yes, it is an operational program in some of the wildlife management areas, especially on knapweed. He said herbicide control is very effective in certain situations, but there are others where you can achieve more cost effective control using a mixture of herbicides, biological control and hopefully an infestation of weeds on travel corridors, and said they are to the best of their ability sharing that information. He said they are trying to do a better job of weed control all the time. Weed control funding comes out of land management activities fund, coming from general license dollars, matched with Pittman Robertson monies frequently. With regard to a question from Senator Jacobson regarding knapweed, Mr. Cool said there are places in Montana where they don't believe they can eradicate knapweed, but they feel they can control it. Representative Thoft said anything from the Fish and Game Commission comes out of the university research program at Corvallis. Regarding receiving money from the noxious weed trust fund, Mr. Mathre said the scientists have received money.

Gary Gingery, Montana Department of Agriculture, said grants issued to the university are for noxious weeds in rangeland situations, not for cropland. This bill deals with giving authority for some of that money into cropland weed control. He

said regarding herbicide surcharge implemented in 1985, it was based upon a surcharge on the use of commercial and industrial herbicides.

Senator Jacobson questioned if by passing this bill we would not only be bypassing the noxious weed trust fund by not having someone come in to them asking for money but also be bypassing the higher education subcommittee because they are appropriating two positions in the Agricultural Experiment Station. Senator Jergeson said the language in the bill would require that this program make annual reports to that same council so they are aware of the progress being done by the people in the Experiment Station.

Senator Vaughn questioned the impact on the local revenues and if it would make a difference on what local areas can do. Mr. Gingery said there would be a reduction in FY92 and FY93 of \$160,000 for grants to local communities for noxious weed control. The trust fund should reach the 2.5 million dollar cap by June 30, 1993. After that is reached, the \$160,000 in a sense lost for noxious weed grants would be recouped in '94, '95.

Regarding a question by Senator Harding on the bill funding, Senator Jergeson said the handling of funding will be worked on and he would like to have the participation of Representatives Grady and Thoft in those discussions. Regarding a question if this should be considered an appropriation bill, Senator Jergeson said it is an allocation of funds and would not be called a statutory appropriation bill.

Closing by Sponsor:

Senator Jergeson closed by saying he felt there was no opposition to the intent of the bill but the funding question will be worked on for an acceptable solution. He said this bill is not necessarily to provide in every case a biological alternative to chemical weed control. Some of the research would have to go into how we make effective use of those that remain in our inventory as well as finding biological and other types of alternatives. He noted the best way to look at it is we are trying to develop integrated pest management and herbicide weed management programs.

HEARING ON SENATE BILL 83

Presentation and Opening Statement by Sponsor:

Senator Greg Jergeson, District 8, stated this bill has fiscal impacts and he felt sure the committee would want a full review of those. The federal government is going to require that interest income on money that the Fish and Game Department has is going to have to go back into those accounts from which the interest income is derived. Currently it is being taken and put

into the state general fund and the federal government says that after May 1, 1992 that can no longer be the practice and that those interest monies must be deposited in the account from which they are earned.

Proponents' Testimony:

K. L. Cool, Director, Department of Fish, Wildlife and Parks, stated his support of Senate Bill 83. (See Exhibit 8)

Janet Ellis, representing the Montana Audubon legislative fund, stated all members of their fund are concerned about wildlife, and without passage of this bill wildlife programs in the state would be jeopardized because of federal funding that the state would lose, and she urged support of this bill.

Scott Snelson, Montana Wildlife Federation, stated his support of Senate Bill 83.

Opponents' Testimony:

None

Questions From Committee Members:

When questioned by Senator Waterman as to the date of compliance, Mr. Cool stated it was May 17, 1992; in addition, Montana is the only state to date that has not complied. Senator Nathe asked if this only involved hunting and fishing fee money deposited in the short term investment pool. Dave Mott from the Montana Fish, Wildlife and Parks, said all the references in the bill relate to hunting and fishing. Regarding the match on the money, Mr. Mott said it is a three to one match. Regarding the bill effective date, Senator Jergeson said the effective date of the federal regulation is May 17, but the bill was written for a different date because May 17 does not correspond to any particular accounting date in the way money is handled. Senator Waterman questioned if it could be effective May 17th so we could earn more money. Mr. Cool said that could be possible and in so doing, they would have to derive that additional revenue from increased hunting and fishing license fees; that is the tradeoff. The tradeoff would require additional fees from another source to accomplish their budget objectives.

Closing by Sponsor:

Senator Jergeson closed by saying this a fairly straight-forward issue, and the only choice might be moving the effective date of the bill. In regard to the fiscal note, Ms. Cohea said it is prepared for six months only because the fund balance is drawing down actually six months in FY 92 gets you more than a full year in 93 because of the drawdown in the fund balance.

Motion:

Senator Waterman moved that Senate Bill 83 be amended to have an effective date of May 17, 1992.

Discussion:

Senator Jergeson questioned if it could be the beginning of the month.

Amendments, Discussion, and Votes:

Senator Waterman's motion failed on a voice vote.

Recommendation and Vote:

Senator Jergeson moved that Senate Bill 83 DO PASS. Motion carried unanimously.

EXECUTIVE ACTION ON SENATE BILL 105

Motion:

Senator Manning moved that Senate bill 105 DO PASS.

Discussion:

Senator Manning said the McLaughlin Center will need almost eight million dollars. Senator Jacobson questioned who will pay for maintenance and personnel. Senator Manning said it would be from federal grant programs. In response to the five million dollars already being received, Senator Manning said that money while not received yet, it will be forthcoming. Regarding a question from Senator Aklestad regarding the budgeting, Ms. Cohea said under current law they are eligible to receive 1.25 million dollars, and if the committee took no action, they would receive that. At issue is the \$750,000 that would result from the changing match ratio. The LFA included that in the revenue estimate and said that would be available at the end of 1991 because under current law they could not claim the full amount. The executive budget office assumed the passage of this legislation that they would get the full two million dollars.

Amendments, Discussion, and Votes:

None

Recommendation and Vote:

Senator Tveit made a substitute motion that the committee

meeting be adjourned. Motion carried unanimously.

ADJOURNMENT

Adjournment At: 6:30 p.m.

Judy Jacobson

JUDY JACOBSON, Chairman

Lynn Staley

LYNN STALEY, Secretary

JJ/lis

ROLL CALL

FINANCE & CLAIMS COMMITTEE

DATE 1/28/91

LEGISLATIVE SESSION

NAME	PRESENT	ABSENT	EXCUSED
SENATOR JACOBSON CHAIRMAN	✓		
SENATOR JERGESON, VICE CHAIRMAN	✓		
SENATOR AKLESTAD	✓		
SENATOR BECK	✓		
SENATOR BENGTSON	✓		
SENATOR BIANCHI	✓		
SENATOR DEVLIN	✓		
SENATOR FRITZ	✓		
SENATOR HAMMOND	✓		
SENATOR HARDING	✓		
SENATOR HOCKETT	✓		
SENATOR KEATING	✓		
SENATOR MANNING	✓		
SENATOR NATHE	✓		
SENATOR STIMATZ	✓		

Each day attach to minutes.

ROLL CALL

FINANCE & CLAIMS COMMITTEE, CONTINUED

DATE _____

LEGISLATIVE SESSION

NAME	PRESENT	ABSENT	EXCUSED
SENATOR TVEIT	✓		
SENATOR VAUGHN	✓		
SENATOR WATERMAN	✓		
SENATOR WEEDING		✓	

Each day attach to minutes.

ON THE WEEDS BILL (Senate-123)

Hayden Ferguson-Pet.

It is possible, although highly unlikely, that an inoculum that will cure cancer may be discovered using the funding for a 1 to 3 year grant. It is completely ludicrous to believe that a 1 to 3 year grant will solve anything as complicated as the interaction between weeds-environment-and biological agents. Those kind of problems are solved only by tremendously dedicated researchers, working with adequate funding, over a long period of time---to believe otherwise is the ultimate in foolishness. Grants are of value only (almost always) when they augment already established and funded programs.

This bill (Senate 123) provides an opportunity for Montana to have that kind of a weed research program--stable and adequately funded--that will, given the time, solve the current debilitating perennial weed problems of Montana. No person can predict the timing of that success in solving the problems we now face with the weeds of concern. But I can predict, without any fear of being wrong, that if this kind of a program is not established then the problems faced by your grandchildren will be orders of magnitude greater than the problems we currently face. That will be an absolute tragedy for Montana.

Another point---there is one, exactly one, and only one organizational unit in Montana that has the structure to attack this problem and wisely use the funding proposed in this bill---that is the Montana Agricultural Experiment Station/Extension Service



**Montana
Grain
Growers
Association**

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 2

DATE 1/28/91

BILL NO. 123

P.O. Box 1165 • 750 6th Street S.W. • Great Falls, Montana 59403 • 406/761-4596

Testimony of the Montana Grain Growers Association
on SB123

Before the Senate Agriculture Committee

January 28, 1991

Mr. Chairman and honorable members of the committee, my name is Chuck Merja. I am a wheat and barley producer from Sun River and President of the Montana Grain Growers Association. I rise in support of SB123.

SB123 would change the way 12.5% of the Weed Trust Fund expendable principal is spent. Currently, all the expendable money goes to specific research projects through a grants process. There have been significant benefits both to local areas and also the state weed management efforts in general, through these research projects. However, it is hard to build programs to find long-term solutions when one has to rely on annual grants for funding. We think that some on-going and coordinated research would be an appropriate way to address the state weed management issue and thereby make our dollars go farther. We think that there is no group more qualified to do this research than the experiment stations. These people can address overall management systems so that the more specific research that the trust fund will continue to fund can be more effective.

This bill will create two on-going weed research programs that will help us address the cropland weed problems that cost us hundreds of millions of dollars per year in reduced yields and quality. One will address weeds in a more general way, looking at how we can more efficiently use all of the various methods of control that are currently available and the second will look more specifically at fungi that are potential biocontrol agents.

I will not take the time of this committee to detail the multitude of competitive advantages that the agricultural experiment stations have developed for producers in this state and nation, because I think you will all agree that they have been many. Providing funds through this mechanism to investigate all aspects of weed management gives us more "bang for the buck" and provides funding to a program that has a proven track record. Therefore, I urge you to support SB123.

CHUCK MERJA
President
Sun River

MERLE MULLET
Vice President
Glendive

JERRY THUESSEN
Treasurer
Reserve

DAVID SAGE
Secretary
Ponlar

TESTIMONY OF AL KURKI
FOR THE ALTERNATIVE ENERGY RESOURCES ORGANIZATION
ON SB 123 BEFORE THE SENATE FINANCE AND CLAIMS COMMITTEE
JANUARY 28, 1991

My name is Al Kurki. I'm the executive director of the Alternative Energy Resources Organization, a membership organization of farmers and ranchers in Montana who are committed to enhancing the productive capacity of their farms and ranches, and necessarily, to resource conservation and community and family economic vitality. I'm here on behalf of AERO to testify in favor of SB 123.

Weeds continue to be considered by farmers in Montana as the biggest recurring agronomic problem they face. Weed control is considered to be one of the biggest barriers to the adoption of more resource conserving farming practices by farmers who'd like to shift to more sustainable systems. The lack of alternatives to expensive annual spray programs keeps Montana farmers from expanding their management options, and from responding to the economic, environmental, and personal health concerns they have. Surveys in Montana and elsewhere, conducted by groups like AERO and by land grant universities like MSU, reveal the ongoing battle farmers have with weeds.

The 1990 Montana Farm and Ranch Survey shows that one-half of Montana farmers and ranchers are concerned about harm to their health from agrichemicals. One half of crop producers are very worried about genetic resistance to pesticides. Nearly half of all Montana agricultural producers favor alternative production methods. Over half said that MSU researchers should place high to medium priority on low-input, sustainable agriculture.

Worldwide, integrated pest management has changed how insect pests are controlled, while similar progress in the area of cropland weeds is non-existent. Farmers don't even know what the economic threshold of a weed population is, when it becomes financially advantageous to spray or take other control measures. Aesthetics have driven weed control decisions on Montana grain farms—not economics, not the promise of long-term control, not an understanding of the vulnerable stages in a weed's life cycle, not knowledge of weed and insect interactions, not even an understanding of weed and crop interactions. What it boils down to is this: Cropland weed control is in the dark ages. We have not brought the weight of science to bear on one of the biggest problems still facing crop producers. The result has been that farmers spend more money than they've probably needed to, applied more poison to the environment than they've needed to, exposed themselves and their families perhaps at times unnecessarily, and have contaminated their groundwater. Is this how we want Montana agriculture, Montana farmers, to have to operate?

Over two-thirds of herbicides used in this state are used on cropland weeds. That is pretty telling proof of the importance of cropland weeds to Montanans. Yet where do we continue to put our research and demonstration emphasis? On weeds impacting rangeland and roadsides. Now, these are important areas to focus on, but not to the exclusion of cropland weeds. Pete Fay at MSU has done a good job, but he can't meet the needs of Montana's farmers alone.

Understanding the physical, chemical, biological and cultural interactions that affect weed populations in crops, and building a broader base of management tools building on that

understanding is what we need. And we need it in the form of expertise—expertise embodied in a person, not just in project results. That's why under SB 123 two new positions at MSU will be created: one is a weed biologist; one a weed microbiologist. Farmers in Montana need this expertise so badly, that just last week a group of farmers in the Triangle PAID to have a weed biologist from the University of Minnesota come talk to them. We simply don't have this expertise in-state. And you can't fill these positions on grant money. It will take a longer-term, more secure funding source to attract quality faculty and research personnel.

These two positions are complementary.

1. The work of a good weed biologist will produce almost immediately useful results. This isn't just a long-term proposition. We're talking about getting practical information to Montana producers in 1992! We're talking about beginning to expand farmers' options now.
2. The weed microbiologist position is a longer-term proposition. But building on what the weed biologist will teach us about the life cycle of weeds, and how they interact with our tillage and cropping systems, the weed microbiologist will begin to develop plant pathogens that we can use to help attack weeds when we know they are vulnerable, when we have taken steps to reduce our weed problems through cultural and physical means. The long-term work will build on the very necessary and immediate results of the weed biologist.

You'll notice that I've referred to the work at MSU proposed under this bill as "a weed biologist" and a "weed microbiologist." And that's just what they are. The \$160,000 proposed to go to MSU under this bill is not money sent to the black hole of some nebulous research program never to return. This money will be attached to two specific people who, by virtue of being hired for and identified with the specific work outlined here, will be highly accountable, and we will have very high expectations of them.

Some in this room object to this bill strictly on the basis of its source of funding: the Noxious Weed Management Trust Fund. I pointed out earlier that over two-thirds of herbicides used in Montana are used on cropland weeds. That means that two-thirds of the revenue from the 1% herbicide surcharge, which is the source of money building the fund, is generated by crop producers. Yet the projects being funded by the surcharge are primarily rangeland weed control projects. Crop producers are ready to start reaping some of the benefits of that surcharge.

AERO supports the intent of this bill. However, we don't think the bill as drafted carries out that intent very well. We would like to propose some two amendments that should address some of our concerns and the concerns we know especially the Montana Weed Control Association has.

We think with our amendments, this is a win-win proposal and I urge you to support it.

A closing note is this: Critical to this bill working is the preservation of the 1% herbicide surcharge. I'd like to alert you to the need to reject efforts in this session to repeal the surcharge. Until we've been able to expand our box of weed management tools, we need to devote appropriate resources to developing those tools. We think the surcharge is appropriate, and is a funding source the chemical industry can support given on the future marketability of weed biocontrol products—development made possible through SB 123—through our Montana chemical dealers.

Thank you. Copy of amendments attached.

TESTIMONY PRESENTED TO SENATE FINANCE AND CLAIMS
SUPPORT OF SENATE BILL 123 - JANUARY 28, 1991

My name is Bob Quinn. I farm south east of Big Sandy and wish to present written testimony favoring the creation and support of a crop land weed biologist and microbiologist positions at MSU.

I have been farming for 13 years on a 2400 acre small grains operation that has been in our family for three generations. For the last six years we have been experimenting with organic farming practices and after some initial success converted our farm to a 100% organic operation two years ago.

We have had great success in reducing our inputs and increasing the value of our grains using special markets. This has been a big help to our bottom line during the recent years of drought and low prices. One of our greatest needs, however, is research and information on how we can better cope with weed problems without the use of chemicals. We have learned some things by experimenting the last few years on our farm but these little experiments are a far cry from the controlled research studies which are needed. The experience of earning a PhD in plant biochemistry gave me a great appreciation for the detailed work required to do controlled experiments which produce good research and the amount of time required to search the literature for possible local applications of work being done in other areas. Most farmers do not have the time or resources to do either of these yet we need the information to help us reduce costs and become better stewards of the land. The weed problems in this state are increasing every year even after over 40 years of having chemicals of various types available. I think it is time to take another approach, a wholelistic approach if you will, which considers all aspects of the problem and considers all possible alternatives to solve it. Weed scientists would be a great help to us in this area not only to just those who want to be organic farmers but to all who are looking for alternatives in weed control which lower inputs and do not compromise environmental concerns.

Since the problem and the need exist now, I believe the time to act is now. It will take time to look for new solutions, compile and study what has been done in similar regions and to carry out research to verify possible answers to our problems. With more and more restrictions being put upon traditional use of herbicides, now is the time to begin looking for alternatives, not after some currently used chemical is no longer available. If the public is to demand the restriction or the elimination of some products, I believe they have some responsibility to help in the search for alternatives. It takes years to put together alternative weed control programs and that is why it is important to start as soon as possible. It will help agriculture in this state as well as all those who live here by reducing the overrunning and destruction of one of our greatest natural resources, our LAND. Thank you for your consideration.

DATE 1-20-90

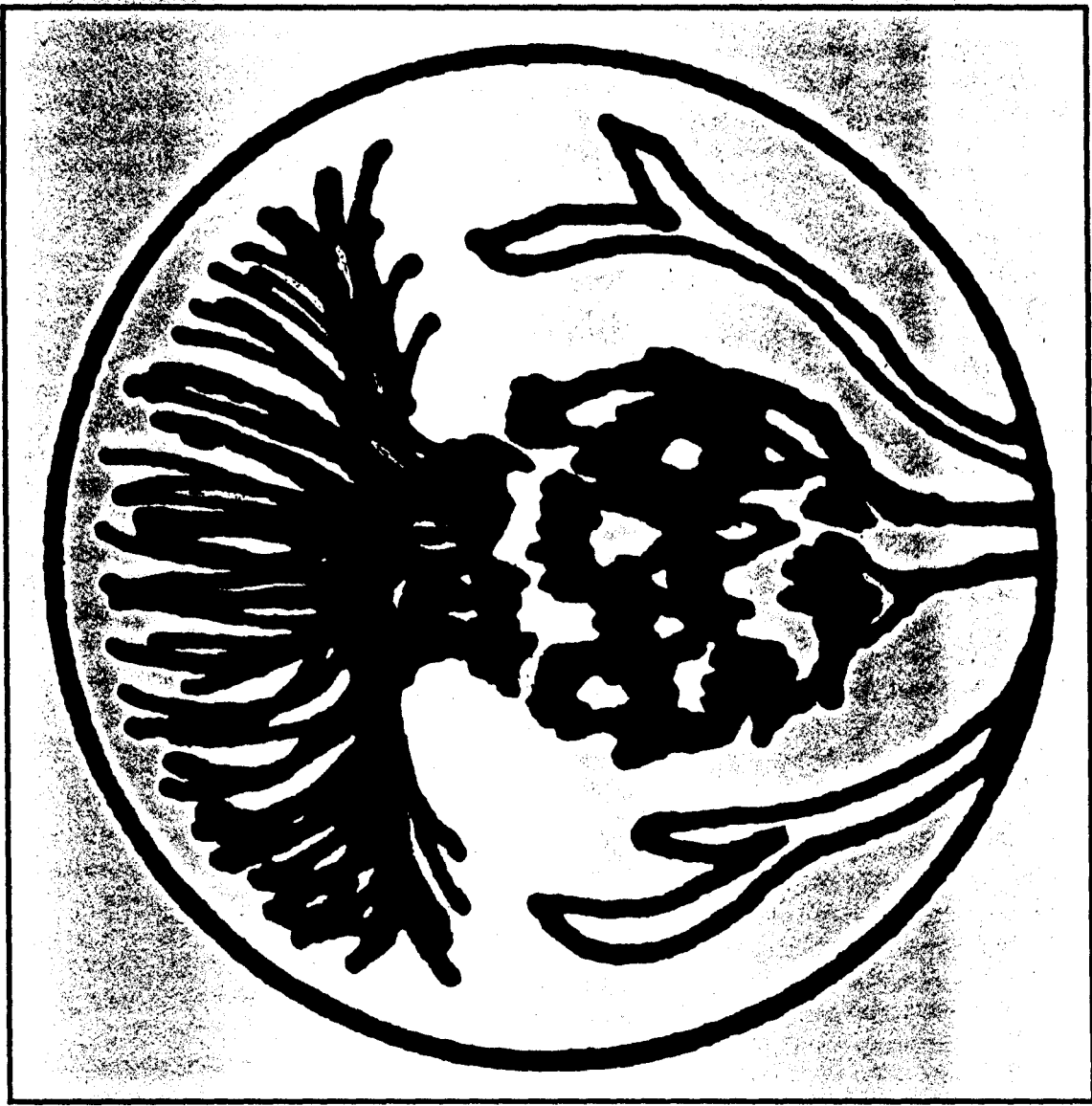
BILL NO. 112

Exhibit 3

**MONTANA NOXIOUS WEED TRUST FUND
SUMMARY REPORT**

(cover page)
book included
with original
minutes

DECEMBER 1990



WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 28 day of Jan, 1991.

Name: Kay Norenberg

Address: Helena

Telephone Number: 442-7439

Representing whom?

WIFE (Women Involved In Farm Economics)

Appearing on which proposal?

SB 123

Do you: Support? ☐ Amend? ☐ Oppose? ☒

Comments:

We have mixed feelings on this bill. We
definitely are in favor of the concept of research
and development of nonchemical methods of weed
management but we feel strongly that the trust
should be left intact. Funding should be looked
for elsewhere.

This is a program we feel is working very well.
Another problem with this bill is it opens it
up for other entities to try to get money out of this
trust fund. Each time it is tapped there will be
less for ^{the} grants it was intended to be used for in
the first place.

Unless funding is changed we recommend a

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

do not pass for SB 123.

Thank you!



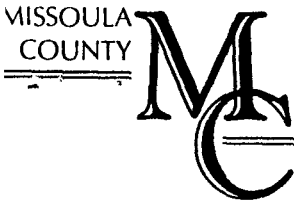
SENATE FINANCE AND CLAIMS
EXHIBIT NO. 7
DATE 1-28-91
BILL NO. 123

POST OFFICE BOX 1911 • BOZEMAN, MONTANA 59771

WRITTEN TESTIMONY FOR SB-123
MONTANA WEED CONTROL ASSOCIATION
DAVID 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 MONTANA WEED CONTROL ASSOCIATION DOES NOT WANT THE TRUST FUND RAIDED IN ANY WAY, SHAPE OR FORM. WE DO HOWEVER SEE THE NEED FOR THESE TYPES OF POSITIONS THAT SB-123 WOULD CREATE, BUT THE TRUST FUND WAS NOT CREATED TO FUND FULL TIME POSITIONS. THE MONTANA WEED CONTROL ASSOCIATION DOES OPPOSE SB-123 AS WRITTEN.



DEPARTMENT OF PEST MANAGEMENT
126 WEST SPRUCE
MISSOULA, MONTANA 59802

(406) 721-5700
721-4095

January 25, 1991

SENATE FINANCE AND CLAIMS
EXHIBIT NO. 8
DATE 1-28-91
BILL NO. 123

TO : Legislative Committee

FROM : Gerald W. Marks, Chairman
WESTERN MONTANA WEED COUNCIL

At the last Western Montana Weed Council meeting, a legislative committee was established. In this letter I am sending you legislative weed issues which you may want to share with your weed board. In the event that you have information to share with other counties, I also am sending you the committee list.

Current legislation deals with the trust fund. However, I am sure there will be additional legislation that will impact county weed districts.

Enclosed are:

- Resolution adopted by the Western Montana Weed Council and the Montana Weed Control Association which supports leaving the Montana Noxious Weed Trust Fund in its present form.
- List of arguments for leaving the trust in its present form.
- House Bill #190 which brings 70% of the herbicide check off and 70% of the vehicle weed tax back to county weed districts. This bill has been tabled by the House Agriculture Committee.
- House Bill #213 which allocates all vehicle tax back to county weed district. Hearing is scheduled in House Local Government Committee, Room 312, on adjournment @ approximately 3:00 p.m., Thursday - January 31.
- Senate Bill #123 which funds two positions at MSU for cropland weed research. Hearing is scheduled for Monday, January 28, at 8:00 a.m., Room 108, Senate Finance and Claims Committee.

ARGUMENTS FOR LEAVING THE MONTANA NOXIOUS WEED TRUST FUND INTACT

1. Returning the weed control tax on vehicles to the county weed control districts could augment the local weed control program. However, returning money to the counties based on square miles or number of vehicles may not be returning the money to the counties where the noxious weed problem is most severe. Also, due to I-105 and the serious financial limitations facing county government, some counties will reduce the existing weed mil levy to fund other programs.
2. More and more counties are recognizing the need for landowners to become more involved in the noxious weed control program. This has led to the organization of landowner project groups with the county weed districts playing a facilitator and educational role. Doing away with the trust fund will bring this process to a halt.
3. The value of mil varies considerably from county to county. The trust fund can assist county weed districts that have financial limitations by sharing in the cost of special projects.
4. The trust fund has played a major role in assisting weed districts with special projects. Counties need to look more and more to multi-county efforts to deal with the noxious weed problem. Allocating the vehicle weed tax and herbicide surcharge directly back to the weed districts would bring most multi-county projects to a halt.
5. One of the greatest needs today is developing an integrated approach to noxious weed control. We are long past the day we can rely only on herbicides for economic and environmental reasons. The trust fund has funded a number of research projects that has helped us put together an IPM program. Counties have historically invested few dollars in research projects.
6. The need for crop weed research does exist. However, funding permanent research positions runs against the philosophy under which the trust fund was created. It is far better to assist with projects through a competitive grants basis. This helps the researchers keep in touch with local needs. This process has worked very well for the biological weed control and other research projects that have been funded through the trust fund. The weed control districts are supportive of cropland weed research. It is recommended that other ways of funding these positions be explored.

In summary, the noxious weed trust fund is revolutionizing our approach to the noxious weed problem and is promoting a real working together effort. It is also gaining more recognition from the people of Montana, as well as other states and Canada, as a very innovative program. Let's leave it as is.

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 9

DATE 1-28-91

BILL NO. 83

SB 83

January 28, 1991

Testimony presented by K.L. Cool, Dept. of Fish, Wildlife & Parks

Our department requests your consideration of SB 83 which would provide that our department retain interest earnings on hunting and fishing license sales cash balances. Presently, interest earnings are credited to the state general fund.

-- The bill is requested so that our department can comply with a new federal regulation requiring that interest earnings be retained by the state fish and wildlife agency. The new federal regulation treats interest earnings on licenses the same way that revenues derived from the sale of hunting and fishing licenses have always been treated. All license sale funds, including interest earnings, may only be used for purposes of administration of the state fish and wildlife agency.

-- Failure to comply with the new federal regulation will jeopardize over 7 million dollars annually in federal funding provided to our agency. This includes over 3 million dollars in Federal Aid in Wildlife Restoration Program funding and over 4 million dollars in Federal Aid in Sport Fish Restoration Program funding.

-- Approximately \$141,000 in FY92 and \$102,000 in FY93 would be lost to the state general fund and gained by our department. Obviously this will provide assistance in solving a portion of our department's revenue shortfall, and will reduce the amount of fee increase that sportsmen will be asked to pay.

We urge your support of SB-83.

DATE 1-28-91

COMMITTEE ON

Finance Claims

VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One	
			Support	Oppose
David H. Cox	Washington State	#105	✓	
DWEN Cox	AERO	SB123	X	
Don Mathre	MT Ag Experiment Station	SB123	X	
Jon Test	AERO	SB123	X	
Al Kuhn	AERO	SB123	✓	
C. DENNIS ANDERSON	GREAT FALLS CHAMBER OF COMMERCE	SB105	✓	
Chris Gallus	Built Silver Bow BDC	SB105	✓	
Steve D. Dierck	SB #20	SB105	✓	
George Cochran	Montana Research	SB105	✓	
Arki Niles	City of Great Falls	SB105	✓	
Margaret Walker		SB105	✓	
Pete Hay	MT agric. Exp. Station	SB123		
Steve Huntington	Billings Business Research & Tech.	SB105	✓	
Samuel Hubbard	" " " "	SB105	✓	
Pam Langley	Montana AgriBusiness Assn	SB123	✓	
Eve Franklin	MT LEGISLATURE CASCADE COUNTY DELECT	SB105	✓	
David Bugala	Mt. Weed Control Assoc	SB123		✓
Bob Thoft	Self	SB123		✓
Neva Hassanch	NPRC	SB123	✓	✓
Chris Kaufmann	MEIC Grain	SB123	✓	
Chuck Merja	Montana Seed Growers Assn	SB123	X	
Bob Thompson	WIFE	SB123	✓	
Kay Haerberg	WIFE	SB123		✓
Kim Enkerud	MT Stockgrowers	SB123		✓
Ganet Ellis	MT Audubon	SB123 SB83	X	
Bill Sivilson	MT WILDLIFE FEDERATION	SB83	X	
K. L. COOL	MT FWYP	SB83	X	

(Please leave prepared statement with Secretary)