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*Senate* BILL NO. *239*  
INTRODUCED BY *Boyer, Mandy, Benjamin Kolstad*  
*Hager, Abco, E. Smith*

A BILL FOR AN ACT ENTITLED: "AN ACT ENABLING THE DEPARTMENT OF AGRICULTURE TO PROVIDE TECHNICAL AND FINANCIAL ASSISTANCE FOR NOXIOUS PLANT MANAGEMENT AND TO OBTAIN FUNDS TO FINANCIALLY ASSIST LOCAL GOVERNMENTS MANAGING NOXIOUS PLANTS ON STATE AND FEDERAL LANDS."

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

Section 1. Technical assistance. The department is authorized to provide technical assistance and services to local governments, agricultural producers, and the general public on the management and control of noxious plants. This assistance and service may include:

- (1) development, compilation, and reporting of information and records on noxious plant infestations in every county;
- (2) information and data on the location of noxious plants and acres infested per county and major infestations of watersheds and geographical regions of the state;
- (3) a determination of the economic and environmental impact of noxious plants on Montana and its citizens;
- (4) providing technical assistance to various governmental units and citizens on managing long-term

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- noxious plant control programs;
  - (5) delineation and recommendation of areas in the state where management programs or certain management tools should not be utilized because of economic or environmental considerations;
  - (6) information on the restrictions of and proper use of pesticides and other management techniques;
  - (7) publishing of model quarantine standards for counties desiring to provide a quarantine program for noxious plants, plant parts, and seed transported in the county; and
  - (8) cooperation and coordination of activities with any government agency, private industry, or citizens.
- Section 2. Funding of noxious plant management programs. (1) The department may make every effort to obtain federal funds under 43 U.S.C. 1242 to implement management of noxious plants on federal lands in cooperation with any federal agency and the local government body responsible for noxious plant management. These federal funds shall be directly disbursed to local governments authorized to conduct noxious plant management programs. The department may require individual or multiple local government units to make proper application for the funds following the management program, budget guidelines and policies of the department, and the requirements of 43 U.S.C. 1241 through

1 1243. The department may request a budget for 3% of the  
2 total federal funds received per year to monitor and audit  
3 the expenditure of these federal funds.

4 (2) The department may cooperate in and coordinate the  
5 planning and disbursement of these funds with federal,  
6 state, and local agencies responsible for management of  
7 noxious plants.

8 (3) The department may directly expend or provide  
9 federal or state funds to local governments to manage or  
10 eradicate new noxious plant infestations invading federal or  
11 state lands within the state.

12 (4) The department may hold a public hearing in the  
13 specific locale requesting funding prior to granting the  
14 federal funds. The department may determine if there are any  
15 special requirements or restrictions that should be  
16 incorporated into the management program prior to its  
17 implementation.

18 Section 3. Reports. The department may prepare a  
19 biennial report on the status of noxious plants and their  
20 management in Montana. Reports may be submitted to the  
21 governor and legislature and other such groups and  
22 organizations as the department considers necessary.

23 Section 4. Rules. The department may adopt rules and  
24 policies necessary to implement this act pursuant to the  
25 Montana Administrative Procedure Act.

1 Section 5. Severability. If a part of this act is  
2 invalid, all valid parts that are severable from the invalid  
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-End-

## STATE OF MONTANA

REQUEST NO. 189-77

## FISCAL NOTE

Form BD-15

In compliance with a written request received January 25, 19 77, there is hereby submitted a Fiscal Note for SB 239 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

## DESCRIPTION:

An act enabling the state Department of Agriculture to provide technical and financial assistance for noxious weed control and to obtain federal funds to financially assist local governments to control noxious weeds on state and federal lands.

## ASSUMPTIONS:

1. Some of the technical assistance is already provided by the state Agricultural Experiment Stations and the Montana Cooperative Extension Service at Bozeman.
2. Federal funds will be made available in future years under the weed control concept introduced by the federal Carlson-Forley Act (43 U.S.C. 1242).

## FISCAL IMPACT:

	<u>FY78</u>	<u>FY79</u>
Proposed law		
Personal Services	\$13,785	\$14,109
Operating Expenses	<u>8,000</u>	<u>8,000</u>
Total expenditures under proposed law	\$21,785	\$22,109
Expenditures under existing law	<u>0</u>	<u>0</u>
Increase expenditures under proposed law	<u>\$21,785</u>	<u>\$22,109</u>

## LONG-RANGE EFFECTS:

The proposed legislation is the creation of a new area of involvement by state government and may result in additional expenditures and FTE's in future years.

*Richard L. Dreyfus*  
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-31-77

Approved by Committee  
on Agriculture Livestock  
& Irrigation

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3 (5) delineation and recommendation of areas in the  
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7 (6) information on the restrictions of and proper use  
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10 (3) The department may directly expend or provide  
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25 Section 4. Rules. The department may adopt rules and

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Approved by Committee  
on Finance & Claims

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