

## 1 SENATE JOINT RESOLUTION NO. 42

2 INTRODUCED BY F. MANDEVILLE

3  
4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF  
5 MONTANA REQUESTING AN INTERIM STUDY ON NOXIOUS WEED CONTROL; REVIEWING THE  
6 POWERS OF THE DISTRICT WEED BOARD AND THE DISTRICT WEED COORDINATOR IN ENFORCING  
7 NOXIOUS WEED COMPLIANCE; EXAMINING WAYS TO IMPROVE CLARITY AND CONSISTENCY OF  
8 EXISTING STATUTE; RESEARCHING AND PROVIDING A FRAMEWORK FOR OTHER METHODS OF  
9 NOXIOUS WEED CONTROL TO BE ADDED TO STATE LAW; AND REQUIRING THAT THE FINAL  
10 RESULTS OF THE STUDY BE REPORTED TO THE 70TH LEGISLATURE IN THE FORM OF INTRODUCED  
11 LEGISLATION.  
12

13 WHEREAS, noxious weeds are defined in section 7-22-2101, MCA, as "any exotic plant species  
14 established or that may be introduced in the state that may render land unfit for agriculture, forestry, livestock,  
15 wildlife, or other beneficial uses or that may harm native plant communities"; and

16 WHEREAS, existing statutes regarding the control of noxious weeds are spread across no fewer than  
17 eight different titles in the Montana Code Annotated; and

18 WHEREAS, existing powers and responsibilities of the District Weed Board and the District Weed  
19 Coordinator in enforcing noxious weed compliance are unclear.  
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21 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF  
22 THE STATE OF MONTANA:

23 That the Legislative Council be requested to designate an appropriate interim committee or statutory  
24 committee, pursuant to section 5-5-217, MCA, to:

25 (1) examine current state law and department rules related to the containment, suppression, and,  
26 where possible, eradication of noxious weeds in Montana, including but not limited to:

27 (a) weed and pest control in Title 7, chapter 22, MCA;

28 (b) weed control responsibility in Title 70, chapter 30, part 3, MCA;

- 1 (c) wild and scenic resources in Title 76, chapter 12, MCA, and rangeland resources in Title 76,  
2 chapter 14, MCA;
- 3 (d) administration of state lands in Title 77, chapter 1, parts 1 and 8, MCA;
- 4 (e) disease, pest, and weed control in Title 80, chapter 7, MCA;
- 5 (f) reclamation in Title 82, chapter 4, MCA;
- 6 (g) water use lease management in Title 85, chapter 1, part 8, MCA;
- 7 (h) Department of Fish, Wildlife, and Parks weed control on public lands in Title 87, chapters 1 and  
8 5, MCA; and
- 9 (i) noxious weed management in Title 4, chapter 4.5, ARM;
- 10 (2) research currently available noxious weed control strategies, including herbicides, materials,  
11 and equipment;
- 12 (3) examine how other states have incorporated noxious weed control in statute, including the  
13 organization of statutes and the definitions involved, as well as enforcement, responsibilities, and penalties;
- 14 (4) propose legislation to:
- 15 (a) update terminology and definitions to be consistent with current industry standard practice; and
- 16 (b) modernize and reorganize archaic statute language for conformity with the Montana Bill  
17 Drafting Manual; and
- 18 (5) collaborate on this issue with relevant stakeholders, including but not limited to:
- 19 (a) current and former Montana district weed coordinators for weed management districts  
20 organized under section 7-22-2102, MCA;
- 21 (b) the Montana Weed Control Association;
- 22 (c) the Noxious Weed Management Advisory Council provided for in section 80-7-805, MCA;
- 23 (d) district weed boards created under section 7-22-2103, MCA;
- 24 (e) commercial applicators as defined in section 80-8-102, MCA;
- 25 (f) the Montana State University-Bozeman extension service;
- 26 (g) the Invasive Species Council established in section 2-15-3309, MCA;
- 27 (h) the Fish and Wildlife Commission established in section 2-15-3402, MCA;
- 28 (i) the State Parks and Recreation Board established in section 2-15-3406, MCA;

1 (j) the Department of Agriculture provided for in section 2-15-3001, MCA;

2 (k) the Department of Natural Resources and Conservation provided for in section 2-15-3301,

3 MCA;

4 (l) the Department of Fish, Wildlife, and Parks provided for in section 2-15-3401, MCA; and

5 (m) representatives of each federally recognized tribal government in Montana.

6 BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review  
7 requirements, be concluded prior to September 15, 2026.

8 BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions,  
9 comments, or recommendations of the appropriate committee, be reported to the 70th Legislature in the form of  
10 introduced legislation.

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