



2019 LEGISLATIVE ACTIVITY



*Supporting non-industrial private forest owners (family forests)
in their rightful and responsible use, management and
enjoyment of their forested lands*

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Following is a summary of the bills that Montana Forest Owners Association watched or worked to influence in 2019.

HB627 – Require that a timber conservation license in lieu of sale be offered for every project

This was a bill to require the DNRC to offer a timber conservation license for every logging project on State Trust Lands. HB627 was an effort to counteract HB441 (which was to repeal the statute allowing, but not requiring, a timber conservation license). The House Natural Resources Committee tabled the bill on March 13, 2019. The bill was defeated. For more details of the bill, see the Winter 2019 NIPF-ty Notes.

HB441 - Repeal “timber conservation license in lieu of sale”

Rep. Kerry White of Gallatin County introduced this bill on February 8, 2019, to delete the Montana Code Annotated provision to allow for a timber conservation license to be requested in lieu of a timber sale on State trust lands. MFOA testified before the House Natural Resources Committee in support of this bill on February 20, 2019. There were nine proponents and one opponent. The only opponent was the DNRC. Director John Tubbs testified that we should wait a couple of years to see how the timber conservation license worked. At the same time, he testified that the DNRC spent “several hundred thousands of dollars” to prepare an Environmental Impact Study for the Limestone West project outside of Bozeman in response to a request for a timber conservation license. MFOA also testified before the Senate Natural Resources Committee in support of this bill on March 22, 2019. The bill passed and the Governor signed it on May 9, 2019.

HB31 - Forestland fire preparedness assessments

This was a bill to change the funding source for one-third of DNRCs fire preparedness costs. The funding would have changed from assessing “wildland fire protection parcels” in the west, to assessing all parcel owners (statewide) outside of municipalities, federal, state, and tribal lands. MFOA attended Environmental Quality Council meetings on this topic in 2018 and provided extensive information on this bill in NIPF-ty Notes, most notably in the Spring 2018 issue. The House Natural Resources Committee tabled the bill on March 27, 2019. The special “fire protection districts” created by landowners in the west will continue to be assessed to fund a portion of the DNRCs fire preparedness costs.

HB34 – Appropriation for Good Neighbor Authority agreement income

This bill was to create a statutory appropriation for Good Neighbor Authority (GNA) agreement income. The plan was to jumpstart the GNA program in Montana with private contributions for three years, then to have a self-sustaining program starting year four. The GNA program utilizes state timber sale and procurement contracts to perform work on federal forest land. The purpose of HB34 was to set up a fund specifically for GNA income. There was money coming in, but there was no spending authority. The bill passed both the House and the Senate, and was signed by the Governor on May 8, 2019. For more information, see the Winter 2019 NIPF-ty Notes. MFOA has supported the Good Neighbor Authority.

HB119 – Increase fees for the Hazard Reduction Agreement program

This bill was to increase bonds and fees for the Hazard Reduction Agreement. As introduced, the bond was to

increase from \$6 to \$12 for each 1,000 board feet, with a bond of \$6 for each 1,000 board feet over 100,000 board feet. This bond change was to increase funding to the DNRC. The bond increase was deleted from the bill by the House Natural Resources Committee. The bill also increased the fee for each 1,000 board feet from 60 cents to 85 cents. This full amount of the fees must be deposited in the forestry extension service account (MSU Extension Forestry). The Governor signed the bill on February 26, 2019.

SB224 – Generally revise laws related to county road access

This bill was to increase the penalty for an encroachment on a county highway from \$10 to \$500 per day. The Senate Highways and Transportation Committee amended the bill and reduced the proposed penalty to \$80. The bill was tabled in the House Judiciary Committee.

LC0718 - Generally revised laws related to forestry

This “bill” from sponsor Rep. Pomnichowski was on hold since December 21, 2018 and there was no draft bill.

LC1217- Increase fine for gating a public road

This bill was to increase the daily fine for gating a public road from \$10 to \$50. Though this bill was drafted, it was never introduced.

LC1318 – Generally revise insurance laws

This was a holding spot for Rep. Ray Shaw to introduce a bill similar to HB587 that he introduced in the 2017 legislative session. Though a draft bill was prepared, we understand that Rep. Shaw could not get the support of the DNRC so he never introduced the bill. Had a bill been introduced, MFOA was ready to oppose it as it had in the 2017 session. To learn more about 2017’s HB587, see MFOA’s 2017 Legislative Activity.

LC3145 - Revised illegal gating of public road laws

This was a holding spot for Rep. Pat Flowers to introduce a bill regarding installing gates. Through the bill was drafted, Rep. Flowers never introduced the bill.

Overall, the 2019 legislative session produced fewer important bills related to forest landowners than did the 2017 session. The 2017 sessions was much busier for us at MFOA. One reason for less 2019 activity is that MFOA was proactive in dealing with issues before they became pending bills.