

1 HOUSE BILL NO. 259

2 INTRODUCED BY D. MOOD

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4 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A FOREST STEWARDSHIP PROGRAM;
5 PROVIDING DEFINITIONS; AUTHORIZING FOREST STEWARDSHIP EDUCATION FOR NONINDUSTRIAL
6 PRIVATE FOREST LANDOWNERS; PROVIDING FOR AN ADVISORY COUNCIL; AUTHORIZING THE
7 DEVELOPMENT OF RULES BY MSU-BOZEMAN EXTENSION FORESTRY; REQUIRING THE REPORTING OF
8 RESULTS; ESTABLISHING A FINANCIAL INCENTIVE FOR PARTICIPATION IN THE PROGRAM; AND
9 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

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13 NEW SECTION. **Section 1. Short title.** [Sections 1 through 8] are known as the "Montana Forest
14 Stewardship Act".

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16 NEW SECTION. **Section 2. Findings and purpose.** The legislature finds that nonindustrial privately
17 owned forests are an important component of Montana's natural resource economy. In addition to being
18 a significant source of timber, employment, economic activity, and tax revenue, the scientific management
19 of these lands can provide additional public benefits through improved water quality and quantity;
20 improved habitat for fish and wildlife; conservation of soils; reduction of insect infestations, forest
21 diseases, and fire hazards; enhanced visual quality; and improved quality of life. The purpose of [sections
22 1 through 8] is to establish a cooperative and voluntary program that encourages the proper stewardship
23 of nonindustrial privately owned forest lands by the owners of those lands through education, consultation,
24 management incentives, workshops, and other means in order to ensure that these lands are improved,
25 continue to remain productive on a sustainable basis, and are restored, providing economic benefits when
26 possible while remaining ultimately protective of the ecological systems of which they are a part.

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28 NEW SECTION. **Section 3. Definitions.** Unless the context requires otherwise, in [sections 1
29 through 8], the following definitions apply:

30 (1) "Department" means the department of natural resources and conservation provided for in Title

1 2, chapter 15, part 33.

2 (2) "Extension forestry" means the Montana cooperative extension service forestry program of
3 Montana state university-Bozeman.

4 (3) "Nonindustrial private forest" means all lands of whatever character, with existing tree cover
5 or which are suitable for growing trees, that are not owned by:

6 (a) the state;

7 (b) a political subdivision of the state;

8 (c) the United States;

9 (d) any agency of the United States;

10 (e) a firm or corporation that owns lands for the primary purpose of commercial timber production
11 and that owns or operates its own milling facilities; or

12 (f) an Indian tribe.

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14 NEW SECTION. **Section 4. Authority -- rulemaking.** (1) Extension forestry shall establish and
15 maintain a forest stewardship program to accomplish the goals and purposes of [sections 1 through 8].

16 (2) Extension forestry may solicit the participation of the department, the university system, and
17 any private or public entities in furthering the goals of providing forestry education to nonindustrial private
18 forest landowners.

19 (3) Extension forestry may adopt rules necessary to implement [sections 1 through 8].

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21 NEW SECTION. **Section 5. Forest stewardship advisory council.** (1) Extension forestry shall
22 establish and appoint a forest stewardship advisory council to advise it in the implementation of [sections
23 1 through 8].

24 (2) The advisory council must be composed of individuals who represent the interests of Montana
25 nonindustrial private forest owners.

26 (3) The advisory council may meet as often as it determines to be necessary and at a location that
27 it determines to be convenient. The advisory council must be organized and conduct business in
28 accordance with bylaws that it establishes with the approval of extension forestry.

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30 NEW SECTION. **Section 6. Forest stewardship program -- reporting.** (1) The forest stewardship

1 program provided for in [section 4] shall provide forest stewardship education to interested nonindustrial
2 private forest landowners.

3 (2) An objective of the education may include the voluntary development and implementation of
4 a 10-year management plan by each nonindustrial private forest landowner that meets the management
5 objectives for that landowner while preserving the public benefits derived from forest stewardship.

6 (3) Extension forestry shall annually report the results of the forest stewardship program,
7 including:

8 (a) the nature and number of nonindustrial private forest landowner education outreach efforts
9 conducted;

10 (b) the number of forest management plans developed and the total forest acreage included in
11 approved plans as a result of the program; and

12 (c) any trends in improved forest stewardship that are attributable to the program.

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14 NEW SECTION. **Section 7. Forest assistance incentives -- landowner preference.** Extension
15 forestry shall give preference to nonindustrial private forest landowners with forest management plans
16 developed as a result of [sections 1 through 8] in the awarding of any competitive financial assistance or
17 cost-share programs within its jurisdiction over nonindustrial private forest landowners that have not
18 developed management plans pursuant to [sections 1 through 8].

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20 NEW SECTION. **Section 8. Program funding.** Extension forestry shall support the forest
21 stewardship program provided for in [section 4] with money received in the form of legislative
22 appropriations, reimbursements, gifts, federal funds, or appropriations from any source.

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24 NEW SECTION. **Section 9. Codification instruction.** [Sections 1 through 8] are intended to be
25 codified as an integral part of Title 76, chapter 13, and the provisions of Title 76, chapter 13, apply to
26 [sections 1 through 8].

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28 NEW SECTION. **Section 10. Effective date.** [This act] is effective on passage and approval.

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