



AN ACT ALLOWING THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION TO INTERVENE IN LITIGATION OR APPEALS ON FEDERAL FOREST MANAGEMENT PROJECTS IF THE DEPARTMENT DETERMINES THERE IS A SIGNIFICANT THREAT TO PUBLIC HEALTH AND SAFETY; AMENDING SECTION 76-13-702, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

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

Section 1. Section 76-13-702, MCA, is amended to read:

"76-13-702. Duties -- authority. To implement the policy of 76-13-701, the department of natural resources and conservation:

(1) shall support sustainable forest management practices, including forest restoration, on public forests in Montana consistent with all applicable laws and administrative requirements;

(2) shall provide technical information and educational assistance to nonindustrial, private forest landowners;

(3) shall promote forest management activities within and adjacent to the wildland-urban interface and promote the implementation of community wildfire protection plans;

(4) shall promote a viable forest and wood products industry and other businesses and individual activities that rely on public forest lands;

(5) shall represent the state's interest in the federal forest management planning and policy process, including establishing cooperative agency status with federal agencies;

(6) shall promote the development of an independent, long-term sustained yield calculation on Montana's federal forests;

(7) has the authority to intervene in litigation or appeals on federal forest management projects that:
(a) comply with the policy in 76-13-701 and in which local and state interests are clearly involved; or
(b) involve fuel-loading conditions that the department considers to be a significant threat to public health and safety;

(8) has the authority to enter into agreements with federal agencies to participate in forest management activities on federal lands; and

(9) shall participate in and facilitate collaboration between traditional forest interests in reaching consensus-based solutions on federal land management issues."

Section 2. Effective date. [This act] is effective on passage and approval.

- END -

I hereby certify that the within bill,
HB 0139, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2009.

President of the Senate

Signed this _____ day
of _____, 2009.

HOUSE BILL NO. 139
INTRODUCED BY C. VINCENT
BY REQUEST OF THE FIRE SUPPRESSION COMMITTEE

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