



A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA ENCOURAGING CONGRESS TO INCREASE GUBERNATORIAL AUTHORITY WITH RESPECT TO HAZARDOUS FUELS EMERGENCIES AND REDUCTION.

WHEREAS, according to the Montana Legislature's Fire Suppression Interim Committee, with limited state resources and current fuel and climatic conditions, it is likely that communities in Montana will burn and that firefighters and members of the public will be seriously injured or killed; and

WHEREAS, the contributing factors of drought, extensive tree mortality due to insect infestation, and current federal land management policies that allow for extensive accumulations of biomass make Montana's forest lands highly susceptible to catastrophic and environmentally destructive wildfires that threaten public health, safety, and welfare; and

WHEREAS, U.S. Department of the Interior research has confirmed that reducing hazardous biomass fuels away from communities limits the risk of catastrophic wildfires; and

WHEREAS, reducing and using biomass has multiple benefits outside of wildfire mitigation, including alternative energy generation; and

WHEREAS, legislation is needed granting a governor authority to declare a crisis when the severity of fire danger from fuels on identified federal lands within that state poses a significant threat to public health and safety or there would be a probable loss of homes and property if wildfires occur; and

WHEREAS, upon the declaration of a crisis, responsible federal agencies should expedite a mitigation plan to reduce forest fuels, mitigation planning should be excluded under the National Environmental Policy Act appeal process, and any claimant filing a court action against the plan should be required to post a damage bond of 10% of the value of the property that would be protected under a mitigation plan; and

WHEREAS, adoption of these proactive hazardous fuels emergency measures will enhance Montana's ability to manage hazardous fuels in order to reduce the risk of catastrophic and environmentally destructive wildfires.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

(1) That the United States Congress enact legislation increasing gubernatorial authority with respect to hazardous fuels emergencies and reduction.

(2) That the Secretary of State send copies of this resolution to the President of the United States; the Western Governors' Association; the Montana Congressional Delegation; and the National Association of Counties.

- END -

I hereby certify that the within joint resolution,
HJ 0004, 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 JOINT RESOLUTION NO. 4
INTRODUCED BY VINCENT
BY REQUEST OF THE FIRE SUPPRESSION COMMITTEE

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