SENATE NATURAL RESOURCES
EXHIBIT NO. 5
DATE 2-22-13
BILL NO. SB 345

February 21, 2013

Senate Natural Resources Committee
Helena, Montana

RE: SENATE BILL 345

Dear Mr. Chairman and Committee Members,

The Montana Forest Owners Association, representing family forest owners (non-industrial private forest owners) in Montana, hereby submits the following comments in support of SB 345.

Montana family forest owners are concerned about liability for damages resulting from a wildfire starting on their land, regardless of cause. The California Moonlight fire incident is an example of the potential for inequitable blame to fall upon family forest owners. A similar situation in Montana would most likely force many family forest owners to reconsider ownership and the management of their forestlands. It would also be enough for family forest owners to reconsider public recreational access and the management activities for maintenance of healthy forests.

As drafted, SB 345 creates a balanced approach for landowners impacted by wildfire in recovering "reasonable" damages from negligent or willfully started fires, while protecting them from vengeful prosecution by private or government entities.

The California Moonlight fire also demonstrates the need of family forest owners for recourse for damages caused by fires coming from Federal lands onto family forestlands. SB 345 addresses this need.

Please give your support to SB 345 as currently drafted.

We appreciate the opportunity to comment.

Sincerely,
Debra Parker Foley
Debra Parker Foley, President, *pro tem*
Montana Forest Owners Association

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