



# BIG SKY NIPF-ty NOTES

*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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## 2019 Legislative session

The 2019 legislature was in session from January 7 to April 25. Following is a brief summary of bills of interest to MFOA members.

### HB441 – Repeal of timber conservation license in lieu of sale

This is a bill to repeal the prior law which allowed anyone to bid on (and ultimately purchase) a timber conservation license. Such a license is an agreement by the DNRC to refrain from logging a particular acreage of State Trust Lands for a set period of years. Recall that this is the bill for which MFOA requested your vote. MFOA supported this bill after the members unanimously voted to support it. HB441 last passed the Senate by a vote of 30 to 20 on April 13. It last passed the House by a vote of 74 to 22 on April 18. **It has yet to go to the Governor for his signature. Should the Governor veto this, MFOA will be asking for your support to encourage your senators and representatives to vote Yea to override the veto. See the final votes in the Senate and House below.** For more details, see the Winter 2019 NIPF-ty Notes and the February 15 email MFOA sent to members.

MONTANA SENATE 66th Legislative Session 2019 Regular Session VOTE TABULATION			
DATE: April 13, 2019	SEQ. NO: 1559		
TIME: 12:41 PM	BILL NO: HB 441		
Agenda--Third Reading	SPONSOR: White, Kerry		
Do Concur			
YEAS	NAYS	EXCUSED	ABSENT
30	20	0	0
Y Ankney, Duane	Y Fitzpatrick, Steve	N Malek, Sue	N Sesso, Jon
N Barrett, Dick	N Flowers, Pat	N McClafferty, Edith (Edie)	Y Small, Jason
N Bennett, Bryce	Y Gauthier, Terry	N McConnell, Nate	Y Smith, Cary
Y Blasdel, Mark	Y Gillespie, Bruce	N McNally, Mary	N Smith, Frank
Y Bogner, Kenneth	N Gross, Jen	Y Olszewski, Albert	Y Tempel, Russel (Russ)
N Boland, Carlie	Y Hinebauch, Steve	Y Osmundson, Ryan	Y Thomas, Fred
Y Brown, Dee	Y Hoven, Brian	N Phillips, Mike	Y Vance, Gordon
N Cohenour, Jill	Y Howard, David	N Pommichowski, JP	N Vuckovich, Gene
Y Cuffe, Mike	N Jacobson, Tom	Y Regier, Keith	Y Webb, Roger
N Ellis, Janet	Y Kary, Douglas (Doug)	Y Richmond, Tom	N Webber, Susan
Y Ellsworth, Jason	Y Keenan, Bob	Y Sales, Scott	Y Welborn, Jeffrey
Y Esp, John	Y Lang, Mike	Y Salomon, Daniel	
Y Fielder, Jennifer	N MacDonald, Margaret (Margie)	N Sands, Diane	

MONTANA HOUSE 66th Legislative Session 2019 Regular Session VOTE TABULATION			
DATE: April 18, 2019	SEQ. NO: 1934		
TIME: 10:45 AM	BILL NO: HB 441		
Agenda--Third Reading	SPONSOR: White, Kerry		
Do Concur			
YEAS	NAYS	EXCUSED	ABSENT
74	22	3	1
N Abbott, Kim	N Farris-Olsen, Robert	N Keogh, Connie	Y Redfield, Alan
Y Anderson, Fred	Y Fern, Dave	N Kerr-Carpenter, Emma	Y Regier, Matt
Y Bachmeier, Jacob	Y Fitzgerald, Ross	Y Knudsen, Rhonda	Y Ricci, Vince
N Bahr, Jade	Y Fleming, Frank	Y Knudsen, Casey	Y Runningwolf, Tyson
Y Ballance, Nancy	Y Fuller, John	Y Krautter, Joel	N Ryan, Marilyn
E Bartel, Dan	N Funk, Moffie	Y Krotkov, Jasmine	Y Sales, Walt
Y Beard, Becky	Y Galt, Wylie	Y Lenz, Dennis	N Schreiner, Casey
Y Bedey, David	E Garcia, Rodney	Y Loge, Denley	Y Shaw, Ray
E Berglee, Seth	Y Garner, Frank	Y Lynch, Ryan	Y Sheldon-Galloway, Lola
Y Bessette, Barbara	Y Glimm, Carl	Y Mandeville, Forrest	Y Skees, Derek
N Bishop, Laurie	Y Greef, Sharon	Y Manzella, Theresa	N Smith, Bridget
Y Brown, Bob	Y Grubbs, Bruce	Y Marler, Marilyn	Y Stewart Peregoy, Sharon
Y Brown, Zach	Y Gunderson, Steve	Y McKamey, Wendy	N Sullivan, Katie
Y Burnett, Tom	N Hamilton, Jim	Y Mercer, Bill	Y Sweeney, Mark
Y Buttrey, Edward	Y Hamlett, Bradley	Y Moore, Frederick (Eric)	Y Tschida, Brad
N Caferro, Mary	Y Harvey, Derek	Y Moore, Terry	Y Usher, Barry
Y Curdy, Willis	N Hayman, Denise	N Morigeau, Shane	Y Vinton, Sue
Y Custer, Geraldine	Y Hertz, Greg	Y Mortensen, Dale	Y Weatherwax, Marvin
Y DeVries, Greg	Y Holmlund, Kenneth	Y Noland, Mark	Y Webb, Peggy
Y Doane, Alan	Y Hopkins, Mike	N Olsen, Andrea	Y Welch, Tom
Y Dooling, Julie	Y Jones, Llew	Y Peppers, Rae	Y White, Kerry
N Dudik, Kimberly	Y Karjala, Jessica	Y Perry, Zac	Y Windy Boy, Jonathan
Y Dunn, David	Y Kassmier, Joshua	Y Pierson, Gordon	N Winter, Thomas
N Dunwell, Mary Ann	Y Keane, Jim	N Pope, Christopher	N Woods, Tom
Y Duram, Neil	N Kelker, Kathy	Y Read, Joe	A Zolnikov, Daniel

#### 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. The bill was defeated. For more details of the bill, see the Winter 2019 NIPF-ty Notes.

#### 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 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. The special “fire protection districts” created by landowner 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 is to create a statutory appropriation for Good Neighbor Authority (GNA) agreement income. The plan is 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 is to set up a fund specifically for GNA income. There is money coming in, but there currently is no spending authority. The bill passed both the House and the Senate, and is awaiting signature by the Senate President before going to the Governor. 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 has signed the bill.

#### 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.

#### 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. Stay tuned. The Governor still has to sign bills, and as Yogi Berra said “It ain’t over till it’s over.”

### **Raffle winners**

MFOA had a vendor table at both the March 23 MSU Extension Forestry Mini-College in Missoula, and the April 12 Forest Landowner Conference in Butte. We met many people, signed new members and sold raffle tickets. MFOA raffled three items.

#### **The winners were:**

**Stihl MS271 Chain Saw**  
**Hillary Hutchison**

**Stihl chain saw protective chaps (6-layer)**  
**Chris Wolstad**

**Stihl Forestry Helmet System**  
**Rebecca Hendrix**



Raffle winner Hillary Hutchison and MFOA President Mike Christianson

### **Safety in the forest**

Speaking of chain saws, it is best to use them in a safe manner. Tune up your saws. Hopefully you sufficiently ran them out of gas last year (or at least used stabilizer, or last used a premix oil and gas such as Stihl's MotoMix®.) Safety is enhanced with a tuned saw, including one that operates well at full throttle with a chain that fully stops at idle. It is also important to use only the sharpest of chains, and to spend the money on new chains sooner, rather than later.

Speaking of safety, this is an opportune time to view chain saw safety awareness and how to fell a tree videos.

<http://forestry.msuextension.org/videoresources.html>

We at MFOA do not profess to have expertise in forest safety; but, we have kept our ears to the ground (sometimes literally) and heard some safety tips from experts. Following are a few that we pass along.

Standing dead trees – Dead trees fall over; the only question is when. It is best to not work within the potential path of a falling dead tree.

Felling dead trees – This can be deadly. Such trees have dead limbs, any of which could be easily loosened by the vibration that comes from sawing. Some dead trees are too soft to have a meaningful hinge. Some experts will not venture cutting a dead tree.

Drop-starting a chain saw – One should not drop-start a chain saw!

A good book on the subject is How to Fell a Tree by Jeff Jepson.

### **Managing Weeds on Small Acreages in Montana**

See a new publication from MSU Extension, available at [https://store.msuextension.org/Products/Weed-Management-on-Small-Acreage-in-Montana\\_EB0227.aspx](https://store.msuextension.org/Products/Weed-Management-on-Small-Acreage-in-Montana_EB0227.aspx).

## Forest Stewardship Workshops

The remaining 2019 workshop locations and dates are listed below. The workshops fill fairly quickly so register sooner rather than later! For more information go to <http://forestry.msuextension.org/mfsp.html>.

<u>Location</u>	<u>2019 Workshop dates</u>	<u>Register by</u>
Trout Creek	May 16, 17 and 24	May 3
Corvallis	June 6, 7 and 14	May 24
Kalispell	July 11, 12 and 19	June 28
Lewistown	August 8, 9 and 16	July 26

## Women in the Woods Workshop and Retreat

During the last weekend in April, 30 women forest owners, co-owners, and forestry professionals gathered at the High Meadow Mountain Ranch 45 minutes west of Missoula in the historic Nine Mile Valley to share and learn from one another at the inaugural Women in the Woods Workshop and Retreat. This event was sponsored by the Department of Natural Resources and Conservation, American Forest Foundation and Idaho Forest Group, with support from the U.S. Forest Service, the Montana Tree Farm program and MSU Extension Forestry. Originally conceived thanks to inspiration from the national Women Owning Woodlands Network, this event was coordinated by Angela Wells (now) with the American Forest Foundation, Ashley Juran and Jennifer Coulter of the DRNC, and Nine Mile landowners Betty Thisted and Pat Mandzak.

The first “Women in the Woods” was a resounding success, with all participants requesting a follow-up workshop next year. The weather in the beautiful valley was cyclical (rotating through five minutes each of rain, snow and sunshine). Chainsaw safety practices and knowledge of chainsaw parts and types was taught by Amy Freund, with assistance from Angela Wells, Kate Clyatt and Holly McKenzie. That was followed by a field trip to Betty Thisted’s property and her slash pile. Experts first demonstrated sawing techniques, then everyone broke into small groups to try their hands at sawing.

Holly McKenzie led a session on selecting trees for a healthy forest prior to a field trip to the Mandzak Tree Farm. Melissa Maggio addressed biocontrol of common Montana invasive weeds and Pat Mandzak discussed hiring contractors. Elain Caton led a basic birding activity and Karen Shelley provided a brief indoor primer on astronomy since the cloud cover precluded stargazing. Betty Thisted was the keynote speaker the first night, regaling the group with stories of her journey from childhood in Tupelo, Mississippi to her role as a land steward and community leader in Montana. One of the most helpful sessions was a small focus group discussion of individual women’s issues and their problems with their forest properties. Each member described her issues and the remaining members brainstormed solutions. Issues included a widow with forestland originally purchased for a joint partnership, generational issues with inherited lands, trespassing, concerns with neighbors, access and easements.

Everyone was enthusiastic before arriving, and left with more enthusiasm and education, and determined to interact more with their lands and new friends. Ladies interested in a future Women in the Woods opportunity should contact Jennifer Coulter at [Jennifer.Coulter@mt.gov](mailto:Jennifer.Coulter@mt.gov).



Chainsaw winner Hillary Hutchison using her new saw



Chainsaw instructors L-R: Kate Clyatt, Amy Freund, Angela Wells and Holly McKenzie



Betty Thisted providing the history of the ranch