

1 *Senate* JOINT RESOLUTION NO. 7  
 2 INTRODUCED BY *Maury and MaCallister*  
 3 *Hansel Blaylock Deukler E. Smith Flynn*  
 4 *Deane* A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF *Two*  
 5 REPRESENTATIVES OF THE STATE OF MONTANA DIRECTING THAT *Rockie*  
 6 SELECT COMMITTEE OF LEGISLATORS STUDY ALTERNATIVE FORMS FOR  
 7 THE ADMINISTRATION OF STATE FORESTRY LAWS.

8  
 9 WHEREAS, administration of state laws relating to  
 10 forestry is vested in a division of the Department of  
 11 Natural Resources and Conservation; and  
 12 WHEREAS, this mode of administration does not commend  
 13 itself to the private sector of the forestry industry as a  
 14 suitable basis for extending the regulatory jurisdiction of  
 15 the state into the private sector; and  
 16 WHEREAS, the necessity may arise to extend state  
 17 regulation of private forestry for the good of the industry,  
 18 which would require a new form of state forestry agency; and  
 19 WHEREAS, the Board of Livestock and its relationship to  
 20 the livestock industry suggests one possibly appropriate  
 21 model for what a state forestry agency could be.  
 22  
 23 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE  
 24 OF REPRESENTATIVES OF THE STATE OF MONTANA:  
 25 That the Committee on Committees in the Senate appoint

1 four Senators, and the Speaker of the House appoint four  
 2 Representatives, each on a bipartisan basis, to serve on a  
 3 select committee to study alternative forms for the  
 4 administration of state forestry statutes, giving particular  
 5 consideration to a board representing various interests and  
 6 concerns within the industry and support of a regulatory  
 7 program through special levies on the industry; and  
 8 BE IT FURTHER RESOLVED, that the select committee also  
 9 study the feasibility of employing state scalers under an  
 10 alternative type of agency, and of authorizing such persons  
 11 to scale logs themselves or to resolve scaling disputes; and  
 12 BE IT FURTHER RESOLVED, that the select committee  
 13 solicit the views of all interests within the forestry  
 14 industry and hold meetings outside of as well as in Helena  
 15 to further this end; and  
 16 BE IT FURTHER RESOLVED, that the select committee  
 17 publish and distribute its study and recommendations, with  
 18 draft legislation, no later than August 31, 1978, with the  
 19 assistance of the Legislative Council staff; and  
 20 BE IT FURTHER RESOLVED, that upon passage of this  
 21 resolution, the appropriation to the Legislative Council for  
 22 research in the 1977-1978 interim be augmented by a line  
 23 item amount sufficient to carry out the purpose of this  
 24 resolution.

-End-

SJR4

## STATE OF MONTANA

REQUEST NO. 71-77

## FISCAL NOTE

Form BD-15

In compliance with a written request received January 13, , 19 77 , there is hereby submitted a Fiscal Note for Senate Joint Resolution 4 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

## DESCRIPTION OF PROPOSED LEGISLATION:

This resolution directs that a select committee of legislators study alternative forms for the administration of state forestry laws

## ASSUMPTIONS:

1. The eight (8) member committee will meet five (5) times during the study (one (1) time each at Kalispell, Billings, Missoula, Great Falls, and Helena).
2. Costs per meeting should average at about the same level as a typical interim study.
3. Travel for staff would have to be increased.

## FISCAL IMPACT:

The estimated cost of the proposed study is as follows:

	<u>FY 78</u>
Personal services	\$7,375
Operating expenses	<u>5,613</u>
Total cost of proposed study	<u>\$12,988</u>

The Legislative Council estimates the above cost as itemized below:

Personal Services

Professional staff	\$4,000	- 3 mo. at \$14,000 per annum plus 13%
Clerical staff	1,500	
Legislator compensation	<u>1,875</u>	- 15 days
	<u>7,375</u>	

Operating Expenses

Support	1,000	- Average cost
Legislator allowance	2,400	- 15 days' allowance
Legislator mileage	1,800	-
Staff travel	260	- 8 days' expenses
Staff mileage	<u>153</u>	- 4 trips to cities above
	<u>5,613</u>	
	<u>\$12,988</u>	

*Richard J. Dancy*  
BUDGET DIRECTOR  
Office of Budget and Program Planning  
Date: 1-18-77

Approved by Committee  
on Natural Resources

1 *Senate* JOINT RESOLUTION NO. 7  
 2 INTRODUCED BY *Montgomery, Malachuk, Hinal, Blaylock, Demble, E. Smith, Flynn*  
 3 *Deane*  
 4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF *Two*  
 5 REPRESENTATIVES OF THE STATE OF MONTANA DIRECTING THAT *Rockie*

6 SELECT COMMITTEE OF LEGISLATORS STUDY ALTERNATIVE FORMS FOR  
7 THE ADMINISTRATION OF STATE FORESTRY LAWS.

8  
9 WHEREAS, administration of state laws relating to  
10 forestry is vested in a division of the Department of  
11 Natural Resources and Conservation; and

12 WHEREAS, this mode of administration does not commend  
13 itself to the private sector of the forestry industry as a  
14 suitable basis for extending the regulatory jurisdiction of  
15 the state into the private sector; and

16 WHEREAS, the necessity may arise to extend state  
17 regulation of private forestry for the good of the industry,  
18 which would require a new form of state forestry agency; and

19 WHEREAS, the Board of Livestock and its relationship to  
20 the livestock industry suggests one possibly appropriate  
21 model for what a state forestry agency could be.

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

25 That the Committee on Committees in the Senate appoint

1 four Senators, and the Speaker of the House appoint four  
2 Representatives, each on a bipartisan basis, to serve on a  
3 select committee to study alternative forms for the  
4 administration of state forestry statutes, giving particular  
5 consideration to a board representing various interests and  
6 concerns within the industry and support of a regulatory  
7 program through special levies on the industry; and

8 BE IT FURTHER RESOLVED, that the select committee also  
9 study the feasibility of employing state scalers under an  
10 alternative type of agency, and of authorizing such persons  
11 to scale logs themselves or to resolve scaling disputes; and

12 BE IT FURTHER RESOLVED, that the select committee  
13 solicit the views of all interests within the forestry  
14 industry and hold meetings outside of as well as in Helena  
15 to further this end; and

16 BE IT FURTHER RESOLVED, that the select committee  
17 publish and distribute its study and recommendations, with  
18 draft legislation, no later than August 31, 1978, with the  
19 assistance of the Legislative Council staff; and

20 BE IT FURTHER RESOLVED, that upon passage of this  
21 resolution, the appropriation to the Legislative Council for  
22 research in the 1977-1978 interim be augmented by a line  
23 item amount sufficient to carry out the purpose of this  
24 resolution.

-End-

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*SJR4*

SECOND READING

## 1 SENATE JOINT RESOLUTION NO. 4

2 INTRODUCED BY MANLEY, McCALLUM, GALT, DEVINE,

3 HINSL, BLAYLOCK, DUNKLE, E. SMITH, FLYNN, TOWE, ROSKIE

4  
5 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF  
6 REPRESENTATIVES OF THE STATE OF MONTANA DIRECTING THAT A  
7 SELECT COMMITTEE OF LEGISLATORS STUDY ALTERNATIVE FORMS FOR  
8 THE ADMINISTRATION OF STATE FORESTRY LAWS AFFECTING LOGGERS,  
9 SAWMILLS, AND PRIVATE LANDOWNERS AND TO DETERMINE IF  
10 ADDITIONAL LAWS ARE NEEDED.

11  
12 WHEREAS, APPROXIMATELY 40% OF THE COMMERCIAL FOREST  
13 LAND IN MONTANA IS PRIVATELY OWNED AND SUPPLIES OVER 60% OF  
14 THE TIMBER CUT BY LOGGERS AND SAWMILLS; AND

15 WHEREAS, THE LUMBERING INDUSTRY IS A SIGNIFICANT  
16 PORTION OF THE STATE'S ECONOMY; AND

17 WHEREAS, FEDERAL LAWS MAY IMPOSE REGULATION OF TIMBER  
18 CUTTING AND OTHER FORESTRY PRACTICES ON PRIVATE LANDS; AND

19 WHEREAS, IT IS MORE DESIRABLE THAT FORESTRY LAWS BE  
20 ADMINISTERED ON THE STATE LEVEL; AND

21 WHEREAS, THE ADMINISTRATION OF LAWS AFFECTING FORESTRY  
22 IS FRAGMENTED IN VARIOUS STATE DEPARTMENTS AND DIVISIONS OF  
23 STATE DEPARTMENTS WHICH MAY NOT COMMEND ITSELF TO THE FOREST  
24 INDUSTRY AND PRIVATE SECTOR.

25 WHEREAS, administration of state laws relating to

1 forestry is vested in a division of the Department of  
2 Natural Resources and Conservation; and

3 WHEREAS, this mode of administration does not commend  
4 itself to the private sector of the forestry industry as a  
5 suitable basis for extending the regulatory jurisdiction of  
6 the state into the private sector; and

7 WHEREAS, the necessity may arise to extend state  
8 regulation of private forestry for the good of the industry  
9 which would require a new form of state forestry agency; and

10 WHEREAS, the Board of Livestock and its relationship to  
11 the livestock industry suggests one possibly appropriate  
12 model for what a state forestry agency could be;

13  
14 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE  
15 OF REPRESENTATIVES OF THE STATE OF MONTANA:

16 That the Committee on Committees in the Senate appoint  
17 four Senators, and the Speaker of the House appoint four  
18 Representatives, each on a bipartisan basis, to serve on a  
19 select committee to study alternative forms for the  
20 administration of state forestry statutes, giving particular  
21 consideration to a board representing various interests and  
22 concerns within the industry and support of a regulatory  
23 program through special levies on the industry; and

24 IT FURTHER RESOLVED, that the select committee also  
25 study the NEED TO ESTABLISH STATEWIDE SCALING STANDARDS AND

1 ~~THE~~ feasibility of employing state scalers under an  
2 alternative type of agency, and of authorizing such persons  
3 to scale logs themselves or to resolve scaling disputes; and

4 BE IT FURTHER RESOLVED, that the select committee  
5 solicit the views of all interests within the forestry  
6 industry AND OF PRIVATE PERSONS and hold meetings outside of  
7 as well as in Helena to further this end; and

8 BE IT FURTHER RESOLVED, that the select committee  
9 publish and distribute its study and recommendations, with  
10 draft legislation, IF ANY IS NEEDED, no later than August  
11 31, 1978, with the assistance of the Legislative Council  
12 staff; and

13 BE IT FURTHER RESOLVED, that upon passage of this  
14 resolution, the appropriation to the Legislative Council for  
15 research in the 1977-1978 interim be augmented by a line  
16 item amount sufficient to carry out the purpose of this  
17 resolution.

-End-

HOUSE OF REPRESENTATIVES

March 23, 1977

House Committee on Natural Resources Amendments to SJR 4

1. Amend title, lines 7 through 10.

Following: "STUDY"

Strike: "ALTERNATIVE FORMS FOR THE ADMINISTRATION OF STATE FORESTRY LAWS AFFECTING LOGGERS, SAWMILLS, AND PRIVATE LANDOWNERS AND TO DETERMINE IF ADDITIONAL LAWS ARE NEEDED"

Insert: "THE PROBLEMS EXPERIENCED BY TIMBER LANDOWNERS IN HARVESTING AND MANAGING THEIR FOREST LAND HOLDINGS AND TO PROVIDE LEGISLATIVE SOLUTIONS AS NECESSARY"

2. Amend page 1, lines 17 through 24.

Following: "WHEREAS,"

Strike: lines 17 through 24 in their entirety

Insert: "under present laws and regulations, many farmer-rancher timber landowners are unable to successfully manage their forest resource; and

WHEREAS, these timber landowners should have an opportunity to express their problems and to obtain solutions to them.

3. Amend page 2, line 17.

Following: "senators"

Insert: "from timber-oriented areas"

4. Amend page 2, line 18.

Following: "Representatives"

Insert: "from timber-oriented areas"

5. Amend page 2, lines 19 through 23.

Following: "study"

Strike: "alternative forms for the administration of state forestry statutes, giving particular consideration to a board representing various interests and concerns within the industry and support of a regulatory program through special levies on the industry"

Insert: "the problems experienced by timber landowners in harvesting and managing their forest land holdings. The committee shall work with the office of the State Forester"

6. Amend page 3.

Following: line 3

Insert: "BE IT FURTHER RESOLVED, that the select committee shall also study state fire protection assessments and state timber taxation, and"

7. Amend page 3, line 6.

Following: "industry"

Strike: "AND OF PRIVATE PERSONS"

Insert: "and particularly of small timber landowners"

Following: "meetings"

Strike: "outside of"

Insert: "in areas where small timber landowners reside"

AS AMENDED BE CONCURRED IN