# HOUSE BILL NO. 503

# INTRODUCED BY REAM, GROSFIELD

IN THE HOUSE

FEBRUARY 5, 1993 INTRODUCED AND REFERRED TO COMMITTEE ON NATURAL RESOURCES.

FIRST READING.

FEBRUARY 19, 1993 COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.

FEBRUARY 20, 1993 PRINTING REPORT.

SECOND READING, DO PASS.

- FEBRUARY 22, 1993 ENGROSSING REPORT.
- FEBRUARY 23, 1993 THIRD READING, PASSED. AYES, 97; NOES, 2.

FEBRUARY 24, 1993 TRANSMITTED TO SENATE.

IN THE SENATE

MARCH 1, 1993 INTRODUCED AND REFERRED TO COMMITTEE ON NATURAL RESOURCES.

FIRST READING.

MARCH 24, 1993 COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.

MARCH 27, 1993 SECOND READING, CONCURRED IN.

MARCH 29, 1993 THIRD READING, CONCURRED IN. AYES, 36; NOES, 11.

RETURNED TO HOUSE.

IN THE HOUSE

MARCH 30, 1993 RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

INTRODUCED BY Ream Grotted 1 2 3 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE DEFINITION 4 5 OF TIMBER SALE IN THE STREAMSIDE MANAGEMENT ZONE LAWS: AND б AMENDING SECTION 77-5-302, MCA." 7 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: Section 1. Section 77-5-302, MCA, is amended to read: 9 10 "77-5-302. Definitions. As used in this part, the 11 following definitions apply: 12 (1) "Alternative practices" means forest practices: 13 (a) conducted in the streamside management zone that 14 are different from practices required by rules adopted under 15 this part; 16 (b) that are designed for site-specific conditions 17 encountered during a timber sale; and 18 (c) that are subject to department approval under 77-5-303. 19

(2) "Department" means the department of state lands 20 21 provided for in 2-15-3201.

22 (3) "Forest practices" means, within a timber sale, the 23 harvesting of trees, road construction or reconstruction associated with harvesting and accessing 24 trees, site for regeneration of a timber stand, 25 preparation



reforestation, and management of logging slash. The term 1 2 does not include activities related to the operation of a Christmas tree farm or nursery that do not involve new road 3 4 construction.

5 (4) "Operator" means a person responsible for conducting forest practices. An operator may be the owner or 6 7 a person who, through contractual agreement with the owner, is obligated to or entitled to conduct forest practices or 8 9 carry out a timber sale.

(5) "Owner" means an individual, firm, partnership, 10 corporation, or association of any nature that holds an 11 12 ownership interest in forest land or timber.

13 (6) "Person" means an individual, firm, partnership, company, commercial entity, corporation, or association. 14

(7) "Stream" means a natural watercourse of perceptible 15 extent that has a generally sandy or rocky bottom or 16 definite banks and that confines and conducts continuously 17 18 or intermittently flowing water.

(8) "Streamside management zone" or "zone" means the 19 20 stream, lake, or other body of water and an adjacent area of varying width where management practices that might affect 21 22 wildlife habitat or water quality, fish, or other aquatic resources need to be modified. The streamside management 23 zone encompasses a strip at least 50 feet wide on each side 24 of a stream, lake, or other body of water, measured from the 25

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ordinary high-water mark, and extends beyond the high-water
 mark to include wetlands and areas that provide additional
 protection in zones with steep slopes or erosive soils.
 (9) "Timber sale" means a series of forest practices

5 designed to access, harvest, and <u>or</u> regenerate trees on a

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APPROVED BY COMM. ON NATURAL RESOURCES

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HB 503 SECOND READING

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HB 503 THIRD READING

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REFERENCE BILL

HB 503

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