

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.

1 House BILL NO. 503
2 INTRODUCED BY Ream Groff
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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE DEFINITION
5 OF TIMBER SALE IN THE STREAMSIDE MANAGEMENT ZONE LAWS; AND
6 AMENDING SECTION 77-5-302, MCA."
7

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 **Section 1.** Section 77-5-302, MCA, is amended to read:

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
19 77-5-303.

20 (2) "Department" means the department of state lands
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
24 associated with harvesting and accessing trees, site
25 preparation for regeneration of a timber stand,

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

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

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

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

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

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

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1 ordinary high-water mark, and extends beyond the high-water
2 mark to include wetlands and areas that provide additional
3 protection in zones with steep slopes or erosive soils.

4 (9) "Timber sale" means a series of forest practices
5 designed to access, harvest, and or regenerate trees on a
6 defined land area for commercial purposes."

-End-

APPROVED BY COMM. ON
NATURAL RESOURCES

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