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As of: June 26, 2008 (3:08pm)

LC6010

**** Joint Resolution No. ****

Introduced By *****

By Request of the *****

A Joint Resolution of the Senate and the House of Representatives of the State of Montana encouraging Congress to adopt the National Association of Counties' resolution regarding hazardous fuels emergencies.

WHEREAS, according to the Montana Legislature's Fire Suppression Interim Committee, that with limited resources and fuel and climatic conditions, it is likely that communities in Montana will burn, and firefighters and members of the public will be seriously injured or killed;

WHEREAS, the contributing factors of drought, extensive tree mortality due to insect infestation, and current federal land management policies that allow for extensive accumulations of biomass, make Montana's forest lands highly susceptible to catastrophic and environmentally destructive wild fires that threaten public health safety and welfare;

WHEREAS, U.S. Department of the Interior research has confirmed that reducing hazardous biomass fuels further away from communities limits the risks of catastrophic wild fires;

WHEREAS, reducing and using biomass has multiple benefits outside of wild fire mitigation, including alternative energy generation;

WHEREAS, the National Association of Counties has passed a

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resolution calling on the United States Congress to enact legislation granting a governor authority to declare a crisis when the severity of fire danger from fuels on identified federal lands within that state pose a significant threat to public health and safety, or there would be a probable loss of homes and property if wild fires occur; and

WHEREAS, upon the declaration of a crisis, responsible federal agencies would be required to fast-track a mitigation plan to reduce forest fuels, mitigation planning would be excluded under the National Environmental Policy Act appeal process, and any claimant filing a court action against the plan would be required to post a damage bond of 10% of the value of the property that would be protected under a mitigation plan; and

WHEREAS, adoption of these proactive hazardous fuels emergency measures will enhance Montana's ability to manage hazardous fuels in order to reduce the risk of catastrophic and environmentally destructive wild fires.

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

(1) That the United States Congress enact legislation adopting the National Association of Counties' resolution regarding hazardous fuels emergencies and reduction.

(2) That the Secretary of State send copies of this resolution to the President of the United States; the Western Governors' Association; the Montana Congressional Delegation; and the National Association of Counties.

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