

### 2009 Legislative Session - Bill Watch

The Kentucky Woodland Owners Association (KWOA) spent considerable time and effort in 2008 developing the ground work for legislation. The following bills relating to forestry were sponsored during the legislative session of 2009 including some bills not sponsored or supported by KWOA. Due to the short session none of the bills passed. However, sponsoring the bills this year was an attempt to start the ball rolling for successful passage in the next regular length session in 2010.

**HB 122 ACT relating to fire ecology.**

Create a new section of KRS Chapter 158 to require schools to include fire ecology in the science core content; require fire ecology to be taught in the public schools no later than the 2010-2011 academic year. Sponsors: Rick Nelson, Mike Denham.

**HB 211 ACT relating to forestry and biomass.** Amend KRS 149.330 to include removal of woody biomass in definition of "timber harvesting operations" including energy production but excluding firewood cut for personal use only from definition of "timber harvesting operations". Sponsor: Leslie Combs.

**Note:** This amendment was supported by the Kentucky Forestry Best Management Practices Board so that the Kentucky Division of Forestry (KDF) could inspect commercial logging operations that are also removing biomass for fuel.

**HB 235 ACT relating to forest health and agricultural forest products.**

Create a new section of KRS Chapter 149 to establish a Forest Health Board. Sponsors: Tom McKee, Mike Denham.

**Note:** The development of the Forest Health Board (attached to KDF) is a key position of the KWOA and the bill was developed with the aid of KWOA. The house unanimously passed this bill. Unfortunately it eventually ran out of time. All parties believe it will be passed next session.

**HB 396 ACT relating to timber theft investigation.**

Create a new section of KRS Chapter 149 to authorize the Division of Forestry to develop an investigative timber theft and forest fire arson unit with the authority to make arrests. Amend KRS 15.380 to require forest crime investigators to be certified as peace officers. Sponsor: Leslie Combs.

**Note:** KWOA supports the development of a timber theft and arson unit IF it is funded. KWOA has no interest in saddling KDF with an unfunded mandate.

**HB 397 ACT relating to forest conservation.**

Amend KRS 149.348 to increase the maximum civil penalty for violation of bad actor provisions. Sponsor: Leslie Combs.

**Note:** The KWOA supported an increase of the fines for Bad Actors (loggers that violate the KY Forest Conservation Act). This was also supported by the Kentucky Forestry BMP Board and KFIA.

**HB 481 ACT relating to the sale of timber.**

Create a new section of KRS Chapter 364 to require the seller of trees, timber, or forest products to produce the instrument vesting



Graphic by: Aaron Stringer

title to the goods in the seller; require the purchaser to keep the instrument for no less than two years; provide for a penalty of one hundred dollars per instrument for failure to comply. Sponsor: Leslie Combs. **Note:** This bill was proposed by individuals in eastern Kentucky that are advocates for timber theft victims. While KWOA is whole-heartily opposed to timber theft, KWOA was not supportive of this legislation as it was viewed as not being effective in stopping theft.

KWOA's mission is to promote economically and environmentally sound forest management, advance the skills of Kentucky woodland owners, provide communications and networking among woodland owners, serve as an advocate for Kentucky woodland owners in legislative activities and inform the public about the importance of woodland management and what it contributes to Kentucky. To advance this mission KWOA will continue to work hard with legislators and partners to see that effective legislation is developed that will help Kentucky's woodland owners.

**New KWOA Web site**

We have recently updated and changed the address of our Web site. To learn more about KWOA and all the work we do on behalf of Kentucky's woodland owners please visit us at [www.kwoa.net](http://www.kwoa.net) or contact Betty Williamson, KWOA president, at 270.821.8657.