

Policy Gaps

The current issues listed below lack policy direction to guide MFBF's position were they to produce legislation in the upcoming 2019 Legislative Session. We must act proactively by instituting new policies as new matters appear, while also diligently reviewing policy that currently exists.

MFBF Policy

1. **Fire Preparedness Assessment Fee** State lawmakers are considering expanding Montana's fire protection fee to all landowners in the state after the 2017 fire season, which reflected the statewide nature of the problem. Montana had fires in all of its 56 counties last summer, while only western landowners were paying the fire assessment fee. The Environmental Quality Council has been discussing how to make the fire assessment fee more equitable during the interim by extending the fees across Montana.

It's important to discuss how we, as an organization, feel about fire suppression funding. Do Farm Bureau members find value in funding fire-preparedness? Do you feel you're already paying your fair share? If you feel contributing to the cause has merit, is the idea of a "wildfire preparedness fee reduction" to landowners who meet certain criteria (such as forest thinning) attractive to you? Do you think cities and towns should be contributing as well? MFBF has no policy direction on the issue, but will certainly need it as EQC will presumably bring a draft to the 2019 Legislature.

For more information, on the fire preparedness assessment fee, please refer to MFBF's blog [post](#).

2. **State-run OSHA** Efforts to create a state-based OSHA in Montana didn't garner much traction during the 2017 legislative session, but proponents are back and seem to be greasing the wheels for another try during the 2019 session. The Labor and Management Advisory Council, appointed by Governor Bullock, is the driving force for exploring options of a state-run program for Montana.

Of course, we can't say with certainty what outcome the Governor's Advisory committee will reach, but given the push in 2017 and this continued effort it's a pretty safe assumption a bill will be born of these discussions. MFBF has been invited to the table to learn more about this process and share our point of view. That said, we don't have a clear policy position, and if legislation comes as a result of these meeting we'll definitely want it.

For a more detailed synopsis of the pros and cons of a state-run OSHA, please refer to MFBF's blog [post](#).

3. **Student Loan Forgiveness for Beginning Farmers and Ranchers** Should there be student loan forgiveness for individuals pursuing a career in production agriculture on a farm or ranch? If yes, what are the criteria to qualify for loan forgiveness? During the 2017 Legislative Session there was legislation introduced to provide for student loan forgiveness via the Growth through Agriculture grant program that is already housed within the Department of Agriculture. It died during the legislative process, but there is a strong possibility of it coming back in 2019.
4. **Financial Responsibility of Commercial Applicators** The financial responsibility of a commercial applicator in Montana is considerably low. Ground and aerial applicators in Montana only hold a \$500 and \$1,500 bond requirement, respectively. In comparison, coverage requirements of most Western-Midwestern states lie in the \$50,000-\$100,000 range. Clearly, Montana's required financial responsibility policy is outdated, as \$1,500 wouldn't begin to put a dent in the bill produced by an aerial misapplication into a field of seed potatoes.

The need for increased financial responsibility of commercial applicators was recognized, but not resolved in the 2017 Legislature. They did, however, place a sunset on the Department of Agriculture's rulemaking authority in this area that will (without further legislative action) expire in 2019.

The sunset places notable pressure on the Department to resolve the issue prior to 2019, and it appears they will. During a meeting with the Department, associated stakeholders, commercial applicator representatives and agricultural organizations alike, informally consented to increasing the financial responsibility requirements of ground applicators to \$35,000, and aerial to \$50,000. The Department is predicted to address the issue soon via their rulemaking authority. However, we do not have policy on the financial responsibility of commercial applicators.

5. **DNRC Water Right Change Process** The water change process is important, especially in closed basins. Right now, you must go to DNRC and apply for a change (divert, where, what, and storage) and must prove that there are no adverse affects associated with that change. This process has become both time consuming and expensive (due to the necessary level of proof). The change process is important to agriculture and developers. How do we simplify the change process without threatening senior water rights and agricultural interests? From a water user's perspective, what needs to change about the current change process?

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