



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: HB 369		DATE: 2/11/2021
COMMITTEE: Rural Community Development		
TESTIFYING: <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES		
WITNESS NAME		
BUSINESS/ORGANIZATION:		
WITNESS NAME: CAROL DAVIT		PHONE NUMBER: 5733567828
BUSINESS/ORGANIZATION NAME: MISSOURI PRAIRIE FOUNDATION		TITLE: EXECUTIVE DIRECTOR
ADDRESS: P.O. BOX 200		
CITY: COLUMBIA	STATE: MO	ZIP: 65205
EMAIL: info@moprairie.org	ATTENDANCE: Written	SUBMIT DATE: 2/11/2021 7:19 AM

THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

Testimony from the Missouri Prairie Foundation, a 501(c)(3), nonprofit organization in support of HB 369 - PRESCRIBED BURNING ACT• HB 369 seeks to formally define the liability standards that landowners must meet when using prescribed fire on their property. • Missouri is one of only five states that does not have a prescribed burning statute. Defining liability in prescribed fire legislation is not removing liability. Defining liability will enable insurance companies to offer policies providing protection to prescribed fire practitioners. • Many managers of private lands are exposed to unnecessary risk every time they use prescribed fire because there is currently no legislation in place that legally defines their liability. While some landowners conduct their own prescribed burns, others must depend on professionals to safely complete prescribed burns. However, insurance for contractors is often either unattainable or uneconomical because liability for prescribed fire is not defined. • There are many benefits of carefully planned prescribed fire to wild landscapes, wildlife habitat, habitat management businesses, and agricultural landowners. Passage of this legislation will be good for Missouri.



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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: DANA RIPPER		PHONE NUMBER: 660-837-3888	
BUSINESS/ORGANIZATION NAME: MISSOURI RIVER BIRD OBSERVATORY		TITLE: DIRECTOR	
ADDRESS: P.O. BOX 16/406 MAIN STREET			
CITY: ARROW ROCK		STATE: MO	ZIP: 65320
EMAIL: dana.ripper@mrbo.org	ATTENDANCE: Written	SUBMIT DATE: 2/9/2021 10:51 AM	

THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

The Missouri River Bird Observatory, which represents over 800 constituents throughout the state, is very supportive of HB369. Missouri's private landowners engage in beneficial land management practices and are continually shown to be knowledgeable, responsible, and proactive in their management. Prescribed fire is an ecologically sound management tool that benefits both native wildlife and people that are managing their land for livestock production, hunting, outdoor recreation and/or other uses. This legislation will provide landowners with the ability to obtain reasonable insurance coverage for their prescribed burn activities.



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: ELIZABETH STEELE		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: lizzie.jo@hotmail.com	ATTENDANCE: Written	SUBMIT DATE: 2/10/2021 7:15 AM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.		

Prescribed burns are an much used and much needed tool on our land. We use it to remove old, dead growth and control brush, especially cedar trees, from our cattle pastures - much like the wildfires would have once cleared the native grasslands for the bison. We also use fire to improve habitat for many glade, savanna, and grassland birds, pollinators, and wildlife. Liability is always a concern when using prescribed burns. Please take action to help this issue. Thanks!



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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: GARY GATES		PHONE NUMBER: 573-636-0445	
REPRESENTING: MISSOURI PARK AND RECREATION ASSOCIATION		TITLE:	
ADDRESS: 2018 WILLIAM STREET			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65109
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/11/2021 12:00 AM	
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: GARY M VAN DE VELDE		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: vandveldegary@yahoo.com	ATTENDANCE: Written	SUBMIT DATE: 2/10/2021 8:22 PM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.		

Representative Taylor and Committee members thanks for the opportunity to support House Bill 369. My name is Gary VanDeVelde I an a retired Natural Resource Conservationist and a Conservation Federation member. .Having written and participated in prescribed burns I have seen the value of prescribed burning. Plants, and animals all benefit when prescribe burning is used properly. Liability concerns are always present with any burning but should be small with proper professional planning and application. .



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: GREG GREMAUD		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: jggremaud@gmail.com	ATTENDANCE: Written	SUBMIT DATE: 2/10/2021 10:27 AM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.		

I am writing in support of HB 369, the Prescribed Burning Act. Prescribed fire is a valuable tool for Missouri's private landowners, whether used for agricultural purposes, forest management or wildlife habitat enhancement. With proper planning and preparation, it is a safe practice that provides results that cannot be achieved with other management practices.



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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: HOLLY NEILL		PHONE NUMBER: 417-827-4864	
BUSINESS/ORGANIZATION NAME: THE NATURE CONSERVANCY		TITLE: DIRECTOR OF CONSERVATION POLICY	
ADDRESS: 1054 E SEMINOLE			
CITY: SPRINGFIELD		STATE: MO	ZIP: 65807
EMAIL: holly.neill@tnc.org	ATTENDANCE: Written	SUBMIT DATE: 2/10/2021 10:44 PM	
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			

Missouri is only one of five states that does not have a state statute that defines liability as it relates to prescribed burning. The lack of a state statute creates a barrier to landowners and prescribed burn practitioners by limiting or restricting access to insurance coverage for prescribed burning. This legislation defines liability for prescribed burning which will assist in removing this barrier and provide insurance companies the opportunity to offer insurance coverage for prescribed burning. This legislation does NOT remove liability as it relates to prescribed burning. This legislation does set a negligence standard. Negligence is defined as failure to use such care as a reasonable, prudent and careful person would use under similar circumstances. In Missouri prescribed burning is underused as a private land management tool. Prescribed burning is one of the most effective and economic tools available to manage vegetation at a landscape scale, help prevent wildfires, enhance agricultural land, restore native plant communities, and improve forest health and wildlife habitat.



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WITNESS NAME		
BUSINESS/ORGANIZATION:		
WITNESS NAME: JACOB BUXTON		PHONE NUMBER: 573-452-3403
BUSINESS/ORGANIZATION NAME: MISSOURI DEPARTMENT OF CONSERVATION		TITLE: LEGISLATIVE LIAISON
ADDRESS: 2901 WEST TRUMAN BOULEVARD		
CITY: JEFFERSON CITY		STATE: MO
		ZIP: 65109
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/11/2021 12:00 AM
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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: JEF HODGES		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE:		SUBMIT DATE: 2/11/2021 12:00 AM
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WITNESS NAME		
BUSINESS/ORGANIZATION:		
WITNESS NAME: JOHN BURK		PHONE NUMBER: 5736765994
BUSINESS/ORGANIZATION NAME: NATIONAL WILD TURKEY FEDERATION		TITLE: DISTRICT BIOLOGIST
ADDRESS: 7152 TOMAHAWK LANE		
CITY: STEEDMAN		STATE: MO
		ZIP: 65077
EMAIL: jburk@nwtf.net	ATTENDANCE: In-Person	SUBMIT DATE: 2/9/2021 10:45 AM

THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

The National Wild Turkey Federation is in favor of SB301. Missouri is a private land dominated state. Many private landowners throughout Missouri own their land for recreational purposes. In many cases, the wildlife species that these landowners are managing for prefer early successional habitats and the most effective management tool to restore and maintain these habitats is prescribed fire. Currently, private landowners and/or prescribed fire practitioners wishing to use this tool either put themselves at high risk or cannot get affordable insurance coverage to mitigate the risk because Missouri has no legal definition of liability. This bill would help alleviate this situation



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: MARK ZURBRICK		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: mzurbrick@gmail.com	ATTENDANCE: Written	SUBMIT DATE: 2/9/2021 11:40 AM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.		

Representatives, I am a life-long Missourian and rural landowner. I appreciate being allowed to testify in support of HB369 and urge committee members to vote in favor of this important legislation. As I understand it, this bill defines liability and establishes a negligence standard associated with the use of prescribed fire as cost-effective land management tool. Adoption of this legislation will allow private landowners and land-management companies to purchase insurance policies that protect responsible users of fire on private property. Nine out of ten states in the country, including all eight states surrounding Missouri, have laws that help protect folks who use controlled burning in a safe manner. Missouri's farmers and landowners deserve this same protection. Thank you for your time and attention. Respectfully, Mark Zurbrick



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WITNESS NAME		
BUSINESS/ORGANIZATION:		
WITNESS NAME: MARY S NEMECEK		PHONE NUMBER: 8162105148
BUSINESS/ORGANIZATION NAME: BURROUGHS AUDUBON SOCIETY OF GREATER KC		TITLE: CONSERVATION CHAIR
ADDRESS: 7807 N MERRIMAC CT,		
CITY: KANSAS CITY		STATE: MO
		ZIP: 64151
EMAIL: msnemecek@aol.com	ATTENDANCE: Written	SUBMIT DATE: 2/9/2021 5:01 PM

THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

Prescribed fire is a critical tool in managing land for Missouri's unique flora and fauna. Burroughs Audubon Society supports this protection for private land managers allowing them to properly manage their land to promote wildlife and native plant species, making the state better for people and wildlife. Burroughs Audubon Society of Greater Kansas City consists of almost 2,000 members in the greater Kansas City Area. Our mission is to promote the appreciation of birds, nature, natural history, education, and the conservation of habitat



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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: MICHAEL BERG		PHONE NUMBER: 314-644-1011	
REPRESENTING: SIERRA CLUB MISSOURI CHAPTER		TITLE: SIERRA CLUB MISSOURI CHAPTER POLITICAL DIRECTOR	
ADDRESS: 2818 SUTTON BLVD			
CITY: SAINT LOUIS		STATE: MO	ZIP: 63143
EMAIL: Michael.Berg@sierraclub.org	ATTENDANCE: Written	SUBMIT DATE: 2/9/2021 9:36 AM	
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			

Chair Pollitt and Members of the Missouri House Committee on Rural Community Development, The Sierra Club Missouri Chapter supports House Bill 369. The Sierra Club supports responsible use of prescribed burning as part of ecologically sustainable land management practices. Unlike most states in our country, Missouri does not presently have a statute defining liability for prescribed burnings. This lack of clarity makes it more difficult for private landowners to responsibly utilize prescribed fires. The passage of House Bill 369 would rectify that problem.



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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: MICHAEL BERG		PHONE NUMBER: 314-644-1011	
REPRESENTING: SIERRA CLUB MISSOURI CHAPTER		TITLE: SIERRA CLUB MISSOURI CHAPTER POLITICAL DIRECTOR	
ADDRESS: 2818 SUTTON BLVD			
CITY: SAINT LOUIS		STATE: MO	ZIP: 63143
EMAIL: Michael.Berg@sierraclub.org	ATTENDANCE: Written	SUBMIT DATE: 2/8/2021 12:29 PM	

THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

The Sierra Club Missouri Chapter supports House Bill 369. The Sierra Club supports responsible use of prescribed burning as part of ecologically sustainable land management practices. Unlike most states in our country, Missouri does not presently have a statute defining liability for prescribed burnings. This lack of clarity makes it more difficult for private landowners to responsibly utilize prescribed fires. The passage of House Bill 369 would rectify that problem.



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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: NOEL GEORGE SEEK		PHONE NUMBER: 16609384646	
BUSINESS/ORGANIZATION NAME: MISSOURI NATIVE SEED LLC		TITLE: CO-OWNER MISSOURI NATIVE SEED LLC	
ADDRESS: 32175 HIGHWAY W			
CITY: MEADVILLE		STATE: MO	ZIP: 64659
EMAIL: seekg@grm.net	ATTENDANCE: Written	SUBMIT DATE: 2/9/2021 9:47 AM	
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			

Missouri Native Seed LLC is a small on the farm producer of source identified native grass seed. We work with landowners on a share basis to plant, harvest ,clean and market native grass seed to retail markets. Native grass must be burned annually to produce production quantities of seed. This bill if passed would help reduce our liability insurance and ease landowner concern for liability.



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: SARAH BEIER		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: sarahbeier@gmail.com	ATTENDANCE: Written	SUBMIT DATE: 2/10/2021 11:25 AM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.		

Prescribed fire is one of the most effective and economic tools available to manage vegetation at a landscape scale, help prevent wildfires, enhance agricultural land, restore native plant communities, and improve forest health and wildlife habitat. Public land managers have historically utilized, and continue to effectively and responsibly utilize, prescribed fire because they are protected from liability under state or federal jurisdictions. However, Missouri is 93% privately owned, and due to barriers created by undefined liability, prescribed fire is underused as a private land management tool. Prescribed fire legislation which defines liability will increase the responsible use of prescribed fire in Missouri and create a pathway for private landowners to achieve their land management goals. Please support this legislation for the health of Missouri's prairies, glades, and forests - and for the wildlife that depend on them, and the people who enjoy them.



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WITNESS NAME		
BUSINESS/ORGANIZATION:		
WITNESS NAME: SHANNON TYREE		PHONE NUMBER: 8166450026
BUSINESS/ORGANIZATION NAME: HABITAT ARCHITECTS, LLC		TITLE: PRESIDENT
ADDRESS:		
CITY: BELTON	STATE: MD	ZIP: 64012
EMAIL: styree@habitatarchitects.net	ATTENDANCE: Written	SUBMIT DATE: 2/10/2021 9:47 AM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.		

As a natural resource restoration business, our goal is to restore natural communities. Prescribed fire is the single biggest tool we have to improving and sustaining those communities. Our staff collectively has over 50 years' experience doing prescribed burning and completed numerous trainings and implemented safety protocols to assure the safety of our employees and minimize risks when completing prescribed fires. Due to a lack of legislature and misunderstanding by insurance companies about the real risks and measures established to minimize those risks, we have either been denied coverage or offered coverage at unrealistic rates. Our annual insurance rates often exceed the annual revenue prescribed burning brings to our company. We have never had an injury during a prescribed fire, filed any sort of claim for damages and yet we continue to struggle to find an insurance carrier that will allow us to continue prescribed burning as part of our business. Our insurance coverage is routinely dropped during our annual renewal process as insurance companies struggle to assess the real risk of prescribed burning. It remains a constant battle to explain prescribed fire to our insurance carriers and obtain a policy that will provide any sort of coverage even at the highest of rates. As a natural resource restoration company, the use of prescribed fire cannot be understated. Prescribed fire can accomplish positive resource benefits that cannot be obtained by any other method at any costs. Alternatives include increased usage of chemicals to suppress non-native plants that often out compete and supplant native vegetation. The historic prevention of fire has caused such an increase in non-native vegetation that many of our natural flora and fauna communities are threatened. As educated natural resource stewards, Habitat Architects is strongly in support of this long-needed legislation. We firmly believe the Prescribed Burning Act will provide both commercial and private land managers with the most important tool we have to maintain and improve natural communities within our state. Thank you



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: STEVE JONES		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:	STATE:	ZIP:
EMAIL: SteveJones@OGMag.com	ATTENDANCE: Written	SUBMIT DATE: 2/11/2021 8:04 AM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.		

Representative Brad Pollitt, Chair Representative Greg Sharpe, Vice Chair Rural Community Development Committee From: Steve Jones — Sullivan Date: Thursday February 11, 2021 Subject: Support for HB 369, the Prescribed Burning Act. I am the Conservation Editor of Outdoor Guide Magazine, a member of the Missouri Outdoor Communicators, and an active life member of the Conservation Federation of Missouri. But today I submit this testimony representing only myself, as a landowner (400 acres in Randolph County and 73 acres in Franklin county). I have in the past conducted prescribed burns on my property, but in recent years have abandoned the practice due to liability concerns. The habitat on my land has suffered, and the fuel load available to potential wildfire has increased. Prescribed burning is a powerful and productive tool for land management, both for agricultural interests and for wild flora and fauna. But it also provides for orderly management of the natural fuel load on the land, a key factor reducing the frequency and severity of wildfires - which are the predictable result of a sustained policy of fire suppression. Just last year many Western states learned sharp lessons about the inevitable result of not managing the fuel load. Missouri is the only state west of New England with no statutory definition of liability standards for prescribed burning on private lands. This Act would bring Missouri into sync with established, proven beneficial public policy across the nation. The current lack of policy has two significant effects. It discourages the use of prescribed burning, and when such burns are conducted it tends to reduce the use of trained, certified professionals to plan and execute them. I know there are those who will testify that the Act poses unacceptable risks to their interests, and that an amendment may be offered to carve-out fires conducted on lands that include a power line easements. This would diminish the beneficial impact of the Act. I ask that you consider what about those interests is so different from nearly every other state in the nation which have demonstrated that this is sound public policy. And that you compare the risks of planned "cool" fires of limited scope vs that of surprise "hot" fires of unpredictable scope. I urge the committee to pass HB 369. Thank you for this opportunity to testify.



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: TIM SMITH		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL: leahtim4@gmail.com	ATTENDANCE: Written	SUBMIT DATE: 2/10/2021 11:13 AM
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The lack of such a law is making it more difficult for prescribed burning to be used as a management tool in Missouri. We should define liability to allow professionals and landowners to use prescribed burning on Missouri lands that need this management tool. The wildfires out west in recent years indicate problems that can occur when land management is not being done. As a botanist and former employee of the MO Dept. of Conservation, I have participated in many prescribed burns and can attest to the value of fire in managing Missouri landscapes.



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WITNESS NAME		
REGISTERED LOBBYIST:		
WITNESS NAME: TYLER SCHWARTZE		PHONE NUMBER: 573-619-0966
REPRESENTING: CONSERVATION FEDERATION OF MISSOURI		TITLE:
ADDRESS: 728 WEST MAIN STREET		
CITY: JEFFERSON CITY		STATE: MO
		ZIP: 65101
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/11/2021 12:00 AM
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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: WILLIAM GAMBLE		PHONE NUMBER: 573-634-4876	
REPRESENTING: MISSOURI RAILROAD ASSOCIATION		TITLE:	
ADDRESS: 213 EAST CAPITOL AVENUE			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65102
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/11/2021 12:00 AM	
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WITNESS NAME		
REGISTERED LOBBYIST:		
WITNESS NAME: ZACH POLLOCK		PHONE NUMBER: 573-659-3418
REPRESENTING: ASSOCIATION OF MISSOURI ELECTRIC COOPERATIVES		TITLE:
ADDRESS: 2722 EAST MCCARTY		
CITY: JEFFERSON CITY		STATE: MO
		ZIP: 65101
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/11/2021 12:00 AM
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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: ELENI BICKELL		PHONE NUMBER: 573-808-7755	
BUSINESS/ORGANIZATION NAME: MOST POLICY INITIATIVE		TITLE: DOCTOR	
ADDRESS: 238 EAST HIGH STREET			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65101
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/11/2021 12:00 AM	
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			