



AN ACT INCREASING THE AMOUNT BY WHICH THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION MAY EXCEED THE ANNUAL SUSTAINED HARVEST LEVEL USING CONTRACT HARVESTING IF THE DEPARTMENT IS ADDRESSING FOREST HEALTH CONCERNS; AMENDING SECTION 77-5-216, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

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

Section 1. Section 77-5-216, MCA, is amended to read:

"77-5-216. Contract harvesting authorized. (1) Under direction of the board and after submitting the various portions of the sale for bid, as described in 77-5-201, the department is authorized to sell timber and forest products from contract harvesting sales through the competitive bidding process pursuant to 77-5-201(1) and (2) and to contract with firms and individuals for the removal of timber and forest products from state trust lands, the preparation of those materials into merchantable form, the transportation of those materials to a point of sale, and other purposes that the department determines to be necessary.

(2) Except as provided in subsection (3), the department may not conduct contract harvesting on state trust lands in an amount greater than 10% of the annual sustained yield.

(3) If the department is addressing forest health concerns as provided in 77-5-217, the department may exceed the annual sustained harvest level by up to 5% 10% using contract harvesting, provided that the contract harvest volume in excess of the annual sustained harvest level contains no more than 25% merchantable sawlog volume."

Section 2. Federal funding for forest health concerns -- authorized expenditure. (1) There is an account in the federal special revenue fund into which must be deposited specific federal appropriations intended to address forest health concerns.

(2) The funds in the account may be used for the purposes of 77-5-216.

Section 3. Effective date. [This act] is effective on passage and approval.

- END -

I hereby certify that the within bill,
HB 0140, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2009.

President of the Senate

Signed this _____ day
of _____, 2009.

HOUSE BILL NO. 140
INTRODUCED BY VINCENT
BY REQUEST OF THE FIRE SUPPRESSION COMMITTEE

AN ACT INCREASING THE AMOUNT BY WHICH THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION MAY EXCEED THE ANNUAL SUSTAINED HARVEST LEVEL USING CONTRACT HARVESTING IF THE DEPARTMENT IS ADDRESSING FOREST HEALTH CONCERNS; AMENDING SECTION 77-5-216, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.