



AN ACT INCREASING FEES FOR THE FIRE HAZARD REDUCTION PROGRAM; AMENDING SECTION 76-13-414, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE.

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

Section 1. Section 76-13-414, MCA, is amended to read:

"76-13-414. Fees. (1) In addition to any bond, the department shall charge the contractor fees for administration, inspections, and enforcement work conducted in the exercise of its duties under this part. The fees must be deposited in the state special revenue fund to the credit of the department.

(2) (a) The fee for a fire hazard reduction agreement is \$25 and must be collected by the department upon issuance of the agreement.

(b) In addition, a fee of ~~60~~ 85 cents for each 1,000 board feet (log scale) must be charged or an equivalent fee must be charged if products other than logs are cut. This fee must be withheld by the purchaser as provided in 76-13-409(2), except that any fee money withheld for product volumes exceeding 500,000 board feet for each agreement in a calendar year must be returned to the contractor by the department.

(c) Either the person conducting the work or the purchaser, as described in 76-13-409, shall pay ~~45~~ 30 cents for each 1,000 board feet (log scale) or the equivalent measure if forest products other than logs are cut. The assessment may not exceed \$20,000 a year. The full amount of this money must be deposited in the forestry extension service account provided for in 76-13-415.

(3) (a) The fee for master fire hazard reduction agreements must be equal to 100% of the department's actual costs incurred in the direct administration, inspection, and enforcement of each agreement, and the department shall submit a detailed bill to the contractor annually to collect the fees.

(b) In addition, each contractor with a master fire hazard reduction agreement shall pay to the department 15 cents for each 1,000 board feet (log scale) or equivalent measure if forest products other than logs are cut. The assessment may not exceed \$20,000 a year for each master fire hazard agreement. The full amount of this money must be deposited in the forestry extension service account provided for in 76-13-415.

(c) The fee required under subsection (3)(b) must be paid annually in conjunction with the fee paid under subsection (3)(a). The department may, in its discretion, conduct an audit to determine the volume of forest products harvested by a contractor. If the department conducts an audit, the contractor shall cooperate and make available to the department all requested records, inventories, and other information relevant to the audit."

Section 2. Effective date. [This act] is effective on passage and approval.

Section 3. Applicability. [This act] applies to fire hazard reduction agreements or master fire hazard reduction agreements with the department of natural resources and conservation entered into on or after [the effective date of this act].

- END -

I hereby certify that the within bill,
HB 0119, originated in the House.

Speaker of the House

Signed this _____ day
of _____, 2019.

Chief Clerk of the House

President of the Senate

Signed this _____ day
of _____, 2019.

HOUSE BILL NO. 119

INTRODUCED BY D. LOGE

BY REQUEST OF THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

AN ACT INCREASING FEES FOR THE FIRE HAZARD REDUCTION PROGRAM; AMENDING SECTION 76-13-414, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE.