

*Senate* BILL NO. 128  
*Brown Robert*

INTRODUCED BY

REQUESTED BY

THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION 81-1404, R.C.M. 1947, TO PROVIDE THAT TIMBER FROM STATE FORESTS MAY BE SOLD ON AN ACCELERATED ADVERTISING SCHEDULE IN EMERGENCY CASES."

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

Section 1. Section 81-1404, R.C.M. 1947, is amended to read as follows:

"81-1404. Sale of timber -- advertising for bids -- purchaser's agreement. Under the direction of the state board of land commissioners, the department of natural resources and conservation may sell the timber crop and other crops of the forests, after examination, estimate, appraisal, and report, and under such rules as may be established by the board, timber ~~timber~~ proposed for sale in excess of 100,000 feet board feet measure shall be advertised in a paper of the county in which the timber is situated for a period of at least ~~thirty~~ (30) days, during which time the department of ~~natural resources~~ and conservation shall receive sealed bids up to the hour of the

closing of the bids, as specified in the notice of sale. In cases of emergency due to fire, insect, fungus, parasite, or blowdown, timber proposed for sale not in excess of 200,000 board feet may be advertised for a period of not less than 10 days. The department of ~~natural resources~~ and conservation may reject any or all bids, upon approval of the board, or it shall award the sale to the highest responsible bidder. Upon award of sale the purchaser shall execute a formal agreement, approved by the board, which describes the area on which the timber is to be cut, the approximate quantity to be cut by species, and the rate for each product of each species, and ~~it~~ The agreement shall stipulate that all timber shall be paid for in advance of cutting, fix a date for termination of the agreement, and define rules of silviculture, cutting, utilization, scaling, and slash disposal, and such other rules as in the discretion of the board are essential to the perpetuation of the state forests."

-End-

Approved by Committee  
on Natural Resources

1                   SENATE BILL NO. 128  
2                   INTRODUCED BY BROWN, ROBERTS  
3                   REQUESTED BY  
4                   THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION  
5  
6  
7                   A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION  
8                   81-1404, R.C.M. 1947, TO PROVIDE THAT TIMBER FROM STATE  
9                   FORESTS MAY BE SOLD ON AN ACCELERATED ADVERTISING SCHEDULE  
10                   IN EMERGENCY CASES."  
11  
12                   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
13                   Section 1. Section 81-1404, R.C.M. 1947, is amended to  
14                   read as follows:  
15                   "81-1404. Sale of timber -- advertising for bids --  
16                   purchaser's agreement. Under the direction of the state  
17                   board of land commissioners, the department of natural  
18                   resources and conservation may sell the timber crop and  
19                   other crops of the forests, after examination, estimate,  
20                   appraisal, and report, and under such rules as may be  
21                   established by the board, timber ~~timber~~ proposed for sale  
22                   in excess of 100,000 feet board ~~feet~~ measure shall be  
23                   advertised in a paper of the county in which the timber is  
24                   situated for a period of at least ~~thirty~~ days, during  
25                   which time the department of ~~nature~~ ~~resources~~ and

1                   conservation shall receive sealed bids up to the hour of the  
2                   closing of the bids, as specified in the notice of sale. ~~In~~  
3                   ~~cases of emergency due to fire, insect, fungus, parasite, or~~  
4                   ~~blowdown, timber proposed for sale not in excess of 200,000~~  
5                   ~~board feet may be advertised BY INVITATION TO BID for a~~  
6                   ~~period of not less than 10 days.~~ The department of ~~nature~~  
7                   ~~resources and conservation~~ may reject any or all bids, upon  
8                   approval of the board, or it shall award the sale to the  
9                   highest responsible bidder. Upon award of sale the purchaser  
10                   shall execute a formal agreement, approved by the board,  
11                   which describes the area on which the timber is to be cut,  
12                   the approximate quantity to be cut by species, and the rate  
13                   for each product of each species, and ~~it~~ ~~The agreement~~  
14                   shall stipulate that all timber shall be paid for in advance  
15                   of cutting, fix a date for termination of the agreement, and  
16                   define rules of silviculture, cutting, utilization, scaling,  
17                   and slash disposal, and such other rules as in the  
18                   discretion of the board are essential to the perpetuation of  
19                   the state forests."

-End-

SECOND READING

SENATE BILL NO. 128

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~~conservation~~ shall receive sealed bids up to the hour of the closing of the bids, as specified in the notice of sale. in cases of emergency due to fire, insect, fungus, parasite, or blowdown, timber proposed for sale not in excess of 200,000 board feet may be advertised BY INVITATION TO BID for a period of not less than 10 days. The department of ~~natural resources-and-conservation~~ may reject any or all bids, upon approval of the board, ~~or~~ it shall award the sale to the highest responsible bidder. Upon award of sale the purchaser shall execute a formal agreement, approved by the board, which describes the area on which the timber is to be cut, the approximate quantity to be cut by species, and the rate for each product of each species, ~~and~~ it ~~The agreement~~ shall stipulate that all timber shall be paid for in advance of cutting, fix a date for termination of the agreement, and define rules of silviculture, cutting, utilization, scaling, and slash disposal, and such other rules as in the discretion of the board are essential to the perpetuation of the state forests."

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REFERENCE BILL