

HOUSE BILL NO. 306

INTRODUCED BY BERTELSEN

BY REQUEST OF
THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

IN THE HOUSE

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| January 17, 1981 | Introduced and referred to Committee on Natural Resources. |
| January 24, 1981 | Committee recommend bill do pass and be placed on consent calendar. Report adopted. |
| January 26, 1981 | Considered correctly engrossed. |
| January 27, 1981 | Consent calendar discussion. |
| January 28, 1981 | Consent calendar, do pass. Transmitted to Senate. |

IN THE SENATE

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| January 29, 1981 | Introduced and referred to Committee on Natural Resources. |
| March 6, 1981 | Committee recommend bill be concurrent in. Report adopted. |
| March 9, 1981 | Second reading, concurrent in. |
| March 11, 1981 | Third reading, concurrent in. Ayes, 50; Noes, 0. |

IN THE HOUSE

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| March 12, 1981 | Returned from Senate. Con- current in. Sent to enrolling. Reported correctly enrolled. |
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HOUSE BILL NO. 306

INTRODUCED BY Bertelsen

BY REQUEST OF

THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION 76-13-413, MCA, TO CHANGE THE INTERNAL REFERENCE TO SECTION 76-13-407, PERTAINING TO RIGHT-OF-WAY CLEARANCE, TO SECTION 76-13-409 PERTAINING TO DUTIES OF PURCHASERS."

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

Section 1. Section 76-13-413, MCA, is amended to read:

"76-13-413. Failure to submit withholding -- remedy.

(1) If a purchaser does not submit withheld money on or before the 15th day of each month when required to do so under ~~76-13-407~~ ~~76-13-409~~, he must be notified by registered or certified mail that he is in noncompliance and be given 15 days to submit all money then due. If he fails to submit all money due within the required time, the department may initiate proceedings to enjoin further processing of all wood products until all money due is paid in full or satisfactory arrangements for payments are made.

(2) If payment is not made within the 15-day period after notification as provided in subsection (1), a penalty of 5% of the amount due must be assessed. The department may

abate the penalty if the purchaser establishes that the failure to submit the amount due as required was due to reasonable cause and was not due to neglect on his part. The department, in addition to the penalty, may impose interest at the rate of 10% a year on any balance remaining unpaid."

-End-

INTRODUCED BILL
HB 306

SECOND READING BILL
WAS NOT PRINTED.

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2 INTRODUCED BY Bustelsen

3 BY REQUEST OF
4 THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

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6 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION
7 76-13-413, MCA, TO CHANGE THE INTERNAL REFERENCE TO SECTION
8 76-13-407, PERTAINING TO RIGHT-OF-WAY CLEARANCE, TO SECTION
9 76-13-409 PERTAINING TO DUTIES OF PURCHASERS."

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

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17 or certified mail that he is in noncompliance and be given
18 15 days to submit all money then due. If he fails to submit
19 all money due within the required time, the department may
20 initiate proceedings to enjoin further processing of all
21 wood products until all money due is paid in full or
22 satisfactory arrangements for payments are made.

23 (2) If payment is not made within the 15-day period
24 after notification as provided in subsection (1), a penalty
25 of 5% of the amount due must be assessed. The department may

1 abate the penalty if the purchaser establishes that the
2 failure to submit the amount due as required was due to
3 reasonable cause and was not due to neglect on his part. The
4 department, in addition to the penalty, may impose interest
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-End-

CONSENT CALENDAR

THIRD READING

HB 306

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 2 INTRODUCED BY BERTELSEN
 3 BY REQUEST OF
 4 THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
 5

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