

SB 348 INTRODUCED BY STORY
ADDITIONAL ASSESSMENT ON FOREST LAND FOR STATE FIRE
SUPPRESSION FUNDING
BY REQUEST OF SENATE FINANCE & CLAIMS COMMITTEE

2/14	INTRODUCED		
2/14	REFERRED TO FINANCE & CLAIMS		
2/14	FISCAL NOTE REQUESTED		
2/16	HEARING		
2/17	COMMITTEE REPORT--BILL PASSED		
2/19	2ND READING PASSED	49	0
2/20	FISCAL NOTE RECEIVED		
2/21	3RD READING PASSED	44	5
	TRANSMITTED TO HOUSE		
2/23	REFERRED TO AGRICULTURE, LIVESTOCK & IRRIGATION		
3/04	HEARING		
3/25	TABLED IN COMMITTEE		

1 Senate BILL NO. 348
 2 INTRODUCED BY Story
 3 BY REQUEST OF THE SENATE FINANCE AND CLAIMS COMMITTEE
 4

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE A CHARGE OF
 6 3 CENTS AN ACRE OR A MINIMUM CHARGE OF \$3 ON FOREST LAND, TO
 7 BE COLLECTED WITH FIRE PROTECTION DISTRICT ASSESSMENTS FOR
 8 USE IN STATE FIRE SUPPRESSION; AMENDING SECTION 76-13-201,
 9 MCA; AND PROVIDING AN EFFECTIVE DATE AND A RETROACTIVE
 10 APPLICABILITY DATE."
 11

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

13 Section 1. Section 76-13-201, MCA, is amended to read:

14 "76-13-201. Duty of owner to protect against fire. (1)
 15 An owner of forest land classified as such by the department
 16 shall protect against the starting or existence and suppress
 17 the spread of fire on that land. This protection and
 18 suppression shall be in conformity with reasonable rules and
 19 standards for adequate fire protection adopted by the board.

20 (2) If the owner does not provide for the protection
 21 and suppression, the department may provide it at a cost to
 22 the landowner of not more than 17 cents per acre per year
 23 except that the department shall make a minimum assessment
 24 of up to \$14 per owner per year in each protection district
 25 as necessary to yield the amount of money provided for in

1 76-13-207. The owner of the land shall pay to the county
 2 treasurer of the county in which the land is situated the
 3 charge for the same approved by the department in accordance
 4 with this part and part 1.

5 (3) In addition to the assessment required by
 6 subsection (2), the department shall charge an additional 3
 7 cents per acre or an additional \$3 if the minimum assessment
 8 is charged. The additional charge must be made with the
 9 assessment required by subsection (2). The revenue from
 10 this charge must be placed in the fire suppression fund
 11 created in [section 2].

12 {3}{4} No other charges may be assessed those
 13 landowners participating except in cases of proven
 14 negligence on the part of the landowner or his agent."

15 NEW SECTION. Section 2. Fire suppression fund. There
 16 is a state special revenue account entitled the fire
 17 suppression fund. Revenue from the assessments provided for
 18 in 76-13-201(3) must be deposited in the account. The funds
 19 in the account must be used to fund fire suppression costs
 20 incurred by the state.

21 NEW SECTION. Section 3. Effective date --
 22 applicability. This act is effective July 1, 1987, and
 23 applies retroactively, within the meaning of 1-2-109, to
 24 charges made after December 31, 1986.

-End-

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INTRODUCED BILL
 SB 348



STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB348, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

This bill would provide a charge of three cents an acre or a minimum charge of three dollars on forest land, to be collected with fire protection district assessments; and provides an effective date and a retroactive applicability date.

ASSUMPTIONS:

1. Assume a 98% collection rate in a given year.
2. Costs for changing the fire assessment computer program and annual run costs will be charged to the fire suppression fund. The State Department of Lands did not estimate these costs.

FISCAL IMPACT:

Expenditures:

	<u>FY88</u>			<u>FY89</u>		
	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>
	-0-	-0-	-0-	-0-	-0-	-0-

Revenues:

Fire assessment Fees	\$1,146,000	\$1,356,000	\$ 210,000	\$1,146,000	\$1,356,000	\$ 210,000
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The current rate of 17 cents an acre and a minimum of \$14 on forest land would generate \$1,146,000 in FY88 and FY89. Therefore, an additional three cents per acre and an additional three dollar minimum charge will generate \$210,000 more in revenue in FY88 and FY89.

David L. Hunter DATE 2/20/87

DAVID L. HUNTER, BUDGET DIRECTOR
Office of Budget and Program Planning

Peter Story DATE 2/21/87

PETER STORY, PRIMARY SPONSOR

Fiscal Note for SB348 as introduced.

SB 348

APPROVED BY COMM. ON
FINANCE AND CLAIMS

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SECOND READING
SB-348



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THIRD READING
50-348

