

HOUSE BILL 484

Introduced by Raney, et al.

1/30	Introduced
1/30	Referred to Natural Resources
1/31	First Reading
2/08	Hearing
2/11	Tabled in Committee

1 *HOUSE* BILL NO. *484*  
 2 INTRODUCED BY *Randy Paunholt*  
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4 A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING OPENCUT  
 5 MINING AND THE OPERATION OF PROCESSING FACILITIES WITHIN  
 6 ONE-HALF MILE OF A RESIDENCE; PROVIDING EXCEPTIONS; AND  
 7 PROVIDING AN IMMEDIATE EFFECTIVE DATE."  
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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 NEW SECTION. Section 1. Prohibition on mining in  
 11 residential areas -- exceptions. (1) Except as provided in  
 12 subsections (2) and (3), a person may not engage in opencut  
 13 mining or operate processing facilities within one-half mile  
 14 of a residence. However, roads leading to and from an  
 15 opencut mine or processing facility may be constructed  
 16 within one-half mile of a residence.

17 (2) A person may engage in opencut mining and operate  
 18 processing facilities within one-half mile of a residence if  
 19 the owner of that residence consents to the proposed  
 20 operations in writing.

21 (3) The prohibition in subsection (1) does not apply to  
 22 operations of less than 6 months duration.

23 NEW SECTION. Section 2. Codification instruction.  
 24 [Section 1] is intended to be codified as an integral part  
 25 of Title 82, chapter 4, part 4, and the provisions of Title

1 82, chapter 4, part 4, apply to [section 1].

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

4 NEW SECTION. Section 4. Saving clause. [This act] does  
 5 not affect rights and duties that matured, penalties that  
 6 were incurred, or proceedings that were begun before [the  
 7 effective date of this act].

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