HOUSE BILL NO. 749

INTRODUCED BY ELLISON, D. BROWN, RANEY, KELLER

IN THE HOUSE

FEBRUARY 12, 1991 INTRODUCED AND REFERRED TO COMMITTEE ON NATURAL RESOURCES.

FIRST READING.

- FEBRUARY 21, 1991 COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
- FEBRUARY 22, 1991 PRINTING REPORT.
- MARCH 7, 1991 SECOND READING, DO PASS.
- MARCH 8, 1991 ENGROSSING REPORT.
- MARCH 9, 1991 THIRD READING, PASSED. AYES, 96; NOES, 0.

TRANSMITTED TO SENATE.

ON NATURAL RESOURCES.

IN THE SENATE

MARCH 11, 1991

FIRST READING.

MARCH 23, 1991 COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.

MARCH 28, 1991

APRIL 1, 1991

THIRD READING, CONCURRED IN. AYES, 49; NOES, 0.

SECOND READING, CONCURRED IN.

INTRODUCED AND REFERRED TO COMMITTEE

RETURNED TO HOUSE.

IN THE HOUSE

APRIL 1, 1991

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

LC 0357/01

LC 0357,'01

INTRODUCED BY Billson Owe Bron Carey Fills 1 2 3 4 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE LAWS 5 RELATING TO THE OPERATIONS OF THE HARD-ROCK MINING IMPACT 6 BOARD: MODIFYING PROVISIONS REGARDING THE TRANSFER OF FUNDS 7 FROM THE HARD-ROCK MINING IMPACT TRUST ACCOUNT TO COUNTIES; В AMENDING SECTIONS 90-6-305 AND 90-6-331, MCA; AND PROVIDING 9 AN IMMEDIATE EFFECTIVE DATE." 10 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: Section 1. Section 90-6-305, MCA, is amended to read: 12 13 90-6-305. Hard-rock mining impact board -- general 14 powers. (1) The board may: 15 (a) retain professional staff, including its administrative staff, and retain consultants, and advisors 16 notwithstanding the provisions of 2-15-121; 17 18 (b) adopt rules governing its proceedings, 19 determinations, and administration of this part; 20 (c) award grants to local government units subject to 21 90-6-306: 22 (d) make payments to local government units from money 23 paid to the hard-rock mining impact account as provided in 24 90-6-307; 25 (e) make determinations as provided in 90-6-307.

$1 \quad 90-6-311$, and 90-6-403(3); and

2 (f) accept grants and other funds to be used in3 carrying out this part.

4 (2) The provisions of the Montana Administrative 5 Procedure Act apply to the proceedings and determinations of 6 the board."

7 Section 2. Section 90-6-331, MCA, is amended to read:

8 "90-6-331. Fund transfer. (1) On July 1, 1990, and on 9 prior to each July October 1 thereafter, all funds remaining 10 money segregated by county in the hard-rock mining impact 11 trust account established in 90-6-304(2) after as of dune-30 12 September 1 immediately preceding must be transferred to the 13 county for which the funds have been held in deposit. The 14 funds so transferred must be deposited in the county 15 hard-rock mine trust reserve account established in 16 7-6-2225.

17 (2) The transfer of funds required by this section is a18 statutory appropriation pursuant to 17-7-502."

19 NEW SECTION. Section 3. Effective date. [This act] is

20 effective on passage and approval.

-End-

-2- INTRODUCED BILL H8749

STATE OF MONTANA - FISCAL NOTE Form BD-15 In compliance with a written request, there is hereby submitted a Fiscal Note for <u>HB0749</u>, <u>as introduced</u>.

DESCRIPTION OF PROPOSED LEGISLATION:

An act clarifying the laws relating to the operations of the Hard-Rock Mining Impact Board; modifying provisions regarding the transfer of funds from the hard-rock mining impact trust account to counties; amending sections 90-6-305 and 90-6-331, MCA; and providing an immediate effective date.

ASSUMPTIONS:

1. Does not impact the revenues or expenditures of any state agency.

FISCAL IMPACT:

None

2-14-91 DATE

ROD SUNDSTED, BUDGET DIRECTOR Office of Budget and Program Planning

DATE

ORVAL S. ELLISON, PRIMARY SPONSOR

Fiscal Note for <u>HB0749</u>, as introduced.

HB 749

Montana Legislative Council

LC 0357/01

APPROVED BY COMM. ON NATURAL RESOURCES

1	Azust BILL NO. 149
2	INTRODUCED BY Carly Gilles
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE LAWS
5	RELATING TO THE OPERATIONS OF THE HARD-ROCK MINING IMPACT
6	BOARD; MODIFYING PROVISIONS REGARDING THE TRANSFER OF FUNDS
7	FROM THE HARD-ROCK MINING IMPACT TRUST ACCOUNT TO COUNTIES;
8	AMENDING SECTIONS 90-6-305 AND 90-6-331, MCA; AND PROVIDING
9	AN IMMEDIATE EFFECTIVE DATE."
10	
11	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
12	Section 1. Section 90-6-305, MCA, is amended to read:
13	*90-6-305. Hard-rock mining impact board general
14	powers. (1) The board may:
15	(a) retain professional staff, including its
16	administrative staff, and retain consultants, and advisors
17	notwithstanding the provisions of 2-15-121;
18	(b) adopt rules governing its proceedings,
19	determinations, and administration of this part;
20	(c) award grants to local government units subject to
21	90-6-306;
22	(d) make payments to local government units from money
23	paid to the hard-rock mining impact account as provided in
24	90-6-307;
25	(e) make determinations as provided in 90-6-307 <u>,</u>

1 90-6-311, and 90-6-403(3); and

2 (f) accept grants and other funds to be used in3 carrying out this part.

4 (2) The provisions of the Montana Administrative 5 Procedure Act apply to the proceedings and determinations of 6 the board."

7 Section 2. Section 90-6-331, MCA, is amended to read:

8 "90-6-331. Fund transfer. (1) On July 1, 1990, and on 9 prior to each July October 1 thereafter, all funds remaining 10 money segregated by county in the hard-rock mining impact trust account established in 90-6-304(2) after as of June-30 11 12 September 1 immediately preceding must be transferred to the 13 county for which the funds have been held in deposit. The 14 funds so transferred must be deposited in the county hard-rock mine trust reserve account established in 15 16 7-6-2225.

17 (2) The transfer of funds required by this section is a18 statutory appropriation pursuant to 17-7-502."

19 NEW SECTION. Section 3. Effective date. [This act] is

20 effective on passage and approval.

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-End-

-2-

SECOND READING HB749

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90-6-306:

90-6-307;

LC 0357/01

INTRODUCED BY Ellison Que Bron Carcy Fills A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE LAWS RELATING TO THE OPERATIONS OF THE HARD-ROCK MINING IMPACT BOARD: MODIFYING PROVISIONS REGARDING THE TRANSFER OF FUNDS FROM THE HARD-ROCK MINING IMPACT TRUST ACCOUNT TO COUNTIES; AMENDING SECTIONS 90-6-305 AND 90-6-331, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE." BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: Section 1. Section 90-6-305, MCA, is amended to read: "90-6-305. Hard-rock mining impact board -- general powers. (1) The board may: staff, including its (a) retain professional administrative staff, and retain consultants, and advisors notwithstanding the provisions of 2-15-121; proceedings, (b) adopt rules governing its determinations, and administration of this part; (c) award grants to local government units subject to

22 (d) make payments to local government units from money 23 paid to the hard-rock mining impact account as provided in

(e) make determinations as provided in 90-6-307,

1 90-6-311, and 90-6-403(3); and

2

7

2 (f) accept grants and other funds to be used in carrying out this part.

4 (2) The provisions of the Montana Administrative 5 Procedure Act apply to the proceedings and determinations of 6 the board."

Section 2. Section 90-6-331, MCA, is amended to read:

8 "90-6-331. Fund transfer. (1) On July 1, 1990, and on 9 prior to each July October 1 thereafter, all funds remaining 10 money segregated by county in the hard-rock mining impact 11 trust account established in 90-6-304(2) after as of June-30 12 September 1 immediately preceding must be transferred to the 13 county for which the funds have been held in deposit. The 14 funds so transferred must be deposited in the county 15 hard-rock mine trust reserve account established in 16 7-6-2225.

(2) The transfer of funds required by this section is a 17 18 statutory appropriation pursuant to 17-7-502."

19 NEW SECTION. Section 3. Effective date. [This act] is

20 effective on passage and approval.

-End-

-2-

THIRD READING

HB749

HB 0749/02

Linontana Legislative Council

HB 749

REFERENCE BILL

1	HOUSE BILL NO. 749	1 9
2	INTRODUCED BY ELLISON, D. BROWN, RANEY, KELLER	2
3		3
4	A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE LAWS	4
5	RELATING TO THE OPERATIONS OF THE HARD-ROCK MINING IMPACT	5
6	BOARD; MODIFYING PROVISIONS REGARDING THE TRANSFER OF FUNDS	6
7	FROM THE HARD-ROCK MINING IMPACT TRUST ACCOUNT TO COUNTIES;	7
8	AMENDING SECTIONS 90-6-305 AND 90-6-331, MCA; AND PROVIDING	8
9	AN IMMEDIATE EFFECTIVE DATE."	8
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11	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	10
12	Section 1. Section 90-6-305, MCA, is amended to read:	11
13	*90-6-305, Hard-rock mining impact board general	12
14	powers. (1) The board may:	13
15	(a) retain professional staff, including its	14
16	administrative staff, and retain consultants, and advisors	15
17	notwithstanding the provisions of 2-15-121;	16
18	(b) adopt rules governing its proceedings,	17
19	determinations, and administration of this part;	18
20	(c) award grants to local government units subject to	19
20	90-6-306;	20
21 22		
	(d) make payments to local government units from money	
23	paid to the hard-rock mining impact account as provided in	
24	90-6-307;	
25	(e) make determinations as provided in 90-6-307 <u>,</u>	
	A	

1	90-6-311, and 90-6-403(3); and
2	(f) accept grants and other funds to be used in
3	carrying out this part.
4	(2) The provisions of the Montana Administrative
5	Procedure Act apply to the proceedings and determinations of
6	the board."
7	Section 2. Section 90-6-331, MCA, is amended to read:
8	"90-6-331. Fund transfer. (1) On July 1, 1990, and on
9	prior to each duly October 1 thereafter, all funds remaining
10	money segregated by county in the hard-rock mining impact
11	trust account established in 90-6-304(2) after <u>as of</u> June-30
12	September 1 immediately preceding must be transferred to the
13	county for which the funds have been held in deposit. The
14	funds so transferred must be deposited in the county
15	hard-rock mine trust reserve account established in
15	7-6-2225.
17	(2) The transfer of funds required by this section is a
18	statutory appropriation pursuant to 17-7-502."
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- 19 NEW SECTION. Section 3. Effective date. [This act] is
- 20 effective on passage and approval.

-End-

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