



1 HOUSE BILL NO. 749  
2 INTRODUCED BY William Owen Brown Nancy Keller  
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.

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 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.

17 (2) The transfer of funds required by this section is a  
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-



STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0749, as introduced.

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

  
\_\_\_\_\_  
ROD SUNDSTED, BUDGET DIRECTOR                      DATE  
Office of Budget and Program Planning

2-14-91

  
\_\_\_\_\_  
ORVAL S. ELLISON, PRIMARY SPONSOR                      DATE

2-15-91

Fiscal Note for HB0749, as introduced.

HB 749

APPROVED BY COMM. ON NATURAL RESOURCES

1 HOUSE BILL NO. 749  
2 INTRODUCED BY Collins, Dave, Bean, Randy, Keller

3  
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17 (2) The transfer of funds required by this section is a  
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19 **NEW SECTION. Section 3.** Effective date. [This act] is  
20 effective on passage and approval.

-End-



SECOND READING

-2-

HB749

1 HOUSE BILL NO. 749  
 2 INTRODUCED BY Edleson, Dave, Dan, Carey, Keller  
 3

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INTRODUCED BY ELLISON, D. BROWN, RANEY, KELLER

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(d) make payments to local government units from money paid to the hard-rock mining impact account as provided in 90-6-307;

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

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

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

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

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

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