

1 *Senate* BILL NO. *152*
 2 INTRODUCED BY *Carl Graham*

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 4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING STATE
 5 AGENCIES TO UTILIZE COAL BY-PRODUCTS IN PUBLIC CONSTRUCTION
 6 WHERE FEASIBLE."

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

9 Section 1. Coal by-products defined. Coal by-products
 10 are materials such as fly ash which remain after mined coal
 11 has been utilized in an industrial process.

12 Section 2. Public construction to use coal by-products
 13 -- when. In any public works undertaken by an agency of the
 14 state, directly or by contract, the design specifications
 15 shall utilize coal by-products whenever such by-products are
 16 reasonably available and suited for a particular purpose in
 17 the construction.

18 Section 3. Enforcement by citizen suit. A citizen of
 19 the state may sue an agency of the state in district court
 20 to enjoin the letting of contracts or commencement of
 21 construction of any project wherein the design
 22 specifications violate section [2 of this act].

23 Section 4. Publicity to potential bidders. The
 24 department of administration shall, by rule, provide
 25 procedures by which state agencies shall adequately

1 publicize the requirements of this act to potential bidders.

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