

1 H BILL NO. 560
2 INTRODUCED BY Burnett

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE THE
5 DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION TO STUDY
6 COONEY DAM, THE DAM SPILLWAY, AND ASSOCIATED STRUCTURES AND
7 TO DEVELOP AND CARRY OUT A PROGRAM OF REPAIR AND FINANCING
8 AND TO RELIEVE THE ROCK CREEK WATER USERS' ASSOCIATION OF
9 RESPONSIBILITY FOR THE COST OF REPAIRS; AND PROVIDING AN
10 EFFECTIVE DATE."

11
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13 Section 1. Study of Cooney Dam. The department of
14 natural resources shall conduct a study of Cooney Dam, the
15 dam spillway, and associated structures. The study shall
16 take into account present-day societal concerns about dam
17 safety, all appropriate legal requirements, and modern
18 engineering knowledge and practice. The study shall
19 determine various repair programs and their cost so that
20 Cooney Dam and its spillway are structurally sound. The Rock
21 Creek water users' association shall be given a full
22 opportunity to participate in the study. The study shall be
23 completed by July 1, 1977.

24 Section 2. Cooney Dam repair program. (1) After
25 considering the alternative repair programs presented by the

1 study provided for in [section 1], the department of natural
2 resources and conservation shall develop a repair program
3 which will insure that Cooney Dam and the spillway are
4 structurally sound.

5 (2) The department shall then develop a program of
6 financing to be presented to the legislature no later than
7 1979. The financing plan shall take into account all
8 beneficiaries, except the Rock Creek water users'
9 association, of the Cooney Dam project, including the
10 fishermen and other recreationists using Cooney Reservoir,
11 those benefited by the flood control aspects of the project,
12 and the state of Montana. The department shall attempt to
13 secure federal financing of all or part of the repair
14 program.

15 Section 3. Costs of study. The department may not
16 assess the Rock Creek water users' association for the costs
17 of the study carried out under [section 1].

18 Section 4. Commencement of repairs. As soon as a
19 satisfactory program of spillway repair has been developed,
20 the department shall commence work on the repair program.

21 Section 5. Effective date. This act shall be effective
22 upon passage and approval.

-End-

STATE OF MONTANA

REQUEST NO. 289-77

FISCAL NOTE

Form BD-15

In compliance with a written request received February 4, 19 77, there is hereby submitted a Fiscal Note for House Bill 560 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

House Bill 560 requires the Department of Natural Resources to conduct a study of Cooney Dam to determine what repairs are necessary before July 1, 1977.

FISCAL IMPACT:

None. Included in the Department's FY 77 budget are funds to study Cooney Dam repairs.

NOTE: House Bill 496 appropriates \$1.9M for the repair of Cooney Dam, spillway, and associated structures.

Richard L. Fry
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: February 4, 1977

Judiciary

Objection Raised to
Adverse Committee Report

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HB 560

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13 ~~COSTS FOR THE REPAIRS NECESSARY, THE ROCK CREEK WATER USERS~~
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15 ~~FOR ALL OF THEIR PREVIOUS REPAIR EXPENDITURES.~~ The
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17 or part of the repair program. TO THE EXTENT FEDERAL
18 FINANCING IS UNAVAILABLE THE DEPARTMENT MAY ISSUE WATER
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April 4, 1977

SENATE
STANDING COMMITTEE REPORT
Agriculture, Livestock & Irrigation Committee

That House Bill No. 560, third reading, be amended as follows:

1. Amend page 1, section 1, line 23.

Following: "completed by"

Strike: "July"

Insert: "September"

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REFERENCE BILL

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