

1 *Senate* BILL NO. *381*  
 2 INTRODUCED BY *Richard Locke, Tom Dalsland, Marilyn*  
 3 *Arakawa, McCallum, E. Smith, Maden*

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO DELETE THE  
 5 CUMULATIVE DEFINITION OF LARGE OPENCUT MINING OPERATIONS;  
 6 AMENDING SECTION 50-1507, R.C.M. 1947."

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

9 Section 1. Section 50-1507, R.C.M. 1947, is amended to  
 10 read as follows:

11 "50-1507. Contract for reclamation required for large  
 12 ~~open-cut~~ opencut operations. From and after the effective  
 13 date of this act, no operator shall conduct ~~open-cut~~ opencut  
 14 mining operations which shall result in the removal of ten  
 15 thousand (10,000) cubic yards, or more, of product or  
 16 overburden, until he has entered into a contract with the  
 17 commission for the reclamation of the land affected. Any  
 18 ~~operator conducting a number of operations each of which~~  
 19 ~~result in the removal of less than ten thousand (10,000)~~  
 20 ~~cubic yards of product or overburden but which result in the~~  
 21 ~~removal of ten thousand (10,000) cubic yards, or more, of~~  
 22 ~~product or overburden in the aggregate shall be subject to~~  
 23 ~~the provisions of this act."~~

-End-

SB381

INTRODUCED BILL

Approved by Committee  
on Natural Resources

SENATE BILL NO. 381

INTRODUCED BY ETCHART, LOCKREM, KOLSTAD, MANLEY, GRAHAM,  
McCALLUM, E. SMITH, MATHERS

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cubic yards of product or overburden but which result in the  
removal of ten thousand (10,000) cubic yards, or more, of  
product or overburden in the aggregate shall be subject to  
the provisions of this act. THIS EXEMPTION FROM THE  
REQUIREMENT OF A CONTRACT SHALL BE ALLOWED ONLY ONCE FOR~~

SECOND READING

~~EACH MINERAL DEPOSIT. FOR THE PURPOSE OF THIS SECTION,  
DEPOSIT MEANS A SEPARATE AND DISTINCT NATURAL ACCUMULATION  
OF MINERAL."~~

-End-

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MCCALLUM, E. SMITH, MATHERS

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~~operator-conducting-a-number-of-operations--each--of--which~~  
~~result--in--the--removal--of--less--than--ten--thousand--(10,000)~~  
~~cubic-yards-of-product-or-overburden-but-which-result-in-the~~  
~~removal-of-ten-thousand-(10,000)-cubic-yards,--or--more,--of~~  
~~product--or--overburden-in-the-aggregate-shall-be-subject-to~~  
~~the-provisions-of-this-act.~~ IF LESS THAN 10,000 CUBIC YARDS  
ARE TO BE REMOVED, THE OPERATOR IS EXEMPT FROM THE

~~PROVISIONS OF THIS ACT. THIS EXEMPTION FROM THE REQUIREMENT~~  
~~OF A CONTRACT SHALL BE ALLOWED ONLY ONCE FOR EACH MINERAL~~  
~~DEPOSIT. FOR THE PURPOSE OF THIS SECTION, DEPOSIT MEANS A~~  
~~SEPARATE AND DISTINCT NATURAL ACCUMULATION OF MINERAL."~~

-End-

HOUSE OF REPRESENTATIVES

APRIL 7, 1977

Committee of the Whole Amendment to SENATE BILL NO. 381, third reading copy, as follows:

1. Amend page 2, section 1, line 3.

Following: "DEPOSIT"

Insert: ", and shall not be available for operations on public lands"

AS AMENDED BE  
CONCURRED IN

AMENDMENTS CONCURRED IN  
BILL FAILED TO PASS SECOND READING