

HOUSE BILL NO. 377

INTRODUCED BY NATHE

IN THE HOUSE

January 24, 1979	Introduced and referred to Committee on Natural Resources.
February 8, 1979	Committee recommend bill do pass as amended. Report adopted.
February 9, 1979	Printed and placed on members' desks.
February 10, 1979	Second reading, do pass.
February 12, 1979	Considered correctly engrossed.
February 13, 1979	Third reading, passed. Transmitted to second house.

IN THE SENATE

February 14, 1979	Introduced and referred to Committee on Agriculture, Livestock, and Irrigation.
March 1, 1979	Committee recommend bill be concurred in. Report adopted.
March 3, 1979	On motion taken from second reading and rereferred to Committee on Finance and Claims.  Second reading, pass consideration.
March 9, 1979	Committee recommend bill be concurred in as amended. Report adopted.
March 12, 1979	Second reading, concurred in.
March 15, 1979	Third reading, concurred in as amended.

IN THE HOUSE

March 16, 1979

Returned from second house.  
Concurred in as amended.

March 17, 1979

Second reading, amendments  
adopted.

March 19, 1979

Third reading, amendments  
adopted. Sent to enrolling.

Reported correctly enrolled.

1 HOUSE BILL NO. 377  
 2 INTRODUCED BY DENNIS NATHAN

3  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT DIRECTING THE  
 5 DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION TO DEVELOP  
 6 AND IMPLEMENT A MASTER PLAN FOR COMPLETING A STATEWIDE SOIL  
 7 SURVEY AND MAPPING PROGRAM AND PROVIDING FOR THE DISPOSITION  
 8 OF FUNDS THAT MAY BE APPROPRIATED FOR DEVELOPMENT OF THE  
 9 MASTER PLAN."

10  
 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 Section 1. Short title. [This act] may be cited as the  
 13 "Montana Soil Survey Act".

14 Section 2. Purpose. (1) The legislature finds that the  
 15 soils of the state of Montana are one of its most basic and  
 16 precious natural resources and that detailed knowledge of  
 17 soil capabilities and adaptability is essential for:

- 18 (a) making wise land use decisions;
- 19 (b) preparing plans for cities, towns, counties,  
 20 planning boards, farmers, foresters, industrial developers,  
 21 and residential developers;
- 22 (c) locating and designing buildings, highways,  
 23 reservoirs, and recreation areas; and
- 24 (d) protecting our forest, range, and agricultural  
 25 lands.

1 (2) Pursuant to these findings, it is the intention of  
 2 the legislature to accelerate the survey and mapping of the  
 3 state's soil resources, to set a goal of completing the soil  
 4 survey and mapping, and to appropriate funds to the  
 5 department of natural resources and conservation to develop  
 6 and implement the plan.

7 Section 3. Direction to state agencies. (1) The  
 8 department of natural resources and conservation shall  
 9 develop and implement a master plan for completing the soil  
 10 survey and mapping program in cooperation with the national  
 11 soil survey program.

12 (2) The master plan shall identify all projected local  
 13 participation, all funds available from state and federal  
 14 agencies, including planning grants, and any and all  
 15 additional equipment, personnel, facilities, supplies, maps  
 16 and such other material necessary to complete the soil  
 17 survey and mapping program.

18 (3) The master plan shall determine geographic areas  
 19 without modern soil survey information and shall establish  
 20 in cooperation with the national soil survey program  
 21 priorities for completing soil surveys based upon the needs  
 22 of the geographic areas.

23 (4) The department of natural resources and  
 24 conservation shall implement the master plan for completing  
 25 the soil survey and mapping program and shall report

1 annually on its progress to the governor and legislature not  
2 later than January 1 of each year, beginning in 1981.

3 Section 4. Creation of soil survey advisory council.

4 (1) There is created a soil survey advisory council, to  
5 assist and cooperate with the department of natural  
6 resources and conservation in the formulation and  
7 implementation of the master plan for completing the soil  
8 survey and mapping program.

9 (2) The soil survey advisory council shall consist of  
10 the director or designated representative of the following  
11 departments of the state: administration, agriculture,  
12 education, fish and game, health and environmental sciences,  
13 highways, community affairs, state lands, natural resources  
14 and conservation, and revenue. A member of the faculty of  
15 the university of Montana school of forestry and a member of  
16 the Montana association of conservation districts shall also  
17 be members of the soil survey advisory council.

18 (3) The soil survey advisory council shall, at its  
19 first meeting, invite participation, assistance, and  
20 cooperation from the following organizations and departments  
21 of the federal government: Montana state agricultural  
22 experimental station, Montana agriculture extension  
23 services, United States forest service, United States soil  
24 conservation service, and United States bureau of land  
25 management. Additionally, at its first meeting, the soil

1 survey advisory council shall invite participation,  
2 assistance, and cooperation from landowners of the state.

3 (4) The director of the department of natural  
4 resources and conservation shall serve as chairman of the  
5 soil survey advisory committee.

6 (5) The soil survey advisory committee shall meet at  
7 least once a year.

8 Section 5. Professional and technical assistance. The  
9 department of natural resources and conservation may use and  
10 employ such professional, technical, and legal counsel and  
11 assistance as it determines necessary to develop and  
12 implement a master plan and complete the soil survey and  
13 mapping program in Montana.

14 Section 6. Completion of master plan. In addition to  
15 the other duties and responsibilities conferred by [this  
16 act], the department of natural resources and conservation  
17 shall administer and accomplish the soil survey and mapping  
18 program, in accordance with the master plan and in  
19 cooperation with the national soil survey administered by  
20 the soil conservation service of the United States  
21 department of agriculture.

22 Section 7. Funding. (1) All funds appropriated by the  
23 legislature to accomplish the purposes of [this act] shall  
24 be used first to develop a master plan for completing the  
25 soil survey and mapping program in Montana.

1           (2) Upon completion of the master plan, all funds then  
2 appropriated shall be used for the purpose of accelerating  
3 the completion of soil surveys.

4           Section 8. Severability. If a part of this act is  
5 invalid, all valid parts that are severable from the invalid  
6 part remain in effect. If a part of this act is invalid in  
7 one or more of its applications, the part remains in effect  
8 in all valid applications that are severable from the  
9 invalid applications.

-End-

## STATE OF MONTANA

REQUEST NO. 177-79

## FISCAL NOTE

Form BD-15

In compliance with a written request received January 29, 1979, there is hereby submitted a Fiscal Note for House Bill 377 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 377 directs the DNRC to develop and implement a master plan for completing a statewide soil survey and mapping program.

Assumptions:

- 1 - The State will cooperate, not compete, with the current National Soil Survey Program.
- 2 - The DNRC will develop the master plan during the 1980-81 biennium. Implementation of the plan would occur after that period. Fiscal analysis is confined to developing the master plan. Implementation costs would be detailed in the master plan.

Fiscal Impact:

	<u>FY 80</u>	<u>FY 81</u>
Personal Services	\$ 17,302	\$ 18,322
Operating Expenses	5,750	7,750
Capital Outlay	<u>1,500</u>	<u>-0-</u>
Total	<u>\$ 24,552</u>	<u>\$ 26,072</u>

The additional cost must be funded from the State General Fund.

Local Impact:

No impact is anticipated for the 1980-81 biennium. Any impact after that would be voluntary and would be included in the master plan.

*Richard L. Drang*

BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2/2/79

Approved by Committee  
on Natural Resources

HOUSE BILL NO. 377

INTRODUCED BY NATHE

A BILL FOR AN ACT ENTITLED: "AN ACT DIRECTING THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION TO DEVELOP AND IMPLEMENT A MASTER PLAN FOR COMPLETING A STATEWIDE SOIL SURVEY AND MAPPING PROGRAM AND PROVIDING FOR THE DISPOSITION OF FUNDS THAT MAY BE APPROPRIATED FOR DEVELOPMENT OF THE MASTER PLAN."

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

Section 1. Short title. [This act] may be cited as the "Montana Soil Survey Act".

Section 2. Purpose. (1) The legislature finds that the soils of the state of Montana are one of its most basic and precious natural resources and that detailed knowledge of soil capabilities and adaptability is essential for:

- (a) making wise land use decisions;
- (b) preparing plans for cities, towns, counties, planning boards, farmers, foresters, industrial developers, and residential developers;
- (c) locating and designing buildings, highways, reservoirs, and recreation areas; and
- (d) protecting our forest, range, and agricultural lands.

(2) Pursuant to these findings, it is the intention of the legislature to accelerate the survey and mapping of the state's soil resources, to set a goal of completing the soil survey and mapping, and to appropriate funds to the department of natural resources and conservation to develop and implement the plan.

Section 3. Direction to state agencies. (1) The department of natural resources and conservation shall develop and implement a master plan for completing the soil survey and mapping program in cooperation with ~~AND ACCORDING TO THE STANDARDS SET FORTH BY~~ the national COOPERATIVE soil survey program ~~AND THE MONTANA STATE AGRICULTURAL EXPERIMENT STATION.~~

(2) The master plan shall identify all projected local participation, all funds available from state and federal agencies, including planning grants, and any and all additional equipment, personnel, facilities, supplies, maps and such other material necessary to complete the soil survey and mapping program.

(3) The master plan shall determine geographic areas without modern soil survey information and shall establish in cooperation with the national COOPERATIVE soil survey program priorities for completing soil surveys based upon the needs of the geographic areas.

(4) The department of natural resources and

1 conservation shall implement the master plan for completing  
2 the soil survey and mapping program and shall report  
3 annually on its progress to the governor and legislature not  
4 later than January 1 of each year, beginning in 1981.

5 Section 4. Creation of soil survey advisory council.

6 (1) ~~There is created a soil survey advisory council to~~  
7 ~~assist and cooperate with the department of natural~~  
8 ~~resources and conservation in the formulation and~~  
9 ~~implementation of the master plan for completing the soil~~  
10 ~~survey and mapping program.~~

11 (2) ~~The soil survey advisory council shall consist of~~  
12 ~~the director or designated representative of the following~~  
13 ~~departments of the state: administration, agriculture,~~  
14 ~~education, fish and game, health and environmental sciences,~~  
15 ~~highways, community affairs, state lands, natural resources~~  
16 ~~and conservation, and revenues. A member of the faculty of~~  
17 ~~the university of Montana, school of forestry, and a member of~~  
18 ~~the Montana association of conservation districts shall also~~  
19 ~~be members of the soil survey advisory council.~~

20 (3) ~~The soil survey advisory council shall, at its~~  
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12 OR WHO COULD CONTRIBUTE EXPERTISE FOR THE SOIL SURVEYS AND  
13 THE MAPPING PROGRAM.

14 (4) (2) The director of the department of natural  
15 resources and conservation shall serve as chairman of the  
16 soil survey advisory committee COUNCIL.

17 (5) (3) The soil survey advisory committee COUNCIL  
18 shall meet at least once a year.

19 Section 5. Professional and technical assistance. The  
20 department of natural resources and conservation, WITH THE  
21 ADVICE AND RECOMMENDATIONS OF THE ADVISORY COUNCIL, may use  
22 and employ such professional, technical, and legal counsel  
23 and assistance as it determines necessary to develop and  
24 implement a master plan and ~~complete~~ TO ACCELERATE THE  
25 COMPLETION OF the NATIONAL COOPERATIVE soil survey and



1 mapping program in Montana.

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3 ~~the other duties and responsibilities conferred by [this~~  
4 ~~act]--the department of natural resources and conservation~~  
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9 ~~department of agriculture.~~

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11 legislature to accomplish the purposes of [this act] ~~AND~~  
12 ~~THOSE FUNDS IDENTIFIED IN SECTION 3, SUBSECTION (2)]~~ shall  
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25 (4) The department of natural resources and

1 conservation shall implement ~~OVERSEE~~ the master plan for  
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 24 invalid applications.

-End-

SENATE STANDING COMMITTEE REPORT - Finance and Claims

That House Bill No. 377 be amended as follows:

1. Title, line 6.

Strike: "MASTER"

2. Title, line 8.

Strike: "THAT MAY BE APPROPRIATED"

3. Title, line 9.

Following: line 8

Strike: "MASTER"

Insert: "SOIL SURVEY"

4. Page 2, lines 4 through 6.

Following: "mapping"

Insert: "program."

Strike: remainder of lines 4 through 6 in their entirety

5. Page 2, line 9.

Following: "develop"

Strike: "and implement a master"

Insert: "a"

6. Page 2, line 14.

Following: "The"

Strike: "master"

Insert: "soil survey"

7. Page 2, line 20.

Following: "The"

Strike: "master"

Insert: "soil survey"

8. Page 3, line 1.

Following: "shall"

Strike: "implement"

Insert: "oversee"

Strike: "master"

9. Page 4, line 8.

Following: line 7

Strike: "IMPLEMENTATION"

Insert: "OVERSIGHT"

Strike: "MASTER"

10. Page 4, line 22.

Strike: "and employ"

11. Page 4, line 24.

Following: "a"

Strike: "master"

Insert: "soil survey"

12. Page 5.

Strike: Section 6 in its entirety

Re-number: subsequent section