

HOUSE BILL 773

IN THE HOUSE

February 13, 1979 Introduced and referred to
 Committee on Natural Resources.

 Rereferred to Committee on Business
 and Industry.

February 19, 1979 Intent statement attached.

 Committee recommend bill, do
 pass.

February 20, 1979 Printed and placed on members'
 desks.

February 21, 1979 Second reading, do pass.

 On motion taken from engrossing
 and referred to Committee on
 Appropriations.

March 24, 1979 Committee recommend bill, as
 amended.

March 26, 1979 Printed and placed on members'
 desks.

 Second reading, do pass.

March 27, 1979 Considered correctly engrossed.

 Third reading, passed.

IN THE SENATE

March 27, 1979 Introduced and referred to
 Committee on Finance & Claims.

April 9, 1979 Committee recommend bill, not
 concurred.

IN THE HOUSE

April 9, 1979 Returned from Senate, not
 concurred.

House BILL NO. *773*

INTRODUCED BY *Sen. J. Sullivan, Mark White, Anderson, Strigamiller, Bennett, Peter Keedy*

A BILL FOR AN ACT ENTITLED: "AN ACT TO CREATE A PILOT GRANT COST-SHARING PROGRAM ON FLATHEAD LAKE FOR MARINA OPERATORS TO INSTALL FACILITIES FOR THE PROPER DISPOSAL OF HUMAN WASTES FROM BOAT HOLDING TANKS AND TO PROVIDE AN APPROPRIATION."

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

Section 1. Pilot grant program. There is established a pilot grant program for private marina owners on Flathead Lake to defray up to 50% of the cost of installation of facilities for disposal of wastes from boat holding tanks. All installations must be approved by the appropriate county sanitarian and operated according to state and county sanitary standards. No single grant may exceed an amount greater than \$2,000 per disposal facility.

Section 2. Operation and maintenance. The operation and maintenance of marina waste disposal facilities funded by [this act] are the sole responsibility of the private marina owners and not that of the department of fish and game.

Section 3. Rulemaking authority. The fish and game commission shall make rules for the fair and equitable

allocation of the funds appropriated under [this act] on a reimbursable 50% cost-share ratio with private marina operators on Flathead Lake.

Section 4. Administration -- legislative report. The parks division of the department of fish and game shall administer this grant program and make a report to the 47th legislature concerning the dissemination of the funds appropriated. The report must also contain recommendations concerning the future applicability of this program, including funding levels and sources.

Section 5. Appropriation. There is appropriated from the resource indemnity trust fund account authorized under Title 15, chapter 38, the sum of \$8,750 to the department of fish and game for the purpose of implementing [this act].

-End-

-2- *HB 773*
INTRODUCED BILL

STATE OF MONTANA

Request No. 376-79

FISCAL NOTE

Form BD-15

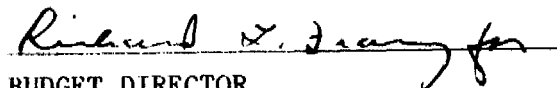
In compliance with a written request received February 15, 1979, there is hereby submitted a Fiscal Note for House Bill 773 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly. Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

House Bill 773 is proposed legislation to create a pilot grant cost-sharing program on Flathead Lake for marina operators to install facilities for proper disposal of human wastes from boat holding tanks.

FISCAL IMPACT:

House Bill 773 appropriates \$8,750 to the Department of Fish and Game from the Resource Indemnity Trust Fund Account for a pilot grant cost-sharing program for marina operators.


BUDGET DIRECTOR
Office of Budget and Program Planning
Date: 2/20/79

1 STATEMENT OF INTENT RE: HB 773

2
3
4 A statement of intent is required for House Bill No.
5 773 in that it delegates rulemaking authority to the Fish
6 and Game Commission in Section 3.

7 1. Section 3, of House Bill 773 delegates to the Fish
8 and Game Commission the authority to promulgate rules for
9 the fair and equitable allocation of the funds appropriated
10 under this act. The Fish and Game Commission shall have the
11 authority to make rules relating to a private marina owner's
12 application for funds to be distributed under the pilot
13 cost-sharing program. The Fish and Game Commission shall
14 consider, but not be limited to, the following factors when
15 promulgating rules relating to the allocation of the funds
16 appropriated under this program:

17 A. the size of the applicant's marina;

18 B. the hours the applicant's marina is open to the
19 public;

20 C. the availability of the applicant's marina to the
21 public; and

22 D. the degree of use the applicant's marina receives
23 by the public.

24 2. All rules and decisions made by the Fish and Game
25 Commission under this act are subject to the Montana

1 Administrative Procedure Act.

2 First adopted by the HOUSE COMMITTEE ON BUSINESS AND

3 INDUSTRY on February 19, 1979.

Approved by Committee
on Business and Industry

HOUSE BILL NO. 773

INTRODUCED BY SEIFERT, ELLISON, MARKS, UHDE, ANDERSON,
STAIGMILLER, BURNETT, PORTER, KEEDY

A BILL FOR AN ACT ENTITLED: "AN ACT TO CREATE A PILOT GRANT
COST-SHARING PROGRAM ON-FLEATHED-LAKE FOR MARINA OPERATORS
TO INSTALL FACILITIES FOR THE PROPER DISPOSAL OF HUMAN
WASTES FROM BOAT HOLDING TANKS AND TO PROVIDE AN
APPROPRIATION."

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

Section 1. Pilot grant program. There is established a
pilot grant program for private marina owners on-Flethead
Lake to defray up to 50% of the cost of installation of
facilities for disposal of wastes from boat holding tanks.
All installations must be approved by the appropriate county
sanitarian and operated according to state and county
sanitary standards. No single grant may exceed an amount
greater than \$2,000 per disposal facility.

Section 2. Operation and maintenance. The operation
and maintenance of marina waste disposal facilities funded
by [this act] are the sole responsibility of the private
marina owners and not that of the department of fish and
game.

Section 3. Rulemaking authority. The fish and game

commission shall make rules for the fair and equitable
allocation of the funds appropriated under [this act] on a
reimbursable 50% cost-share ratio with private marina
operators-on-Flethead-Lake.

Section 4. Administration -- legislative report. The
parks division of the department of fish and game shall
administer this grant program and make a report to the 47th
legislature concerning the dissemination of the funds
appropriated. The report must also contain recommendations
concerning the future applicability of this program,
including funding levels and sources.

Section 5. Appropriation. There is appropriated from
the resource indemnity trust fund account authorized under
Title 15, chapter 38, the sum of \$8,750 to the department of
fish and game for the purpose of implementing [this act].

-End-

1 Administrative Procedure Act.
2 First adopted by the HOUSE COMMITTEE ON BUSINESS AND
3 INDUSTRY on February 19, 1979.

1 STATEMENT OF INTENT RE: HB 773
2
3

4 A statement of intent is required for House Bill No.
5 773 in that it delegates rulemaking authority to the Fish
6 and Game Commission in Section 3.

7 1. Section 3, of House Bill 773 delegates to the Fish
8 and Game Commission the authority to promulgate rules for
9 the fair and equitable allocation of the funds appropriated
10 under this act. The Fish and Game Commission shall have the
11 authority to make rules relating to a private marina owner's
12 application for funds to be distributed under the pilot
13 cost-sharing program. The Fish and Game Commission shall
14 consider, but not be limited to, the following factors when
15 promulgating rules relating to the allocation of the funds
16 appropriated under this program:

17 A. the size of the applicant's marina;

18 B. the hours the applicant's marina is open to the
19 public;

20 C. the availability of the applicant's marina to the
21 public; and

22 D. the degree of use the applicant's marina receives
23 by the public.

24 2. All rules and decisions made by the Fish and Game
25 Commission under this act are subject to the Montana

HB 773

HOUSE BILL NO. 773

INTRODUCED BY SEIFERT, ELLISON, MARKS, UHDE, ANDERSON,
STAIGMILLER, BURNETT, PORTER, KEEDY

A BILL FOR AN ACT ENTITLED: "AN ACT TO CREATE A PILOT GRANT
COST-SHARING PROGRAM ON FLATHEAD LAKE FOR MARINA OPERATORS
TO INSTALL FACILITIES FOR THE PROPER DISPOSAL OF HUMAN
WASTES FROM BOAT HOLDING TANKS AND TO PROVIDE AN
APPROPRIATION."

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

Section 1. Pilot grant program. There is established a
pilot grant program for private marina owners on Flathead
Lake to defray up to 50% of the cost of installation of
facilities for disposal of wastes from boat holding tanks.
All installations must be approved by the appropriate county
sanitarian and operated according to state and county
sanitary standards. No single grant may exceed an amount
greater than \$2,000 per disposal facility.

Section 2. Operation and maintenance. The operation
and maintenance of marina waste disposal facilities funded
by [this act] are the sole responsibility of the private
marina owners and not that of the department of fish and
game.

Section 3. Rulemaking authority. The fish and game

commission shall make rules for the fair and equitable
allocation of the funds appropriated under [this act] on a
reimbursable 50% cost-share ratio with private marina
operators on Flathead Lake.

Section 4. Administration -- legislative report. The
parks division of the department of fish and game shall
administer this grant program and make a report to the 47th
legislature concerning the dissemination of the funds
appropriated. The report must also contain recommendations
concerning the future applicability of this program,
including funding levels and sources.

Section 5. Appropriation. There is appropriated from
the resource indemnity trust fund account authorized under
Title 15, chapter 38, the sum of \$8,750 to the department of
fish and game for the purpose of implementing [this act].

-End-

1 STATEMENT OF INTENT RE: HB 773

2
3
4 A statement of intent is required for House Bill No.
5 773 in that it delegates rulemaking authority to the Fish
6 and Game Commission in Section 3.

7 1. Section 3, of House Bill 773 delegates to the Fish
8 and Game Commission the authority to promulgate rules for
9 the fair and equitable allocation of the funds appropriated
10 under this act. The Fish and Game Commission shall have the
11 authority to make rules relating to a private marina owner's
12 application for funds to be distributed under the pilot
13 cost-sharing program. The Fish and Game Commission shall
14 consider, but not be limited to, the following factors when
15 promulgating rules relating to the allocation of the funds
16 appropriated under this program:

17 A. the size of the applicant's marina;

18 B. the hours the applicant's marina is open to the
19 public;

20 C. the availability of the applicant's marina to the
21 public; and

22 D. the degree of use the applicant's marina receives
23 by the public.

24 2. All rules and decisions made by the Fish and Game
25 Commission under this act are subject to the Montana

1 Administrative Procedure Act.

2 First adopted by the HOUSE COMMITTEE ON BUSINESS AND
3 INDUSTRY on February 19, 1979.

HOUSE BILL NO. 773

INTRODUCED BY SEIFERT, ELLISON, MARKS, UHDE, ANDERSON,

STAIGMILLER, BURNETT, PORTER, KEEDY

A BILL FOR AN ACT ENTITLED: "AN ACT TO CREATE A PILOT GRANT COST-SHARING PROGRAM ON-FLEATHEAD-LAKE FOR MARINA OPERATORS TO INSTALL FACILITIES FOR THE PROPER DISPOSAL OF HUMAN WASTES FROM BOAT HOLDING TANKS AND TO PROVIDE AN APPROPRIATION."

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

Section 1. Pilot grant program. There is established a pilot grant program for private marina owners on-fleathead lake to defray up to 50% of the cost of installation of facilities for disposal of wastes from boat holding tanks. All installations must be approved by the appropriate county sanitarian and operated according to state and county sanitary standards. No single grant may exceed an amount greater than \$2,000 per disposal facility.

Section 2. Operation and maintenance. The operation and maintenance of marina waste disposal facilities funded by [this act] are the sole responsibility of the private marina owners and not that of the department of fish and game.

Section 3. Rulemaking authority. The fish and game

commission shall make rules for the fair and equitable allocation of the funds appropriated under [this act] on a reimbursable 50% cost-share ratio with private marina operators-on-fleathead-lake.

Section 4. Administration -- legislative report. The parks division of the department of fish and game shall administer this grant program and make a report to the 47th legislature concerning the dissemination of the funds appropriated. The report must also contain recommendations concerning the future applicability of this program, including funding levels and sources.

Section 5. Appropriation. There is appropriated from the resource indemnity trust fund account authorized under Title 15, chapter 38, the sum of \$8,750 to the department of fish and game for the purpose of implementing [this act].

-End-

HB 773

SECOND PRINTING

-2- THIRD READING HB 773