HOUSE BILL 773

IN THE HOUSE

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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.
II	N THE	SENATE
March 27, 1979		Introduced and referred to Committee on Finance & Claims.
April 9, 1979		Committee recommend bill, not concurred.
II	N THE	HOUSE
April 9, 1979		Returned from Senate, not concurred.

LC 1782/01

L BILL NO. <u>773</u> 1 marter uhle Anorson INTRODUCED BY 2 ٦ A BILL FOR AN ACT ENTITLED: "AN ACT TO CREATE A PILOT GRANT 4 5 COST-SHARING PROGRAM ON FLATHEAD LAKE FOR MARINA OPERATORS TO INSTALL FACILITIES FOR THE PROPER DISPOSAL OF HUMAN 6 7 WASTES FROM BOAT HOLDING TANKS AND TO PROVIDE AN APPROPRIATION.= н

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

11 Section 1. Pilot grant program. There is established a pilot grant program for private marina owners on Flathead 12 13 Lake to defray up to 50% of the cost of installation of facilities for disposal of wastes from boat holding tanks. 14 All installations must be approved by the appropriate county 15 sanitarian and operated according to state and county 16 sanitary standards. No single grant may exceed an amount 17 េះ greater than \$2,000 per disposal facility.

19 Section 2. Operation and maintenance. The operation 20 and maintenance of marina waste disposal facilities funded 21 by [this act] are the sole responsibility of the private 22 marina owners and not that of the department of fish and 23 game.

24 Section 3. Rulemaking authority. The fish and game 25 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.

4 Section 4. Administration -- legislative report. The 5 parks division of the department of fish and game shall 6 administer this grant program and make a report to the 47th 7 legislature concerning the dissemination of the funds 8 appropriated. The report must also contain recommendations 9 concerning the future applicability of this program. 10 including funding levels and sources.

- 11Section 5. Appropriation. There is appropriated from12the resource indemnity trust fund account authorized under
- 13 Title 15, chapter 38, the sum of \$8,750 to the department of
- 14 fish and game for the purpose of implementing [this act].
 -End-

-2- HB 773 INTRODUCED BILL

STATE OF MONTANA

FISCAL NOTE

Request No. 376-79

Form BD-15

In compliance with a written request received <u>February 15, 1979</u>, there is hereby submitted a Fiscal Note for <u>House Bill 773</u> 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.

Richard X. J.a.

BUDGET DIRECTOR / Office of Budget and Program Planning Date: +/10/19

1	STATEMENT OF INTENT RE: HB 773
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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.

-- HE 773

46th Legislature

HB 0773/03

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Approved by Committee on <u>Business and Industry</u>

1	HOUSE BILL NO. 773
2	INTRODUCED BY SEIFERT, ELLISON, MARKS, UHDE, ANDERSON,
3	STAIGHILLER, BURNETT, PORTER, KEEDY
4	
5	A BILL FOR AN ACT ENTITLED: "AN ACT TO CREATE A PILOT GRANT
6	COST-SHARING PROGRAM ON-FEATHEAD-EAKE FOR MARINA OPERATORS
7	TO INSTALL FACILITIES FOR THE PROPER DISPOSAL OF HUMAN
8	WASTES FROM BOAT HOLDING TANKS AND TO PROVIDE AN
9	APPROPRIATION."
10	
11	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
12	Section 1. Pilot grant program. There is established a
13	pilot grant program for private marina owners on-Fłothead

14 Eake to defray up to 50% of the cost of installation of 15 facilities for disposal of wastes from boat holding tanks. 16 All installations must be approved by the appropriate county 17 sanitarian and operated according to state and county 18 sanitary standards. No single grant may exceed an amount 19 greater than \$2,000 per disposal facility.

20 Section 2. Operation and maintenance. The operation 21 and maintenance of marina waste disposal facilities funded 22 by [this act] are the sole responsibility of the private 23 marina owners and not that of the department of fish and 24 game.

25 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-take.

5 Section 4. Administration -- legislative report. The 6 parks division of the department of fish and game shall 7 administer this grant program and make a report to the 47th 8 legislature concerning the dissemination of the funds 9 appropriated. The report must also contain recommendations 10 concerning the future applicability of this program. 11 including funding levels and sources.

12 Section 5. Appropriation. There is appropriated from

- 13 the resource indemnity trust fund account authorized under
- 14 Title 15, chapter 38, the sum of \$8,750 to the department of
- 15 fish and game for the purpose of implementing [this act].

-End-

-2-SECOND READINGHB 773

1 Administrative Procedure Act.

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

STATEMENT OF INTENT RE: HB 773

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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.

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

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

18 8. 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 receives23 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

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HB 173

46th Legislature

HB 0773/02

7 TO INSTALL FACILITIES FOR THE PROPER DISPOSAL OF HUMAN 8 WASTES FROM BOAT HOLDING TANKS AND TO PROVIDE AN 9 APPROPRIATION."

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

Section 1. Pilot grant program. There is established a 12 pilot grant program for private marina owners on Flathead 13 Lake to defrav up to 50% of the cost of installation of 14 facilities for disposal of wastes from boat holding tanks. 15 16 All installations must be approved by the appropriate county sanitarian and operated according to state and county 17 sanitary standards. No single grant may exceed an amount 18 greater than \$2,000 per disposal facility. 19

20 Section 2. Operation and maintenance. The operation 21 and maintenance of marina waste disposal facilities funded 22 by [this act] are the sole responsibility of the private 23 marina owners and not that of the department of fish and 24 game.

25 Section 3. Rulemaking authority. The fish and game

HB 0773/02

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.

5 Section 4. Administration -- legislative report. The 6 parks division of the department of fish and game shall 7 administer this grant program and make a report to the 47th 8 legislature concerning the dissemination of the funds 9 appropriated. The report must also contain recommendations 10 concerning the future applicability of this program-11 including funding levels and sources.

12 Section 5. Appropriation. There is appropriated from 13 the resource indemnity trust fund account authorized under 14 Title 15, chapter 38, the sum of \$8,750 to the department of 15 fish and game for the purpose of implementing [this act].

-End-

-2- нв 773 THIRD READING

STATEMENT OF INTENT RE: HB 773 L 2 3 A statement of intent is required for House Bill No. 4 773 in that it delegates rulemaking authority to the Fish 5 and Game Commission in Section 3. 6 1. Section 3. of House Bill 773 delegates to the Fish 7 and Game Commission the authority to promulgate rules for 8 the fair and equitable allocation of the funds appropriated 9 under this act. The Fish and Game Commission shall have the 10 11 authority to make rules relating to a private marina owner's 12 application for funds to be distributed under the pilot cost-sharing program. The Fish and Game Commission shall 13 consider, but not be limited to, the following factors when 14 promulgating rules relating to the allocation of the funds 15 appropriated under this program: 16 A. the size of the applicant's marina; 17 B. the hours the applicant's marina is open to the 18 19 public; C. the availability of the applicant's marina to the 20 21 public; and D. the degree of use the applicant's marina receives 22 23 by the public. 2. All rules and decisions made by the Fish and Game 24 25 Commission under this act are subject to the Montana

1 Administrative Procedure Act.

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

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HB773 THIRD READING

46th Legislature

HB 0773/03

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HOUSE BILL NO. 773 1 2 INTRODUCED BY SEIFERT, ELLISON, MARKS, UHDE, ANDERSON, 3 STAIGHILLER, BURNETT, PORTER, KEEDY 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CREATE A PILOT GRANT 5 6 COST-SHARING PROGRAM ON-FEATHEAD-LAKE FOR MARINA OPERATORS 7 TO INSTALL FACILITIES FOR THE PROPER DISPOSAL OF HUMAN WASTES FROM BOAT HOLDING TANKS AND TO PROVIDE AN 8 9 APPROPRIATION."

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25 Section 3. Rulemaking authority. The fish and game

HB 0773/03

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
 oparators-on-fisthead-toke.

5 Section 4. Administration -- legislative report. The 6 parks division of the department of fish and game shall 7 administer this grant program and make a report to the 47th 8 legislature concerning the dissemination of the funds 9 appropriated. The report must also contain recommendations 10 concerning the future applicability of this program, 11 including funding levels and sources. 12 Section 5. Appropriation. There is appropriated from 13 the resource indemnity trust fund account authorized under

14 Title 15+ chapter 38+ the sum of \$8+750 to the department of

15 fish and game for the purpose of implementing [this act].

-End-

HB 773 SECOND PRINTING -2- THIRD READING HB 773