

SENATE BILL NO. 62

INTRODUCED BY MAZUREK

BY REQUEST OF THE DEPARTMENT OF STATE LANDS

IN THE SENATE

January 5, 1981	Introduced and referred to Committee on State Administration.
January 6, 1981	Fiscal note requested.
January 8, 1981	Fiscal note returned.
January 13, 1981	Committee recommend bill do pass. Report adopted.
January 14, 1981	Bill printed and placed on members' desks.
January 15, 1981	Second reading, do pass.
January 16, 1981	Considered correctly engrossed.
January 17, 1981	Third reading, passed. Transmitted to House.

IN THE HOUSE

January 19, 1981	Introduced and referred to Committee on Natural Resources.
January 30, 1981	Committee recommend bill be concurred in. Report adopted.
February 5, 1981	Second reading, pass consideration until the 46th legislative day, March 2nd.
March 2, 1981	Second reading, concurred in.
March 4, 1981	Third reading, concurred in. Yeas, 94; Nays, 5.

IN THE SENATE

March 5, 1981

Returned from House. Con-  
curred in. Sent to enrolling.

Reported correctly enrolled.

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 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT FINES,  
 6 FEES, AND PENALTIES PAID TO THE DEPARTMENT OF STATE LANDS  
 7 UNDER THE STRIP AND UNDERGROUND MINE SITING ACT, AND THE  
 8 STRIP AND UNDERGROUND MINE RECLAMATION ACT ARE CREDITED TO  
 9 THE GENERAL FUND; AMENDING SECTIONS 82-4-113, 82-4-240, AND  
 10 82-4-241, MCA."

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

13        Section 1. Section 82-4-113, MCA, is amended to read:  
 14        "82-4-113. Receipts paid into special fund -- use of  
 15 fund. ~~\*\*\* Except for bond forfeiture moneys, all fees,~~  
 16 ~~forfeit funds penalties,~~ and other moneys available or paid  
 17 to the department under the provisions of this part shall be  
 18 placed in the state treasury and credited to ~~a special~~  
 19 ~~agency account to be designated as the mining and~~  
 20 ~~reclamation funds. This fund shall be available to the~~  
 21 ~~department by appropriation and shall be expended for the~~  
 22 ~~administration and enforcement of this part and for the~~  
 23 ~~reclamation and revegetation of land and the rehabilitation~~  
 24 ~~of water affected by any mining operations. Any~~  
 25 ~~unencumbered and any unexpended balance of this fund~~

1 ~~remaining at the end of any fiscal year shall not lapse but~~  
 2 ~~shall be carried forward for the purposes of this part until~~  
 3 ~~expended or until appropriated by subsequent legislative~~  
 4 ~~action the general fund."~~

5        Section 2. Section 82-4-240, MCA, is amended to read:  
 6        "82-4-240. Reclamation of lands after bond forfeited.  
 7 In keeping with the provisions of this part, the board may  
 8 reclaim any affected lands with respect to which a bond has  
 9 been forfeited ~~and use moneys appropriated from the mining~~  
 10 ~~and reclamation fund for such purposes."~~

11        Section 3. Section 82-4-241, MCA, is amended to read:  
 12        "82-4-241. Receipts paid into special fund -- use of  
 13 fund. ~~\*\*\* Except for bond forfeiture moneys, all fees,~~  
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LC 0246/01

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-End-

STATE OF MONTANA

REQUEST NO. 21-81

FISCAL NOTE

Form BD-15

In compliance with a written request received January 7, 19 81, there is hereby submitted a Fiscal Note for Senate Bill 62 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

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:

An act to provide that fines, fees, and penalties paid to the Department of State Lands under the Strip and Underground Mine Siting Act, and the Strip and Underground Mine Reclamation Act are credited to the general fund.

COMMENTS:

The passage of this legislation would have no effect on revenue or expenditures. The legislation would only require that any revenue collected under the Strip and Underground Mine Siting Act and the Strip and Underground Mine Reclamation Act be placed in the General Fund rather than an Earmarked Revenue Account.

Appropriation for the operations of the Acts would be made from the general fund.

*Lytle Manley, for*  
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1/8/81

Approved by Committee  
on State Administration

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6        "82-4-240. Reclamation of lands after bond forfeited.  
7        In keeping with the provisions of this part, the board may  
8        reclaim any affected lands with respect to which a bond has  
9        been forfeited ~~and use moneys appropriated from the mining~~  
10       ~~and reclamation fund for such purposes."~~

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LC 0246/01

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 22    ~~administration--and--enforcement--of--this--part--and--for--the~~  
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LC 0246/01

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SB 0062/02

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