HOUSE BILL NO. 308

INTRODUCED BY MILES, GILBERT, DRISCOLL, BLAYLOCK, DEVLIN, E. SMITH, D. BROWN, SPAETH, HARPER

IN THE HOUSE

	IN THE HOUSE
JANUARY 20, 1987	INTRODUCED AND REFERRED TO COMMITTEE ON NATURAL RESOURCES.
FEBRUARY 3, 1987	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
	PRINTING REPORT.
FEBRUARY 4, 1987	SECOND READING, DO PASS.
FEBRUARY 5, 1987	ENGROSSING REPORT.
	THIRD READING, PASSED. AYÉS, 97; NOES, 0.
	TRANSMITTED TO SENATE.
	IN THE SENATE
FEBRUARY 10, 1987	INTRODUCED AND REFERRED TO COMMITTEE ON NATURAL RESOURCES.
MARCH 7, 1987	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.

RETURNED TO HOUSE.

AYES, 50; NOES, 0.

SECOND READING, CONCURRED IN.

THIRD READING, CONCURRED IN.

IN THE HOUSE

MARCH 14, 1987 RECEIVED FROM SENATE.

MARCH 12, 1987

MARCH 14, 1987

SENT TO ENROLLING.

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I	House BILL NO. 301
2	INTRODUCED BY Tiles Fullet mill Dayloc
3	Seven E. Smith One Bran Sparth for the
4	A BILL FOR AN ACT ENTITLED: "AN ACT TO EXEMPT FACILITIES
5	CERTIFIED UNDER THE MONTANA MAJOR FACILITY SITING ACT FROM
6	CERTAIN PROVISIONS OF THE MONTANA DAM SAFETY ACT; AMENDING
7	SECTION 85-15-107, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE
8	DATE."
9	
10	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
11	Section 1. Section 85-15-107, MCA, is amended to read:
12	"85-15-107. Exemptions. The provisions of 85-15-105,
13	85-15-106, 85-15-108 through 85-15-110, 85-15-209 through
14	85-15-216, 85-15-305, 85-15-401, 85-15-501, and 85-15-502 do
15	not apply to dams subject to a permit issued pursuant to
16	82-4-335 for the period during which the dam is subject to
17	the permit. The provisions of 85-15-108 through 85-15-110,
18	85-15-209 through 85-15-216, 85-15-305, 85-15-401,
19	85-15-501, and 85-15-502 do not apply to federal dams and
20	reservoirs, or to dams and reservoirs licensed and subject
21	to inspection by the federal energy regulatory commission.
22	The provisions of 85-15-105, 85-15-106, 85-15-108 through
23	85-15-110, 85-15-209 through 85-15-216, 85-15-305,
24	85-15-401, 85-15-501, and 85-15-502 do not apply to dams
25	that are required to obtain a certificate of environmental

2	period during which the dam is subject to the certificate.
3	In addition, the provisions of 85-15-108 through 85-15-110,
4	85-15-209 through 85-15-216, 85-15-305, 85-15-401,
5	85-15-501, and 85-15-502 do not apply until July 1, 1990, to
6	high-hazard dams that have been inspected by the U.S. army
7	corps of engineers pursuant to P.L. 92-367 and for which
8	resultant dam safety reports have been submitted to the
9	owner."
10	NEW SECTION. Section 2. Extension of authority. Any
11	existing authority of the department of natural resources
12	and conservation to make rules on the subject of the
13	provisions of this act is extended to the provisions of this
14	act.
15	NEW SECTION. Section 3. Effective date. This act is

compatibility and public need pursuant to 75-20-201 for the

-End-

effective on passage and approval.

compatibility and public need pursuant to 75-20-201 for the

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1 INTRODUCED BY MITAL A BILL FOR AN ACT ENTITLED: "AN ACT TO EXEMPT PACILITIES CERTIFIED UNDER THE MONTANA MAJOR FACILITY SITING ACT FROM 5 CERTAIN PROVISIONS OF THE MONTANA DAM SAFETY ACT: AMENDING SECTION 85-15-107, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE 7 DATE." 8 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 10 11 Section 1. Section 85-15-107, MCA, is amended to read: "85-15-107. Exemptions. The provisions of 85-15-105, 12 85-15-106, 85-15-108 through 85-15-110, 85-15-209 through 13 85-15-216, 85-15-305, 85-15-401, 85-15-501, and 85+15-502 do 14 15 not apply to dams subject to a permit issued pursuant to 82-4-335 for the period during which the dam is subject to 16 17 the permit. The provisions of 85-15-108 through 85-15-110, 85-15-209 through 85-15-216, 85-15-305, 85-15-401, 18 85-15-501, and 85-15-502 do not apply to federal dams and reservoirs, or to dams and reservoirs licensed and subject 20 21 to inspection by the federal energy regulatory commission. The provisions of 85-15-105, 85-15-106, 85-15-108 through 22 2.3 85-15-110, 85-15-209 through 85-15-216, 85-15-305, 85-15-401, 85-15-501, and 85-15-502 do not apply to dams 24

that are required to obtain a certificate of environmental



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period during which the dam is subject to the certificate. In addition, the provisions of 85-15-108 through 85-15-110, 85-15-209 through 85-15-216, 85-15-305, 85-15-401. 85-15-501, and 85-15-502 do not apply until July 1, 1990, to high-hazard dams that have been inspected by the U.S. army corps of engineers pursuant to P.L. 92-367 and for which resultant dam safety reports have been submitted to the owner." 10 NEW SECTION. Section 2. Extension of authority. Any 11 existing authority of the department of natural resources 12 and conservation to make rules on the subject of the 13 provisions of this act is extended to the provisions of this 14 act.

-End-

effective on passage and approval.

NEW SECTION. Section 3. Effective date. This act is

1	House BILL NO. 30%
2	INTRODUCED BY Miles Fallest mill Dayloc
3	Cevers & South One Bran Spath for
4	A BILL FOR AN ACT ENTITLED: "AN ACT TO EXEMPT FACILITIES
5	CERTIFIED UNDER THE MONTANA MAJOR FACILITY SITING ACT FROM
6	CERTAIN PROVISIONS OF THE MONTANA DAM SAFETY ACT; AMENDING
7	SECTION 85-15-107, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE
8	DATE."
9	
. 0	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
.1	Section 1. Section 85-15-107, MCA, is amended to read:
.2	"85-15-107. Exemptions. The provisions of 85-15-105,
.3	85-15-106, 85-15-108 through 85-15-110, 85-15-209 through
.4	85-15-216, 85-15-305, 85-15-401, 85-15-501, and 85-15-502 do
.5	not apply to dams subject to a permit issued pursuant to
6	82-4-335 for the period during which the dam is subject to
.7	the permit. The provisions of 85-15-108 through 85-15-110,
.8	85-15-209 through 85-15-216, 85-15-305, 85-15-401,
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20	reservoirs, or to dams and reservoirs licensed and subject
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3	In addition, the provisions of 85-15-108 through 85-15-110,
4	85-15-209 through 85-15-216, 85-15-305, 85-15-401,
5	85-15-501, and 85-15-502 do not apply until July 1, 1990, to
6	high-hazard dams that have been inspected by the U.S. army
7	corps of engineers pursuant to P.L. 92-367 and for which
8	resultant dam safety reports have been submitted to the
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12	and conservation to make rules on the subject of the
13	provisions of this act is extended to the provisions of this
14	act.
15	NEW SECTION. Section 3. Effective date. This act is

compatibility and public need pursuant to 75-20-201 for the

-End-

effective on passage and approval.

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THIRD READING

50th Legislature HB 0308/02 HB 0308/02

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1	HOUSE BILL NO. 308
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3	DEVLIN, E. SMITH, D. BROWN, SPAETH, HARPER
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16	not apply to dams subject to a permit issued pursuant to
17	82-4-335 for the period during which the dam is subject to
18	the permit. The provisions of 85-15-108 through 85-15-110,
19	85-15-209 through 85-15-216, 85-15-305, 85-15-401,
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21	reservoirs, or to dams and reservoirs licensed and subject
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23	The provisions of 85-15-105, 85-15-106, 85-15-108 through
24	85-15-110, 85-15-209 through 85-15-216, 85-15-305,
25	85-15-401, 85-15-501, and 85-15-502 do not apply to dams

- that are required to obtain a certificate of environmental 1 2 compatibility and public need pursuant to 75-20-201 for the period during which the dam is subject to the certificate. 3 In addition, the provisions of 85-15-108 through 85-15-110, 85-15-209 85-15-216, 85-15-305, 85-15-401, through 85-15-501, and 85-15-502 do not apply until July 1, 1990, to high-hazard dams that have been inspected by the U.S. army 7 corps of engineers pursuant to P.L. 92-367 and for which 9 resultant dam safety reports have been submitted to the owner." 10
 - NEW SECTION. Section 2. Extension of authority. Any existing authority of the department of natural resources and conservation to make rules on the subject of the provisions of this act is extended to the provisions of this act.
- NEW SECTION. Section 3. Effective date. This act is effective on passage and approval.

-End-

