



1 House BILL NO. 308  
 2 INTRODUCED BY Timothy Gilbert Daniel Daylock  
 3 Archie E. Smith Dave Bran Spatch Taylor  
 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

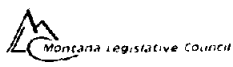
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
 11 Section 1. Section 85-15-107, MCA, is amended to read:  
 12 "85-15-107. Exemptions. The provisions of 85-15-105,  
 13 85-15-106, 85-15-108 through 85-15-110, 85-15-209 through  
 14 85-15-216, 85-15-305, 85-15-401, 85-15-501, and 85-15-502 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

1 compatibility and public need pursuant to 75-20-201 for the  
 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  
 16 effective on passage and approval.

-End-



-2- INTRODUCED BILL  
 HB-308

APPROVED BY COMM. ON NATURAL RESOURCES

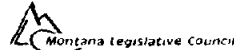
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-End-



SECOND READING  
HB 308

1 House BILL NO. 301  
 2 INTRODUCED BY Nolan Gilbert Ernest Stoylock  
 3 Berlin E. Smith Dave Dean Spaeth Hayes  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO EXEMPT FACILITIES  
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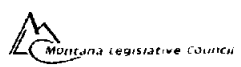
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-End-



-2- THIRD READING  
 HB-301

## 1 HOUSE BILL NO. 308

2 INTRODUCED BY MILES, GILBERT, DRISCOLL, BLAYLOCK

3 DEVLIN, E. SMITH, D. BROWN, SPAETH, HARPER

4  
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