

HOUSE BILL NO. 308

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

IN THE HOUSE

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.
MARCH 12, 1987	SECOND READING, CONCURRED IN.
MARCH 14, 1987	THIRD READING, CONCURRED IN. AYES, 50; NOES, 0.
	RETURNED TO HOUSE.

IN THE HOUSE

MARCH 14, 1987 RECEIVED FROM SENATE.
SENT TO ENROLLING.

1 House BILL NO. 301
2 INTRODUCED BY Patricia Gilbert Donald Laylock
3 John E. Smith Samuel L. Johnson

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."

19 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-

APPROVED BY COMM. ON
NATURAL RESOURCES

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

11 Section 1. Section 85-15-107, MCA, is amended to read:

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1 House BILL NO. 302
2 INTRODUCED BY Miller Gilbert Swindell Haylock
3 Derwin E. Smith Dave Brown Spach Hoyle

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6 CERTAIN PROVISIONS OF THE MONTANA DAM SAFETY ACT; AMENDING
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