

HOUSE BILL NO. 329

INTRODUCED BY DAILY, CAMPBELL, PAVLOVICH, QUILICI,  
PIPINICH, MENAHAN, SWYSGOOD, BLOTKAMP, HARRINGTON,  
HARPER, VAN VALKENBURG, D. BROWN, STIMATZ, VINCENT,  
NORMAN, JACOBSON, ANDERSON, SQUIRES, REAM, LYNCH,  
BROOKE, EUDAILY, BECK

IN THE HOUSE

JANUARY 21, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON APPROPRIATIONS.
JANUARY 23, 1989	FIRST READING.
MARCH 18, 1989	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
MARCH 20, 1989	PRINTING REPORT.
	SECOND READING, DO PASS AS AMENDED.
MARCH 21, 1989	ENGROSSING REPORT.
MARCH 22, 1989	THIRD READING, PASSED. AYES, 71; NOES, 26.
	TRANSMITTED TO SENATE.

IN THE SENATE

MARCH 22, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON FINANCE & CLAIMS.
	FIRST READING.

IN THE HOUSE

APRIL 8, 1989	ON MOTION, RULES SUSPENDED TO ALLOW TRANSMITTAL AFTER 83RD DAY
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IN THE SENATE

APRIL 15, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
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APRIL 17, 1989

SECOND READING, CONCURRED IN.

APRIL 19, 1989

THIRD READING, CONCURRED IN.  
AYES, 35; NOES, 15.

RETURNED TO HOUSE.

IN THE HOUSE

APRIL 19, 1989

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

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INTRODUCED BY

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BILL NO.

329

A BILL FOR AN ACT ENTITLED:

"AN ACT TO APPROPRIATE FUNDS

FROM THE RESOURCE INDEMNITY TRUST RECLAMATION AND

DEVELOPMENT GRANTS SPECIAL REVENUE ACCOUNT TO THE DEPARTMENT

OF NATURAL RESOURCES AND CONSERVATION TO BE AWARDED TO THE

BUTTE-SILVER BOW CITY-COUNTY GOVERNMENT FOR HIRING AN UPPER

CLARK FORK RIVER BASIN COORDINATOR."

WHEREAS, the assessment, management, and rehabilitation of the water and aquatic resources of the Upper Clark Fork River Basin is a major public policy concern of the state of Montana; and

WHEREAS, regulatory and administrative responsibility for the resources of the Upper Clark Fork River Basin rests with a large and diverse array of state, federal, and local government agencies; and

WHEREAS, there are four federal Superfund sites in the Upper Clark Fork River Basin that are in various stages of investigation and cleanup and several high priority problem areas within these sites that are currently being or will be addressed during the next 2 years, including the Berkeley Pit and Travona Mine flooding, Warm Springs ponds, mine waste deposits on floodplains, soil contamination in the

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vicinity of Butte, Walkerville, and the Anaconda Old Works, Anaconda flue dust, and a variety of activities at Mill Creek, Montana Pole, and Rocker; and

WHEREAS, the environmental problems at these locations pose significant threats to ground water and surface water and the health of the area's citizens; and

WHEREAS, the rehabilitation of the water and aquatic resources of the Upper Clark Fork River Basin is a matter of significant short- and long-term economic and social importance to basin residents and citizens of Montana; and

WHEREAS, the investigation and cleanup activities being undertaken by the U.S. Environmental Protection Agency and other agencies often involve large volumes of complex technical data; and

WHEREAS, the interagency coordination, information assessment, and public involvement functions that have been supplied by the Governor's Office through the Clark Fork Basin Project are scheduled to be phased out by fiscal year 1991.

THEREFORE, the Legislature of the state of Montana finds it appropriate to allocate funds to enable affected local governments to effectively participate in ongoing projects and activities affecting the water and aquatic resources of the Upper Clark Fork River Basin.

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

**NEW SECTION. Section 1. Appropriation for upper Clark Fork River basin coordinator.** (1) There is appropriated \$100,000 from the reclamation and development grants special revenue account to the department of natural resources and conservation for the biennium ending June 30, 1991. The appropriation must be awarded by the department as a pass-through grant to the Butte-Silver Bow city-county government for the purpose of hiring an upper Clark Fork River basin issues and technical information coordinator. The department shall give this grant priority over the projects and activities ranked to receive funding from the resource indemnity trust grants program for the biennium ending June 30, 1991.

**NEW SECTION. Section 2. Expenditure of funds.** The funds appropriated by [section 1] must be expended by the Butte-Silver Bow city-county government for the purpose of hiring an upper Clark Fork River basin issues and technical information coordinator who shall:

(1) provide policy, procedural, and technical information, as appropriate, to local government officials and citizens of the upper Clark Fork River basin to enable them to effectively participate in decisions concerning the assessment, management, and rehabilitation of the water and aquatic resources of the basin;

(2) evaluate technical assessments prepared by state and federal agencies for purposes of determining environmental problems related to contaminated soils and water, potential health risks for citizens of the basin, and preferred options for accomplishing rehabilitation; and

(3) participate in meetings and other activities with state and federal agency personnel and other parties concerning the management and rehabilitation of the basin's water and aquatic resources.

**NEW SECTION. Section 3. Conditions of grant.** The money appropriated by [section 1] is subject to the following conditions that must be fulfilled by the grant recipient:

(1) A scope of work and budget must be submitted to and approved by the department of natural resources and conservation. However, a reduction in a scope of work or budget may not affect priority activities.

(2) Other funds required for fulfilling the purposes of the grant, if any, must have been committed, and the commitment must be documented.

(3) The grant recipient shall show satisfactory progress in accomplishing the purposes of the grant as listed in [section 2] and in the approved scope of work.

(4) An agreement between the department of natural resources and conservation and the grant recipient must be

1   executed in a timely manner, taking into consideration any  
2   changed conditions or circumstances that govern the  
3   administration and disbursement of funds.

4       (5) Any other specific requirements must be  
5   accomplished as considered necessary by the department of  
6   natural resources and conservation to accomplish the  
7   purposes of the grant as listed in [section 2].

-End-

APPROVED BY COMMITTEE  
ON APPROPRIATIONS

INTRODUCED BY

A BILL FOR AN ACT ENTITLED:

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DEVELOPMENT GRANTS SPECIAL REVENUE ACCOUNT TO THE DEPARTMENT

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21 information, as appropriate, to local government officials  
22 and citizens of the upper Clark Fork River basin to enable  
23 them to effectively participate in decisions concerning the  
24 assessment, management, and rehabilitation of the water and  
25 aquatic resources of the basin;

1 (2) evaluate technical assessments prepared by state  
2 and federal agencies for purposes of determining  
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18 (2) Other funds required for fulfilling the purposes  
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20 commitment must be documented.

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22 progress in accomplishing the purposes of the grant as  
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1   executed in a timely manner, taking into consideration any  
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9 FROM EITHER THE RESOURCE INDEMNITY TRUST RECLAMATION AND  
10 DEVELOPMENT GRANTS SPECIAL REVENUE ACCOUNT OR THE RESOURCE  
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13 AWARDED TO THE BUTTE-SILVER BOW CITY-COUNTY GOVERNMENT FOR  
14 HIRING AN UPPER CLARK FORK RIVER BASIN COORDINATOR."  
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16 WHEREAS, the assessment, management, and rehabilitation  
17 of the water and aquatic resources of the Upper Clark Fork  
18 River Basin is a major public policy concern of the state of  
19 Montana; and

20 WHEREAS, regulatory and administrative responsibility  
21 for the resources of the Upper Clark Fork River Basin rests  
22 with a large and diverse array of state, federal, and local  
23 government agencies; and

24 WHEREAS, there are four federal Superfund sites in the  
25 Upper Clark Fork River Basin that are in various stages of

1 investigation and cleanup and several high priority problem  
2 areas within these sites that are currently being or will be  
3 addressed during the next 2 years, including the Berkeley  
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5 waste deposits on floodplains, soil contamination in the  
6 vicinity of Butte, Walkerville, and the Anaconda Old Works,  
7 Anaconda flue dust, and a variety of activities at Mill  
8 Creek, Montana Pole, and Rocker; and

9 WHEREAS, the environmental problems at these locations  
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11 and the health of the area's citizens; and

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13 resources of the Upper Clark Fork River Basin is a matter of  
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