

HOUSE BILL 498

Introduced by Grady, et al.

1/30	Introduced
1/31	Referred to Natural Resources
2/06	Hearing
2/06	Tabled in Committee

1 House BILL NO. 498  
2 INTRODUCED BY Danly Buck  
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4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING WELL LOG  
5 INFORMATION TO BE PERMANENTLY AFFIXED TO A RESIDENTIAL WATER  
6 WELL BY THE WATER WELL CONTRACTOR OR DRILLER; REQUIRING THE  
7 BOARD OF WATER WELL CONTRACTORS TO ADOPT RULES TO ADDRESS  
8 THIS REQUIREMENT; AND AMENDING SECTION 37-43-202, MCA."

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10 STATEMENT OF INTENT

11 A statement of intent is provided for this bill to  
12 guide the board of water well contractors in developing  
13 rules concerning the permanent affixation of water well  
14 information to residential water wells. In developing the  
15 rules, the board should consider the following:

16 (1) the information should be readily accessible; and

17 (2) the information should be engraved or otherwise  
18 recorded on the well casing or well cap so that, with normal  
19 use of the well, it will not be removed or deteriorate over  
20 time.

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

23 NEW SECTION. Section 1. Well log information on  
24 residential water wells. A water well contractor or water  
25 well driller who drills a residential water well shall

1 permanently affix to the well casing or well cap the  
2 following information:

3 (1) the date the well drilling was completed;

4 (2) the depth of the well;

5 (3) the number of gallons per minute that the well is  
6 capable of producing; and

7 (4) the name of the contractor or driller who  
8 completed the well.

9 Section 2. Section 37-43-202, MCA, is amended to read:

10 "37-43-202. Powers and duties. (1) The board may  
11 exercise the authority granted to it by this chapter.

12 (2) The board shall adopt rules and orders to  
13 effectuate this chapter.

14 (3) The board shall adopt rules to establish mandatory  
15 water well construction standards and enforcement  
16 procedures. The standards must address the protection of the  
17 drilling site; specifications for casing materials;  
18 materials and specifications for well screens; casing  
19 perforations; well development procedures; proper sealing  
20 and grouting; temporary capping; cleaning and disinfecting;  
21 bonds; guaranties; contractors' and drillers'  
22 qualifications; tests for yield and drawdown; reporting  
23 procedures and requirements for water quality, well logs,  
24 location of wells, and information relating to local  
25 conditions; well filters; access ports; gravel packing;

sampling methods; plumbness and alignment of the hole and casing; affixation of well log information to residential water wells; well abandonment procedures; and other necessary and appropriate standards.

(4) The board shall adopt rules regarding the construction, use, and abandonment of monitoring wells by January 1, 1989.

(5) The board may request the department to inspect water wells drilled or being drilled, and the department has access to these at reasonable times.

(6) The board may establish a program for training apprentices and licensed or prospective water well contractors, water well drillers, and monitoring well constructors to more effectively carry out this chapter.

(7) The board shall set and enforce standards and rules governing the licensing, registration, and conduct of water well drillers, water well contractors, and monitoring well constructors.

(8) The board shall set fees commensurate with costs. The board may establish fees, including but not limited to fees for application, examination, renewal, reciprocity, late renewal, and continuing education. Board costs not related to specific programs may be equitably distributed as determined by the board. The board shall maintain records sufficient to support the fees charged for each program

area.

(9) The rules of the board shall be compiled in printed form for distribution to interested persons, for which the department may charge a fee. Sums realized from these sales shall be deposited in the state special revenue fund for the use of the board.

(10) The board shall:

(a) authorize the department to issue licenses to qualified water well contractors, water well drillers, and monitoring well constructors in this state;

(b) cause examinations to be made of applicants for licenses;

(c) deny, revoke, or suspend licenses for good cause, after notice and opportunity to be heard;

(d) reinstate licenses previously revoked when justification is shown to the satisfaction of the board; and

(e) generally perform duties which will carry out this chapter.

(11) The board shall pay to the department its share of the assessed costs of the department in administering this chapter."

**NEW SECTION. Section 3. Codification instruction.**

[Section 1] is intended to be codified as an integral part of Title 37, chapter 43, part 1, and the provisions of Title 37, chapter 43, part 1, apply to [section 1].

-End-

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