

HOUSE BILL NO. 540
INTRODUCED BY RANEY

IN THE HOUSE

FEBRUARY 2, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON NATURAL RESOURCES.
	FIRST READING.
FEBRUARY 14, 1989	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
FEBRUARY 15, 1989	PRINTING REPORT.
FEBRUARY 18, 1989	SECOND READING, DO PASS.
FEBRUARY 20, 1989	ENGROSSING REPORT.
FEBRUARY 21, 1989	THIRD READING, PASSED. AYES, 88; NOES, 9.
	TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 28, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON NATURAL RESOURCES.
	FIRST READING.
MARCH 9, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 10, 1989	SECOND READING, CONCURRED IN.
MARCH 13, 1989	THIRD READING, CONCURRED IN. AYES, 46; NOES, 3.
	RETURNED TO HOUSE.

IN THE HOUSE

MARCH 14, 1989	RECEIVED FROM SENATE.
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SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

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2 INTRODUCED BY Raney
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT THE
5 DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES SHALL
6 APPROVE A WATER SUPPLY, WATER DISTRIBUTION, SEWER, DRAINAGE,
7 WASTEWATER, OR SEWAGE DISPOSAL SYSTEM BEFORE ITS
8 CONSTRUCTION, ALTERATION, OR EXTENSION IS COMMENCED;
9 PROHIBITING VIOLATION OF THE LAW OR RULES PROTECTING PUBLIC
10 WATER SUPPLIES OR OF THE TERMS OF AN APPROVAL ISSUED
11 RELATING TO PUBLIC WATER SUPPLIES; AND AMENDING SECTION
12 75-6-112, MCA."

13
14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

15 **Section 1.** Section 75-6-112, MCA, is amended to read:

16 "75-6-112. Prohibited acts. A person ~~shall~~ may not:

17 (1) discharge sewage, drainage, industrial waste, or other
18 wastes that will cause pollution of state waters used by a
19 person for domestic use or as a source for a public water
20 supply system or water or ice company;

21 (2) discharge sewage, drainage, industrial waste, or other
22 waste into any state waters or on the banks of any state
23 waters or into any abandoned or operating water well unless
24 the sewage, drainage, industrial waste, or other waste is
25 treated as prescribed by the board;

1 (3) build or operate any railroad, logging road, logging
2 camp, or electric or manufacturing plant of any kind on any
3 watershed of a public water supply system unless:
4 (a) the water supply is protected from pollution by
5 sanitary precautions prescribed by the board; and
6 (b) a permit has been issued by the department after
7 approval of detailed plans and specifications for sanitary
8 precautions;
9 (4) ~~construct, alter, or extend~~ commence construction,
10 alteration, or extension of any system of water supply,
11 water distribution, sewer, drainage, wastewater, or sewage
12 disposal ~~without first submitting before he submits to the~~
13 department necessary maps, plans, and specifications ~~to the~~
14 department for its review and ~~approval~~ the department
15 approves those maps, plans, and specifications;
16 (5) operate or maintain any public water supply system
17 which exceeds a maximum contaminant level established by the
18 board unless he has been granted or has an application
19 pending for a variance or exemption pursuant to this part;
20 (6) violate any provision of this part or rule adopted
21 under this part; or
22 (7) violate any condition or requirement of an approval
23 issued pursuant to this part."
24 **NEW SECTION. Section 2. Severability.** If a part of [this
25 act] is invalid, all valid parts that are severable from the

LC 0163/01

1 invalid part remain in effect. If a part of [this act] is
2 invalid in one or more of its applications, the part remains
3 in effect in all valid applications that are severable from
4 the invalid applications.

5 NEW SECTION. **Section 3.** Extension of authority. Any
6 existing authority to make rules on the subject of the
7 provisions of [this act] is extended to the provisions of
8 [this act].

-End-

APPROVED BY COMM. ON
NATURAL RESOURCES

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21 under this part; or
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24 **NEW SECTION. Section 2.** Severability. If a part of [this
25 act] is invalid, all valid parts that are severable from the

LC 0161/01

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2 invalid in one or more of its applications, the part remains
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(2) discharge sewage, drainage, industrial waste, or other waste into any state waters or on the banks of any state waters or into any abandoned or operating water well unless the sewage, drainage, industrial waste, or other waste is treated as prescribed by the board;

(3) build or operate any railroad, logging road, logging camp, or electric or manufacturing plant of any kind on any watershed of a public water supply system unless:

(a) the water supply is protected from pollution by sanitary precautions prescribed by the board; and

(b) a permit has been issued by the department after approval of detailed plans and specifications for sanitary precautions;

(4) construct, alter, or extend commence construction, alteration, or extension of any system of water supply, water distribution, sewer, drainage, wastewater, or sewage disposal without--first-submitting before he submits to the department necessary maps, plans, and specifications to--the department for its review and approval the department approves those maps, plans, and specifications;

(5) operate or maintain any public water supply system which exceeds a maximum contaminant level established by the board unless he has been granted or has an application pending for a variance or exemption pursuant to this part;

(6) violate any provision of this part or rule adopted under this part; or

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HB 0540/02

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