

HOUSE BILL 192

Introduced by Foster, et al.

1/15      Introduced  
1/15      Referred to Natural Resources  
1/15      Fiscal Note Requested  
1/19      Fiscal Note Received  
1/19      Fiscal Note Printed  
1/27      Hearing  
1/29      Tabled in Committee

1 House BILL NO. 192  
2 INTRODUCED BY Foster Gilbert Tolle  
3 Edwin C. Sauer Buds  
4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING PRIVATE  
5 ENGINEERS OR ENGINEERS EMPLOYED BY THE DEPARTMENT OF NATURAL  
6 RESOURCES AND CONSERVATION TO INSPECT HIGH-HAZARD DAMS;  
7 REQUIRING THE DEPARTMENT TO RECOVER THE FULL COSTS OF  
8 INSPECTIONS CONDUCTED BY DEPARTMENT ENGINEERS; AND AMENDING  
9 SECTION 85-15-213, MCA."

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

**12 Section 1.** Section 85-15-213, MCA, is amended to read:

13 "85-15-213. Periodic inspections after construction

14 (1) Any high-hazard dam, whether or not previously permitted  
15 by the department, must be inspected as often as considered  
16 necessary by the department, but at least once every 5  
17 years, in order to ensure the continued safe operation of  
18 the dam.

19       (2) Periodic inspections required by this section must  
20       be performed by a qualified private engineer or department  
21       engineer, who shall make a report of the inspection to the  
22       department. If the department finds that the dam conforms to  
23       current safety standards, it shall issue or reissue--as--the  
24       case--may--be, a permit to continue operation of the dam,  
25       containing such. The permit must contain conditions on the

1 safe operation of the dam as--it that the department  
2 considers necessary. The department shall recover from the  
3 dam owner the full costs for an inspection completed by a  
4 department engineer under this section, as provided by rules  
5 adopted pursuant to 85-15-110(6).

6           (3) The owner is responsible for inspections required  
7 under this section."

-End-

**HB 192**  
**INTRODUCED BILL**

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0192, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION: This bill would allow private engineers or engineers employed by the Department of Natural Resources and Conservation to inspect high-hazard dams, and also would require the department to recover the full costs of inspections conducted by department engineers.

ASSUMPTIONS:

1. The DNRC could refuse to do inspections prohibited by time or other constraints.
2. This bill does not change the number of inspections to be performed.
3. The DNRC would incur expenses associated with dam inspections and would recover, from the owner, the full costs of the inspections.

FISCAL IMPACT: None.

*David Lewis* 1-19-93

DAVID LEWIS, BUDGET DIRECTOR DATE  
Office of Budget and Program Planning

*Mike Foster* 1/19/93

MIKE FOSTER, PRIMARY SPONSOR DATE

Fiscal Note for HB0192, as introduced

*HB 192*