



SENATE STANDING COMMITTEE REPORT

March 24, 2005

Page 1 of 2

Mr. President:

We, your committee on Natural Resources recommend that House Bill 361 (third reading copy -- blue) be concurred in as amended.

Signed:

A handwritten signature in cursive script, appearing to read "Glenn Roush".

Senator Glenn Roush, Chair

To be carried by Senator Kelly Gebhardt

And, that such amendments read:

1. Title, line 7.

Strike: "82-4-405,"

2. Page 4, lines 7 through 9.

Strike: section 4 in its entirety

Renumber: subsequent sections

3. Page 4, line 29.

Strike: "and"

4. Page 5, line 1.

Following: "part"

Insert: "; and

(f) assess an annual fee on operators of all permitted opencut mining operations. The annual fee must be paid on all permitted acreage for which final bond release has not been granted. The annual fee is:

(i) \$75 if the permitted acreage is less than or equal to 25 acres;

(ii) \$150 if the permitted acreage is greater than 25 acres and less than or equal to 50 acres;

(iii) \$300 if the permitted acreage is greater than 50 acres and less than or equal to 100 acres; and

Committee Vote:

Yes 9, No 0.

HB 361

650752SC.ssc

A



SENATE COMMITTEE OF THE WHOLE AMENDMENT

House Bill 361

Senator Kelly Gebhardt

March 29, 2005 1:43 pm

Page 1 of 2

Mr. Chairman:

I move to amend House Bill 361 (second house second reading copy -- tan).

Signed: Kelly Gebhardt
Senator Kelly Gebhardt

And, that such amendments to House Bill 361 (second house second reading copy -- tan) read as follows:

1. Title, line 6.

Strike: "ELIMINATING"

Insert: "REVISING"

2. Title, line 7.

Following: "~~82-4-405,~~"

Insert: "82-4-405,"

3. Title, line 9.

Following: "DATE"

Insert: "AND A TERMINATION DATE"

4. Page 4, line 10.

Insert: "Section 4. Section 82-4-405, MCA, is amended to read:

"82-4-405. Inapplicability to government. The Except as provided in 82-4-432, the provisions of this part relating to fees or bonds do not apply to the federal government or its agencies, the state of Montana, counties, cities, or towns."

Renumber: subsequent sections

ADOPT

REJECT

Amendment # HB 361-2



FREE CONFERENCE COMMITTEE

on House Bill 361

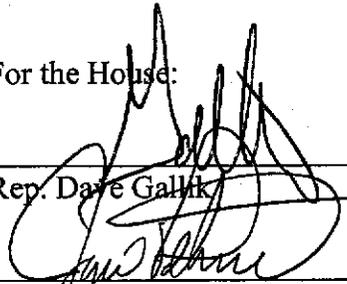
Report No. 1, April 14, 2005

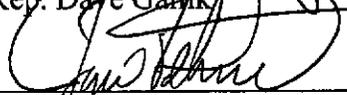
Page 1 of 2

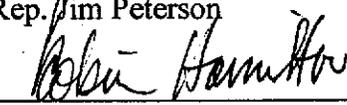
Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered **House Bill 361** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

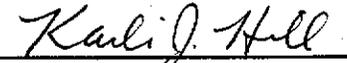
For the House:

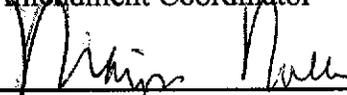

Rep. Dave Gallik


Rep. Jim Peterson

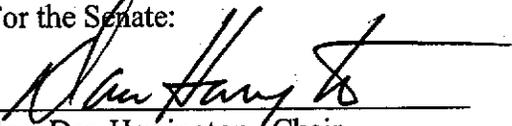

Rep. Robin Hamilton


Rep. Rick Maedje

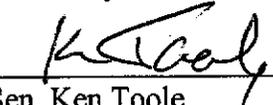

Amendment Coordinator


Chief Clerk of the House

For the Senate:


Sen. Dan Harrington Chair


Sen. Kelly Gebhardt


Sen. Ken Toole

And, recommend that **House Bill 361** (reference copy -- salmon) be amended as follows:

1. Page 4, line 13.

Strike: "Except" on line 13 through "the"

Insert: "The"

2. Page 4, line 14.

Strike: "fees or"

ADOPT

Amendment # HB 361-1

REJECT

801408FC.hkh

3. Page 5, line 7.

Strike: "AND"

4. Page 5, line 8.

Following: "(F)"

Insert: "except as provided in subsection (1)(g),"

5. Page 5.

Following: line 15

(g) beginning January 1, 2011, assess an annual fee on the federal government or its agencies, the state of Montana, counties, cities, or towns if they are the operators of a permitted opencut mining operation. The annual fee must be paid on all permitted acreage. The annual fee is:

(i) \$75 if the permitted acreage is less than or equal to 25 acres;

(ii) \$150 if the permitted acreage is greater than 25 acres and less than or equal to 50 acres;

(iii) \$300 if the permitted acreage is greater than 50 acres and less than or equal to 100 acres; and

(iv) \$600 if the permitted acreage is greater than 100 acres."

6. Page 9, line 23.

Following: "2006"

Insert: ", to be deposited in the state special revenue fund and used to pay the costs of administering this part"

7. Page 19, line 16.

Strike: "[THIS ACT]"

Insert: "Section 82-4-432(2)(b)"

Strike: "June 30"

Insert: "December 31"

- END -

Amendments to House Bill No. 361
Reference Copy

Not Y
Edited

Requested by Representative Rick Maedje

For the House Conference Committee

Prepared by Joe Kolman
April 14, 2005 (11:24am)

1. Title, page 1, line 6.
Strike: "ANNUAL"
Following: "FEES"
Insert: "FOR OPERATORS WHO HIRE INDEPENDENT CONTRACTORS"
2. Page 1, line 14.
Following: "operation"
Insert: "that includes more than 25 acres of non-reclaimed or partially reclaimed land"
3. Page 3, line 8.
Following: "data"
Insert: "from a United States Geological Survey map or an equivalent map"
Strike: "water data"
Insert: "the location of surface water and well heads"
Strike: "soils data"
Insert: "a general description of soil materials"
4. Page 4, line 1.
Following: "Soil"
Insert: "materials"
5. Page 4, line 2 through line 3.
Strike: "means the dark or root-bearing surface matter that has been generated through time by the interaction of biological activity, climate, topography, and parent material"
Insert: "are those horizons that contain topsoil or other soils leached free of deleterious salts"
Strike: "is" on line 3
Insert: "are"
6. Page 4, line 4.
Strike: "is"
Insert: "are"
Strike: "and identified"
Following: "soil"
Insert: "materials"
Strike: "and methods"