

SENATE BILL NO. 200

INTRODUCED BY LEWIS, KLOCK, MILBURN, WILLIAMS, RIPLEY, COBB, EBINGER, SONJU,
HOLLENBAUGH, VAN DYK, OLSON, SESSO, WANZENRIED, HINER, THOMAS, CORDIER, LASLOVICH,
WARD

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING LITIGATION FOR NATURAL RESOURCE
DAMAGES AND RESTORATION AT THE UPPER BLACKFOOT MINING COMPLEX, INCLUDING THE MIKE
HORSE DAM AND MINE; ESTABLISHING THE NATURAL RESOURCE PROGRAM POLICY COMMITTEE TO
OVERSEE THIS LITIGATION AND OTHER NATURAL RESOURCE DAMAGE LITIGATION; AUTHORIZING
LEGISLATIVE OVERSIGHT; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

WHEREAS, mining and related operations and the release of hazardous substances at the Mike Horse
Mine and Dam site near Lincoln, Montana, and in surrounding areas have resulted in significant contamination
of lands in those areas, including the Blackfoot River and its flood plain, and as a consequence, have resulted
in injuries to the state's natural resources, including its fishery resources; and

WHEREAS, the federal Comprehensive Environmental Response, Compensation, and Liability Act of
1980 authorizes the state, as trustee, to pursue litigation in order to recover damages for the restoration of state
natural resources that have been injured by the release of hazardous substances; and

WHEREAS, the state's Comprehensive Environmental Cleanup and Responsibility Act allows the state
to file claims and actions in order to recover damages for the restoration of natural resources located within the
state that have been injured by the release of hazardous substances; and

WHEREAS, a state natural resource damage program exists within the department of justice and is
charged with pursuing litigation in order to recover damages to be used to restore natural resources that have
been injured by the release of hazardous substances; and

WHEREAS, a natural resource damage program policy committee consisting of the attorney general and
four other members that have been appointed by the governor exists to oversee natural resource damage
litigation in the state and to make policy recommendations regarding this type of litigation and should be statutorily
established to continue this work.

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



