

1 SENATE BILL NO. 306

2 INTRODUCED BY T. MURPHY

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4 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE PROHIBITION OF CYANIDE HEAP AND VAT  
5 LEACH OPEN-PIT GOLD AND SILVER MINING; AND AMENDING SECTION 82-4-390, MCA."

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

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9 **Section 1.** Section 82-4-390, MCA, is amended to read:

10 **"82-4-390. Cyanide heap and vat leach open-pit gold and silver mining prohibited.** (1) Open-pit  
11 mining for gold or silver using heap leaching or vat leaching with cyanide ore-processing reagents is prohibited  
12 except as described in subsection (2).

13 (2) A mine described in this section operating on November 3, 1998, may continue operating under its  
14 existing operating permit or any amended permit that is necessary for the continued operation of the mine.

15 (3) (a) Pursuant to subsection (3)(b), open-pit mining for gold or silver that produces or has produced  
16 an ore, concentrate, tailing, waste rock, or other metalliferous product is allowed.

17 (b) If the ore, concentrate, tailing, waste rock, or other metalliferous product is processed as provided  
18 in subsection (1), it must be processed at a mine described in subsection (2)."

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