

**Unofficial Draft Copy**

As of: August 28, 2018 (2:45pm)

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\*\*\*\* Bill No. \*\*\*\*

Introduced By \*\*\*\*\*

By Request of the Environmental Quality Council

A Bill for an Act entitled: "An Act revising laws related to the Libby asbestos superfund site cleanup; eliminating the liaison position; renaming the advisory team as the oversight committee and adding duties; amending sections 75-10-1601, and 75-10-1604, MCA; repealing 75-10-1602, MCA; and providing an immediate effective date."

Be it enacted by the Legislature of the State of Montana:

**Section 1.** Section 75-10-1601, MCA, is amended to read:

**"75-10-1601. ~~Libby asbestos superfund advisory team oversight committee~~ -- duties.** (1) There is a Libby asbestos superfund ~~advisory team oversight committee~~. The ~~advisory team oversight committee~~ is attached to the department of environmental quality for administrative purposes only, as prescribed in 2-15-121.

(2) The ~~advisory team oversight committee~~ consists of:

(a) the director of the department of environmental quality or the director's designated representative;

(b) a Lincoln County commissioner designated by the commission;

(c) a citizen of Lincoln County nominated by the Lincoln County commission and selected by the governor;

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(d) one member of the house of representatives whose district includes at least a portion of Lincoln County appointed by the speaker of the house; and

(e) one member of the senate whose district includes at least a portion of Lincoln County appointed by the senate president.

(3) The ~~advisory team~~ oversight committee shall select a presiding officer.

(4) The ~~advisory team~~ oversight committee shall meet at least quarterly to fulfill the requirements of this section.

(5) Duties of the ~~advisory team~~ oversight committee include to:

(a) monitor activities related to the Libby asbestos superfund site;

(b) assist in the implementation of final cleanup and long term operation and maintenance plans for the Libby asbestos superfund site;

(c) review documents and provide comments and recommendations to the department and to local governments and appropriate federal agencies regarding the Libby asbestos superfund site;

(d) assist in the preparation and dissemination of reports and other information as necessary; and

(a)(e) advise provide recommendations to the department of environmental quality regarding the administration of the:

(i) Libby asbestos cleanup trust fund provided for in 75-10-1603; and

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~~(b)(ii) advise the department of environmental quality regarding the administration of the Libby asbestos cleanup operation and maintenance account provided for in 75-10-1604; and~~

~~(c)(f) recommend tasks and work priorities for the Libby asbestos superfund liaison initiate and strive to maintain negotiations with the department of environmental quality, the environmental protection agency, and any other entity with a goal to reduce the state and federal roles in the long-term operation and maintenance work at the Libby asbestos superfund site while increasing the role of Lincoln County in expending funds and managing and implementing operation and maintenance activities; and~~

~~(g) submit a report to the environmental quality council by July 1 of each year.~~

(6) Unless otherwise provided by law, each member is entitled to be reimbursed for travel expenses, as provided for in 2-18-501 through 2-18-503, incurred while performing advisory team duties."

{Internal References to 75-10-1601:  
75-10-1602r}

**Section 2.** Section 75-10-1604, MCA, is amended to read:

**"75-10-1604. Libby asbestos cleanup operation and maintenance account.** (1) There is a Libby asbestos cleanup operation and maintenance account in the state special revenue fund established in 17-2-102. Subject to appropriation by the legislature, money deposited in the account must be used for:

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(a) cleanup and long-term operation and maintenance costs at the Libby asbestos superfund site; and

(b) administrative costs for the Libby asbestos superfund ~~advisory team and the Libby asbestos superfund liaison~~ oversight committee, not to exceed 25% of the annual appropriation.

(2) The following funds must be deposited in the account:

(a) 80% of the funds allocated for the cleanup and long-term operation and maintenance costs pursuant to 75-10-704;

(b) money received by the department of environmental quality in the form of grants, gifts, transfers, bequests, and donations, including donations limited in their purpose by the grantor, or appropriations from any source intended to be used for the purposes of this account; and

(c) any interest or income earned on the account.

(3) Any unspent or unencumbered money in the account at the end of a fiscal year must be transferred to the Libby asbestos cleanup trust fund."

{Internal References to 75-10-1604:

75-10-704x 75-10-1601x 75-10-1603x}

NEW SECTION. **Section 3. {standard} Repealer.**

75-10-1602. Libby asbestos superfund liaison.

{Internal References to 75-10-1602: None.}

NEW SECTION. **Section 4. {standard} Effective date.** [This act] is effective on passage and approval.

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