

The Treasure State has much undeveloped mineral resources. That development is essential to our economic life. We are equally cognizant of the value of our aesthetic resources and intend to guard them jealously.

Kind personal regards,

TIM BABCOCK, *Governor.*

CHAPTER 245

An Act to Provide for the Reclamation of Lands on Which Strip Mining of Coal Has Been Conducted; to Authorize the Montana Bureau of Mines and Geology to Enter Into Contracts for the Reclamation of Lands on Which Strip Coal Mining Has Been Conducted: Authorizing a Credit on Coal Mines License Tax for One-Half ($\frac{1}{2}$) of the Amounts Spent on Land Reclamation, and Amending Section 84-1303, R.C.M. 1947.

Be it enacted by the Legislative Assembly of the State of Montana:

Section 1. It is hereby declared to be the public policy of the state of Montana:

The vast deposits of bituminous, subbituminous and lignite coal underlying the state of Montana are one of its most valuable natural resources and greatest assets. The development of these coal deposits will contribute greatly to the economic welfare and prosperity of the people of this state, in that such development will attract new industry to this state and assist in the expansion of existing industry. It is the policy of this state that the development of these coal deposits be encouraged, and that such development be brought about at the earliest possible date and in a manner most beneficial to the people of this state.

Many of these coal deposits are susceptible to development by strip mining methods, and, in fact, due to other factors certain of these deposits can be developed economically only by strip mining methods. Any undesirable results from strip mining can be to a great extent prevented or avoided by a proper program of reclamation in those areas where strip mining has been conducted. In order to reduce any undesirable effects of the strip mining of coal and in order to minimize any pollution of the soil and streams of this state by strip mining of coal, and to return to useful production lands which have to be strip mined, and to preserve and enhance the natural beauty of this state, it is the policy of this state to provide for and encourage the reclamation of lands on which the strip mining of coal has been conducted.

Section 2. The Montana bureau of mines and geology is hereby authorized and directed to enter into contracts in the name of the state of Montana with strip coal mine operators which will provide for the reclamation of lands on which the strip mining of coal has been conducted by such operators. The Montana bureau of mines and geology is authorized to sue and be sued in the name of the state of Montana to enforce the provisions of any strip mined land reclamation contract, and the bureau of mines and geology shall bring such court actions and take such other steps and actions as may be necessary to enforce the provisions of such contracts.

Section 3. All agencies of the state of Montana concerned with reclamation, soil or water conservation, recreation, fish, game, and wildlife, state parks, state forests, and state lands, shall cooperate with and assist the Montana bureau of mines and geology in carrying out and enforcing contracts for the reclamation of lands on which the strip mining of coal has been conducted.

Section 4. Any strip coal mine operator who shall enter into a contract with the Montana bureau of mines and geology providing for the reclamation of lands on which the strip mining of coal has been conducted, shall annually receive credit toward the payment of the coal mines license tax provided for in chapter 13 of title 84, R.C.M. 1947, in an amount equal to one-half ($\frac{1}{2}$) of the reasonable value of the reclamation work performed on such lands under such contracts during the preceding year.

The Montana bureau of mines and geology shall annually inspect each strip mining operation for coal in this state, and shall, if the operator of such mine has entered into a contract for the reclamation of strip mined lands, determine the reasonable value of all reclamation work performed by such mine operator during the preceding year. The bureau of mines and geology shall promptly after each annual inspection, report to the state board of equalization, the state treasurer, and the operator the reasonable value of reclamation work performed on strip mined lands during the immediately preceding year by each strip mine operator, and one-half ($\frac{1}{2}$) of the amount so reported shall be deducted from coal mines license tax due from such strip coal mine operator pursuant to the provisions of chapter 13 of title 84, R.C.M. 1947.