

## HOUSE BILL NO. 196

INTRODUCED BY P. CONNELL, A. HALE

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4 A BILL FOR AN ACT ENTITLED: "AN ACT ~~DIRECTING~~ ALLOWING THE DEPARTMENT OF COMMERCE TO  
5 REVIEW, ANALYZE, AND COMMENT ON BEHALF OF LOCAL GOVERNMENTS REGARDING SIGNIFICANT  
6 FEDERAL LAND MANAGEMENT PROPOSALS; PROVIDING FOR RULEMAKING; AND ESTABLISHING  
7 ADVOCACY ON BEHALF OF LOCAL GOVERNMENTS AS A FUNCTION OF THE DEPARTMENT OF  
8 COMMERCE REGARDING FEDERAL LAND MANAGEMENT PROPOSALS."

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10 WHEREAS, the Department of Commerce has a responsibility to maintain and advance the  
11 socioeconomic health of Montana communities; and

12 WHEREAS, Montana communities often lack the resources to quickly analyze and comment on federal  
13 land management proposals that may impact their communities; and

14 ~~WHEREAS, the Bureau of Business and Economic Research at the University of Montana-Missoula~~  
15 ~~estimates that the cost of analysis for federal land management proposals ranges from \$5,000 to \$30,000 or more~~  
16 ~~for each analysis, depending on the complexity and scope of a proposal; and~~

17 WHEREAS, the lack of regularity regarding federal land management proposals affecting Montana  
18 communities complicates responses by local governments and additionally means there is little need for a  
19 separate state program while still a need to respond in a timely manner.

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

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23 NEW SECTION. **Section 1. Functions of department of commerce -- socioeconomic advocacy.**  
24 The department of commerce ~~shall~~ MAY, IF FUNDS ARE AVAILABLE, advocate on behalf of local governments, as  
25 defined in 7-11-1002, by reviewing, analyzing, and commenting on prospective impacts on local socioeconomic  
26 conditions from federal land management proposals.

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28 NEW SECTION. **Section 2. State assistance to local governments in review of and comment on**  
29 **federal land management proposals -- rulemaking.** (1) In carrying out the provisions of [section 1], the  
30 department of commerce ~~shall~~ MAY conduct on behalf of local governments a ~~thorough, independent,~~

1 socioeconomic impact review and analysis of significant federal land management proposals. The department  
 2 of commerce ~~shall~~ MAY use the review and analysis to comment in a timely manner on the federal proposals  
 3 regarding projected impacts on local government.

4 (2) The department of commerce ~~shall~~ MAY:

5 (a) establish a minimal procedure for local governments to request from the department a review and  
 6 analysis of significant federal land management proposals that may have a direct socioeconomic impact on the  
 7 community for which the local government has requested the review. The request must include sufficient details  
 8 about the federal land management proposal for the department of commerce to determine a deadline by which  
 9 the review must be conducted.

10 (b) contract with a unit of the Montana university system experienced in technical, doctorate-level  
 11 analysis of the socioeconomic impacts of federal land management proposals to provide an independent ~~review~~  
 12 ECONOMIC ANALYSIS ~~and analysis~~ of the federal proposals;

13 (c) advocate on behalf of the local government before the agency issuing the federal land management  
 14 proposals, using the reports generated under this subsection (2); and

15 (d) report to an appropriate legislative interim committee regarding the number of requests, the types  
 16 of requests, and the number of responses handled annually. The department shall post the information under this  
 17 subsection (2)(d) on its website along with a summary of each requested analysis.

18 ~~———(3) The procedures to be adopted by the department of commerce by rule must include guidelines for~~  
 19 ~~coordinating the workflow and schedules of the contracted entity to be able to respond in a timely manner to~~  
 20 ~~requests.~~

21 ~~(4)~~(3) The department of commerce ~~shall~~ MAY adopt rules to implement this section.

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 23 NEW SECTION. Section 3. Codification instruction. [Sections 1 and 2] are intended to be codified  
 24 as an integral part of Title 90, chapter 1, part 1, and the provisions of Title 90, chapter 1, part 1, apply to [sections  
 25 1 and 2].

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