

HOUSE BILL NO. 364

INTRODUCED BY A. HALE

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO NATURAL RESOURCE AND ENVIRONMENTAL PERMITTING; REQUIRING CERTAIN STATE AGENCIES TO CONSULT AND COORDINATE WITH THE PERMIT APPLICANT AND LOCAL COMMUNITIES; REQUIRING THE ESTABLISHMENT OF STAKEHOLDER GROUPS; PROHIBITING CERTAIN STATE AGENCIES FROM RELYING ON AGENCY-GENERATED COMPUTER MODELS IN PERMITTING DECISIONS; AND PROVIDING AN EFFECTIVE DATE."

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

NEW SECTION. **Section 1. Coordination.** In exercising its permitting duties and responsibilities, the department of environmental quality shall:

- (1) consult and coordinate to the fullest extent possible with the permit applicant and the local communities that may be impacted; and
- (2) establish a natural resource development stakeholder group to continually advise the department of environmental quality on permitting process costs and benefits, efficiency, and timeliness.

NEW SECTION. **Section 2. Permitting process.** (1) The department of environmental quality shall complete the permitting process in a reasonable and timely manner.

- (2) The department of environmental quality may not rely on computer modeling generated by the department in permitting decisions.

NEW SECTION. **Section 3. Coordination.** In exercising its permitting duties and responsibilities, the department shall:

- (1) consult and coordinate to the fullest extent possible with the permit applicant and the local communities that may be impacted; and
- (2) establish a natural resource development stakeholder group to continually advise the department on permitting process costs and benefits, efficiency, and timeliness.



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2 **NEW SECTION. Section 4. Permitting process.** (1) The department shall complete the permitting
3 process in a reasonable and timely manner.

4 (2) The department may not rely on computer modeling generated by the department in permitting
5 decisions.

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7 **NEW SECTION. Section 5. Codification instruction.** (1) [Sections 1 and 2] are intended to be codified
8 as an integral part of Title 75, chapter 1, and the provisions of Title 75, chapter 1, apply to [sections 1 and 2].

9 (2) [Sections 1 and 2] are intended to be codified as an integral part of Title 82, chapter 4, and the
10 provisions of Title 82, chapter 4, apply to [sections 1 and 2].

11 (3) [Sections 3 and 4] are intended to be codified as an integral part of Title 85, chapter 1, and the
12 provisions of Title 85, chapter 1, apply to [sections 3 and 4].

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14 **NEW SECTION. Section 6. Severability.** If a part of [this act] is invalid, all valid parts that are severable
15 from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part
16 remains in effect in all valid applications that are severable from the invalid applications.

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18 **NEW SECTION. Section 7. Saving clause.** [This act] does not affect rights and duties that matured,
19 penalties that were incurred, or proceedings that were begun before [the effective date of this act].

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21 **NEW SECTION. Section 8. Effective date.** [This act] is effective July 1, 2011.

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