

HOUSE BILL NO. 547

INTRODUCED BY GLIMM, BALLANCE, G. BENNETT, BLASDEL, DOANE, FITZPATRICK, KNUDSEN,
MCCHESENEY, REDFIELD, SHAW, C. SMITH, VANCE, WELBORN

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR DEPARTMENT COORDINATION OF PERMITS
OR GOVERNMENT ACTS RELATED TO LARGE-SCALE PROJECTS; DEFINING "LARGE-SCALE PROJECT";
~~AND~~ AMENDING SECTION 2-11-103, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

NEW SECTION. **Section 1. Directors task force -- coordination of government acts -- timetable.**

(1) There is a directors task force on government acts. This task force is comprised of each department director or a designee of the director. The participating departments are listed in 2-15-104. The office of economic development shall lead the task force.

(2) In exercising permitting duties and responsibilities for a large-scale project, each director or designee shall ~~consult and coordinate with other directors or designees~~ PROVIDE A LIST OF APPLICABLE PERMITS AND TIMELINES TO THE OFFICE OF ECONOMIC DEVELOPMENT.

(3) The task force shall document all relevant notices of turnaround time provided for in 2-15-115 related to a large-scale project and create a timetable of government acts associated with the large-scale project. The timetable must be delivered to the developer of the large-scale project no later than ~~30~~ 45 days after a request is made by the developer.

(4) The directors task force may include a project that is not a large-scale project in its coordination process.

(5) THE LIST OF APPLICABLE PERMITS AND TIMELINES MAY NOT INCLUDE FEDERAL TIMELINES OR FEDERAL APPROVALS FOR PROJECTS THAT INCLUDE A FEDERAL PARTNER.

Section 2. Section 2-11-103, MCA, is amended to read:

"2-11-103. Definitions. As used in this part, the following definitions apply:

(1) (a) "Government act" means the denial or issuance with conditions of a permit, certificate, license, or the equivalent of a permit, certificate, or license issued by a government entity.

1 (b) The term does not mean:

2 (i) litigation in which a government entity or other person litigates the authority of the government entity
3 to take an act provided in subsection (1)(a);

4 (ii) an act provided in subsection (1)(a) for which a citation or warning is issued, other than the statement
5 required by 2-11-104, on which a reference clearly appears to the legal authority for the government action; or

6 (iii) a legislative act by the state of Montana.

7 (2) "Government entity" means a state agency or a local government unit.

8 (3) "Large-scale project" means a private or public project that meets two or more of the following criteria:

9 (a) a project for which an environmental impact statement is required pursuant to 75-1-201;

10 (b) a project creating 120 or more full-time jobs, as defined in 39-11-103; or

11 (c) a project requiring an investment of more than \$10 million, which may be new funds or loans for
12 project costs as defined in 17-5-1503.

13 ~~(3)~~(4) "Local government unit" means a city, county, town, unincorporated municipality or village, or
14 special taxing unit or district and any commission, board, bureau, or other office of the unit.

15 ~~(4)~~(5) "Rule" has the meaning provided in 2-4-102.

16 ~~(5)~~(6) "State agency" has the meaning provided in 2-4-102(2)(a).

17 ~~(6)~~(7) "Statement of government authority" or "statement" means the statement required by 2-11-104."

18

19 NEW SECTION. Section 3. Codification instruction. [Section 1] is intended to be codified as an
20 integral part of Title 2, chapter 11, part 1, and the provisions of Title 2, chapter 11, part 1, apply to [section 1].

21

22 NEW SECTION. SECTION 4. EFFECTIVE DATE. [THIS ACT] IS EFFECTIVE JULY 1, 2013.

23

- END -