

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.

**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.

(b) The term does not mean:

(i) litigation in which a government entity or other person litigates the authority of the government entity

1 to take an act provided in subsection (1)(a);

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

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

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

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

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

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

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

11 ~~(3)~~(4) "Local government unit" means a city, county, town, unincorporated municipality or village, or  
12 special taxing unit or district and any commission, board, bureau, or other office of the unit.

13 ~~(4)~~(5) "Rule" has the meaning provided in 2-4-102.

14 ~~(5)~~(6) "State agency" has the meaning provided in 2-4-102(2)(a).

15 ~~(6)~~(7) "Statement of government authority" or "statement" means the statement required by 2-11-104."  
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17 NEW SECTION. Section 3. Codification instruction. [Section 1] is intended to be codified as an  
18 integral part of Title 2, chapter 11, part 1, and the provisions of Title 2, chapter 11, part 1, apply to [section 1].  
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20 NEW SECTION. SECTION 4. EFFECTIVE DATE. [THIS ACT] IS EFFECTIVE JULY 1, 2013.  
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