



AN ACT PROVIDING FOR A STATEMENT OF QUALITATIVE OR QUANTITATIVE BASIS FOR A GOVERNMENT ACT; AND AMENDING SECTION 2-11-102, MCA.

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

Section 1. Statement of qualitative or quantitative basis required. (1) When the department of fish, wildlife, and parks takes a government act, as defined in 2-11-103, it shall provide upon request a written statement of the specific qualitative or quantitative studies, reviews, or other analyses upon which the action is based. The statement must be provided within 30 days of the written request by the applicant for the written statement of qualitative or quantitative basis or within 30 days after the government act, whichever occurs last.

(2) The statement of qualitative or quantitative basis must clearly cite the studies, reviews, or other analyses used as a basis for the government act and the specific reason for those identified studies, reviews, or other analyses.

Section 2. Section 2-11-102, MCA, is amended to read:

"2-11-102. Findings and purpose. (1) The purpose of this part is to require government entities to make known the legal authority upon which certain action is based. The benefits of this requirement will be that government officials will articulate and reaffirm their legal authority to act and that both the government and the people will have a fuller understanding of the limits of the law ~~and~~ and the facts to which the law applies. This understanding will benefit both government and the people by helping to resolve disputes between government servants and the people, without lengthy and costly litigation, by instilling trust in government, and by helping to identify deficiencies in the law so that those deficiencies may be addressed by legislative action.

(2) The purpose of [section 1] is to require that the department of fish, wildlife, and parks also make known upon written request the qualitative and quantitative analyses, including any studies or reviews, upon which a government act by the department is based. This will allow people to assess the integrity of the information upon which the government act is based."

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

- END -

I hereby certify that the within bill,
HB 0290, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2015.

President of the Senate

Signed this _____ day
of _____, 2015.

HOUSE BILL NO. 290

INTRODUCED BY K. WHITE, G. BENNETT, B. BROWN, E. GREEF, B. HARRIS, D. JONES,
D. MORTENSEN, R. PINOCCI

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