

HOUSE BILL NO. 417

INTRODUCED BY M. WEATHERWAX

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A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING CRITERIA USED TO REVOKE OR SUSPEND A CERTIFICATE ISSUED UNDER THE MONTANA MAJOR FACILITY SITING ACT; ALLOWING REVOCATION OR SUSPENSION AFTER DISCOVERY OF NEW ENVIRONMENTAL CIRCUMSTANCES; AMENDING SECTION 75-20-403, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 75-20-403, MCA, is amended to read:

"75-20-403. Revocation or suspension of certificate. Following notice and an opportunity for a hearing, a certificate may be revoked or suspended by the department:

(1) for any material false statement by the certificate holder in the application or in accompanying statements or studies required of the applicant if a true statement would have warranted the department's refusal to grant a certificate;

(2) for failure by the certificate holder to maintain safety standards or to comply with the terms or conditions of the certificate; ~~or~~

(3) for violation of any provision of this chapter, the rules issued under this chapter, or orders of the department by either the certificate holder or the department; or

(4) for discovery of significant new circumstances or information relevant to environmental concerns that affect the facility or the impacts of the facility."

NEW SECTION. **Section 2. Notification to tribal governments.** The secretary of state shall send a copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell Chippewa tribe.

NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

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