

HOUSE BILL NO. 562

INTRODUCED BY J. DARLING, C. SPRUNGER

A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING CERTAIN AGENCY REPORTS; AMENDING SECTIONS 15-70-433, 15-70-450, 17-1-102, 37-1-107, 39-51-706, 53-6-116, 60-3-304, 60-3-309, 61-10-154, 85-1-203, 85-1-501, 87-2-702, AND 90-1-182, MCA; AND REPEALING SECTION SECTIONS 5-12-208, 75-1-314, 77-1-820, AND 77-2-366, MCA."

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

SECTION 1. Section 15-70-433, MCA, is amended to read:

"15-70-433. Refund for taxes paid on biodiesel by distributor or retailer -- statement -- payment -- appropriation -- records --report to interim committee. (1) A licensed distributor who pays the special fuel tax under 15-70-403 on biodiesel, as defined in 15-70-401, may claim a refund equal to 2 cents a gallon on biodiesel sold during the previous calendar quarter if the biodiesel is produced entirely from biodiesel ingredients produced in Montana.

(2) The owner or operator of a retail motor fuel outlet may claim a refund equal to 1 cent a gallon on biodiesel on which the special fuel tax has been paid and that is purchased from a licensed distributor if the biodiesel is produced entirely from biodiesel ingredients produced in Montana.

(3) (a) To receive the refund allowed under subsection (1) or (2), the licensed distributor or the owner or operator of a motor fuel outlet shall file a statement within 30 days after the end of each calendar quarter on a form provided by the department.

(b) The statement provided by a licensed distributor must set forth information required by the department, including the gallons of biodiesel sold and the source of ingredients used to produce biodiesel.

(c) The statement provided by the owner or operator of a retail motor fuel outlet must set forth information required by the department, including the gallons of biodiesel purchased.

(4) The payment of the refund allowed by this section must be made by the department within 90 days after the claim for a refund is filed by the licensed distributor or the owner or operator of a retail motor fuel

1 outlet. Tax refund payments under this section are statutorily appropriated, as provided in 17-7-502, from the
2 state general fund.

3 (5) The records of each licensed distributor or owner or operator of a retail motor fuel outlet must
4 be kept for a period of not more than 3 years and must include receipts, invoices, and other information as the
5 department may require.

6 (6) The department or its authorized representative may examine the books, papers, or records of
7 any licensed distributor or owner or operator of a retail motor fuel outlet.

8
9 ~~(7) The department shall report to the transportation interim committee biennially, in accordance~~
10 ~~with 5-11-210, the number and type of taxpayers claiming the refund under this section, the total amount of the~~
11 ~~refund claimed, and the department's cost associated with administering the refund."~~

12
13 **SECTION 2.** Section 15-70-450, MCA, is amended to read:

14 **"15-70-450. Cooperative agreement -- motor fuels taxes.** (1) In order to prevent the possibility of
15 dual taxation of motor fuels purchased by Montana citizens and businesses on Indian reservations, the
16 department and an Indian tribe may enter into a cooperative agreement. The department may, with the
17 concurrence of the attorney general, include as a member of the negotiating team a representative of the
18 department of justice who has expertise in Indian matters.

19 (2) The department of transportation shall report the status of cooperative agreement negotiations
20 to the transportation interim committee in accordance with 5-11-210.

21
22 ~~(3) After negotiations are complete and if the legislature is not in session, an agreement must be~~
23 ~~presented to the transportation interim committee for review and comment before the final agreement is~~
24 ~~submitted to the attorney general for approval pursuant to 18-11-105 -."~~

25
26 **Section 3.** Section 17-1-102, MCA, is amended to read:

27 **"17-1-102. Uniform accounting system and expenditure control.** (1) The department shall
28 establish a system of financial control so that the functioning of the various agencies of the state may be

improved, duplications of work by different state agencies and employees may be eliminated, public service may be improved, and the cost of government may be reduced.

(2) The department shall prescribe and install a uniform accounting and reporting system for all state agencies and institutions, reporting the receipt, use, and disposition of all public money and property in accordance with generally accepted accounting principles.

(3) The uniform accounting and reporting system must contain three levels of expenditure. The first level must include general categories, such as personal services, operating expenses, equipment, capital outlay, local assistance, grants, benefits and claims, transfers, and debt service. The second level of expenditure must include specific categories of expenditures within each first-level category. The third level of expenditure must include specific items of expenditure within each category of the second level.

(4) (a) Except as provided in subsection (4)(b), all state agencies, including units of the university system but excluding community colleges, shall input all necessary transactions to the accounting system prescribed in subsection (2) before the accounts are closed at the end of the fiscal year in order to present the receipt, use, and disposition of all money and property for which the agency is accountable in accordance with generally accepted accounting principles, except that for budgetary control purposes, encumbrances that are required by generally accepted accounting principles to be reported as a reservation of fund balance must be recorded as expenditures and liabilities on the accounting records in accordance with the following requirements:

(i) Goods and services, grants, and local assistance that are paid for with the general fund, in whole or in part, may be encumbered. The general fund encumbrances must be reviewed by the department, and a specific extension plan must be presented by the encumbering agency to the department prior to the fiscal yearend. If a valid extension plan is not received and approved, the department shall delete the encumbrance at fiscal yearend. ~~The department shall present a fiscal yearend report to the office of budget and program planning and to the legislative fiscal analyst on each general fund encumbrance remaining at fiscal yearend. The report must be provided in an electronic format. The department shall provide a copy of the fiscal yearend report to the legislature in accordance with 5-11-210.~~

(ii) Nongeneral fund encumbrances also require a valid extension plan approved by the department at the end of each fiscal year. ~~After 3 years, approved extensions must be included by the~~

department in its fiscal yearend report to the office of budget and program planning and to the legislative finance committee.

(b) The state fund provided for in Title 39, chapter 71, part 23, shall report on a calendar year basis."

Section 4. Section 37-1-107, MCA, is amended to read:

"37-1-107. Joint meetings -- department duties. (1) The department shall convene a joint meeting once every 2 years of two or more boards that:

(a) have licensees with dual licensure in related professions or occupations;
(b) have licensees licensed by another board in a related profession or with similar scopes of practice, including but not limited to:

(i) health care boards;

(ii) mental health care boards;

(iii) design boards;

(iv) therapeutic boards; or

(v) technical boards; or

(c) have issues of joint concern or related jurisdiction with each other.

(2) A quorum is not required for the joint meeting. However, one member from each board shall attend.

~~(3) The department shall report to the economic affairs interim committee in accordance with 5-11-210 with regard to attendance and issues of concern addressed by the boards."~~

Section 5. Section 39-51-706, MCA, is amended to read:

"39-51-706. Department duties -- integrity data hub -- review of information -- reporting to legislature. The department of labor and industry shall:

(1) engage with and utilize a commercially available database to verify the integrity of the state's unemployment insurance rolls;

(2) on a weekly basis, check the unemployment insurance rolls against the department of

1 corrections list of incarcerated individuals to verify eligibility and ensure program integrity;

2 (3) on a weekly basis, check the unemployment insurance rolls against the national directory of
3 new hires to verify eligibility;

4 (4) have the authority to execute a memorandum of understanding with any department, agency,
5 or division for information required to be shared between agencies as outlined in this part; and

6 (5) if it receives information concerning an individual receiving unemployment insurance benefits
7 that indicates a change in circumstances that may affect eligibility, review the individual's case; and

8 (6) ~~report to the economic affairs interim committee in accordance with 5-11-210 relating to the~~
9 ~~administration of this part."~~

10
11 **Section 6.** Section 53-6-116, MCA, is amended to read:

12 **"53-6-116. Medicaid managed care -- capitated health care.** (1) The department of public health
13 and human services, in its discretion, may develop managed care and capitated health care systems for
14 medicaid recipients.

15 (2) The department may contract with one or more persons for the management of comprehensive
16 physical health services and the management of comprehensive mental health services for medicaid recipients.
17 The department may contract for the provision of these services by means of a fixed monetary or capitated
18 amount for each recipient.

19 (3) A managed care system is a program organized to serve the medical needs of medicaid
20 recipients in an efficient and cost-effective manner by managing the receipt of medical services for a
21 geographical or otherwise defined population of recipients through appropriate health care professionals.

22 (4) The provision of medicaid services through managed care and capitated health care systems is
23 not subject to the limitations provided in 53-6-104. The managed care or capitated health care system that is
24 provided to a defined population of recipients may be based on one or more of the medical assistance services
25 provided for in 53-6-101.

26 (5) The proposed systems, referred to in subsection (1), must be submitted to the legislative
27 finance committee. The legislative finance committee shall review the proposed systems at its next regularly
28 scheduled meeting and shall provide any comments concerning the proposed systems to the department. The

department shall provide a copy of any reports made to the legislative finance committee concerning the proposed systems to the legislature in accordance with 5-11-210.

(6) A managed care or capitated health care system, except for a primary care case management service, that requires for implementation a waiver from the centers for medicare and medicaid is subject to the provisions of Title 53, chapter 6, part 7."

SECTION 7. Section 60-3-304, MCA, is amended to read:

"60-3-304. Duties of department of transportation. (1) The allocation of available funds for the maintenance, repair, and establishment of shared-use paths and the expenditure of funds as authorized by this part are primarily for the maintenance and repair of shared-use paths and for the promotion of traffic safety on the highways, roads, and streets of the state.

(2) The transportation commission shall, when requested, provide technical assistance and advice to cities and counties in carrying out the purpose of this part.

(3) The department of transportation shall:

(a) maintain an inventory of all shared-use paths located in the right-of-way of each state-maintained federal-aid highway in Montana;

~~(b) maintain a plan for maintenance and repair of all the shared-use paths described in subsection (3)(a);~~

(e) ~~(b)~~ recommend construction and maintenance standards for shared-use paths;

(d) ~~(c)~~ provide a uniform system of signing shared-use paths that applies to all shared-use paths, whether under the jurisdiction of the commission or a city or county; and

(e) ~~(d)~~ as provided in 60-3-309, allocate funds in the account established in 61-3-321(21).

(4) (a) Except as provided in subsection (4)(b), shared-use paths may not be used by motorized vehicles.

(b) The transportation commission, a city or county, or the commission jointly with a city or county may authorize the use of snowmobiles on all or a portion of a shared-use path under its jurisdiction."

SECTION 8. Section 60-3-309, MCA, is amended to read:

1 **"60-3-309. Allocation of funds.** (1) Of the total funds in the account established in 61-3-321(21)(a):

2 (a) in fiscal year 2018 only, an amount not to exceed \$50,000 must be transferred to the
3 department of justice to reprogram the software and equipment of the department and the department's vendor
4 to accommodate the optional fee provided for in 61-3-321(21); and

5 (b) of the remainder in fiscal year 2018 and for succeeding fiscal years:

6 (i) 20% of the total must be allocated to the department of transportation to be used for bicycle
7 and pedestrian education throughout the state as provided in 60-3-308(2); and

8 (ii) 80% of the total must be allocated as provided in subsection (2) by the department of
9 transportation to each of the five districts established in 2-15-2502.

10 (2) The amount of funds to be allocated to a district is equal to the total amount of optional
11 registration fees provided for in 61-3-321(21)(a) collected in the district divided by the total amount of the
12 optional registration fees provided for in 61-3-321(21)(a) collected for the entire state.

13 (3) Except as provided in subsection (4), the total funds allocated to a district under subsection
14 (1)(b)(ii) must be used within the district for the maintenance and repair of shared-use paths described in this
15 part. At least 10% of the funds allocated to a district under subsection (1)(b)(ii) must be used to maintain or
16 repair shared-use paths that are not part of the state-maintained federal-aid highway system.

17 (4) (a) Subject to the provisions of subsection (4)(b), if all of the shared-use paths in the district are
18 maintained and repaired at a level that meets or exceeds the standards established pursuant to ~~60-3-304(3)(c)~~
19 60-3-304(3)(b) or if there are no shared-use paths in the district that are not part of the state-maintained
20 federal-aid highway system, any funds remaining in a fiscal year may be used to construct new shared-use
21 paths within the district.

22 (b) Prior to the construction or extension of a shared-use path, the department shall enter into a
23 maintenance agreement with the county or municipality, or both, in which the path is proposed to be
24 constructed or extended. The maintenance agreement may provide that maintenance be conducted by the
25 county or the municipality, by both the county and the municipality, by the department, or by a combination of
26 those entities. Based on the maintenance agreement and available funding, the department shall transfer funds
27 from the account established in 61-3-321(21)(a) to the appropriate county or municipality as provided for in the
28 maintenance agreement. If the maintenance agreement provides for maintenance by the department, the

department shall use the funds in the account for that purpose."

SECTION 9. Section 61-10-154, MCA, is amended to read:

"61-10-154. Department of transportation to adopt motor carrier safety standards -- enforcement -- designation of peace officers -- duties -- violations. (1) As used in this section, the terms "for-hire motor carrier", "private motor carrier", "gross vehicle weight rating", and "gross combination weight rating" have the same meaning as provided in 49 CFR 390.5.

(2) The department of transportation shall adopt, by rule, standards for safety of operations of:

(a) any for-hire motor carrier or any private motor carrier;

(b) any motor vehicle or vehicle combination used in interstate commerce that has a gross vehicle weight rating, gross combination weight rating, gross vehicle weight, or gross combination weight, whichever is greater, of 10,001 pounds or more;

(c) any motor vehicle or vehicle combination used in intrastate commerce that has a gross vehicle weight rating, gross combination weight rating, gross vehicle weight, or gross combination weight, whichever is greater, of 26,001 pounds or more and that is not a farm vehicle operating solely in Montana;

(d) any motor vehicle that is designed or used to transport at least 16 passengers, including the driver, and that is not used to transport passengers for compensation;

(e) any motor vehicle that is designed or used to transport at least nine passengers, including the driver, for compensation; or

(f) any motor vehicle that is used to transport hazardous materials of a type or quantity that requires the vehicle to be marked or placarded in accordance with federal hazardous materials regulations in 49 CFR, part 172.

(3) Standards of safety adopted under this section must substantially comply, within allowed tolerance guidelines, to the federal motor carrier safety regulations and the federal hazardous material regulations as applied to motor carriers and vehicles transporting passengers or property in commerce.

(4) The department of transportation shall work with the highway patrol in the enforcement of safety standards adopted pursuant to this section. The highway patrol and the department of transportation shall cooperate to ensure minimum duplication and maximum coordination of enforcement efforts.

(5) In order to enforce compliance with safety standards adopted pursuant to this section, the department of transportation shall designate employees as peace officers. The designated employees must be employed in the administration of the motor carrier services functions of the department of transportation. Each employee designated as a peace officer may:

(a) issue citations and make arrests in connection with violations of safety standards adopted under this section;

(b) issue summonses;

(c) accept bail;

(d) serve warrants for arrest;

(e) make reasonable inspections of cargo carried by commercial motor vehicles;

(f) enforce the provisions of Title 49 of the United States Code and regulations that have been adopted under Title 49 and make reasonable safety inspections of commercial motor vehicles used by motor carriers; and

(g) require production of documents relating to the cargo, driver, routing, or ownership of commercial motor vehicles.

(6) In addition to other enforcement duties assigned under 61-10-141 and this section, an employee of the department of transportation who is appointed as a peace officer pursuant to 61-12-201 or this section:

(a) has the same authority to enforce provisions of the motor carriers law as that granted to the public service commission under 69-12-203;

(b) has the duty to secure or make copies, or both, of all bills of lading or other evidence of delivery for shipment of agricultural seeds, as defined in 80-5-120, that have been sold or are intended for sale in Montana and to forward the copies to the department of agriculture within 24 hours of the date that the bill of lading was obtained;

(c) has the authority, if probable cause exists, to stop and inspect a supply tank connected to the engine of any diesel-powered motor vehicle operating on the public highways of this state in order to determine compliance with Title 15, chapter 70, part 4;

(d) has for vehicle configurations subject to 61-10-141 and this section, the authority to issue a

1 citation:

2 (i) pursuant to 61-9-520(1)(a) for violation of 61-9-406(6) when the vehicle configuration causes a
3 lane blockage; and

4 (ii) pursuant to 61-9-520(1)(b) for violation of 61-9-406(6) when the vehicle configuration causes
5 an incident that results in the closure of all lanes in one or both directions of a highway; and

6 (e) may, on any highway under the jurisdiction of the department of transportation within the
7 exterior boundaries of a reservation whose tribal government has entered into an agreement with the
8 department of transportation pursuant to Title 18, chapter 11, part 1, exercise the authority under this part to
9 issue a citation pursuant to 61-9-520 for violation of 61-9-406(6).

10 (7) A violation of the standards adopted pursuant to this section is punishable as provided in 61-9-
11 512, and the court, upon conviction, as defined in 61-5-213, shall forward a record of conviction to the
12 department of transportation within 5 days in accordance with 61-11-101.

13
14 ~~(8) The department of transportation shall report to the transportation interim committee biennially,~~
15 ~~in accordance with 5-11-210, on its enforcement of the provisions of Title 15, chapter 70, part 4, pursuant to the~~
16 ~~authority provided in subsection (6)(c) and on any impacts that enforcement has had on the state special~~
17 ~~revenue fund."~~

18

19 **Section 10.** Section 85-1-203, MCA, is amended to read:

20 **"85-1-203. State water plan.** (1) The department shall gather from any source reliable information
21 relating to Montana's water resources and prepare from that information a continuing comprehensive inventory
22 of the water resources of the state. In preparing this inventory, the department may:

23 (a) conduct studies;

24 (b) adopt studies made by other competent water resource groups, including federal, regional,
25 state, or private agencies;

26 (c) perform research or employ other competent agencies to perform research on a contract basis;
27 and

28 (d) hold public hearings in affected areas at which all interested parties must be given an

1 opportunity to appear.

2 (2) The department shall formulate and adopt and amend, extend, or add to a comprehensive,
3 coordinated multiple-use water resources plan known as the "state water plan". The state water plan may be
4 formulated and adopted in sections, with some of these sections corresponding with hydrologic divisions of the
5 state. The state water plan must set out a progressive program for the conservation, development, utilization,
6 and sustainability of the state's water resources and must propose the most effective means by which these
7 water resources may be applied for the benefit of the people, with due consideration of alternative uses and
8 combinations of uses.

9 (3) Sections of the state water plan must be completed for the Missouri River basin, the
10 Yellowstone River basin, and the Clark Fork and Kootenai River basins, be submitted to the 2035 legislature,
11 and be updated at least every 20 years. These basinwide plans must include:

- 12 (a) an inventory of consumptive and nonconsumptive uses associated with existing water rights;
13 (b) identified data gaps;
14 (c) an estimate of the amount of surface and ground water needed to satisfy new future demands;
15 (d) analysis of the effects of frequent drought and of new or increased depletions on the availability
16 of future water supplies;
17 (e) proposals for the best means to satisfy existing water rights and new water demands, such as
18 an evaluation of opportunities for storage of water by both private and public entities;
19 (f) possible sources of water to meet the needs of the state; and
20 (g) any legislation necessary to address water resource concerns in these basins.

21 (4) (a) The department shall create a basin advisory council in the Missouri River basin, in the
22 Yellowstone River basin, and in the Clark Fork and Kootenai River basins that is inclusive and representative of
23 all water interests and interests in those basins.

24 (b) The basin advisory councils must consist of key water interests within the basins, including, on
25 recommendation from relevant water user interest groups, at least one representative each from the following
26 groups or organizations:

- 27 (i) agricultural;
28 (ii) conservation;

1 (iii) industrial;

2 (iv) irrigation;

3 (v) municipal;

4 (vi) recreational;

5 (vii) tribal;

6 (viii) watershed; and

7 (ix) conservation districts.

8 (c) Each basin advisory council may have up to 20 members.

9 (d) Each basin advisory council shall make recommendations to the department on the basinwide
10 plans required by subsection (3).

11 (e) The department may use existing basin councils as a basin advisory council if the composition
12 and purpose of the existing basin council is consistent with this subsection (4).

13 (5) Before adopting the entire state water plan or any section of the plan, the department shall hold
14 public hearings across the state, or in an area of the state encompassed by a section of the plan if adoption of a
15 section is proposed. Notice of the hearing or hearings must be published for 2 consecutive weeks in a
16 newspaper of general circulation published in each county encompassed by the proposed plan or section of the
17 plan at least 30 days prior to the hearing.

18 ~~(6) The department shall submit to the water policy interim committee and to the legislature in~~
19 ~~accordance with 5-11-210 the state water plan or any section of the plan or amendments, additions, or~~
20 ~~revisions to the plan that the department has formulated and adopted.~~

21 ~~(7)~~(6) The legislature, by joint resolution, may revise the state water plan.

22 ~~(8)~~(7) The department shall prepare a continuing inventory of the ground water resources of the
23 state. The ground water inventory must be included in the comprehensive water resources inventory described
24 in subsection (1) but must be a separate component of the inventory.

25 ~~(9)~~(8) The department shall publish the comprehensive inventory, the state water plan, the ground
26 water inventory, or any part of each, and the department may assess and collect a reasonable charge for these
27 publications.

28 ~~(40)~~(9) In developing and revising the state water plan as provided in this section, the department shall

consult with the water policy committee established in 5-5-231 and solicit the advice of the water policy committee in carrying out its duties under this section."

Section 11. Section 85-1-501, MCA, is amended to read:

"85-1-501. Survey of power generation capacity. ~~(1)~~ The department shall study the economic and environmental feasibility of constructing and operating a small-scale hydroelectric power generating facility on each of the water projects under its control and shall periodically update those studies as the cost of the electrical energy increases. In determining whether small-scale hydroelectric generation may be economically feasible on a particular project, the department shall consider:

~~(a)~~(1) the estimated cost of construction of a facility;

~~(b)~~(2) the estimated cost of maintaining, repairing, and operating the facility;

~~(c)~~(3) the estimated cost of tying into an existing power distribution channel;

~~(d)~~(4) the ability of public utilities or rural electric cooperatives to lease and operate such a facility;

~~(e)~~(5) the debt burden to be serviced;

~~(f)~~(6) the revenue expected to be derived;

~~(g)~~(7) the likelihood of a reasonable rate of return on the investment; and

~~(h)~~(8) the potential impacts on water supply and streamflows.

~~(2) — The department shall update the energy and telecommunications interim committee and the water policy interim committee in accordance with 5-11-210 on all past and current studies conducted pursuant to this section."~~

Section 12. Section 87-2-702, MCA, is amended to read:

"87-2-702. Restrictions on special licenses -- availability of bear and mountain lion licenses. (1)

A person who has killed or taken any game animal, except a deer, an elk, or an antelope, during the current license year is not permitted to receive a special license under this chapter to hunt or kill a second game animal of the same species.

(2) The commission may require applicants for special permits authorized by this chapter to obtain a valid big game license for that species for the current year prior to applying for a special permit.

(3) Except as provided in 87-2-815, a person may take only one grizzly bear in Montana with a license authorized by 87-2-701.

(4) (a) Except as provided in 87-1-271(2), 87-1-275, and 87-2-815, a person who receives a moose, mountain goat, or limited mountain sheep license, as authorized by 87-2-701, with the exception of an antlerless moose or an adult ewe game management license issued under 87-2-104, is not eligible to receive another special license for that species for the next 7 years. For the purposes of this subsection (4)(a), "limited mountain sheep license" means a license that is valid for an area in which the number of licenses issued is restricted.

(b) (i) Except as provided in 87-1-271(2) and 87-2-815, a person who takes a legal ram mountain sheep with at least one horn that is equal to or greater than a three-fourths curl using an unlimited mountain sheep license or a population management license issued pursuant to 87-2-701 is not eligible to receive another special license for that species for the next 7 years. For the purposes of this subsection (4)(b)(i), "unlimited mountain sheep license" means a license that is valid for an area in which the number of licenses issued is not restricted.

~~[(ii) — The department shall biennially report to the environmental quality council in accordance with 5-11-210 information on:~~

~~(A) — mountain sheep harvested pursuant to this subsection (4) from the Tendoy Mountain herd;~~

~~(B) — efforts to collect tissue samples and other biological information from mountain sheep harvested from the Tendoy Mountain herd to determine the immunity of surviving herd members to pneumonia outbreaks; and~~

~~(C) — attempts by the department to share tissue samples and other biological information collected from the Tendoy Mountain herd with Washington State University, other public entities, and private entities that research the interaction between mountain sheep and domestic sheep.]~~

(5) An application for a wild buffalo or bison license must be made on the same form and is subject to the same license application deadline as the special license for moose, mountain goat, and mountain sheep. (Bracketed language in subsection (4)(b) terminates July 1, 2027—sec. 3, Ch. 186, L. 2017.)"

Section 13. Section 90-1-182, MCA, is amended to read:

1 **"90-1-182. State assistance to local governments in review of and comment on federal land**
2 **management proposals -- rulemaking.** (1) In carrying out the provisions of 90-1-181, the department of
3 commerce may conduct on behalf of local governments a socioeconomic impact review and analysis of
4 significant federal land management proposals. The department of commerce may use the review and analysis
5 to comment in a timely manner on the federal proposals regarding projected impacts on local government.
6 (2) The department of commerce may:
7 (a) establish a minimal procedure for local governments to request from the department a review
8 and analysis of significant federal land management proposals that may have a direct socioeconomic impact on
9 the community for which the local government has requested the review. The request must include sufficient
10 details about the federal land management proposal for the department of commerce to determine a deadline
11 by which the review must be conducted.
12 (b) contract with a unit of the Montana university system experienced in technical, doctorate-level
13 analysis of the socioeconomic impacts of federal land management proposals to provide an independent
14 economic analysis of the federal proposals; and
15 (c) advocate on behalf of the local government before the agency issuing the federal land
16 management proposals, using the reports generated under this subsection (2); and
17 ~~(d) report to the local government interim committee in accordance with 5-11-210, in any year in~~
18 ~~which there is a request, the number of requests, the types of requests, and the number of responses handled.~~
19 ~~The department shall post the information under this subsection (2)(d) on its website when a request has been~~
20 ~~made along with a summary of each requested analysis.~~
21 (3) The department of commerce may adopt rules to implement this section."
22

23 NEW SECTION. Section 14. Repealer. The following section of the Montana Code Annotated is
24 repealed:

25 5-12-208. Grant information to be provided to legislative finance committee -- internet link required.

26 75-1-314. REPORTING REQUIREMENTS.

27 77-1-820. REPORTING REQUIREMENTS.

28 77-2-366. LAND BANKING AND STATE LAND CABIN AND HOME SITES -- REPORTS TO ENVIRONMENTAL QUALITY

1 COUNCIL.

2

- END -