



AN ACT ALLOWING THE DEPARTMENT OF COMMERCE TO REVIEW, ANALYZE, AND COMMENT ON BEHALF OF LOCAL GOVERNMENTS REGARDING SIGNIFICANT FEDERAL LAND MANAGEMENT PROPOSALS; PROVIDING FOR RULEMAKING; AND ESTABLISHING ADVOCACY ON BEHALF OF LOCAL GOVERNMENTS AS A FUNCTION OF THE DEPARTMENT OF COMMERCE REGARDING FEDERAL LAND MANAGEMENT PROPOSALS.

WHEREAS, the Department of Commerce has a responsibility to maintain and advance the socioeconomic health of Montana communities; and

WHEREAS, Montana communities often lack the resources to quickly analyze and comment on federal land management proposals that may impact their communities; and

WHEREAS, the lack of regularity regarding federal land management proposals affecting Montana communities complicates responses by local governments and additionally means there is little need for a separate state program while still a need to respond in a timely manner.

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

Section 1. Functions of department of commerce -- socioeconomic advocacy. The department of commerce may, if funds are available, advocate on behalf of local governments, as defined in 7-11-1002, by reviewing, analyzing, and commenting on prospective impacts on local socioeconomic conditions from federal land management proposals.

Section 2. State assistance to local governments in review of and comment on federal land management proposals -- rulemaking. (1) In carrying out the provisions of [section 1], the department of commerce may conduct on behalf of local governments a socioeconomic impact review and analysis of significant federal land management proposals. The department of commerce may use the review and analysis to comment in a timely manner on the federal proposals regarding projected impacts on local government.

(2) The department of commerce may:

(a) establish a minimal procedure for local governments to request from the department a review and analysis of significant federal land management proposals that may have a direct socioeconomic impact on the community for which the local government has requested the review. The request must include sufficient details about the federal land management proposal for the department of commerce to determine a deadline by which the review must be conducted.

(b) contract with a unit of the Montana university system experienced in technical, doctorate-level analysis of the socioeconomic impacts of federal land management proposals to provide an independent economic analysis of the federal proposals;

(c) advocate on behalf of the local government before the agency issuing the federal land management proposals, using the reports generated under this subsection (2); and

(d) report to an appropriate legislative interim committee regarding the number of requests, the types of requests, and the number of responses handled annually. The department shall post the information under this subsection (2)(d) on its website along with a summary of each requested analysis.

(3) The department of commerce may adopt rules to implement this section.

Section 3. Codification instruction. [Sections 1 and 2] are intended to be codified as an integral part of Title 90, chapter 1, part 1, and the provisions of Title 90, chapter 1, part 1, apply to [sections 1 and 2].

- END -

I hereby certify that the within bill,
HB 0196, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2011.

President of the Senate

Signed this _____ day
of _____, 2011.

HOUSE BILL NO. 196

INTRODUCED BY P. CONNELL, A. HALE

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