

Amendment - 2nd Reading/2nd House-tan - Requested by: Andrea Olsen - (S) Committee of Whole

- 2023

68th Legislature 2023

Drafter: Julianne Burkhardt, 406-444-4025

HB0971.003.001

1 HOUSE BILL NO. 971
2 INTRODUCED BY J. KASSMIER, M. REGIER, M. BINKLEY, T. SMITH, G. PARRY, P. GREEN
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE ENVIRONMENTAL POLICY ACT;
5 CLARIFYING AND EXCLUDING THE USE OF GREENHOUSE GAS EVALUATIONS; PROVIDING AN
6 APPROPRIATION; AMENDING SECTION 75-1-201, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE
7 DATE DATES AN IMMEDIATE EFFECTIVE DATE."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10
11 NEW SECTION. Section 1. — **Exemption from environmental review.** In conformance with ~~75-2-~~
12 ~~102,~~ the department is exempt from the provisions of Title 75, chapter 1, parts 1 and 2, when authorizing
13 ~~permits, amendments, revisions, modifications, or any other proposed actions pursuant to this chapter .~~

14
15 NEW SECTION. Section 2. — **Exemption from environmental review.** In conformance with ~~82-4-~~
16 ~~102,~~ the department is exempt from the provisions of Title 75, chapter 1, parts 1 and 2, when authorizing
17 ~~permits, amendments, revisions, modifications, or any other proposed actions pursuant to this part.~~

18
19 NEW SECTION. Section 3. — **Exemption from environmental review.** In conformance with ~~82-4- 2~~
20 ~~02,~~ the department is exempt from the provisions of Title 75, chapter 1, parts 1 and 2, when authorizing
21 ~~permits, amendments, revisions, modifications, or any other proposed actions pursuant to this part.~~

22
23 NEW SECTION. Section 4. — **Exemption from environmental review.** In conformance with ~~82-4 -~~
24 ~~301,~~ the department is exempt from the provisions of Title 75, chapter 1, parts 1 and 2, when authorizing
25 ~~permits, amendments, revisions, modifications, or any other proposed actions pursuant to this part.~~

26
27 NEW SECTION. Section 5. — **Exemption from environmental review.** In conformance with ~~82-4-~~

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2 COORDINATION SECTION. Section 5. Coordination instruction. If both Senate Bill No. 557 and
3 [this act] are passed and approved, then Senate Bill No. 557 is void.
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5 NEW SECTION. Section 6. Effective date. (1) ~~Except as provided in subsection (2) [this act] [THIS~~
6 ACT] is effective on passage and approval.

7 ~~(2) — If the Montana Supreme Court finds the amendments to 75-1-201 in [this act] are~~
8 ~~unconstitutional or otherwise voids those amendments, [sections 1 through 5] are effective on the day after the~~
9 ~~effective date of the voidness or of the finding of unconstitutionality. The court shall notify the secretary of state~~
10 ~~and the code commissioner when this contingency is met.~~

11 - END -