

HOUSE BILL NO. 543

INTRODUCED BY MILES, D. BROWN, BRADLEY, IVERSON,  
QUILICI, BARDANOUE, HARP, KEENAN, HARPER, KRUEGER,  
DANIELS, SHAW, REGAN, STORY, YELLOWTAIL, CONOVER

IN THE HOUSE

January 29, 1985	Introduced and referred to Committee on Natural Resources.
February 5, 1985	Committee recommend bill do pass. Report adopted.  Bill printed and placed on members' desks.
February 6, 1985	Second reading, do pass.  Considered correctly engrossed.
February 7, 1985	Third reading, passed.  Transmitted to Senate.

IN THE SENATE

February 8, 1985	Introduced and referred to Committee on Natural Resources.
March 9, 1985	Committee recommend bill be concurrent in. Report adopted.
March 12, 1985	Second reading, concurred in.
March 14, 1985	Third reading, concurred in. Ayes, 50; Noes, 0.  Returned to House.

IN THE HOUSE

March 15, 1985

Received from Senate.

Sent to enrolling.

Reported correctly enrolled.

1 HOUSE BILL NO. 543  
 2 INTRODUCED BY *Miles* *Case* *Brown* *Gradley* *Levinson*  
 3 *Steen* *Balderson* *HARRY KENNEDY* *Ray* *KENNEDY*  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT CHANGING THE DATE FOR  
 5 THE FILING OF LONG-RANGE PLANS UNDER THE MAJOR FACILITY  
 6 SITING ACT FROM APRIL 1 TO JULY 1 OF EACH YEAR; AMENDING  
 7 SECTION 75-20-501, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE  
 8 DATE."  
 9

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

11 Section 1. Section 75-20-501, MCA, is amended to read:

12 "75-20-501. Annual long-range plan submitted --  
 13 contents -- available to public. (1) Each utility and each  
 14 person contemplating the construction of a facility within  
 15 this state in the ensuing 10 years shall furnish annually to  
 16 the department for its review a long-range plan for the  
 17 construction and operation of facilities.

18 (2) The plan shall be submitted by ~~April~~ July 1 of  
 19 each year and must include the following:

20 (a) the general location, size, and type of all  
 21 facilities to be owned and operated by the utility or person  
 22 whose construction is projected to commence during the  
 23 ensuing 10 years, as well as those facilities to be removed  
 24 from service during the planning period;

25 (b) in the case of utility facilities, a description

1 of efforts by the utility or person to coordinate the plan  
 2 with other utilities or persons so as to provide a  
 3 coordinated regional plan for meeting the energy needs of  
 4 the region;

5 (c) a description of the efforts to involve  
 6 environmental protection and land use planning agencies in  
 7 the planning process, as well as other efforts to identify  
 8 and minimize environmental problems at the earliest possible  
 9 stage in the planning process;

10 (d) projections of the demand for the service rendered  
 11 by the utility or person and explanation of the basis for  
 12 those projections and a description of the manner and extent  
 13 to which the proposed facilities will meet the projected  
 14 demand; and

15 (e) additional information that the board by rule or  
 16 the department on its own initiative or upon the advice of  
 17 interested state agencies might request in order to carry  
 18 out the purposes of this chapter.

19 (3) The plan shall be furnished to the governing body  
 20 of each county in which any facility included in the plan  
 21 under (2)(a) of this section is proposed to be located and  
 22 made available to the public by the department. The utility  
 23 or person shall give public notice throughout the state of  
 24 its plan by filing the plan with the environmental quality  
 25 council, the department of health and environmental



1 sciences, the department of highways, the department of  
2 public service regulation, the department of state lands,  
3 the department of fish, wildlife, and parks, and the  
4 department of commerce. Citizen environmental protection and  
5 resource planning groups and other interested persons may  
6 obtain a plan by written request and payment therefor to the  
7 department.

8 (4) A rural electric cooperative may furnish the  
9 department with a copy of the long-range plan and 2-year  
10 work plan required to be completed under federal rural  
11 electrification requirements in lieu of the long-range plan  
12 required in subsection (1).

13 (5) No person may file an application for a facility  
14 unless the facility had been adequately identified in a  
15 long-range plan at least 2 years prior to acceptance of an  
16 application by the department."

17 NEW SECTION. Section 2. Extension of authority. Any  
18 existing authority of the board of natural resources and  
19 conservation to make rules on the subject of the provisions  
20 of this act is extended to the provisions of this act.

21 NEW SECTION. Section 3. Effective date. This act is  
22 effective on passage and approval.

-End-

APPROVED BY COMM. ON NATURAL RESOURCES

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 17 interested state agencies might request in order to carry  
 18 out the purposes of this chapter.

19        (3) The plan shall be furnished to the governing body  
 20 of each county in which any facility included in the plan  
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8 (4) A rural electric cooperative may furnish the  
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*Sylvan* *Balderson* *Happ* *Kennedy* *Ray* *Krueger*

A BILL FOR AN ACT ENTITLED: "AN ACT CHANGING THE DATE FOR THE FILING OF LONG-RANGE PLANS UNDER THE MAJOR FACILITY SITING ACT FROM APRIL 1 TO JULY 1 OF EACH YEAR; AMENDING SECTION 75-20-501, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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(2) The plan shall be submitted by April ~~July~~ 1 of each year and must include the following:

(a) the general location, size, and type of all facilities to be owned and operated by the utility or person whose construction is projected to commence during the ensuing 10 years, as well as those facilities to be removed from service during the planning period;

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of efforts by the utility or person to coordinate the plan with other utilities or persons so as to provide a coordinated regional plan for meeting the energy needs of the region;

(c) a description of the efforts to involve environmental protection and land use planning agencies in the planning process, as well as other efforts to identify and minimize environmental problems at the earliest possible stage in the planning process;

(d) projections of the demand for the service rendered by the utility or person and explanation of the basis for those projections and a description of the manner and extent to which the proposed facilities will meet the projected demand; and

(e) additional information that the board by rule or the department on its own initiative or upon the advice of interested state agencies might request in order to carry out the purposes of this chapter.

(3) The plan shall be furnished to the governing body of each county in which any facility included in the plan under (2)(a) of this section is proposed to be located and made available to the public by the department. The utility or person shall give public notice throughout the state of its plan by filing the plan with the environmental quality council, the department of health and environmental

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