

HOUSE BILL NO. 860

INTRODUCED BY D. BROWN, MARKS, BLAYLOCK, THOFT, IVERSON,
JACK MOORE, ADDY, WALDRON, CRIPPEN, MCCORMICK, KEENAN,
NISBET, QUILICI, REGAN, YELLOWTAIL, HANNAH, ECK, HARPER,
BARDANOUE, TVEIT, VINCENT, KRUEGER, THAYER, B. WILLIAMS,
VAN VALKENBURG, SHAW, BRADLEY, CONOVER, SCHYE, COHEN,
REAM, LORY, MANUEL, E. SMITH, STEPHENS, MILES, RANEY,
PAVLOVICH, MANNING, PINSONEAULT, ABRAMS,
WINSLOW, DRISCOLL, MAZUREK

IN THE HOUSE

February 16, 1985	Introduced and referred to Committee on State Administration.
	Rereferred to Committee on Natural Resources.
February 19, 1985	Fiscal Note requested.
February 22, 1985	Fiscal Note returned.
February 23, 1985	Committee recommend bill do pass as amended. Report adopted.
February 25, 1985	Bill printed and placed on members' desks.
February 26, 1985	Second reading, do pass. Considered correctly engrossed.
February 27, 1985	Third reading, passed. Transmitted to Senate.

IN THE SENATE

March 5, 1985	Introduced and referred to Committee on Natural Resources.
---------------	--

March 21, 1985	Committee recommend bill be concurred in. Report adopted.
March 23, 1985	Second reading, concurred in.
March 26, 1985	Third reading, concurred in. Ayes, 50; Noes, 0. Returned to House.

IN THE HOUSE

March 27, 1985	Received from Senate. Sent to enrolling. Reported correctly enrolled.
----------------	---

HOUSE BILL NO. 860

INTRODUCED BY *David Brown, Mark Braddock, Jeff*

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE STATE

LIBRARY TO IMPLEMENT AND OPERATE THE NATURAL RESOURCE

INFORMATION SYSTEM AND THE NATURAL HERITAGE PROGRAM;

AMENDING SECTIONS 2-15-1018, 90-15-101 THROUGH 90-15-103

90-15-201, 90-15-202, AND 90-15-301 THROUGH 90-15-304, MCA;

AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 2-15-1018, MCA, is amended to read:

"2-15-1018. Natural resource data system advisory committee. (1) There is a natural resource data system advisory committee consisting of an employee of the environmental quality council, of the state library, and of each principal data source agency, appointed by the head of the respective state agency, and by the board of regents of higher education for the Montana university system.

(2) The department--of--administration state library shall provide staff support to the committee, within the limits of the department's library's available resources."

Section 2. Section 90-15-101, MCA, is amended to read:

"90-15-101. Purpose. It is the purpose of this chapter to establish a planning framework for the development of a

natural resource information system, to implement the system, and to establish an ongoing Montana natural heritage program."

Section 3. Section 90-15-102, MCA, is amended to read: "90-15-102. Definitions. As used in this chapter, the following definitions apply:

(1) "Committee" means the natural resource data system advisory committee created by 2-15-1018.

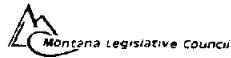
(2) "Department"-----means-----the----department----of administration-created--by--2-15-1001; "Library" means the state library provided for in 22-1-201.

(3) "Natural heritage program" means a program of information acquisition, storage, and retrieval for data relating to the flora, fauna, and biological community types of Montana.

(4) "Principal data source agencies" means any of the following state agencies: the department of natural resources and conservation; the department of fish, wildlife, and parks; the department of state lands; the department of health and environmental sciences; the department of agriculture; the department of highways; the state historical society; and the Montana university system."

Section 4. Section 90-15-103, MCA, is amended to read: "90-15-103. Funding -- appropriation. The department

Handwritten notes on the left margin:
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25



1 ~~of--administration~~ library may apply for and may receive
 2 funding from private and public sources for the purposes of
 3 this chapter, and any such funds are [statutorily]
 4 appropriated to the department library for such purposes [as
 5 provided in section 2, HB 12]."

6 Section 5. Section 90-15-201, MCA, is amended to read:
 7 "90-15-201. Duties of committee. The committee shall
 8 examine the following matters and make recommendations to
 9 the department-head library concerning:

10 (1) criteria for the categories and types of data to
 11 be collected for a natural resource information system;

12 (2) criteria for the format of data collection;

13 (3) identification of existing sources of relevant
 14 data in the public sector;

15 (4) identification of data acquisition, storage, and
 16 retrieval methodologies that are economical and efficient,
 17 that minimize or eliminate the duplication of data bases,
 18 and that utilize computer networking;

19 (5) probable costs to agencies furnishing required
 20 data and probable costs of managing the data;

21 (6) probable benefits to be realized by the
 22 establishment of a natural resource information system;

23 (7) operation of the Montana natural heritage program;
 24 and

25 (8) other items the committee considers of importance

1 to the establishment of a natural resource information
 2 system."

3 Section 6. Section 90-15-202, MCA, is amended to read:
 4 "90-15-202. Committee staff. The department library
 5 shall provide staff support to the committee, within the
 6 limits of the department's library's available resources."

7 Section 7. Section 90-15-301, MCA, is amended to read:

8 "90-15-301. Establishment of information system. (1)
 9 The department library, in consultation with the committee,
 10 shall establish a planning framework for the implementation
 11 of a natural resource information system and shall begin
 12 implementation of the plan. This system is to be a
 13 comprehensive program for the acquisition, storage, and
 14 retrieval of existing data relating to the natural resources
 15 of Montana.

16 (2) The department library shall give attention to the
 17 factors listed in 90-15-201 and shall prepare any
 18 legislation necessary to implement the system.

19 (3) It is not intended that the system shall require
 20 fieldwork ~~or literature searches~~ to produce data. The system
 21 is intended to facilitate the management of data collected
 22 by state agencies in the normal course of their operations."

23 Section 8. Section 90-15-302, MCA, is amended to read:

24 "90-15-302. Natural heritage program. (1) There is a
 25 Montana natural heritage program to be operated by the

1 department library. In order to establish the program, the
 2 department library may contract with an independent
 3 contractor for-a-period-not-to-exceed-2-years or may employ
 4 necessary staff. In order to minimize costs, the library or
 5 other state agencies may make available state resources and
 6 facilities to an independent contractor as part of a
 7 contract for services.

8 (2) The Montana natural heritage program shall be
 9 designed to be compatible with similar programs in other
 10 states. This program is to be an initial step in the
 11 formulation of the comprehensive natural resource
 12 information system referred to in 90-15-301 and is to be
 13 considered a part of the system."

14 Section 9. Section 90-15-303, MCA, is amended to read:

15 "90-15-303. Interagency cooperation. (1) State
 16 agencies shall cooperate with the department library and the
 17 committee in the planning of the natural resource
 18 information system.

19 (2) Within the limits of available resources, state
 20 agencies shall provide data requested by the department
 21 library for purposes of the Montana natural heritage
 22 program. If an agency does not possess requested data or is
 23 unable to locate requested data, the agency shall inform the
 24 department library. It is not necessary for an agency to
 25 conduct fieldwork or literature searches to obtain requested

1 data."

2 Section 10. Section 90-15-304, MCA, is amended to
 3 read:

4 "90-15-304. Availability of information. (1) Except as
 5 provided in subsection (3), the department library shall
 6 make information from the natural resource information
 7 system available to local, state, and federal agencies and
 8 to the general public.

9 (2) The department library may establish a fee system
 10 for information requests in order to cover the costs of
 11 providing requested information.

12 (3) If necessary, the department library shall
 13 establish procedures to protect confidential information in
 14 the possession of state agencies."

15 NEW SECTION. Section 11. Coordination instruction. If
 16 House Bill No. 12 of the 49th legislature is not passed and
 17 approved, the bracketed language in section 4 of this act is
 18 void. If House Bill No. 12 is so passed and approved, there
 19 is added to the listing of laws containing statutory
 20 appropriations, in section 2 of House Bill No. 12, a
 21 reference to 90-15-103.

22 NEW SECTION. Section 12. Effective date. This act is
 23 effective on passage and approval.

-End-

STATE OF MONTANA

REQUEST NO. FNN 456-85

FISCAL NOTE

Form BD-15

In compliance with a written request received February 19, 19 85, there is hereby submitted a Fiscal Note for House Bill 860 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA). Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

Description of Proposed Legislation:

The project would establish a Natural Resource Information System that would inventory existing data and information collected and stored by state agencies and design a mechanism to provide access to this decentralized system. The bill would authorize the State Library to implement and operate the Natural Resource Information System and the Natural Heritage Program.

Assumptions:

1. This is a housekeeping bill transferring statutory responsibility from Department of Administration to the State Library Commission.
2. The program, as statutorily authorized, was not funded by the 48th Legislature.
3. Fiscal impact will be incorporated in fiscal notes attached to any appropriations bills.
4. The State Library Commission will not implement the program and will not incur expenses unless appropriations bills provide funds for the program.

Fiscal Impact:

None

Local Impact:

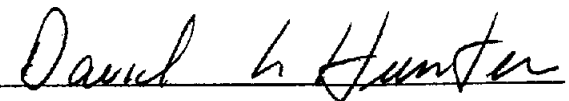
Cost saving or cost avoidance for local counties and other local government units.

Long-range Impacts:

Cost avoidance for agencies which review environmental impact statements and applications under the Facilities Siting Act or in other ways use natural resource information.

Technical notes:

Technical adjustments to the statutes by transferring authority from Department of Administration to Montana State Library.



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: Feb 22, 1985
HB 860

1 HOUSE BILL NO. 860
 2 INTRODUCED BY D. BROWN, MARKS, BLAYLOCK, THOFT, IVERSON,
 3 JACK MOORE, ADDY, WALDRON, CRIPPEN, MCCORMICK, KEENAN,
 4 NISBET, QUILICI, REGAN, YELLOWTAIL, HANNAH, ECK, HARPER,
 5 BARDANOUE, TVEIT, VINCENT, KRUEGER, THAYER, B. WILLIAMS,
 6 VAN VALKENBURG, SHAW, BRADLEY, CONOVER, SCHYE, COHEN,
 7 REAM, LORY, MANUEL, E. SMITH, STEPHENS, MILES, RANEY,
 8 PAVLOVICH, MANNING, PINSONEAULT, ABRAMS,
 9 WINSLOW, DRISCOLL, MAZUREK

10
 11
 12 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE STATE
 13 LIBRARY TO IMPLEMENT AND OPERATE THE NATURAL RESOURCE
 14 INFORMATION SYSTEM AND THE NATURAL HERITAGE PROGRAM;
 15 AMENDING SECTIONS 2-15-1018, 90-15-101 THROUGH 90-15-103,
 16 90-15-201, 90-15-202, AND 90-15-301 THROUGH 90-15-304, MCA;
 17 AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

18
 19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

20 Section 1. Section 2-15-1018, MCA, is amended to read:
 21 "2-15-1018. Natural resource data system advisory
 22 committee. (1) There is a natural resource data system
 23 advisory committee consisting of an employee of the
 24 environmental quality council, of the state library, and of
 25 each principal data source agency, appointed by the head of

1 the respective state agency, and by the board of regents of
 2 higher education for the Montana university system.

3 (2) The ~~department--of--administration~~ state library
 4 shall provide staff support to the committee, within the
 5 limits of the ~~department's~~ library's available resources."

6 Section 2. Section 90-15-101, MCA, is amended to read:
 7 "90-15-101. Purpose. It is the purpose of this chapter
 8 to establish a planning framework for the development of a
 9 natural resource information system, to implement the
 10 system, and to establish an ongoing Montana natural heritage
 11 program."

12 Section 3. Section 90-15-102, MCA, is amended to read:
 13 "90-15-102. Definitions. As used in this chapter, the
 14 following definitions apply:

15 (1) "Committee" means the natural resource data system
 16 advisory committee created by 2-15-1018.

17 (2) ~~"Department"-----means-----the----department----of~~
 18 ~~administration-created--by--2-15-1001~~ "Library" means the
 19 state library provided for in 22-1-201.

20 (3) "Natural heritage program" means a program of
 21 information acquisition, storage, and retrieval for data
 22 relating to the flora, fauna, and biological community types
 23 of Montana.

24 (4) "Principal data source agencies" means any of the
 25 following state agencies: the department of natural

1 resources and conservation; the department of fish,
2 wildlife, and parks; the department of state lands; the
3 department of health and environmental sciences; the
4 department of agriculture; the department of highways; the
5 state historical society; and the Montana university
6 system."

7 Section 4. Section 90-15-103, MCA, is amended to read:

8 "90-15-103. Funding -- appropriation. The department
9 ~~of--administration~~ library AND EACH PRINCIPAL DATA SOURCE
10 AGENCY may apply for and may receive funding from private
11 and public sources for the purposes of this chapter, and any
12 such funds are [statutorily] appropriated to the department
13 library OR TO THE APPROPRIATE PRINCIPAL DATA SOURCE AGENCY
14 for such purposes [as provided in section 2, HB 12]."

15 Section 5. Section 90-15-201, MCA, is amended to read:

16 "90-15-201. Duties of committee. The committee shall
17 examine the following matters and make recommendations to
18 the department-head library concerning:

- 19 (1) criteria for the categories and types of data to
20 be collected for a natural resource information system;
21 (2) criteria for the format of data collection;
22 (3) identification of existing sources of relevant
23 data in the public sector;
24 (4) identification of data acquisition, storage, and
25 retrieval methodologies that are economical and efficient,

1 that minimize or eliminate the duplication of data bases,
2 and that utilize computer networking;

3 (5) probable costs to agencies furnishing required
4 data and probable costs of managing the data;

5 (6) probable benefits to be realized by the
6 establishment of a natural resource information system;

7 (7) operation of the Montana natural heritage program;
8 and

9 (8) other items the committee considers of importance
10 to the establishment of a natural resource information
11 system."

12 Section 6. Section 90-15-202, MCA, is amended to read:

13 "90-15-202. Committee staff. The department library
14 shall provide staff support to the committee, within the
15 limits of the department's library's available resources."

16 Section 7. Section 90-15-301, MCA, is amended to read:

17 "90-15-301. Establishment of information system. (1)
18 The department library, in consultation with the committee,
19 shall establish a planning framework for the implementation
20 of a natural resource information system and shall begin
21 implementation of the plan. This system is to be a
22 comprehensive program for the acquisition, storage, and
23 retrieval of existing data relating to the natural resources
24 of Montana.

25 (2) The department library shall give attention to the

1 factors listed in 90-15-201 and shall prepare any
2 legislation necessary to implement the system.

3 (3) It is not intended that the system shall require
4 fieldwork ~~or literature searches~~ to produce data. The system
5 is intended to facilitate the management of data collected
6 by state agencies in the normal course of their operations."

7 Section 8. Section 90-15-302, MCA, is amended to read:

8 "90-15-302. Natural heritage program. (1) There is a
9 Montana natural heritage program to be operated by the
10 department library. In order to establish the program, the
11 department library may contract with an independent
12 contractor for a period not to exceed 2 years or may employ
13 necessary staff. In order to minimize costs, the library or
14 other state agencies may make available state resources and
15 facilities to an independent contractor as part of a
16 contract for services.

17 (2) The Montana natural heritage program shall be
18 designed to be compatible with similar programs in other
19 states. This program is to be an initial step in the
20 formulation of the comprehensive natural resource
21 information system referred to in 90-15-301 and is to be
22 considered a part of the system."

23 Section 9. Section 90-15-303, MCA, is amended to read:

24 "90-15-303. Interagency cooperation. (1) State
25 agencies shall cooperate with the department library and the

1 committee in the planning of the natural resource
2 information system.

3 (2) Within the limits of available resources, state
4 agencies shall provide data requested by the department
5 library for purposes of the Montana natural heritage
6 program. If an agency does not possess requested data or is
7 unable to locate requested data, the agency shall inform the
8 department library. It is not necessary for an agency to
9 conduct fieldwork or literature searches to obtain requested
10 data."

11 Section 10. Section 90-15-304, MCA, is amended to
12 read:

13 "90-15-304. Availability of information. (1) Except as
14 provided in subsection (3), the department library shall
15 make information from the natural resource information
16 system available to local, state, and federal agencies and
17 to the general public.

18 (2) The department library may establish a fee system
19 for information requests in order to cover the costs of
20 providing requested information.

21 (3) If necessary, the department library shall
22 establish procedures to protect confidential information in
23 the possession of state agencies."

24 NEW SECTION. Section 11. Coordination instruction. If
25 House Bill No. 12 of the 49th legislature is not passed and

1 approved, the bracketed language in section 4 of this act is
2 void. If House Bill No. 12 is so passed and approved, there
3 is added to the listing of laws containing statutory
4 appropriations, in section 2 of House Bill No. 12, a
5 reference to 90-15-103.

6 NEW SECTION. Section 12. Effective date. This act is
7 effective on passage and approval.

-End-

1 HOUSE BILL NO. 860
 2 INTRODUCED BY D. BROWN, MARKS, BLAYLOCK, THOFT, IVERSON,
 3 JACK MOORE, ADDY, WALDRON, CRIPPEN, MCCORMICK, KEENAN,
 4 NISBET, QUILICI, REGAN, YELLOWTAIL, HANNAH, ECK, HARPER,
 5 BARDANOUE, TVEIT, VINCENT, KRUEGER, THAYER, B. WILLIAMS,
 6 VAN VALKENBURG, SHAW, BRADLEY, CONOVER, SCHYE, COHEN,
 7 REAM, LORY, MANUEL, E. SMITH, STEPHENS, MILES, RANEY,
 8 PAVLOVICH, MANNING, PINSONEAULT, ABRAMS,
 9 WINSLOW, DRISCOLL, MAZUREK

10
 11
 12 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE STATE
 13 LIBRARY TO IMPLEMENT AND OPERATE THE NATURAL RESOURCE
 14 INFORMATION SYSTEM AND THE NATURAL HERITAGE PROGRAM;
 15 AMENDING SECTIONS 2-15-1018, 90-15-101 THROUGH 90-15-103,
 16 90-15-201, 90-15-202, AND 90-15-301 THROUGH 90-15-304, MCA;
 17 AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

18
 19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 20 Section 1. Section 2-15-1018, MCA, is amended to read:
 21 "2-15-1018. Natural resource data system advisory
 22 committee. (1) There is a natural resource data system
 23 advisory committee consisting of an employee of the
 24 environmental quality council, of the state library, and of
 25 each principal data source agency, appointed by the head of

1 the respective state agency, and by the board of regents of
 2 higher education for the Montana university system.

3 (2) The ~~department--of--administration~~ state library
 4 shall provide staff support to the committee, within the
 5 limits of the ~~department's~~ library's available resources."

6 Section 2. Section 90-15-101, MCA, is amended to read:
 7 "90-15-101. Purpose. It is the purpose of this chapter
 8 to establish a planning framework for the development of a
 9 natural resource information system, to implement the
 10 system, and to establish an ongoing Montana natural heritage
 11 program."

12 Section 3. Section 90-15-102, MCA, is amended to read:
 13 "90-15-102. Definitions. As used in this chapter, the
 14 following definitions apply:

15 (1) "Committee" means the natural resource data system
 16 advisory committee created by 2-15-1018.

17 (2) "~~Department~~" ~~means the department of~~
 18 ~~administration created by 2-15-1001~~; "Library" means the
 19 state library provided for in 22-1-201.

20 (3) "Natural heritage program" means a program of
 21 information acquisition, storage, and retrieval for data
 22 relating to the flora, fauna, and biological community types
 23 of Montana.

24 (4) "Principal data source agencies" means any of the
 25 following state agencies: the department of natural



1 resources and conservation; the department of fish,
2 wildlife, and parks; the department of state lands; the
3 department of health and environmental sciences; the
4 department of agriculture; the department of highways; the
5 state historical society; and the Montana university
6 system."

7 Section 4. Section 90-15-103, MCA, is amended to read:

8 "90-15-103. Funding -- appropriation. The department
9 of--administration library AND EACH PRINCIPAL DATA SOURCE
10 AGENCY may apply for and may receive funding from private
11 and public sources for the purposes of this chapter, and any
12 such funds are [statutorily] appropriated to the department
13 library OR TO THE APPROPRIATE PRINCIPAL DATA SOURCE AGENCY
14 for such purposes [as provided in section 2, HB 12]."

15 Section 5. Section 90-15-201, MCA, is amended to read:

16 "90-15-201. Duties of committee. The committee shall
17 examine the following matters and make recommendations to
18 the department-head library concerning:

- 19 (1) criteria for the categories and types of data to
20 be collected for a natural resource information system;
21 (2) criteria for the format of data collection;
22 (3) identification of existing sources of relevant
23 data in the public sector;
24 (4) identification of data acquisition, storage, and
25 retrieval methodologies that are economical and efficient,

1 that minimize or eliminate the duplication of data bases,
2 and that utilize computer networking;

3 (5) probable costs to agencies furnishing required
4 data and probable costs of managing the data;

5 (6) probable benefits to be realized by the
6 establishment of a natural resource information system;

7 (7) operation of the Montana natural heritage program;
8 and

9 (8) other items the committee considers of importance
10 to the establishment of a natural resource information
11 system."

12 Section 6. Section 90-15-202, MCA, is amended to read:

13 "90-15-202. Committee staff. The department library
14 shall provide staff support to the committee, within the
15 limits of the department's library's available resources."

16 Section 7. Section 90-15-301, MCA, is amended to read:

17 "90-15-301. Establishment of information system. (1)
18 The department library, in consultation with the committee,
19 shall establish a planning framework for the implementation
20 of a natural resource information system and shall begin
21 implementation of the plan. This system is to be a
22 comprehensive program for the acquisition, storage, and
23 retrieval of existing data relating to the natural resources
24 of Montana.

25 (2) The department library shall give attention to the

1 factors listed in 90-15-201 and shall prepare any
2 legislation necessary to implement the system.

3 (3) It is not intended that the system shall require
4 fieldwork ~~or literature searches~~ to produce data. The system
5 is intended to facilitate the management of data collected
6 by state agencies in the normal course of their operations."

7 Section 8. Section 90-15-302, MCA, is amended to read:

8 "90-15-302. Natural heritage program. (1) There is a
9 Montana natural heritage program to be operated by the
10 department library. In order to establish the program, the
11 department library may contract with an independent
12 contractor for a period not to exceed 2 years or may employ
13 necessary staff. In order to minimize costs, the library or
14 other state agencies may make available state resources and
15 facilities to an independent contractor as part of a
16 contract for services.

17 (2) The Montana natural heritage program shall be
18 designed to be compatible with similar programs in other
19 states. This program is to be an initial step in the
20 formulation of the comprehensive natural resource
21 information system referred to in 90-15-301 and is to be
22 considered a part of the system."

23 Section 9. Section 90-15-303, MCA, is amended to read:

24 "90-15-303. Interagency cooperation. (1) State
25 agencies shall cooperate with the department library and the

1 committee in the planning of the natural resource
2 information system.

3 (2) Within the limits of available resources, state
4 agencies shall provide data requested by the department
5 library for purposes of the Montana natural heritage
6 program. If an agency does not possess requested data or is
7 unable to locate requested data, the agency shall inform the
8 department library. It is not necessary for an agency to
9 conduct fieldwork or literature searches to obtain requested
10 data."

11 Section 10. Section 90-15-304, MCA, is amended to
12 read:

13 "90-15-304. Availability of information. (1) Except as
14 provided in subsection (3), the department library shall
15 make information from the natural resource information
16 system available to local, state, and federal agencies and
17 to the general public.

18 (2) The department library may establish a fee system
19 for information requests in order to cover the costs of
20 providing requested information.

21 (3) If necessary, the department library shall
22 establish procedures to protect confidential information in
23 the possession of state agencies."

24 NEW SECTION. Section 11. Coordination instruction. If
25 House Bill No. 12 of the 49th legislature is not passed and

HB 0860/02

1 approved, the bracketed language in section 4 of this act is
2 void. If House Bill No. 12 is so passed and approved, there
3 is added to the listing of laws containing statutory
4 appropriations, in section 2 of House Bill No. 12, a
5 reference to 90-15-103.

6 NEW SECTION. Section 12. Effective date. This act is
7 effective on passage and approval.

-End-

HOUSE BILL NO. 860

INTRODUCED BY D. BROWN, MARKS, BLAYLOCK, THOFT, IVERSON,
 JACK MOORE, ADDY, WALDRON, CRIPPEN, MCCORMICK, KEENAN,
 NISBET, QUILICI, REGAN, YELLOWTAIL, HANNAH, ECK, HARPER,
 BARDANOUE, TVEIT, VINCENT, KRUEGER, THAYER, B. WILLIAMS,
 VAN VALKENBURG, SHAW, BRADLEY, CONOVER, SCHYE, COHEN,
 REAM, LORY, MANUEL, E. SMITH, STEPHENS, MILES, RANEY,
 PAVLOVICH, MANNING, PINSONEAULT, ABRAMS,
 WINSLOW, DRISCOLL, MAZUREK

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE STATE
 LIBRARY TO IMPLEMENT AND OPERATE THE NATURAL RESOURCE
 INFORMATION SYSTEM AND THE NATURAL HERITAGE PROGRAM;
 AMENDING SECTIONS 2-15-1018, 90-15-101 THROUGH 90-15-103,
 90-15-201, 90-15-202, AND 90-15-301 THROUGH 90-15-304, MCA;
 AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 2-15-1018, MCA, is amended to read:

"2-15-1018. Natural resource data system advisory
 committee. (1) There is a natural resource data system
 advisory committee consisting of an employee of the
 environmental quality council, of the state library, and of
 each principal data source agency, appointed by the head of

the respective state agency, and by the board of regents of
 higher education for the Montana university system.

(2) The ~~department--of--administration~~ state library
 shall provide staff support to the committee, within the
 limits of the department's library's available resources."

Section 2. Section 90-15-101, MCA, is amended to read:
 "90-15-101. Purpose. It is the purpose of this chapter
 to establish a planning framework for the development of a
 natural resource information system, to implement the
system, and to establish an ongoing Montana natural heritage
 program."

Section 3. Section 90-15-102, MCA, is amended to read:

"90-15-102. Definitions. As used in this chapter, the
 following definitions apply:

(1) "Committee" means the natural resource data system
 advisory committee created by 2-15-1018.

(2) "~~Department~~" ~~means the department of~~
~~administration created by 2-15-1001~~ "Library" means the
state library provided for in 22-1-201.

(3) "Natural heritage program" means a program of
 information acquisition, storage, and retrieval for data
 relating to the flora, fauna, and biological community types
 of Montana.

(4) "Principal data source agencies" means any of the
 following state agencies: the department of natural

1 resources and conservation; the department of fish,
2 wildlife, and parks; the department of state lands; the
3 department of health and environmental sciences; the
4 department of agriculture; the department of highways; the
5 state historical society; and the Montana university
6 system."

7 Section 4. Section 90-15-103, MCA, is amended to read:

8 "90-15-103. Funding -- appropriation. The department
9 ~~of--administration library AND EACH PRINCIPAL DATA SOURCE~~
10 AGENCY may apply for and may receive funding from private
11 and public sources for the purposes of this chapter, and any
12 such funds are [statutorily] appropriated to the department
13 library OR TO THE APPROPRIATE PRINCIPAL DATA SOURCE AGENCY
14 for such purposes [as provided in section 2, HB 12]."

15 Section 5. Section 90-15-201, MCA, is amended to read:

16 "90-15-201. Duties of committee. The committee shall
17 examine the following matters and make recommendations to
18 the department-head library concerning:

- 19 (1) criteria for the categories and types of data to
20 be collected for a natural resource information system;
21 (2) criteria for the format of data collection;
22 (3) identification of existing sources of relevant
23 data in the public sector;
24 (4) identification of data acquisition, storage, and
25 retrieval methodologies that are economical and efficient,

1 that minimize or eliminate the duplication of data bases,
2 and that utilize computer networking;

3 (5) probable costs to agencies furnishing required
4 data and probable costs of managing the data;

5 (6) probable benefits to be realized by the
6 establishment of a natural resource information system;

7 (7) operation of the Montana natural heritage program;
8 and

9 (8) other items the committee considers of importance
10 to the establishment of a natural resource information
11 system."

12 Section 6. Section 90-15-202, MCA, is amended to read:

13 "90-15-202. Committee staff. The department library
14 shall provide staff support to the committee, within the
15 limits of the department's library's available resources."

16 Section 7. Section 90-15-301, MCA, is amended to read:

17 "90-15-301. Establishment of information system. (1)
18 The department library, in consultation with the committee,
19 shall establish a planning framework for the implementation
20 of a natural resource information system and shall begin
21 implementation of the plan. This system is to be a
22 comprehensive program for the acquisition, storage, and
23 retrieval of existing data relating to the natural resources
24 of Montana.

25 (2) The department library shall give attention to the

1 factors listed in 90-15-201 and shall prepare any
2 legislation necessary to implement the system.

3 (3) It is not intended that the system shall require
4 fieldwork ~~or literature searches~~ to produce data. The system
5 is intended to facilitate the management of data collected
6 by state agencies in the normal course of their operations."

7 Section 8. Section 90-15-302, MCA, is amended to read:

8 "90-15-302. Natural heritage program. (1) There is a
9 Montana natural heritage program to be operated by the
10 department library. In order to establish the program, the
11 department library may contract with an independent
12 contractor for a period not to exceed 2 years or may employ
13 necessary staff. In order to minimize costs, the library or
14 other state agencies may make available state resources and
15 facilities to an independent contractor as part of a
16 contract for services.

17 (2) The Montana natural heritage program shall be
18 designed to be compatible with similar programs in other
19 states. This program is to be an initial step in the
20 formulation of the comprehensive natural resource
21 information system referred to in 90-15-301 and is to be
22 considered a part of the system."

23 Section 9. Section 90-15-303, MCA, is amended to read:

24 "90-15-303. Interagency cooperation. (1) State
25 agencies shall cooperate with the department library and the

1 committee in the planning of the natural resource
2 information system.

3 (2) Within the limits of available resources, state
4 agencies shall provide data requested by the department
5 library for purposes of the Montana natural heritage
6 program. If an agency does not possess requested data or is
7 unable to locate requested data, the agency shall inform the
8 department library. It is not necessary for an agency to
9 conduct fieldwork or literature searches to obtain requested
10 data."

11 Section 10. Section 90-15-304, MCA, is amended to
12 read:

13 "90-15-304. Availability of information. (1) Except as
14 provided in subsection (3), the department library shall
15 make information from the natural resource information
16 system available to local, state, and federal agencies and
17 to the general public.

18 (2) The department library may establish a fee system
19 for information requests in order to cover the costs of
20 providing requested information.

21 (3) If necessary, the department library shall
22 establish procedures to protect confidential information in
23 the possession of state agencies."

24 NEW SECTION. Section 11. Coordination instruction. If
25 House Bill No. 12 of the 49th legislature is not passed and

1 approved, the bracketed language in section 4 of this act is
2 void. If House Bill No. 12 is so passed and approved, there
3 is added to the listing of laws containing statutory
4 appropriations, in section 2 of House Bill No. 12, a
5 reference to 90-15-103.

6 NEW SECTION. Section 12. Effective date. This act is
7 effective on passage and approval.

-End-