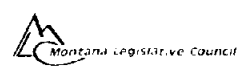


1 House BILL NO. 404
 2 INTRODUCED BY HURT PH Winnell
 3 BM B
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE A TIME LIMIT
 5 FOR THE BOARD OF NATURAL RESOURCES AND CONSERVATION TO REACH
 6 A DECISION ON CENTERLINE LOCATION; AMENDING SECTION
 7 75-20-205, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."
 8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 10 Section 1. Section 75-20-205, MCA, is amended to read:
 11 "75-20-205. Centerline location. (1) For all
 12 facilities defined in 75-20-104(10)(b) and (10)(c) and
 13 associated facilities certified under this chapter, the
 14 board shall condition the certificate upon board approval of
 15 a final centerline location.
 16 (2) The final centerline location must be determined
 17 in a noncontested case proceeding before the board after the
 18 submission of a centerline location report by the
 19 department. Within 60 days after submission of the
 20 centerline location report by the department, the board
 21 shall render and record a decision approving a centerline
 22 location.
 23 (3) The department shall consult with the certificate
 24 holder and the affected landowners prior to making its
 25 report.

1 (4) The department's report must be prepared
 2 considering the criteria set forth in 75-20-301 and
 3 75-20-503 and the findings of fact and conclusions of law
 4 set out in the board decision.
 5 (5) The department report may be completed on segments
 6 of a certified facility as is convenient to the certificate
 7 holder.
 8 (6) The certificate holder shall initiate the final
 9 centerline location approval process by submitting a
 10 proposed centerline location plan to the department. The
 11 certificate holder shall pay to the department the actual
 12 costs incurred in processing a final centerline location not
 13 to exceed 25% of the filing fee paid under 75-20-215."
 14 NEW SECTION. Section 2. Extension of authority. Any
 15 existing authority of the board of natural resources and
 16 conservation to make rules on the subject of the provisions
 17 of this act is extended to the provisions of this act.
 18 NEW SECTION. Section 3. Effective date. This act is
 19 effective on passage and approval.
 -End-



APPROVED BY COMM. ON
NATURAL RESOURCES

HOUSE BILL NO. 404

INTRODUCED BY HARP, POFF, MANUEL,

B. WILLIAMS, GAGE, BRANDEWIE

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE A TIME LIMIT FOR THE BOARD OF NATURAL RESOURCES AND CONSERVATION TO REACH A DECISION ON CENTERLINE LOCATION; AMENDING SECTION 75-20-205, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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(2) The final centerline location must be determined in a noncontested case proceeding before the board after the submission of a centerline location report by the department. Within 60 days after submission--of--the centerline--location--report--by--the--department THE COMMENCEMENT OF A NONCONTESTED CASE PROCEEDING, the board shall render and record a decision approving a centerline location.

(3) The department shall consult with the certificate

holder and the affected landowners prior to making its report.

(4) The department's report must be prepared considering the criteria set forth in 75-20-301 and 75-20-503 and the findings of fact and conclusions of law set out in the board decision.

(5) The department report may be completed on segments of a certified facility as is convenient to the certificate holder.

(6) The certificate holder shall initiate the final centerline location approval process by submitting a proposed centerline location plan to the department. The certificate holder shall pay to the department the actual costs incurred in processing a final centerline location not to exceed 25% of the filing fee paid under 75-20-215."

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HOUSE BILL NO. 404

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3 B. WILLIAMS, GAGE, BRANDEWIE
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