

**** Bill No. ****

Introduced By *****

By Request of the *****

Don MacIntyre WPIC work group 5-12-08

A Bill for an Act entitled: "An Act providing that an applicant for permit for an appropriation right or a change authorization from the department of natural resources and conservation or a discharge permit from the department of environmental quality, may pay for the actual agency cost for out sourcing of agency procured reviewers and hearing examiners; and providing an immediate effective date."

Be it enacted by the Legislature of the State of Montana:

NEW SECTION Section 1. Outsourcing of agency services. (1)

the department of environmental quality and the department of natural resources and conservation shall adopt rules providing for the outsourcing of agency procured reviewers and hearing examiners in order to expedite the processing of applications for discharge permits under Title 75, chapter 5, part ____, and of applications for appropriation rights or change authorizations under Title 85, chapter 2, parts 3 and 4.

(2) An applicant electing to have a permit or change authorization expedited through the outsourcing of services by an agency must agree to pay the actual cost of the outsourced services provided by the agency.

(3) The agency rules shall provide for a preference in decision-making over other applications pending before the agency. As between outsourced services, preference in decision-making shall be based on first in time of request for outsourcing.