

HOUSE BILL NO. 537

INTRODUCED BY HARPER, SWYSGOOD
BY REQUEST OF THE GOVERNOR

IN THE HOUSE

FEBRUARY 1, 1991 INTRODUCED AND REFERRED TO COMMITTEE
ON NATURAL RESOURCES.

FIRST READING.

FEBRUARY 14, 1991 COMMITTEE RECOMMEND BILL
DO PASS. REPORT ADOPTED.

FEBRUARY 15, 1991 PRINTING REPORT.

FEBRUARY 16, 1991 SECOND READING, DO PASS.

FEBRUARY 18, 1991 ENGROSSING REPORT.

FEBRUARY 19, 1991 THIRD READING, PASSED.
AYES, 95; NOES, 4.

TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 20, 1991 INTRODUCED AND REFERRED TO COMMITTEE
ON AGRICULTURE, LIVESTOCK, & IRRIGATION.

FIRST READING.

MARCH 7, 1991 COMMITTEE RECOMMEND BILL BE
CONCURRED IN AS AMENDED. REPORT
ADOPTED.

MARCH 11, 1991 SECOND READING, CONCURRED IN.

MARCH 12, 1991 THIRD READING, CONCURRED IN.
AYES, 41; NOES, 8.

RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

MARCH 16, 1991 RECEIVED FROM SENATE.

SECOND READING, AMENDMENTS
CONCURRED IN.

MARCH 18, 1991

THIRD READING, AMENDMENTS
CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 HOUSE BILL NO. 537
 2 INTRODUCED BY Thayer Swygood
 3 BY REQUEST OF THE GOVERNOR
 4

5 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A DROUGHT
 6 ADVISORY COMMITTEE; AND DEFINING THE COMMITTEE'S
 7 RESPONSIBILITIES."
 8

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

10 NEW SECTION. Section 1. Drought advisory committee.

11 (1) There is a drought advisory committee allocated to the
 12 department of natural resources and conservation for
 13 administrative purposes only as provided in 2-15-121.

14 (2) The drought advisory committee is chaired by a
 15 representative of the governor and consists of
 16 representatives of the departments of natural resources and
 17 conservation; agriculture; commerce; fish, wildlife, and
 18 parks; military affairs; health and environmental sciences;
 19 state lands; and livestock. The governor's representative
 20 must be appointed by the governor, and the representative of
 21 each department must be appointed by the head of that
 22 department. Additional, nonvoting members who represent
 23 drought-affected federal and local government agencies and
 24 public and private interests may also be appointed by the
 25 governor.

- 1 (3) The drought advisory committee shall:
 2 (a) with the approval of the governor, develop and
 3 implement a state drought plan;
 4 (b) review and report drought monitoring information to
 5 the public;
 6 (c) coordinate timely drought impact assessments;
 7 (d) identify areas of the state with a high probability
 8 of drought and target reporting and assistance efforts to
 9 those areas;
 10 (e) upon request, assist in organizing local drought
 11 advisory committees for the areas identified under
 12 subsection (3)(d);
 13 (f) request state agency staff to provide technical
 14 assistance to local drought advisory committees; and
 15 (g) promote ideas and activities for groups and
 16 individuals to consider that may reduce drought
 17 vulnerability.
 18 (4) The department of natural resources and
 19 conservation shall provide staff assistance to the drought
 20 advisory committee.
 21 (5) The drought advisory committee shall meet, at a
 22 minimum, on or around the 15th day of the months of October
 23 and February of each year to assess moisture conditions and,
 24 as appropriate, begin preparations for drought mitigation.
 25 (6) By March 15th of each year, the drought advisor,



-2- INTRODUCED BILL
 HB 537

1 committee shall submit a report to the governor describing
 2 the potential for drought in the coming year. If the
 3 potential for drought merits additional activity by the
 4 drought advisory committee, the report must also describe:

5 (a) activities to be taken by the drought advisory
 6 committee for informing the public about the potential for
 7 drought;

8 (b) a schedule for completing activities;

9 (c) geographic areas for which the creation of local
 10 drought advisory committees will be suggested to local
 11 governments and citizens; and

12 (d) requests for the use of any available state
 13 resources that may be necessary to prevent or minimize
 14 drought impacts.

15 (7) Nothing in this section is intended to remove or
 16 interfere with the duties and responsibilities of the
 17 governor or the division of disaster and emergency services
 18 for disaster coordination and emergency response, as
 19 provided in Title 10, chapter 3, part 1. The duties and
 20 responsibilities of the drought advisory committee
 21 supplement and are consistent with those of the division of
 22 disaster and emergency services for drought planning,
 23 preparation, coordination, and mitigation.

24 NEW SECTION. **Section 2.** Codification instruction.
 25 [Section 1] is intended to be codified as an integral part

1 of Title 2, chapter 15, part 33, and the provisions of Title
 2 2, chapter 15, part 33, apply to [section 1].

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0537, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:


This bill creates a drought advisory committee and defines the committee's responsibilities.

ASSUMPTIONS:


1. Travel expenses for members of the drought advisory committee are not required to be reimbursed . If the name of the group were amended to an "advisory council", then travel expenses for non-government-employed members would have to be reimbursed.
2. DNRC historically has provided drought-related staffing functions to the Disaster Advisory Council and to local drought task forces on an ad hoc basis. If this bill is passed, DNRC would continue to provide these services to the committee within the department's current budget.

FISCAL IMPACT:

No fiscal impact.



ROD SUNDSTED, BUDGET DIRECTOR DATE
Office of Budget and Program Planning 2-5-91



HAL HARPER, PRIMARY SPONSOR DATE
Fiscal Note for HB0537, as introduced 2-7-91
HB 537

APPROVED BY COMM. ON NATURAL RESOURCES

1 House BILL NO. 537
2 INTRODUCED BY Steven Szymagor
3 BY REQUEST OF THE GOVERNOR
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A DROUGHT
6 ADVISORY COMMITTEE; AND DEFINING THE COMMITTEE'S
7 RESPONSIBILITIES."
8

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

10 NEW SECTION. Section 1. Drought advisory committee.

11 (1) There is a drought advisory committee allocated to the
12 department of natural resources and conservation for
13 administrative purposes only as provided in 2-15-121.

14 (2) The drought advisory committee is chaired by a
15 representative of the governor and consists of
16 representatives of the departments of natural resources and
17 conservation; agriculture; commerce; fish, wildlife, and
18 parks; military affairs; health and environmental sciences;
19 state lands; and livestock. The governor's representative
20 must be appointed by the governor, and the representative of
21 each department must be appointed by the head of that
22 department. Additional, nonvoting members who represent
23 drought-affected federal and local government agencies and
24 public and private interests may also be appointed by the
25 governor.

- 1 (3) The drought advisory committee shall:
- 2 (a) with the approval of the governor, develop and
- 3 implement a state drought plan;
- 4 (b) review and report drought monitoring information to
- 5 the public;
- 6 (c) coordinate timely drought impact assessments;
- 7 (d) identify areas of the state with a high probability
- 8 of drought and target reporting and assistance efforts to
- 9 those areas;
- 10 (e) upon request, assist in organizing local drought
- 11 advisory committees for the areas identified under
- 12 subsection (3)(d);
- 13 (f) request state agency staff to provide technical
- 14 assistance to local drought advisory committees; and
- 15 (g) promote ideas and activities for groups and
- 16 individuals to consider that may reduce drought
- 17 vulnerability.
- 18 (4) The department of natural resources and
- 19 conservation shall provide staff assistance to the drought
- 20 advisory committee.
- 21 (5) The drought advisory committee shall meet, at a
- 22 minimum, on or around the 15th day of the months of October
- 23 and February of each year to assess moisture conditions and,
- 24 as appropriate, begin preparations for drought mitigation.
- 25 (6) By March 15th of each year, the drought advisor

1 committee shall submit a report to the governor describing
 2 the potential for drought in the coming year. If the
 3 potential for drought merits additional activity by the
 4 drought advisory committee, the report must also describe:

5 (a) activities to be taken by the drought advisory
 6 committee for informing the public about the potential for
 7 drought;

8 (b) a schedule for completing activities;

9 (c) geographic areas for which the creation of local
 10 drought advisory committees will be suggested to local
 11 governments and citizens; and

12 (d) requests for the use of any available state
 13 resources that may be necessary to prevent or minimize
 14 drought impacts.

15 (7) Nothing in this section is intended to remove or
 16 interfere with the duties and responsibilities of the
 17 governor or the division of disaster and emergency services
 18 for disaster coordination and emergency response, as
 19 provided in Title 10, chapter 3, part 1. The duties and
 20 responsibilities of the drought advisory committee
 21 supplement and are consistent with those of the division of
 22 disaster and emergency services for drought planning,
 23 preparation, coordination, and mitigation.

24 NEW SECTION. **Section 2.** Codification instruction.

25 [Section 1] is intended to be codified as an integral part

1 of Title 2, chapter 15, part 33, and the provisions of Title
 2 2, chapter 15, part 33, apply to [section 1].

-End-

1 HOUSE BILL NO. 537
 2 INTRODUCED BY Stacy Sumpstead
 3 BY REQUEST OF THE GOVERNOR
 4

5 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A DROUGHT
 6 ADVISORY COMMITTEE; AND DEFINING THE COMMITTEE'S
 7 RESPONSIBILITIES."
 8

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

10 NEW SECTION. Section 1. Drought advisory committee.

11 (1) There is a drought advisory committee allocated to the
 12 department of natural resources and conservation for
 13 administrative purposes only as provided in 2-15-121.

14 (2) The drought advisory committee is chaired by a
 15 representative of the governor and consists of
 16 representatives of the departments of natural resources and
 17 conservation; agriculture; commerce; fish, wildlife, and
 18 parks; military affairs; health and environmental sciences;
 19 state lands; and livestock. The governor's representative
 20 must be appointed by the governor, and the representative of
 21 each department must be appointed by the head of that
 22 department. Additional, nonvoting members who represent
 23 drought-affected federal and local government agencies and
 24 public and private interests may also be appointed by the
 25 governor.

- 1 (3) The drought advisory committee shall:
 2 (a) with the approval of the governor, develop and
 3 implement a state drought plan;
 4 (b) review and report drought monitoring information to
 5 the public;
 6 (c) coordinate timely drought impact assessments;
 7 (d) identify areas of the state with a high probability
 8 of drought and target reporting and assistance efforts to
 9 those areas;
 10 (e) upon request, assist in organizing local drought
 11 advisory committees for the areas identified under
 12 subsection (3)(d);
 13 (f) request state agency staff to provide technical
 14 assistance to local drought advisory committees; and
 15 (g) promote ideas and activities for groups and
 16 individuals to consider that may reduce drought
 17 vulnerability.
 18 (4) The department of natural resources and
 19 conservation shall provide staff assistance to the drought
 20 advisory committee.
 21 (5) The drought advisory committee shall meet, at a
 22 minimum, on or around the 15th day of the months of October
 23 and February of each year to assess moisture conditions and,
 24 as appropriate, begin preparations for drought mitigation.
 25 (6) By March 15th of each year, the drought advisor

1 committee shall submit a report to the governor describing
 2 the potential for drought in the coming year. If the
 3 potential for drought merits additional activity by the
 4 drought advisory committee, the report must also describe:

5 (a) activities to be taken by the drought advisory
 6 committee for informing the public about the potential for
 7 drought;

8 (b) a schedule for completing activities;

9 (c) geographic areas for which the creation of local
 10 drought advisory committees will be suggested to local
 11 governments and citizens; and

12 (d) requests for the use of any available state
 13 resources that may be necessary to prevent or minimize
 14 drought impacts.

15 (7) Nothing in this section is intended to remove or
 16 interfere with the duties and responsibilities of the
 17 governor or the division of disaster and emergency services
 18 for disaster coordination and emergency response, as
 19 provided in Title 10, chapter 3, part 1. The duties and
 20 responsibilities of the drought advisory committee
 21 supplement and are consistent with those of the division of
 22 disaster and emergency services for drought planning,
 23 preparation, coordination, and mitigation.

24 NEW SECTION. Section 2. Codification instruction.

25 [Section 1] is intended to be codified as an integral part

1 of Title 2, chapter 15, part 33, and the provisions of Title
 2 2, chapter 15, part 33, apply to [section 1].

-End-

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
March 7, 1991

MR. PRESIDENT:

We, your committee on Agriculture, Livestock, and Irrigation having had under consideration House Bill No. 537 (third reading copy -- blue), respectfully report that House Bill No. 537 be amended and as so amended be concurred in:

1. Title, line 6.
Strike: "AND"

2. Title, line 7.
Following: "RESPONSIBILITIES"
Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 4, line 3.
Following: line 2
Insert: "NEW SECTION. Section 3. Effective date. [This act] is effective on passage and approval."

Signed: Greg Jergeson
Greg Jergeson, Chairman

B 3/7/91
Amd. Coord.

SB 3/7 1:10
Sec. of Senate

SENATE
#B 537

HOUSE BILL NO. 537

INTRODUCED BY HARPER, SWYSGOOD

BY REQUEST OF THE GOVERNOR

A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A DROUGHT ADVISORY COMMITTEE; AND DEFINING THE COMMITTEE'S RESPONSIBILITIES; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

NEW SECTION. Section 1. Drought advisory committee.

(1) There is a drought advisory committee allocated to the department of natural resources and conservation for administrative purposes only as provided in 2-15-121.

(2) The drought advisory committee is chaired by a representative of the governor and consists of representatives of the departments of natural resources and conservation; agriculture; commerce; fish, wildlife, and parks; military affairs; health and environmental sciences; state lands; and livestock. The governor's representative must be appointed by the governor, and the representative of each department must be appointed by the head of that department. Additional, nonvoting members who represent drought-affected federal and local government agencies and public and private interests may also be appointed by the

governor.

(3) The drought advisory committee shall:

(a) with the approval of the governor, develop and implement a state drought plan;

(b) review and report drought monitoring information to the public;

(c) coordinate timely drought impact assessments;

(d) identify areas of the state with a high probability of drought and target reporting and assistance efforts to those areas;

(e) upon request, assist in organizing local drought advisory committees for the areas identified under subsection (3)(d);

(f) request state agency staff to provide technical assistance to local drought advisory committees; and

(g) promote ideas and activities for groups and individuals to consider that may reduce drought vulnerability.

(4) The department of natural resources and conservation shall provide staff assistance to the drought advisory committee.

(5) The drought advisory committee shall meet, at a minimum, on or around the 15th day of the months of October and February of each year to assess moisture conditions and, as appropriate, begin preparations for drought mitigation.



1 (6) By March 15th of each year, the drought advisory
2 committee shall submit a report to the governor describing
3 the potential for drought in the coming year. If the
4 potential for drought merits additional activity by the
5 drought advisory committee, the report must also describe:

6 (a) activities to be taken by the drought advisory
7 committee for informing the public about the potential for
8 drought;

9 (b) a schedule for completing activities;

10 (c) geographic areas for which the creation of local
11 drought advisory committees will be suggested to local
12 governments and citizens; and

13 (d) requests for the use of any available state
14 resources that may be necessary to prevent or minimize
15 drought impacts.

16 (7) Nothing in this section is intended to remove or
17 interfere with the duties and responsibilities of the
18 governor or the division of disaster and emergency services
19 for disaster coordination and emergency response, as
20 provided in Title 10, chapter 3, part 1. The duties and
21 responsibilities of the drought advisory committee
22 supplement and are consistent with those of the division of
23 disaster and emergency services for drought planning,
24 preparation, coordination, and mitigation.

25 NEW SECTION. **Section 2.** Codification instruction.

1 [Section 1] is intended to be codified as an integral part
2 of Title 2, chapter 15, part 33, and the provisions of Title
3 2, chapter 15, part 33, apply to [section 1].

4 NEW SECTION. SECTION 3. EFFECTIVE DATE. [THIS ACT] IS
5 EFFECTIVE ON PASSAGE AND APPROVAL.

-End-