

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 52nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: By CHAIRMAN BOB RANEY, on April 1, 1991, at
3 p.m.

ROLL CALL

Members Present:

Bob Raney, Chairman (D)
Mark O'Keefe, Vice-Chairman (D)
Beverly Barnhart (D)
Ben Cohen (D)
Orval Ellison (R)
Russell Fagg (R)
Mike Foster (R)
Bob Gilbert (R)
David Hoffman (R)
Dick Knox (R)
Bruce Measure (D)
Tom Nelson (R)
Bob Ream (D)
Jim Southworth (D)
Howard Toole (D)
Dave Wanzenried (D)

Members Excused: Ed Dolezal (D)
Vivian Brooke (D)

Staff Present: Gail Kuntz, Environmental Quality Council
Paul Sihler, Environmental Quality Council
Lisa Fairman, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

HEARING ON HJR 42

Presentation and Opening Statement by Sponsor:

REP. MARK O'KEEFE, HD 45 - Helena, said his real concern is the use of Montana water for coal slurries prior to the adjudication process being completed. The resolution clearly states that, until the adjudication process is completed, Montana is adamantly opposed to use of water in this way.

Proponents' Testimony:

Jo Brunner, Montana Water Resource Association, supported HJR 42.

Opponents' Testimony: none

Questions from Committee Members:

REP. KNOX asked how much water is affected. REP. O'KEEFE said he has no minimum or maximum amount, but historically, coal slurry pipelines have proposed major appropriations of water, which will come from the Tongue River or the Powder River, where there is not much unappropriated water. A problem results if the federal government uses eminent domain to condemn the water. The agricultural base would be lost.

REP. FOSTER asked what the time frame would be. REP. O'KEEFE said the time frame given by the water court changes all the time. Judge Lesley was convinced it would be done before he died, and that did not happen. He guessed it would be a decade from completion.

Closing by Sponsor: REP. O'KEEFE closed.

HEARING ON SB 407

Presentation and Opening by Sponsor:

SEN. MIGNON WATERMAN, SD 22, Helena, said SB 407 was introduced at the request of the Department of Health and Environmental Sciences (DHES). It addresses important aspects of Montana's public water supply systems, using recommendations of the Public Water Supply Task Force. Task force members include representatives of approximately 30 different organizations and agencies that deal with public water supply issues.

The act will allow Montana to retain primacy over public drinking systems. Primacy means state regulations are the same or similar to federal Environmental Protection Agency (EPA) regulations. EPA will provide partial funding and allow the state to regulate both the federal and state standards.

In 1986, Congress amended the Safe Drinking Water Act and increased regulation of possible contaminants. Last year EPA notified Montana that it would lose primacy if additional staff and funding were not provided. The task force met four times and considered options ranging from retaining primacy and continuing a full program to giving up primacy and eliminating most of the state's duties.

The task force found that because of staff shortages and a multitude of non-primacy duties, the Department had not been able to comply with monitoring required by EPA. Random sampling of some Montana water systems turned up such contaminants as benzene, radon, lead and others.

The program proposed in SB 407 would provide training and technical assistance, prevention operations, timely review of

plans and specifications, enforcement of regulations and investigations of contamination. The task force considered several options for funding, and determined that a fee assessed against each service system on a public water supply system was the most equitable way to generate the necessary funds. Fees have been capped at \$2 per year or approximately 17 cents per month.

There are two controversial aspects of the bill. One is whether to meet EPA standards. Someone is going to enforce them in Montana. The task force felt it would rather deal with officials in Helena than EPA in Denver. The second issue is funding. Task force members did not unanimously support funding by fees. The administration and department heads determined fees would be the most equitable way of funding. EXHIBIT 1, 1A and 1B

Proponents' Testimony:

Ray Wadsworth, Executive Director of Montana Rural Water Systems, supported SB 407. EXHIBIT 2

Dan Frazer, DHES Water Quality Bureau Chief, supported SB 407. EXHIBIT 3

Pete Frazier, Director of Environmental Health for the City-County Health Department in Great Falls, distributed written testimony and urged the committee to support SB 407. EXHIBIT 4

Richard Nisbet, Director of Public Works for the City of Helena and National Director for the Montana Section of the American Water Works Association, supported SB 407. EXHIBIT 5

Ted Doney, Mountain Water Company, said Mountain Water Company is a privately owned company that owns the water system in Missoula. The company supports SB 407 for reasons previously stated. An amendment is being offered for the bottom of Page 10 and top of Page 11. EXHIBIT 6

Publicly owned water supply systems have to get rate increase approval from the Public Service Commission (PSC) to recover costs of the fee assessed under the bill. The private exemption was stricken because of incorrect references to statutes. These amendments would allow the PSC to quickly approve any rate increase required by a privately owned water system to recover costs associated with the fee.

Opponents' Testimony:

Bruce McCandless, City of Billings, opposed SB 407. EXHIBIT 7

Questions from Committee Members:

REP. FAGG said the point of funding state government and getting no apparent benefit was valid. He asked DHES to address the issue. **Mr. Frazer** said the task force discussed it. There are

2,400 water systems in the state, all regulated and controlled by this program. It is to everyone's advantage that water meets standards.

REP. FAGG said it sounds like Billings will not benefit. **Mr. Frazer** said there will be very little benefit in terms of technical assistance to Billings' water plant or staff because the assistance is not needed.

REP. FAGG asked why Billings isn't exempted. **Mr. Frazer** said the task force felt this was the only legitimate way to fund the program, other than with General Fund money, because of the makeup of Montana's public water systems. More than 50 percent of the systems serve fewer than 100 people. The entire population receives the benefit.

REP. WANZENRIED asked about the number of FTEs in the fiscal note. **SEN. WATERMAN** said the present staff is 12.5 FTEs and will increase to 19.75 FTEs at the end of two years.

REP. TOOLE asked for background about the federal drinking water law that mandates this at the state level. **Mr. Frazer** said the original Safe Drinking Water Act was passed in 1974 and Montana got primacy for the program in 1978. EPA wrote interim primary standards. For Montana to get primacy, the state had to adopt standards that were at least as stringent as the federal standards.

Congress' intent was for EPA to regulate any contaminant that might be found in drinking water and would be likely to impact public health. EPA was slow to act, so in 1986, when the Safe Drinking Act was reauthorized and amended, it was made very restrictive. The workload for the state and public water systems increased dramatically.

REP. TOOLE asked what would happen if Montana lost primacy. **Mr. Frazer** said that when EPA runs a drinking water program like the ones in Wyoming and Indiana, the emphasis is on water-system monitoring to ensure water quality is monitored. Failure to monitor water results in enforcement action. Since the turn of the century, Montana has been involved in preventive actions to avoid, rather than react to, public health problems. If primacy were lost, operator certification, training, technical assistance, engineering plan reviews, and inspections would be lost.

REP. HOFFMAN asked if the impact to the General Fund would be \$30,000 with the amendment. **SEN. WATERMAN** said she believed that was correct.

REP. HOFFMAN said that reflects a drop in the fee from \$3 to \$2. He asked where the \$10,000 assumed penalties would go. **Jim Melstad, DHES**, said that the only General Fund expenditure with the bill would be existing General Fund money provided to the

subdivision program. There would be no proposed General Fund expenditures as part of this bill. The fiscal note assumes 1 FTE would be required, at a grade 9, step 2, for processing and collecting fees on 2,100 public water supply systems. That is the bulk of the cost.

REP. HOFFMAN said the fees would absorb any additional cost for the FTE. He asked about the \$10,000 assumption of penalties and fines. Mr. Melstad said the \$10,000 fees would be deposited in the public water supply special revenue account, not related to subdivisions. The fines would be assessed as civil penalties for non-compliance with existing federal and state regulations. The special revenue account would be used to run the public water supply program.

Closing by Sponsor:

SEN. WATERMAN said the amendment was considered in the Senate. Private-public water systems were excluded because the PSC was concerned about removing private companies from PSC review. Public water systems are excluded from the local public hearing process and can pass on the fee. Private-public waters systems, however, are entirely regulated by the PSC. There are concerns about EPA regulations and the fees, but this is an important bill that addresses a number of needs. The bottom line is safe drinking water in Montana.

HEARING ON HJR 43

Presentation and Opening Statement by Sponsor:

REP. MARY ELLEN CONNELLY, HD 8 - Kalispell, said HJR 43 asks the Department of State Lands (DSL) to do a sustained yield study on state lands. DSL supports the resolution and has the expertise to do it. In addition to government and industry forest land, there are 3 million acres of private forest land that needs to be included in sustained yield programs.

Proponents' Testimony:

Don Allen, Montana Wood Products Association, supported HJR 43. He said it is proper for DSL to look at the entire management of lands, not just sustained yield.

Janet Ellis, Montana Audubon Legislative Fund, supported the study. She said the study should deal with one more thing. She offered an amendment for Page 2, after Line 16, "(e) maintenance and enhancement of the physical and biological productivity of the land." The resolution does not address the fact that timber is not just forest. There are many aspects to the ecosystem.

Opponents' Testimony: none

Questions from Committee Members:

REP. REAM asked Don Artley, DSL Forestry Division, if funding were needed for the study. Mr. Artley said the first two parts of the study could be satisfied with a current study called the Montana Timber Supply Study. The second two parts are very technical, and DSL does not have the staff. DSL recommended an appropriation be granted to contract those two parts to one of the two universities.

Closing by Sponsor:

REP. CONNELLY said the fiscal note indicates the four parts of the study will cost approximately \$25,000, \$10,000 of which will come from the General Fund. Industry people thought this might be something the Extension Forestry Program could handle.

HEARING ON SJR 16

Presentation and Opening Statement by Sponsor:

SEN. STEVE DOHERTY, SD 20 - Great Falls, said SJR 16 deals with water levels at Fort Peck Reservoir. The state is involved in litigation with the Corps of Engineers, attempting to prevent further drawdown of the reservoir. The state also is negotiating with the Corps of Engineers. This resolution will give the Corps an indication of Montana's feelings. The resolution tells the Corps to stop drawing down the water. It encourages the Department of Natural Resources and Conservation (DNRC) to exhaust all possible remedies to prevent further drawdown. The Corps has misinterpreted the Flood Control Act and the purpose of the reservoir. Montana should go on record in support of the Department in those negotiations.

Proponents' Testimony: none

Opponents' Testimony: none

Questions from Committee Members:

REP. O'KEEFE said he did not agree. The state is involved in litigation with a federal agency. He asked SEN. DOHERTY if he believed the federal government has a right to apportion the water in the basin if negotiations fail.

SEN. DOHERTY said probably, but it should be under some kind of federal compact, which has not been done. He would like the Department to talk to Indian tribes to see if tribal cooperation is possible. He also would like to have the Department talk about an in-stream water level allocation to set the pool level at the reservoir.

REP. O'KEEFE said Montana may lose because it doesn't have the votes in Congress. The end result may be that Montana has to seek federal reapportionment in the basin. That would be detrimental to Fort Peck Reservoir. SEN. DOHERTY said this should not be

done.

HEARING ON SJR 18

Presentation and Opening Statement by Sponsor:

SEN. J. D. LYNCH, SD 34 - Butte-Anaconda, said SJR 18 urges Congress to fund Wastec Center in Butte. A brochure was handed out explaining Wastec. DNRC, through the grant program, allocated \$300,000, which is matched with \$3.5 million from the federal government. Millions of dollars could come from the federal government to study the Wastec problem. EXHIBIT 8

Proponents' Testimony:

Steve Huntington, Mountain States Energy, said his company has worked with people of Butte-Silverbow, Montana's congressional delegation, and state and federal agencies to make Wastec a reality. The \$3.5 million and the state's \$300,000 would have to be used very wisely to demonstrate that something good can come out of this. The center will locate scientific personnel, facilities and equipment, and establish a network of industry and governments around the world. This would establish the first testing and evaluation center west of the Mississippi River. It is a tremendous opportunity for Butte and Montana to get involved in restoration technology.

Jim Jensen, Montana Environmental Information Center (MEIC), said creation of a world center for reclamation technology development is crucial. He urged committee support of the resolution.

Opponents' Testimony: none

Questions from Committee Members: none

EXECUTIVE ACTION ON SJR 18

Motion/Vote: REP. O'KEEFE MOVED SJR 18 BE CONCURRED IN. Motion carried unanimously.

EXECUTIVE ACTION ON HJR 42

Motion/Vote: REP. O'KEEFE MOVED HJR 42 DO PASS. Motion carried unanimously.

HEARING ON SJR 22

Presentation and Opening Statement by Sponsor:

REP. DOHERTY said SJR 22 calls for a study to encourage the use of ethanol. It is important to find out why ethanol hasn't been successful, and to find tax incentives that will work.

Proponents' Testimony: none

Opponents' Testimony: none

Questions from Committee Members:

REP. RANEY said HJR 31 covers the issues in SJR 22. SEN. DOHERTY said SJR 22 is SEN. CECIL WEEDING's resolution.

REP. O'KEEFE said it appears to be a DNRC study, not an Environmental Quality Council (EQC) study. He asked if it should be an EQC study, or if a fiscal note were attached.

SEN. DOHERTY said he is not aware of a fiscal note. DNRC has been following ethanol issues. SJR 22 probably would not require a lot of extra funding.

REP. RANEY asked how members of the advisory council could be brought together without it costing money. REP. ELLISON said he sees no sense in doing a study in two places. SEN. DOHERTY said he agreed, and suggested the committee table the bill.

Closing by Sponsor: SEN. DOHERTY closed.

EXECUTIVE ACTION ON SJR 22

Motion/Vote: REP. O'KEEFE MOVED SJR 22 BE TABLED. Motion carried unanimously.

EXECUTIVE ACTION ON HJR 43

Motion: REP. FAGG MOVED HJR 43 DO PASS.

Motion: REP. COHEN moved HJR 43 be amended after Line 16, to say "the maintenance and enhancement of physical and biological productivity of the land."

Discussion: REP. ELLISON said he did not like the amendment.

REP. FOSTER said he disagrees with the amendment because it blows the thing up too big to be funded.

CHAIRMAN RANEY said the committee would pass further consideration until later.

HEARING ON SJR 24

Presentation and Opening Statement by Sponsor:

SEN. ESTHER BENGTON, SD 49 - Shepherd, said SJR 24 endorses the Pick-Sloan Initiative that came out of a task force that met last summer. She served on the task force, which was appointed by the governor and included about 20 members from private industry, the Legislature, Nature Conservancy, etc. The task force was instructed to develop a strategy to take to Washington, D.C., to get federal money for Montana for water management and water

development.

The Pick-Sloan Act was designed to give funds to states along the Missouri River for navigation, flood control, irrigation and hydropower. Upper Missouri River Basin states have always felt that they did not get their fair share. In the last session, a small amount of money was appropriated to an economist at Eastern Montana College to study economic losses Montana incurred by not getting the funds. The study was used as part of the background for this initiative. **EXHIBIT 9**

Proponents' Testimony:

Gary Fritz, DNRC, said Montana will not receive all the benefits it was promised under the Pick-Sloan Act. The initiative recognizes that needs have changed since 1944 when the Pick-Sloan Act was passed.

Opponents' Testimony: none

Questions from Committee Members:

REP. KNOX asked about long-term sources of income. **Mr. Fritz** said a couple of sources were identified. One would be to do what Wyoming is doing with Buffalo Bill Dam. That is to add hydropower to a federal facility, and have the state invest in the facility to bring revenue back to the state. Secondly, the Pick-Sloan program is not a fund-raising program; it is a project retainment schedule. It may be possible to work through the repayment scheme to bring money into Montana.

Closing by Sponsor:

SEN. BENGTON said Montana Water Resources supports the resolution. Pick-Sloan has a reputation of getting a unanimous vote in both houses.

EXECUTIVE ACTION ON SJR 24

Motion/Vote: **REP. TOOLE** MOVED SJR 24 BE CONCURRED IN. Motion carried 15-1, with **REP. COHEN** voting no.

HEARING ON SJR 25

Presentation and Opening Statement by Sponsor:

SEN. LAWRENCE STIMATZ, SD 35 - Butte, said SJR 25 was introduced at the request of the Senate Natural Resources Committee. The bill asks the Water Policy Committee, a permanent interim committee of the Legislature, to study the need and feasibility of state regulation of Montana's geothermal resources. Little is known of the geothermal resource, and a study could create data so the resources could be included as part of Montana's total water resources. He urged support of SJR 25.

Proponents' Testimony: none

Opponents' Testimony: none

Questions from Committee Members:

REP. NELSON referred to the end of Page 2, where it says desirable and necessary legislation will be reported to the 53rd Legislature by November 1, 1992. He said elections will not be held yet. SEN. STIMATZ said that was put in so that the report would be ready to be submitted to the Legislature.

REP. GILBERT said SJR 25 is the result of an EQC bill being tabled in the Senate committee. There were questions and concerns about agriculture uses of geothermal resources. SEN STIMATZ said that is a way to get information without wrecking existing situations.

REP. BARNHART said there was an incident in which consideration was given to the tapping of geothermal energy near Yellowstone National Park. She asked if damage to the park should be addressed. SEN. STIMATZ said there was little the state could do since the federal government has control over Yellowstone.

Closing by Sponsor:

SEN. STIMATZ said he would not object if the committee wanted to put that on. He urged passage of SJR 25.

EXECUTIVE ACTION ON SJR 25

Motion: REP. GILBERT MOVED SJR 25 BE CONCURRED IN.

Discussion: REP. ELLISON said regulation is needed. That was demonstrated when the Church Universal and Triumphant (CUT) drilled a well to heat greenhouses. The federal government passed a five-year moratorium to study the effects on Yellowstone. The state needs to do a study before further development occurs.

CHAIRMAN RANEY asked why the state should do another study when EQC just completed a two-year study. REP. GILBERT said the Senate Natural Resources Committee tabled the bill and substituted a resolution because the bill did not provide for a study. The Senate committee wants to do a study and form a plan that will protect current use, as long as it isn't damaging the resource. State policy can't be set just because of worry about a single entity, but a study of geothermal resources would include that entity.

REP. ELLISON asked if the EQC study included other states. REP. GILBERT said Idaho and Colorado were studied.

Vote: SJR 25 BE CONCURRED IN. Motion carried unanimously.

EXECUTIVE ACTION ON SB 211

Motion: REP. COHEN MOVED SB 211 BE CONCURRED IN.

Motion: REP. COHEN moved to amend SB 211. EXHIBIT 10

Discussion: REP. COHEN said the amendments would keep intact the \$25,000 penalty, adopt DHES amendments concerning settlement of an action for civil penalties, delete the diversion of funds to the Environmental Quality Protection Fund, and conform the bill to HB 414.

Vote: Motion to amend SB 211 carried unanimously.

Motion/Vote: REP. COHEN MOVED SB 211 BE CONCURRED IN AS AMENDED.
Motion carried 15-1, with REP. KNOX voting no.

ADJOURNMENT

Adjournment: 5 p.m.



REP. BOB RANEY, Chairman



LISA FAIRMAN, Secretary

BR/lf

**HOUSE OF REPRESENTATIVES
NATURAL RESOURCES COMMITTEE**

ROLL CALL

DATE 4-1-91

NAME	PRESENT	ABSENT	EXCUSED
REP. MARK O'KEEFE, VICE-CHAIRMAN	✓		
REP. BOB GILBERT	✓		
REP. BEN COHEN	✓		
REP. ORVAL ELLISON	/		
REP. BOB REAM	/		
REP. TOM NELSON	/		
REP. VIVIAN BROOKE			✓
REP. BEVERLY BARNHART	/		
REP. ED DOLEZAL			✓
REP. RUSSELL FAGG	/		
REP. MIKE FOSTER	/		
REP. DAVID HOFFMAN	/		
REP. DICK KNOX	/		
REP. BRUCE MEASURE	/		
REP. JIM SOUTHWORTH	/		
REP. HOWARD TOOLE	/		
REP. DAVE WANZENRIED	/		
REP. BOB RANEY, CHAIRMAN	/		

6:35
4-1-91
JDR

HOUSE STANDING COMMITTEE REPORT

April 1, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Natural Resources report that Senate Joint Resolution 18 (third reading copy -- blue) be concurred in .

Signed: 
Bob Raney, Chairman

Carried by: Rep. Quilici

6:35

4-1-91


JDB

HOUSE STANDING COMMITTEE REPORT

April 1, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Natural Resources report that House Joint Resolution 42 (first reading copy -- white) do pass .


Signed: 
Bob Raney, Chairman

6:35
4-1-91
JDB

HOUSE STANDING COMMITTEE REPORT

April 1, 1991
Page 1 of 1

Mr. Speaker: We, the committee on Natural Resources report
that Senate Joint Resolution 24 (third reading copy -- blue)
be concurred in .

Signed: 
Bob Raney, Chairman

Carried by: Rep. O'Keefe


HOUSE STANDING COMMITTEE REPORT

6:3
4-1-9
JDB

April 1, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Natural Resources report that Senate Joint Resolution 25 (third reading copy -- blue) be concurred in .

Signed: 
Bob Raney, Chairman

Carried by: Rep. Southworth

HOUSE STANDING COMMITTEE REPORT

10:00

4-2-91

JDB

April 2, 1991

Page 1 of 2

Mr. Speaker: We, the committee on Natural Resources report that Senate Bill 211 (third reading copy -- blue) be concurred in as amended .

Signed: _____
Bob Raney, Chairman

Carried by: Rep. Wanzenried

And, that such amendments read:

1. Title, lines 6 through 9.

Following: "MCA;" on line 6

Strike: the remainder of line 6 through "FUND;" on line 9

Insert: "ESTABLISHING FACTORS THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES SHALL CONSIDER IN REACHING A SETTLEMENT;"

2. Title, lines 10 and 11.

Following: "75-5-631" on line 10

Strike: ", "

Insert: "AND"

Following: "75-5-633,"

Strike: the remainder of line 10 through "75-10-704," on line 11

3. Page 1, line 12.

Following: line 11

Insert: " STATEMENT OF INTENT

It is the legislature's intent that the department of health and environmental sciences develop penalty guidelines to ensure that the civil penalty provided by 75-5-631 is fairly applied by the department in reaching settlement agreements with persons who have violated Title 75, chapter 5, part 6. The legislature recognizes that the department may, in its initial filings, seek the maximum penalty of \$25,000 for each day of violation.

However, it is the legislature's intent that the actual amount assessed in a settlement reflect the factors listed in 75-5-631(4) and that the department apply these factors uniformly to all violators.

This bill does not direct the department to adopt rules to ensure the uniform application of the factors listed in 75-5-631(4). The enforcement guidelines developed by the department should include a process for applying the factors to each

violator, guidance for determining the amount to request in a civil complaint, and, most importantly, a format for determining an equitable settlement value. The format may include a clear and concise description of penalty settlement ranges by type of violation. The department should complete the guidelines by October 1, 1991."

4. Page 2, lines 1 and 2.

Following: "(4)" on line 1

Strike: "IN" through "TO" on line 2

Insert: "When seeking penalties under"

5. Page 2, line 3.

Following: "ACCOUNT"

Insert: "the following factors in determining an appropriate settlement, if any, subsequent to the filing of a complaint"

6. Page 2, lines 7 and 8.

Following: "VIOLATIONS," on line 7

Strike: "THE DEGREE OF CULPABILITY,"

7. Page 2, line 8.

Strike: "OF"

Insert: "or"

8. Page 2, lines 11 through 25.

Strike: subsections (5) and (6) in their entirety

9. Page 3, line 12 through page 6, line 16.

Following: line 11 on page 3

Strike: sections 3 through 5 in their entirety

WHY DID THE PUBLIC WATER SUPPLY TASK FORCE DETERMINE IT WAS IN THE BEST INTEREST OF THE STATE TO RETAIN PRIMACY?

DATE 4-1-91
NB SB 407

A. Public Health Need:

o Acute health problems:

Documented waterborne disease outbreaks at White Sulphur Springs, Red Lodge, Big Sky & Missoula.

Suspected outbreaks at Choteau, Helena, Butte, Bozeman, Whitefish & Glendive

-These systems are in the top 2-3 % of Montana's PWS's- the "cream of the crop"

-no epidemiological work being performed - >50% of our groundwater systems are very vulnerable to contamination - many surface water treatment plants are doing a poor job - many surface water sources have not treatment other than chlorination -

o Chronic health problems:

-Contamination events involving cancer-causing organic chemicals at Missoula Valley, Helena Valley, Gallatin Valley, Cascade, Lockwood Water Users Assn.

-Very few systems have sampled for organic contaminants and many of our systems are vulnerable to this kind of contamination.

o Compliance problems:

-More than 50% of Montana's community systems have compliance problems - most of these problems are not particularly significant and can generally be handled by technical assistance and training rather than enforcement.

B. What are the tools government has to address the problems? * see note below.

- o Inspections and sanitary surveys
- o Construction standards and engineering review
- o Operator and administrator training
- o Technical assistance to PWS's
- o Emergency response
- o Public education
- o Technical assistance to owners of private wells
- o Special studies
- o *Tracking compliance with the regulations*
- o *Enforcement*

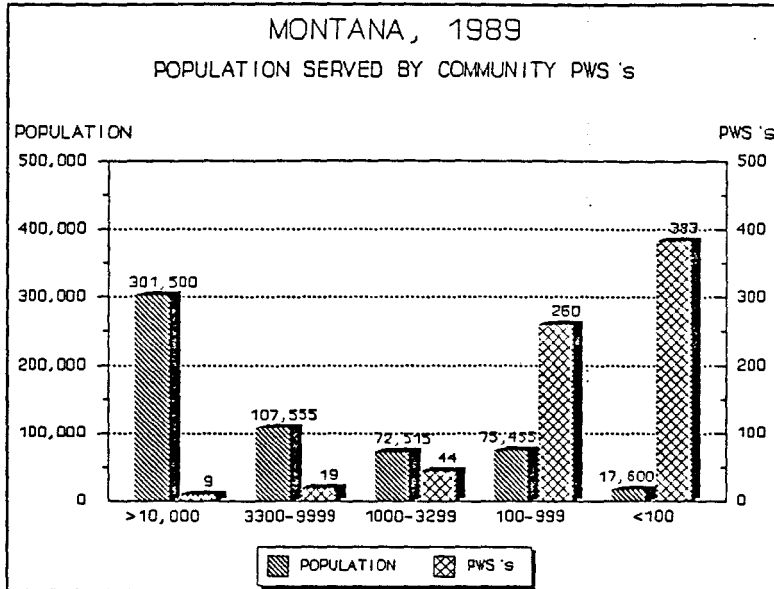
Preventive
(State)

Reactive
(State and Federal)

* All of these tools are used by the state program. If EPA were to take over they would limit their activities to those two in bold.

C. What activities best fit the needs of Montana PWS's?

- o 90% of Montana systems serve < 1,000 persons
- o 54% of Montana systems serve < 100 persons



Because of the large number of very small systems in Montana, the task force felt the preventive activities would be more effective and more appropriate than enforcement.

D. Financial considerations of primacy:

<u>OPTIONS</u>	<u>TOTAL COST</u>	<u>STATE COST</u>
1. Option 1, full state + primacy	\$2.96 million	\$1.48 million
2. Option 2, minimal state + primacy	\$2.15 "	\$1.08 "
3. Option 3, full state program; no primacy	\$1.51 "	\$1.51 "
4. Option 4, training & technical assistance only	\$0.9 "	\$0.9 "
5. Option 5, no state PWS program; no primacy	\$0.55 "	\$0.55 "
6. Option 6, No PWS program No Subdivision Program No Operator Cert. "	-0-	-0-

1A pg 1 of 6
41-1-91
SR 407

REPORT TO DHES, GOVERNOR STEPHENS, AND THE 1991 LEGISLATURE
BY
MONTANA'S PUBLIC WATER SUPPLY TASK FORCE

I. INTRODUCTION

Among the many uses of groundwater and surface water in Montana, the most important is for drinking water. All Montanans have a right to an adequate supply of water that is safe to drink.

Montana has had a Public Water Supply Program since 1907 when outbreaks of waterborne disease and associated deaths moved its legislature to pass the first law regulating public water supplies. Federal regulation of water supplies did not begin until 1974 when Congress passed the Safe Drinking Water Act (SDWA). The SDWA was implemented in 1977 when the Environmental Protection Agency (EPA) promulgated the National Interim Primary Drinking Water Regulations. That same year the DHES was granted primary enforcement authority (primacy) for the federal program. Primacy was desirable because it brought oversight and enforcement of the federal regulations to a state agency. This agency is more accessible and responsive to Montana problems than a federal authority could be. Montana's primacy program is supported by both state and federal dollars.

The Department of Health and Environmental Sciences (DHES) is responsible for administering the Public Water Supply Program in Montana. This program's goal is to assure that water from public systems is bacteriologically, radiologically, and chemically safe to drink. Today this program faces serious new challenges as more toxic contaminants and disease-causing organisms are being found in consumers' water supplies. Accordingly, public concern about the safety of drinking water has grown. In 1986 Congress responded to this public concern with the 1986 amendments to the Safe Drinking Water Act (see Appendix I). These amendments mandate the following:

1. Disinfection of all public systems.
2. Filtration of all surface water systems.
3. Substantial increases in the monitoring of drinking water quality.
4. Establishment of drinking water standards for 83 contaminants by 1992 and nearly 200 contaminants by the year 2000.
5. Establishment of a state wellhead protection program.

Senate Bill 407
Primacy for Drinking Water Program

MRWS Copy -
EXHIBIT 2
DATE 4-1-91
HB SB 407

Montana Rural Water Systems; a private non-profit Training and Technical Assistance organization, is not a proponent of regulations but we are genuinely concerned about the health of our citizenry and the purity of water they are served for drinking. With a membership representing the majority of community type drinking water systems in Montana, we have become their representative at both the State and National level. As such, we are obligated to enumerate their wishes.

Montana has historically been a leader in new developments of the drinking water industry. Because of emphasis by the State on seemingly more important issues over the past several years, the industry has been caught up short and now we find ourselves in a position wherein we could lose primacy in the State of Montana in our drinking water program. In simplified terms, this means that unless the water systems in Montana are regulated by the State of Montana to meet the requirements of the Safe Drinking Water Act and its 1986 Amendments, the State of Montana will no longer regulate its own activities but rather will be regulated by EPA at the National level. Notice has been given by USEPA that the State of Montana must get into compliance or lose its primacy.

Faced with a shortage of staff and a multitude of non-primacy duties, our State Regulatory Agency has not been able to comply with the monitoring required by EPA. Random sampling of some of our water systems has turned up such water contaminants as benzene, radon, lead, trichloroethylene and others which tells us these problems are not just "big city" problems but are also found out here in what we commonly consider as "pristine Montana".

4-1-91
SB 407

A select few of the members of MRWS served on the original committee when Montana took drinking water primacy in 1978. Their knowledge of the Safe Drinking Water Act and the feelings of the systems effected by it at the time, has been invaluable in guiding our organization to its conclusion at the present. As was the feeling of systems when the original act was passed, so it is today that water systems feel the State of Montana should do the following:

- (1) Retain primacy
- (2) Adapt State statutes to meet only Federal standards as they are promulgated.
- (3) Continue those additional services as demanded by the State through user fees: ^{that's} i e plans and specification review etc.
- (4) Use ~~general fund monies~~ ^{user fees, not to exceed \$2 per year per hookup} as matching funds for Federal Primacy monies.
- (5) Increase the number of FTE's allowed the drinking water program to insure their obligations can be met.

It is the goal of MRWS to see that all Montanans have a safe, sufficient supply of drinking water at all times. It behooves all of us to do our part to insure the safety of the drinking water through-out our State regardless how small or large that system may be. Public health as well as the direction our drinking water industry will take is dependant considerably upon your decisions on Senate Bill 407. The drinking water systems of Montana urge your support of primacy and the drinking water program in Montana.

Thank you.

Sincerely,



Ray Wadsworth,
MRWS Executive Director

RW/app

EXHIBIT 3
DATE 4-1-91
~~HB~~ SB 407

April 1, 1991

DHES TESTIMONY ON SENATE BILL 407:

PRESENTED BY: Dan L. Fraser, Water Quality Bureau

The Department of Health and Environmental Sciences supports Senate Bill 407 for the following reasons:

1. The amendments clarify the definition of a public water system (PWS) to indicate one is public if "designed" to be public. This makes the definition consistent with the definition of a public sewer system and with the intent of the law.
2. The bill will give the department the authority to review new public water and sewer systems and major expansions of existing systems in terms of their **long-term viability** as well as minimum construction standards.

The department feels this authority is necessary in order to minimize the creation and expansion of small public systems incapable of maintaining economic and technical viability. Non-viable systems will not be able to maintain compliance with state and federal laws, will be unable to ensure the provision of safe drinking water and will be a drain upon government grant and loan programs, technical assistance providers, water users and enforcement programs.

3. The bill provides the department with better **enforcement tools** including:
 - a. Administrative Orders
 - b. Administrative Penalties (\$500)
 - c. Civil Penalties (\$10,000)

These tools are needed because Montana has a rate of non-compliance which is more than double the national average. Most violations are simply due to the failure or refusal of systems to monitor the quality of the water they provide the public and are expected to be corrected by administrative orders and the threat of small penalties. These additional enforcement tools will make the department's enforcement efforts much more effective and efficient and it will no longer be profitable for systems to refuse to comply.

There are a few cases where the court should have the authority to provide fairly severe penalties. An example might be where the public is put at risk deliberately and

TESTIMONY ON SB 407

EXHIBIT 4
DATE 4-1-91
~~HB~~ SB 407

MR. CHAIRMAN AND COMMITTEE MEMBERS, MY NAME IS PETE FRAZIER, DIRECTOR ENVIRONMENTAL HEALTH WITH THE CITY-COUNTY HEALTH DEPARTMENT IN GREAT FALLS. IN ADDITION, I SERVED AS A MEMBER OF THE MONTANA PUBLIC WATER SUPPLY TASK FORCE.

I COME BEFORE YOU TODAY IN SUPPORT OF SB 407. FOR THE PAST 14 YEARS, THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES' WATER QUALITY BUREAU HAS HAD PRIMACY (ENFORCEMENT AUTHORITY) OVER THE FEDERAL SAFE DRINKING WATER ACT. IN 1986, CONGRESS PASSED MAJOR REVISIONS TO THE FEDERAL ACT, WHICH NECESSITATED AN INCREASED STAFFING LEVEL FOR THE WATER QUALITY BUREAU IN ORDER TO MAINTAIN PRIMACY. SHOULD MONTANA LOSE PRIMACY, EPA WILL BECOME THE PRIMARY ENFORCEMENT AUTHORITY OVER PUBLIC WATER SUPPLIES IN MONTANA. IN THE PAST, THE STATE'S ENFORCEMENT POLICY HAS BEEN ONE OF WORKING WITH LOCAL WATER SUPPLIES THROUGH COMPLIANCE SCHEDULES, TECHNICAL ASSISTANCE AND EDUCATION IN AN EFFORT TO ASSIST NON-COMPLYING SYSTEMS TO COME INTO COMPLIANCE, USING STRICT ENFORCEMENT PROCEDURES AS A LAST RESORT ONLY, OR IN CASES WHERE AN IMMEDIATE, EMINENT PUBLIC HEALTH HAZARD EXISTED. HOWEVER, SHOULD EPA TAKE OVER THE ENFORCEMENT OF THE SAFE DRINKING WATER ACT, ENFORCEMENT WILL BE STRICTLY THAT - ENFORCEMENT AND IMMEDIATE LEGAL ACTION. THERE WILL BE NO TECHNICAL ASSISTANCE, PUBLIC EDUCATION, OR OPERATOR TRAINING.

THE MONTANA PUBLIC WATER SUPPLY TASK FORCE DETERMINED THAT MONTANA SHOULD RETAIN PRIMACY AND BE FUNDED ADEQUATELY TO BE PROPERLY STAFFED TO PERFORM THE NECESSARY DUTIES REQUIRED FOR PRIMACY. FUNDING FOR THESE ADDITIONAL DUTIES MANDATED BY THE FEDERAL GOVERNMENT SHOULD COME THROUGH FEES FOR PLAN REVIEWS OF NEW AND EXPANDING WATER SYSTEMS AND A SMALL ANNUAL CHARGE PER SERVICE CONNECTION.

THE BILL CALLS FOR A \$2 PER YEAR PER SERVICE CONNECTION FEE, WHICH EQUATES TO 17¢ PER MONTH PER SERVICE CONNECTION. IN ADDITION, THE BILL PROVIDES FOR AN APPEAL PROCESS SO THAT ANY WATER SYSTEM OWNER OR ENTITY WILL HAVE THE RIGHT FOR INPUT AND DISCUSSION RELATIVE TO THE FEE HE WILL BE ASKED TO PAY.

WE FEEL THIS IS A MOST REASONABLE METHOD TO FUND THIS CRITICALLY IMPORTANT PRO-

TESTIMONY ON SB 407 - PAGE TWO

GRAM. IN ESSENCE, IF THE STATE LOSES PRIMACY AND EPA TAKES OVER ENFORCEMENT, PUBLIC WATER SUPPLIES COULD FIND THEMSELVES PAYING MUCH MORE DUE TO EPA'S ENFORCEMENT PROCEDURES. FOR THE PROTECTION OF THE PUBLIC HEALTH AND FOR THE BEST INTERESTS OF THE PUBLIC WATER SUPPLIES AND GENERAL PUBLIC THROUGHOUT MONTANA, WE URGE YOU TO GIVE SB 407 A "DO PASS" RECOMMENDATION.

THANK YOU.

DATE 4-1-91

HB SB 407

SENATE BILL NO. 407
TESTIMONY

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE. MY NAME IS RICHARD A. NISBET, DIRECTOR OF PUBLIC WORKS FOR THE CITY OF HELENA.

I AM REPRESENTING THE CITY OF HELENA, THE MONTANA SECTION OF THE AMERICAN WATER WORKS ASSOCIATION (AWWA) AS NATIONAL DIRECTOR AND THE EXECUTIVE COMMITTEE OF THE MONTANA SECTION OF AWWA. I ALSO WAS ONE OF THE MEMBERS THAT SERVED ON THE MONTANA'S PUBLIC WATER SUPPLY TASK FORCE TO DEVELOP POLICIES FOR THE PUBLIC WATER SUPPLY PROGRAM. I SUPPORT SENATE BILL NO. 407.

AFTER REVIEWING ALL THE OPTIONS THE TASK FORCE MADE THE F
CONCLUSIONS:

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originals -
oversided because
I goofed!
😊*

1. MONTANA'S PUBLIC WATER SUPPLY PROGRAM SHOULD RETAIN EXISTING REGULATORY AND TECHNICAL ASSISTANCE FUNCTIONS.
2. MONTANA'S PUBLIC WATER SUPPLY PROGRAM MUST BE EXPANDED TO INCLUDE REQUIREMENTS OF THE AMENDED SAFE DRINKING WATER ACT AND STATE PRIMACY MUST BE RETAINED.
3. LEGISLATIVE CHANGES MUST BE MADE TO AUTHORIZE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES (DHES) TO ASSESS FEES TO SUPPLEMENT FUNDING OF THE PUBLIC WATER SUPPLY PROGRAM.

SENATE BILL NO. 407, AS CURRENTLY BEFORE YOU, WILL PROVIDE THE MEANS BY WHICH DHES CAN IMPLEMENT RECOMMENDATIONS OF THE PUBLIC WATER SUPPLY TASK FORCE. THE METHOD OF RAISING FEES HAS CREATED A CONTROVERSY AMONGST THE LARGE AND SMALL WATER SYSTEMS. HOWEVER, I BELIEVE SENATE BILL NO. 407 IS A REASONABLE COMPROMISE FOR THE STATE TO MAINTAIN IT'S PRIMACY. I URGE YOU TO GIVE FAVORABLE CONSIDERATION TO SENATE BILL NO. 407. WITHOUT THE STATE'S PRIMACY, ENFORCEMENT OF THE SAFE DRINKING WATER ACT WILL BE TAKEN OVER BY THE ENVIRONMENTAL PROTECTION AGENCY WHO WILL HAVE MUCH LESS UNDERSTANDING AND TECHNICAL SUPPORT TO SYSTEMS THAT NEED IT THE MOST.

THANK YOU.

EXHIBIT 6
DATE 4-1-91
~~HB~~ SB 407

7/1/91

Proposed Amendments
to
Senate Bill 407
Third Reading Copy

by
Mountain Water Company

House Natural Resources Committee
April 1, 1991

1. Page 1, line 24, following "HEARING;":

INSERT: "REQUIRING THE PUBLIC SERVICE COMMISSION TO APPROVE AN INCREASE IN A TARIFF FILED BY A PRIVATELY-OWNED PUBLIC WATER SYSTEM TO RECOVER THE COSTS ASSOCIATED WITH THE FEE ASSESSMENT;"

1. Page 11, line 3, following "69-7-111.":

INSERT: "THE PUBLIC SERVICE COMMISSION SHALL, WITHOUT HEARING AND WITHIN 30 DAYS OF THE ASSESSMENT OF A FEE BY THE DEPARTMENT UNDER THIS SECTION, APPROVE TARIFF CHANGES FOR A PRIVATELY-OWNED PUBLIC WATER SYSTEM IN AN AMOUNT WHICH WILL ALLOW THE OWNER TO FULLY RECOVER COSTS ASSOCIATED WITH THE FEES PRESCRIBED UNDER THIS SECTION."

7
DATE 4-1-91
NB SB 407

April 1, 1991

TESTIMONY OF BRUCE MCCANDLESS, CITY OF BILLINGS - S.B. 407

The City of Billings opposes S.B. 407 for the following reasons:

1. State regulatory programs should be funded by state taxes collected by the state to benefit all residents of the state.
2. Supporting this philosophy, even the sponsor, Senator Waterman was recently quoted as saying she is "not a fan of selective taxes to fund the needs of the state."
3. The American Water Works Association states that broad based drinking water regulatory functions should be funded by state general funds. Fees may be used for functions directly related to a specific water supplier.
4. The proposed tax is disproportionate to the benefits. Dept. of Health literature states that the small water systems - 96% of the state - will have the greatest trouble meeting the drinking water standards. Under the formula, the large systems pay for the services, while the small ones receive them.
5. The Dept. of Health has stampeded the Legislature to adopt S.B. 407 as the only way to retain regulatory primacy. The Nat'l. Conference of State Legislatures says that many states are wrestling with meeting E.P.A. standards for primacy. The fact is, no one knows what will happen without this funding because E.P.A. hasn't taken any direct action anywhere in the U.S. to withdraw primacy.
6. Funding from S.B. 407 would expand personnel and contracting by over 200%. The original version of the bill would have added 34 F.T.E. employees. Even if primacy was threatened, it would not likely take this level of expenditure to retain it.
7. Other surrounding states allow and even welcome E.P.A. primacy. Wyoming - water and Idaho - wastewater. No disastrous effects have been attributed to this arrangement, in fact state and local officials in both states are supporting continuation.
8. Nearly \$2 million per year will be spent on this state program. Not \$1 will be spent on meeting the needs for construction and operating expenses to meet the National drinking water standards.

WASTECC

EXHIBIT 8
4-1-91
SS 18

(The Water Air Soils Testing and Evaluation Center)

What is it? Butte has recently been selected as the site of WASTECC, a national center for research, development, and transfer of technologies used for remediation and cleanup of hazardous, toxic, or otherwise harmful wastes which are present in the air, water, or soil as a result of industrial or governmental activity. Butte was selected because of the need to address the pollution problem in the Clark Fork drainage (an area seriously affected by mine waste) and because of the concentration in the Butte area of technical and management resources needed to support successful operation of the Center.

How is it financed? WASTECC financing will progress in stages. An initial state grant of \$300,000 has been recommended by the Montana Department of Natural Resources and Conservation from the Reclamation and Development Grant Program (House Bill 8). The recommended state grant was one of the catalysts for a federal appropriation of \$3.5 million (enacted in 1990) through the Environmental Protection Agency. These two awards will be used to establish the Center and to begin operations.

Future funding is intended to come from continued federal support and from the financial commitments of private companies in need of the center's expertise to solve waste problems for which they are responsible or to assist such companies in developing technologies for commercial application around the world. Senate Joint Resolution 18 urges Congress to continue federal support.

Why is WASTECC significant? WASTECC will be the only federally sponsored Testing and Evaluation Center west of the Mississippi River and will single out the Butte and Clark Fork drainage area to be one of the focal points of the federal government's growing commitment to waste cleanup - especially in the field of mine waste. The area's status as a "natural laboratory" related to mine waste gives the Center the credibility it needs to survive and grow as a permanent research and development facility.

WASTECC will produce the following benefits:

- It will begin to implement the massive waste cleanup process which is necessary for the health and welfare of all the citizens in the Clark Fork drainage.
- It will be a permanent, internationally recognized research center for the development of environmental restoration technologies for use around the world.
- It will create up to 150 permanent jobs in the Butte area.
- It will encourage the location and development of significant private companies in the growing environmental restoration industry.

9. WHY WOULD BILLINGS OPPOSE THIS BILL?

a. It's a state program - fund it with state dollars and don't make cities your tax collectors.

b. Billings won't benefit from the program - Our size and staffing make it unnecessary to consult with the state on how and when to meet the federal standards. We use consultants when necessary, a method available to all systems and probably at less cost because it is on an "as needed" basis rather than supporting a full time state bureaucracy.

c. S.B. 407 will cause some cities to increase rates and others to reduce O and M costs to offset the new taxes.

d. Our costs for meeting drinking water standards are already higher than for small systems - construction, monitoring, treatment standards and O and M (chemicals).

e. City financial climate makes any cost or rate increase unacceptable. If we accept new taxes and costs we need to see what we're buying. This is nationwide!

f. S.B. 407 benefits are invisible to most residents - your constituents - yet the costs will be passed on to them by the cities; further damaging the relationship we have with our citizens. This will result from a state rather than a local program.

g. We attempted to establish a more equitable formula when the bill was in the Senate, but we have now identified too many flaws to support the concept.

PLEASE VOTE NO ON S.B. 407

EXHIBIT 1

4-1-91

SJR 24

THE MONTANA PICK-SLOAN INITIATIVE

**Presented to the Fifty-Second Montana Legislature
by Governor Stan Stephens**

Prepared by the
Montana Pick-Sloan Advisory Committee
in consultation with the
Montana Department of Natural Resources and Conservation
Water Resources Division

February 27, 1991

Amendments to Senate Bill No. 211
Third Reading Copy

EXHIBIT 10
DATE 4-1-91

Requested by Rep. Cohen
For the Committee on Natural Resources

HB SB 211

Prepared by Gail Kuntz
March 19, 1991

1. Title, lines 6 through 9.

Following: "MCA;" on line 6

Strike: the remainder of line 6 through "FUND;" on line 9

Insert: "ESTABLISHING FACTORS THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES SHALL CONSIDER IN REACHING A SETTLEMENT;"

2. Title, lines 10 and 11.

Following: "75-5-631" on line 10

Strike: ", "

Insert: "AND"

Following: "75-5-633,"

Strike: the remainder of line 10 through "75-10-704," on line 11

3. Page 1, line 12.

Following: line 11

Insert: "

STATEMENT OF INTENT

It is the legislature's intent that the department of health and environmental sciences develop penalty guidelines to ensure that the civil penalty provided by 75-5-631 is fairly applied by the department in reaching settlement agreements with persons who have violated Title 75, chapter 5, part 6. The legislature recognizes that the department may, in its initial filings, seek the maximum penalty of \$25,000 for each day of violation. However, it is the legislature's intent that the actual amount assessed in a settlement reflect the factors listed in 75-5-631(4) and that the department apply these factors uniformly to all violators.

This bill does not direct the department to adopt rules to ensure the uniform application of the factors listed in 75-5-631(4). The enforcement guidelines developed by the department should include a process for applying the factors to each violator, guidance for determining the amount to request in a civil complaint, and, most importantly, a format for determining an equitable settlement value. The format may include a clear and concise description of penalty settlement ranges by type of violation. The department should complete the guidelines by October 1, 1991."

4. Page 2, lines 1 and 2.

Following: "(4)" on line 1

Strike: "IN" through "TO" on line 2

Insert: "When seeking penalties under"

5. Page 2, line 3.

Following: "ACCOUNT"

Insert: "the following factors in determining an appropriate settlement, if any, subsequent to the filing of a complaint"

6. Page 2, lines 7 and 8.

Following: "VIOLATIONS," on line 7

Strike: "THE DEGREE OF CULPABILITY,"

7. Page 2, line 8.

Strike: "OF"

Insert: "or"

8. Page 2, lines 11 through 25.

Strike: subsections (5) and (6) in their entirety

9. Pages 3 through 6.

Following: line 11 on page 3

Strike: sections 3 through 5 in their entirety

HOUSE OF REPRESENTATIVES
VISITOR REGISTER

Natural Resources COMMITTEE BILL NO. HJR 42
DATE 4/1/91 SPONSOR(S) Rep. O'Keefe - Water uses in coal transport
PLEASE PRINT PLEASE PRINT PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
<i>J.B. ...</i>	<i>M.A. ...</i>		

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

**HOUSE OF REPRESENTATIVES
VISITOR REGISTER**

Natural Resources

COMMITTEE

BILL NO. SB 407

DATE 4/1/91

SPONSOR(S) Sen. Waterman - Amend Public Water Supply Act

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Richard A Nisbet	City of Helena - ^{Mont Sect} HWWA	X	
Lou Jean	DHES	X	
Jim Heister	DHES	X	
Donald M. Smith	MRWS - HWWA	X	
John W Duncan	Sage Creek County Water Dist	X	
Rick Duncan	DHES - Water Quality	X	
Ray Wadsworth	MT Rural Water	X	
MABLE REDFIELD	Boulder Co. Water	X	
PETE FRAZIER	City - Co. Health Dept Great Falls	✓	
BRUCE McCANDLESS	CITY OF BILLINGS		✓
Jim Jensen	MELC	X	
Kay Norberg	WIFE	X	

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

HOUSE OF REPRESENTATIVES
VISITOR REGISTER

Natural Resources

COMMITTEE

BILL NO. HJR 43

DATE 4/1/91

SPONSOR(S) Rep. Connelly - Sustained Yield Study on
State Lands

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Don Artley	State Lands		
Janet Ellis	MT Anderson		
Jon Allen	MT Wood Products Assoc	✓	

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HOUSE OF REPRESENTATIVES
VISITOR REGISTER

Natural Resources COMMITTEE BILL NO. SR 16
DATE 4/1/91 SPONSOR(S) Sen Doherty - Fort Peck Reservoir Protection
PLEASE PRINT PLEASE PRINT PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
<i>Steve Doherty</i>	<i>Sen 20</i>	<i>X</i>	

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

**HOUSE OF REPRESENTATIVES
VISITOR REGISTER**

Natural Resources COMMITTEE BILL NO. SJR 18

DATE 4/1/91 SPONSOR(S) Sen. Lynch - Waste Center in Butte

PLEASE PRINT PLEASE PRINT PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
David L. Tappin	Office of Commissioner of Highways	✓	
Kian Wilson	Clark Fish Co. Inc.	✓	
Jim Jensen	METC	X	
Steve Huntington	MSE	✓	

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

**HOUSE OF REPRESENTATIVES
VISITOR REGISTER**

Natural Resources COMMITTEE BILL NO. SJR 22
 DATE 4/1/91 SPONSOR(S) Sen Doherty - state ethanol policy
PLEASE PRINT PLEASE PRINT PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Bob Stephens	Mt. Sinai Growers Ass'n	X	
Kay Doherty	WIFE	X	
Sen Doherty	Sen 20	X	

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

HOUSE OF REPRESENTATIVES
VISITOR REGISTER

Natural Resources COMMITTEE BILL NO. SJR 29
DATE 4/1/91 SPONSOR(S) Sen. Bengtson - Pick-Scan initiative
PLEASE PRINT PLEASE PRINT PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Gary Fritz	MT DNRC	X	
A. Klumpp	MT DNR	X	
Jim Jensen	MEIC		X

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

HOUSE OF REPRESENTATIVES
VISITOR REGISTER

Natural Resources COMMITTEE BILL NO. SJR 25
DATE 4/1/91 SPONSOR(S) Sen. Stinatz - Geothermal Study
PLEASE PRINT PLEASE PRINT PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.