

MINUTES OF MEETING  
SENATE NATURAL RESOURCES  
February 18, 1981

The thirteenth meeting of the Natural Resources Committee was called to order by Senator Harold Dover, Chairman, at 12:30 P.M., on the above date in Room 405 of the State Capitol Building.

ROLL CALL: All members were present with the exception of Senator Manning.

CONSIDERATION OF SB 482:

AN ACT PROVIDING FOR THE DEFINITION OF "GEOLOGY",  
"GEOLOGIST", "PROFESSIONAL GEOLOGIST", AND "CERTIFIED"  
PROFESSIONAL GEOLOGIST"; PROVIDING THAT CERTAIN  
REPORTS CONTAINING GEOLOGICAL MATERIAL MUST BE PRE-  
PARED OR APPROVED BY A PROFESSIONAL GEOLOGIST OR  
CERTIFIED PROFESSIONAL GEOLOGIST.

Senator Stimatz, District #43, introduced this bill, which defines Geology, Geologist, Professional Geologist and Certified Professional Geologist. Senator Stimatz said that several people had spoken to him before the hearing today about some problems they feel should be revised in the bill. They will be offering amendments. He asked Sid Groff, geologist, Department of State Lands, to testify on behalf of this bill.

Sid Groff said several geologists were concerned about the profession of geology and decided that they would do something official. We didn't want to be registered but would like to have the state recognize the profession of geology. Mr. Groff did not realize that he would run into opposition but is willing to accept modifications to this bill to make it workable. Attached is a copy of amendments proposed when the bill was introduced to the committee.

William E. Hupp, Billings, is a consulting geologist, primarily in oil and gas, and was on the committee that did the work for this bill. We investigated registration acts from Idaho, California, North Dakota, and Indiana and also the alternative to registration in Colorado and Wyoming. This bill as proposed is identical to the one adopted by the state of Wyoming. Mr. Hupp does not believe the state needs any more regulatory agencies.

John J. Tonnsen, Montana Power, was also involved in discussing the contents of this bill in Billings. The definitions in this bill, if recognized by law in the state of Montana, will go a long way towards bringing responsibility to the profession of geology.

Graham R. Thompson, Geology Department, University of Montana, supports this bill with some minor concessions. (see attached testimony)

Rod Sandahl, geologist and member of the Association of Professional Petroleum Geologists, Billings, supports this bill as amended by Mr. Groff.

John Morrison, representing the Professional Engineers, supports this bill with an amendment he is proposing. He would like the bill amended on Page 2, line 22, to include a section of the Civil Engineering Law of 1947, revised in 1977, which is attached.

There being no further proponents wishing to testify, Chairman Dover asked for opponents.

Connie Cole, Western Technology and Engineering, Inc., opposed this bill as it would severely impact small environmental consulting firms who compete for projects with large national firms and are forced to keep their rates low.

Dennis Williams, Montana Technical Council, opposes the bill as it is written.

Ed Nurse, Helena, has been a civil engineer for approximately 26 years and owns a small business. This law as proposed is unconstitutional. It is inconsistent, there is no law like this anywhere in the United States. This law would be detrimental to the university system. Mr. Nurse does not support this bill but, if amended, could support it.

Eldon Lindstrom, Montana Mining Association, gave testimony in opposition to this bill. He also furnished an amendment to the bill. (copies attached)

Jim Toth, geologist in Helena, opposes this bill. He supports the amendment by John Morrison and a further amendment to strike the definitions except for "Geologist" and "Professional Geologist."

James B. Carrita, licensed professional engineer, opposes this bill as written but supports it with the amendment proposed by Mr. Morrison.

Dave Stahly, Helena, registered professional engineer, opposes this bill as written but supports it with the amendment proposed by Mr. Morrison.

Bob Custer, Professional Consultants, Inc., opposes the bill as written but would support it with Mr. Morrison's amendment.

Tom Wing, Resource Engineers, opposes this bill as written but could support it with the amendments proposed.

John North, Department of State Lands, opposes this bill as written as it would require state agencies to hire professional geologists. With their budget limitations they object to this. The Department of State Lands proposes an amendment which would exempt state employees and persons under contract with the state. With that amendment, based on Mr. Morrison's amendment, they could accept this bill.

Vicki Stiller, Helena, agrees with John North. There is a lot of work that does not need a registered professional geologist, that could be done by somebody who does not have a lot of experience. This bill would put some people out of a job.

Senator Stimatz closed by saying that Mr. Morrison's amendment is highly acceptable and with Mr. Groff's amendment the bill should be acceptable to the opponents.

Chairman Dover asked for questions from the committee.

Senator Brown said Mr. Groff should be congratulated in attempting to adopt a licensing law without any license. We are going the backdoor route, which will, in effect, limit entry to the profession

Mr. Hupp said the main thing we are trying to do is clear up the reports that go to state agencies. Our concern is not for private industry because when they pay for something they usually have people qualified.

Senator Brown said this is the backdoor route if you want certification and licensing of geologists. Mr. Brown is concerned that there will be people practicing geology without the proper credentials.

Senator Van Valkenburg asked John North if the State Lands Department would take any reports for the state from someone who wouldn't meet the definition of geologist.

John North said he didn't believe they were accepting that kind of report.

Brace Hayden said we do from time to time accept reports from hydrogeologists whose report may extend into geology. In 9 out of 10 cases when we get a report a geologist has written the report on geology.

Senator Van Valkenburg asked if this bill, if amended to conform to Mr. Groff's and Mr. Morrison's amendments, would prohibit you from taking those reports you are referring to where a hydrogeologist has signed rather than geologist.

Mr. Hayden said they are the same thing. They both get a degree in geology.

Mr. Thompson said the word geologist would take care of any concerns in this regard.

Senator Van Valkenburg said he is concerned about the objection made from a small consulting firm that is doing work for the Department of State Lands. Will they be locked out from doing that work in the future.

Mr. Hayden said some of the work does not specifically require a geologist. We make sure that the person hired has a background in

the area for what the report is intended.

Mr. Groff said the bill provides that a report can be approved by a geologist. They can get the reports and have their geologist approve them.

Senator Van Valkenburg said he can understand why the profession wants to have some definition of Professional Geologist and Certified Professional Geologist. Why should we put that in the law if we are going to say that we will take a report from a geologist.

Mr. Groff said we are trying to establish the fact that there are more than one type of geologist, the same as in engineering. If we just say geologist then there is no incentive to improve himself through the years.

Senator Van Valkenburg said the bill doesn't provide an incentive to become a certified professional geologist unless you say, if you are a certified professional geologist you can submit this particular type of report.

Mr. Groff agrees with this.

Mr. Hupp said the reason for professional is the strip mining act says that a mine plan has to be prepared or approved by a registered public engineer or professional geologist.

Senator Keating asked Mr. Hupp what the federal government accepts as a professional geologist.

Mr. Hupp said the same terms as are in the bill.

Senator Brown said this bill does not give an incentive to work under a professional geologist to pick up the information that he has.

Mr. Nurse said the engineer law has solved that problem. You go to engineering school and if you pass an 8 hour examination this means you start the first step. Four years later you then apply for the professional, which requires 16 hours of examination.

Senator Brown said we should have a licensing law.

Senator Elliott asked Mr. Groff about the definition of Professional Geologist on Page 2.

Mr. Groff said that has generally been accepted as the federal requirements.

Senator Keating asked Ms. Stiller if she is a geologist.

Ms. Stiller said she had a degree in geology. There is some work in the office that would not need my geology degree and several years of graduate studies to do. This bill is requiring too much experience that is not really needed.

Senator O'Hara asked Mr. Groff if there was a real geology problem some place?

Mr. Groff said in years past.

Senator O'Hara asked for a more specific answer.

Senator Groff asked if Senator O'Hara had ever driven to Great Falls through the Wolf Creek Canyon. The road should not have been built with the rock plains dipping into the highway. That time somebody made a mistake.

Senator Brown asked if we knew that a geologist did not review that project.

Ed Nurse said the Wolf Creek Canyon project was studied by a state geologist who had been with them 15 or 20 years. This accusation is out of line.

DISPOSITION OF SB 376: Senator Etchart made a motion to amend SB 376 by removing the pipelines on page 5.

Senator Brown asked why.

Senator Etchart said he did not see why we needed them now when we did not have them before.

Senator Ryan asked if that would exclude 19" pipelines.

Senator Brown said yes.

Senator Keating asked if this would affect the Michigan-Wisconsin Northern Border line.

Senator Brown said that is exempted out.

Senator Van Valkenburg said there are limited corridors for anything. We already have the Northern Tier going through the area. If another major pipeline comes along, we won't have anything at all to enable the state to say where the best place is for it.

Senator Keating said there are 25 or 30 pipelines criss-crossing the country right now. There are no major problems with these pipelines, they do a good job of policing them without needing further restriction.

The motion passed with a vote of 7 for, 4 opposed.

Senator Brown said the language on page 19, line 25, and page 20, lines 1, 2 & 3, would have to be deleted, along with section 10, to correspond with this motion.

Chairman Dover asked Senator Brown if he objected to the amendments proposed by Mr. Mockler.

Senator Brown made a motion that amendment #1 of Mr. Mockler's amendment be accepted with the figure of \$10 million. Senator Brown said he did not know what is being excluded with the \$50 million figure.

Senator Manley asked if this would include putting four more generators on Kerr Dam by Montana Power.

Senator Brown said if the cost was \$10 million.

Senator Manley thinks \$10 million will take in too much.

Senator Brown said it is a lot better than \$250,000.

The motion passed unanimously.

Senator Brown said the committee has amended out pipelines. This is the only thing that was objected to at the hearing. He feels the rest of the bill should just be left as revised, except for one amendment. Mr. Brown made a motion to amend page 4, line 23, following "thereto", to insert "except those facilities subject to the Montana Strip and Underground Mine Reclamation Act,".

The motion passed unanimously.

Senator Etchart made a motion on page 4, line 22, following "utilizing to strike "refining". The motion passed unanimously.

Senator Manley said Mr. Shanahan was concerned about exclusion from this act and wanted Mr. Mockler's amendment on the definition of "utility" passed.

Senator Brown said they are exempt from the need determination. The department is concerned because fertilizer can be used for energy related bi-products. This is one of the issues the interim study can address.

Senator Dover asked about the word "gas" included under "Utility". Is that ethanol?

Senator Brown said this is not new.

Senator Manley said if there is a problem about this being a utility or whatever, it shouldn't be addressed in the bill until after the study.

Senator Etchart asked if wind power should be included under the definition of "utility".

Senator Brown said this is referred to on page 7, lines 5 through 8.

Senator Van Valkenburg made a motion on page 21, line 10, to strike 10 and insert 5. If you are going to give this advantage to somebody to locate in a community like Anaconda, you should encourage them to do that within a reasonable time. Ten years is not a reasonable period of time.

The motion did not pass. The vote was 10 opposed and 1 for, Senator Van Valkenburg.

Senator Van Valkenburg made a motion to strike subsection (2)(c), with respect to minimum adverse environmental impacts. He does not think in any case you should give up the attempt to determine what the minimum adverse impact that a facility will have on a community.

Senator Brown is not concerned about that as we are talking about a new facility and the new facility has to meet the new facilities provisions act.

The motion did not pass. The vote was 10 opposed and 1 for, Senator Van Valkenburg.

Senator Manley asked about amendment #3 on Mr. Mockler's amendments.

Senator Brown said we should have the interim to take a look at this. The impact is a lot greater than just fertilizer plants.

Senator Manley moved amendment #3 on Mr. Mockler's amendments.

Senator O'Hara is against this amendment.

Senator Brown said you are going to exempt all synthetic fuel plants and it is too early to make that judgment. If an amendment is made that I cannot accept, I'll just withdraw the bill. I'm the only sponsor.

Senator Manley said he thinks we should just have a study and keep them in the law until after the study.

Senator Keating said what you are trying to do is amend the existing law.

Senator Manley withdrew his motion.

Senator Brown made a motion that the bill do pass as amended.

The bill passed with a vote of 8 for, 3 opposed, Senator Manley, Senator Van Valkenburg and Senator Hafferman.

Natural Resources Committee  
February 18, 1981  
Page Eight

DISPOSITION OF SJR 14: Senator Keating made a motion that SJR 14 do pass. The motion passed with a vote of 8 for, 3 opposed, Senator Hafferman, Senator Van Valkenburg and Senator Manley.

DISPOSITION OF SB 482: Senator Ryan made a motion that SB 482 do not pass.

Senator Van Valkenburg suggested we wait on this until the next meeting.

Chairman Dover asked for a vote on the motion. The motion failed with a vote of 6 opposed, 5 for. Chairman Dover said we would review this bill at our next meeting as we were out of time.

ADJOURNMENT: There being no further business, the meeting was adjourned at 2:30 P.M.

  
\_\_\_\_\_  
HAROLD DOVER, Chairman



ROLL CALL  
NATURAL RESOURCES COMMITTEE

47th LEGISLATIVE SESSION - - 1981

Date 2/18/81

NAME	PRESENT	ABSENT	EXCUSED
Harold Dover, Chairman	✓		
Mark Etchart, Vice Chairman	✓		
Thomas Keating	✓		
Roger Elliott	✓		
Larry Tveit	✓		
Jesse O'Hara	✓		
John Manley	✓		
William Hafferman	✓		
Steve Brown	✓		
Dave Manning		✓	
Patrick Ryan	✓		
Fred Van Valkenburg	✓		

Each day attach to minutes.

Amendment to SB 482

1. Title, line 8

Following: "A"

Insert: "GEOLOGIST OF"

2. Page 2, line 19

Following: "a"

Insert: "geologist or"

University of Montana  
Missoula, Montana 59812

Department of Geology  
(406) 243-2341

February 20, 1981

Agnes Hamilton  
Senate Natural Resources, Rm. 405  
Capitol Building  
Helena, MT 59620

Dear Ms. Hamilton,

Enclosed is the testimony which I would like to submit regarding the bill heard by the Senate Natural Resources Committee Wednesday afternoon, February 18th, regarding a definition of Geology and Geologists, etc.

The testimony is in the form of a letter to Senator Stimatz. I would appreciate it if this copy of the letter be inserted in the hearings record as formal testimony. Thank you very much.

Sincerely,

A handwritten signature in cursive script, reading "Graham R. Thompson".

Graham R. Thompson  
Professor & Chairman

km  
Encl.

Department of Geology  
(406) 243-2341

February 19, 1981

Honorable Senator Lawrence Stimatz  
Capitol Station  
Helena, MT 59601

Dear Senator Stimatz,

Thank you very much for your kind help during and after yesterday's meeting of the Senate Natural Resources Committee regarding the Senate bill dealing with definitions of Geology and Geologists.

As I indicated to you after the open hearing, I had not prepared a formal testimony to submit at the time of the hearing. I hope that this letter will serve in its place.

My colleagues in the Department of Geology at the University of Montana and I are basically supportive of the bill. Before the hearing, we had two concerns which were satisfied during the hearing. The first concern was that University and College level teaching of Geology qualify for the five years of post-baccalaureate "training or experience" required for eligibility for the status of "professional geologists". Dr. Groff, representing the American Institute of Professional Geologists, the group that originated the bill, confirmed to the Committee that it was the intent of the A.I.P.G. that University and College level teaching be included as such experience.

Our second concern with the bill as offered was that only "professional geologists" or "certified professional geologists" would be eligible to prepare or approve reports as defined in Section 2 of the bill. Under those conditions, many of our graduates, including those with Masters degrees whom we consider to be fully qualified professional geologists, who go to work for state agencies, would have been ineligible to prepare or approve their own professional reports, which seemed a bit awkward. Dr. Groff offered an amendment to the bill allowing "geologists" as well as "professional geologists" and "certified professional geologists" to prepare or approve such reports. This amendment satisfied our second concern.

It is my understanding that both of these matters are now part of the formal hearings record of the Natural Resources Committee regarding this bill. My colleagues and I support the bill with the understanding that University and College teaching qualifies or experience for "professional geologist" status, and with the amendment accepted by Dr. Groff.

Thank you again for your kindness and help. My daughter, Lily, was very much delighted and impressed at having met you.

Very truly yours,

Department of Geology  
(406) 243-2341

February 19, 1981

Honorable Senator Steve Brown  
Capitol Station  
Helena, MT 59601

Dear Senator Brown,

Thank you for your comments and clarifications in yesterday's Senate Natural Resources Committee hearing regarding the bill concerned with definitions of Geology and Geologists.

During the meeting, you raised the issue of licensing or registering professional geologists. I wanted to pursue a discussion of that matter with you but felt that the formal hearing was not an appropriate time to do so. I will take the liberty of expressing a few thoughts regarding licensing or registration of geologists in this letter.

In principal, the idea of licensing or registering professional geologists seems like an excellent one. It should give us the opportunity to put a stamp of approval on those individuals who are competent and qualified, and to eliminate malpractice and costly errors by quacks and incompetents. Unfortunately, it is my understanding that in states where formal licensing or registration of geologists has occurred, that has not been the case. Instead, because of grandfather provisions, intra-professional rivalries, and the fact that the licensing or registration process has been dominated by politically influential but not always objective nor professionally competent individuals, the licensing or registration process has, to some extent, served to shelter some incompetent and possibly even dishonest individuals. At the same time, the process has precluded professional practice by competent geologists whose political views or environmental views are not consonant with the views of those who dominate the licensing bureau. I have heard reports of such matters from both California and Idaho. For these reasons, my colleagues in the Department of Geology at the University of Montana and I strongly oppose formal registration or licensing of geologists in Montana.

According to Bill Hupp, who presented testimony for the A.I.P.G., federal regulations, in some cases, demand that a state have formally qualified "professional geologists". Thus it appears necessary to have some sort of formalized definition. Licensing and registration of professional geologists has proved unsatisfactory and counterproductive in other states. I feel that the bill, as presented by Dr. Groff and the

Senator Steve Brown  
Page Two  
February 19, 1981

A.I.P.G., in the form modified during the hearing, is a reasonable compromise between doing nothing and leaving ourselves in an awkward position in respect to federal regulations, and going to the undesirable extreme of licensing or registration.

My colleagues and I are particularly concerned about the future of licensing or registration of geologists in Montana. We would very much appreciate the opportunity to be included in further discussions of the matter. Thank you very much.

Very truly yours,

Graham R. Thompson  
Chairman

km  
cc: Kathleen McBride  
Dr. Sid Groff

JOHN MORRISON  
AMENDMENT

privileges of a registered professional geologist, while the said certificate remains unrevoked or unexpired.

All drawings, specifications, reports, or other geologic papers or documents involving geologic work as defined in section 54-2802 which shall have been prepared or approved by a registered geologist or a subordinate employee under his direction for the use of or for delivery to any person or for public record within this state shall be signed by him or be impressed with said seal or the seal of a non-resident practicing under the provisions of section 54-2822, either of which shall indicate his responsibility for them.

Each registrant hereunder may, upon registration, obtain a seal of the design authorized by the board, bearing the registrant's name and the legend "registered professional geologist."

It shall be unlawful for any person to affix his signature, stamp or seal to any document, after the certificate of the registrant named thereon has expired or been suspended or revoked, unless said certificate shall have been renewed, reinstated, or reissued. (1971, ch. 137, 15, p. 576.)

54-2816. EXPIRATION OF CERTIFICATE--NOTICE--RENEWAL--RENEWAL FEE.--Certificates of registration shall expire on the last day of the month of June following their issuance or renewal and shall become invalid on that date unless renewed. It shall be the duty of the secretary of the board to notify every person registered under this act, of the date of the expiration of his certificate and the amount of the fee that shall be required for its renewal for one (1) year; such notice shall be mailed at least one (1) month in advance of the date of expiration of said certificate. Renewal may be effected at any time prior to June 30, the payment of a renewal fee to be fixed by the board at not more than fifty dollars (\$50.00). The failure on the part of any registrant to renew his certificate annually in the month of June as required above shall not deprive such a person of the right of renewal, but the fee to be paid for the renewal of a certificate after the month of June shall be increased twenty per cent (20%) for each month or fraction of a month that payment of renewal is delayed; provided, however, that the maximum fee for delayed renewal shall not exceed twice the renewal fee for each year delinquent, but in no event more than one hundred dollars (\$100). (1971, ch. 137, 16, p. 576.)

54-2817. LOST, DESTROYED OR MUTILATED CERTIFICATES--CHARGE.--A new certificate of registration, to replace any certificate lost, destroyed or mutilated, may be issued, subject to the rules of the board. A charge of ten dollars (\$10.00) shall be made for such issuance. (1971, ch. 137, 17, p. 576.)

~~54-2818. STATE AND POLITICAL SUBDIVISION CONTRACTS--EXCEPTIONS.--This state and its political subdivisions, such as county, city, or legally constituted boards, districts, commissions or authorities, shall contract for geological services only with persons registered under this act, provided further that nothing in this section or act shall be construed to prevent registered professional engineers from lawfully practicing soils mechanics, foundation engineering, geological engineering, and other professional engineering, as provided in chapter 12, title 54, Idaho Code, and licensed architects from lawfully practicing architecture as provided in chapter 3, title 54, Idaho Code. (1971, ch. 137, 18, p. 576.)~~

*Professional Geologists defined*

54-2819. CODE OF ETHICS--DISCIPLINARY ACTIONS AND REVOCATION OF CERTIFICATE.--(1) The board shall cause to have prepared and shall adopt a code of ethics which shall be made known in writing to every registrant and applicant



TESTIMONY  
Senate Natural Resources Committee  
February 13, 1981

Post Office Box 132  
Helena, Montana 59624  
Phone (406) 443-7297

For the record my name is Eldon Lindstrom and I am here representing the Montana Mining Association.

The Montana Mining Association appreciates the fact that Senate Bill 482 seeks to recognize and define geologists. However, we feel degree offerings in geology qualify some persons to make numerous and varied observations in the field.

Some tasks performed in the field simply do not justify the use of "professional" or expert geologists. The definitions contained in this bill are cumbersome to the mining business, and may interfere with its day-to-day work tasks and schedules.

The Montana Mining Association opposes Senate Bill 482. Since our organization received no advance notice of this bill being introduced, we have not had the opportunity to draft amendments. We therefore must submit our opposition to the entire bill.

#### OFFICERS

##### President

DUANE L. REBER  
P.O. Box 3296  
Missoula, MT 59806

##### Vice President

ROGER RICE  
404 N. 31st St.  
Billings, MT 59101

##### Treasurer

LOUISE SHAFER  
615 S. Atlantic St.  
Dillon, MT 59725

##### Secretary

DON C. LAWSON  
1033 Hornet St.  
Butte, MT 59701

#### EXECUTIVE COMMITTEE DIRECTORS

TAD DALE  
P.O. Box 682  
Dillon, MT 59725

HERB SHERBURNE  
705 54th St. South  
Great Falls, MT 59405

DONALD KENNEDY  
Ennis, MT 59729

PHIL WALSH  
909 Waukesha  
Helena, MT 59601

VICTOR WRIGHT  
Box 391  
Superior, MT 59872

DONALD JENKINS  
200 North Brooke  
Whitehall, MT 59759

#### EXECUTIVE SECRETARY

BILL HAND  
P.O. Box 132  
Helena, MT 59624



1. Page 2, line 22  
Following: "forms"  
Delete: "or"  
Insert: ", "
2. Page 2, line 23  
Following: "82-4-303(10)"  
Delete: ", "  
Insert: "or to any report prepared by state agency employees or persons  
under contract with state agencies."

NAME: William E. Hupp DATE: Feb 18, 1981

ADDRESS: 939 Spring Creek Dr. Billings

PHONE: 248-8357 res 248-2970 office

REPRESENTING WHOM? Self & American Institute of Physics Subatomic Unit Section

APPEARING ON WHICH PROPOSAL: SR 482

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: ELDON LINDSTROM

DATE: 2/18/81

ADDRESS: Box 477 EAST HELENA

PHONE: 227-5686

REPRESENTING WHOM? Mont Mining Assoc.

APPEARING ON WHICH PROPOSAL: SB 482

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE? X

COMMENTS: NOT ENOUGH INFORMATION & COMMUNICATION  
IN TIME TO RECOMMEND ANY AMENDMENTS

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Richard B. Berg DATE: 2/18/81

ADDRESS: 1208 W. Diamond, BUTTE, MT 59701

PHONE: 792-5032

REPRESENTING WHOM? MOUSE/F

APPEARING ON WHICH PROPOSAL: 5B 782

DO YOU: SUPPORT? ✓ AMEND?            OPPOSE?           

COMMENTS: \_\_\_\_\_

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: John Voth DATE: \_\_\_\_\_

ADDRESS: Dept. of State Lands Albany

PHONE: 4110-2000

REPRESENTING WHOM? Dept. of State Lands

APPEARING ON WHICH PROPOSAL: SB 682

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? ☒ OPPOSE? \_\_\_\_\_

COMMENTS: \_\_\_\_\_

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Tom Wang DATE: Feb 18, 81

ADDRESS: Box 5624 Helena MT

PHONE: 443-1840

REPRESENTING WHOM? Resource Engineers

APPEARING ON WHICH PROPOSAL: SC 482

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE? X

COMMENTS: The requirement for report certification of all geologic reports  
a "certified professional (or professional) geologist is too  
burdensome. Many other disciplines use geologic information  
in their work such as civil engineers, architects, hydrologists and soil scientists. This requirement for  
report certification will place a burden on small  
consulting firms as they will not be able to always  
have available a professional geologist for all report  
preparation. This is

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Robert S. Carter DATE: 2/18/81

ADDRESS: P.O. Box 3416 Missoula MT.

PHONE: 728-1880

REPRESENTING WHOM? Professional Consultants Inc.

APPEARING ON WHICH PROPOSAL: SF 232

DO YOU: SUPPORT?                      AMEND?                      OPPOSE? ✓

COMMENTS: Persons with previous knowledge in soils  
analysis should be permitted to soils testing  
in order to make state health department  
work as they apply to Subdivision & Plotting  
instruments.

There will allow a Professional Engineer or  
a Professional Land Surveyor to continue his  
usual practice.

Geologists are not specially trained for  
Health Department Tests and would need  
to have their own licenses.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: James J. Toth DATE: 2-18-81

ADDRESS: 832 Broadway Helena MT

PHONE: 443-4239

REPRESENTING WHOM? Myself

APPEARING ON WHICH PROPOSAL: SB 482

DO YOU: SUPPORT?        AMEND? X OPPOSE?       

COMMENTS: Section 1 Subsection 3 Drop entire category  
" 1 " 4 Adopt all of subsection  
3 and have only 2 categories - Geologist and  
Certified Professional Geologist. Also drop membership  
requirement of ALPG.

Section 2 add "or by" to line 17  
after "to" and "for"

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.





NAME: ED NURSE DATE: 2/18

ADDRESS: 839 Front St

PHONE: 442-0880

REPRESENTING WHOM? Self & Small Business

APPEARING ON WHICH PROPOSAL: SB 482

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE? ✓

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME :

DATE :

ADDRESS :

PHONE :

REPRESENTING WHOM?

APPEARING ON WHICH PROPOSAL:

DO YOU:

SUPPORT?

AMEND?

OPPOSE?

COMMENTS:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Dennis A. William DATE: 2/18/81  
ADDRESS: P.O. Box 951 Gt. Falls (Northern Testing)  
PHONE: 453-1641  
REPRESENTING WHOM? Self, Firm, Nord. Tech. Council  
APPEARING ON WHICH PROPOSAL: SB 482  
DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE? X

COMMENTS: This bill is restrictive, all inclusive  
self serving, with regard to work clearly  
defined by present State Law as being  
in the realm of Professional Engineering  
(Geotechnical Engineering)

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Connie Cole DATE: 2-18-81

ADDRESS: Box 6045

PHONE: 442-0950

REPRESENTING WHOM? Western Technology and Engineering, Inc.

APPEARING ON WHICH PROPOSAL: SB 482

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE? X

COMMENTS: This bill would severely impact small environmental consulting firms. We compete for projects with large, national firms and are forced to keep our rates low. We hire competent, well educated young professionals - but we have to keep our costs low. We are a Montana firm - and we'd like to keep working. All our reports must meet the strict requirements of the state agencies for which they are prepared -

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Graham R. Thompson DATE: 2-18-81

ADDRESS: Geology Department - Univ. of Montana

PHONE: 243, 2341

REPRESENTING WHOM? Geology Dept. - Univ. of Montana

APPEARING ON WHICH PROPOSAL: #482

DO YOU: SUPPORT? X AMEND? X OPPOSE?

COMMENTS: I would like to see it made clear that  
"experience" toward qualification as a "professional  
geologist" include teaching at the college and  
university level.

I wish to see the list amended so that  
"Geologists" as well as "Professional Geologists" and  
"Certified Professional Geologists" may prepare or  
approve geological reports.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

Graham R. Thompson

NAME: JOHN J. TOWNSEN DATE: 2-18-81

ADDRESS: 3114 STANSON AVE

PHONE: 259-5504

REPRESENTING WHOM? MONTANA POWER

APPEARING ON WHICH PROPOSAL: SB 482

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: \_\_\_\_\_

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

DATE

2/18/81

COMMITTEE ON

Natural Resources

## VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One	
			Support	Oppose
Edna J. Thompson	MONT. POWER CO. ASS	SB 482		✓
Edna J. Thompson	MONTANA POWER CO.			
William E. Hupp	American Institute of Mining & Metallurgical Engineers	SB 482	✓	
Richard B. Berg	myself	SB 482	✓	
James B. Caccia	SELF	SB 482		✓
Ed Nurse	SELF +	SB 482		✓
Connie Cole	WESTECH	SB 482		✓
Thomas J. King	Resource Engineers	SB 482		✓
Donna J. Johnson	MATHEMATICS TEACHING INC.	SB 482		✓
Ed Butler	Professional Consulting Engineers	SB 482		✓
Steve Stanley	STANLEY ENGINEERS	SB 482		✓
Bill Warfield	SELF	SB 482		✓
Bill Smith	"	"		✓
Jim Toth	"	"		✓
Tom Perkins	Self	SB 482		
Terrell Anderson	"	SB 482		
G. R. Thompson	Geology Dept. University of Montana	SB 482	✓	
G. R. Thompson	SELF			
Bob				
Vicky Stiller	Olson - Ellist & Assoc	SB 482		✓
BRACE ANDERSON	Dept State Lands	SB 482		✓
Red Sandahl	Self	SB 482	✓	
John Park	Dept. of State Lands	SB 482		✓
Mike Thompson	MT. TARI COMMUNITY	367	✓	

# STANDING COMMITTEE REPORT

February 18, 1931

**PRESIDENT**

MR. ....

We, your committee on **NATURAL RESOURCES** .....

having had under consideration **SENATE JOINT RESOLUTION** ..... Bill No. **14** .....

Respectfully report as follows: That **SENATE JOINT RESOLUTION** ..... Bill No. **14** .....

*Y.C.*  
DO PASS



# STANDING COMMITTEE REPORT

February 18, ..... 19 81

MR. **PRESIDENT** .....

We, your committee on **NATURAL RESOURCES** .....

having had under consideration **SENATE** ..... Bill No. **376**

Respectfully report as follows: That **SENATE** ..... Bill No. **376**

be amended as follows:

1. Title, lines 7 and 8.  
Following: "INCLUDING" on line 7  
Strike: MAJOR PIPELINES AS A FACILITY" on lines 7 and 8  
INSERT: "EXEMPTING FACILITIES SUBJECT TO THE MONTANA STRIP AND  
UNDERGROUND MINE RECLAMATION ACT"
2. Title, lines 17 and 18  
Following: "CLOSURE;" on line 17  
Strike: "PROVIDING" through "PIPELINES;" on lines 17 and 18.
3. Page 4, line 13  
Following: "\$250,000"  
Strike: "\$750,000"  
Insert: "\$10 million"

DO PASS

(continued)

4. Page 4, line 16

Following: "\$250,000"

Strike: "\$750,000"

Insert: "\$10 million"

5. Page 4, line 19

Following: "\$250,000"

Strike: "\$750,000"

Insert: "\$10 million"

6. Page 4, line 21

Following: "\$250,000"

Strike: "\$750,000"

Insert: "\$10 million"

7. Page 4, line 22

Following: "utilizing"

Strike: ",refining,"

8. Page 4, line 23

Following: "thereto"

Insert: ", except those facilities subject to the Montana Strip and Underground Mine Reclamation Act,"

9. Page 4, line 24

Following: "\$250,000"

Strike: "\$750,000"

Insert: "\$10 million"

10. Page 5, lines 6 through 12

Following: "facilities" on line 6

Strike: ":(ii)" on lines 6 through 12 and strike subsection "(i)" in its entirety.

11. Page 19, line 25

Following: "facilities"

Strike: ":(ii) however,"

Insert: ":(ii)"

12. Page 20, lines 1 through 3

Following: "however," on line 25, page 19

Strike: "natural" through "facilities." on lines 1 through 3 on page 20.

13. Page 23, lines 3 through 7

Following: "75-20-406(3)(a)."

Strike: "NEW SECTION. Section 10." in its entirety on lines 3 through 7.

Renumber: subsequent section

And, as so amended,

DO PASS

*S.C.*

HAROLD HOVER

Chairman.

SENATE COMMITTEE Natural Resources

Date 2/18/81 Bill No. 376 Time 2:10 P.M.

NAME	YES	NO
Harold Dover, Chairman	✓	
Mark Etchart, Vice Chairman	✓	
Thomas Keating	✓	
Roger Elliott	✓	
Larry Tveit	✓	
Jesse O'Hara	✓	
John Manley		✓
William Hafferman	✓	
Steve Brown		✓
Dave Manning		
Patrick Ryan		✓
Fred Van Valkenburg		✓

Agnes Hamilton  
Secretary

Harold Dover  
Chairman

Motion: Motion to amend SB 376 by removing the pipelines on page 5.

(include enough information on motion--put with yellow copy of committee report.)