

HOUSE NATURAL RESOURCES COMMITTEE
January 5, 1983

The House Natural Resources Committee convened on Wednesday, January 5, 1983, at 12:40 p.m., in Room 224K of the State Capitol, with Chairman Hal Harper presiding and all members present except Rep. Brown, who was excused, and Rep. Nordtvedt, who was absent.

Chairman Harper introduced John Carter, the committee staff person, and said the committee is fortunate to be staffed by a member of the Environmental Quality Council staff. Mr. Carter distributed a memo to each member which told of services available to the committee members from the Environmental Quality Council staff. A copy of this memo is Exhibit 1 and part of the minutes. Mr. Carter also distributed a leaflet on the Environmental Quality Council. This is Exhibit 2 of the minutes. Chairman Harper said the EQC will provide a summary of the bills.

Chairman Harper introduced the committee secretary and himself and then had the members introduce themselves.

Chairman Harper said the committee would be run as informally as possible while still getting the job done and using the time to the maximum. He said the usual hearing procedure would be followed. However, in questioning a witness, if a committee member wished to pursue a line of questioning, he can glance at the chair and if he receives a go-ahead nod, he can proceed with his questions. Chairman Harper said no questions were to be asked to committee members until the executive session. He requested that the staff research person also be able to ask questions of the witnesses.

Chairman Harper announced a 7 o'clock meeting in the House Chambers on surplus water for sale.

Rep. Bertelsen asked if proxy votes were permitted. Chairman Harper said this would need to be handled on a case-by-case basis as there is a question if the bill has been amended after the proxy is left.

Rep. Bergene apologized for the Republicans being late due to a caucus. The apology was accepted by the Chair.

A collection of \$1 per interested person was taken for the coffee fund.

Rep. Hand moved the meeting adjourn. The meeting adjourned at 1 p.m.

Respectfully submitted,


HAL HARPER, CHAIRMAN

Emelia A. Satre, Secretary.



STATE OF MONTANA
ENVIRONMENTAL QUALITY COUNCIL

STATE CAPITOL
HELENA, MONTANA 59620
(406) 449-3742

Deborah B. Schmidt, Executive Director

Ex. 1

GOV. TED SCHWINDEN

Designated Representative:
John North

HOUSE MEMBERS

Dennis Iverson, Chairman
Dave Brown, Vice Chairman
Gay Holliday
Dean Switzer

SENATE MEMBERS

Harold Dover
Dorothy Eck
Mike Halligan
Gary Lee

PUBLIC MEMBERS

Dennis G. Nathe
W. Leslie Pengelly
Glen T. Rugg
Frank S. Stock

January 3, 1983

TO: House Natural Resources Committee, 48th Legislature

FROM: John Carter, Environmental Quality Council and
Committee Staff

RE: Services Available to Committee Members

Upon request of the committee, I will perform the following functions in support of the House Natural Resources Committee:

- 1) review proposed legislation and advise the committee as to constitutionality, internal consistency, possibility of conflict with or duplication of existing provisions, and compliance with other bill-drafting provisions such as grammar, punctuation, word choice, and statutory sentence structure;
- 2) research other states' laws pertaining to a given bill upon request of a committee member;
- 3) assist the committee or individual member in obtaining data or any pertinent information from governmental entities or other sources pertaining to bills under deliberation;
- 4) draft proposed amendments upon request of individual committee members prior to committee action on a given bill;
- 5) review all amendments adopted by the committee with the same bill-drafting guidelines applied to the original bill -- with the Chairman's authorization to make necessary changes in grammar, punctuation, word choice, and sentence structure, not affecting meaning, that may be detected between committee adoption and delivery of the Standing Committee Report, subject to review by the Chairman before signing the report;
- 6) draft proposed amendments to be moved on Second Reading upon request of any committee member;
- 7) review rough drafts of committee minutes to assist the secretary in accurately reflecting the deliberations of the committee;

8) draft Statements of Legislative Intent or obtain drafts from state agencies when directed by the committee;

9) draft committee bills when requested by the committee;

10) attend subcommittee meetings when assigned by the Chairman to perform the appropriate functions listed above; and,

11) attend conference committee or free conference committee deliberations as invited to perform the appropriate functions listed above.

Ex. 2

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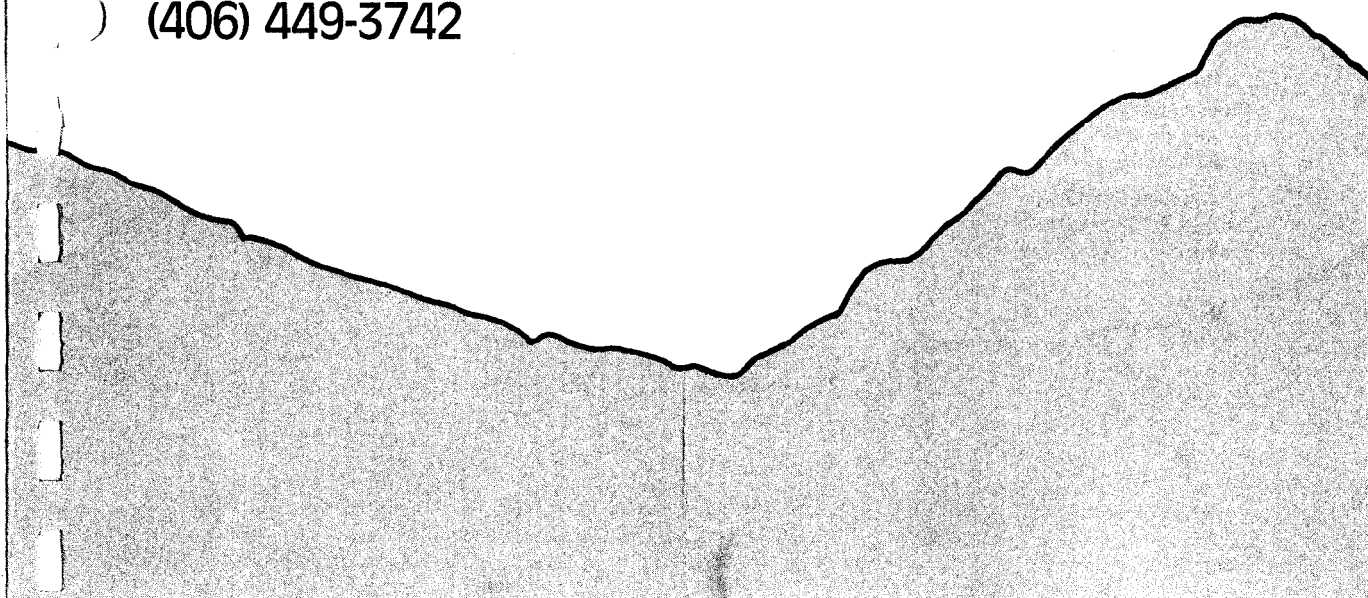
Montana Environmental Quality Council

EQC

Capitol Station

Helena, MT 59620

(406) 449-3742



The Montana Environmental Quality Council (EQC) is a unique agency existing in the legislative branch of state government. Created by the 1971 Montana Environmental Policy Act (MEPA), the EQC co-ordinates and monitors state policies and activities that affect the quality of the human environment.

While other laws deal individually with important elements of the environment, MEPA is the one state law that specifically recognizes and addresses the complex interrelationship between man and the state's natural resources. Similarly, the EQC is the single office responsible for reviewing the various individual programs and activities of state agencies for the purpose of promoting a unified effort toward the enhancement of the natural, economic, and social environment.

Through insuring the implementation of the policies outlined in MEPA, EQC's purpose is to encourage the creation and maintenance of conditions under which man and nature can co-exist in productive harmony while recognizing the social, economic, and other requirements of present and future Montanans.

The EQC does not have regulatory powers. It serves exclusively in an advisory capacity making proposals and recommendations to the Executive Branch and Legislature to ensure that the broad environmental policies of the state are carried out.

Thirteen Montana citizens make up the EQC. Four are State Senators; four are State Representatives; four are members of the public; and one, a non-voting member, represents the Governor.

The EQC is designed to be non-partisan. The House and Senate members are chosen by the majority and minority leaders of each house. The leaders of each house also choose two public members.

Council members serve terms of two years, concurrent with the state legislative sessions. Members may serve no more than three consecutive terms.

SENATE MEMBERS

Harold L. Dover
(R-Lewistown)

Dorothy Eck
(D-Bozeman)

Mike Halligan
(D-Missoula)

Gary P. Lee
(R-Fort Shaw)

HOUSE MEMBERS

Dennis Iverson, Ch.
(R-Whitlash)

Dave Brown, Vice-Ch.
(D-Butte)

Gay Holliday
(D-Roundup)

L. Dean Switzer
(R-Richey)

PUBLIC MEMBERS

Dennis G. Nathe
Redstone

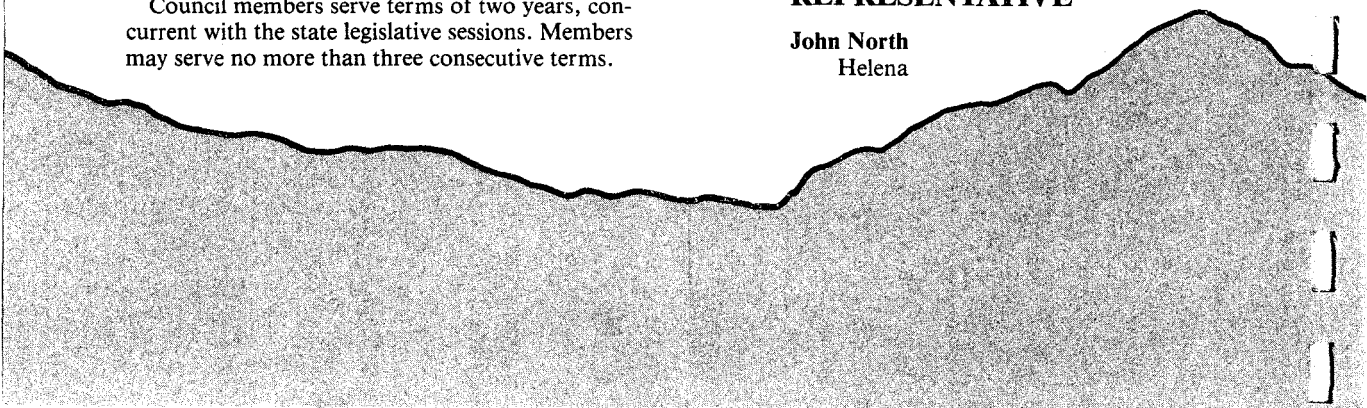
Leslie Pengelly
Missoula

Glen T. Rugg
Plevna

Frank S. Stock
Polson

GOVERNOR'S REPRESENTATIVE

John North
Helena



The EQC staff, under the direction of its executive director, is responsible for assisting the council members in the fulfillment of their duties. Staff responsibilities include preparation of research reports, organization and attendance of public meetings and hearings, drafting of proposed legislation, and the completion of studies ordered by the Legislature.

The EQC staff acts as an independent, non-political, impartial source of information on environmental matters to the Legislature and the public.

According to a policy adopted by the Council, the executive director and staff will conduct studies, bring information on natural resource issues, and make recommendations to the Council. The Council will then act on those recommendations, studies, and information and will carry that action to the Legislature.

Executive Director Deborah B. Schmidt
Environmental Scientist . . . Howard E. Johnson
Environmental Researcher John E. Carter
Administrative Assistant Ellen C. Engstedt

The foremost duties of the EQC as spelled out by MEPA are:

- research and analyze environmental trends in Montana;
- monitor environmental actions and policies of state agencies;
- recommend ways to improve the state's natural, cultural, and economic environments;
- assist the Legislature with environmental legislation;
- prepare an annual report on the state of Montana's environment.

Additionally, other projects are assigned to the EQC from time to time by the Legislature. For example, the 1981 Legislature directed the EQC to study

the most effective means of mitigating impacts of large-scale hard-rock mineral development in the state. This study is being undertaken jointly with members of the Legislature's Revenue Oversight Committee. EQC is presently also working with the Legislative Joint Subcommittee on Business to study how environmental regulations affect economic development and the business climate in Montana. The 1981 Legislature also directed EQC to monitor how the state is administering the alternative renewable energy grant and loan program. These studies will result in recommendations to be submitted to the 1983 Legislature.

Finally, the EQC members initiate and carry out, with their staff, other projects such as:

--a review of the Environmental Impact Statement process;

--a conference on ground water, sponsored jointly with the Legislature's Water Resources Oversight Committee, for the purpose of developing a ground water strategy;

--a review of the use of pesticides and administration of state pesticide programs;

--oversight of environmental problems associated with increased oil and gas development;

--monitoring the development of small-scale hydroelectric facilities following a study conducted by the National Conference of State Legislatures and EQC;

--monitoring water development in Montana;

--monitoring hazardous wastes, noxious weeds, pipelines, power lines, utility corridor siting, and other topics.

An important part of the EQC's work is preparing publications on Montana's environment.

Eight times a year, EQC publishes **EQComments**, a newsletter that covers the activities of the council and other important environmental news. **EQComments** is presently mailed free of charge to legislators, agency personnel, and interested members of the public. In the future, if necessary, a small subscription fee may be charged to the public.

Annually, the EQC prepares a report discussing the condition of Montana's environment. Periodically other publications are produced and made available to the public. These include an index of environmental permits, reports on environmental legislation, and a description of environmental indicators in Montana. All of these publications are obtainable free of charge from the EQC offices.

In past years, EQC has prepared numerous major publications. Some of those include **Natural Resource Issues in the 47th Legislature** (1981); **Montana Index of Environmental Permits** (With the Department of Health and Environmental Sciences 1981); **Montana Environmental Index** (1978 and Revised 1979); **Montana's Natural Gas Supply Crisis** (1976); **Montana's Renewable Resources Today and Tomorrow** (1976); **Montana Energy Policy Study** (1974); **Montana Land Use Policy Study** (1974); **The Potential for Energy Conservation in Montana** (1973); and, **Environmental and Legal Problems of Land Development in Montana** (1972). In addition, EQC produces smaller issue reports at legislative request.

While all of these may not be in print, library copies or photocopies may be available. For information on any of these publications, or any other environmental question you may have, contact EQC.

The goal of the Environmental Quality Council is to implement the policies enumerated in the Montana Environmental Policy Act*, through the following objectives:

- Conduct non-partisan investigations, studies, surveys, research, and analyses relating to ecological systems and environmental quality;

- Make and furnish non-partisan studies, reports and recommendations on state policies and legislation as the Legislature requests;

- Analyze legislative proposals in clearly environmental areas and in other fields where legislation might have environmental consequences and assist in preparation of reports for use by legislative committees;

- Consult with and assist legislators who are preparing environmental legislation;

- Review and appraise programs and activities of state agencies that relate to the use of Montana's natural resources;

- Gather timely and authoritative information concerning conditions and trends in the quality of the environment and submit to the Legislature and Governor studies relating to those conditions and trends,

- Develop and recommend to the Legislature and Governor state policies to meet the economic, social, conservation, health, and other requirements and goals of the state; and,

- Transmit to the Legislature, Governor, and public an annual report concerning the state of the environment.

*Title 75, chapter 1, MCA

VISITOR'S REGISTER

HOUSE

Natural Resources

COMMITTEE

BILL

DATE _____

1/5/83

SPONSOR

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IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.