

MINUTES OF THE MEETING
SENATE NATURAL RESOURCES COMMITTEE
MONTANA STATE SENATE
March 18, 1985

The twenty-first meeting of the Senate Natural Resources Committee was called to order at 1:00 p.m. by Chairman Dorothy Eck, March 18, 1985, Room 405, State Capitol Building.

ROLL CALL: All members of the Senate Natural Resources Committee were present.

CONSIDERATION OF HB702: Representative Harbin, sponsor of HB702, stated he is introducing HB702 on behalf of the Department of State Lands. Prior to 1981, the responsibility of managing state forest lands was with the Department of Natural Resources and Conservation (hereafter DNRC). In 1981, this responsibility was shifted to the Department of State Lands. However, some of Montana's statutes were never changed to reflect this shift of responsibility. HB702 simply changes these statutes to reflect this responsibility is now primarily with the Department of State Lands.

PROPOSERS: Mr. Dennis Hemmer, representing the Department of State Lands, submitted written testimony (Exhibit 1) in favor of HB702.

There being no further proponents and no opponents, the hearing was opened to questions from the committee.

Senator Shaw questioned whether HB702 will have a fiscal impact. Mr. Hemmer replied it would not.

There being no further questions from the committee, the hearing on HB702 was closed.

ACTION ON HB702: Senator Christiaens moved HB702 BE CONCURRED IN. The motion carried.

CONSIDERATION OF HB698: Representative Ream, sponsor of HB698, stated this bill is fairly simple, since the groups involved have worked out the bill ahead of time. Representative Ream explained HB698 provides for groundwater information to be provided with applications for operating permits, a commitment and plan to stabilize dams and dikes, and a mandamus section similar to the one contained in the Strip Mine Act. Section 5 also provides for replacement of damaged water supplies.

PROPOSERS: Mr. Dennis Hemmer, representing the Department of State Lands, submitted written testimony (Exhibit 2) in favor of HB698.

Mr. Jack Heyneman, of Fishtail, Montana, submitted written testimony (Exhibit 3) as a proponent of HB698.

Mr. George Ochenski, representing the Environmental Information Center, applauds the efforts of everyone involved in drafting HB698. Mr. Ochenski also submitted written testimony from Bonnie Reishus (Exhibit 4) in favor of HB698.

Mr. Gary Langley, representing the Montana Mining Association, submitted written testimony (Exhibit 5) and stated he is neither a proponent nor an opponent of HB698, because he feels this bill is unnecessary.

Mr. Ward A. Shanahan, representing Chevron Corporation, stated he worked on HB698 with the Department of State Lands and the Northern Plains Resource Council. Mr. Shanahan feels the legislature should be examining ways to protect Montana's raw materials and the costs associated with producing raw materials. Mr. Shanahan hopes that in the future, the legislature will give consideration to eliminating some of the regulations relating to production of raw materials.

There being no further proponents and no opponents, the hearing was opened to questions from the committee.

Senator Shaw questioned Mr. Hemmer about the "right for hearing" referred to on page 8, lines 10-12. Mr. Hemmer explained this refers to the legislative hearing and provides an opportunity for the public to come and testify.

Senator Weeding inquired about who sets the county standards for weed control referred to on page 6, lines 11-12. Mr. Hemmer replied these standards are set by the County Weed Board, and an operator would have to meet the same standards as ranchers and farmers.

Senator Fuller inquired what "comparable utility" referred to on page 6, lines 17-18. Mr. Hemmer stated an operator would be required to return the land, so it could be used for the same purposes as adjacent lands were being used for.

Upon question from Senator Fuller, Mr. Hemmer explained HB698 does not have any relation to ASARCO or the pending court action regarding MEPA.

Senator Halligan wanted to know what would happen if an operator could not replace water with a like quality and quantity as required in subsection (iv), page 11. Mr. Hemmer replied that in most instances, there would be a way to do so. Mr. Hemmer feels if nothing else is feasible, a new well could always be drilled or a new water right could be purchased.

There being no further questions from the committee, Representative Ream closed the hearing on HB698 by stating this bill is not the result of activities taking place at any particular mine.

CONSIDERATION OF HB769: Representative Holliday, sponsor of HB769, submitted written testimony (Exhibit 6) stating the Coal Mine Reclamation Act is not clear regarding procedures and amount of bond money that may be released as reclamation proceeds. HB769 will correct this problem.

PROPOSERS: Mr. Jim Mockler, representing the Montana Coal Council, stated HB769 is a complicated bill, and the language is taken directly from the federal Surface Mine Control and Reclamation Act. HB769 will allow an operator to receive a portion of the bond back. Mr. Mockler stated the Department of State Lands has shown its willingness to work out problems in order to give both parties fair treatment.

Mr. Dennis Hemmer, representing the Department of State Lands, submitted written testimony (Exhibit 7) in favor of HB769.

Ms. Marg Green, representing the Montana Farm Bureau Federation, submitted written testimony (Exhibit 8) in favor of HB769.

Mr. Russ Brown, representing Northern Plains Resource Council, stated his organization worked on HB769 with the Department of State Lands and urged the committee to pass the bill.

There being no further proponents and no opponents, the hearing was opened to questions from the committee.

Senator Weeding stated it is difficult to read the stricken language on pages 4 and 5 and questioned Mr. Mockler as to how the stricken language read. Mr. Mockler stated the stricken language is very similar to the new language and does not remove any protections.

There being no further questions from the committee, the hearing on HB769 was closed.

CONSIDERATION OF HB784: Representative Holliday, sponsor of HB784, submitted written testimony (Exhibit 9) stating HB784 has two purposes: (1) Administrative completeness and acceptability; and (2) outlining specific time frames for application review, EIS preparation and departmental decision.

PROPOSERS: Mr. Dennis Hemmer, representing the Department of State Lands, submitted written testimony (Exhibit 10) in favor of HB784.

Mr. Jim Mockler, representing the Montana Coal Council, stated he is a proponent of HB784 because it will advance planning and will streamline the strip mine permitting process. Mr. Mockler feels HB784 will allow everyone to know exactly what the rules of the game are.

Mr. Russ Brown, representing Northern Plains Resource Council, feels HB784 will give concerned citizens a better opportunity to participate.

Ms. Marge Green, representing the Montana Farm Bureau Federation, submitted written testimony (Exhibit 11) in favor of HB784.

Mr. Pat Wilson, representing MONTCO, feels the changes proposed by HB784 will clarify and decrease the amount of time involved in the permitting process. For these reasons, Mr. Wilson supports HB784.

There being no further proponents and no opponents, the hearing was opened to questions from the committee.

Senator Gage feels the language contained on page 2, line 25, is poorly worded.

Senator Weeding questioned what type of procedure is used to determine whether an EIS is required. Mr. Hemmer stated his Department conducts a preliminary environmental review.

There being no further questions from the committee, the hearing on HB784 was closed.

CONSIDERATION OF HB705: Representative Rehberg, sponsor of HB705, stated HB705 will make people happy. HB705 will require the Department to make available to any person who requests in writing the contents of appraisals done on lands contemplated for exchange. HB705 also requires the Department of State Lands to send written notices by certified mail to lessees when an exchange of land is contemplated. Board approval is a condition of the sale of state lands; and, HB705 will make board approval a condition of the exchange of state lands.

Mr. Dennis Hemmer, representing the Department of State Lands, submitted written testimony (Exhibit 12) in favor of HB705.

There being no further proponents and no opponents, the hearing was opened to questions from the committee.

Senator Anderson inquired about the criteria used in exchanging state lands and whether any preference was ever given. Representative Rehberg stated most times there is no preference; however, this issue could be addressed in another piece of legislation.

Senator Weeding had a problem with Section 4 and stated a lessee could be reimbursed for 100 percent when he is only entitled to 80 percent. Mr. Hemmer replied that what happens between the two lessees is of no consequence to the Department of State Lands.

There being no further questions from the committee, the hearing on HB705 was closed.

ACTION ON HB705: Senator Fuller moved HB705 BE CONCURRED IN. The motion carried.

ACTION ON HB769: Senator Shaw moved HB769 BE CONCURRED IN. The motion carried.

ACTION ON HB784: Senator Tveit moved HB784 BE CONCURRED IN. The motion carried.

FURTHER ACTION ON HB680: Senator Halligan moved the committee reconsider its action on HB680. Senator Halligan feels that HB680 is such an important bill that the committee should consider meeting to discuss this bill at length.

Chairman Eck stated she agreed and thought perhaps there was an amendment to the Statement of Intent which the committee should consider.

Senator Gage also agreed, stating he was also looking at some proposed amendments and would like to have the opportunity to speak with some people about issues which were not clearly brought out in the testimony given by the proponents and opponents.

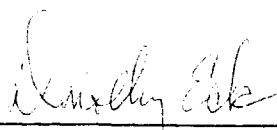
Senator Weeding agreed with Senator Halligan's motion because he feels the committee should consider the impact on the railroads.

Chairman Eck reminded the committee that by agreeing to reconsider HB680, the committee would not be striking any of the amendments previously adopted.

Senator Halligan's motion carried, with Senator Daniels voting in opposition.

FURTHER CONSIDERATION OF HB698: Senator Shaw stated Montana is in an economic crisis, and he does not want to see any more restrictions placed on the mining industry.

There being no further business to come before the committee, the meeting was adjourned at 2:25 p.m.



Senator Dorothy Eck, Chairman

ROLL CALL

Natural Resources

COMMITTEE

48th LEGISLATIVE SESSION -- 1985

Date 3/18/85

SENATE
SEAT

#

NAME	PRESENT	ABSENT	EXCUSED
ECK, Dorothy (Chairman)	✓		
HALLIGAN, Mike (Vice Chairman)	✓		
WHEEDING, Cecil	✓		
MOHAR, John	✓		
DANIELS, M. K.	✓		
FULLER, David	✓		
CHRISTIAENS, Chris	✓		
TVEIT, Larry	✓		
GAGE, Delwyn	✓		
ANDERSON, John	✓		
SHAW, James	✓		
HARDING, Ethel	✓		

Each day attach to minutes.

DATE

03/885

COMMITTEE ON

Senate NAT Res

VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One	
			Support	Oppose
Russ Brown	N.P.R.C.	698 769 784	✓	
Dennis Hemmer	Dept of State Lands	698 702 705 769 784	✓	
Pat Wilson	Montco/Thermal Energy	787 69 784	✓	
Gary Amestoy	Dept of State Lands	698 702 754 769	✓	
Jack Heyman	N.P.R.C.	698	✓	
T.M. Rollins	ASARCO INC	698	✓	
Ken Williams	Western Energy	769 784	✓	
Geo. Ochenski	ENV. IMP. CENTER	698	✗	
Jim Mackler	MT. Coal Council	769 784	✓	
Ward Hamaker	CHEVRON CORP.	698	✗	
Margy Green	Mt. Rain Bureau	769 784		

TESTIMONY ON HOUSE BILL 702
FROM DENNIS HEMMER, COMMISSIONER OF STATE LANDS

Since 1981, the Department of State Lands has managed state timbered tracts and administered the state's wildfire laws. However, because of oversights during bill drafting for the 1981 session, a few forestry and wildfire prevention duties, namely selecting and appraising timber lands and serving as firewardens, remain with the Board and Department of Natural Resources and Conservation, where all such duties resided before 1981.

House Bill 702 would transfer those duties to the Department of State Lands. The Department recommends approval.

SENATE NATURAL RESOURCES COMMITTEE

EXHIBIT NO. 1

DATE 031885

HB702

TESTIMONY ON HOUSE BILL 698

FROM DENNIS HEMMER, COMMISSIONER OF STATE LANDS

The Department of State Lands supports the passage of House Bill 698. This bill truly clarifies the requirements of the Metal Mine Reclamation Act or as it is more commonly known, the Hard Rock Act. Virtually all the additions to the information requirements or to the performance standards are either required by other laws, rules, or interpretation of other laws and rules. Placing the requirements directly in the Hard Rock Act will aid the applicant by having the requirements in one place. It also aids the interested person as they can more easily determine the standards of the Act.

The last two sections of the bill are new. Both actions are presently available to an aggrieved party through court action. The advantage of these sections is that they layout an administrative procedure that must be followed before litigation is pursued. Litigation is costly for all parties involved and if the problem can be worked out administratively, it's better for all.

House Bill 698 is the result of a compromise between the interested groups and the mining industry. It is a good compromise and I urge you to give it a do pass recommendation.

SENATE NATURAL RESOURCES COMMITTEE
EXHIBIT NO. 2
DATE 031885
BILL NO. HB698

NORTHERN PLAINS RESOURCE COUNCIL

Field Office
Box 858
Helena, MT 59624
(406) 443-4965

Main Office
419 Stapleton Building
Billings, MT 59101
(406) 248-1154

Field Office
Box 886
Glendive, MT 59330
(406) 365-2525

HB 698

Madam Chairperson and members of the committee, I am Jack Heyneman, of Fishtail. I am on the board of the Northern Plains Resource Council, and am a member of NPRC's Stillwater Protective Association affiliate. I come today to urge your support for HB 698.

Within NPRC, we have three affiliates in areas facing hard rock development: the Stillwater Valley, where I'm from, the Boulder Valley, and the Jardine area. These members are going to be directly affected by hard rock development; many are facing the prospect of a mine development and tailings impoundment located directly above their ranches and water supplies. This bill addresses some of the major concerns of our members regarding hard rock development and its effects on surface and ground water - a resource vitally important to our businesses of ranching and farming. We are worried about the problems of erosion, and the safety of tailings impoundments. We feel this bill is a good attempt to address those concerns while still allowing the Department of State Lands (DSL) the flexibility to address the wide variety of mining projects across the state that it must regulate.

There is always the potential for abuse when laws such as this one are written to address particular concerns and at the same time written broadly enough to allow flexibility. By doing so, it places a responsibility on all parties involved to not abuse the flexibility incorporated in the new language. It is our belief that it's when these abuses occur that efforts are subsequently made to restrict flexibility, and we hope this doesn't happen.

SENATE NATURAL RESOURCES COMMITTEE
EXHIBIT NO. 3
DATE 031885
BILL NO. HB698

This bill continues the obligation of the operator to meet the requirements within the law, but allows individual operators some leeway in determining what constitutes, for example, 'sufficient' water data, and to determine, within their own reclamation plans, what meets the requirements of "comparable utility and stability as adjacent areas".

This flexibility places a burden on the department to decide whether an operator has followed the intent and requirements of the law, and to enforce the provisions within the operating permit and reclamation plan.

We also recognize that this flexibility places a burden on our members, and on all affected citizens, to participate in the regulatory process to ensure that the inclusions in the operating permit, as discussed in Section 1 of the bill, are adequate; that the requirements in the reclamation plan listed in Section 2 have been met; and to work with the department regarding problems of enforcement of regulations or damages to water supply. As affected citizens, we are willing to be involved in this process.

Both of the two new sections in the bill, Section 4, page 8, on mandamus, and Section 5, page 9, on replacement of damaged water supplies are similar to provisions in the Montana Strip and Underground Mine Reclamation Act, with some changes to address concerns of DSL and the Montana Mining Association.

The mandamus section provides a concise description of the process that a citizen should go through if he feels the hard rock mining act is not being enforced - it does not refer, by the way, to mandamus action against a company. The water replacement section lays out the procedure for citizens to request a remedy for damaged

HB698

page three

water supplies.

We urge you to support this bill, and would like to express our appreciation for the willingness of the department and the Montana Mining Association to sit down and work with us to write a bill that would address our members' concerns, and work out conflicts prior to the final bill and hearings. We know it hasn't been easy, and Commissioner Hemmer deserves credit for his work on behalf of this bill.

Thank you for your time.

Box 114
Noxon, Mt. 59853
March 12, 1985

Senator Dorothy Eck
The State Senate
Capitol Station
Helena, Montana

Dear Senator Eck:

I would like your support for H.B. 698 regarding the effects of hard rock mining on water quality. As there is great potential for several mines in the Noxon area, I feel strongly about this issue. I would like to see a stronger bill than H.B. 698, but this bill is better protection for our waters than we presently have. Since the Montana Mining Association will not challenge this bill, I accept it as a compromise.

Sincerely,

Bonnie Reichus

cc MEIC

SENATE NATURAL RESOURCES COMMITTEE
EXHIBIT NO. 4
DATE 031885
BILL NO. HB698

TESTIMONY OF THE MONTANA MINING ASSOCIATION
BEFORE THE SENATE NATURAL RESOURCES COMMITTEE
ON HOUSE BILL 698

March 18, 1985

Mr. Chairman, members of the committee:

For the record, my name is Gary Langley. I am executive director of the Montana Mining Association. The Montana Mining Association is a trade association that represents 1) Every major producer of hard-rock minerals in Montana; 2) Companies that hope to operate mines in Montana in the future; 3) Individuals with an interest in mining, and 4) Companies that supply goods and services to the mining industry.

The Montana Mining Association neither supports nor opposes House Bill 698.

House Bill 698 represents a compromise between the Northern Plains Resource Council and the Montana Mining Association.

The Montana Mining Association believes House Bill 698 is unnecessary because mining companies already are meeting its provisions. The requirements in House Bill 698 duplicate administrative rules and regulations enforced by other state agencies. We caution that the provisions in House Bill 698 are implemented with care to avoid confusion and conflicts with existing regulations. In addition, House Bill 698 will allow individuals who believe they have been aggrieved by a mining operation to take administrative action against that company.

In the last decade, the mining industry has faced strict regulatory proposals in nearly every session of the Legislature.

SENATE NATURAL RESOURCES COMMITTEE

EXHIBIT NO. 5

DATE 031885

BILL NO. HB698

represents yet another layer of regulation on an industry that faces the most restrictive requirements in any state in the nation.

Modern mining in Montana operates in respect to laws and regulations that were designed to protect Montana's environment. The people who produce minerals are just as concerned with sound environmental practices as those who pass the laws and enforce them.

As a second generation Montanan, I am concerned about our state's environment. But I also want to see development of our mineral resources with the jobs the mining industry provides and the taxes it pays. For years, I hunted elk near the site where a mining development will be in operation within the next few years at Jardine. Those elk are still there to day and will be for many years to come. Given an acceptable state policy, mineral resources will be developed at Jardine and elsewhere with social and environmental concern.

In his state of the state message, Gov. Ted Schwinden referred to a Chicago Tribune reporter who had recently visited our state.

"Montana wants the best of both worlds," the reporter wrote, "More jobs and better business without endangering the mountain wilderness, the clear trout streams, the clean air under the big sky."

Montana will have the best of both worlds and the mining industry-- which is just as basic to our state as scenic beauty, harvesting timber, growing wheat or raising cattle--will contribute.

But the mining industry will thrive only if it is spared regulatory duress. I sincerely hope this compromise, reached in good faith between individuals that care deeply about Montana, will represent the final restrictions placed on the mining industry. Otherwise, those of us who produce minerals in Montana will be forced to question the sincerity of those who have promoted House Bill 698.

Gary A. Langley
Executive Director
Montana Mining Association

HB 769

The language in the Coal Mine Reclamation Act as it presently exists is not clear as to procedure and amount of bonds that may be released as reclamation proceeds. The result has been that the bonding levels have been maintained at the levels estimated for complete reclamation of the area as if nothing had ever been done to reclaim the land.

HB 769 is taken directly from the Federal Surface Mine Control and Reclamation Act (PL 95-87). Procedures are clear as to how bonds may be released and the times and requirements are spelled out. For example, once the operator completes back-filling, regrading, etc. (82-4-232(6)(c)(i)) he may file and receive 60% of the bond released. Under present law there is nothing to say how much, if any, of the bond would be released even though the expensive stage of the reclamation process has been completed.

As mining continues the operators are presently carrying bonds at the original levels and the liabilities are becoming completely out of proportion to the cost that would be incurred should the reclamation not succeed. This is causing not only a financial burden to the operators but it is reaching the point that the operators can no longer show enough worth to obtain future necessary bonding.

The proposed bill in no way releases anyone from reclaiming the land. The proposal simply allows for the release of portions of the bond while retaining enough to reclaim the land at the various stages should the operator for whatever reason fail to do so.

SENATE NATURAL RESOURCES COMMITTEE
EXHIBIT NO. 6
DATE 031885
BILL NO. HB769

TESTIMONY ON HOUSE BILL 769

FROM DENNIS HEMMER, COMMISSIONER OF STATE LANDS

The Department of State Lands supports House Bill 769 which proposes a number of changes to clarify procedures for application for bond release under the Strip and Underground Mine Reclamation Act. These include:

- defining processing timeframes;
- redefining criteria for release; and
- defining general inspection procedures.

The need for change has become evident in the past few years as the Department has begun processing such applications. At present there are no timeframes for processing. Department policy has been to process applications as received, in accordance with permit application timeframes. However, as companies' priorities change, bond release applications have been juggled to meet permitting needs. The proposed time frames would formalize policy and would assure operators of a timely application review.

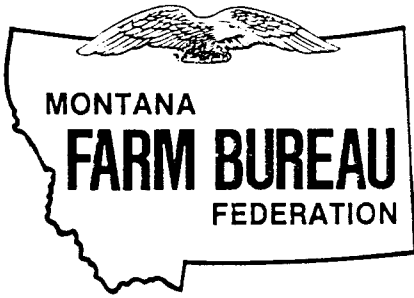
The initial criteria for bond release in the act were vague; the proposed changes more clearly define what is expected. The proposals in this bill are based on the recent experience we have all had in processing applications and reflect what has been learned by all the parties involved. House Bill 769 formalizes this learning experience. The Department urges your support.

SENATE NATURAL RESOURCES COMMITTEE

EXHIBIT NO. 7

DATE 031885

FILE NO. HB769



502 South 19th

Bozeman, Montana 59715

Phone (406) 587-3153

TESTIMONY BY: Marg Green

BILL # HB 769

DATE March 18, 1985

SUPPORT XXXX

OPPOSE _____

Madame Chairman and members of committee:

For the record, I am Marg Green representing the Montana Farm Bureau Federation. We support HB 769 and feel that its proposals on bond releases encourage timely reclamation of lands affected by strip mining. We urge the committee to recommend a do-pass for this bill.

Thank You.

SENATE NATURAL RESOURCES COMMITTEE

EXHIBIT NO. 8

DATE 031885

BILL NO. HB769

Marg Green
SIGNED

BRIEFING PAPER FOR REPRESENTATIVE HOLLIDAY
ON HOUSE BILL 784

This proposed legislation basically addresses two issues. They are (1) Administrative completeness and acceptability; and (2) outlining specific time frames for application review, EIS preparation and departmental decision.

The issue of administrative completeness and acceptability has long been a point of controversy between the applicant, the public, the Office of Surface Mining and the Department. The reason for the controversy stems from the fact that there are certain statutory requirements (i.e. public notice, opportunity for public comment, informal hearings and contested case hearings,) that accompany a completeness and acceptability determination by the Department. This amendment clarifies both the administratively complete and acceptability issue by (1) specifically outlining the time periods the Department must follow to make these determinations; and (2) outlining the actions and time frames that must be followed for public comments and/or objections.

The second issue addressed by this amendment are the specific time frames that the Department is allowed to (1) make a determination of whether an Environmental Impact Statement (EIS) will be required pursuant to Montana Environmental Policy Act (MEPA); and (2) review the application. At the present time, there is little correlation between the submission of an application and the determination of what kind of MEPA document will be required. The amendment proposes that the EIS determination be made within 90 days of application submittal. This provision will aid the applicant in determining the complexity and cost of the MEPA document that will be required and also provide the applicant with an idea of when the EIS will be completed (within 365 days of the initial determination.)

SENATE NATURAL RESOURCES COMMITTEE
EXHIBIT NO. 9
DATE 031885

At the present time, the Department initially has 120 days to review an application with the capability of extending the review period by an additional 120 days (total of 240 days). If at the end of the 240 days, the application is unacceptable, the department issues the applicant a deficiency letter that outlines where the application does not comply with the act and rules. At that point, the applicant revises and re-submits the application, this starts the 120 day, plus 120 day time frame over again. This process may occur several times in the application review process depending upon the quality of the application. The proposed legislation would reduce the review period to 120 days at which time the Department would either send a deficiency letter (a "unacceptability determination" by the Department) to the applicant or determine it acceptable. If the application is unacceptable, the applicant would then revise and re-submit the application for additional review and the 120 day time frame would start over. The improvement this amendment offers is the second 120 day frame would be eliminated thus providing a more timely review and ultimate decision by the department.

In summary, this bill would resolve the issue of "administrative completeness" and "application acceptability"; clarify specific application review and public comment/objection periods; place a specific time frame for the determination of the MEPA document; place a specific time frame on the completion of an EIS, if one is determined necessary; and place specific time frames on application reviews to allow for more timely permit decisions.

TESTIMONY FOR HOUSE BILL 784

FROM DENNIS HEMMER, COMMISSIONER OF STATE LANDS

The Department of State Lands supports H.B. 784 to amend Section 82-4-231, MCA for the following reasons:

1. The amendment provides specific guidance to the public, industry and the Department on how to determine when a strip mine application is "administratively complete" and "acceptable."
2. The amendment provides the public with better defined and statutory public comment periods and subsequent appeal processes.
3. The amendment clearly outlines the time frames that are required for specific phases of the application review; EIS determination and completion; and public notification and comment periods, thus streamlining the decision making process for the public, the applicant, and the state.
4. The amendment addresses concerns raised by citizens groups, industry and the Office of Surface Mining in regard to permit "completeness," "acceptability," review time frames, and application and EIS coordination.

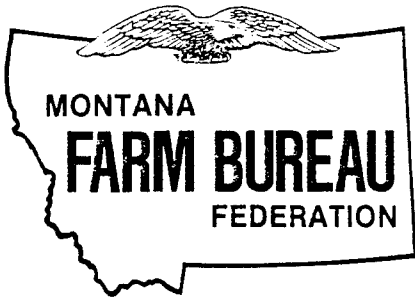
In summary, the passage of this bill would help to streamline the permit decision making process, resolve concerns of applicants, citizen groups and the Office of Surface Mining pertaining to administrative completeness and acceptability and better define the process. The bill represents "good government" and I ask your favorable consideration.

SENATE NATURAL RESOURCES COMMITTEE

EXHIBIT NO. 10

DATE 031885

BILL NO HR784



502 South 19th

Bozeman, Montana 59715

Phone (406) 587-3153

TESTIMONY BY: Marg Green

BILL # HB 784

DATE March 18, 1985

SUPPORT XXXXX

OPPOSE _____

Madame Chairman and members of the committee:

For the record I am Marg Green representing the Montana Farm Bureau Federation.

We support HB 784 in its revision of permit application review procedures, thereby ensuring proper and timely reclamation.

We urge the committee to give this bill a do-pass.

Thank you.

SENATE NATURAL RESOURCES COMMITTEE

EXHIBIT NO. 11

DATE 031885

BILL NO. HB784

Marg Green
SIGNED

TESTIMONY ON HOUSE BILL 705
FROM DENNIS HEMMER, COMMISSIONER OF STATE LANDS

The Department of State Lands supports the passage of House Bill 705 providing for public hearings on exchanges of state lands and the settlement of improvements on state lands involved in exchanges.

H.B. 705 provides clarification of the administrative requirements of the Board when considering the exchange of State Trust Lands. The majority of conditions are complied with at the present time except for the requirement of certified notice. The Board does notify all lessees of a proposed exchange, but not by certified mail.

Section 3 is consistent with the Board's policy requiring preliminary approval or disapproval to proceed with a land exchange as well as final approval or disapproval of an exchange should the exchange not be in the best interests of the Trust.

The portion dealing with improvements is fair and should be required as the improvements are usually the property of the lessee.

This bill clarifies the Board of Land Commissioners' duties and responsibilities consistent with their constitutional mandates. I urge a due pass recommendation.

SENATE NATURAL RESOURCES COMMITTEE
EXHIBIT NO. 12
DATE 031885
BILL NO. HB705

STANDING COMMITTEE REPORT

MARCH 18

1995

MR. PRESIDENT

We, your committee on NATURAL RESOURCES

having had under consideration HOUSE BILL No. 784

THIRD reading copy (BLUE)
(HALLIGAN) color

TO REVISE STRIP MINE PERMIT REVIEW PROCEDURES

Respectfully report as follows: That HOUSE BILL No. 784

BE CONCURRED IN

MARKS

XXXXXXXXXX

.....
Chairman.

STANDING COMMITTEE REPORT

MARCH 18

19 85

MR. PRESIDENT

We, your committee on NATURAL RESOURCES

having had under consideration HOUSE BILL No. 769

THIRD reading copy (BLUE)
(GAGE) color

TO REVISE STRIP MINE BOND RELEASE PROCEDURES

Respectfully report as follows: That HOUSE BILL No. 769

BE CONCURRED IN

~~XXXXXX~~

~~DO NOT PASS~~

SENATOR DOROTHY ECK

Chairman.

STANDING COMMITTEE REPORT

MARCH 18

19 85

MR. PRESIDENT

We, your committee on NATURAL RESOURCES

having had under consideration HOUSE BILL No. 705

THIRD reading copy (BLUE)
(WEEDING) color

EXCHANGE OF STATE TRUST LANDS; REQUIRING NOTICE OF PROPOSED EXCHANGES

Respectfully report as follows: That HOUSE BILL No. 705

BE CONCURRED IN

~~XXXXXX~~

~~XXXXXXXXXX~~

.....
SENATOR DOROTHY ECK

Chairman.

STANDING COMMITTEE REPORT

MARCH 13 19 85

MR. PRESIDENT

We, your committee on **NATURAL RESOURCES**

having had under consideration **HOUSE BILL** No. **702**

THIRD reading copy (**BLUE**)
(CHRISTIAENS) color

TRANSFER FORESTRY FUNCTIONS FROM DEPT. OF NAT. RES. TO DEPT. OF STATE LANDS

Respectfully report as follows: That **HOUSE BILL** No. **702**

BE CONCURRED IN

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SENATOR DOROTHY ECK
Chairman.