

## **MINUTES**

### **MONTANA SENATE 52nd LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON STATE ADMINISTRATION**

**Call to Order:** By Chairperson Eleanor Vaughn, on March 22, 1991,  
at 10 A.M. in room 405.

#### **ROLL CALL**

**Members Present:**

Eleanor Vaughn, Chairman (D)  
Bob Pipinich, Vice Chairman (D)  
John Jr. Anderson (R)  
Chet Blaylock (D)  
James Burnett (R)  
Bill Farrell (R)  
Harry Fritz (D)  
Bob Hockett (D)  
Jack Rea (D)  
Bernie Swift (R)

**Members Excused:** None

**Staff Present:** David Niss (Legislative Council).

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

**Announcements/Discussion:** Senator Vaughn handed the gavel to  
Vice Chairman Pipinich so that she could present the  
Committee Resolutions 8, 9, and 10.

#### **HEARING ON SENATE RESOLUTION 10**

#### **Presentation and Opening Statement by Sponsor:**

Senator Vaughn, Senate District 1, Lincoln County, said  
Senate Resolution 10 confirms the nomination made by Governor  
Stephens by written communication dated January 16, 1991 to the  
Senate of the appointment of Mr. Gibson Goodman to the Board of  
Horseracing.

#### **Proponents' Testimony:**

Rick Bartos, Legal Counsel for Governor Stephens, urges  
confirmation of Mr. Goodman to the Board of Horseracing. He is  
well qualified, experienced and has the temperament and  
responsible nature to be on the Board.

Gibson Goodman, owner of Agra Feeds, Helena, was born and raised

in Plentywood, Montana, on a sheep ranch and farm operation. He graduated from Fort Collins, and received his Bachelors Degree in Animal Husbandry. His early career was varied and then he spent about 16 years in the Ag Credit Department of the First Bank System in Billings and in Helena, Montana. The past 19 years he's owned and operated Agra Feed, and now his son is his partner. He is a licensed real estate sales person, working as a sales associate for Landmark Company. He was appointed to the Board of Horseracing approximately 8 months ago.

Allen Shumate has known Gib Goodman every since he came to Helena and he's done business with him all that time. He suggested Gib as a nominee for the Board of Horseracing, because of his integrity and his knowledge. About 8 years after he began his business, he remodeled and went into debt. A year after that, he was buying and selling grain and had a big shipment of grain, over \$100,000 worth, enroute to Portland. While enroute, the Portland company declared bankruptcy. Mr. Goodman picked up the grain. He paid off his debt and he did not declare bankruptcy.

Bob Marks, speaking on behalf of himself and the Governor, believes Mr. Goodman is an honest, forthright businessman. He's done business with him for 25 years in the agricultural area. He's a fine citizen of the community. He promotes youth activities, would be a fine Board member and he recommends his confirmation.

Representative Ed Grady supports Gib Goodman's nomination to the Board of Horseracing. He's known and done business with Gib every since he came to Helena, and is still dealing with him. He's always been fair in his dealing as far as he knows. There is no one with a bad word to say for Gib Goodman. He recommends his confirmation.

Craig Winterburn, rancher in Helena Valley, has known Gib Goodman for years. They were in the export business together and there's no question about this man's integrity. Mr. Winterburn was involved in that grain shipment situation, and Mr. Goodman honored his payment commitment to him for the grain that was shipped through his firm. It probably would have put Mr. Winterburn in a bankrupt situation, if Mr. Goodman hadn't brokered the grain and made the commitment to the owners of the grain, regardless of the debt to his own personal business.

Dave Donaldson, a ranch manager in the Helena valley, supports Mr. Goodman in his nomination to the Board of Horseracing.

William Spilker, a licensed real estate broker and owner of Landmark Company, said Gib Goodman is licensed with his firm and has been since 1977. He will make a very good addition to the Board of Horseracing as he is a man of integrity and honesty.

#### Opponents' Testimony:

Senator Rea, Senate District 38, said he was the one who objected to the nomination of Gibson Goodman to the Board of Horseracing because of an experience he had with Mr. Goodman in the early 70s at a feedlot in Three Forks, when he was employed by the First National Bank of Helena. Mr. Tamingut, manager of the feedlot, got into trouble with his finances and the Bank came down to take the loan over. Mr. Goodman went to Senator Rea's place of business and said if you will hold off for a while, we'll see if we can honor this debt. There were other debts besides Senator Rea's. So Senator Rea didn't attempt to recover any of his drugs or take any action. He had a vet shack there, \$3500 worth of medicine, which he didn't even attempt to repossess, because he trusted Mr. Goodman's word as a Bank representative. It ended up in bankruptcy court and at that time, the 4 debtors who had approximately \$10,000 ended up with nothing, and the bank got what there was. It was unprofessional conduct on the part of Mr. Goodman to come to me and ask me to hold off on my claim. If he hadn't contacted me, I would have gone to the vet shack and loaded up my drugs and brought them back to my business, which I was entitled to. This action should be considered in the confirmation hearing.

#### Questions From Committee Members:

Senator Swift asked Mr. Goodman to defend himself against this opposition?

Mr. Goodman said it is difficult to comment on those proceedings. First, it was 20 years ago and in that kind of action many people are involved. Secondly, because of the confidential relationship between a bank and it's customers, he's not in a position to answer those kinds of questions. Thirdly, one creditor took the situation to court because he was owed money and thought that the bank should have shared in the proceeds and he did not win, because of the Bank's secure interest in the assets. It was tested and there is nothing else he could say. It never reached bankruptcy that he remembers. It was a voluntary work out situation.

#### Closing by Sponsor:

Senator Vaughn explained that this resolution was made so that proponents and opponents would have an opportunity to speak about Mr. Goodman. There has been good testimony given to help in their decision. She closed the hearing on SR 10.

#### HEARING ON SENATE RESOLUTION 8

#### Presentation and Opening Statement by Sponsor:

Senator Vaughn opened the hearing on Senate Resolution 8 regarding the Governor's appointment of George Roskie to the Board of Natural Resources. Senator Fritz was assigned the task of perusing Mr. Roskie's resume for the appointment.

Senator Harry Fritz, Senate District 28, Missoula said Roskie's name was among 4 names that were given to him to review for confirmation to the Board of Natural Resources and Conservation as nominated by the Governor. He recommended that Mr. Roskie's name be segregated or isolated from the other nominees and dealt with separately. That recommendation was made on the basis of the opposition that Mr. Roskie's nomination engendered from the start and the controversy that it caused. He had received 10 or 11 cards in favor, supporting Mr. Roskie, and he'll give that information to the committee. He received 3 dozen letters in opposition to his nomination.

### Proponents' Testimony:

Rick Bartos, Legal Counsel for the Governor, said the Governor believes that Mr. Roskie has demonstrated through his experience in the legislature, and his experience in a number of facets throughout his career, and his educational background, that he is well qualified to serve on the Board of Natural Resources and Conservation. Mr. Roskie was screened by the Governor's office and they had received no adverse or negative information. Mr. Roskie is present.

George Roskie, Great Falls, handed out a biographical sketch outlining his education, professional career, political career, affiliations and activities. (Exhibit 1) The reason he accepted the appointment and felt qualified to do it, is his long time involvement in natural resources throughout the western United States.

George Roskie said that he was Chairman of the Natural Resources Committee when he was in the legislature. They had controversial bills come before them. A couple had his name on them. They had some rather interesting hearings. There were hearings where hard questions were asked and answers were given and decisions were made in what he believed was a proper manner. In addition, in the process he worked with many others, not only his committee, but environmental folks, some of the power people, and other groups. He felt comfortable working with them and had the feeling that the end result seemed to work out fine. The state's natural resources are the key to our future and probably the most important thing we need to deal with from here on. He would like the opportunity to work for the proper use of our natural resources.

Mons Teigen, represented himself and the Teigen ranch, and the Montana Stockgrowers and Montana Woolgrowers Associations asked him to put their testimony in as well. He called attention to the strong qualifications and experience George Roskie has in the natural resources field. He has been on both sides of the fence. He's been a realtor, a professional forester, and was named conservationist of the year several years ago. He's known Mr. Roskie during the time he was State Lands Commissioner and later as employed by the Montana Stockgrowers. He was associated with

George Roskie on various issues from time to time. He's always felt him to be fair, forthright, even though they didn't always agree on everything. This is a good appointment and the fact that the Governor is calling on these people to represent him on these boards, unless he is an out right crook, you ought to confirm him.

John Delano, speaking for himself, is pleased to hear of George Roskie's appointment to the Board of Natural Resources. He's known George and his family for many years. George's family was active in the state leadership of the Boy Scouts. George's sister was a professor at Montana State University and there is a hall on that campus named Roskie Hall. Great family. He doesn't know anyone more qualified in the natural resources area than George. His entire professional life has been associated to natural resource issues. George served in many capacities in many areas of the country for the U.S. Forest Service. He will be a great addition to the Board of Natural Resources. He has had a world of practical experience and will do the State of Montana a great job. He was a good legislator and he hopes that the Senate confirms George Roskie, who would be willing to devote the necessary time to do an outstanding job for the state.

Jim Mockler, Director of the Montana Coal Council, has known George Roskie for about 15 years and found him to be very fair, very honest and very forthright. He was surprised when he heard about the opposition coming in here because of his work in gutting the Facility Siting Act. That Act has been of interest to his industry. Early on, the bill that he's being recriminated upon was one they weren't interested in. The person who gutted the Facility Siting Act was your very own Tom Keating, who did sponsor a number of bills on Mr. Mockler's behalf. The question is whether or not George Roskie has the ability to administer the law. He has a very distinguished career centered around administering law. That is the question to ask yourself in the confirmation of George Roskie.

Carol Mosher, Montana Cattle Women, urges support for George Roskie. She has known George for many years and has respect for him. We are fortunate to have a man of his caliber nominated for this. His sister was her college advisor, and she engendered love and respect. Please support this nomination.

Roger DeBruycker, House District 13, Choteau County, western Hill, southern Liberty and Fort Benton, has known George Roskie for 30 years. They had a cabin at Benchmark and George was forest supervisor at that time. He's been involved in natural resources all his life and I don't think you could find a better person. He was always fair with them.

Sherm Ewing, Great Falls, has been a resource land manager for about 45 years in different parts of the country. He speaks for himself and his company, which runs cattle on both private and public land. He recently wrote a book about range land

SENATE STATE ADMINISTRATION COMMITTEE

March 22, 1991

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management. When he did that, one of the resources he used was George Roskie. He's known George for 25 years through the Society for Range Management, of which he was president of the local section at one time. George has tremendous knowledge of resource management as he told Sherm in the interview for his book. It goes back to his father, who was a forest ranger and George claims that from his earliest years he's had tremendous interest in resources. He has tremendous common sense and integrity. He would feel comfortable to know that George was on a committee that was looking after these resources. He hopes you will consider the Governor's nomination favorably.

Bob Roe, resident of Great Falls, a 70 year old third generation Montanan, loves Montana and the resources of this state. He's known George Roskie for over 25 years. He met him first when he was Supervisor of Lewis & Clark National Forest. The U. S. Forest Services sent him to Alaska for the same kind of service. He's earned respect from the U. S. government. In addition to his professional expertise, he's been a good personal friend. He has high integrity and honesty. He's seen him make decisions and seemed to consider fairly both sides of the issue. He should receive every recommendation.

Ole Aafedt, Great Falls, has been a friend and acquaintance for many year of George Roskie. He has great qualifications, and one of his best is being very logical. He can understand problems, weigh both sides of the situation, feel and know how this will affect both sides, and that is one of his greatest assets. I know he'll use all this if he's appointed to this board. It would be a great honor to have him on that board.

Senator Larry Tveit, Senate District 11, has known George Roskie for 15 years and called his a great talent. He's witnessed his fairness, his background and knowledge in natural resources is very important to a position such as this. Senator Tveit has had the opportunity to sit on the Natural Resource Committee and look at the issues of natural resources. There is a great need for a balance on this committee. Many strides are being made to improve our natural resources. George would be a great asset. His maturity and experience will blend that balance to improve our environment for the future.

Bob Marks represents the Governor's office on the nomination of Mr. Roskie to the Board of Natural Resources. He's known Mr. Roskie for many years and found him an expert in natural resource issues. He treated issues fairly, both in the legislature and as an administrator of management policy in some of the previous positions he held. He brings a unique mentality to natural resource issues and he's well prepared for the position to which he's been nominated.

Senator Swift, Senator District 32, Powell County, has known George Roskie for at least 20 years. Many were under Mr. Roskie's indirect supervision in Region 1, in the northern region

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of the Forest Service in Montana. He found George to be a fair, honest and very knowledgeable individual. He's been associated with him in the Society of American Foresters and that relationship has continued. At one time he was working indirectly under Senator Swift's direction in a diplomatic way and policy way as Senator Swift was a staff person for the Regional Forester out of Region 1 in Missoula and he was a supervisor of the Lewis & Clark National Forest. He was a highly qualified, very knowledgeable, and highly capable administrator. He followed procedures that were set down and stayed with them. There is no question about his honesty, integrity and his capability as a professional, technical person. Subsequent to that, after they had both retired, they worked together in a privacy situation of the resource area, and believe me with the 30 years experience Senator Swift had with the agency, working with the private community and resource programs, he never met anyone who had any better qualifications. The resume speaks for itself.

#### Opponents' Testimony:

Jim Jensen, Executive Director of the Montana Environmental Information Center, stands in strong opposition of passing Senate Resolution 8. The Senate has a very important roll in the confirmation process of appointments by the Governor, because a fundamental balance of powers has been planned into the Constitution. It is to be taken very seriously. The Board of Natural Resources is a quasi-judicial board. It is not a board that administers law. The Director of the Department of Natural Resources, currently Karen Barclay, is the day to day manager of the DNRC. What you have before you, in fact, is a judicial nomination. Mr. Roskie is being nominated to become a judge in Montana. One of the most important criteria you should use in confirming judges is judicial temperament. He believes that Mr. Roskie lacks the fundamental temperament of fairness and impartiality of being willing to listen to both sides that is critical to judges. His biases are real. They are well beyond the Major Facilities Siting Act. One of the key rolls of the Board of Natural Resources and that Department plays in recent years is the lead agency for adoption of model rules under which the Montana Environmental Policy Act, the most fundamental of our environmental laws, are adopted. Their rules are proposed to and adopted by other boards and departments of state government. Mr. Roskie has outwardly expressed his hostility to that law. A fundamental law that protects the environment. He could go over many bills and his voting record on those bills. The votes are there. The bills are there in 1977 and 1979 particularly. It is important for you to also understand that members of citizen boards are not there to be delegates and representatives of the Governor. They are there to represent the public and the interests of the public at large. The fact that one proponent said "that this person is being sent over there by the Governor to be his representative" underscores the fundamental problem with this nomination. Mr. Roskie, former Senator Roskie, treated

staff members of his organization - his lobbyists - and ordinary citizens from across the State of Montana in a most rude and outrageous manner when he was chairman of the Natural Resources Committee, that one can describe in this process. It's unconscionable to think that he would now be in a position where it is intended that he represent the public. A public that he doesn't even believe have a right to participate in this government. That is fundamentally wrong and you should not confirm such a person to this position.

Many of his members that he had hoped would be here to testify are attending the funeral of Wes Pendula, a defender of the environment.

Jim Jensen read a letter from Susan Coliun of Great Falls in to the record that states in part "His opposition of the Facility Siting Act and Montana Environmental Quality Act make it impossible to conscientiously enforce these laws. I urge the committee to not endorse him". (Exhibit 2)

Mr. Jensen hopes the committee will approach this nomination very cautiously and give the utmost scrutiny to this inappropriate nomination to this Board. He urged rejection of this nomination.

Molly Galusha, Missoula, represents herself, read her testimony into the record. I do not believe Mr. Roskie is either competent or qualified to be a member of the Board of Natural Resources and his nomination should be withdrawn or voted down. Thank you very much. (Exhibit 4)

Bill Mackay, Jr., third generation rancher from Roscoe, a long time member of the Montana Stockgrowers Association, a past chairman of the Northern Plains Resource Council, speaks today on behalf of the Northern Plains Resource Council and quite obviously the Montana Stockgrowers Association does not represent me on this issue. In 1977 and 1979 he was Chairman of Northern Plains and he testified before Mr. Roskie's committee many times. The stories you've heard are largely true. He can remember leaving written testimony from his members for consideration by the committee, and then have the committee move on the bill before they had time to read the testimony, and the written testimony never got into the record. He's not here to question Mr. Roskie's politics, nor his expertise, but rather his sense of fairness. Such actions, render him unfit to hold the public trust. What is needed here is a person with balance and a sense of fairness. Mr. Roskie's past performance clearly shows that he is not the man for this post. Most of you weren't members of the Senate when this went on. In all the years I've testified I've never spoken out on a political appointment until now, and that makes this presentation very difficult for me. This must be made with much care. If the Governor is not going to exercise discretion, then that responsibility falls to this committee. He urged them to support the public trust and not confirm this appointment. We have other members of the Northern Plains



Council who wanted to testify today, but their ranch obligations keep them home. He gave several letters for exhibits to the committee.

Teresa Erickson, staff person for Northern Plains Resources Council, is from Billings and drove over for the hearing of Senate Resolution 8. She was instructed to call Wallace McRae about several things, one of which was Mr. Roskie's appointment. She doesn't know Mr. Roskie and had no reason to prejudice Mr. McRae. Mr. McRae reacted immediately with alarming concern and wrote a letter and asked her to read it. He ranches near Colstrip and was very active politically at the time Mr. Roskie was in the legislature. He was concerned about the impacts of energy development upon his community. He too is a member of the Montana Stockgrowers. (Exhibit 3)

Neva Hassanein said Helen Waller was unable to be here today because of family illness and asked that Ms. Hassanein read her letter into the record. The letter ends, "I urge you to reject the seating of George Roskie as a member of the Board of Natural Resources." (Exhibit 5)

Dennis Olsen, a lobbyist for Northern Plains Resource Council, read a letter from Pat Smith, who was a lobbyist during the tenure of Mr. Roskie. The letter concludes, "To place one of the 1970's most notorious and visible opponents of environmental protection statutes on the very board which oversees the implementation of these statutes - like the siting act - would be a flagrant breach of the public trust and symbolize a return to the dark days when "the company" ruled state government." (Exhibit 6)

Leslie Reed, Missoula, read a letter of testimony in opposition to the nomination of George Roskie to the Board of Natural Resources and Conservation from Charles Yarger. (Exhibit 7)

Corrine Donnell, Great Falls, said from 1975 to 1979 she lobbied for the Environmental Information Center. Following that she attended law school in Oregon. Prior to going to law school she was the Acting Director for Public Involvement for the Northwest Power Planning Council and she also directed a program involving 11 Columbia Basin Indian Tribes and 6 State and Federal Fisheries entities from Montana, Idaho, Oregon and Washington. Her responsibilities in these positions involved working with a number of groups, many of which had sharp disagreements over public policy and issues affecting natural resources. The success of these programs rested on maintaining an open and honest process for all parties on a level playing field. That is why she is here today. She is concerned that if Mr. Roskie is confirmed the process will suffer, given the former Senator's open hostility and negative attitude toward many individuals and groups that are concerned with issues that the Board of Natural Resources will be making decisions on. Her opposition to this

nomination is not based so much on Mr. Roskie's voting record, but his failure to recognize and respect the important roll of citizens in natural resource issues. I strongly urge you to defeat this nomination.

Questions From Committee Members:

Senator Anderson asked George Roskie to respond to the accusations that had been made.

George Roskie said he carried a bill for the Montana Associated Utilities, the Montana Power Company, and some of the Co-ops were interested in it too.

He went into a lengthy discussion of Senate Bill 514 that eventually died in the House. Both Rep. Bardanouve and Rep. Skully had introduced bills that eventually became the Environmental Policy Act of 1979.

Senator Blaylock said one of the charges against you is your demeanor and your conduct as Chairman of the Natural Resources Committee, rude treatment of witnesses, unfair treatment, not being equal in the way things were presented, which is the job of a chairman. George, will you respond to that?

Mr. Roskie stated they should ask some of the members of that committee. He admits to asking hard questions of anybody and everybody who appeared. Perhaps that was construed as harassment. He did not feel that in any way. As far as working with folks sponsoring the citizens interests, he thinks his work on the Facilities Siting Act that was finally passed is evidence of that. Overhanded and overbearing are accusations that came from people whose position differed from his.

Senator Hockett asked Bill Mackay if he was on the Resource Council at the times these things happened? He responded that he was Chairman of the Northern Plains Resource Council.

Senator Hockett asked if Mr. Mackay believed he was not fair? Mr. Mackay said that he doesn't judge the man's politics. The methods he used to conduct his hearings were not fair. There were witnesses cut off in the middle of testimony. There was written testimony left with the committee that was never read.

Senator Pipinich asked if he set down time frames for each side. Was that policy followed? Was it just rudeness?

Mr. Mackay said it was rudeness. They left written testimony with the secretary, except that the committee would move on the bill before they left the room, and nobody got a chance to read the testimony. Senator Pipinich responded there are times when committees do that where there is no opposition. When there was opposition, was the bill moved too quickly? Mr. Mackay responded yes.

Senator Swift asked Mrs. Leslie Reed if she is associated with a member of the Resource Council or the EIC or have been in the past? Mrs. Reed said no she was not.

Senator Hockett asked Molly Galusha to explain her position about Mr. Roskie.

Molly Galusha said as an intern she had to keep journals for her professors and in preparation for testimony today, she went through her journal, which she would be willing to bring back to committee. On 2 occasions, Senator Roskie let his opinion side go first and then say there is only 10 minutes left for the rest of you. Lobbyists would try to talk to him about these people coming in from a distance, can you plan for them. That kind of logistical communicating didn't happen with him. She could tell horror stories from her journal.

Senator Farrell asked if the committee was bipartisan? Molly Galusha answered yes. Senator Farrell asked if the other party complained about how the committee was run? Molly Galusha responded yes, and pointed out how the leadership of the House had to intercede with leadership of the Senate to get some fairness from the Senate.

Senator Blaylock asked if one hearing was conducted by a lobbyist? Molly Galusha responded that the lobbyist was offered the chair, but to his credit, he put it back on course and introduced the sponsor. Senator Blaylock asked, "Did Chairman Roskie, at that time, offer to turn the meeting over?" Molly Galusha said, "Yes."

Senator Anderson asked Mr. Roskie to respond to that accusation? Senator Blaylock asked Mr. Roskie if he offered to turn the chair over to a lobbyist? Mr. Roskie responded, "No way. I would like to know who the lobbyist was."

Molly Galusha said he's here, it was Mr. Mockler. Mr. Mockler responded, "That is somewhat absurd. I've never been offered that. I would not accept it. I respect the Senate and the members of the committee and I think you all know that."

#### Closing by Sponsor:

Senator Vaughn thanked everyone for a very detailed hearing. We will take note of the written testimony, and we will review this before we take any further action. She closed the hearing on Senate Resolution 8.

#### HEARING ON SENATE RESOLUTION 9

#### Presentation and Opening Statement by Sponsor:

Senator Vaughn opened the hearing on Senate Resolution 9 and said if anyone would like to speak on them we can do that.

Proponents' Testimony:

Senator Blaylock recommends all the nominees on the Board of Cosmetologists. He called on some of them and found it difficult to find anyone who even knew them.

Senator Blaylock recommends all the nominees of the County Printing Board. There was no complaints on any of them. He further recommends that we look into abolishing this particular board.

Senator Blaylock received good reports on Michael Kiesling and Dr. Rector. Dr. Erler has engendered some dissatisfaction mostly on a personal basis. They did not like the man, and that's not enough. Is there anyone here to testify on him? If not, he recommends him.

Senator Fritz had all his recommendations to the Milk Control Board, the Morticians, the Montana Health Facility, the Board of Natural Resources and Conservation, the Board of Nursing Home Administrators, the Montana Science and Technology Development Board, the Board of Public Education, and the Board of Trustees of the Montana Historical Society written into a memo to Senator Vaughn. (Exhibit 8) They all meet all the requirements of the Code in terms of the criteria for appointment and recommends that they all be confirmed.

Senator Hockett had all his recommendations on the nominees outlined on a memo to Senator Vaughn. The Boards he perused were the Private Security Patrol, the Professional Engineers, the Psychologists, the Public Accountants, and the Board of Public Education. He recommended all the nominees for confirmation. (Exhibit 9)

Senator Swift had the Speech/Language Pathologists, the State Compensation Mutual Insurance Fund Board, and the Board of Veterinary Medicine. He contacted people to find their thoughts on these appointments and found nothing that would hurt their work on the various boards. He recommended all the nominations on these boards.

Rick Bartos, Legal Counsel for the Governor, rose in support of all the Governor's appointments and asked the committee to confirm all of them.

Opponents' Testimony:

None

Questions From Committee Members:

Senator Pipinich asked about their being 2 Norman Taylors. Senator Swift checked the qualifications of Norman E. Taylor with the chairman of the State Tax Appeals Board and found nothing except high recommendation. There was much activity on the Board in solving the appeals during the high issue problem with taxes and there is no question that he was good on the Board.

Closing by Sponsor:

Senator Vaughn closed the hearing on Senator Resolution 9.

EXECUTIVE ACTION ON SENATE RESOLUTION 9

Motion:

Senator Hockett moved that we DO PASS SENATE RESOLUTION 9.

Discussion:

None

Amendments, Discussion, and Votes:

None

Recommendation and Vote:

The VOTE was UNANIMOUS in favor of SENATE RESOLUTION 9.

ADJOURNMENT

Adjournment At: 11:55 A.M.

  
ELEANOR VAUGHN, Chairman

  
DOLORES HARRIS, Secretary

EV/dh

ROLL CALL

STATE ADMINISTRATION COMMITTEE

DATE March 22, 1991

52 LEGISLATIVE SESSION

NAME	PRESENT	ABSENT	EXCUSED
SENATOR ELEANOR VAUGHN	X		
SENATOR BOB PIPINICH	X		
SENATOR JOHN ANDERSON	X		
SENATOR CHET BLAYLOCK	X		
SENATOR JAMES BURNETT	X		
SENATOR "BILL" FARRELL	X		
SENATOR HARRY FRITZ	X		
SENATOR BOB HOCKETT	X		
SENATOR JACK "DOC" REA	X		
SENATOR BERNIE SWIFT	X		

Each day attach to minutes.

# PRELIMINARY

## SENATE STANDING COMMITTEE REPORT

Page 1 of 1  
March 22, 1991

HON. PRESIDENT:

We, your committee on State Administration having had under consideration Senate Resolution No. 9 (first reading copy - white), respectfully report that Senate Resolution No. 9 be adopted

Signed: Eleanor Vaughn  
Eleanor Vaughn, Chairman

131 3-27-91  
Ad. Coord.

Sec. of Senate

6212143C.F.10

BIOGRAPHY  
GEORGE F. ROSKIE

SENATE STATE ADMIN.  
EXHIBIT NO. 1  
DATE 3-22-91  
BILL NO. SR-8

EDUCATION

Graduated from Billings, MT. High School  
Attended Montana State University 1 year.  
Graduated from Univ. of Montana School of Forestry - BS Forest Management

PROFESSIONAL CAREER - U.S.FOREST SERVICE.

Nor. Rocky Mount. Forest and Range Experiment Station  
Six National Forests in Montana, Idaho and California.  
Regional Branch Chief for Range Mgt. on Nat'l. For. In Ore. & Wash.  
Forest Supervisor, Lewis & Clark National Forest, MT. 1960.- 65.  
Asst. Reg. Forester, Director, Division of Resource Mgt. for Alaska 1965-71.

POLITICAL CAREER- MONTANA.

Elected to the Montana State Senate in 1974.  
Served in the 1975-77-79 Sessions on the following committees.  
1975 - Natural Resources, Fish and Game and State Administration.  
1977 - Vice Chair. Nat'l. Res., State Admin., Taxation and Comm. on Comm.  
1979 - Chair Nat'l. Res., Vice Chair. State Admin., Taxation, Comm. on Comm.  
1975 to 1980 served on these additional committees  
Chair. Interim Comm on Energy Forecasting & Emergency Supply Allocation.  
Chair. Surface Mine Reclamation Task Force for the Western Conference  
of the Council of State Governments. (13 states)  
Vice Chair.-Energy and Resources Comm. of the West. Conf. of C.S.G.  
Member, Western Conf. Committee on the Pacific North West Electric  
Power Planning & Conservation Act. of 1980.  
Member of the Western States Legislative Forestry Task Force.  
Member, Legislative Administrative Code Committee.  
Member of the Environmental Quality Council.  
Member, Advisory Council of the Montana Bureau of Mines and Geology

OTHER ACTIVITIES AND AFFILIATIONS

Past member of the Montana Conservation Council.  
Past Boy Scout Council President. Member Silver Beaver Council.  
Montana Forest Conservationist of the year 1966 (Mt. & Nat'l. Wildlife Fed.)  
Member, Society of American Foresters  
Member, Society of Range Management.  
Past Pres., International/Mountain Section of the Society of Range Mgt.  
Past officer and director of United Fund/United Way in Four cities.  
Member, Montana Overthrust Energy Foundation Bd. of Directors ( a Non Profit  
educational organization)  
Life Member of the Alaska Territorial Sportsmen, Inc.



March 4, 1991

287 McIlwain Rd  
Great Falls, MT 59404

SENATE STATE ADMIN.

EXHIBIT NO. 2

DATE 3-22-91

BILL NO. ASR 8

Dear Senator Fritz,

This is very difficult for me. I have known George Roskie for 20 years. He's been to my home on a social basis and I've worked with him in the past on political activities of the Republican party.

Time has entered and placed us at opposite ends of many issues - mainly the environment.

As much respect as I have for George my concern for the future of Montana and its people overcome my desire not to make him antagonistic toward me.

His inability to get along with those of other views makes him a dreadful candidate for the Board of Natural Resources. There are many boards and committees where he could be of benefit - but not Natural Resources.

His opposition (and it is still with him today) of the Facility Siting Act and MT. Envir. Quality Act make it impossible to consciously enforce these laws. I urge the committee to not endorse him.

Sincerely,  
Susan Colman

Y WALLACE D. McRAE  
ROCKER SIX CATTLE CO.  
P.O. BOX 2055  
FORSYTH, MONTANA 59327

SENATE STATE ADMIN.

EXHIBIT NO. 3

DATE 3-22-91

BILL NO. SP 8

Jan. 27, 1991

Senator Harry Fritz  
Capitol Station  
Helena, Montana 59620

Dear Sen. Fritz:

Despite my usual hesitation to protest political appointments, I find that I really have no choice and must oppose the appointment of George Roskie to the Board of Natural Resources and Conservation, and to urge you, and other reasonable and responsible legislators to do the same.

My opposition to Mr. Roskie is not because of my disagreement with his political philosophy, or with his well-known inclination favoring industrial development. I assume that Mr Roskie's views are well known to the governor and I would expect any governor to appoint various board members that reflect his (the governor's) philosophy. That is the governor's right and is certainly to be expected.

While I have no problem with a political appointee reflecting the governor's philosophy, I would expect that any appointee be even-handed, objective, courteous and fair in their dealings with the public. When he was in the Montana Senate, Mr. Roskie consistently failed on all counts. He was the most rude and uncivil public servant, or elected official I ever observed. While I did not expect agreement from Mr. Roskie while testifying on pending legislation, neither did I expect to be abused, derided and ridiculed. Nor did I expect to have my intelligence or patriotism questioned but this was often the case.

I got the impression that Mr. Roskie was opposed to citizen involvement in public policy and that the best way to discourage participation was to attack anyone that did not agree with his views.

This is too big a state, and our opportunities and threats are too great to allow small people to play major roles in Montana's development. George Roskie is too small a man for Montana in any capacity, but especially in a position as important as a member of the Board of Natural Resources.

Sincerely,



Wallace D. McRae

SENATE STATE ADMIN.

EXHIBIT NO. 4

DATE 3-22-91

BILL NO. SR 8

Testimony of Molly Galusha

Confirmation Hearing  
for the BNRC

March 22, 1991

I am Molly Galusha, and I live at 655 East Beckwith, Missoula. I oppose the nomination of George Roskie to the Board of Natural Resources and Conservation. In 1977 and 1979, I interned with the House Leadership; for the Speaker John Driscoll, and the Majority Leader Ann Mary Dussault, respectively.

It was during the 1979 session, when the nominee chaired the Natural Resources Committee, that his cavalier and blatant disregard for due process was a constant problem for everyone including my boss who was asked on several occasions to intercede on behalf of House members to negotiate with the President of the Senate - the current Governor - to assign bills to any committee but Natural Resources. The reason was simple: if they were assigned to Senator Roskie's committee, they would not be given a fair hearing.

An example: on a hearing of a House bill, the then Senator Roskie turned to a lobbyist he favored and instructed him to proceed and conduct the hearing. What was disturbing about this was the lobbyist was there to oppose the bill and was given the opportunity to speak before the sponsor had even been recognized. It wasn't criminal, just sloppy and manipulative and aggravating. And it wasn't the exception, it was the norm. The Senator gave no pretensions of fairness. His mind was sealed and he corrupted and co-opted procedure to suit his own biases and opinions. He had neither respect nor any sense of responsibility for safeguarding due process.

I do not believe Mr. Roskie is either competent or qualified to be a member of the Board of Natural Resources, and his nomination should be withdrawn or voted down.

###

WH

*Gordon and Helen Waller*STAR ROUTE 278, BOX 15  
CIRCLE, MONTANA 59215

HW

GRAIN AND LIVESTOCK

PHONE 406-485-3490

SENATE STATE ADMIN.

EXHIBIT NO. 5DATE 3-22-91BILL NO. SR8

January 23, 1991

Senator Harry Fritz  
State Administration Subcommittee Chairman  
Capitol Station  
Helena, Montana 59601

Dear Senator Fritz,

I wish to express my strong opposition to the Governor's selection of George Roskie as a candidate for the Board of Natural Resources.

I draw your attention to the fact that despite the likelihood that most anticipated actions for the Board to review are for projects in Eastern Montana, the make-up of the Governor's selection for prospective Board members is without representation from the Eastern portion of the State. This is grossly unfair.

But more specifically, it is imperative that members of the Board of Natural Resources be fair-minded citizens, capable of encouraging and politely responding to public participants during hearings proceedings. It was my personal experience to be subjected to George Roskie's behavior during his tenure as a legislator, which demonstrated a demeanor of rudeness and bias against the public interest.

I urge you to reject the seating of George Roskie as a member of the Board of Natural Resources.

Yours truly,



Helen Waller

SENATE STATE ADMIN.

EXHIBIT NO. 6

DATE 3-22-91

BILL NO. SR8

March 8, 1991

Senator Harry Fritz  
Montana Legislature  
State Capitol  
Helena, Montana 59620

Re: George Roskie Nomination

Dear Senator Fritz:

I am writing to express my opposition to the nomination of George Roskie for a seat on the Board of Natural Resources and Conservation.

I base this opposition on personal familiarity with his voting record, positions advanced by him, and attitudes expressed by him during my tenure as a lobbyist for the Northern Plains Resource Council during the 1977 and 1979 legislatures.

Mr. Roskie earned the reputation and distinction as one of the most ardent opponents in the Legislature to bills that sought to protect the environment. It was under his "leadership" as Chairman of the Senate Natural Resource Committee that energy and mining companies sought to systematically roll-back Montana's environmental protection statutes that were enacted to implement the far-sighted provisions in the new 1972 Montana Constitution regarding protection of the State's environment.

For example, in the 1979 legislature I spent most of my time lobbying in defense of Montana's Major Facility Siting Act. Without a strong and comprehensive siting act, huge industrial facilities (especially power plant complexes and high voltage transmission lines) could be constructed without adequate review of their need, environmental compatibility, and appropriate siting alternatives. Senator Roskie was the chief proponent in the Senate of efforts to weaken and destroy Montana's Major Facility Siting Act.

He worked hard to pass HB 453 - an outrageous bill that completely exempted the Colstrip 3 and 4 power plants from the siting act and the state judicial system - at the time the Montana Supreme Court was reviewing the agency siting decision. (The bill was vetoed by Governor Tom Judge). This bill was crammed through the legislature with threats that if the bill did not pass the State would experience "brown outs" and that Montanans would "freeze in the dark."

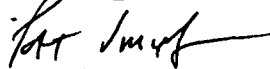
As Montana ratepayers and landowners who lived in the path of the twin 500 kiovolt transmission lines learned later, these plants were not even needed. They were a costly, colossal mistake. In the 1980's, Montana and the region was awash with surplus electricity - and for that reason the Montana Public Service Commission refused to ratebase Montana Power's portion of the plants. The PSC was affirmed by the Montana Supreme Court. Because of this, most of MPC's output from these plants has been sold to utilities in California. The bill of goods under which these plants were sold - that Montana desperately needed the electricity in the 1980's - has proved to be specious.

During the 1979 Legislature, Senator Roskie sponsored what was known by those lobbying on the siting act as "the Montana Power" amendments to the siting act. These amendments would have seriously weakened the siting act. Fortunately, the Roskie bill to gut the siting act was defeated and, instead, Representative Bardanouve's bill to streamline the siting act (submitted at the request of the Montana Department of Natural Resources) was enacted. The attack on the siting act (led by Senator Roskie) was so severe that a state-wide ad hoc group was formed called Montana Citizens in Support of the Siting Act. This group hired a lobbyist (Mike Meloy) to assist existing conservation groups and other citizens in defeating the bills which sought to deprive Montana citizens and our state of effective control over the siting of large coal-fired energy complexes and high-voltage transmission lines.

To place one of the 1970's most notorious and visible opponents of environmental protection statutes on the very board which oversees the implementation of these statutes - like the siting act - would be a flagrant breach of the public trust and symbolize a return to the dark days when "the company" ruled state government.

Thank you for allowing me to present my views.

Sincerely,



Pat Smith  
P.O. Box 352  
Arlee, Montana 59821

SENATE STATE ADMIN.

EXHIBIT NO. 7

DATE 3-22-91

BILL NO. SR8

February 19, 1991

Dear Senator Fritz,

I am writing in opposition to the nomination of former state Senator George Roskie, to the Board of Natural Resources and Conservation.

As a concerned citizen that lived in a county that was slated for massive energy development that effected me personally and the community in which I lived, I spent a great deal of time at the Montana legislature, because I felt I had the right to have a voice in the decisions being made. During this time, George Roskie was a State Senator. I came to know him well.

George Roskie's personal and political position was one of zero tolerance for any opinion other than his own. He had total disregard for the rights of people whose lives were being effected by his decisions to have any voice in the energy development policies of this state. He ignored, ridiculed and disregarded public participation and private opinion that differed from his own.


On natural resource development issues there was only one policy - give all the energy companies everything they want - no matter what the cost to the state, to the people or to the environment.

A person that sits on the Board of Natural Resources makes most of the major decisions concerning resource development in this state. It is imperative for that person to have the ability to listen to different view points, and make a decision based on fact, not personal bias.

In my opinion, of all the people I have dealt with concerning energy issues, George Roskie is the worst choice that could be made for a position on the Board of Natural Resource and Conservation.

I urge the committee to vote no to George Roskie's nomination.

Sincerely,



Charles Yarger

Charles Yarger  
SR 278 Box 34

SENATE STATE ADMIN.

EXHIBIT NO. 8

DATE 3-22-91

BILL NO. SB9

February 25, 1991

TO: Senator Eleanor Vaughn, Chairperson  
Senate State Administration Committee

FROM: Senator Harry Fritz

RE: Board and Commission Nominees submitted for  
confirmation

For the Milk Control Board, in accordance with MCA 2-15-1802: A member may not be connected in any way with the production, processing, distribution or wholesale or retail sale of milk or dairy wholesale or retail sale of milk or dairy products. A member may not hold or have held a political office during the preceding two years. No more than three members of the same political party and no more than three from the same congressional district.

Jesse Russell Gleason, Fairfield

Robert Clyde Greer, Bozeman (Reappointment)

Michael F. Kleese, Stevensville

Republicans: Gleason, Dixie Hertel, Milton (Swede) Olson.

Democrats: Greer, Kleese.

Attorney: Kleese.

First Congressional District: Greer, Kleese.

Second Congressional District: Gleason, Hertel, Olson.

For the Board of Morticians, in accordance with MCA 2-15-1802. Five members, including four licensed morticians and one public member.

John Patrick Hoffman, Havre

John T. Michelotte, Billings

Guy W. Miser, Fort Benton

Morticians: Lyman M. Clayton III, Hoffman, Michelotte, Miser.  
Public member: Jack H. Severns.



For the Montana Health Facility Authority, in accordance with MCA 2-15-1815. Seven members, broadly representative of the state, balancing professional expertise and public accountability, quasi-judicial.

Sandy Johnson, Fairfield

Amos Little, Helena

John H. Solheim, Glendive

Attorney: Greg L. Hanson

For the Board of Natural Resources and Conservation, in accordance with MCA 2-15-3302. Seven members, informed and experienced in the subjects of natural resources and conservation, quasi-judicial.

John Bailey, Livingston

Fred Booth, Highwood

Jack Galt, Helena

Attorney: Janice Rehberg

For the Board of Nursing Home Administrators, in accordance with MCA 2-15-1845. Five members, no more than two nursing home administrators, one public member 55 years old or older, two representatives of profession or institutions concerned with the care of chronically-ill and infirm aged patients but not from the same profession and with no interest in a nursing home.

Joyce Asay, Forsyth

Gerald W. Bibb, Havre

Molly L. Munro, Great Falls

Nursing home administrators: Asay, Bibb; public member over 55: Munro; professionals: Dorothy A. Bompert, Linda M. Smith.

For the Montana Science and Technology Development Board, in accordance with MCA 2-15-1818. Nine members, people with extensive interest and experience in science and technology, two members with knowledge and early stage financing of private businesses, one with expertise in applied technology development, five from private sector, quasi-judicial.

W. Lloyd Allen, Billings

Rebecca W. Mahurin, Bozeman

Ken Thuerbach, Victor

Kirk G. Wilson, Great Falls

Attorney: Annie Bartos; private: Allen, Tom Breum, Chase Hibbard, Mahurin, Thuerbach, Ray Tillman; applied technology: Allen, John Brower, Mahurin; economic development: Hibbard, Thuerbach.

For the Board of Public Education, in accordance with MCA 2-15-1507. Seven members.

Sarah Listerud, Wolf Point (Reappointment)

For the Board of Trustees of the Montana Historical Society, in accordance with MCA 2-15-1512. Fifteen trustees from various geographical areas, one a recognized historian and at least one a recognized archaeologist.

John Burke, Butte

William R. Mackay, Roscoe

Richard B. Roeder, Helena

March 13, 1991

TO: Senator Eleanor Vaughn, Chairperson  
Senate State Administration Committee

FROM: Senator Harry Fritz

RE: Nomination of George F. Roskie to the Board of Natural  
Resources and Conservation.

Governor Stephens has nominated George F. Roskie of Great Falls to the Board of Natural Resources and Conservation in accordance with MCA 2-15-3302. Mr. Roskie is a retired U.S. Forest Service official who served as a supervisor of the Lewis and Clark National Forest from 1960 to 1965. He represented Great Falls in the Montana Senate from 1975 to 1980.

I recommend that the name of George F. Roskie be segregated or isolated from the long list of other nominees to other boards. He should be considered for confirmation separately and independently. A separate resolution should be presented to the State Administration Committee for its hearing and to the Senate for its vote.

I make this recommendation because of the opposition Mr. Roskie has generated since his nomination became public. So far, I have received ten letters and one card in favor of Mr. Roskie's confirmation. I have received thirty-two (32) letters in opposition.

SENATE STATE ADMIN.

EXHIBIT NO. 9

DATE 3-22-91

BILL NO. SR-9

March 7, 1991

TO: Eleanor Vaughn, Chairperson  
Senate State Administration Committee

FROM: Bob Hockett - Senator of District 7, member  
State Administration Committee:

SUBJECT: Nominees to the following boards:  
Private Security Patrol  
Professional Engineers  
Psychologists  
Public Accountants  
Public Education

I have reviewed the qualifications of people nominated for each of the above listed boards and recommend approval of the individuals listed.

Private Security Patrol and Investigation

1. Gary Gray	Recommended
2. Robert J. Griffith	"
3. Mary G. Luntsford	"
4. Luana K. Ross	"
5. Joseph H. Servel	"

Professional Engineers and Surveyors

1. Richard A. Ainsworth	Recommended
2. Dennis F. Carver	"
3. Paul Dana	"
4. Daniel F. Prill	"
5. J. G. Shockley	"

Board of Psychologists

1. Dr. Barbara Ann Looby	Recommended
2. Neil McCaslin	"
3. Alice Omang	"
4. Dr. David Schulberg	"

Board of Public Accountants

1. Gary Nelson	Recommended
2. Ivah G. Schmitz	"
3. Shirley Warehime	"

Board of Public Education

1. Ronald N. Fernelius	Recommended
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February 26, 1991

SENATOR BLAYLOCK'S BOARDS

Board of Athletics

Harry Atchinson, Havre - Good Man - active in community affairs - dedicated. RECOMMEND CONFIRMATION.

Andrew Vandolak - Legislators who know him recommend him.  
RECOMMEND CONFIRMATION.

Board of Banking

David Bliss - Conrad, MT - Good recommendations - Snowmobile dealer - honest. RECOMMEND CONFIRMATION

Chuck Brooke - Helena, Good report. Doing a good job.  
RECOMMEND CONFIRMATION

Board of Barbers

Donna Elaine Busha - Billings, Former student of mine. Comes from a good family. She was a good student.  
RECOMMEND CONFIRMATION

James Thul - Great Falls  
RECOMMEND CONFIRMATION

Robert L. "Lanny" White - Townsend, Owner operator of Townsend Lumber. Good person - conscientious - honest.  
RECOMMEND CONFIRMATION

Board of Chiropractors

Dr. Dwayne S. Borgstrand - Red Lodge, MT. No great enthusiasm but he is fit. Difficult to work with. Assn. of Chiropractors in general not happy. Very abrasive.

He is on Board of American Chiropractic Association and if he is put on Board of Montana Chiropractors, which is to protect public there will be a conflict of interest.

We need a hearing on this man.

Ron Remich - Good man. Well respected.  
RECOMMEND CONFIRMATION

Board of Dentistry

Dr. Scott D. Erler  
RECOMMENDED

Michael Kiesling - Helena  
RECOMMENDED - HONEST - GOOD PERSON

Dr. R. W. Rector - Havre, MT 59501  
Very good. Honest. Has done a good job on Board.

Board of County Printing

Marion Davis, Florence Montana 59833  
RECOMMENDED

Jim Halverson, Wolf Point, Montana 59201  
Good Guy. Has been a good County Commissioner  
RECOMMENDED.

Jane Lopp, Kalispell, Montana, 59901  
Good person  
HIGHLY RECOMMENDED.

James Moore, Red Lodge, Montana, 59068  
RECOMMENDED.

DATE

March 22, 1991

COMMITTEE ON

State Administration

## VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One	
			Support	Oppose
WR Mackay Jr	NPRC			✓
Mons Tegen	Self		Roskie	
Molly Halusha	Self			✓
Teresa Erickson	NPRC			✓
Jenny Gln	NPRC			✓
L. D. Lowe	Self			
Elmer Schumate	Self		Goodman	
CAROL MOSHER	MT. CATTLEWOMEN		Roskie	
Bob Gilbert	MT Wool growers	SR8	Roskie	
John Delano		Roskie		
Sam Muespitt	MT. Board of Housing	House	✓	
Jim Forkler	MT. Coal Council	Roskie	✓	
Jim [unclear]	MSG	Roskie	✓	
Bob Burns	Helena		✓	
Wayne Wetzel	DIRC			
Jim Jensen	MSG	Roskie		✗
Craig Winkler	Helena	Goodman	✓	
Steve Donaldson	Helena	Goodman	✓	
Larry Truitt	Fairway	Roskie	✓	
Bob Marks	Revenue's Office	Goodman	✓	
" "	" "	Roskie	✓	
Kim Watne	the Clancy MT		✓	
Cristy Carlson	Clancy		✓	
Larry Baum	Helena		✓	
Wm Spitzer	"	Goodman	✓	

(Please leave prepared statement with Secretary)

DATE 5/22/91

COMMITTEE ON

# VISITORS' REGISTER

[illegible]

(Please leave prepared statement with Secretary)