

1
2
3
4
5
6
7
8
9
10

Senate BILL NO. *332*

INTRODUCED BY ~~*Graham*~~ ~~*Wade*~~ ~~*Jalk*~~ **LYNCH**
~~*Boylan*~~ ~~*Wally*~~ ~~*Rosell*~~ ~~*Dumble*~~

A BILL FOR AN ACT ENTITLED: "AN ACT TO REPEAL THE MONTANA ENVIRONMENTAL POLICY ACT; REPEALING SECTIONS 69-6501 THROUGH 69-6517, R.C.M. 1947."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
Section 1. Sections 69-6501 through 69-6517, R.C.M. 1947, are repealed.

-End-

Approved by Committee on Natural Resources

Approved by Comm. on Fish and Game

SENATE BILL NO. 332

INTRODUCED BY GRAHAM, MATHERS, GALT, LYNCH,

BOYLAN, MANLEY, ROSELL, DUNKLE

A BILL FOR AN ACT ENTITLED: "AN ACT ~~TO REPEAL THE MONTANA ENVIRONMENTAL POLICY ACT, REPEALING SECTIONS 69-6501 THROUGH 69-6517, R.C.M. 1947.~~ PROVIDING FOR THE APPOINTMENT OF MEMBERS OF THE ENVIRONMENTAL QUALITY COUNCIL; PROVIDING FOR THEIR TERMS AND COMPENSATION; PROVIDING FOR THE RESPONSIBILITY OF THE EXECUTIVE DIRECTOR; AMENDING SECTIONS 69-6508, 69-6510, AND 69-6513, R.C.M. 1947; AND REPEALING SECTION 69-6509, R.C.M. 1947."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

~~Section 1. Sections 69-6501 through 69-6517, R.C.M. 1947, are repealed.~~

SECTION 1. SECTION 69-6508, R.C.M. 1947, IS AMENDED TO READ AS FOLLOWS:

"69-6508. Environmental quality council -- members -- term -- vacancies. There is hereby created an ~~the~~ environmental quality council which shall consist of ~~thirteen (13)~~ eight (8) members. ~~to be as follows: The~~ environmental quality council shall consist of four (4) members of the house of representatives who shall be appointed by the speaker of the house of representatives,

with the advice of the majority and minority leaders of the house no more than two (2) of whom shall be of the same political party, and four (4) members of the state senate who shall be appointed by the committee on committees of the state senate, no more than two (2) of whom shall be of the same political party. Membership on the council shall be for two (2) years and terminates with appointment of a new council which appointment shall be made not later than the fiftieth legislative day of the legislative session following the biennium in which the appointment was made, whichever event occurs first. A new council shall be appointed no later than the fiftieth day of each succeeding legislative session. Any vacancy on said environmental quality council occurring when the legislature is not in session shall be filled by the selection of another member by the same method as the original appointment.

~~(a) The governor or his designated representative shall be an ex-officio member of the council and shall participate in council meetings as a regular member.~~

~~(b) Four (4) members of the senate and four (4) members of the house of representatives appointed before the sixtieth legislative day in the same manner as standing committees of the respective houses are appointed. A vacancy on the council occurring when the legislative assembly is not in session shall be filled by the selection of a member~~

1 of the legislative assembly by the remaining members of the
2 council, no more than two (2) of the appointees of each
3 house shall be members of the same political party.

4 (c) Four (4) members of the general public to be
5 appointed by the governor with the consent of the senate;

6 In considering the appointments of (b) and (c) above,
7 consideration shall be given to their qualifications to
8 analyze and interpret environmental trends and information
9 of all kinds, to appraise programs and activities of the
10 state government in the light of the policy set forth in
11 section 3 [69-6503] of this act, to be conscious and
12 responsive to the scientific, economic, social, esthetic,
13 and cultural needs and interests of the state, and to
14 formulate and recommend state policies to promote the
15 improvement of the quality of the environment."

16 SECTION 2. SECTION 69-6510, R.C.M. 1947, IS AMENDED TO
17 READ AS FOLLOWS:

18 "69-6510. Meetings. The council may determine the time
19 and place of its meetings but shall meet at least once each
20 quarter. Each member of the council shall, unless he is a
21 full-time salaried officer or employee of this state, be
22 paid twenty-five dollars (\$25) for each day in which he is
23 actually and necessarily engaged in the performance of
24 council duties, and shall also be reimbursed for actual and
25 necessary expenses incurred while in the performance of

1 council duties. Members who are full-time salaried officers
2 or employees of this state may not be compensated for their
3 service as members, but shall be reimbursed for their
4 expenses. When the legislature is not in session, members of
5 the environmental quality council, while going to,
6 attending, and returning from environmental quality council
7 meetings and other necessary environmental quality council
8 business authorized by the chairman of the environmental
9 quality council are entitled to:

- 10 (1) a mileage allowance as allowed by law,
- 11 (2) actual expenses, and
- 12 (3) compensation as provided by law."

13 SECTION 3. SECTION 69-6513, R.C.M. 1947, IS AMENDED TO
14 READ AS FOLLOWS:

15 "69-6513. Term and removal of the executive director
16 Executive Director. The executive director is solely
17 responsible to the environmental quality council. He shall
18 hold office for a term of two (2) years beginning with July
19 1 of each odd-numbered year. The council may remove him for
20 misfeasance, malfeasance or nonfeasance in office at any
21 time after notice and hearing."

22 SECTION 4. SECTION 69-6509, R.C.M. 1947 IS REPEALED.

-End-

SENATE BILL NO. 332

INTRODUCED BY GRAHAM, MATHERS, GALT, LYNCH,
BOYLAN, MANLEY, ROSELL, DUNKLE

A BILL FOR AN ACT ENTITLED: "AN ACT ~~TO REPEAL THE MONTANA ENVIRONMENTAL POLICY ACT, REPEALING SECTIONS 69-6501 THROUGH 69-6517, R.C.M. 1947,~~ PROVIDING FOR THE APPOINTMENT OF MEMBERS OF THE ENVIRONMENTAL QUALITY COUNCIL; PROVIDING FOR THEIR TERMS AND COMPENSATION; PROVIDING FOR THE RESPONSIBILITY OF THE EXECUTIVE DIRECTOR; AMENDING SECTIONS 69-6508, 69-6510, AND 69-6513, R.C.M. 1947; AND REPEALING SECTION 69-6509, R.C.M. 1947."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

~~Section 1. Sections 69-6501 through 69-6517, R.C.M. 1947, are repealed.~~

SECTION 1. SECTION 69-6508, R.C.M. 1947, IS AMENDED TO READ AS FOLLOWS:

"69-6508. Environmental quality council ~~members~~ term ~~vacancies~~. There is hereby created an The environmental quality council which shall consist of ~~thirteen (13)~~ eight (8) members. ~~to be as follows: The environmental quality council shall consist of four (4) members of the house of representatives who shall be appointed by the speaker of the house of representatives,~~

with the advice of the majority and minority leaders of the house no more than two (2) of whom shall be of the same political party, and four (4) members of the state senate who shall be appointed by the committee on committees of the state senate, no more than two (2) of whom shall be of the same political party. Membership on the council shall be for two (2) years and terminates with appointment of a new council which appointment shall be made not later than the fiftieth legislative day of the legislative session following the biennium in which the appointment was made, whichever event occurs first. A new council shall be appointed no later than the fiftieth day of each succeeding legislative session. Any vacancy on said environmental quality council occurring when the legislature is not in session shall be filled by the selection of another member by the same method as the original appointment.

~~(a) The governor or his designated representative shall be an ex-officio member of the council and shall participate in council meetings as a regular member.~~

~~(b) Four (4) members of the senate and four (4) members of the house of representatives appointed before the sixtieth legislative day in the same manner as standing committees of the respective houses are appointed. A vacancy on the council occurring when the legislative assembly is not in session shall be filled by the selection of a member~~

1 of the legislative assembly by the remaining members of the
 2 council. No more than two (2) of the appointees of each
 3 house shall be members of the same political party.

4 (c) Four (4) members of the general public to be
 5 appointed by the governor with the consent of the senate.

6 In considering the appointments of (b) and (c) above,
 7 consideration shall be given to their qualifications to
 8 analyze and interpret environmental trends and information
 9 of all kinds, to appraise programs and activities of the
 10 state government in the light of the policy set forth in
 11 section 3 (69-6503) of this act, to be conscious and
 12 responsive to the scientific, economic, social, esthetic,
 13 and cultural needs and interests of the state, and to
 14 formulate and recommend state policies to promote the
 15 improvement of the quality of the environment."

16 SECTION 2. SECTION 69-6510, R.C.M. 1947, IS AMENDED TO
 17 READ AS FOLLOWS:

18 "69-6510. Meetings. The council may determine the time
 19 and place of its meetings but shall meet at least once each
 20 quarter. Each member of the council shall, unless he is a
 21 full-time salaried officer or employee of this state, be
 22 paid twenty-five dollars (25) for each day in which he is
 23 actually and necessarily engaged in the performance of
 24 council duties, and shall also be reimbursed for actual and
 25 necessary expenses incurred while in the performance of

1 council duties. Members who are full-time salaried officers
 2 or employees of this state may not be compensated for their
 3 service as members, but shall be reimbursed for their
 4 expenses. When the legislature is not in session, members of
 5 the environmental quality council, while going to,
 6 attending, and returning from environmental quality council
 7 meetings and other necessary environmental quality council
 8 business authorized by the chairman of the environmental
 9 quality council are entitled to:

- 10 (1) a mileage allowance as allowed by law,
- 11 (2) actual expenses, and
- 12 (3) compensation as provided by law."

13 SECTION 3. SECTION 69-6513, R.C.M. 1947, IS AMENDED TO
 14 READ AS FOLLOWS:

15 "69-6513. Term and removal of the executive director
 16 Executive Director. The executive director is solely
 17 responsible to the environmental quality council. He shall
 18 hold office for a term of two (2) years beginning with July
 19 1 of each odd-numbered year. The council may remove him for
 20 misfeasance, malfeasance or nonfeasance in office at any
 21 time after notice and hearing."

22 SECTION 4. SECTION 69-6509, R.C.M. 1947 IS REPEALED.

-End-