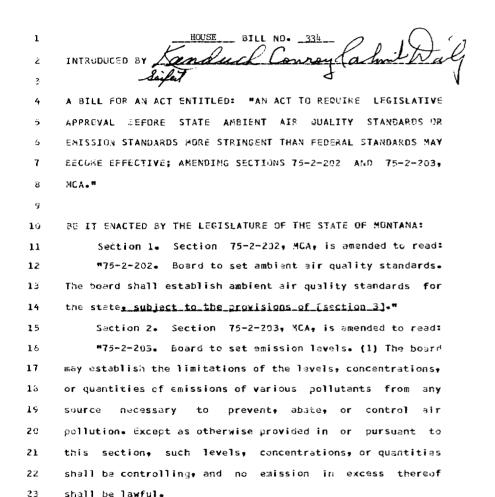
House Bill 334

In The House

January 19, 1981	Introduced and referred to Committee on Natural Resources.
February 21, 1981	Committee recommend bill do pass as amended.
February 23, 1981	Bill printed and placed on members' desks.
February 24, 1981	Second reading indefinitely postponed.

LC 0912/01



24 (2) In any area where the concentration of air
 25 pollution sources or of population or where the nature of

the economy or of land and its uses so require, the board may fix more stringent requirements governing the emission of air pollutents than those in effect pursuant to subsection (1) of this section.

5 (3) The board may by rule use any widely recognized
measuring system for measuring emission of air contaminants.
7 (4) Should federal minimum standards of air pollution
a be set by federal law, the board may, if necessary in some
9 localities of this state, set more stringent standards by
10 rule<u>s subject to the provisions of [section 3]</u>."

11 NEW_SECTION. Section 3. Adoption of standards more 12 stringent than federal standards. No ambient air quality 13 standard or emission standard adopted by the board which is 14 more stringent than the federal standard may become 15 effective until approved by the legislature.

Section 4. Codification instruction. Section 3 is intended to be codified as an integral part of Title 75, chapter 2, and the provisions of Title 75, chapter 2, apply to section 3.

-End-

-2-INTRODUCED BILL HB 334

Approved by Committee on <u>Natural Resources</u>

1	HOUSE BILL NO. 334
Z	INTRODUCED BY KANDUCH, CONROY, PAVLOVICH, DAILY, SEIFERT
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4	A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE LEGISLATIVE
5	APPROVAL BEFORE STATE AMBIENT AIR QUALITY STANDARDS DR
6	EMISSION STANDARDS MORE STRINGENT THAN FEDERAL STANDARDS MAY
7	BECOME EFFECTIVE; ALLOWING COUNTIES TO ADOPT STANDARDS MORE
8	STRINGENT THAN FEDERAL STANDARDS UPON A MAJORITY VOTE OF ITS
9	QUALIFIED_ELECTORS; AMENDING SECTIONS 75-2-202 AND 75-2-203.
10	MC A . "
11	
12	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
13	Section 1. Section 75-2-202, MCA, is amended to read:
14	*75-2-202. Board to set ambient air quality standards.
15	The board shall establish ambient air quality standards for
16	the state <u>, subject to the provisions of [section 3</u>]."
17	Section 2. Section 75-2-203, MCA, is amended to read:
18	"75-2+203. Board to set emission levels. (1) The board
19	may establish the limitations of the levels, concentrations,
20	or quantities of emissions of various pollutants from any
21	source necessary to prevent, abate, or control air
22	pollution. Except as otherwise provided in or pursuant to
23	this section, such levels, concentrations, or quantities
24	shall be controlling, and no emission in excess thereof
25	shall be lawful.

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l	(2) In any area where the concentration of air
2	pollution sources or of population or where the nature of
3	the economy or of land and its uses so require, the board
4	may fix more stringent requirements governing the emission
5	of air pollutants than those in effect pursuant to
6	subsection (1) of this section.
7	(3) The board may by rule use any widely recognized
8	measuring system for measuring emission of air contaminants.
9	(4) Should federal minimum standards of air pollution
10	be set by federal law, the board may, if necessary in some
11	localities of this state, set more stringent standards by
12	rule <u>1 subject to the provisions of [section 3]</u> ."
13	<u>NEW_SECTION.</u> Section 3. <u>[1]</u> Adoption of <u>STATEWIDE</u>
14	standards more stringent than federal standards. No
15	<u>STATEWIDE</u> ambient air quality standard or emission standard
16	adopted by the board which is more stringent than the
17	federal standard may become effective until approved by the
18	legislature.
19	(2) UPON PETITION BY 10% OF THE QUALIFIED ELECTORS OF
20	A COUNTY OR BY RESOLUTION OF THE COUNTY GOVERNING BODY. A
21	COUNTY MAY SUBMIT TO THE QUALIFIED ELECTORS OF THE COUNTY AT
22	A GENERAL, PRIMARY, OR SPECIAL ELECTION THE QUESTION OF
23	WHEIHER TO ADOPT THE MORE STRINGENT AND LENT AIR QUALITY
24	STANDARDS OR EMISSION STANDARDS ADOPTED BY THE BOARD OF
25	HEALTH. IF A MAJORITY OF THE QUALIFIED ELECTORS VOTING IN

-2-

нв 334 SECOND READING HB 0334/02

1	THE ELECTION VOTE IN FAVOR OF MORE STRINGENT STANDARDS. THE
2	MORE_STRINGENT_STANDARDS_SHALL_TAKE_EFFECT_IN_THAT_COUNTY.
3	THE EFFECTIVENESS OF THE STANDARDS MAY BE TERMINATED BY A
4	<u>YOTE OF THE QUALIFIED ELECTORS UPON SUBMITTING OF THE</u>
5	QUESTION TO THEM THROUGH THE PROCEDURE PRESCRIBED ABOVE.
6	Section 4. Codification instruction. Section 3 is
7	intended to be codified as an integral part of Title 75,
8	chapter 2, and the provisions of Title 75, chapter 2, apply
9	to section 3.

-End-