

Senate Joint Resolution 14

In The Senate

February 6, 1981	Introduced and referred to Committee on Natural Resources.
February 20, 1981	Committee recommend bill do pass.
February 21, 1981	Bill printed and placed on members' desks.
February 23, 1981	Second reading do pass as amended.
February 24, 1981	Correctly engrossed.
February 25, 1981	Third reading passed.

In The House

March 3, 1981	Introduced and referred to Committee on Natural Resources.
March 28, 1981	Committee recommend bill concurred. Motion pass consideration to the 71st legislative day.
April 1, 1981	Second reading pass consideration to the 75th legislative day.
April 7, 1981	Second reading pass consideration.
April 10, 1981	Second reading not concurred.

In The Senate

April 11, 1981	Returned from House not concurred.
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Sen JOINT RESOLUTION NO. 14
INTRODUCED BY JANE BROWN

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4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
5 REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING THE
6 ASSIGNMENT TO AN APPROPRIATE INTERIM COMMITTEE OF A STUDY OF
7 VARIOUS ELEMENTS OF THE MONTANA MAJOR FACILITY SITING ACT.

8
9 WHEREAS, the nation is faced with critical decisions on
10 various energy futures; and

11 WHEREAS, regardless of the energy path chosen, the
12 nation will continue to have need of many of Montana's
13 energy resources; and

14 WHEREAS, the federal government has embarked on a
15 massive program to develop synthetic fuels made from coal;
16 and

17 WHEREAS, Montana is likely to be the site of new
18 synthetic fuel plants; and

19 WHEREAS, the Montana Major Facility Siting Act is the
20 vehicle through which Montanans may control the location and
21 impacts of new energy facilities; and

22 WHEREAS, it is essential that the state identify the
23 powers that may be lawfully exercised in making siting
24 decisions in an effort to avoid confrontations with the
25 federal government and federal laws; and

1 WHEREAS, it is necessary that the Legislature insure
2 that the Montana Major Facility Siting Act is fair,
3 reasonable, and otherwise able to withstand legal challenges
4 to its validity; and

5 WHEREAS, it is necessary to make decisions under the
6 Act within a reasonable time frame and that such decisions
7 be based on valid and legally enforceable criteria.

8
9 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE
10 OF REPRESENTATIVES OF THE STATE OF MONTANA:

11 (1) That an appropriate interim committee be assigned
12 to study the following considerations relating to the
13 Montana Major Facility Siting Act:

14 (a) the potential impacts of synthetic fuel plants and
15 what criteria should apply to the review of such plants;

16 (b) whether consideration of public need is an
17 appropriate standard for the review of facilities not
18 regulated by the Montana Public Service Commission,
19 recognizing that the public will be subsidizing synthetic
20 fuel plants under recently enacted federal programs and that
21 the end product will likely be consumed outside the state's
22 boundaries;

23 (c) policies to encourage development of appropriate
24 energy transportation systems;

25 (d) policies to insure that if synthetic fuel

1 development occurs in Montana, the state's fuel needs will
2 be accommodated as well as regional and national needs;

3 (e) how extensively alternative sites for facilities
4 should be studied in light of the limited filing fee and the
5 need to make decisions under the Act within reasonable time
6 frames;

7 (f) the meaning of "minimum adverse environmental
8 impact" under the Act and whether economics must be
9 considered in determining this impact; and

10 (g) the issue of who is assigned the burden of proof
11 under the Act and the reasonableness of requiring that the
12 burden of proof be "clear and convincing".

13 (2) That the committee shall consult with state
14 agencies involved in administering the Act, representatives
15 of industry seeking to construct new facilities, citizen
16 groups and individuals concerned with the siting of new
17 facilities, and other interested persons in its evaluation
18 of the Act.

19 (3) That the committee submit to the 48th Legislature
20 a report of its findings, together with recommendations for
21 insuring the fairness, strength, and validity of the Montana
22 Major Facility Siting Act.

-End-

Approved by Committee on Natural Resources

Steve Brown JOINT RESOLUTION NO. 14
INTRODUCED BY STEVE BROWN

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING THE ASSIGNMENT TO AN APPROPRIATE INTERIM COMMITTEE OF A STUDY OF VARIOUS ELEMENTS OF THE MONTANA MAJOR FACILITY SITING ACT.

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WHEREAS, the Montana Major Facility Siting Act is the vehicle through which Montanans may control the location and impacts of new energy facilities; and

WHEREAS, it is essential that the state identify the powers that may be lawfully exercised in making siting decisions in an effort to avoid confrontations with the federal government and federal laws; and

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