

SENATE BILL NO. 410

2/13 Introduced
2/14 Referred to Natural Resources
2/18 Hearing
2/23 Minor Committee Report Not Adopted
2/23 Major Committee Report Adopted
2/23 Adverse Committee Report
2/25 Bill Killed

1 *Handwritten:* Senate BILL NO. 410
 2 INTRODUCED BY *Handwritten:* ~~William Rupp~~ ~~O'Hara~~ ~~M. Hansen~~ ~~Kaltes~~
 3 *Handwritten:* E. Smith ~~William Rupp~~ ~~O'Hara~~ ~~M. Hansen~~ ~~Kaltes~~
 4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION ~~410~~
 5 75-1-201, MCA, TO DECLARE THAT THE ISSUANCE OF A PERMIT TO
 6 DRILL AN OIL OR GAS WELL IS NOT A MAJOR ACTION OF STATE
 7 GOVERNMENT UNDER THE PROVISIONS OF THE MONTANA ENVIRONMENTAL
 8 POLICY ACT; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE." *Handwritten:* Thomas
 9 *Handwritten:* Richard Manning *Handwritten:* Lyub *Handwritten:* Thomas

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

11 Section 1. Section 75-1-201, MCA, is amended to read:

12 "75-1-201. General directions -- environmental impact
13 statements. (1) The legislature authorizes and directs that,
14 to the fullest extent possible:

15 (a) the policies, regulations, and laws of the state
16 shall be interpreted and administered in accordance with the
17 policies set forth in this chapter;

18 (b) all agencies of the state, except as provided in
19 subsection (2), shall:

20 (i) utilize a systematic, interdisciplinary approach
21 which will insure the integrated use of the natural and
22 social sciences and the environmental design arts in
23 planning and in decisionmaking which may have an impact on
24 man's environment;

25 (ii) identify and develop methods and procedures which

1 will insure that presently unquantified environmental
2 amenities and values may be given appropriate consideration
3 in decisionmaking along with economic and technical
4 considerations;

5 (iii) include in every recommendation or report on
6 proposals for projects, programs, legislation, and other
7 major actions of state government significantly affecting
8 the quality of the human environment, a detailed statement
9 on:

10 (A) the environmental impact of the proposed action;

11 (B) any adverse environmental effects which cannot be
12 avoided should the proposal be implemented;

13 (C) alternatives to the proposed action;

14 (D) the relationship between local short-term uses of
15 man's environment and the maintenance and enhancement of
16 long-term productivity; and

17 (E) any irreversible and irretrievable commitments of
18 resources which would be involved in the proposed action
19 should it be implemented;

20 (iv) study, develop, and describe appropriate
21 alternatives to recommend courses of action in any proposal
22 which involves unresolved conflicts concerning alternative
23 uses of available resources;

24 (v) recognize the national and long-range character of
25 environmental problems and, where consistent with the



1 policies of the state, lend appropriate support to
 2 initiatives, resolutions, and programs designed to maximize
 3 national cooperation in anticipating and preventing a
 4 decline in the quality of mankind's world environment;

5 (vi) make available to counties, municipalities,
 6 institutions, and individuals advice and information useful
 7 in restoring, maintaining, and enhancing the quality of the
 8 environment;

9 (vii) initiate and utilize ecological information in
 10 the planning and development of resource-oriented projects;
 11 and

12 (viii) assist the environmental quality council
 13 established by 5-16-101; and

14 (c) prior to making any detailed statement as provided
 15 in subsection (1)(b)(iii), the responsible state official
 16 shall consult with and obtain the comments of any state
 17 agency which has jurisdiction by law or special expertise
 18 with respect to any environmental impact involved. Copies of
 19 such statement and the comments and views of the appropriate
 20 state, federal, and local agencies which are authorized to
 21 develop and enforce environmental standards shall be made
 22 available to the governor, the environmental quality
 23 council, and the public and shall accompany the proposal
 24 through the existing agency review processes.

25 (2) The department of public service regulation, in

1 the exercise of its regulatory authority over rates and
 2 charges of railroads, motor carriers, and public utilities,
 3 is exempt from the provisions of this chapter.

4 (3) The issuance of a permit to drill a well for oil
 5 or gas is not a major action of state government, as that
 6 term is used in subsection (1)(b)(iii)."

7 NEW SECTION. Section 2. Effective date. This act is
 8 effective on passage and approval.

-End-