



APRIL 14, 1987

IN THE HOUSE

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*Convi*  
*Clarko*  
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*Miles*  
*Simpson*  
*Ramsey*

1 *House* JOINT RESOLUTION NO. *44*  
 2 INTRODUCED BY *Arbuckle* *John Vincent*  
 3 *David Boyer* *Hamilton* *Ream* *Connelly* *Fitz*  
 4 *Kadar* *Ed* *Planath*  
 5 *Laura Spack* *Miller* *Werso*  
 6 *Silbert* *Kitselman* *Jones* *S. Brown*  
 7 *Nicole Astoria* *Synch* *Stewart* *Ed*  
 8 *Walter* *Elbami* *Park* *McIntosh*  
 9 *M. Williams* *Struth*  
 10 *Larry Menaker* *Lizbeth* *Dave Brown* *Meruel*  
 11 *Van Valkenburg*

12 WHEREAS, local governments are poorly prepared for  
 13 incidents involving hazardous materials that are occurring  
 14 more frequently and creating situations of enormous risk to  
 15 health, life, property, and environment; and

16 WHEREAS, local governments have the fiscal  
 17 responsibility for dealing with hazardous materials  
 18 incidents but have no authority to control or reduce the  
 19 risk; and

20 WHEREAS, clear delineation of responsibility for  
 21 identification and prevention of hazardous materials risks  
 22 and response to and mitigation of hazardous materials  
 23 incidents is necessary; and

24 WHEREAS, reporting and documentation of all hazardous  
 25 materials incidents is essential to effective management of  
 risks; and

1 WHEREAS, coordination among all levels and agencies of  
 2 government is essential to control hazardous materials  
 3 incidents.

4 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE  
 5 OF REPRESENTATIVES OF THE STATE OF MONTANA:

6 That an appropriate interim committee be assigned to  
 7 study:

8 (1) the designation of a state agency to bear the  
 9 responsibility for identification of hazardous materials  
 10 risks and for planning for response to, mitigation of, and  
 11 recovery from hazardous materials incidents;

12 (2) assistance for local governments in bearing the  
 13 costs resulting from a hazardous materials incident;

14 (3) recording and documenting hazardous materials  
 15 incidents;

16 (4) coordination of efforts of all levels and agencies  
 17 of government; and

18 (5) clarification of the responsibility and liability  
 19 of local governments in hazardous materials incidents.

20 BE IT FURTHER RESOLVED, that the interim committee  
 21 report its findings and recommendations to the 51st  
 22 Legislature and submit legislation to address the problems  
 23 it identifies.  
 24

-End-

INTRODUCED BILL  
 HJR-44



APPROVED BY COMM. ON  
NATURAL RESOURCES

1 HOUSE JOINT RESOLUTION NO. 44  
 2 INTRODUCED BY PAVLOVICH, HARPER, VINCENT, COHEN, GOULD,  
 3 CORNE', DARKO, HAFHEY, BLAYLOCK, KENNERLY, MILES, SWYSGOOD,  
 4 RAMIREZ, ELLISON, DRISCOLL, KADAS, BRADLEY, HARRINGTON, ECK,  
 5 REAM, O'CONNELL, CONNELLY, FRITZ, HANNAH, SPAETH, MILLER,  
 6 IVERSON, PHILLIPS, GRADY, GILBERT, KITSELMAN, JONES,  
 7 J. BROWN, CODY, NISBET, PISTORIA, LYNCH, STIMATZ, REGAN,  
 8 WALKER, ABRAMS, PECK, HANSON, MCCORMICK, STRIZICH,  
 9 MANUEL, M. WILLIAMS, D. BROWN, VAN VALKENBURG, QUILICI,  
 10 MENAHAN, DAILY, HOLLIDAY, BACHINI, BRANDEWIE, THOFT,  
 11 BULGER, KOEHNKE, DEMARS, SCHYE, LYNCH, JACOBSON, SQUIRES

12  
 13 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF  
 14 REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN  
 15 INTERIM STUDY OF THE PROBLEMS ASSOCIATED WITH HAZARDOUS  
 16 MATERIALS INCIDENTS, INCLUDING PLANNING, RESPONSE,  
 17 MITIGATION, AND RECOVERY; REQUIRING A REPORT OF FINDINGS AND  
 18 RECOMMENDATIONS TO THE 51ST LEGISLATURE.

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 20 WHEREAS, local governments are poorly prepared for  
 21 incidents involving hazardous materials that are occurring  
 22 more frequently and creating situations of enormous risk to  
 23 health, life, property, and environment; and

24 WHEREAS, local governments have the fiscal  
 25 responsibility for dealing with hazardous materials

1 incidents but have no authority to control or reduce the  
 2 risk; and

3 WHEREAS, THE TRANSPORTATION OF HAZARDOUS MATERIALS  
 4 POSES PARTICULARLY DIFFICULT PROBLEMS FOR LOCAL GOVERNMENT  
 5 BECAUSE, WHILE REGULATION OF TRANSPORTATION IS PRIMARILY A  
 6 FEDERAL RESPONSIBILITY, LOCAL GOVERNMENTS ARE RESPONSIBLE  
 7 FOR EMERGENCY RESPONSE TO HAZARDOUS MATERIALS TRANSPORTATION  
 8 INCIDENTS; AND

9 WHEREAS, clear delineation of responsibility for  
 10 identification and prevention of hazardous materials risks  
 11 and response to and mitigation of hazardous materials  
 12 incidents is necessary; and

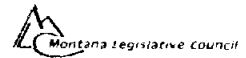
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2 HAZARDOUS MATERIALS THROUGH MONTANA COMMUNITIES, and for  
3 planning for response to, mitigation of, and recovery from  
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A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY OF THE PROBLEMS ASSOCIATED WITH HAZARDOUS MATERIALS INCIDENTS, INCLUDING PLANNING, RESPONSE, MITIGATION, AND RECOVERY; REQUIRING A REPORT OF FINDINGS AND RECOMMENDATIONS TO THE 51ST LEGISLATURE.

WHEREAS, local governments are poorly prepared for incidents involving hazardous materials that are occurring more frequently and creating situations of enormous risk to health, life, property, and environment; and

WHEREAS, local governments have the fiscal responsibility for dealing with hazardous materials

incidents but have no authority to control or reduce the risk; and

WHEREAS, THE TRANSPORTATION OF HAZARDOUS MATERIALS POSES PARTICULARLY DIFFICULT PROBLEMS FOR LOCAL GOVERNMENT BECAUSE, WHILE REGULATION OF TRANSPORTATION IS PRIMARILY A FEDERAL RESPONSIBILITY, LOCAL GOVERNMENTS ARE RESPONSIBLE FOR EMERGENCY RESPONSE TO HAZARDOUS MATERIALS TRANSPORTATION INCIDENTS; AND

WHEREAS, clear delineation of responsibility for identification and prevention of hazardous materials risks and response to and mitigation of hazardous materials incidents is necessary; and

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