

House JOINT RESOLUTION NO. 10  
INTRODUCED BY Knox - Beitel Casella ORR Deherty  
BY REQUEST OF THE ENVIRONMENTAL QUALITY COUNCIL Spwelder

5 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF  
6 MONTANA REQUESTING THAT THE ENVIRONMENTAL QUALITY COUNCIL CONDUCT AN INTERIM  
7 STUDY OF THE COMPLIANCE AND ENFORCEMENT PROGRAMS OF THE STATE'S NATURAL RESOURCE  
8 AND ENVIRONMENTAL AGENCIES.

WHEREAS, timely, appropriate, equitable, and efficient application of enforcement and compliance measures is essential to protect public health and the quality of Montana's natural resources; and

12 WHEREAS, the people and the regulated community of the state of Montana demand that the laws  
13 of this state be enforced in a consistent, fair, and effective manner; and

14 WHEREAS, limited state financial resources necessitate a revaluation and potentially a  
15 reprioritization of the goals and implementation strategies of Montana's natural resource and environmental  
16 laws; and

17 WHEREAS, the Environmental Quality Council has longstanding involvement and strong bipartisan  
18 expertise in the legislative oversight of state natural resource and environmental programs and their  
19 implementation and has been a forum for resolving contentious natural resource and environmental issues.

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

23 (1) That the Environmental Quality Council be requested to give priority to the study of the  
24 compliance and enforcement programs of the state's natural resource and environmental agencies.

25 (2) That the study include but not be limited to a review and analysis of:

26 (a) the state's existing enforcement and compliance framework and how it is implemented;

27 (b) the constitutional and statutory goals of the various state natural resource and environmental  
28 agencies, whether these goals are consistent and appropriate, and whether these goals are being met; and

29 (c) the proper balance among sanctions, incentives, technical assistance, education, and other  
30 enforcement tools in an effective and efficient enforcement program.



(3) That the Environmental Quality Council consult with federal, state, and local officials, the regulated community, citizens, and other persons or groups with expertise or interest in the compliance and enforcement programs of the state's natural resource and environmental agencies.

4 (4) That the Environmental Quality Council vigorously pursue alternative funding sources to conduct  
5 this study.

6 (5) That the Environmental Quality Council report its findings and recommendations to the 55th  
7 Legislature.

8 -END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for HJR10, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

A joint resolution requesting that the Environmental Quality Council (EQC) conduct an interim study of the compliance and enforcement programs of the state's natural resource and environmental agencies.

ASSUMPTIONS:

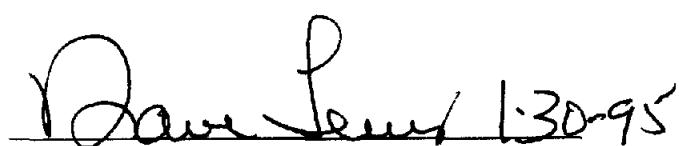
1. The Executive Budget present law base serves as the starting point for calculating any fiscal impact due to this proposed resolution.
2. The agencies whose enforcement/compliance programs will be the subject of this study include: Departments of Natural Resources and Conservation (DNRC); Health and Environmental Sciences (DHES); Agriculture; Fish, Wildlife and Parks (DFWP); and State Lanes (DSL).
3. This study is a priority of the current EQC and is based on extensive groundwork laid by the current EQC in the 1995 biennium and by the Legislative Auditor.
4. This study will include: a review of the existing enforcement/compliance framework, implementation, constitutional and statutory goals of the natural resource agencies; whether these goals are consistent and appropriate, and whether they are being met; and the proper balance among sanctions, incentives, technical assistance, education, and other enforcement tools.
5. Staff time from the affected agencies to cooperate in the interim study would be absorbed in present law base budgets.

FISCAL IMPACT:

There would be no fiscal impact from participating in this interim study.

Expenditures:

The expenditures for the study are impossible to estimate because other council business, printing and mailings are conducted in conjunction with the interim study.

  
Dave Lewis 1-30-95  
DAVE LEWIS, BUDGET DIRECTOR      DATE  
Office of Budget and Program Planning

  
DICK KNOX, PRIMARY SPONSOR      DATE  
Fiscal Note for HJR10, as introduced  
HJ 10

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