

SENATE BILL NO. 50

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INTRODUCED BY *Weldon*

BY REQUEST OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LAWS RELATING TO MEMBERSHIP AND MEETINGS OF THE AIR POLLUTION CONTROL ADVISORY COUNCIL; AND AMENDING SECTIONS 2-15-2106 AND 75-2-123, MCA."

WHEREAS, the Air Pollution Control Advisory Council was created to act in an advisory capacity to the Department of Health and Environmental Sciences on matters relating to air pollution; and

WHEREAS, the role of the Air Pollution Control Advisory Council includes bringing air quality issues to the attention of the Department of Health and Environmental Sciences and advising the Department in its development of a plan to address those issues, as well as advising the Department concerning policy issues that the Department brings to the Council;

WHEREAS, to effectively advise the Department of Health and Environmental Sciences, the Air Pollution Control Advisory Council members should represent the spectrum of groups most interested in air pollution issues; and

WHEREAS, the Department of Health and Environmental Sciences should have the ability to call a meeting of the Air Pollution Control Advisory Council for advice on current air quality issues.

THEREFORE, the Legislature finds that to facilitate the advisory functions of the Air Pollution Control Advisory Council, it is appropriate to revise the membership and meeting procedures of the Council.

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

Section 1. Section 2-15-2106, MCA, is amended to read:

"2-15-2106. Air pollution control advisory council. (1) There is an air pollution control advisory council.

(2) The council consists of 10 members appointed by the ~~governor, with the consent of the senate,~~ director of the department of health and environmental sciences with the approval of the governor as provided in 2-15-122(9). The membership of the council must be as follows:





APPROVED BY COMMITTEE  
ON PUBLIC HEALTH, WELFARE  
& SAFETY

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2 INTRODUCED BY WELDON

3 BY REQUEST OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES

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6 MEETINGS OF THE AIR POLLUTION CONTROL ADVISORY COUNCIL; AND AMENDING SECTIONS  
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10 to the Department of Health and Environmental Sciences on matters relating to air pollution; and

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15 WHEREAS, to effectively advise the Department of Health and Environmental Sciences, the Air  
16 Pollution Control Advisory Council members should represent the spectrum of groups most interested in  
17 air pollution issues; and

18 WHEREAS, the Department of Health and Environmental Sciences should have the ability to call a  
19 meeting of the Air Pollution Control Advisory Council for advice on current air quality issues.

20 THEREFORE, the Legislature finds that to facilitate the advisory functions of the Air Pollution Control  
21 Advisory Council, it is appropriate to revise the membership and meeting procedures of the Council.

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

24  
25 **Section 1.** Section 2-15-2106, MCA, is amended to read:

26 **"2-15-2106. Air pollution control advisory council.** (1) There is an air pollution control advisory  
27 council.

28 (2) The council consists of ~~40~~ 11 members appointed by the ~~governor, with the consent of the~~  
29 ~~senate, director of the department of health and environmental sciences with the approval of the governor,~~  
30 as provided in 2-15-122(9), AND WITH THE CONSENT OF THE SENATE. The membership of the council

1 must be as follows:

- 2 (a) ~~a representative of labor~~ two representatives of the environmental community;  
 3 (b) a representative of agriculture;  
 4 (c) ~~a representative of the manufacturing industry~~ two representatives of regulated industry;  
 5 (d) a representative of ~~the fuel industry~~ small business;  
 6 (e) a ~~practicing physician licensed in this state~~ county health officer;  
 7 (f) a ~~practicing veterinarian licensed in this state~~ representative of local government;  
 8 (g) a ~~practicing registered professional chemical or environmental engineer~~ representative of the  
 9 academic community; and  
 10 (h) a ~~meteorologist;~~ REPRESENTATIVE OF LABOR; AND  
 11 (i) ~~a conservationist; and~~  
 12 (j) ~~an urban planning consultant~~ (l) A representative of the general public.  
 13 (3) The appointed members shall serve at the pleasure of the ~~governor~~ director.  
 14 ~~(4) Subsections (5) through (8) of 2-15-122 apply to the council and members."~~

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16 **Section 2.** Section 75-2-123, MCA, is amended to read:

17 "**75-2-123. Meetings.** The advisory council shall hold at least ~~two~~ one regular ~~meetings~~ meeting  
 18 each calendar year and shall keep a summary record of its proceedings ~~which shall~~ that must be open to  
 19 the public for inspection. Special meetings may be called by the chairman or by the department and must  
 20 be called by ~~him~~ the chairman on receipt of a written request signed by two or more members of the  
 21 advisory council. Notice of the time and place for meetings ~~shall~~ must be given in advance to each member  
 22 of the advisory council by the secretary."

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