

**MINUTES**

**MONTANA HOUSE OF REPRESENTATIVES  
53rd LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON NATURAL RESOURCES**

**Call to Order:** By DICK KNOX, CHAIRMAN, on April 22, 1993, at  
11:00 a.m.

**ROLL CALL**

**Members Present:**

Rep. Dick Knox, Chairman (R)  
Rep. Rolph Tunby, Vice Chairman (R)  
Rep. Jody Bird (D)  
Rep. Vivian Brooke (D)  
Rep. Russ Fagg (R)  
Rep. Gary Feland (R)  
Rep. Mike Foster (R)  
Rep. Bob Gilbert (R)  
Rep. Hal Harper (D)  
Rep. Scott Orr (R)  
Rep. Bob Raney (D)  
Rep. Dore Schwinden (D)  
Rep. Jay Stovall (R)  
Rep. Emily Swanson (D)  
Rep. Howard Toole (D)  
Rep. Doug Wagner (R)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Todd Everts, Environmental Quality Council  
Michael Kakuk, Environmental Quality Council  
Roberta Opel, Committee Secretary

**Please Note:** These are summary minutes. Testimony and  
discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing: SJR 34  
Executive Action: SJR 34

**HEARING ON SJR 34**

**Opening Statement by Sponsor:**

SENATOR DOROTHY ECK, SD 40, Bozeman, stated the resolution asks the Environmental Quality Council (EQC) to study the disposal of hazardous waste over the next two (2) years. The study would look at what has been completed, could include reduction and recycling strategies, and would examine public and private

relationship between federal and state issues, and the current regulatory framework.

Proponents' Testimony:

Dave Anderson, Jefferson County Commissioner, quoted the Montana constitution pertaining to a clean environment and noted the inadequacy of Department of Health staff to enforce air quality statewide. He testified SJR 34 was the best compromise to address current shortcomings dealing with hazardous waste.

Brian McNitt, Montana Environmental Information Center, voiced his organization's support of the resolution, including the Senate amendment to the resolution. He encouraged the committee to include language stating permits be contingent on the outcome of the study.

Paul Smietanka, Chairman, Jefferson City Solid Waste Board, supported the collection of information to delineate what Montana is doing correctly and area needing improvement.

John Hamel, White Sulphur Springs, Last Best Coalition, spoke in support of SJR 34.

Brady Wiseman, Montanans Against Toxic Burning, stated his coalition has many questions on hazardous waste and the importation of waste into Montana. The organization is concerned about the lack of a plan or adequate information to develop a plan.

Redge Meierberry, Montana City, urged support for the Resolution.

Phyllis LeFohn, Clancy, testified she had researched hazardous waste burning and urged compilation of current data and reports.

J. V. Bennett, Montana Wildlife Federation, presented testimony on behalf of the Federation in support of SJR 34. EXHIBIT 1

Jerome Anderson, Holnam Inc., stated his company welcomed the study and supported its passage.

Tom Daubert, Ashgrove Cement Co., voiced the company's support of the Resolution and pledged support to the EQC on this legislation.

Opponents' Testimony: None.

Questions From Committee Members and Responses:

In response to a question from REP. EMILY SWANSON, Deborah Schmidt, Executive Director, EQC, explained the process for prioritizing studies for funding.

REP. VIVIAN BROOKE questioned SEN. ECK on concerns expressed by

opponents of SB 338 that some of the language affected state economics and jobs in the state. SEN. ECK stated she felt the issue would be raised but that these impacts would be considered.

The committee also questioned the need for burning applications, an interim process to deal with waste disposal, land values and ramifications for land sites adjacent to hazardous waste disposal facilities and sites.

Closing by Sponsor:

SEN. ECK expressed her confidence in the EQC to handle this issue in a very effective manner and urged passage of SJR 34.

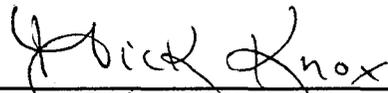
EXECUTIVE ACTION ON SJR 34

Motion/Vote: REP. BOB RANEY moved an amendment stating that the legislature requests the Department of Health to refrain from issuing a permit for commercial hazardous waste disposal facilities until after the 1995 legislature has reviewed the recommendations of the EQC. The motion failed on a 7-8 vote, with REPS. KNOX, BIRD, FAGG, FELAND, GILBERT, ORR, STOVALL, and WAGNER voting against the amendment.

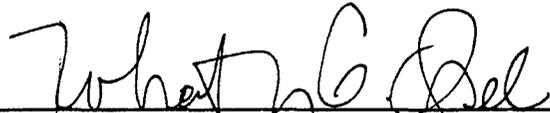
Motion/Vote: REP. SWANSON MOVED SJR 34 BE CONCURRED IN. The motion carried, with REP. ORR opposed to the Resolution.

ADJOURNMENT

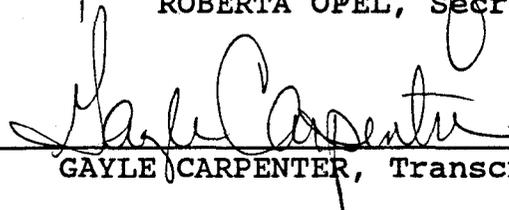
Adjournment: The meeting was adjourned at 12:30 pm.



REP. DICK KNOX, Chairman



ROBERTA OPEL, Secretary



GAYLE CARPENTER, Transcriber



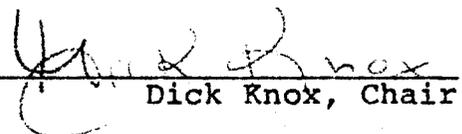
HOUSE STANDING COMMITTEE REPORT

April 22, 1993

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Mr. Speaker: We, the committee on Natural Resources report that Senate Joint Resolution 34 (third reading copy -- blue) be concurred in .

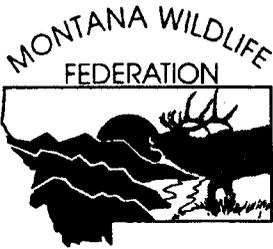
Signed: \_\_\_\_\_

  
Dick Knox, Chair

Carried by: Rep. Swanson

Committee Vote:  
Yes: \_\_\_\_, No: \_\_\_\_.

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# MONTANA WILDLIFE FEDERATION

P.O. Box 1175, Helena, MT 59624 406-449-7604

1990 Outstanding State Affiliate of the National Wildlife Federation

SJ 34  
April 22, 1993

EXHIBIT  
DATE 4-22-93  
HB SJR 34

## Testimony presented by J.V. Bennett, representing the Montana Wildlife Federation before the House Natural Resources Committee

Hazardous waste disposal is an important and contentious issue in the state of Montana. Unfortunately it is an issue that will not go away in the foreseeable future. This means that we must develop a strategy for dealing with this problem in an way which protects the wellbeing of Montana's citizens and its environment. For this reason the Montana Wildlife Federation supports SJ 34.

While this and previous Legislature have made efforts to address this problem, it has been in a piecemeal fashion. Montana needs a comprehensive policy to deal with this problem. We need to answer questions about the volumes of the various types of waste generated or used in Montana, about the safety of various methods of disposal, about strategies for waste reduction and recycling, about the economic feasibility of these disposal methods, and about the transportation of these wastes to the facilities designed to deal with them. A study by the Environmental Quality Council would be a valuable first step in answering these questions and developing a comprehensive strategy for hazardous waste management in Montana.

Montana's conservation community and its citizens have definite ideas about where they do not want to have hazardous waste facilities. These concerns are valid and should be respected. At the same time, these hazardous wastes are not going to go away and can not just be thrown away. We know what we don't want to do with these wastes, but as yet we have not put enough energy into deciding what we do want to do about them. Therefore the Montana Wildlife Federation wants to be involved, as do other members of Montana's conservation community, in developing a strategy for disposing of these wastes in the most responsible manner possible.

As we develop this strategy we must always be mindful of our moral and Constitutionally mandated responsibility to maintain and improve a clean and healthful environment in Montana for present and future generations. The safety of Montana's citizens and environment must be our primary concern as we develop a hazardous waste policy for Montana.

We urge this committee to concur on SJ 34.

HOUSE OF REPRESENTATIVES  
VISITOR REGISTERNatural Resources

COMMITTEE

BILL NO.

SR 34

DATE

4/22/93

SPONSOR(S)

REP. ECK

PLEASE PRINT

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Brian McNitt	MEIC	X	
Janet Ellis	MT Audubon Leg Fund	X	
DAV BITMAN	SELF	X	
DAVE ANDERSON	Jefferson Co. Commission	X	
RACHAEL RAUE SIRS	FAMILY (6)	X	
PHYLLIS LEFOHN	SELF	X	
Rodge Meierhenry	self	X	
Anne Johnson	self + family	X	
PAUL SMETANKA	SELF	X	
Jim Jensen	MEIC	✓	
Dennis Olson	NPRC	✓	
Susan Jacobs	family & self	X	
J.V. Bennett	MT. Wildlife Federation	X	
CYNDY MOREY	self & family	X	

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS  
ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

HOUSE OF REPRESENTATIVES  
VISITOR REGISTER

Natural Resources

COMMITTEE

BILL NO. SJR34

DATE 4/22

SPONSOR(S)

REP. ECK

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
BRADY Wiseman	MATH	X	
Tere Jacobs		X	
Debra Jankov		X	
John Samuel		X	
Michael R. Davis		X	

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.