



ENVIRONMENTAL QUALITY COUNCIL

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Memorandum

To: Environmental Quality Council

From: Krista Lee Evans
Research Analyst

RE: 85-2-125, MCA coordination problems

Date: July 5, 2006

During the 2005 session there were two bills passed that affected 85-2-125, MCA. **House Bill 308** repealed the termination date that created two versions of 85-2-125, MCA and **House Bill 609** amended both versions. The two bills should have been coordinated during session and it was missed. I've discussed this issue with Greg Petesch, Chief Legal Counsel, and the 85-2-125, MCA should be amended to strike references to the Upper Clark Fork Basin. The EQC has a couple of different options:

- (1) Request that the EQC sponsor a bill that amends 85-2-125, MCA to strike references to the Upper Clark Fork Basin;
- (2) Suggest that DNRC request a bill that amends 85-2-125, MCA to strike references to the Upper Clark Fork Basin; or
- (3) Leave the statute as it stands.

Copies of the bills are attached for your review and consideration. Questions or comments don't hesitate to give me a call at 444-1640 or kevans@mt.gov