

A council member's guide

ENVIRONMENTAL QUALITY COUNCIL
J. MOHR-JUNE 2025

The Environmental Quality Council (EQC) interestingly predates the historic 1972 Constitutional Convention. House Bill 66 (1971) created the council as part of the Montana Environmental Policy Act (MEPA), Montana's unique environmental review law. The size and function of the council and staff has fluctuated over the past 54 years, but its impetus remains the same. As former Rep. George Darrow, who carried the EQC bill, explained:

THE EQC IS NOT A REGULATORY AGENCY. IT IS NOT AN ENVIRONMENTAL CONTROL AGENCY. RESPONSIBILITY FOR THESE FUNCTIONS LIES WITH VARIOUS EXISTING AGENCIES IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT. INSTEAD, THE COUNCIL'S ROLE IS TO ANTICIPATE ENVIRONMENTAL PROBLEMS, ANALYZE THEIR ROOT CAUSES, PERCEIVE ALTERNATIVES, AND RECOMMEND PREVENTIVE ACTION. IT IS A BASIC ECOLOGICAL INSIGHT THAT ALL ENVIRONMENTAL PROBLEMS ARE INTERWOVEN, INTERRELATED, AND INTERACTING. NO PROJECT, NO ACTION BY STATE GOVERNMENT, HAS ONLY A SINGLE CONSEQUENCE. HOWEVER, MOST STATE AGENCIES ARE RESPONSIBLE FOR ONLY A SINGLE PRIMARY MISSION. THERE HAS BEEN A CONTINUING NEED FOR A SYSTEMATIC WAY TO DEAL WITH COMPLEX PROBLEMS THAT CUT ACROSS THE RESPONSIBILITIES OF SEVERAL AGENCIES.

WHO IS ON THE EQC?

EQC's 17 members include members selected by the Speaker of the House and the Committee on Committees. One non-voting member represents the governor

The EQC is one of two statutory committees or commissions with public members. Committee members serve 2-year terms, starting and ending on the 50th day of each legislative session.

WHO IS THE EQC STAFF AND WHAT IS THEIR ROLE?

The Legislative Environmental Policy Office (LEPO) is within the Legislative Services Division. The legislative environmental analyst is the primary staff to the EQC, but research analysts and others

in the office also assist the council. In addition to the EQC, the LEPO staff supports the interim committees of Energy and Technology, Water Policy, and State-Tribal Relations.

The nonpartisan staff provides the most complete and objective information available. Staff informs the EQC of issues, provides research and legal guidance, and identifies and analyzes possible options to address an issue.

EQC staff		
Legislative environmental analyst	Jason Mohr (EQC)	444-1640
Deputy research director	Toni Henneman (WPIC)	444-3593
Research analyst	Casey Pallister (EQC, STRIC)	444-3067
Research analyst	Griffin Burns (ETIC)	444-3079

Staff responsibilities include:

- **researching** and producing reports and other materials
- making live **presentations** to the EQC and the public
- **organizing** studies and meetings of the EQC
- **monitoring** executive branch agencies and reporting to EQC
- **responding** to information requests from EQC members, legislators, the public, and agencies
- **writing** legal opinions
- **drafting** legislation proposed by the EQC
- during **session**, drafting legislation and staffing committees

WHAT CAN THE EQC DO FOR YOU?

Over the interim, EQC members:

- **develop expertise** in environmental, natural resource, fish, wildlife, recreation, and other issues and the state agencies associated with those issues
- plan and participate in forums to **create, evaluate, and refine legislative policy**
- **provide constituents** year-round access to critical legislative policy decisions
- **evaluate** state agency administrative rules
- promote **governmental accountability**
- **generate** nonpartisan and unbiased information
- investigate complex legislative policy problems and **propose solutions**

WHAT ARE YOUR RESPONSIBILITIES AS AN EQC MEMBER?

Be informed and engaged. A legislator or public member who seeks and accepts appointment to the EQC must be prepared to devote time and effort to understanding the issues, evaluating the information presented, and formulating sound recommendations.

WHAT ARE THE EQC'S AGENCY OVERSIGHT RESPONSIBILITIES?

The EQC has statutory agency oversight responsibilities, including

- program evaluation and monitoring functions
- administrative rule review
- draft legislation review

EQC has oversight of...

Department of Environmental Quality
Department of Natural Resources and Conservation
Department of Fish, Wildlife, and Parks

These duties are discussed more thoroughly in the draft work plan.

HOW IS THE INTERIM ORGANIZED?

A presiding officer and vice presiding officer are selected at the first meeting of the interim. The council determines if the use of proxy voting is allowed.

In planning its work, the EQC considers studies requested by legislators through study resolutions, study bills, statutory mandates, and member issues.

The EQC decides which, if any, of the options to adopt for the final work plan or to generate its own work plan options. Once the draft work plan is adopted, staff develops work plans and timetables for each major task. Subcommittees or working groups may be appointed to address certain issues. The council may opt to hold meetings in the field.

The EQC is scheduled and budgeted for 10 meeting days across 7 sessions during the interim, which runs from July of the odd-numbered year through mid-September of the even-numbered year. At the end of the interim, EQC staff produce draft study reports that reflect the council's activities, deliberations, findings, recommendations, and potential legislation. The EQC reviews the report, makes any changes, and then adopts the report.

HOW IS A MEETING AGENDA DEVELOPED?

The work plan is the source of most agenda items at each interim meeting. A study or program evaluation undertaken by the EQC is built upon at each meeting with research, stakeholder involvement, and public comment.

In addition to items from the work plan, agenda items are suggested by members during and between meetings. The EQC may choose to investigate or analyze these issues as they arise, provided there is sufficient time and interest.

The Presiding Officer determines the final agenda. EQC members may suggest agenda items that fall within the purview of the council.

HOW DOES THE EQC INVOLVE THE PUBLIC IN ITS DELIBERATIONS?

Public participation is essential for the EQC to function as a policy development and oversight body of the Legislature. Public comment is encouraged.¹ Each agenda item includes an opportunity for the audience members to comment.

The agenda and meeting materials are publicly available on the EQC website at least a week prior to each meeting. Staff also sends press releases, posts details on legislative social media sites, and sends notices specifically to interested individuals and organizations who sign up for the service.

HOW DOES THE EQC MAKE DECISIONS?

Committee decisions are by majority rule. Sometimes this is accomplished by having members vote. Other decisions are made if no members object to a proposal.

¹ Submitted public comments are accessible in the legislator portal.