

742

HCRA

SB

145

-

SB

311

792

SB

145

(7)

COMMITTEE REPORT

HOUSE

FURTHER:

April 19, 1979

Date: 27 5 79

Mr. Speaker:

The Committee on CSEA has had CSSB 145

"An Act relating to implementation of the Alaska coastal management program."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
- new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Richard J. Blumenthal

[Signature]

CHAIRMAN



Alaska State Legislature

House of Representatives

Committee on

Community & Regional Affairs

COMMITTEE MINUTES

Pouch V
State Capitol
Juneau, Alaska 99

Official Business

DATE: 4/27/79

BILL NUMBER AND TITLE: CSSB145 Act relating to implementation of the Alaska Coastal Management Program

ORIGINAL SPONSOR : Rules by request of
the Governor

OTHER SPONSORS:

RECEIVED FROM:

FURTHER REFERRALS:

MEMBERS PRESENT: Bill Parker X
Margaret Branson X
Pat O'Connell X

Pat Carney
Charlie Parr
Fred Zharoff X
Ray Metcalfe

INDIVIDUALS CONTACTED:

WITNESSES TESTIFYING:

Roger Allington, Co-Chairman of the Ak. Coastal Policy Council
Discussed effect of CS in terms of local program development.

COMMITTEE ACTION: Bill passed out of Committee

TAPE # 8 SIDE 1... Sections 0-60

SB 145 TITLE & SPONSOR SUMMARY

14:42 5/01/79 PAGE 1 OF 3

~~AMENDED TITLE: CS SB 145 AM H~~
 AN ACT RELATING TO IMPLEMENTATION OF THE ALASKA COASTAL
 MANAGEMENT PROGRAM

~~PRIME SPONSORS: SENATE RULES COMMITTEE~~

~~CO-SPONSORS:~~

CURRENT STATUS: 4/30/79 PASSED (H)

SB 145 SENATE ACTION

14:44 5/01/79 PAGE 2 OF 3

DATE	SEQ	PAGE	LEGISLATIVE ACTION
02/13/79	01	0214	FIRST READING -- COMMITTEE REPORTS
02/13/79	02	0214	GOV TRANSMITTAL LETTER
02/13/79	03	0214	FISCAL NOTE IS ZERO
03/05/79	04	0365	CRA -- DNP01, 6502
03/07/79	05	0366	RLS -- OTHER04
04/17/79	13	0822	RES -- OTHER05
03/08/79	06	0409	SECOND READING
03/08/79	07	0409	CRA CS ADOPTED BY UNAN CONSENT
03/08/79	08	0409	ADVANCED TO 3RD READING BY UNAN CONSENT
03/08/79	09	0409	THIRD READING
03/08/79	10	0409	FAILED BY DIV 10-09-01
03/08/79	11	0409	NOTICE OF RECONSIDERATION GIVEN
03/09/79	12	0419	RECOMMITTED TO RLS BY UNAN CONSENT
04/10/79	14	0852	READ AGAIN THIRD TIME
04/18/79	15	0853	PASSED ON RECONSIDERATION BY DIV 15-05-00
****	**	**	*** ** *

SB 145 HOUSE ACTION

14:51 5/01/79 PAGE 3 OF 3

DATE	SEQ	PAGE	LEGISLATIVE ACTION
04/19/79	16	0979	FIRST READING -- COMMITTEE REPORTS
04/27/79	17	1136	CRA -- DP04
04/30/79	18	1230	SECOND READING
04/30/79	19	1231	AM01 ADOPTED BY DIV 34-01-08
04/30/79	20	1231	ADVANCED TO 3RD READING BY UNAN CONSENT
04/30/79	21	1231	THIRD READING
04/30/79	22	1231	PASSED BY DIV 25-08-07
****	**	**	*** ** *

Introduced: 2/13/79
Referred: Community &
Regional Affairs

1 IN THE SENATE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 145

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to implementation of the Alaska
7 Coastal Management Program."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 46.40.050 is amended to read:

10 Sec. 46.40.050. ACTION AND SUBMISSION BY COASTAL RESOURCE DIS-
11 TRICTS. Each coastal resource district shall make substantial progress,
12 in the opinion of the council, toward completion of an approvable
13 district coastal management program and shall complete and submit to
14 the council for approval its program within 30 months of the effective
15 date of this Act [JUNE 4, 1977] or within 30 months of certification
16 of the results of the district's organization, whichever is later.
17 If, in the opinion of the council, after receipt of a written request
18 for extension from the district which includes the reasons for the
19 extension, an extension is considered proper, the council may grant an
20 extension to a date not to exceed 54 months of the effective date of
21 this Act or within 54 months of certification of the results of the
22 district's organization, whichever is later.

23 * Sec. 2. AS 46.40.090(a) is amended to read:

24 (a) A district coastal management program approved by the council
25 [AND THE LEGISLATURE] for a coastal resource district which does not
26 have and exercise zoning or other controls on the use of resources
27 within the entire coastal area of the district shall be implemented by
28 appropriate state agencies, and by municipalities within the district
29 which have and exercise zoning power. Implementation shall be in

Senate Action -- CZM

SB 145 --Committee Substitute would eliminate all of SB 145
except for Section 1 amendments.

Action on CZM Regulations:

Accepted regs with change on p. 5 (6 AAC 80.100 (a) (3)
change word "prevent" to "minimize"

Introduced: 2/13/79
Referred: Community &
Regional Affairs

1 IN THE SENATE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 145

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to implementation of the Alaska
7 Coastal Management Program."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 46.40.050 is amended to read:

10 Sec. 46.40.050. ACTION AND SUBMISSION BY COASTAL RESOURCE DIS-
11 TRICTS. Each coastal resource district shall make substantial progress,
12 in the opinion of the council, toward completion of an approvable
13 district coastal management program and shall complete and submit to
14 the council for approval its program within 30 months of the effective
15 date of this Act [JUNE 4, 1977] or within 30 months of certification
16 of the results of the district's organization, whichever is later.
17 If, in the opinion of the council, after receipt of a written request
18 for extension from the district which includes the reasons for the
19 extension, an extension is considered proper, the council may grant an
20 extension to a date not to exceed 54 months of the effective date of
21 this Act or within 54 months of certification of the results of the
22 district's organization, whichever is later.

23 * Sec. 2. AS 46.40.090(a) is amended to read:

24 (a) A district coastal management program approved by the council
25 [AND THE LEGISLATURE] for a coastal resource district which does not
26 have and exercise zoning or other controls on the use of resources
27 within the entire coastal area of the district shall be implemented by
28 appropriate state agencies, and by municipalities within the district
29 which have and exercise zoning power. Implementation shall be in

*selection requirements (leg. Council, District programs) use
approved by leg. council. Adopt local program by regulation -
then go to leg. approval. Keys of Council chief
from the...
SB 145 Local... subject.*

1 accordance with the comprehensive use plan or the statement of needs,
2 policies, objectives and standards adopted by the district.

3 * Sec. 3. AS 46.40.120(b) is amended to read:

4 (b) The commissioner of the Department of Community and Regional
5 Affairs may, after public hearings held in the area affected, consoli-
6 date two or more regional educational attendance areas as a single
7 coastal resource service area or set any other appropriate service
8 area boundary according to geographic, cultural, or other features
9 relevant to coastal planning *spacing boundaries, process to the...
start with... etc.*

10 (1) if a substantial portion of the coastal area contains
11 land and water area owned by the federal government over which it
12 exercises exclusive jurisdiction or land held in trust by the federal
13 government for Alaska Natives over which the state would not exercise
14 control as to use; [OR]

15 (2) if, after giving due consideration to the standards
16 applicable to incorporation of borough governments and the likelihood
17 that a borough will be incorporated within the area, the commissioner
18 determines that the functions to be performed under this chapter could
19 be undertaken more efficiently; through the combination of two or more
20 regional educational attendance areas as a single coastal resource
21 service area; or

22 (3) if the commissioner determines that another boundary
23 would be more appropriate to the needs of this chapter.

24 * Sec. 4. AS 46.40.080 is repealed.

Senate Action -- CZM

SB 145 --Committee Substitute would eliminate all of SB 145
except for Section 1 amendments.

Action on CZM Regulations:

Accepted regs with change on p. 5 (6 AAC 80.100 (a) (3)
change word "prevent" to "minimize"

SB

201

COMMITTEE REPORT

HOUSE

FURTHER:

Date: _____

Mr. Speaker:

The Committee on CARR has had CSSB 201

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for H 1000 same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN



Alaska State Legislature

House of Representatives

Committee on

Community & Regional Affairs

COMMITTEE MINUTES

Pouch V
State Capitol
Juneau, Alaska 99801

Official Business

DATE: 4/23/79

BILL NUMBER AND TITLE: CSSB201 Relating to the Salaries of elected municipal officials

ORIGINAL SPONSOR : Community and Regional Affairs Committee by request

OTHER SPONSORS: (Rules)CS

RECEIVED FROM:

FURTHER REFERRALS:

MEMBERS PRESENT:

Bill Parker y
Margaret Branson X
Pat O'Connell X

Pat Carney X
Charlie Parr X
Fred Zharoff X
Ray Metcalfe X

INDIVIDUALS CONTACTED:

WITNESSES TESTIFYING:

Ginny Chitwood, Municipal League

Refers to Senate rationale for removing reference to mayor's salary not being able to be reduced. The only public officials at the present time who can't have salaries reduced are judges. Senate did not want to include mayors.

Parr- Concerned about the need for balance. O'Connell agrees with Parr. Sees that the Senate wording might allow the Council or Assembly to use mayor's salary as a weapon. Would like to see the assurance that the mayor's salary not be reduced back in the bill it was contained in Hi 127. Allows mayors to keep up with the cost of living. Parr say: leave statute as is or use House version.

Consensus is that the House version of the bill, HB 127, replace CSSB201 as a House Committee Substitute.

Passed out with a unanimous DO PASS recommendation.

COMMITTEE ACTION: Passed out DO PASS

TAPE # 7 SIDE 2

Sections 1150-1235

3/2/79

Workshop with Municipal League

Ron Larson--Mayor, Mat-Su Borough- on Municipal League Legislative Committee
HB 127 Top priority of Municipal League
Local level would amke the decisions themselves
If you establish a salary are you "changing" a salary?

Tom Bearup--Mayor, Soldotna
Supports HB 127

Jim NOrdale -- Attorney, North Star Borough. On Municipal League Leg. Committee
Home Rule communities are (aren't) under the bill.
Supports HB 127.

Dr. Mike Emmick--Kodaik (Port Lions)
Supports HB 192 (Revenue Sharing)
On 40% bill--In K0daik they take total number of votes and divide by # of people who
voted. Expense to local government should be considered.
This is a problem if you are voting in a fire service area. Perhaps
300 people live in the area. You need 40% and only 100 people vote.
It should be local option to allow municipality to retain the 40% provision
in elections.

Martin Tengs-- Haines Borough Mayor.

Mike Emmick--Anchorage had been supportive of HB 192 when it was being
drafted.

Re HB 192 suggests using 17Million rather than 27Million \$ to get
realistic formula.

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Senate Bill No. 201 (HB 127)
 Title "An Act relating to the salaries of elected municipal officials."
 Requested by Community & Regional Affairs Committee Date 2-27-79

II. FISCAL DETAIL

Agency Affected Department of Community & Regional Affairs
 Program Category Affected _____
 Budget Request Unit(s) Affected _____

EXPENDITURES (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES		-0-	-0-	-0-		
200 TRAVEL		-0-	-0-	-0-		
300 CONTRACTUAL		-0-	-0-	-0-		
400 COMMODITIES		-0-	-0-	-0-		
500 EQUIPMENT		-0-	-0-	-0-		
600 LAND & STRUCTURES		-0-	-0-	-0-		
700 GRANTS, CLAIMS, ETC.		-0-	-0-	-0-		
TOTAL		-0-	-0-	-0-		

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

NO FISCAL IMPACT TO THE STATE

IV. DATE February 27, 1979 PREPARED BY Palmer McCarter, Director
 AGENCY Community & Regional Affairs, LGAD
 Original: Legislative Finance PI ONE 465-4707
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

AMENDED TITLE: CS SB 201

AN ACT RELATING TO THE SALARIES OF ELECTED MUNICIPAL OFFICIALS

PRIME SPONSORS: SENATE GOV. COMMITTEE.

CO-SPONSORS:

CURRENT STATUS: 4/11/79 IN (H) C&RA

DATE	SEQ	PAGE	LEGISLATIVE ACTION
02/13/79	01	0235	FIRST READING -- COMMITTEE REPORTS
03/07/79	02	0386	CRA -- DF05
04/09/79	03	0763	RLS -- CS01, OTHER04
04/16/79	04	0774	SECOND READING
04/10/79	05	0774	RLS CS ADOPTED BY UNAN CONSENT
04/10/79	06	0774	ADVANCED TO 3RD READING BY UNAN CONSENT
04/10/79	07	0774	THIRD READING
04/10/79	08	0775	PASSED BY DIV 20-00-00
****	**	**	*** ** *

Form 100-24

S B

3 11

(7)

COMMITTEE REPORT

HOUSE

2/4/80

FURTHER: JUDICIARY

Date: _____

Mr. Speaker:

The Committee on COMMUNITY AND REGIONAL AFFAIRS has had SB 311am

"An Act relating to ride sharing; and providing for an effective date."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN

#7418 - Baldwin

ALASKA STATE LEGISLATURE

ELEVENTH Legislature SECOND Session

SENATE BILL NO. 311
By HACKNEY

"An Act relating to ride sharing and providing for an effective date."

Introduced in the Senate 1/14/80

HISTORY IN THE SENATE

19 80 Read first time and referred to Committee on

1 14 JUDICIARY

1 30 Reported back with recommendation that *do pass*

1 31 *Rolls: Calendar 2/1*

2 1 Read second time and amended *add*

2 1 Read third time and

2 1 **PASS** Effective Date

Yeas 18	Yeas
Nays 1	Nays
Absent 1	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

2 1 Reported correctly engrossed

2 1 Signed by President

2 1 Sent to House

Royce Mulligan
SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19 80 Read first time and referred to Committee on

Feb 4 C.R.A. Judiciary

Reported back with recommendation that

Read second time and

Read third time and

PASS Effective Date

Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reconsideration

PASS	Effective Date
Yeas	Yeas
Nays	Nays
Absent	Absent
Excused	Excused

Reported correctly engrossed

Signed by Speaker

Returned to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19 Received from House

To enrolling

Reported correctly enrolled

Sent to Governor

..... by Governor

Filed with Lt. Governor

Chapter No.

Alaska State Legislature

HOME ADDRESS
1136 SUNSET DRIVE
FAIRBANKS, ALASKA 99701
HOME PHONE: 456-4610

WHILE IN JUNEAU
POUCH V
JUNEAU, ALASKA 99811
HOME PHONE 588-3593
OFFICE PHONE 463-3788



SENATOR
GLENN HACKNEY
REPRESENTING
SENATE DISTRICT 0
"ALASKA'S GOLDEN HEART"

COMMITTEES
FINANCE
HEALTH, EDUCATION & SOCIAL SERVICES
CHAIRMAN

State Senate

February 5, 1980

Representative Bill Parker
Chairman, House Community and
Regional Affairs Committee
Pouch V
Juneau, Alaska 99811

Dear Representative Parker,

The Ridesharing Bill (SB 311) which is in your committee was introduced in response to some model state law that showed up at a meeting of the Western Council of the Conference of State Governments. In the enclosed folder is a report excerpted from the proceedings of that conference.

The thrust of the 1979 annual CSG meeting was ENERGY. From various speakers, the one theme that emerged was that remedies for the United States are several years away. The answer to the energy question is, of course, energy self-sufficiency for our country. In the meantime, the one thing we can all practice is energy conservation. As you will note by the comments on page 15 of the enclosed booklet, substantial amounts of gas could be saved if ridesharing were practiced on a widespread basis. Perhaps it's time for Alaska to do its bit.

SB 311 is merely an effort to remove some of the impediments for people wishing to enter into a ridesharing arrangement. I'd be very glad to appear before your committee and testify on the bill.

Also enclosed is some material from Al Koschmann who is with the U.S. Department of Transportation.

Sincerely,


Glenn Hackney
State Senator

Enclosures

GLENN HUGHES
WESTERN CONFERENCE
1979 ANNUAL MEETING
HELENA, MONTANA

SEE PG. 15

INDEX

WESTERN CONFERENCE EXECUTIVE COMMITTEE 1979-1980

Chairman: Representative Bill Grannell, Oregon
Chairman-Elect: Senator Keith Ashworth, Nevada
Vice-Chairman: Representative Cary Peterson, Utah
Immediate Past-Chairman: Senator Robert Ziegler, Sr., Alaska

ALASKA

Senator Glen Hackney
Senator George Hohman
Representative Joseph H. McKinnon
Senator Robert H. Ziegler, Sr.

AMERICAN SAMOA

Senator Maiavatele P. Hunkin
Senator Tagaloa M. Tuiolosega

ARIZONA

Senate President Leo Corbet
Senator James Mack
Representative Sam McConnell, Jr.

CALIFORNIA
(vacancy)

COLORADO

Senator President Fred Anderson
Representative Bob Kirscht

GUAM

Senator Cecilia C. Bamba
House Speaker Thomas V.C. Tanaka

HAWAII

Senator John T. Ushijima

IDAHO

Representative Walter F. Little
Senator James Risch
Representative John Sessions

MONTANA

Representative John Scully
Senator John Healy
Representative Robert Marks

NEVADA

Senator Keith Ashworth
Senator James I. Gibson
Assemblyman Tom Hickey
Senator Lawrence Jacobsen
Speaker Paul W. May

NEW MEXICO

Representative Leo Catanach
Representative James Caudell
Senator Alex G. Martinez

OREGON

Representative Bill Grannell
Representative Gretchen Kafoury
Senator Jason Boe
Speaker Hardy Myers
Senator E. L. Potts

UTAH

Representative C. Demont Judd
Speaker James V. Hansen
Senate President Miles "Cap" Ferry
Representative Cary Peterson
Senator Karl Snow, Jr.

WASHINGTON

Senator Gordon Walgren
Co-Speaker Duane Berentson
Co-Speaker John A. Bagnariol

WYOMING

Senator Milton E. Nichols
Senator Donald Northrup
Representative Russ Donley

WESTERN OFFICE

The Council of State Governments
165 Post Street
Room 500
San Francisco, California 94108

415/986-3760



THE WESTERN CONFERENCE

of

The Council of State Governments



Conference Staff
The Council of State Governments
Western Office
165 Post Street, 5th Floor
San Francisco, California 94108
(415) 986-3760

October 31, 1979

Dear Friends and Colleagues:

Our Annual Meeting in Helena, Montana fulfilled its two major objectives: education on a significant issue on which legislators have to give leadership and make decisions, and setting a direction for the work of the Western Conference in the coming year.

The critical importance of energy issues to the entire nation -- and their particular difficulties and potential in the West -- persuaded the Executive Committee to concentrate the entire educational portion of the Conference on "Energy: The Western Perspective." Knowledgeable speakers shared their expertise with the audience. The discussion between speakers and the audience elicited additional provocative ideas and generated serious thought about options many had not yet considered.

Our plenary discussions led logically to another part of our program -- work groups in which participants debated problems and likely solutions to energy issues and planned activities which they believed the Western Conference should undertake the coming year. The products of the work groups were of high calibre, and the Executive Committee now has the critical task of selecting from among this rich store of proposed projects those they deem of most significance to the West and achievable with Western Conference resources. Following the next Executive Committee meeting in November, committees and task forces will be asked to begin activity on projects stemming from the work groups in which you yourselves participated and which will reflect your interests.

These Proceedings are not intended merely as a record of the Annual Meeting. We have included much of the content of the panels because of the richness of thought and ideas expressed. We have included a summary of the specific proposals from the work groups. We hope that these sections -- the program summaries and the action proposals -- will contribute to your thinking and your actions as you give leadership to your state and region on these complex energy issues.

Thank you for joining us at the Annual Meeting. I hope you will be part of the work of the Western Conference during the coming months.

Sincerely,

Bill Grannell
Bill Grannell, Representative, Oregon
Chairman, Western Conference

Special recognition and thanks must be given to the Host Committee of the State of Montana, chaired by Representative Bob Marks, and to its staff, headed by Diana Dowling, Executive Director of the Montana Legislative Council, who worked unceasingly to organize an imaginative social program which added so much to the pleasure of all who attended.

To them, to the Montana State Legislature who invited us to Big Sky country, to the Montana business community who contributed support, delegates and guests express warm appreciation.

To our own Western Conference staff belongs the credit for an Annual Meeting program whose content will stimulate thought and spur action throughout the coming year.

PROCEEDINGS

1979 ANNUAL MEETING -- WESTERN CONFERENCE
September 22-26, 1979

TABLE OF CONTENTS

	<u>Page</u>
Agenda for 1979 Annual Meeting	1
ENERGY IN THE WEST: Summary of Speeches	5
Proposals for Western Conference Action (Reports of the Work Groups)	31
Speech (complete): Dr. Alan Rosenthal, Director, Eagleton Institute of Politics	36
List of Resolutions Approved at 1979 Annual Meeting	43
Reorganization of the Western Conference	44
Evaluation of Western Conference Annual Meeting	
- the form	46
- the tally	48
Conference Speakers (Addresses/Phone Numbers for contacting as resources)	53
Attendance List	56

1979 ANNUAL MEETING

Western Conference of The Council of State Governments

September 22-26, 1979

Helena, Montana

Saturday, September 22

Site

11:30 am	Staff Advisory Task Force Meeting	Gold Nugget
1:00 - 5:30 pm	Registration for Conference	Lobby
1:30 - 4:30 pm	Work Group Facilitators' Meeting	Capitol Club
3:30 pm	Legislative Service Agency & Research Directors' Meeting	Lobby
4:30 pm	Executive Committee Meeting	Capitol Club
6:00 pm	Early Bird Reception (Greater Helena Parlor-Pickin' Society plays Bluegrass) Host: Montana Trial Lawyers Association, Buttrey Foods, and Montana Host Committee	Lobby

Sunday, September 23

7:30 am	Registration for Conference	Lobby
7:30 - 9:00 am	Breakfast for all Conferees Host: Montana Bankers' Association and 12 Western States Bank Associations	Ballroom
9:00 am	CONCURRENT COMMITTEE MEETINGS: - Agriculture Presiding: Assemblyman Thomas J. Hickey, Nevada - Government Reform and Fiscal Affairs Presiding: Senator Karl N. Snow, Utah - Transportation Presiding: Representative John Sessions, Idaho	Clark Capitol Club Lewis
12:30 pm	LUNCH Greetings: William J. "Pete" Page, Jr., Executive Director, The Council of State Governments Speaker: Dr. Alan Rosenthal, Director Eagleton Institute of Politics, Rutgers University	Ballroom
2:00 pm	CONCURRENT COMMITTEE MEETINGS: - Energy and Natural Resources Presiding: Senator Lawrence Jacobsen, Nevada - Judiciary Presiding: Representative John Scully, Montana - Education and Social Services Presiding: Senator Glen Hackney, Alaska	Capitol Club Clark Lewis
6:00 pm	PITCHFORK BEEF FONDUE (Stamp, whistle, and yahoo with Montana's own famous Mission Mountain Wood Band playing Bluegrass, Country, Folk, Rock. Recently seen on the Cheryl Ladd TV Special)	County Fairgrounds
7:30 pm	SPECTACULAR HORSE EXHIBITION	

Bus Leaves From Colonial At 6:00 pm. Will Stop at ALL Hotels.

1979 Annual Meeting
WesConf of CSG

Monday, September 24

		<u>Site</u>
7:30 am	WOMEN'S CAUCUS Presiding: Representative Gretchen Kafoury, Oregon	Capitol Club
8:30 am	OPENING SESSION Presiding: Senator Robert H. Ziegler, Sr., Alaska Chairman, Western Conference Welcomes: Representative Robert L. "Bob" Marks Chairman, Montana State Host Committee Lieutenant Governor Ted Schwinden, Montana	Ballroom
8:45 am	PLENARY SESSION Presiding: Representative William Grannell, Oregon Chairman-elect and Program Chairman	Ballroom
9:30 am	ENERGY ISSUES IN THE WEST Speaker: Lieutenant Governor Ted Schwinden, Montana ENERGY OPTIONS (Panel) Moderator: Lieutenant Governor Ted Schwinden, Montana Panelists: - Oil Ed Cahill, Economic Consultant, Standard Oil of California - Coal Charles Metzger, Regional Representative of Secretary, U.S. Department of Energy, Region VIII - Synthetic Fuels Dave Freudenthal, Administrative Aide to Governor, Wyoming - Nuclear Dr. Frank Rahn Electric Power Research Institute, California - Solar and Renewables Wilson Clark, Assistant to Governor for Issues and Planning, California	Ballroom
12:30 pm	LUNCH Speaker: Betsy Moler, Staff Counsel, U.S. Senate Committee on Energy and Natural Resources	Ballroom
2:00 pm	CONSERVATION (Panel) Panelists: - Overview: Role of Conservation in Solving Energy Problems Amory Lovins, Friends of the Earth and Author, <u>Soft Energy Paths</u> - Utility Conservation C. P. Davenport, Vice President Pacific Power and Light Company - Transportation Conservation Ed Kearney, Executive Director National Committee on Uniform Traffic Laws	Ballroom

1979 Annual Meeting
WesConf of CSG

3:00 pm	TRANSPORTATION (Panel) Moderator: Representative John Sessions, Idaho Panelists: - Transpo. tation of Coal Lila Cockrell, Mayor of San Antonio - Transportation of Oil James R. Hodge, Northern Tier Pipeline - Transportation of Nuclear Materials Bob Jefferson, Manager, Transportation Technology, Sandia Labs	Ballroom
5:30 - 6:30 pm 6:30 pm	<u>RESOLUTIONS COMMITTEE MEETING</u> <u>COCKTAILS</u> (Water Ballet by Choralettes--synchronized Swim Team ages 9-17 from Butte, Montana under direction of Georgia Byrnes and Sue Darlington) Hosted by Atlantic Richfield Company/Anacorda Company, and Buttrey Food Stores.	Capitol Club Poolside
8:00 pm	MONTANA STATE DJNNER Presiding: Justice John Sheehy, Montana Supreme Court Invocation: Reverend George Harper St. Paul's United Methodist Church Keynote Speaker: Governor Thomas L. Judge, Montana Entertainment: Shearen Elebash (Humor, Song and Story...Bit of Theatre--"Down Home Politician) Selection of wines provided by The Wine Institute	Ballroom

Tuesday, September 25

7:30 am	EXECUTIVE COMMITTEE BREAKFAST Guest: Jackson S. Gouraud, Deputy Undersecretary for Commercialization, Department of Energy	Capitol Club
8:30 am	<u>PLENARY SESSION</u> Speake : Jackson S. Gouraud "The Administration Plan"	Ballroom
9:30 am	Speaker: Guy Martin, Assistant Secretary for Land and Water, Department of Interior	Ballroom
10:00 am	REGULATORY INCENTIVES AND BARRIERS (Panel) Moderator: John Watson, Executive Director Western Interstate Energy Board Panelists: - Utility Regulations Conley Ward, Jr., Commissioner Idaho Public Services Commission - Taxing of Energy Resources Senator Tom Towe, Montana - Interstate Transmission of Power Representing the Western Systems Coordinating Council Russell D. Hulse, Vice President of Resource Planning, Arizona Public Service Company	Ballroom

1979 Annual Meeting
WesConf of CSG

- 10:00 am REGULATORY INCENTIVES AND BARRIERS
Panelists: (cont'd)
- Resource Ownership
Representative Cary Peterson, Utah
- Environmental Regulations
Nicholas Yost, General Counsel
Council on Environmental Quality
- 12:30 pm LUNCH
(Lunch will be served in rooms where meetings of Work Groups are scheduled. Please go to the room where the group you have selected is meeting.)
- 12:30 pm WORK GROUPS
Focus: Regulatory Incentives and Barriers
(The work groups are designed to follow up on the issues addressed in earlier Plenary Sessions. The groups will attempt to detail the role of State Government relative to each issue and to outline strategies for working on these issues in the next year. Work group plans will be presented to the entire conference on Wednesday morning.)
- I. ENERGY OPTIONS
- Oil Executive (A)
- Coal Executive (B)
- Synthetic Fuels Judicial (A)
- Alcohol Fuels Judicial (B)
- Solar and Renewables Legislative (A)
- Nuclear Legislative (B)
- II. CONSERVATION
- Residential and Commercial Lewis
- Industrial Clark
- Transportation Gold Nugget
- III. TRANSPORTATION
- Transportation of Coal Capitol Club (A)
- Transportation of Oil Capitol Club (B)
- Transportation of Nuclear Materials Lobby
- 6:30 - 8:30 pm FRONTIER TOWN--rustic setting at the edge of the Continental Divide.
Bus Leaves From Colonial At 6:00 pm. Will Stop At ALL Hotels.
Host: Air Transport Association.

Wednesday, September 26

- 8:30 am BUSINESS SESSION Ballroom
Presiding: Senator Robert Ziegler, Sr., Alaska
- Reports from Work Groups
- Reports from Study Committees
- Reports from Women's Caucus
- Western Conference Reorganization Plan
- Resolutions
- Election of Officers
- Report on 1980 Annual Meeting
- Invitation to 1981 Annual Meeting
- 12:00 pm ADJOURNMENT

ENERGY ISSUES IN THE WEST

Energy Issues in the West, the topic for the 1979 Western Conference Annual Meeting, provided an opportunity for participants to examine the scope of the energy dilemma and develop recommendations for grappling with some of the issues. The following pages summarize the key points made by the speakers and panelists. To enable the reader to get additional information from any of the speakers on their viewpoint or their specific recommendations, their addresses and phone numbers will be found on pages 53-55.

Due to recording difficulties, the comments of Guy Martin, Assistant Secretary for Land and Water Resources, Department of Interior, and Betsy Moler, Staff Counsel, U.S. Senate Committee on Energy and Natural Resources, were not included.

OPENING PLENARY SESSION
Monday, September 24

LIEUTENANT GOVERNOR TED SCHWINDEN, Montana
Keynote Speaker and Moderator, Energy Options Panel

Topic: Energy Issues in the West

The West has come into focus in the national arena. A recent Newsweek cover story entitled "The Angry West vs. The Rest" is testimony to this. "The energy needs of this country have caused Easterners to cast hungry eyes toward the resources of the West. We are sitting on a wealth of coal, oil, shale, uranium, and other minerals that can provide us with our trump card in trying to gain a louder voice in Washington." The Lieutenant Governor cautioned that the West not be lured by grandiose production schemes without fully examining the trade-offs. Some guarantees must be made that the states will retain the right to control production and development within their own borders. The Energy Mobilization Board, if allowed full power to determine the course of production, could leave the West with "scarred plains and dried up rivers." A Newsweek cover story one hundred years from now might be entitled "The Wasted West...A National Tragedy".

As policy makers it is important to make the distinction between temporary and permanent solutions. As state officials, the question as to the appropriate role of the states in contributing to these temporary and permanent solutions must be addressed. Everyone involved in energy decisions has the responsibility for seeing that the public is not misled into believing that exploiting limited energy resources can be considered a final solution. "As a region, as individual states, and as individuals, we must make a commitment to decrease consumption and increase conservation...But the most effective conservation efforts cannot solve the energy problem without exploring new areas of supply."

"We in the West have our own challenge. By joining together as an informed Western coalition, we have begun to catch the ear of the rest of the nation. If we want to shake the image of the West as the country's kid brother, we are going to have to prove that we can stand on our own two feet--that we can take our future into our own hands and develop ways to serve the country's energy needs while protecting the region's unique personality..."

ENERGY OPTIONS
Monday morning, September 24

ED CAHILL
Economic Consultant, Standard Oil of California

Topic: Oil

In the United States, about 50% of our total energy is dependant on oil. Another 25% on gas. In the first seven months of this year net imports accounted for 42% of our total energy consumption as compared with 51% in Western Europe and 75% in Japan.

Dependence on foreign oil must be diminished. Any one of the OPEC countries can produce an energy crisis in free world energy supply overnight. Moreover, world oil production is rapidly approaching its peak.

The United States is the only country in the free world with ample resources to meet its energy needs. However, all resources must be tapped.

The conservation track record in the U.S. is good. In 1978, the U.S. consumed 8% less energy per unit of GNP than in 1972. Gasoline consumption in July was down 6% from one year ago. We need to continue a strong effort in conservation. In addition we must pursue our coal, oil shale, nuclear, solar, geothermal and biomass resources.

State governments can play a significant role in providing incentives for the development of energy resources. States can assist in removing some regulatory barriers such as price controls, imbalanced environmental regulations and taxes.

DR. FRANK RAHN
Director, Electric Power Research Institute,

Topic: Nuclear

Nuclear power has an important and continuing role in the future production of electrical power. It is important to distinguish between electrical generation and energy sources that will make contributions other than electrical generation, such as solar heating.

While total energy consumption over the last few years has been relatively stagnant, electrical demand has increased. There are currently 52 GW nuclear capacity service in the U.S. These plants produced 12% of the total electrical power produced in the U.S. last year. We have another 139 GW of nuclear capacity on order. This is at least 75 GW of generation capacity less than what we had expected from nuclear power.

The major advantages of nuclear power are cost and reliability.

ENERGY OPTIONS

Nuclear power appears today to be the least expensive electrical option we have. In addition, nuclear power is not subject to sudden fuel disruption. Once a nuclear plant has been built, the plant becomes anti-inflationary because about one-third of the cost of electricity comes from the cost of fuel itself as contrasted with two-thirds for that of fossil fuel. The major cost from Three Mile Island is that related to replacement power from oil and fossil fuel plants. Each nuclear power plant saves enough gasoline to fuel roughly half a million cars.

The disadvantages of nuclear are financial issues, safety, waste disposal and public perception. Nuclear plants have been cancelled or delayed due to the fact that they require 20% more in capital outlay than comparable capacity fossil fuel plants.

While the accident at Three Mile Islands focused on safety issues, there were no workers killed or injured, no evidence of any member of the public injured, and none of the safety related systems failed.

The technology for handling the waste disposal issue is in hand. All of the engineering principles are understood. It is policy and institutional questions which are holding back solutions to the waste problem.

The public has a nebulous misperception as to what the real risks of nuclear power are. Radiation from ordinary nuclear operation is negligible compared to either background radiation or radiation received from medical X rays.

CHARLES METZGER, Regional Representative of the Secretary
U.S. Department of Energy, Region VIII

Topic: Coal

Many factors contribute to increased demand for coal: the pending synthetic fuels program; the Powerplant and Industrial Fuel Use Act, which calls for coal conversion; problems associated with nuclear power, which resulted in a reduction of projected nuclear plants; increased wheeling of electricity to other areas; expanded foreign markets for coal; and population increases in the West.

The limitations to coal development include the cost of materials, siting difficulties, environmental regulating leasing, and transportation.

The national eye is on the West because it is rich with energy resources. The potential is for crash development particularly in light of the Energy Mobilization Board and the proposed synthetic fuels program. However, the concerns of the West should keep development within reasonable limits. The West will not allow the EMB to move too rapidly to deplete our resources.

ENERGY OPTIONS

The concern in the West for the land, as exemplified by the reclamation of coal lands, has contributed significantly to a new attitude particularly on the part of industry.

Western states have increased their ability to deal with energy issues. However, the responsibility placed on the shoulders of elected officials is great. Energy is a tough problem and politicians are faced with hard decisions that will not always come out rosy.

DAVE FREUDENTHAL

Administrative Aide to Governor, Wyoming

Topic: Synthetic Fuels

The synthetic fuels program, as originally outlined by President Carter, was clearly a "crash" program. Its objectives addressed the problem of supply but it failed to account for the physical realities of gearing up for such a program. A modified program is being discussed because it would take a massive capital investment to accomplish the original goal. There is an unwillingness in the nation as a whole to commit that level of investment. The society cannot afford the massive shift of resources. Senator Jackson indicated that the original proposal represented a one trillion dollar shift in capital availability and resources.

Synthetic fuels offer a long term, as opposed to an immediate solution. Even in the long term, its potential should not be over-emphasized. Cost of construction has vastly increased and continue to do so. In addition, much of the ultimate responsibility for the realization of synthetic fuels potential lies in the private sector. Government policy regarding synthetic fuels does not always account for the private sector role.

The development of synthetic fuels poses some fundamental policy problems for the states. The Energy Mobilization Board, the "step child" of synthetic fuels, with its waivers and procedures regarding substantive state law, its designation of priority projects, and so on, will produce more problems than we currently have in contending with layers of "red tape". States may have to reformulate their regulatory structure. State legislatures may have to respond quickly to priority and time line changes imposed at the federal level. It may also mean that states will have to take a different approach to protecting the substantive rights of citizens regarding facility permitting.

Another problem with synthetic fuels is that many states have not developed environmental standards for many of the byproducts created by synthetic fuels. If the EMB passes in any of its forms, it may have the ability to prevent the application of post construction standards to a synthetic fuels plant.

ENERGY OPTIONS

It is inevitable that those states siting synthetic fuels plants are going to need an increase in the funding of regulatory bodies, both for the handling and processing of the permits and for the increase in technical aid. Also, the regulatory bodies are going to have to formulate information immediately so that the sites can be designated with some clarity.

Synthetic fuels development potentially compounds the reserved water rights problem in the West. As federal resources shift toward massive energy development, the pressure on the states to provide funds for social programs will increase.

WILSON CLARK

Assistant to Governor for Issues and Planning, California

Topic: Solar and Renewables

It has been stated that much of the discussion among proponents of solar energy today is just as irresponsible as that of nuclear advocates in the early 1950's. Then nuclear proponents were saying that no other energy form would be needed; nuclear power will be so bountiful it will be too cheap to meter.

Renewable sources of energy are probable sources, not panaceas. We are not going to see a major source of energy supply in the next twenty years from solar energy. But we must make a commitment now if we hope to see anything in twenty years.

California has pursued an aggressive program to explore the extent to which the consumer marketplace can be penetrated by conservation and solar energy. One of the greatest impediments to this process is the limited understanding individuals have regarding appliances, housing design, and solar techniques. The consequences are maintenance of traditional building practices, zoning laws, bank loans and a pervasive attitude, particularly on the part of local government, that housing is housing and energy is energy and the two are different categories.

A study by the Department of Commerce on electrical growth indicated an annual level of 3½% which would result in the need for about 1.1 million megawatts of capacity by the year 2000. With this growth projection we would need the generating capacity of plus or minus 500 1000-megawatt powerplants. In Stobough and Yergin's book* they indicate that the potential for reducing the level of growth through various conservation housekeeping techniques and more aggressive local utility programs, would amount to 150 to 200 power plants. Further, if we improve the efficiency of our industrial electrical use system by techniques such as combined cycle generation in fossil plants and cogeneration, it is possible to produce as much as 100 to 200 equivalent 1000-megawatt power plants. Further, in the solar area, photovoltaic

*"Energy Future", Random House, New York, 1979.

The six year study on energy by the Harvard Business School

ENERGY OPTIONS

power might reasonably provide energy equivalent of five to twenty power plants by the year 2000.

Other power plant equivalents:

Concentrated solar energy by power towers, solar ponds --
10 power plants;

Wind power -- 30-50 power plants;

Hydro power (small scale) -- 30-50 power plants

Biomass -- 40-80 power plants

In this 20 year bridging period, with this conservative estimate, we can get from our alternatives a supply in the range of 365 to 590 power plant equivalents. The Battelle Labs have computed that in the United States over the last generation we have spent somewhere around \$220 billion to subsidize conventional energy facilities ranging from hydro to coal to gas to nuclear. With an equivalent kind of investment, we can build quite a bridge to the future. We cannot have a renewable society in 20 years, but perhaps, in the span of two or three generations, we will have something to debate about other than sharing a progressively smaller pie.

Moderator TED SCHWINDEN

Summary

- 1- The energy crisis ultimately is a political crisis.
- 2- We have already delayed too long in taking the actions that are necessary. That delay, in large part, has occurred because the public does not perceive that there is indeed an energy crisis in this country.
- 3- Regulatory lag is costly, not only in terms of real dollars, but also in terms of failure to move forward in developing acceptable energy options for the future.
- 4- There are no miracles in the energy business. Many of the things we are talking about are transitions. Final solutions are a long way down the road.

CONSERVATION
Monday afternoon, September 24

AMORY LOVINS

Consultant, Friends of the Earth
 Author, "Soft Energy Paths"

Topic: Overview: Role of Conservation in Solving Energy Problems

Mr. Lovins emphasized that conservation could save more than 40% of energy expenditures without entailing major sacrifices in life style. With the minimum attention now being given to energy efficiency, industry has already saved twice as much energy as we are getting from Alaskan oil. Efficiency improvements made in the last five years in all sectors of our economy has achieved twice the energy producing capacity that is claimed can be achieved by synthetic fuels in ten years. An energy conscious materials policy would treble our national energy efficiency.

The basic question in thinking about the energy problem is: What do we use the energy for?

- 58% of our energy goes into heating
- 34% into portable liquid fuels to run vehicles
- 8% for special premium industrial uses that need electricity

Instead of lumping these separate elements together as total energy needs, we should examine how much energy it takes to accomplish separate tasks.

In areas such as home heating, we could have enormous savings by examining end use. Electricity at 3¢ KWH is equivalent to buying oil at \$48/barrel heat equivalent. New electricity by building a new power plant would be about 6¢ KWH or \$100/barrel heat equivalent. That's expensive for heating a home. We use electricity for purposes for which we can never get our money's worth. It's like cutting butter with a chain saw or using a forest fire to fry an egg. 92% of our energy supply problem is heat and portable liquid fuels, but supplying more electricity is too slow and too expensive. Asking what kind of new power station to build is the wrong question. They're all uneconomic. We can heat homes much more economically by using weather-stripping, insulation, greenhouses, biomass alcohols, etc. Expensive large power stations are unnecessary overkill.

Traditionally we define the energy problem by demand predictions which lump all needs together. Instead, we should start with the tasks we're trying to accomplish with the energy. How can each of them be done with the least amount of energy? This approach has significant implications for policy.

Efforts to increase oil supply by the heat equivalent of one barrel of oil/day increases capitol investment tenfold. Moving to power stations and grids, capitol intensity increases another tenfold. It becomes so capitol intensive that every thousand

CONSERVATION

megawatt power plant directly and indirectly loses approximately 10,000 net jobs just by starving other parts of the economy for needed capital.

Soft technologies are always cheaper than present oil and gas; they are consistently cheaper than what we would have to do to replace oil and gas (e.g., synthetic fuels). A "shell game" is played with energy costs. Department of Energy compares costs of the hard technologies with each other; then they compare costs of conservation and solar with historically cheap and heavily subsidized oil and gas rather than against current replacement costs.

Mr. Lovins called for building on the existing consensus for using conservation and renewables, pointing out that moving quickly on these areas of agreement might lessen the need for the hard technologies on which there is great disagreement.

C. P. DAVENPORT
Vice President, Pacific Power and Light

Topic: Utility Conservation

Mr. Davenport's company stopped the "hard sell" of electric energy in 1970. In 1973, Pacific Power and Light began to promote and subsidize actively conservation among electric consumers. In 1976, the company began home energy audits and encouraged customers to retrofit their homes for greater energy efficiency. In 1977, the Oregon legislature passed a bill which defined the plan currently being used by Pacific Power and Light.

The plan consists of the following elements: If you are customer of Pacific Power and Light with an electrically heated house, the company will give your house an energy audit free of charge. Once sources of energy waste are located, the company will find an independent contractor to make energy saving improvements and finance the improvements up to \$1,500 at a 10-year 6½% loan (\$2,000 if storm windows are included).

This plan was a basic shift in policy for the company. It used funds for home energy improvement loans instead of for the construction of a new power plant. The company's decision to invest in conservation was based on economic necessity. Conservation is cheaper than building a new plant and it uses less energy.

Mr. Davenport finished his talk with a quote from Daniel Yergin, editor of Energy Future:

Conservation of energy produces no radioactive waste, costs nothing in the way of petrodollars. Moreover, it can provide the energy that conventional sources may not be able to furnish. Unhappily, it does not receive the emphasis and

CONSERVATION

attention it deserves. The barriers to potential savings through conservation are very great but they are rarely technological. Although some of the barriers are economic, they are in most cases institutional, political, and social. Overcoming them requires policies that champion conservation, that will give it a chance equal in the market place with that enjoyed by the conventional sources of energy.

ED KEARNEY, Executive Director
National Committee on Uniform Traffic Laws

Topic: Transportation Conservation

In the U.S., according to the U.S. Bureau of the Census, 80 million people drive to work. Of those, 52 million are alone in their cars. If a substantial number of those 52 million single car commuters would share rides to work, it would save the country 10 million gallons of gas per day!

Mr. Kearney represents a national project funded by the federal government to look into the laws, both state and federal, which are impediments to ride-sharing arrangements. Some of the impediments to ride-sharing and to van-pooling (the most organized and institutionally supported program of ride sharing) are:

1. Workman's compensation requirements make employers fearful that, by encouraging ride-sharing, they will increase their liability for injury-compensation payments.
2. Income taxes. Record keeping is required if you collect money from riders.
3. If the riders cross taxing jurisdictions, a common occurrence, it brings the regulation of the arrangement under reciprocal jurisdictional arrangements and special gasoline tax provisions.
4. Some states have laws prohibiting the use of public vehicles for private purposes.

A partial solution to some of the problems is contained in the model legislation for van-pooling and ride-sharing which was developed under Mr. Kearney's project. State legislators were encouraged to study all of their state's laws which may inhibit ride-sharing and to pass legislative packages with ride-sharing, and consequent energy savings it offers, in mind.

(Following this page: Model State Law to Remove Legal
 Impediments to Ridesharing Arrangements)

INTRODUCTION

Eighty percent of travel to work is by motor vehicle and most drivers commute by themselves. If drivers participated in ridesharing arrangements, it has been estimated that over 10 million gallons of gas would be saved each day and that rush hour traffic could be reduced by 30%. For these and other reasons, people should be encouraged to share rides to work and any law that unnecessarily impedes or discourages such sharing should be changed.

The National Committee on Uniform Traffic Laws and Ordinances is an independent, non-profit, voluntary association, which exists to maintain the Uniform Vehicle Code and Model Traffic Ordinance. The Uniform Vehicle Code is a specimen set of motor vehicle and traffic laws used as a guide by state legislatures, and the Model Traffic Ordinance is a companion document used by local legislative bodies. The National Committee is a carefully selected group of over 140 individuals representing federal, state and local government, private industry, and other groups interested in achieving sound, uniform motor vehicle and traffic laws. Since 1972, the National Committee has drafted texts of model laws in areas of emerging interest that are not covered by the Uniform Vehicle Code. The purpose of this activity is to have the best possible laws to test new ideas or to conduct programs necessary to solve new problems.

Under the title "Model Ridesharing Law" (dated March 26, 1979), the first draft of this document was distributed to more than 1,000 agencies and organizations for their review. Over 65 letters commenting on the first draft were received. These comments were summarized and a second draft dated June 15, 1979 was prepared and distributed to all persons who had commented on the first draft. The second draft, and letters commenting on it, were submitted to a Special Panel, which at a meeting on August 20-21, 1979, decided the contents of this document. The members of the Special Panel were: Senator Nat Washington (Chairman), Jack Derby (California Office of Ridesharing), Ken Dirkwager (Minnesota Division of Driver and Vehicle Services), Bill Fortune (National Association of Vanpool Operators), Charles Gray (National Association of Regulatory Utility Commissioners), Tim Letzkus (Highway Users Federation for Safety and Mobility), Herb Scheuer (American Public Transit Association), and Mavis Walters (Insurance Services Office).

The preparation of this document was preceded by a review by the NCUTLO Staff of state laws which could impede forming carpools and vanpools. This review will be published under the title "Legal Impediments to Forming Carpools, Vanpools and Other Types of Ridesharing Arrangements." Using that review will enable each state to determine which of sections of this Model Law should be considered for enactment and will facilitate determining how the sections of this Model Law compare with laws in all jurisdictions.

§ 1. DEFINITION OF RIDESHARING

1. Section 1. Ridesharing arrangement defined.
2. Ridesharing arrangement means the transportation
3. of persons in a motor vehicle where such transporta-
4. tion is incidental to another purpose of the driver.
5. The term shall include ridesharing arrangements known
6. as carpools, vanpools and buspools.

§ 2. MOTOR CARRIER LAWS

7. Section 2. Motor carrier laws do not apply to
8. ridesharing.
9. The following laws and regulations of this state
10. shall not apply to any ridesharing arrangement using
11. a motor vehicle with a seating capacity for not more
12. than 15 persons, including the driver:
13. (a) Chapter pertaining to the regulation
14. of motor carriers of any kind or description by the
15. (Public Utilities Commission).
16. (b) Laws and regulations containing insurance
17. requirements that are specifically applicable to
18. motor carriers or commercial vehicles.
19. (c) Laws imposing a greater standard of care
20. on motor carriers or commercial vehicles than that
21. imposed on other drivers or owners of motor vehicles.
22. (d) Laws and regulations with equipment require-
23. ments and special accident reporting requirements
24. that are specifically applicable to motor carriers
25. or commercial vehicles.
26. (e) Laws imposing a tax on fuel purchased in
27. another state by a motor carrier or road user taxes
28. on commercial buses.

§ 3. WORKMEN'S COMPENSATION LAWS

29. Section 3. Workmen's compensation law does not
 30. apply to ridesharing.
 31. Chapter providing compensation for
 32. workers injured during the course of their employ-
 33. ment shall not apply to a person injured while
 34. participating in a ridesharing arrangement between
 35. his or her place of residence and place of employ-
 36. ment or termini near such places, provided that if
 37. the employer owns, leases or contracts for the motor
 38. vehicle used in such arrangement, Chapter
 39. shall apply.

§ 4. LIABILITY OF EMPLOYER

40. Section 4. Liability of employer.
 41. (a) An employer shall not be liable for inju-
 42. ries to passengers and other persons resulting from
 43. the operation or use of a motor vehicle, not owned,
 44. leased or contracted for by the employer, in a ride-
 45. sharing arrangement.
 46. (b) An employer shall not be liable for inju-
 47. ries to passengers and other persons because he
 48. provides information, incentives or otherwise en-
 49. courages his employees to participate in ridesharing
 50. arrangements.

§ 5. INCOME TAXES

51. Section 5. Ridesharing payments are not income.
 52. Money and other benefits, other than salary,
 53. received by a driver in a ridesharing arrangement
 54. using a motor vehicle with a seating capacity for
 55. not more than 15 persons, including the driver,
 56. shall not constitute income for the purpose of
 57. Chapter imposing taxes on income.

Comment: Excepting income received by a driver in smaller ridesharing arrangements from taxes will avoid keeping records. Such a record-keeping requirement is perceived as an impediment to forming carpools and vanpools.

§ 6. MUNICIPAL LICENSES AND TAXES

58. Section 6. Municipal licenses and taxes.

59. No county, city, town or other municipal cor-
60. poration may impose a tax on, or require a license
61. for, a ridesharing arrangement using a motor vehicle
62. with a seating capacity for not more than 15 persons,
63. including the driver.

§ 7. OVERTIME AND MINIMUM WAGE LAWS

64. Section 7. Overtime compensation and minimum wage
65. laws.

66. The mere fact that an employee participates in
67. any kind of ridesharing arrangement shall not result
68. in the application of Chapter (laws requiring
69. payment of a minimum wage, overtime pay or otherwise
70. regulating the hours a person may work).

§ 8. BUSES AND STATE VEHICLE CODES

71. Section 8. Certain ridesharing vehicles are not
72. commercial vehicles or buses.

73. (a) A motor vehicle used in a ridesharing
74. arrangement that has a seating capacity for not
75. more than 15 persons, including the driver, shall
76. not be a "bus" or "commercial vehicle" under the
77. portion of Chapter (state vehicle code) re-
78. lating to equipment requirements or rules of the
79. road.

80. (b) A motor vehicle used in a ridesharing
81. arrangement that has a seating capacity for not
82. more than 15 persons, including the driver, shall
83. not be a "bus" or "commercial vehicle" under the
84. portions of Chapter (state vehicle code)
85. relating to registration.

86. (c) The driver of a passenger car (motor
87. vehicle that has a seating capacity for not more
88. than 10 persons, including the driver) used in a
89. ridesharing arrangement is not a "chauffeur" nor
90. is he transporting persons for compensation under
91. the driver licensing portions of Chapter
92. (state vehicle code).

Comment: As to "passenger car" in subsection (c), Uniform Vehicle Code § 1-142 defines this term as a motor vehicle designed to carry 10 passengers or less that is used to transport persons.

§ 9. USE OF PUBLIC VEHICLES

93. Section 9. Use of public motor vehicles for
 94. ridesharing.
 95. Motor vehicles owned or operated by any state
 96. or local agency may be used in ridesharing arrange-
 97. ments (for public employees). Participants in any
 98. such ridesharing arrangement shall pay the actual
 99. total costs of using the vehicle in that arrangement.

Comment: States should enact the phrase in parentheses if they decide to allow only public employees to ride to work in vehicles owned or leased by government agencies.

MISCELLANEOUS TOPICS

Incentives

Several people commenting on the "Model Ridesharing Law" recommended the enactment of incentives that would increase sharing rides. While this subject is definitely worthy of consideration, it was deemed beyond the scope of this document.

Cost and availability of insurance

A problem for forming ridesharing arrangements in the past has been the cost and availability of insurance, particularly for van-pools.

Mandating coverage. The Special Panel considered a section which would have prohibited insurers from increasing premiums, cancelling any policy or denying coverage because a motor vehicle is used in a ridesharing arrangement. Members of the Panel unani- mously agreed that this approach could be counter-productive and could even result in higher premiums for vehicles used in pooling arrangements. The Panel also thought that enactment of the sections in this document coupled with recent developments in the insurance industry should solve this problem.

No fault benefits. In states where economic losses caused by injuries in crashes are compensated on a no-fault basis, considera- tion of the source of such compensation in accidents involving ridesharing vehicles should be considered. There may be some re- duction in insurance premiums for ridesharing vehicles if the occupants are compensated by their own insurers rather than the insurer of the owner of the vehicle.

Deduction of expenses by employer

The Special Panel considered a section which would allow employers to deduct the costs of "promoting, organizing, administering and operating" ridesharing programs as ordinary business expenses. The Panel's view was that providing for such deductions in state income tax laws was unnecessary because employers already could deduct such costs as ordinary business expenses. And inclusion of the cost of operating vanpools might allow employers to write off the cost of acquiring vans on an accelerated basis.

Parking facilities

Several people commenting on the first draft recommended that this Model Law contain sections that would facilitate establishing lots where people could park their cars and continue their journey to work or sporting events in ridesharing arrangements or by using public transit. The Panel did not regard problems in this area to be impediments to most ridesharing arrangements but it did agree that it would be helpful to alert states to possible existence of problems in establishing such lots.

Use of public funds for parking lots located on private property. If the owners of a parking lot in a shopping center agree to allow commuters to park cars in their lot, there probably should be authority to expend public funds to indicate the existence of the facility and to pay the cost of any extra maintenance that may be necessary.

Liability issue. Owners of private property who allow commuters to park probably should be liable for injury or damages to such users only when the owners are grossly negligent. Another approach would be to authorize purchasing insurance to cover any such liability.

Tax-exempt status. If a church allows commuters to park in its lot, it may be necessary to provide that such use of its property does not affect its tax-exempt status.

TRANSPORTATION
Monday afternoon, September 24

Moderator: Representative John Sessions, Idaho

HONORABLE LILA COCKRELL
Mayor of San Antonio, Texas

Topic: Transportation of Coal

The major problem in San Antonio re coal transportation is the exorbitant rates set by Burlington-Northern Railroad and approved by ICC for transportation of coal from Wyoming to Texas.

The history of the situation is that in the early 1970s, San Antonio decided to convert most of its power generation from natural gas to coal. The quoted price of coal was \$7.50 per ton from Wyoming mines; the railroad's charge for transporting was \$7.90 per ton. At these costs, San Antonio decided to convert and to construct coal-fired plants although the costs of construction of a coal plant were about two and one-half times that of a gas plant.

The 1979 price of transportation by Burlington-Northern is \$19.05 per ton -- an increase of \$11 per ton in less than eight years. You could add \$2.00 more if San Antonio had not decided to purchase its own freight cars and provide its own maintenance.

The major Texas utilities now won't use Wyoming coal. They are exploring Australian, South African coal. Absurdly, it is actually cheaper to ship coal across the wide ocean than it is to transport it across a couple of states. San Antonio would not have considered coal conversion in 1972 had it anticipated the increases in cost.

Mayor Cockrell believes that deregulation of the railroads might cause even higher rates and less service.

WILLIAM SAGE
Vice-President, Public Affairs, Northern Tier Pipeline Company

Topic: Transportation of Oil

Here is the history of two proposals to carry crude product from the west coast to middle America. Both have been dropped. (1) The Kitimat Pipeline was rejected by Canadian officials because of possible oil spills; (2) the SOHIO project (Long Beach to Texas) was dropped by SOHIO due to the difficulty of obtaining necessary state and local permits. There has been no oil refinery construction in the past ten years and none is likely in the near future.

Supply and demand play an important part in decisions re oil

TRANSPORTATION

transportation. Alaska Pipeline pumps 1.2 million barrels of heavy sulfur crude into Valdez where it goes by tanker down the West Coast of the United States. Due to the lack of desulfurization equipment, only 400-500,000 barrels are utilized on the west coast. The remaining oil goes to the Panama Canal to be loaded in large stationary tanks. Smaller tankers then take it through the Canal to the Gulf of Mexico. Once oil gets to the Gulf of Mexico, it still has to be transported to where it is needed. It is estimated that this process costs \$2 more per barrel than would any other proposed pipeline system.

The review process Northern Tier is undergoing for its pipeline in Washington State is a one-stop permitting process. Northern Tier applied formally through use of an Environmental Impact Statement and paid for an independent consultant hired by the State. The consultant evaluates Northern Tier's EIS and prepares a State EIS. The Washington Energy Facilities Siting Council reviews both documents, makes recommendation to the Governor who must make a decision within sixty days. One legal issue still has to be decided: Can state government pre-empt county and local zoning ordinances?

A federal permit for pipelines is issued under the Federal Energy Act of 1978 and it provides for the BLM to do an EIS with input from all affected federal agencies. BLM makes its recommendation to the President by October 15 (for this particular pipeline) and the President must decide by December 6. The Department of Energy supports Northern Tier strongly.

Northern Tier has already committed \$55 million to future construction costs as a direct result of the permit process and public concern about environment. It has a Public Information Office in Port Angeles (pipeline site) and has held a dozen public meetings to work with local communities in addressing environmental concerns.

How do you go about constructing a 1550 mile pipeline? You have to be very aggressive to get one built with the morass of regulations and the environmental groups seeking to delay the project.

ROBERT M. JEFFERSON

Manager, Nuclear Materials Transportation Technology Department
Transportation Technology Center, Sandia Laboratories

Topic: Transportation of Nuclear Materials

There is a basic problem we face -- the disparity between the public perception of the problems attending nuclear waste and the real facts.

- ... Public Perception: All radioactive wastes need the same degree of care during transport.

Fact: The basic rule, in effect since the 1940s, is that regulation should be proportional to the risks involved in transporting waste. For example, nuclear spent fuels are much more dangerous than radioactive pharmaceuticals; therefore, they are regulated and protected differently.

There are four categories of waste:

- 1) Exempt Smoke detector
- 2) Type A Radioactive pharmaceuticals
- 3) Type B Radioactive gauges; radioactive therapy sources
- 4) Spent nuclear fuels

- ... Public Perception: Protection must be provided by the packaging itself; there should be no reliance on how the package is moved or handled.

Fact: The first two categories must survive normal handling experience. Certain tests are designed to test packaging.

For Type B, the packaging must be able to survive extra severe accidents. Radioactive materials are the only hazardous materials that must be packaged to survive accidents. World-wide engineering test standards are used. Packages must survive four tests, including dropping from a height, fire, and immersion in water. The public misunderstands the efficiency of this testing process, which is more than adequate to protect against accidents.

The amount of nuclear material moved in this country is infinitesimal compared to other hazardous material. Looking back to 1957, there is only one truck accident per 400,000 miles, occurring at a velocity under 80 mph in 99% of the cases. Trains have also had few accidents, most not severe. This proves the number of truck and train accidents that could damage the packaging are very few.

- ... Public Perception: Nuclear wastes are vulnerable to the possibility of sabotage.

Fact: A world-wide study of sabotage found only a minor case of attack on a nuclear shipment.

Sandia Labs tries to make the risk as low as possible and still be cost-effective. Mr. Jefferson contends that stringent procedures and regulations surrounding nuclear wastes render its transportation less hazardous than that of other dangerous materials.

Plenary Speaker
 Tuesday morning, September 25

Jackson Gouraud
 Deputy Undersecretary
 U.S. Department of Energy

The National Effort To Solve The Energy Crisis

The energy problem is real, and we're in for a very rough 20-25 years, beginning right now. Worldwide oil demand exceeds worldwide oil supply. We are living on the edge of crisis.

Whatever we do in the long-term, in the short-term we are dependent on imported oil. What are the near-term alternatives? The only significant alternatives to oil are natural gas, coal, and nuclear. Under the Natural Gas Pricing Act, a trillion cubic feet of gas from intrastate production has been released to interstate sale, and this extra gas is easing demand on oil. As far as nuclear is concerned, public perception of its risks and the financial risks envisioned by potential lenders has made it unlikely that we will have the 150-200 nuclear plants anticipated by 2000. Some say we'll be lucky to keep on line the 70-odd plants now in existence, and perhaps finish 90 others under construction. Coal also has problems. It is dangerous and difficult to mine, to transport, and to burn without polluting.

So, if the supply side of the energy picture is gloomy in the near-term, what else is there? There is the demand side; we have to reduce our energy demands; we have to conserve.

Conservation should mean "the wise use of resources", "the elimination of waste", and "doing more with less". The cheapest added barrel of oil you can buy anywhere is the barrel you save by not letting it go wastefully up your chimney or out your exhaust pipe.

What you can do about the energy crisis:

1. Industrialize to put in place a 55% solar state tax credit.
2. Deregulation of van-pools. Van-pools have been exempted from ICC regulation. Sixteen states have already deregulated van-pooling. The remaining states need to do so. Our goal: a saving of 400,000 barrels of oil per day through car-pooling, van-pooling, and commuter buses and trains.
3. Small-scale Hydroelectric Development
 Federal goal: 100 small-scale hydroelectric plants by the end of 1981 to be constructed with over \$300 million in funds reprogrammed from a myriad of federal agencies. States need to remove unreasonable/outdated licensing and permitting requirements. Massachusetts and New Hampshire are examples of states who have simplified permitting and review requirements and passed legislation to encourage development of hydroelectric potential.
4. Low-Income Weatherization Assistance
 The flow of money for weatherization assistance to low-income people has been slowed by federal administration problems. We're making a major effort to solve them. We need state cooperation. Make sure your state is not sitting on weatherization funds.
5. Utility Home Audits
 DOE's Residential Energy Conservation Service will soon be issuing regulations prescribing standards for mandatory utility audits of homes. States will be

Jackson Gouraud

required to work with utilities to design a plan for carrying out these audits. State legislatures could help by watching utility rate-making so that those who weatherize their homes are not penalized with higher rates as consumption drops. Property tax assessments should also be watched so that people can retrofit their homes without threat of higher assessments. Legislatures can help market the federal tax credit for weatherization and solar retrofits. They can help us meet the President's goal to retrofit 90% of existing homes by 1985. Look at time-of-sale retrofit requirements. There is much states can do here.

There are things we're doing in Washington to cope with the energy crisis. The supply-demand crunch is real and will be while we make the transition to other energy resources. But this country has all the energy resources it needs to meet its demands for centuries once they're developed. And much is being done to develop them by Washington.

In April 1978, a DOE commercialization Committee was formed. I was Chairman, and it included the Assistant Secretaries and the Director of Energy Research. We listed all the technologies with commercial potential and organized Task Forces to assess each technology for its technical readiness, economic potential, and its institutional, environmental, and market acceptability. We identified 19 technologies in four categories.

LIQUID FUELS: We identified Enhanced Oil Recovery, Coal Liquifaction, and Oil Shale. Conventional methods leave almost 2/3 of the oil in the ground. Enhanced Oil Recovery means getting more out of the fields by various methods. The processes are expensive and take time, but we could double or more than double our proved reserves of 30 billion barrels. Oil produced by these techniques will be allowed world price. Beginning in January 1980, producers can get upper tier prices for their lower tier oil to finance 75% of certain Enhanced Oil production, up to \$20 million a project.

Coal Liquifaction Processes: The closest to commercialization is Solvent Refined Coal (SRC), which can be produced by two different technologies. Two SRC demonstration plants, each illustrating a different process, will be built.

Oil Shale: We plan a limited-duration financial incentive, a \$3 per barrel tax credit, to speed industry development of Oil Shale. Production could reach 300,000 barrels a day by the 1990's.

Gaseous Fuels: includes several processes. We are trying to modify pricing regulations for methane from tight sand formation. DOE has awarded a \$3.8 million grant to test the commercial possibilities of using natural gas from coal seams and Devonian shale. We are trying to get a subsidy for a consortium willing to put the first High-BTU Gasification facility together.

ELECTRIC MARKETS TECHNOLOGIES: Some are still in the R&D stage: Utility Atmospheric Fluidized Bed Combustion, Combined-Cycle Integrated Gasifier, and Fuel Cell Power Plants. Considered ready now are: Geothermal, Low-Head or Small Hydroelectric, and Small Wind. Pacific Gas & Electric has increased its Geothermal Energy production from The Geysers, near San Francisco, from 500 to 600 megawatts. By 1985, production will be over 2,000 megawatts. Geothermal reservoirs around the country, heating in the 300-400°F range, can be used in many industries and are being explored. Cheap oil forced many small or Low-Head hydroelectric dams into disuse. We're now helping municipalities, industries, and public utilities by

Jackson Gouraud

providing \$300 million to renovate 100 small hydroelectric projects by 1981.

DIRECT END USE: includes Urban Waste, Cogeneration, Industrial Atmospheric Fluidized Bed Combustion, Solar Hot Water, Passive Solar, and several conservation projects.

Urban Waste: Is a widely-known energy source in Europe; we're close to mastering the economics that would encourage broad use here.

Cogeneration: Fifteen people in DOE regional offices have been appointed to get cogeneration going. The technology is well developed, and many industries are expected to move into it soon.

Atmospheric Fluidized Bed Combustion: We are co-sponsoring four 10-30 megawatt plants in several industries to prove its value. We're confident that when these projects prove successful, other industries will adopt their process.

Solar Hot Water and Passive Solar: Principal barrier holding back their development is high first cost. To supplement the NEA tax credits, we plan these steps:

1. To work for a fair share of passive and active solar in new housing.
2. To encourage lenders and appraisers to consider solar and conservation potential on appraisal and lending forms.
3. To help rationalize solar component certification and to eliminate duplicate tests in different states.
4. To help establish 500 to 1,000 small firms, many of them divisions of existing HVAC and plumbing contractors, to solicit business and install collectors.
5. To mount a major public information program to make sure people understand what they can do about solar and conservation.

Finally, there are existing products that can save energy, but people aren't aware of them and industry is slow in switching from first-cost to life-cycle costing. Noteworthy are: Oil-Field Heating Equipment, High Efficiency Motors, Air/Fuel Ratio Combustion Controls, and Ignition Devices to eliminate pilot lights.

These are some of the things being done in Washington and elsewhere to solve our energy problems. The actions I've described will help reduce oil imports; conservation by the public, business, and industry will do even more.

REGULATORY INCENTIVES AND BARRIERS
Tuesday morning, September 25

Moderator: John Watson, Executive Director
 Western Interstate Energy Board

CONLEY WARD, JR.
Commissioner, Idaho Public Service Commission

Topic: Utility Regulations

Mr. Ward spoke on the importance of state utility commissions with the West's emerging role as the nation's energy supplier. Much of the regulation of energy should be done at the state level in preference to federal strategies such as the creation of an Energy Mobilization Board, an attempt to create another level of bureaucracy.

The states should change their public utilities commissions from "bulwarks of the status quo" to institutions encouraging every effort, both public and private, toward innovation and efficiency. Coal-fired electric plants require three BTUs of coal for every BTU of electricity produced. It would be better to use coal directly in industrial processes. Mr. Ward criticized the monopolization of electricity production within the states by electric utilities. It is arguable that this protective system has outgrown its usefulness as it inhibits energy efficient schemes, such as cogeneration.

The next fifty years will require great changes in our entire outlook toward energy, and state governments should develop regulatory and tax structures that will encourage innovation in dealing with energy problems.

REPRESENTATIVE CARY PETERSON, Utah

Topic: Resource Ownership

State efforts to wrest control of its own resources from the federal government is becoming, in the words of Senator Norman Glaser of Nevada, a "Sagebrush Rebellion."

Some of the major activities by state governments in this regard:

- Nevada Assembly Bill 314 calls for state control of BLM lands.
- California recently passed AM 1407 which ordered feasibility study of state control of BLM lands.
- Utah and several other Western states are preparing similar bills for introduction in the next legislative session.
- U.S. Senator Orrin Hatch, Utah, introduced a bill in the Congress that would return all BLM lands to state and private control as is constitutionally provided.

The Western Conference has formed a coalition of state and local governments to study and lobby for redress of the problem of excessive federal ownership of Western state lands. Members of

REGULATORY INCENTIVES AND BARRIERS

the Conference were urged to become active in their support of this emerging movement.

SENATOR TOM TOWE, Montana

(Senator Towe was one of the chief sponsors of the coal tax in Montana)

Topic: Taxing of Energy Resources

The Montana coal tax is neither an incentive nor a barrier to energy development. The state of Montana passed the coal tax because coal is non-renewable resource. The philosophy behind the tax is: the state must require that people taking things out of the ground give something back to the people of the state.

The Montana coal tax is 30%, collected as a severance tax by the state. An additional amount, 45% of the sales price of the coal, is placed into the taxable valuation of the counties. This amounts to about 3%. The coal tax, then, is 33% of the coal price once it is ready for market.

Revenues from the tax go to three general areas: one-third for impact (rapid growth phenomenon was one of the chief reasons for supporting the tax); one-third for future generations (e.g. education and alternative energy development); one-third for the state's general fund.

The coal tax has given the state control over the impact of coal development.

RUSSELL HULSE

Vice President for Resources and Planning, Arizona Public Service Company

Topic: Interstate Transmission of Power

Growth is the single word that best characterizes the West today. Arizona, for example, has a growth pattern similar to many other Western states. In the last eight years Arizona's population has grown 32%; in the next ten it will grow 26%.

The continued growth of the Western states will require much more energy. At present rates of consumption, by the year 2000, the population in the West will require three times as much coal, twice as much natural gas, and three times as much oil. Because oil and natural gas are becoming less available, the West will have to rely on the development of coal and nuclear power.

Mr. Hulse's solution to future energy problems in the West is for the states to pool their energy resources. He urged a loosening of state and federal regulations regarding the interstate transmission of power. Two other key factors to implementing an effective method of regional power transmission are technological improvements and education of localities on the economies of large power plants supplying power on a regional basis.

NICHOLAS YOST

General Counsel, Council on Environmental Quality

Topic: Environmental Regulations

1) What are the environmental problems? 2) What are the laws and regulations we have adopted to deal with them? 3) What has our experience been under those laws and regulations? 4) What are we doing to improve the situation?

There is probably not a person who does not want to free the U.S. from dependence on OPEC oil. There is probably not a person--particularly in the West--who doesn't care about clean air and clean water.

The intent of federal regulations is to protect the public. Sometimes regulation writers miss the mark or go overboard, but in all cases regulations attempt to address real problems.

Nine classes of regulations impinge on energy development. This list includes the Clean Air Act, the Clean Water Act, and the Surface Mining Act. The National Environmental Policy Act implements environmental impact statements through the Council on Environmental Quality.

One myth: The use of Environmental Impact Statements retards energy growth. Since 1977, there have been 76 applications for coal-fired plants. Of those, 74 have been approved. In the period of 1975-78, there have been 49 applications for refineries; only two of those have been turned down. Moreover, during the last six years, U.S. refinery capacity has increased 27%.

Another myth: Environmental Impact Statements lead to excessive litigation. Taking the years since NEPA's effectiveness (1970) there were 1,052 NEPA lawsuits--roughly 100 per year. Of these, 103 involved energy development; 17 of those involved injunctions. That is only two per year.

President Carter ordered the Council on Environmental Quality to reorganize the entire NEPA process, adopting regulations to force federal agencies to accomplish three things:

1. Reduce delay
2. Reduce paperwork
3. Try to insure that the system concentrated on arriving at environmentally sensitive decisions rather than paperwork.

Public interest, business, and environmental groups all took part in the process. At the end of it, they agreed that the new regulations regarding environmental impact statements were an improvement over the old system. Some of the accomplishments cited include:

1. Mandatory time limits.
2. The so-called scoping process: getting everyone with an interest in the controversy involved from the outset.
3. An effort to make the permits work concurrently rather

REGULATORY INCENTIVES AND BARRIERS

than consecutively.

4. Reduction of paperwork: Shortening the length of the Environmental Impact Statements.

Mr. Yost concluded by supporting President Carter's plan to create an Energy Mobilization Board.

WORK GROUP RECOMMENDATIONS
(Summary)

1979 Western Conference Annual Meeting

Process

The work group topics were closely related to those discussed in the plenary sessions. They were intended to focus on the specifics of problems/needs in the various subject areas and propose appropriate actions for the coming year to the Executive Committee of the Western Conference who will decide on priorities and assignment to committees.

Each work group was facilitated by one or two legislators who helped keep the group on target. The group was asked to look at possibilities for future action with the following criteria in mind:

- 1) Does this program element have specific Western significance?
- 2) What is now being done?
- 3) What needs to be done?
- 4) What is the best mechanism for accomplishing this?
- 5) Who are the key players?
- 6) How much time should be devoted to the effort?
- 7) What resources are available to lend assistance?
- 8) How will we evaluate the product?

In the course of a single afternoon, twelve small groups met, argued, shared ideas. Limited space makes it impossible to include all phases of the discussion, but listed below are the recommendations which will be seriously considered for the Western Conference Work Plan for 1980.

Summary of Recommendations from the Work Groups

ENERGY OPTIONS

OIL

Establish central information clearinghouse on land and resource development questions.

COAL

1. Continue OSM funded surface mining project
2. Advocate passage of S 1403, the "Surface Mining Control and Reclamation Act Amendments of 1979", in the House of Representatives.
3. Assess state laws and programs related to mine and plant siting, protection of clean air and water, and mitigation of social impacts from increased coal mining and usage.
4. State by state assessment and comparison of coal taxes to include impacts on production, revenues, and mitigation of negative social impacts.
5. Examination of the viability of establishing a uniform data base on coal in the Western states to be used as a resource for elected officials.

Work Group Recommendations

ENERGY OPTIONS (Continued)SYNTHETIC FUELS

1. Analysis of state water laws and interstate compacts with a focus on the effects of synthetic fuels development on Western water rights.
2. Expedite and induce development of synfuels through:
 - * tax incentives and subsidies for research and development (state level)
 - * impact aid to affected communities
 - * revision of federal tax structure to induce private industry efforts at research and development and aid to affected communities
 - * excess profits tax should be channeled into private industry R&D and impact aid
 - * adoption of an Energy Mobilization Board with limited powers regarding substantive state law

ALCOHOL FUELS

Formation of an alcohol fuels committee of the Western Conference to examine the potential for alcohol fuels to replace other compounds, emissions control problems related to alcohol fuels, the BTU balance, and the efficient use of byproducts of alcohol fuels.

SOLAR AND RENEWABLES

Information clearinghouse on solar energy to include:

- * compilation of proven cost effective programs
- * compilation of current research projects
- * compilation of state legislation

NUCLEAR

1. Develop a model site banking/prepermitting program for power plants.
2. Develop regional criteria for determining what materials should be disposed in disposal sites and what levels of radiation should be allowed.

CONSERVATIONRESIDENTIAL CONSERVATION

1. CSG Actions

- a. Compile, analyze and evaluate existing financial incentive programs and disseminate to legislatures (what is working; what isn't)
- b. CSG, NCSL lobby conservation in Congress
 - 1) Education (include lawmakers)
 - 2) Testing and demonstration funds for both individual states and CSG
 - 3) Push DOE or other appropriate organizations to publish consumer guides
- c. CSG compile, analyze and evaluate information delivery systems
 - 1) Energy extension service
 - 2) May need to disseminate DOE generated info
- d. CSG evaluate laws, regulations including mobile/modular housing

2. State Actions

- a. Provide low interest loan programs to provide front end money
- b. Each state develop energy oriented curriculum
 - 1) K-12
 - 2) Community colleges (installers)
- c. Set example for energy efficiency
 - 1) Life cycle costing
 - 2) Retrofit weatherization into building
 - 3) Pilot programs/demonstrations
- d. Make utilities analyze end use and provide the most efficient life cycle costed power--be it thermal, renewable, or conservation
- e. Examine building practices and building codes for obsolete practices and problems for improved efficiency (include retrofit as well as new; recognize regional differences)
- f. Rate structure changes, e.g. Baseline/Marginal cost
- g. Education
 - 1) Publicity campaign to inform public about benefits
 - 2) Elected officials take lead role
 - 3) Educate professional community
 - 4) Educate public servants
 - 5) Make consumers guides available.
- h. Mandate energy audits for all homes
- i. Require energy efficiency "full disclosure" act for homes (include selling or renting)
- j. Require retrofit at time of sale
- k. Ban baseboard heat (or charge a fee for all new baseboard heat)
- l. Examine utility charters
 - 1) Allow profit on conservation
 - 2) May need to reevaluate along end use lines
- m. Set up energy fund
 - 1) Must include oil, gas, electric
 - 2) Provide front end funds

Work Group Recommendations

CONSERVATION (Continued)INDUSTRIAL CONSERVATION

Study the utilization of unused industrial energy in the specific areas of co-generation, siting, waste heat, and energy efficiencies. Study should include:

- * identification of regulations impeding co-generation, etc.
- * development of model legislation for industrial tax credits
- * development of model legislation for rate structure incentives for higher energy efficiencies
- * development of industrial awareness program on increased energy efficiency

TRANSPORTATION CONSERVATION

1. Review state laws which may serve as impediments to vanpooling and present info to states prior to 1980 legislative session.
2. Prepare a paper explaining in detail the "Metcalf Amendment", compile Western States weight limit laws, and distribute package to chairpersons of the Western States Committees on Transportation and to the Western Conference of Trucking Association Directors.
3. Work to develop a standardized presentation that can be used throughout the West to inform people how improved driving habits can save fuel.
4. Study programs such as Utah's satellite parking lots to see where states can further encourage carpooling.
5. Research the question of improving fuel efficiency in agricultural equipment.
6. The Federal Clean Air Act requires states with non-attainment areas for carbon monoxide and ozone to enact mandatory vehicle emissions inspection and maintenance (I&M) statutes and implement those programs by 1982. The States of the Western Conference of the Council of State Governments are encouraged to examine energy savings potential of requiring vehicles to be maintained as recommended by vehicle manufacturers (e.g., engine parameter adjustments) so as to comply with the requirement of the federal Act. Such adjustments maximize fuel efficiency, minimize emissions, and assure maximum performance.

Work Group Recommendations

TRANSPORTATION

TRANSPORTATION OF COAL

1. Establish a task force to develop policy on ICC regulations and present to Congress
2. Prepare model legislation on railroad taxation to provide necessary incentives for private railroad development.
3. Develop amendments to the 4R Act which would allow greater western participation for introduction in Congress.

TRANSPORTATION OF OIL

1. Develop model oil spill liability legislation
2. Develop model legislation relating to "one stop" permit clearinghouse

TRANSPORTATION OF NUCLEAR MATERIALS

1. Sponsor workshops for legislators on scientific and technological management and transportation of nuclear materials.
2. Put pressure on the Department of Transportation for better enforcement of regulations.
3. Determine what jurisdictions the states have to adopt penalties and inspect shipments according to federal standards. Determine whether the states can adopt by reference federal standards and then enforce them. If states can, then training programs for inspectors of carriers of nuclear materials should be arranged in each state for the vigorous enforcement of standards.

Luncheon Speaker
1979 Annual Meeting
Western Conference

Dr. Alan Rosenthal
Eagleton Institute of Politics
Rutgers University

Getting It Together Rather Than Pulling It Apart

Introduction

The title of my speech is "Getting It Together Rather Than Pulling It Apart." It is about something that is given little attention these days--the legislative institution.

I have been working with state legislatures for 13 years--observing the scene and developing affection for legislatures and the people who inhabit them. I am a legislative groupie or legislative junkie--I'm not sure which.

I have just finished the manuscript for a book on state legislatures--It's titled LEGISLATIVE LIFE, and will be published next year by Harper & Row. Let me repeat that, so you can write it down.

Most of the period during which I've been involved with legislatures has been one of legislative progress, development, reform. From, let's say 1965 to 1975, legislatures built their capacity, acquired the wherewithal to do a job. Able staff was hired, facilities were expanded, salaries were raised, procedures were streamlined, the process was opened up--and so forth.

You should feel proud of these institutions in which you serve. As a citizen, I take pride in that messy, disorderly, chaotic, unpredictable, lovable institution that we call the legislature.

But the easy period--of progress, of development, of building capacity--is over, done, finished.

I am concerned--have spoken of my concerns in various states and have written them up--and would like to share a selected few concerns (but by no means all of them) with you.

The legislature as an institution is under challenge. There are forces from without and from within threatening to pull it apart--just when it needs to be getting itself together.

Yet, the legislature tends to respond to these forces, as all of us do, in terms of old solutions--drawing on reforms that proved useful during the period of progress in 1965 to 1975.

But the reforms that served well yesterday may not serve well today. It is said, in fact, that today's reforms are likely to become tomorrow's tyrannies. So we should be wary of reform--which reform for what.

Let me briefly illustrate what I see happening--pulling the legislature apart--by considering: first, independence; second, ethics; and third, structure.

Getting It Together Rather Than Pulling It Apart

- A. First, let's take independence. I'm referring now to the independence of individual members, not that of the legislatures as a branch of government.

The independence of individual legislators has been enhanced significantly these past years. Salaries are higher, pension provisions are generous, staff and staff allowances are available, legislators in more and more states have offices and people working their districts for them.

Meanwhile, wherever they meant anything at all--usually in the East or Midwest--political party organizations mean much less today. Few legislators in my own state of New Jersey take instructions from local party leaders anymore.

Independence is a good thing, but it can go too far. It probably has in many places.

Today the individual is king--he does his own thing, restrained only by the people back home, a powerful group or two in his district, and his ambitions for higher office.

In legislatures today there is less socializing, less collegiality, less drinking, less poker, less of a community. Members work harder, alone and take their recreation jogging--hardly a social activity. Individualism is triumphant.

If individuals are pulling the legislature apart, then leadership should be able to hold it together.

But leadership has been diminished practically everywhere. Legislative leaders could never command. Now they find it difficult even to persuade.

Everyone in the legislature today is his own leader--no one is a follower. Yet, without followers there can be no leaders.

Individualism and independence, fine for members, can be harmful to the institution.

The institution depends on people coming together, not moving apart.

The institution requires interdependence and community.

The institution needs people interested in the legislature--in its future as well as in their own.

- B. Let's take ethics as a second example.

There is no question that twenty or even ten years ago, in a number of legislatures, the ethical climates and practices left much to be desired. But most legislators were compulsively honest, square, dull.

Since then we have undergone an ethical revolution. There are now strict conflict of interest laws. There are now strict disclosure laws. There are now ethics committees and regulations prohibiting this and forbidding that.

Getting It Together Rather Than Pulling It Apart

There are even ways now for disqualifying members from being involved in any subject they happen to know about--in the fear that interests will come into conflict. Of course they will--life is a bundle of conflicting interests, resolved only by death.

We are going bananas about purity--legislators must be purer than thee and purer than thou.

The press keeps up its unrelenting vigil, protecting us all from impurity--such as that found in junketing.

Probably no legislative delegation that went to San Francisco for the annual meeting of NSCL this past summer escaped enumeration in the local press.

How many people went?

How much did it cost? Where did the money come from? A reporter from the Boston Globe was there counting the buses that left for the Napa Valley late one afternoon.

DeNardis from Connecticut handled the matter as cleverly as anyone I know.

The press, through its vigil, uncovers malefaction and frailty for all of us to see.

I must admit (there is no better place than here and no better time than now) to both malefaction and frailty--in about equal parts.

Arriving in my room here at the Colonial early Saturday morning (1:30 a.m. your time, 3:30 real time), I was famished.

Imagine my surprise and joy to find a large basket with bread, meat, and cheese. I thought--It must be the food-basket fairy. But I discovered later that day from an article in Friday's Great Falls Tribune that Safeway had provided gift baskets to 30 government leaders. They made a mistake with me. I am not a government leader, but ate the food anyway. I wish to apologize for taking bread and cheese out of the mouths of government leaders, but I also want to thank Safeway.

Then, of course, there was the steak and egg breakfast today, brought by the Montana Bankers Association. I do not eat big breakfasts, so here I'm clean. But I am appreciative, nonetheless, to the bankers for the offer.

I must return East very early tomorrow morning, so I shall miss Atlantic Richfield's cocktails, Buttrey Food Store's hors d'oeuvres, the Wine Institute's wine, the Air Transport Association's hard liquor later in the week. I am leaving my name and address behind so that all of this can be forwarded and I shall miss none of the goodies.

One final comment by way of this disrespectful ethical detour. The Great Falls Tribune reported that Chevron donated \$1,500 to bring in speakers for the conference, but (I quote here) "had no say to which speakers, according to Legislative Council director Diana Dowling."

Getting It Together Rather Than Pulling It Apart

I have great respect for Diana Dowling, but let's be candid about this.

A few months ago, when I was filling up at my neighborhood Chevron station, the dealer asked if, by chance, I would be willing to speak to all kinds of people, so I said why not. The very next day (after checking, I assume, with Corporate Headquarters) the dealer asked me to choose between speaking to the Hawaiian Legislature in Honolulu, the 16-member unicameral of the Virgin Islands in St. Thomas, or a bunch of stray legislators from some Western states in Helena, Montana. I naturally chose Helena, and here I am.

I am not only grateful to all the people I mentioned--I am beholden, and I am grateful, too, to the Great Falls Tribune, the newspaper responsible for letting me know just whom to be beholden to.

Regulating ethical behavior can go only so far.

The problem is that regulations acquire a life and momentum of their own, and pretty soon the regulations are using us rather than vice versa.

A column by David Broder in The Washington Post, and other papers, a few days ago, illustrates my point.

The ethics committee of the U.S. Senate has been active of late. Among its many rulings there is "Interpretive Ruling No. 236".

Franked newsletters are limited to 5 "personally phrased references to a senator per page." Ah--but what is the definition of a page--with little pages, teeny-weeny pages, one will be able to get more references in all. The committee, to plug up the loophole, defined a page to be each side of an 8½ by 11 inch or 8½ by 14 inch sheet of paper, irrespective--mind you--of the number of folds.

I hope that the Senate has hired the additional staff necessary to enforce its ruling--reading and counting senatorial references in all the newsletters. Perhaps this is appropriate work for college student interns, who can thus learn first hand what the federal government is all about.

We should not pass regulations regarding ethical behavior (and other matters as well) that cannot reasonably be enforced--and without adding to our burgeoning bureaucracies.

Indeed, the ethic fever is pulling the legislative institution apart.

We have managed in the name of ethics and reform to ruin what was left of political parties. We must make sure that we don't, waving the banners of ethics and reform, end up ruining ourselves.

I do not believe that politicians generally are crooks--although a few undoubtedly are. It is time to stop treating them as if they all were. It is time to stop sowing distrust and governing on the basis of such negative beliefs.

C. Take structure as a third and final example of what is happening.

Getting It Together Rather Than Pulling It Apart

The assumption has been--and continues to be--that there is a structural solution for any problem.

In fact, when there is no program that is safe to advance politically, or no money to spend, legislators frequently resort to reorganization.

They reorganize the executive branch--which is always a fair game--and whatever else is at hand. They even reorganize themselves.

Reorganization is not in itself foolishness. However, structural change frequently is not the solution for what ails us.

It is an easy solution to understand even though it may have little to do with the issues at hand.

It can be reflected in either an organization chart or in members, or sometimes both. What can be more alluring than boxes and figures!

Take one structural change that has been among the currency of reform for some time. REDUCE THE NUMBER OF STANDING COMMITTEES IN THE LEGISLATIVE HOUSE. Reformers are insistent in their advocacy of fewer committees. Why fewer?

How many is too many? How many is too few? What is just right?

Whatever the advantage of fewer committees may be, there are disadvantages. Reformers ignore them.

A major disadvantage is the weakening of leadership power. With fewer committees, there will be fewer chairmanships available to leaders for allocating among members. Inactive, letterhead committees can be important, allowing leaders to appoint members to them who otherwise might do poorly chairing major committees. Leadership needs flexibility and more rather than fewer committees helps provide it.

The number of committees is a complicated issue, and it can't be discussed outside of a specific context. Yet, it is presented by reformers in terms of fewer being better--tidier, more logical.

We must beware of neatness and logic, which are divorced from common sense and politics.

One of the most popular structure reforms goes beyond reducing the number of committees--it is the reduction in the number of legislators.

Reformers advocate reducing the size of the house.

Many legislative bodies have shrunk in membership over the years--Massachusetts and Connecticut, most significantly.

New Hampshire has resisted the tide of reform, and still has a house of 400 members. The ridicule heaped on New Hampshire is fierce. But it is a delightful house, with all sorts of folks, male and female, young and old, big and little, fat and thin, and it manages pretty well, better than their small Senate.

Getting It Together Rather Pulling It Apart

Why smaller bodies--just to save a few bucks (that will be frittered away elsewhere), just to rid the world of politicians?

In this increasingly impersonal world, where the media mold the message and the bureaucracy gets tangled in knots, what is wrong with small districts--legislators representing a few people rather than multitudes.

A California senator has 500,000 constituents, while a representative from a single-member district in New Hampshire has 2,000 and one from Montana has 7,000.

Small here is nice, not nasty.

Furthermore, a legislative body requires a certain number of members in order to do its job.

Senates generally are small, and it is difficult to divide up labor among leadership and standing committees, and among fiscal affairs, substantive policy domain, and the various forms of legislative oversight. There simply may not be enough talent for the tasks at hand.

Up to a point, the more members the more talent. I believe in the "one-third" principle.

It goes as follows (I'll speak slowly--you may want to jot it down):

In any group --be it a legislator or human and ranging in size from 12 to 3.7 million --1/3 of the members will be able, 1/3 will be unable, and 1/3 will be in the middle.

Applying that principle specifically to the legislature: 1/3 of the members are able, hard working, skillful legislators, good at lawmaking and at oversight--no matter what; 1/3 are unable, interested in other things, perhaps lazy, not at all willing to do the tough job--no matter what; and 1/3 are switch hitters--they can go either way depending upon circumstances, conditions, and fate.

Applying the "1/3 cubed" principle--in a 150 member body, there will be 50 able people, and perhaps as many as 50 others with some ability for majority and minority positions, for standing committees, for leaderships, and so forth. That's not too many at all.

I am not formally recommending that a branch of 100 be enlarged to 400, but such a recommendation is just as worthy of serious consideration as a proposal for reducing a house from 400 to 100.

We cannot afford to spread the good people thinner, and the way to get more good people is not by further limiting opportunities to achieve legislative office. It is by maintaining, or even increasing, opportunities.

Then, of course, there is unicameralism--which will probably again be on the ballot in Montana next year.

I am much too circumspect, tactful to comment on unicameralism, since I am now in

Getting It Together Rather Than Pulling It Apart

Montana, and since I will be visiting with Nebraska in a few weeks.

I am reminded, however, of Jesse Unruh's position on unicameralism. Jess, as most of you know, was a major shaper of state legislatures in the 1960's, having served as Speaker of the California Assembly for 8 years. He is now State treasurer. Unruh favored unicameralism, and when asked why replied: "I always thought it meant one man".

One man meant Unruh. Unicameralism doesn't mean one man, but it does mean fewer men and/or fewer women.

- D. Now, having gone--at least by example--through some things that are pulling the legislative institution apart--I am obliged to comment on how it can be gotten together. At least the title of my remarks holds out that promise.

Earlier this year a talk I gave in Florida and Nevada was published in State Legislatures magazine under the title "Separate Roads--The Legislator as an Individual and the Legislature as an Institution". A number of legislators and staff members who read it thought that my comments came uncomfortably close to the mark. But at least one legislator--Dorothy Bradley, a former member of the Montana House, was disappointed. I suggested no solutions for the problems, she pointed out.

I shall not disappoint her with inconsistent behavior today. I still have not specific solutions for the problems, No devices, no formulas, no gimmicks, no reforms, no panaceas (and if I did, I have little time left here to present them).

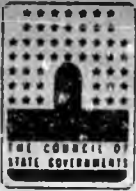
However, I do believe that if we can stop the legislature from being pulled apart by the ambitions of individual members, by the pressures from the press, by the demands of all kinds of groups, by the moral fervor of the times, and by phoney-baloney solutions--there's a good chance then of getting it together.

It's up to legislators. They will have to trust themselves and their leaders. They will have to dedicate themselves to some new tasks--such as legislative oversight, which if properly done can be remarkably beneficial. They will have to use their common sense and show that they have guts, perhaps a bit more than they have done recently.

As legislators--and also as legislative staff--you are the custodians of a vital political institution. After you have achieved higher office or returned to the pleasures of private life, and after energy and conservation policies have been modified and redirected in countless ways, the legislature will still be here.

There's nothing to take its place--how healthy or how infirm an institution is up to all of you. I hope that when you leave to go on or back to better things, the legislature is stronger than when you arrived.

I wish you well in the task ahead--maintaining and strengthening the state legislature as an institution of government. It is one of the most important parts of your job, and--I will not deny--certainly one of the toughest.



THE WESTERN CONFERENCE

of

The Council of State Governments



Conference Staff
The Council of State Governments
Western Office
165 Post Street, 5th Floor
San Francisco, California 94108
(415) 986-3760

RESOLUTIONS

1979 Annual Meeting

- I. Public Land Policy
- II. Western Coalition Activities
- III. Congressional Study of the Economic Impact of Federal Laws and Regulations on Public Lands
- IV. Waiver of Federal Sovereign Immunity
- V. Public Land Information Clearinghouse
- VI. Wilderness Areas
- VII. Sale of Federal Lands
- VIII. Amendments to 1902 Reclamation Act
- IX. Grazing on Public Range Lands
- X. Federal Acreage Limitations on Agricultural Projects
- XI. A Bill to Divest the Federal Government of the Public Domain and to Vest Title Therein with the Respective States
- XII. Water Rights
- XIII. Assistance from Western States Water Council
- XIV. Energy Education
- XV. Pacific Northwest Power
- XVI. Energy Mobilization Board
- XVII. Hualapai Hydroelectric Project
- XVIII. Energy Supply and Usage
- XIX. Exempting State Plans from Strip Mining Regulations
- XX. Holtzman Bill HR 3697
- XXI. The Bumpers Bill S 111
- XXII. Roth Grant Reform Bill S 878
- XXIII. Resolution on Ridesharing Arrangements
- XXIV. Federal Regulatory Rebellion
- XXV. International Trade
- XXVI. To the President of the United States (on federal speakers at Western Conference meetings)
- XXVII. Sunset Provision on Western Conference Resolutions

Copies of any or all of the Resolutions may be obtained from the Western Office, The Council of State Governments.

REORGANIZATION OF THE WESTERN CONFERENCE

At the 1979 Annual Meeting, the delegates recognized a need to enhance the effectiveness of the Western Conference by assuring that the various segments of our annual work program complement each other, have clear objectives and specific plans for their achievement, and concentrate on issues of special concern to the West.

Reorganization of the Western Conference was endorsed so that an organization with a more focused direction and with greater program coherence could emerge.

The most significant change requires that the Executive Committee take responsibility for the direction of the Western Conference, setting priorities among proposed projects, evaluating them for merit and feasibility, and assigning them to committees and/or task forces for action. This task appropriately belongs to the Executive Committee because its membership includes the chairs of the committees thereby permitting it an overview of all ongoing projects as well as the ability to weigh their relative merit and potential pay-off for the West.

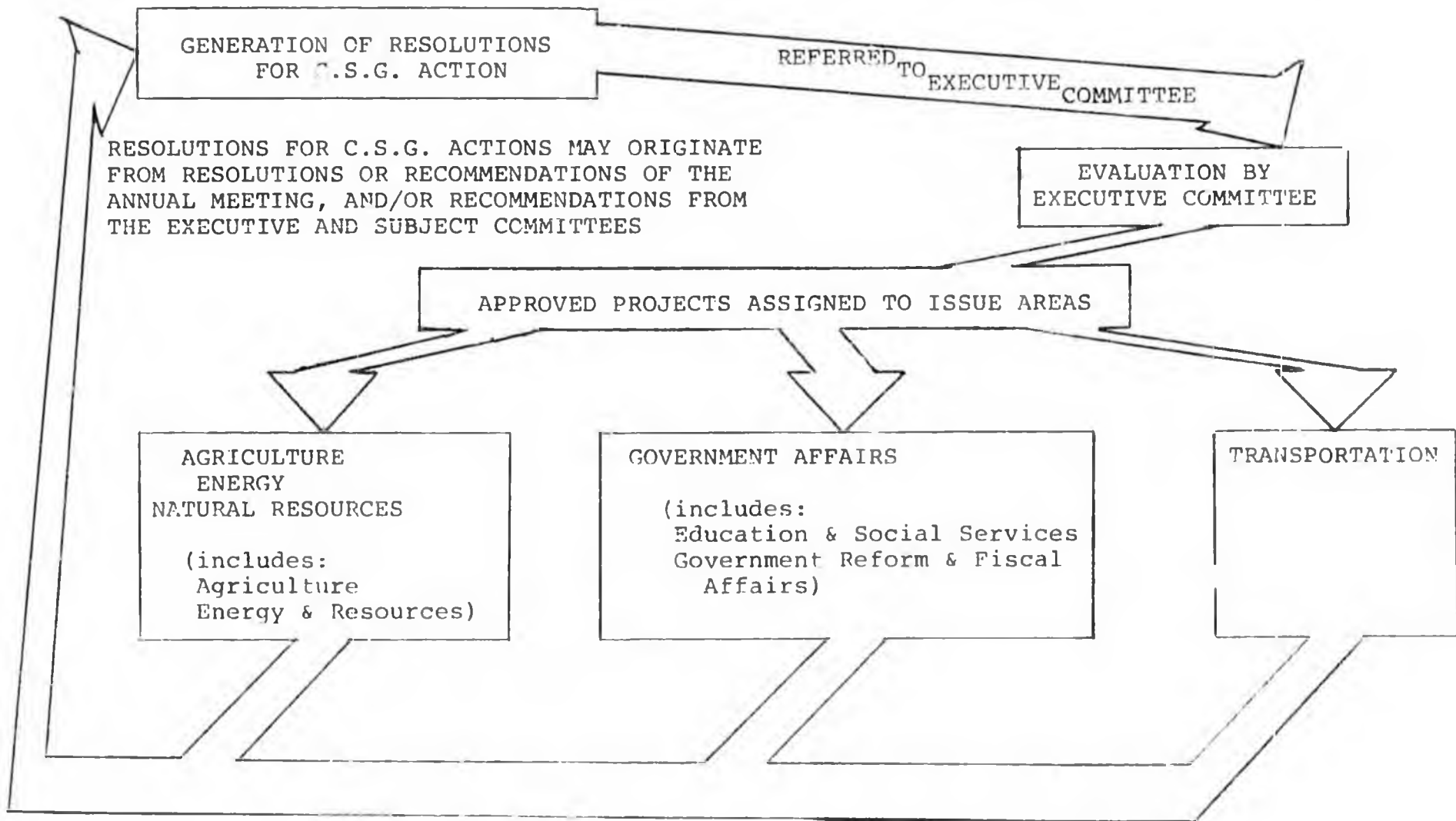
In addition, in an effort to lessen fragmentation, three issue areas were established with the six current committees falling under the three umbrellas:

Agriculture/Energy/Natural Resources
Government Affairs
Transportation

The Executive Committee, taking into consideration any proposals coming from the six subgroups, will assign tasks to them, receive reports on their activities, and make a report on our collective work at the 1980 Annual Meeting. If additional organizational changes appear useful at that time, the Executive Committee will forward recommendations to the delegates prior to the Annual Meeting so that there is time to consider any further proposals likely to strengthen the Western Conference.

Following this page is a chart reflecting the organizational changes and outlining the process by which Western Conference programs will be developed and put into action.

COUNCIL OF STATE GOVERNMENTS ISSUE FLOW CHART



EVALUATION

Your reaction to and comments on the questions below will be very helpful to those responsible for planning next year's Annual Meeting. Please take the few minutes necessary to respond--and leave the form on the table or with the staff person in your work group before you leave.... Thanks very much for your help.

(Ratings: 1 is high; 5 is low. Please use back of page if necessary.)

..A single focus conference (rather than multi-topic as in previous conferences) is a

GOOD IDEA

BAD IDEA

1 2 3 4 5

Next year, I would prefer:

single focus _____

multi-cocus _____

OR (suggest your idea of a useful format) _____

..Listening to the panel speakers and discussion I

LEARNED MANY THINGS
I DID NOT KNOW

I'D HEARD IT
ALL BEFORE

1 2 3 4 5

Panel Discussions in full plenary sessions are

WORTHWHILE

WORTHLESS

1 2 3 4 5

Briefly, what ideas/facts/issues discussed (in plenary/panel discussions) were of particular significance to you?

..The Conference presented approaches/ideas about energy issues and possible solutions to problems that can influence your future activity and/or study.

WILL GREATLY
INFLUENCE

WILL NOT
INFLUENCE

1 2 3 4 5

If possible, be specific about which ideas and/or your anticipated response.

..Work groups intended to plan ongoing activity around specific issues or projects is

AN EXCELLENT IDEA FOR AN ANNUAL MEETING

BAD OR INAPPROPRIATE FOR ANNUAL MEETING

1 2 3 4 5

My particular Work Group achieved

A PLAN(S) WELL OUTLINED

NOTHING CONCRETE

1 2 3 4 5

How might the Work Group have been more effective?

ALLOW MORE TIME

MORE BACKGROUND INFORMATION PROVIDED

MORE CLEAR-CUT GOALS

OTHER

(Your Work Group _____)

..Overall, was this Conference

VERY GOOD (of worth to you)

NOT WORTHWHILE

1 2 3 4 5

..Please list:

- Two (or more) factors you feel contributed to what was good about the Conference.

- Two (or more) factors you feel lessened its value to participants.

..Any other comments?? (e.g., content/format/site/registration procedure/social events/ transportation/etc.) Please use back of page.

Respondent: LEGISLATOR _____ STATE STAFF _____ GUEST _____

Name (only if you wish) _____

THANKS AGAIN.

EVALUATION RESULTS

(For the first time, the 1979 Annual Meeting of the Western Conference asked participants to give their reactions to the Conference. On Tuesday afternoon, at the end of the Work Groups, sixty (60) participants filled in and returned the questionnaire on page Respondents were: Legislators - 41; State Staff - 11; Guests - 8. The results follow).

..A single focus conference (rather than multi-topic as in previous conferences) is a

GOOD IDEA					BAD IDEA
	1	2	3	4	5
	(36)	(12)	(7)	(3)	(1)

..Next year, I would prefer:

SINGLE FOCUS	<u>40</u>
MULTI-FOCUS	<u>8</u>

OR ...

- Energy again (2)
- Water Resources
- one or possibly two topics (5)
- let issues define format. Single focus has real advantages as to depth, but may restrict participation -- important second issues may be overlooked (4)
- Combating Federal regulations in lands, resources, and all other areas possible
- Energy is long-time problem; might be well to design a continuing mechanism which would not require a fullscale, one-issue conference
- Single, but limit to 3 days

.. Listening to the panel speakers and discussion I

LEARNED MANY THINGS I DID NOT KNOW					I'D HEARD IT ALL BEFORE
	1	2	3	4	5
	(12)	(20)	(19)	(5)	(3)

.. Panel discussions in full plenary sessions are

WORTHWHILE					WORTHLESS
	1	2	3	4	5
	(18)	(26)	(9)	(4)	(1)

(one comment: need more input from audience)

..Briefly, what ideas/facts/issues discussed (in plenary/panel discussions) were of particular significance to you?

- significance of soft energy and conservation (10)
- conservation technology/incentives/barriers
- federal regulatory problems (2)
- federal government pre-emption of states' rights (8)
- federal red tape and ignorance of federal bureaucrats about what other departments are doing
- need for developing a viable energy policy
- utility regulations (2)
- need for Western Coalition concept across the spectrum (2)
- broad range of alternatives and the attempts to facilitate them
- transportation of coal
- solar and renewables
- nuclear safety
- nuclear transport and waste (3)
- PP&L program and other energy enhancement programs (3)
- energy needs projections
- ideas on energy especially in areas of electricity, coal, oil
- presentations of Amory Lovins ... Cahill ... Conley Ward
- coal freight rates
- Recitation of track record on energy projects (Council on Environmental Quality)
- programs in other states
- problems associated with use and production of energy alternatives
- perspective of end use analysis being primary consideration for looking at future needs, new construction
- relationships in data sources -- comparison tables by cost, barrels of oil, etc. -- as common language for discussions
- update on where Co. ress may be heading (2)
- economic benefits of conservation vs new thermal plants
- energy simulator (exhibit)
- synfuels information
- need for inter-state cooperation
- Administration position on the Energy Mobilization Board proposal
- Arguments for nuclear power (2)

..The Conference presented approaches/ideas about energy issues and possible solutions to problems that can influence your future activity and/or study.

WILL GREATLY
INFLUENCE

WILL NOT
INFLUENCE

1	2	3	4	5
(11)	(17)	(23)	(5)	(2)

..If possible, be specific about which ideas and/or your anticipated response.

- ideas re solar (2)
- ideas re coal, nuclear transportation, van pooling, and federal lands/water
- S 1403 active support -- continue work on 95-87
- federal/state impact review
- I will strive to incorporate ideas presented for greater conservation effort and more reliance on private effort into my future legislative and personal action.
- plant siting preplanning
- I'll stress conservation options (4)
- energy alternatives
- a unity of western states can be cemented and carry greater influence in D.C.
- the discussion of the West as the "national powerhouse" concerns me
- the Energy Mobilization Board is a poor idea (except for federal regulations) and should be opposed
- the States should demand the needed independent authority when given the responsibility for federal energy programs
- need to emphasize that both conservation and energy development are required -- prove conservation alone is not enough
- need for and potential impact of common action regarding federal roadblocks relating to energy/land use issues
- efforts to eliminate overlapping permits and impact statements and consolidate them with planning the development in question
- carry the message of conservation as the cheapest source of "new" energy
- single permit programs in other states
- synfuel work session was productive and problem-oriented in very practical way
- legislative and regulatory reforms that may be needed/possible -- what others have done in these areas
- nuclear materials management
- interest in life-line rates and conservation awards
- workshop suggestions on last day
- recommendation on one-stop permit for states - pipeline, etc.
- carpool legislation should be done

..Work groups intended to plan ongoing activity around specific issues or projects is an

EXCELLENT IDEA
FOR AN ANNUAL MEETING

BAD OR INAPPRO-
PRIATE FOR ANNUAL MTG

1	2	3	4	5
(26)	(21)	(9)	(1)	(2)

..My particular Work Group achieved

A PLAN(S) WELL OUTLINED

NOTHING CONCRETE

1	2	3	4	5
(19)	(26)	(7)	(2)	(2)

..How might the Work Groups have been more effective?

ALLOW MORE TIME	6
MORE BACKGROUND INFORMATION PROVIDED	<u>22</u>
MORE CLEAR-CUT GOALS	<u>13</u>
OTHER ...	

- would have come prepared with more specifics if I'd known we would review appropriate legislation from other states
- should be earlier in program -- too tired when set-up
- should meet 2 or 3 times rather than one long session
- alert everyone earlier that will have this important function
- alert each state to have well-informed person on state programs
- poor attendance -- perhaps assign legislators?
- schedule people into group -- particularly resource people
- more information and longer advance time for facilitators and staff
- group leader more knowledgeable and more focused on specific goals and alternatives
- mix group better -- representatives from different states
- more knowledgeable resource people

.. Overall, was this Conference

VERY GOOD (of worth to you)				NOT WORTHWHILE
1	2	3	4	5
(24)	(29)	(5)	(0)	(2)

.. Factors you feel contributed to what was good about the Conference

- high quality speakers/panelists (14)
- location conducive to work (4)
- Montana a very fine host (4)
- topic of great interest and timely (8)
- format good (2)
- staff and guests did outstanding job
- panel discussion on facets of single issue (3)
- input from other than federal bureaucrats
- work sessions (6)
- very high caliber of participants
- individual participation encouraged
- openness to both sides of issues (5)
- opportunity for questions
- good panels
- good to meet other people and exchange ideas and viewpoints (3)
- very well planned, organized and busy schedule (9)
- social activities -- broaden acquaintances (2)
- additional time for the conference
- broad representation
- a digestable program
- information presented helped expand knowledge and gave potential new sources of information
- Mission Mountain Wood Band

.. Good Factors (continued)

- interaction with legislators of many views
- ran close to schedule (2)
- informed me of causes of energy problems
- goal orientation of working sessions
- commitment of delegates to achieve a direction (2)
- broad cross-section of resources on panels (2)
- work ethic of conference
- came up with specific ideas and recommendations
- sharing views on problems that affect various states
- positive attitude of delegates
- issues identified and addressed
- support of S 1403
- support of maintaining state supremacy with Energy Mobilization Board
- panels rather than traditional speakers
- opportunity for audience participation reacting to a broadly based panel
- appreciated eyeball opportunity with Metzger and Martin
- people I met to contact for information and assistance in future (2)
- social events were superb

.. Factors you feel lessened Conference's value to participants

- nothing new presented
- lack of interest and cooperation of Administration/lack of attendance of real policymakers from D.C. (10)
- lack of printed take-home material on specific subjects
- working on Sunday - prefer time for church
- preoccupation with reorganization
- lack of explanation re resolution procedures
- bureaucratic "party line" presentations
- conference too long (4)
- too tight a schedule; no breaks (3)
- too many speeches
- Conference never answered "what now" and "so what" questions
- lack of interest by participants and/or competing/distracting activities held during conference
- not starting on time (2)
- not enough question time (2)
- some sessions not well attended
- work groups somewhat fragmented
- need more media coverage
- not enough time on resolutions
- local legislators not allowed to dictate some of the speakers
- not enough time for interchange among participants
- opposing opinions not presented together or at all
- some decisions cut-and-dried; little time for healthy cynicism or misgivings to be voiced
- need more active participation by industry (displays, etc.)
- smaller workshops probably better
- repetitive (3)
- conferees not keen on business part of conference

.. Other Comments

- A very good meeting and I hope I'm back next year
- I have attended/planned/participated in a large number of conferences and this one ranks high on list of successes.

CONFERENCE SPEAKERS
(Resource List)

CAHILL, Ed

Economic Consultant, Standard Oil of California
225 Bush Street
San Francisco, CA 94108
(415) 894-2998

CLARK, Wilson

Assistant to Governor for Issues and Planning
Office of the Governor
1400 Tenth Street, #108
Sacramento, CA 95814
(916) 322-7261

COCKRELL, Lila

Mayor of San Antonio
City Hall
San Antonio, TX 78204
(512) 299-7060

DAVENPORT, C.P.

Vice President, Pacific Power & Light Company
920 S.W. Sixth Avenue
Portland, OR 97204
(503) 243-4706

FREUDENTHAL, Dave

Administrative Aide to Governor
Office of the Governor
State Capitol
Cheyenne, WY 82002
(307) 777-7434

GOURAUD, Jackson S.

Deputy Undersecretary for Commercialization
Department of Energy
Forrestal Bldg.
1000 Independence Avenue
Washington, DC 20585
(202) 252-5266

HULSE, Russell D.

Vice President of Resource Planning, Arizona Public Service Company
P.O. Box 21666
Phoenix, AZ 85036
(602) 271-7868

CONFERENCE SPEAKERS

JEFFERSON, Bob

Manager, Transportation Technology

Sandia Labs

P.O. Box 5800

Albuquerque, NM 87115

(505) 264-4296

KEARNEY, Ed

Executive Director

National Committee on Uniform Traffic Laws

1771 Massachusetts Avenue, NW

Washington, DC 20036

(202) 785-4066

LOVINS, Amory

Author of Soft Energy Paths and Consultant, Friends of the Earth

c/o Friends of the Earth

124 Spear Street

San Francisco, CA 94105

(415) 495-4770

MARTIN, Guy

Assistant Secretary for Land and Water Resources

Department of Interior

Room 6616, Main Bldg.

Washington, DC 20240

(202) 343-2191

METZGER, Charles

Regional Representative of the Secretary

U.S. Department of Energy, Region VIII

P.O. Box 26247, Belmar Branch

Lakewood, CO 80226

(303) 234-2449

MOLER, Betsy

Staff Counsel to U.S. Senate Energy and Natural Resources Committee

137 Russell Senate Office Bldg.

Washington, DC 20510

(202) 224-2764

PETERSON, Cary

Representative of Utah

406 East 400, North

Nephi, UT 84648

(801) 623-1316

CONFERENCE SPEAKERS

RAHN, Dr. Frank

Electric Power Research Institute
3412 Hillview Avenue
Palo Alto, CA 94303
(415) 885-2037

ROSENTHAL, Alan

Director, Eagleton Institute of Politics
Rutgers State University
New Brunswick, NJ 08901
(201) 828-2210

SAGE, William

Vice President, Public Affairs
Northern Tier Pipeline
1218 Third Avenue
Seattle, WA 98101
(206) 622-2496

TOWE, Tom

Senator of Montana
2525 Sixth Avenue, North
Billings, MT 59101
(406) 248-7337

WARD, Conley, Jr.

President, Idaho Public Utilities Commission
472 West Washington Street
Boise, ID 83702
(208) 384-3427

WATSON, John

Executive Director, Western Interstate Energy Board
3333 Quebec Street
Denver, CO 80207
(303) 837-5851

YOST, Nicholas

General Counsel, Council on Environmental Quality
722 Jackson Place, N.W.
Washington, DC 20006
(202) 395-5750