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## THE GREAT DEBATE

**Dorothy Bradley**

The date of the great debate is late January 1973. I was serving my second session in the House of Representatives, age 25, having burst onto the political scene in 1971 following Montana's first Earth Day celebration. A group of us from Bozeman and Montana State University took on the challenge issued by US Senator Gaylord Nelson to start fixing the mess we were making of our delicate planet. With no political experience, but a lot of enthusiastic support, I won a seat—definitely, a woman with a mission.

The 1970s were a perfect time for political involvement. Every possible group was becoming activated for every kind of cause—environment, women's rights, consumer protection, poverty, children and youth. And for the most part, elected officials were more than open for innovation, riding on the crest of environmental euphoria.

In particular, the implications of new and potentially massive coal development in Eastern Montana ignited environmental concern. A document called the North Central Power Study came out of the blue and proposed 40 new coal thermal generating plants in the northwest. It included 21 plants in Montana; transitioning from three to 30 million tons of strip-mined coal a year; damming and diverting water from the Yellowstone River; building aqueducts, power plants, transmission lines, and more. It's my recollection that the study included the term "national sacrifice area" for this part of the Northern Plains.

In the midst of all this, Dick Colberg, a slightly scruffy young guy, ran a legislative race in Billings proudly proclaiming himself to be a "one-issue man"—and that one issue was strip mine reclamation. I remember his political ads showing him in a tattered sheepskin coat he probably inherited from one of his Sarpy Creek homesteading ancestors. When he won, the established politicians in the state realized things were turning upside down, and we were in for quite a ride.

That same year veteran/dean of the House Democrats, Francis Bardanoue from Harlem, caused a traffic jam in the rear of the House chamber when he arrived with his proposed major facility siting act. Everyone wanted their name right up there on the top of the page as a co-sponsor with Francis.

At the same time a small group of ranchers from Eastern Montana met in someone's living room in Billings and tried to decide what kind of strategy would be appropriate to address the North Central Power Study. This intense group arrived at the concept of a moratorium—a pause in all

the proposed energy activity—until more information could be digested and appropriate statutory protections could be established. It was this concept which led to one of the all-time historic debates in the House.

And it was during this debate when a very bright lawyer from Great Falls, John Hall, who had never contemplated championing an environmental measure, became the spellbinding spokesman.

I was a fly on the wall in that Billings living room, when the ranchers first said the word, “moratorium.” As it turned out, I became the vehicle that carried the bill. I say “vehicle” since the measure soon took on a life of its own.

Even before the debate, quite a wrangling took place regarding the scheduling of the bill’s first public hearing. Because the Natural Resources Committee was perceived as too liberal, the bill had been assigned to the Judiciary Committee. In 1973, the new constitutional guidelines guaranteeing adequate public notice and participation had not yet been implemented. The bill was scheduled quickly and mid-week during regular committee hearing hours. I approached Chairman Hall and asked if we couldn’t give it a Saturday hearing with advance notice so that the designers of the bill in Eastern Montana could make it to Helena to participate. When Chairman Hall hesitated, I reminded him that he had given the big no-fault insurance bill a Saturday hearing, and suggested that he would see twice as many people at the moratorium and they would be coming from twice the distance. I cringed when I said this. For all I knew, we might have only a handful. However, Chairman Hall graciously agreed on a Saturday.

As we predicted, the Saturday hearing jammed the House chamber with citizens crowded into the balcony and overflowing into the lobby. The presentation was excellent and heartfelt from all sides, particularly emphasizing all the unknown impacts of strip mine development on Montana’s high semi-arid plains. The hearing was also quite riveting since the composition of the legislative lobby was metamorphosing overnight from corporate professionals to a place that was crawling with active, well-informed, and loud citizens. After great deliberation, the committee members decided to recommend the bill to the House with a “do pass” recommendation. It signified that the committee members believed it to be significant enough to warrant a full House debate. Once again, everyone’s attention was transfixed since no one had expected the bill to have a life after the cautious judiciary committee.

The bill was scheduled in the House Committee of the Whole for an evening debate. Once again, the House chamber was packed. The supporters, as unsophisticated as we were, had no vote count or even much

hope. We just had a very intense belief that a moratorium was the right thing to do.

The moratorium was one of those issues that was so precise and understandable that every representative wanted to have a say. And they did. Masterful verbal punches were traded back and forth, primarily divided along partisan lines. But then began a waiting game for ex-speaker of the House, Jim Lucas, republican lawyer from Eastern Montana, a forceful and gifted orator who was one of the best debaters ever heard in the legislature. He finally rose to speak. If it was quiet before, it was so quiet now you could almost feel the atmosphere crack. Jim spoke predictably but eloquently of the chaos the moratorium would bring to Montana. He pointed to the need for jobs, our duty to contribute our energy resources to the nation, and the advantages of the new wealth for a poor state. He pleaded for those in the lush, western part of Montana to allow for better opportunities in the struggling eastern part of the state. In a final dramatic move, he lifted the pile of papers and booklets on his desk high over his head, dropping them one by one onto the floor, making his point that we already had enough studies, and the time for studies was over.

When Representative Lucas sat down, no one moved. We wondered numbly where all the studies came from. We didn't know how to counter him. We didn't know how to pick up the pieces. Then a 75-year-old veteran legislator and educator from Missoula—Bob Watt—rose to his feet. He spoke of how we may have been directed by scripture to subdue the earth, but not to beat it, trample it, and ruin it. He berated the younger members of the house, noting how inappropriate it was for him—a septuagenarian—to have to speak of protecting Montana for future generations. The young people had so much more to lose, he said, if Montana was needlessly spoiled. They should be the ones making a plea for the future of the children and youth of Montana.

We thought the debate was over. And we were pretty sure we were losing.

But the Chair of the Judiciary Committee, Representative John Hall, rose slowly to his feet. This was the same John Hall who had been so reluctant to give the moratorium a Saturday hearing. We didn't even know his sentiments about the bill. He stood for some time without speaking. He didn't want the moment to go away. He stood quietly, looking at his desk, thinking, thinking. Then he started to speak—no notes, no studies, no props. He spoke about the magic of having the gift of a little extra time—a moment to collectively reflect—to help us envision and create the right kind of future for our state. It was a quiet, pensive perspective. It

was almost as if he was trying to convince himself. And as he spoke, we could see a gradual reversal of the powerful Lucas persuasion move through the chamber—a small loosening of the knot. When the vote went up on the board at the front of the chamber, the moratorium passed by a single vote.

In retrospect, I feel that of all my political experiences, I was particularly lucky to have been involved in the moratorium effort in the House in my early days. Maybe its most important lesson is that political victories are seldom clear-cut. They come in different packages. We didn't win, of course. After a diligent night of intensive lobbying, the bill was killed the next day—then resurrected—then held over half alive until the last day of the session, the proponents keeping it handy as a last resort if appropriate measures were not enacted to safeguard Montana's landscape.

Those subsequent laws—many and thoughtful—were definitely a victory. They were hard fought in grueling midnight sessions when the complicated technical details were pounded out and the compromises were forged. Nothing was easy.

My friend in the sheepskin coat never missed a discussion on strip mine reclamation and became recognized even by his antagonists as the most authoritative legislator on the issue. He retired from the legislature after that session, having accomplished what he set out to. You can't ask for more. We so often get less.

Amazingly, the Bardanouve siting act passed the House with a unanimous vote. It expressed a new philosophy for Montana—that given the unique and harsh impacts of development we will mine, convert and export our resources with great caution, and we will ensure that the invisible hand of the marketplace will not leave the Montana Northern Plains in shambles.

Later came Governor Tom Judge's Yellowstone River Moratorium, leading to Montana's ability to reserve water instream for agriculture and municipal use, and habitat protection. That moratorium idea—that seed—had been planted when Eastern Montana ranchers collected in a living room in Billings, brainstorming over how to address the North Central Power Study. And the concept became an acceptable one the night it was championed by Representative Hall who beyond all imaginings had become its champion.

But the best victory of all occurred when the elected representatives of all Montana's citizens truly and respectfully deliberated from the heart about the magic of shaping our future.