



**House
Legislative
Analysis
Section**

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ENVIRONMENTAL OMBUDSMAN

House Bill 4652

Sponsor: Rep. Thomas Scott

**Committee: Conservation, Recreation,
& Environment**

Complete to 5-9-91

A SUMMARY OF HOUSE BILL 4652 AS INTRODUCED 3-26-91

The bill would create the Environmental Ombudsman Act to establish the Office of the Environmental Ombudsman in the Legislative Council. Under the bill, the principal executive officer of the office would be the environmental ombudsman, who would be appointed by the council for one nonrenewable six-year term, and who could be removed by the council before the expiration of his or her term. If the ombudsman failed to serve the entire term, a successor would be selected for a nonrenewable six-year term.

Ombudsman Duties. The ombudsman would be required to act within state government on behalf of individuals who had concerns regarding the state's system of environmental protection and natural resource management, and assist individuals in directing and communicating their concerns to the appropriate state agency. The ombudsman would also assist the public in gaining access to the environmental protection and natural resource management decision-making process before a final decision is rendered by a state agency and could assist the public in obtaining efficient, thorough, and timely responses regarding environmental protection and natural resource management questions. The bill would require the ombudsman to recommend methods to appropriate state agencies and the legislature by which public participation in environmental protection and natural resource management decision-making could be improved. The ombudsman would also be required to compile, maintain, and make available upon request a complete list of all citizen advisory committees within state agencies that are involved with environmental protection and natural resource management issues, and serve as a liaison between the public and state environmental agencies. Responsibilities granted to the ombudsman under the bill would not limit or affect any existing rights of public participation or appeals related to any programs in any state agency, and are intended to be in addition to any such existing processes.

Agency Interaction With the Office. Under the bill, all agencies of state government would be required to cooperate fully with the ombudsman and assist in the performance of his or her duties and responsibilities. The bill would require the Legislative Council to establish procedures for approving the office's budget for expending funds and for the employment of any personnel of the ombudsman.

The bill would take effect April 15, 1992, and is tie-barred to House Bill 4737, which would add two additional members to the Natural Resources Commission, and to House Bill 4800, which would repeal the Toxic Substance Control Commission Act.