

MINUTES

**MONTANA SENATE
57th LEGISLATURE - REGULAR SESSION
COMMITTEE ON NATURAL RESOURCES**

Call to Order: By **CHAIRMAN WILLIAM CRISMORE**, on February 2, 2001
at 3:00 P.M., in Room 317-C Capitol.

ROLL CALL

Members Present:

Sen. William Crismore, Chairman (R)
Sen. Dale Mahlum, Vice Chairman (R)
Sen. Vicki Cocchiarella (D)
Sen. Mack Cole (R)
Sen. Lorents Grosfield (R)
Sen. Ken Miller (R)
Sen. Glenn Roush (D)
Sen. Mike Taylor (R)
Sen. Ken Toole (D)

Members Excused: Sen. Bea McCarthy (D)
Sen. Bill Tash (R)

Members Absent: None.

Staff Present: Nancy Bleck, Committee Secretary
Mary Vandenbosch, Legislative Branch

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 94, 1/30/2001; HB 40,
1/30/2001; HB 166, 1/30/2001
Executive Action: HB 93; HB 22; HB 40

HEARING ON HB 94

Sponsor: REP. KIM GILLAN, HD 11, Billings

Proponents: Sandi Olsen, Administrator, Remediation Division,
Montana Department of Environmental Quality
Steve Wade, Burlington Northern/Santa Fe Railway

Don Allen, Western Environmental Trade Association
Anne Hedges, Montana Environmental Information
Center

Julia Page, Northern Plains Resource Council
William Curley, Chief Remediation Counsel, Legal
Unit, Montana Department of Environmental
Quality

Opponents: None.

Opening Statement by Sponsor:

REP. KIM GILLAN, HD 11, Billings, opened by saying **HB 94** was a simple bill for an act that would clarify the requirements to notify potentially liable persons regarding the investigation and remediation of impacts caused by the release of hazardous and deleterious substances. It would standardize the post-emergency action notification deadline and would limit the liability defense to only those department costs incurred prior to the date of notice. It would amend sections 75-10-711, 75-10-712, 75-10-715, and 75-10-745 of the Montana codes and would provide an immediate effective date. This bill was an outgrowth of an issue that was brought to the attention of the Montana Environmental Quality Council. It was discussed at two of the meetings and their staff was asked to have this issue brought up with the legislative recommendations. There were some legislative changes made to the Comprehensive Environmental Cleanup and Responsibility Act (CECRA) legislation in 1997. These changes were intended to modify the notification requirements. However, according to the Department of Environmental Quality (DEQ), inadvertently they had made the notice requirements more cumbersome than intended. On page one, lines 21 and 22, there was some simple language changes that were put in, in order to indicate to any person not any and all persons. It was the DEQ's interpretation that the language that was put on in 1997 was so broad or open-ended that they would have had difficulty in moving forward with the remediation until they had exhausted the possible list of potential parties. The need for this legislation came forward due to factors relating to the Lockwood Solvent Site. Over the years there had been a number of potential polluters, with no negative intended. What happened in Lockwood was that DEQ felt that they could not move forward. The people in Lockwood with residential property near this solvent site were in a terrible glitch. They found themselves unable to use their water supply which was a major problem. The Lockwood solvent site had since been resolved with the DEQ and was now being handled by the U.S. Environmental Protection Agency. But according to the DEQ, there were 24 out of possibly 211 CECRA sites that might be substantially affected if we do not go

forward with this proposed legislation. When the bill was heard in the House Natural Resources Committee, the affected industry supported this. There were some amendments put on to the bill in the House and **REP. GILLAN** explained those amendments. With this bill, the DEQ would be able to move forward in a more expeditious process.

{Tape : 1; Side : A; Approx. Time Counter : 0 - 5.9}

Proponents' Testimony:

Sandi Olsen, Administrator, Remediation Division, Montana Department of Environmental Quality, rose in support of **HB 94** and offered written testimony, **EXHIBIT(nas27a01)**.

{Tape : 1; Side : A; Approx. Time Counter : 5.9 - 9.7}

Steve Wade, Burlington Northern/Santa Fe Railway, stood in support of **HB 94** and offered a plan for recommended amendments, **EXHIBIT(nas27a02)**. **Mr. Wade** explained that the portion of the bill proposed to be amended would be on page five, line 11 following "incurred," to be changed with an insertion "or encumbered". This language change would mean that the "costs" were obligated to be incurred. **Mr. Wade** urged support of this bill with the proposed amendment.

{Tape : 1; Side : A; Approx. Time Counter : 9.7 - 12.2}

Don Allen, Western Environmental Trade Association, supported **HB 94** along with **Mr. Wade's** recommended amendment.

{Tape : 1; Side : A; Approx. Time Counter : 12.2 - 12.9}

Anne Hedges, Montana Environmental Information Center, spoke in support of **HB 94** and stated she was one of the original parties who negotiated the original language. She stated an apology because this certainly was an unintended consequence of the language they had proposed. They never intended that the failure of the department to notice every single person would prevent the department from moving forward or for these other parties that had been noticed from being held liable. She stated it just did not seem right, especially in the Lockwood solvent site. She stated that case really demonstrated the error they had made. She asked for consideration of **HB 94**.

{Tape : 1; Side : A; Approx. Time Counter : 12.9 - 14.1}

Julia Page, Northern Plains Resource Council, supported **HB 94** and provided testimony, **EXHIBIT (nas27a03)**, written by **Sandy Weiss**, a member of Northern Plains Resource Council and a citizen and affected homeowner living in the area of the Lockwood solvent site. **Ms. Weiss** was at a hearing in the House today and therefore **Ms. Page** offered **Ms. Weiss'** compelling story. **HB 94** would not change the effect on the people in Lockwood as it would go into effect afterwards. **Ms. Page** stated that, hopefully for the future, it would prevent the stress and delay that went on with that case. She also stated that with this proposed legislation, hopefully, the DEQ would be able to act more quickly. **Ms. Page** urged passage of **HB 94**.

{Tape : 1; Side : A; Approx. Time Counter : 14.1 - 16.6}

Opponents' Testimony: None.

Questions from Committee Members and Responses:

VICE-CHAIR DALE MAHLUM questioned part of **Ms. Weiss'** letter regarding not being able to have her grandchildren visit. **Julia Page** stated the EPA was able to put water through the whole house now but before that they had bottle water for drinking and cooking but in order to take a shower one would be exposed via the vapors and the air contaminated by those vapors.

{Tape : 1; Side : A; Approx. Time Counter : 16.6 - 18.4}

VICE-CHAIR MAHLUM asked if the **Weiss** family could sell their home and what was going on with that development. **REP. GILLAN** responded that there was some concern that the homes around the Lockwood solvent site had no economic value now and that those homes could not be sold. She did not believe that the EPA would buy them out but was not sure about that being an option. **REP. GILLAN** stated there was an article in the Billings Gazette stating the Lockwood solvent site area homes were actually valueless. **VICE-CHAIR MAHLUM** recalled something in New York called the "Love Canal" years ago where this also was an issue. **REP. GILLAN** stated she thought the "Love Canal" case was probably what prompted the federal superfund act but she was not familiar with how that fund worked. She believed there were fourteen families affected in the Lockwood case.

{Tape : 1; Side : A; Approx. Time Counter : 18.4 - 19.6}

SEN. LORENTS GROSFIELD asked **Anne Hedges** about the proposed amendment. **Ms. Hedges** responded that she was not wild about it but thought it was fine. She stated it might limit what the DEQ

could collect on a remedial action adding a burden on them. **Ms. Hedges** said that was probably a very narrow circumstance and did not have any real objections to the proposed amendment.

{Tape : 1; Side : A; Approx. Time Counter : 19.6 - 20.4}

SEN. GROSFIELD asked **Sandi Olsen** about the original language of the law and stated that it must have been tough to deal with. He wondered if this language would take care of the problem. He also inquired as to how they decided that someone might be potentially liable and what class of people would be included in the class of potentially liable people receiving such notice.

Ms. Olsen responded that the statute itself provided for strict joint and severable liability. That meant that not only do individual parties that might have caused the problem become liable but also other people that were on the site in its contaminated condition. In the search for identifying the appropriate party to notice, the DEQ usually started with a type search with background information. Sometimes members of the public would offer information regarding property ownership. The DEQ would verify that information before they started the notification process. The DEQ's primary focus was on the primarily responsible parties that they could identify. Although this statute would allow them to notice many more parties, some of them might have had a defense. They would try to go after the primary parties first and then depending on the circumstances and the situation, call the other parties. She offered the DEQ's attorney that was present to add his comments.

{Tape : 1; Side : A; Approx. Time Counter : 20.4 - 22.7}

SEN. GROSFIELD questioned the proposed language change regarding "any persons" versus "a" or "any and all persons". He said some party might have a rock solid defense against any liability regarding a contamination case. If they received a notice then they became one of the "any persons". **William Curley, Chief**

Remediation Counsel, Legal Unit, Montana Department of Environmental Quality, responded that what they intended to accomplish with this proposed language change would affect the initial go-around. When they discovered there was contamination of a site, the DEQ could go out and identify who the obvious parties were that had some connection with the contamination and determine if there was a basis for holding them legally liable for the contamination. Then the DEQ could notice those parties that they were liable and ask those parties to take action. Under current law, the DEQ could not do that. They had to do a full good faith investigation, title search, identify everybody that could have potential liability and identify everybody at once and ask them all to do the work. This bill would allow the DEQ to focus on those who actually were the primary responsible

parties. The confusion could be resolved by making it clear that the DEQ could take action, after noticing a few obvious responsible parties to address the contamination, if none of the those parties were willing to do that. The DEQ called the notice "a proper and expeditious letter". **Mr. Curley** emphasized the importance of this bill and amendment.

{Tape : 1; Side : A; Approx. Time Counter : 22.7 - 27.3}

Closing by Sponsor:

REP. GILLAN closed by adding that she was remiss in that **REP. GARY FORRESTER, HD 16, Billings**, represented Lockwood now and he was very involved in this legislation and she forgot to tell him that the hearing was this afternoon. He would have liked to have been at this hearing and she stated **REP. FORRESTER** fully supported this legislation. **REP. GILLAN** added that there was quite a bit of discussion in the House committee about the proposed language and people felt confident about it. She stated she thought that the industry felt confident that this would, in no way, let the DEQ off the hook. The DEQ would still have responsibilities. **REP. GILLAN** encouraged a DO PASS vote on **HB 94**.

CHAIRMAN CRISMORE closed the hearing on **HB 94**.

{Tape : 1; Side : A; Approx. Time Counter : 27.3 - 28.6}

EXHIBIT (nas27a04), HB009401.amv received February 5, 2001

EXHIBIT (nas27a05), HB009402.amv received February 5, 2001

EXHIBIT (nas27a06), HB009403.amv received February 6, 2001

HEARING ON HB 40

Sponsor: **REP. JOHN WITT, HD 89, Carter**

Proponents: **Jim Edgcomb, Program Manager, Treasure State Endowment Program, Montana Department of Commerce**
John Tubbs, Chief, Resource Development Bureau, Montana Department of Natural Resources and Conservation
Dan Keil, North-Central Regional Water Authority
Steve Wade, Dry Prairie Rural Water System

Opponents: **None.**

Opening Statement by Sponsor:

REP. JOHN WITT, HD 89, Carter, opened by saying **HB 40** was a bill for an act retaining the Treasure State Endowment Regional Water System Fund within the Coal Severance Tax Trust Fund for an additional three years. It would stop deposits to the Treasure State Endowment Regional Water System Fund on June 30, 2016, instead of 2013 as currently stated. It also would provide for the continued deposit of interest on the Treasure State Endowment Regional Water System Fund into the Treasure State Endowment Regional Water System State Special Revenue Account for an additional three years and would amend section six, chapter 495, laws of 1999 and would provide a delayed effective date.

{Tape : 1; Side : B; Approx. Time Counter : 0 - 2.9}

Proponents' Testimony:

Jim Edgcomb, Program Manager, Treasure State Endowment Program, Montana Department of Commerce (DOC), rose in support of **HB 40**. One of the main reasons that the DOC requested this bill was to eliminate potential problems that could occur if the state ever needed to sell bonds in order to provide the state's match. Originally when they proposed this bill it was to eliminate the termination date altogether. That was not to the satisfaction of everyone in the House committee and it was amended therefore to extend the date rather than simply terminating it. **Mr. Edgcomb** offered **EXHIBIT (nas27a07)**, a flow chart of the coal severance tax and how that tax was distributed. The thick share came from the interest earnings off the credit taken out of the regional water systems fund. These revenues would gradually build and they were limited in the early years of the funds system. This was the second year this fund had been in existence. As a result, if there was a large demand for the state share in the early years, it would be possible that the state would need to sell bonds to provide its share and then bonds would be repaid through the interest earnings from the fund. If bonds had to be sold, it was important for the state to be able to show that there would be an uninterrupted flow of interest earnings to repay those bonds in order for a bond council to provide an unqualified opinion. The same issue could potentially impact regional water authorities when they were required to borrow money for their share of the project. In addition, given the state at which the Northcentral Regional Water System was at, construction was likely to still be continuing past 2013 and the state's share would still be required to help fund that project. The DOC believed that it was important that there not be any obstacles related to the funding commitment by the state which could potentially impede the progress of these projects. He urged consideration of this bill.

{Tape : 1; Side : B; Approx. Time Counter : 2.9 - 5.7}

John Tubbs, Chief, Resource Development Bureau, Montana Department of Natural Resources and Conservation (DNRC), stood in support of **HB 40** and stated that the DNRC had been working with the two regional water systems for about a decade. DNRC was trying to help coordinate the state efforts as they worked very diligently on the county level. The DNRC supported **HB 40** in its current form as amended by the House. It no longer looked like the recommended bill that DNRC originally submitted to the legislature. As amended, the bill would still serve its purpose to provide the funding source through the entire construction period that was anticipated for these two large regional water systems. If there was another regional water system proposed, the DNRC would be back before the legislature asking for another extension of the termination date.

{Tape : 1; Side : B; Approx. Time Counter : 5.7 - 7.1}

Dan Keil, North-Central Regional Water System, supported **HB 40** and related he was a farmer east of Conrad and had been involved with North-Central Rural Water Authority for approximately six years. He presently served as chairman of that project and anticipated the construction period to run past the 2013 date. He stated this was something that needed to be cleaned up at this time so they would not run into a problem.

{Tape : 1; Side : B; Approx. Time Counter : 7.1 - 8.1}

Steve Wade, Dry Prairie Rural Water System, stated he supported **HB 40** and one of the important things about this issue was that the work on these projects was anticipated to take ten years. They did not know at this time if there might be obstacles delaying the project. **Mr. Wade** stated it was important to extend this program out to make sure that the projects were funded until they were completed. It might prove that they had to come back and ask for another extension but right now this brief extension seemed to solve the immediate problem. He urged support of **HB 40**.

{Tape : 1; Side : B; Approx. Time Counter : 8.1 - 8.9}

Opponents' Testimony: None.

Questions from Committee Members and Responses:

CHAIRMAN BILL CRISMORE referred to line 7 of the bill regarding stopping the deposits to the Treasure State Endowment Regional Water System Fund on June 30th. It was brought to his attention

that this might not be what was really going to be done. **Mr. Tubbs** stated this was drafted in the House and asked to direct this question to **Mary Vandebosch, legislative staffer**. **Ms. Vandebosch** explained that what this bill as amended basically did was to extend the termination date, however, there was still language in the subsection of the bill on line 7. This might want to be clarified with an additional amendment. The options to make this bill consistent were on the title, line 7, to strike "stopping" through title, line 8, 2016, or going ahead and putting the section back in and amending the language to say 2016. **REP. WITT** stated he thought the first option would be fine. **John Tubbs** stated that what this change would do would be to keep the fund in existence for an additional three years which was really what the DNRC was trying to accomplish. They really did not intend for the deposits to continue, but rather they wanted the fund to continue so its earnings could be used for these projects.

{Tape : 1; Side : B; Approx. Time Counter : 8.9 - 15.5}

Closing by Sponsor:

REP. WITT closed by saying that this bill was really important to northcentral Montana and that in Liberty County alone, ninety-five percent of the people would be impacted by this water project. He thought there were other areas in northeastern Montana that would also be impacted. He urged support of **HB 40**.

SEN. GLENN ROUSH, SD 43, Cut Bank, would be carrying this bill on the Senate floor.

CHAIRMAN CRISMORE closed the hearing on **HB 40**.

{Tape : 1; Side : B; Approx. Time Counter : 15.5 - 17.6}

EXECUTIVE ACTION ON HB 93

Motion/Voice Vote: **SEN. MILLER** moved that **HB 93 BE CONCURRED IN. Motion carried unanimously**. Vote was 8-0. Proxy vote from excused **SEN. BILL TASH** was received.

CHAIRMAN CRISMORE advised that if excused **SEN. BEA MCCARTHY** would not accept assignment to carry this that **SEN. MACK COLE** would carry **HB 93** on the Senate floor.

{Tape : 1; Side : B; Approx. Time Counter : 18.8 - 21.0}

EXECUTIVE ACTION ON HB 22

Motion/Voice Vote: SEN. COLE moved that HB 22 BE CONCURRED IN. Motion carried unanimously. Vote was 8-0. Proxy vote from excused SEN. BILL TASH was received.

SEN. MACK COLE will carry HB 22 on the Senate floor.

{Tape : 1; Side : B; Approx. Time Counter : 21.0 - 22.0}

INTERMISSION

{Tape : 1; Side : B; Approx. Time Counter : 22.0 - 27.2}

EXECUTIVE ACTION ON HB 40

Motion: SEN. ROUSH moved that AMENDMENTS TO HB 40 BE ADOPTED. EXHIBIT (nas27a08), HB004001.amv received February 3, 2001, as discussed.

Discussion: Mary Vandebosch advised the amendment was still being drafted and had not yet been finalized. Ms. Vandebosch explained the amendment would make a change in the title, line seven through line eight and would strike "STOPPING" on line seven through "2016;" on line eight.

Voice Vote: Motion that AMENDMENT TO HB 40 BE ADOPTED carried unanimously. Vote was 8-0.

Motion/Voice Vote: SEN. ROUSH moved that HB 40 BE CONCURRED IN AS AMENDED. Motion carried unanimously. Vote was 8-0.

SEN. GLENN ROUSH would be carrying HB 40 on the Senate floor.

{Tape : 1; Side : B; Approx. Time Counter : 27.2 - 32.7}

{Tape : 2; Side : A; Approx. Time Counter : 0 - 4.3}

HEARING ON HB 166

Sponsor: REP. MICHELLE LEE, HD 26, Livingston

{Tape : 2; Side : A; Approx. Time Counter : 4.3 - 6}

Proponents: David A. Galt, Administrator, Motor Carrier
Services Division, Montana Department of
Transportation
Janet Ellis, Montana Audubon
Greg Hahn, Land Section Supervisor, Right of Way
Bureau, Montana Department of Transportation

Opponents: None.

Opening Statement by Sponsor:

REP. MICHELLE LEE, HD 26, Livingston, opened by saying that **HB 166** was a bill for an act allowing certain land to be conveyed by the Montana Department of Transportation (MDT) with a perpetual conservation easement. This bill would restrict who may own the conservation easement and also provided special restrictions for wetland mitigation sites. It would amend section 60-4-207 of the Montana codes. More simply, this bill would allow the MDT to transfer ownership and management responsibilities to other cooperating state, federal, or non-profit groups, of the wetland mitigation acres. Currently, there were 192.8 wetland mitigation acres in the state of Montana. Some of the groups that expressed interest in owning these lands were the Montana Department of Fish, Wildlife and Parks and Ducks Unlimited. The thing that was unique about allowing the MDT to do this through conservation easement was that we could still hold the protective restrictions that the DOT was required to provide as mandated by the U.S. Army Corps of Engineers. **REP. LEE** stated the MDT advised they had neither the experience nor the full-time employees allotted to manage and monitor the ever increasing number of wetland mitigation sites. Some of the concerns that were addressed in the House Natural Resources Committee were access and the first right-of-refusal.

{Tape : 2; Side : A; Approx. Time Counter : 6.0 - 8.0}

Proponents' Testimony:

David A. Galt, Administrator, Motor Carrier Services Division, Montana Department of Transportation, rose in support of **HB 166** and stated they recommended this proposal be brought forth and believed it would help the MDT in its management of lands that they were required to develop. If they had a construction project going that eliminated a wetland, the MDT was required to develop a wetland in a similar region under the same watershed and maintain those wetlands into perpetuity. Current law did not allow MDT to put an easement on those properties. The MDT had

some interest in selling those wetlands to other departments of the state or to non-profit organizations that showed interest to purchase them. Lines 20 through 25 of the bill were the amendments put on the bill in the House and **Mr. Galt** stated the bill as amended still served its purpose well for the MDT. He urged support of **HB 166**.

{Tape : 2; Side : A; Approx. Time Counter : 8 - 10}

Janet Ellis, Montana Audubon, stood in support of **HB 166**. She stated that these wetlands were required by the federal government to be built to replace any that were disturbed by the MDT. The MDT did not have the interest or the mission for long-term management of wetlands so she felt this was a great idea. She urged passage of **HB 166**.

{Tape : 2; Side : A; Approx. Time Counter : 10 - 10.5}

Opponents' Testimony: None.

Questions from Committee Members and Responses:

SEN. MACK COLE wondered about lines 22 and 23 of the bill that related to the current landowner being given the first right-of-refusal. **SEN. COLE** asked if the current landowner purchased it then would the land still have to stay in a perpetual easement. **Greg Hahn, Land Section Supervisor, Right of Way Bureau, MDT**, responded that the current landowner could not purchase the conservation easement but he could re-purchase the underlying fee ownership of the property. The conservation easement would have to go to one of the qualified organizations. There were two issues here. One was the underlying fee ownership and the other was the conservation easement over the property. MDT was asking for the latter with this proposed bill. **SEN. COLE** asked why the landowner would want to buy the land back with a conservation easement on it that was held by another party. **Mr. Hahn** stated that a lot of landowners might want to re-purchase the land because there might be some times of the year when there would be options for allowance of grazing or making some water available as part of the wetland development.

{Tape : 2; Side : A; Approx. Time Counter : 10.5 - 14.1}

SEN. LORENTS GROSFIELD questioned his understanding that would not the current landowner be the MDT. **Mr. Galt** stated the "current landowner" as stated in the bill would be the current landowner the site was purchased from for the state. Hypothetical examples were given for a clear understanding. **SEN. GROSFIELD** understood the intent but did not feel the language was

correct. **REP. LEE** explained why this was put on the bill. **SEN. GROSFIELD** asked what size of parcels were involved in these lands. **Mr. Hahn** responded that they came in all sizes. He explained that what ever size portion of a wetland was displaced by a highway project had to be reclaimed elsewhere. There might be several different highway projects with small acreages each that were displaced and those to be reclaimed from the impact could be combined in one new site. There was much discussion for understanding of this language and issue.

{Tape : 2; Side : A; Approx. Time Counter : 14.1 - 22.3}

SEN. MACK COLE discussed the highway 93 wetland mitigation with **Mr. Galt** for understanding of the intent of this bill.

{Tape : 2; Side : A; Approx. Time Counter : 22.4 - 23.6}

SEN. GROSFIELD asked if under federal law there were minimum requirements for the terms of the conservation easement. **Mr. Hahn** stated there were some terms from the U.S. Army Corps of Engineers and that MDT had met those terms. He also added that there were also terms from the landowners to negotiate at times with the wetland conservation easements. The MDT had reached agreement with the landowners also. Some concerns of the landowners, for example, were terms regarding design of the wetland project where the landowner might negotiate access to water at certain times of the year. That access could not be damaging to the wetland area and fencing and such were negotiated. **SEN. GROSFIELD** gave another hypothetical example in search of understanding of the "current landowner". **Mr. Galt** explained the intent of the language.

{Tape : 2; Side : A; Approx. Time Counter : 23.6 - 28.5}

SEN. MILLER explained he understood "the current landowner" would be the landowner that now held the title to the surrounding land or land adjacent to the wetland. **REP. LEE** stated there was varying interpretation in just the opposite way in the House regarding the landowners' rights for offer of the first right-of-refusal.

{Tape : 2; Side : A; Approx. Time Counter : 14.1 - 32.7}

Mary Vandenbosch requested clarification in drafting the amendment. **Janet Ellis** also offered information regarding conservation easement restrictions regarding wetlands. **CHAIRMAN CRISMORE** stated the consensus of this committee was that it would not pass this bill out of here unless the language would be

amended, referring to all of the questions and concern expressed over the term of "current landowner". **SEN. GROSFIELD** agreed to work on the amendment addressing the language in the bill on page 1, line 22 regarding this term.

{Tape : 2; Side : B; Approx. Time Counter : 0 - 10.1}

Closing by Sponsor:

REP. LEE closed by saying that there was similar confusion in the House in understanding this issue. She stated this was an important bill to help the MDT with the wetland mitigations and she was willing to work with the staffer on the wording for the amendment of the language in question. She urged passage of **HB 166**.

{Tape : 2; Side : B; Approx. Time Counter : 10.1 - 12}

EXHIBIT (nas27a09), HB016601.amv received February 5, 2001.

ADJOURNMENT:

Adjournment: 4:40 P.M.

SEN. WILLIAM CRISMORE, Chairman

NANCY BLECK, Secretary

WC/NB

EXHIBIT (nas27aad)