

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
58th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON NATURAL RESOURCES

Call to Order: By **VICE CHAIRMAN JIM PETERSON**, on January 22, 2003 at 3:40 P.M., in Room 152 Capitol.

ROLL CALL

Members Present:

Rep. Gail Gutsche, Vice Chairman (D)
Rep. Jim Peterson, Vice Chairman (R)
Rep. Debby Barrett (R)
Rep. Larry Cyr (D)
Rep. Sue Dickenson (D)
Rep. Ron Erickson (D)
Rep. George Everett (R)
Rep. Kim Gillan (D)
Rep. Carol Lambert (R)
Rep. Michael Lange (R)
Rep. Bruce Malcolm (R)
Rep. Brad Newman (D)
Rep. John (Jack) W. Ross (R)
Rep. Scott Sales (R)
Rep. Veronica Small-Eastman (D)

Members Excused: Rep. Cindy Younkin, Chairman (R)
Rep. Rick Maedje (R)
Rep. Christopher Harris (D)

Members Absent: None.

Staff Present: Kathleen Ely, Committee Secretary
Larry Mitchell, Legislative Branch

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

Video-Taped Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. A video-taped recording of the meeting is available from the Montana Historical Society.

Committee Business Summary:

Hearing & Date Posted: HB 257, 1/16/2003
Executive Action: None.

HEARING ON HB 257

Sponsor: REP. HAINES, HB 63, MISSOULA

Opening Statement by Sponsor:

3:42 p.m. REP. HAINES

Proponents' Testimony:

EXHIBIT (nah13a01)

3:48 p.m. REP. NOENNIG, HD 9, BILLINGS

Opponents' Testimony:

3:53 p.m. John Youngberg, Montana Stockgrowers Association

3:56 p.m. Mark Baker, Anderson and Baker

Questions from Committee Members and Responses:

3:58 p.m. REP. ROSS

3:58 p.m. REP. HAINES

4:00 p.m. REP. LANGE

4:00 p.m. REP. NOENNIG

4:02 p.m. REP. LAMBERT

4:02 p.m. CHAIRMAN YOUNKIN present.

4:03 p.m. REP. NOENNIG

Closing by Sponsor:

4:04 p.m. REP. HAINES

4:08 p.m. CHAIRMAN YOUNKIN takes the Chair.

EXECUTIVE ACTION ON HB 223

Motion: 4:08 p.m. REP. NEWMAN moved that HB 223 DO PASS.

Motion: REP. NEWMAN moved that HB 223 BE AMENDED (HB022304.alm).

EXHIBIT (nah13a02)

4:11 p.m. REP. PETERSON

4:13 p.m. REP. GUTSCHE

4:14 p.m. REP. MAEDJE

4:14 p.m. CHAIRMAN YOUNKIN

EXHIBIT (nah13a03)

4:16 p.m. REP. NEWMAN withdrew his motion and reserved the right to move his amendment again.

4:17 p.m. REP. YOUNKIN

4:17 p.m. REP. HARRIS present.

4:19 p.m. Larry Mitchell

4:20 p.m. REP. NEWMAN

Motion/Vote: 4:21 p.m. REP. YOUNKIN moved that HB 223 BE AMENDED (HB022301.alm). Motion carried unanimously.

Motion: 4:22 p.m. REP. GUTSCHE moved that HB 223 BE AMENDED (HB022306.alm).

EXHIBIT (nah13a04)

4:22 p.m. REP. GUTSCHE

4:27 p.m. REP. MAEDJE

4:27 p.m. REP. GUTSCHE

4:28 p.m. REP. MAEDJE

4:28 p.m. REP. GUTSCHE

4:28 p.m. **CHAIRMAN YOUNKIN** moved to **segregate 5, 6, 10, and 11 of the amendment (HB022306.alm)**.

4:30 p.m. **REP. PETERSON**

4:31 p.m. **CHAIRMAN YOUNKIN**

4:32 p.m. **Tom Schultz, Department of Natural Resources**

4:35 p.m. **REP. GUTSCHE**

4:35 p.m. **CHAIRMAN YOUNKIN**

4:36 p.m. **REP. YOUNKIN**

4:36 p.m. **REP. PETERSON**

4:36 p.m. **Tom Schultz**

4:36 p.m. **REP. PETERSON**

4:37 p.m. **Tom Schultz**

4:38 p.m. **CHAIRMAN YOUNKIN**

4:38 p.m. **Tom Schultz**

4:39 p.m. **REP. LAMBERT**

4:40 p.m. **REP. GUTSCHE**

4:40 p.m. **Tom Schultz**

4:40 p.m. **REP. LAMBERT**

4:42 p.m. **REP. GUTSCHE**

4:42 p.m. **REP. ERICKSON**

4:43 p.m. **REP. BARRETT**

4:43 p.m. **REP. ERICKSON**

4:43 p.m. **REP. LANGE**

4:43 p.m. **REP. LANGE**

4:44 p.m. **REP. PETERSON**

4:46 p.m. **CHAIRMAN YOUNKIN**

4:47 p.m. **REP. GUTSCHE**

4:48 p.m. **REP. LAMBERT**

4:49 p.m. **REP. PETERSON**

Vote: 4:50 p.m. Motion that **HB 223 BE AMENDED (5, 6, 10, 11 of HB022306.alm)** carried 17-1 with **BARRETT** voting no by voice vote.

EXHIBIT (nah13a05)

4:53 p.m. **REP. PETERSON**

4:55 p.m. **REP. GUTSCHE**

4:56 p.m. **Larry Martin**

4:56 p.m. **REP. PETERSON**

4:56 p.m. **REP. GUTSCHE**

4:58 p.m. **REP. ERICKSON**

4:58 p.m. **REP. HARRIS**

4:58 p.m. **Tom Schultz**

5:01 p.m. **REP. HARRIS**

5:02 p.m. **REP. GUTSCHE** called the question.

Vote: 5:02 p.m. Motion that **HB 223 BE AMENDED (1-4, 7-9, 12-15 of HB022306.alm)** carried 17-1 with **PETERSON** voting no.

Motion: 5:02 p.m. **REP. NEWMAN** moved that **HB 223 DO PASS AS AMENDED.**

Motion: 5:03 p.m. **REP. PETERSON** moved that **HB 223 BE AMENDED (HB022302.alm)** and that **Amendments 3, 4, 5, and 6** be segregated, as well as appropriate paragraph numbering be done.

5:04 p.m. **REP. PETERSON**

5:07 p.m. **CHAIRMAN YOUNKIN**

5:07 p.m. **REP. PETERSON**

5:08 p.m. **REP. ERICKSON**

5:09 p.m. **REP. ROSS**

5:10 p.m. **Bud Clinch, Department of Natural Resources**

5:12 p.m. **CHAIRMAN YOUNKIN**

5:12 p.m. **REP. LAMBERT**

5:12 p.m. **CHAIRMAN YOUNKIN**

5:13 p.m. **REP. GUTSCHE**

5:13 p.m. **Larry Mitchell**

5:13 p.m. **REP. PETERSON**

5:14 p.m. **REP. MALCOLM**

5:14 p.m. **REP. GUTSCHE**

5:14 p.m. **REP. ERICKSON**

5:15 p.m. **CHAIRMAN YOUNKIN**

5:16 p.m. **REP. HARRIS**

5:16 p.m. **REP. BARRETT**

5:16 p.m. **REP. MAEDJE**

5:17 p.m. **CHAIRMAN YOUNKIN**

5:18 p.m. **REP. BARRETT**

5:19 p.m. **REP. GUTSCHE**

Motion: 5:19 p.m. **REP. GUTSCHE** moved that **HB 223 BE AMENDED** by a conceptual amendment.

5:19 p.m. **REP. ERICKSON**

5:20 p.m. **CHAIRMAN YOUNKIN**

Vote: 5:21 p.m. Motion that **HB 223 be conceptually amended carried unanimously** by voice vote.

Motion: 5:22 p.m. **REP. HARRIS** moved that **HB 223 BE AMENDED (HB022305.alm)**.

EXHIBIT (nah13a06)

5:25 p.m. **REP. PETERSON**

5:25 p.m. **Bud Clinch**

5:26 p.m. **CHAIRMAN YOUNKIN**

5:27 p.m. **REP. HARRIS**

5:28 p.m. **REP. ROSS**

5:29 p.m. **REP. PETERSON**

5:30 p.m. **REP. LANGE**

5:31 p.m. **REP. LAMBERT**

5:32 p.m. **REP. HARRIS**

Vote: 5:32 p.m. Motion that **HB 223 BE AMENDED passed with LAMBERT, PETERSON, and YOUNKIN voting aye** by voice vote.

5:33 p.m. **REP. HARRIS**

Motion: 5:33 p.m. **REP. HARRIS** moved that **HB 223 BE AMENDED (Lines 10-73 of p. 5 of the bill)**.

5:34 p.m. **CHAIRMAN YOUNKIN**

5:34 p.m. **Larry Mitchell**

5:35 p.m. **CHAIRMAN YOUNKIN**

5:35 p.m. **Bud Clinch**

5:36 p.m. **REP. ROSS** moved that **HB 223 BE AMENDED (p. 4, line 9, from state to state)**

5:38 p.m. **REP. DICKENSON**

5:38 p.m. **CHAIRMAN YOUNKIN**

5:38 p.m. **Larry Mitchell**

Vote: Motion **HB 223** carried 15-2 with **HARRIS** and **LANGE** voting no.

Motion: 5:38 p.m. **REP. NEWMAN** moved that **HB 223 DO PASS AS AMENDED**.

Motion: **REP. MAEDJE** moved that **HB 223 BE AMENDED (HB022309.alm)**.

EXHIBIT (nah13a07)

5:42 p.m. **Bud Clinch**

5:47 p.m. **REP. MAEDJE**

5:48 p.m. **REP. PETERSON**

5:48 p.m. **REP. MAEDJE**

5:51 p.m. **REP. ERICKSON**

5:53 p.m. **REP. MAEDJE**

5:54 p.m. **REP. ERICKSON**

Motion: **REP. ERICKSON** made a Substitute Motion that **HB 223 BE AMENDED (HB022309.alm delete 5a and changing to 5B)**.

5:54 p.m **REP. HARRIS**

5:55 p.m. **REP. SMALL-EASTMAN**

5:56 p.m. **REP. MAEDJE**

5:57 p.m. **CHAIRMAN YOUNKIN** decided to hold off action on the bill until **REP. MAEDJE**'s amendments could be revised.

ADJOURNMENT

Adjournment: 5:59 P.M.

REP. CINDY YOUNKIN, Chairman

KATHLEEN ELY, Secretary

CY/KE

EXHIBIT (nah13aad)