

MINUTES

**MONTANA SENATE
59th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON NATURAL RESOURCES

Call to Order: By **CHAIRMAN GLENN ROUSH**, on January 21, 2005 at 3:00 P.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Glenn Roush, Chairman (D)
Sen. Aubyn Curtiss (R)
Sen. Kelly Gebhardt (R)
Sen. Dan Harrington (D)
Sen. Greg Lind (D)
Sen. Gary L. Perry (R)
Sen. Bill Tash (R)
Sen. Ken Toole (D)
Sen. Mike Wheat (D)

Members Excused: None.

Members Absent: None.

Staff Present: Peg Holwick, Committee Secretary
Krista Lee Evans, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 233, 1/10/2005; SB 236,
1/10/2005; SB 210, 1/10/2005
Executive Action: None.

HEARING ON SB 233

Opening Statement by Sponsor: SEN. SAM KITZENBERG (R), SD 18, opened the hearing on SB 233, Lower Missouri River partners council.

00:10:00

Proponents' Testimony:

Buzz Matelin, Culbertson, Montana Lower Missouri Coordinated Resource Management Council, (LoMoCRM)

[EXHIBIT](#) (nas16a01)

Rich Moy, Department of Natural Resources, (DNRC)

[EXHIBIT](#) (nas16a02)

Lew Whitmer, on behalf of self

Derrick Goldman, Montana Audubon Society

SEN. SMITH

Gary Amestoy, Richland Economic Development Corporation

Opponents' Testimony: None.

Informational Testimony: None.

00:11:00

Questions from Committee Members and Responses:

SEN. CURTISS for Rich Moy regarding biological integrity

SEN. LIND for Derrick Goldman

SEN. PERRY for Buzz Maitlan

SEN. PERRY for Rich Moy

SEN. GEPHARDT for Rich Moy

SEN. CURTISS for Lew Whitmer

CHAIRMAN ROUSCH for Rich Moy

Closing by Sponsor:

00:20:00

HEARING ON SB 236

00:21:00

Opening Statement by Sponsor: SEN. GREG LIND (D), SD 50, opened the hearing on SB 236, Revise water quality standards.

00:45:00

Proponents" Testimony:

John Wilson, Montana Trout Unlimited

[EXHIBIT](#) (nas16a03)

[EXHIBIT](#) (nas16a04)

Jeff Barber, Montana Environmental Information Center

[EXHIBIT](#)(nas16a05)

Michele Reinquert, Northern Plains Resource Council

Derrick Goldman, Montana Audubon Society

[EXHIBIT](#)(nas16a06)

Opponents' Testimony: None.

Informational Testimony: None

Questions from Committee Members and Responses:

SEN. CURTISS for Art Compton, Department of Environmental Quality (MDEQ), regarding the arsenic content of rivers and streams.

SEN. GEPHARDT for Art Compton, (MDEQ), regarding clarification of arsenic levels in the water and the redefining of levels.

SEN. PERRY for Art Compton for clarification of line 22 in the bill regards arsenic standards.

SEN. CURTISS commented further on lack of water quality standards

SEN. WHEAT for SEN. LIND

Closing by Sponsor:

01:01:05

HEARING ON SB 210

01:08:00 P.M.

Opening Statement by Sponsor: SEN. MIKE COONEY (D), SD 40, opened the hearing on SB 210, Corridor of discovery commission.

[EXHIBIT](#)(nas16a07)

01:15:00

Proponents:

Wilbur Rehmann, L&C Historic Preservation Committee

SEN. GALLUS

Erik Grove, Glacier Cyclery

Don Judge, Montana Sierra Club

[EXHIBIT](#)(nas16a08)

Mary Sexton, Director, Montana Department of Natural Resources, (DNRC)

Jeff Hagener, Director, Montana Fish Wildlife and Parks (FWP)

[EXHIBIT](#)(nas16a09)

Pat Anderson, owner, Wolf Creek Bed and Breakfast

Paul Cartwright, Commissioner, City of Helena

Laura Erickson, City of Helena and Lewis and Clark County

Angie Grove, on behalf of self

[EXHIBIT](#) (nas16a10)

Kenneth V. Eden, M.D., on behalf of self

[EXHIBIT](#) (nas16a11)

Jim Ahrens, on behalf of self

Rich Miller, on behalf of self

Mike Griffith, on behalf of self

Patrick Hunter, on behalf of self

01:39:00

Opponents:

Dan Fiehrer, on behalf of self

[EXHIBIT](#) (nas16a12)

Tom Wrobel, on behalf of self

John Stoner, Havre farmer and representative of the Montana Grain Growers' Association

Steven J. Reis, Surveyor, former Engineer of Morrison- Maierle

Steve Pilscher of the Montana Stock Growers' Association

Bill Green, on behalf of self

Ed Crowley, on behalf of self

John Baucus, on behalf of self

Clayton Berg, owner, Valley Nursery

02:16:00

Informational Testimony:

Jean Walborn, Department of Revenue

Pat Keim, Burlington Northern Santa Fe (BNSF)

Questions from Committee Members and Responses:

SEN. TASH for John Baucus

SEN. WHEAT for Pat Keim

SEN. TOOLE for Pat Keim regarding utilization of track and potential hazardous materials contamination and/or other hazards along the RR line

SEN. TOOLE for Jean Walborn regarding tax credit language

SEN. TOOLE for SEN. COONEY

SEN. LIND for Eric Grove

SEN. CURTISS for Pat Keim regarding RR detour routes, and, follow up question on feasibility of keeping RR line

SEN. CURTISS for Jon Stoner regarding potential of lease agreement with BNSF

SEN. PERRY for Jean Walborn regarding tax incentives

SEN. ROUSCH for Pat Keim regarding BNSF giving up the RR line

SEN. ROUSCH for **SEN. COONEY** regarding plan of action by proponents towards abandoning the RR line.

SEN. CURTISS for **Pat Keim** regarding section 60-11-111; question deferred to **Angie Grove**.

01:56:00

Closing by Sponsor:

EXHIBIT (nas16a13)

ADJOURNMENT

Adjournment: 5:56 P.M.

SEN. GLENN ROUSH, Chairman

PEG HOLWICK, Secretary

GR/ph

Additional Exhibits:

EXHIBIT ([nas16aad0.PDF](#))