

MINUTES

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

COMMITTEE ON NATURAL RESOURCES

00:00:01

Call to Order: By **CHAIRMAN GLENN ROUSH**, on March 11, 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. Greg Lind (D)
Sen. Gary L. Perry (R)
Sen. Bill Tash (R)
Sen. Ken Toole (D)
Sen. Mike Wheat (D)

Members Excused: Sen. Dan Harrington (D)

Members Absent: None.

Staff Present: Peg Holwick, Committee Secretary, Audio Technician
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: HJ 10, 3/8/2005; HB 399, 3/8/2005; HB
428, 3/8/2005; HB 147, 3/8/2005

Executive Action: HJ 10, HB 147, HJ 18, HB 428, HB 370

HEARING ON HJ 10

00:00:01

Opening Statement by Sponsor:

REP. HAL JACOBSON (D), HD 82, opened the hearing on HJ 10, Study fire-related statutes for suppression and mitigation.

Proponents' Testimony:

00:02:48 Mary Sexton, Department of Natural Resources (DNRC)

00:05:18 Jason Todd, Montana Logging Association

00:05:47 John Semple, Montana Fire Alliance

Opponents' Testimony: None.

Informational Testimony:

00:06:21 Bob Harrington, DNRC

00:06:47

Questions from Committee Members and Responses:

00:08:32

Closing by Sponsor:

EXECUTIVE ACTION ON HJ 10

00:10:07

Motion/Vote: SEN. TOOLE moved that HJ 10 BE CONCURRED IN. Motion carried unanimously by voice vote.

HEARING ON HB 399

00:10:25

Opening Statement by Sponsor:

REP. DIANE RICE (R), HD 71, opened the hearing on HB 399, Revise weather modification laws.

EXHIBIT (nas54a01)

Proponents' Testimony:

00:14:58 Barry Rice, on behalf of self

00:15:26 Ross Hansen, rancher, on behalf of self
00:17:15 Chris Christenson, Lobbyist

EXHIBIT (nas54a02)

00:22:49 REP. DEBBY BARRETT, HD 72, DILLON

EXHIBIT (nas54a03)

00:24:02 John Semple, Montana Fire Alliance
00:24:31 Michael Murphy, Water Resources Association

Opponents' Testimony:

00:25:01
00:25:41 Larry Tveit, on behalf of self

EXHIBIT (nas54a04)

00:35:27 Mike McGilney, Beaverhead County Commissioner

EXHIBIT (nas54a05)

00:42:37 Clint Broere, rancher, on behalf of self
00:44:20 Jim Steinbeisser, farmer, on behalf of self
00:45:28 Wally Congdon, Beaverhead County

EXHIBIT (nas54a06)

00:56:44 Cody Ferguson, Northern Plains Resource Council

Informational Testimony:

00:56:58 Jack Stults, DNRC Water Resources Division

00:59:08

Questions from Committee Members and Responses:

01:07:57 SEN. VICE CHAIRMAN KEN TOOLE assumed the Chair.

01:31:28

Closing by Sponsor:

EXHIBIT (nas54a07)

HEARING ON HB 428

01:35:44

Opening Statement by Sponsor:

REP. GAIL GUTSCHE (D), HD 99, opened the hearing on HB 428, Revise laws related to enforcement of strip and underground mine reclamation.

Proponents' Testimony:

01:38:00 John Arrigo, Department of Environmental Quality

EXHIBIT (nas54a08)

01:43:48 Michael Kakuk, Lobbyist

01:45:53 Bud Clinch, Montana Coal Council

01:46:38 Don Allen, Western Environmental Trade Association
(WETA)

Opponents' Testimony: None.

Informational Testimony: None.

01:48:32

Questions from Committee Members and Responses:

01:52:01

Closing by Sponsor:

EXHIBIT (nas54a09)

01:56:09 Break.

02:01:58 Resume.

HEARING ON HB 147

02:01:58

Opening Statement by Sponsor:

REP. PAUL CLARK (D), HD 13, opened the hearing on HB 147, Allow multiple small quarries under one operating permit.

Proponents' Testimony:

02:06:43 Warren McCullough, DEQ

EXHIBIT (nas54a10)

02:10:24 **Art Vail, Manager - Flathead Unit, Plum Creek**

Opponents' Testimony: None.

Informational Testimony: None.

02:12:28

Questions from Committee Members and Responses:

02:17:32 **SEN. CURTISS for Terry Chute, USDA Forest Service**

02:18:10

Closing by Sponsor:

EXECUTIVE ACTION ON HB 147

02:18:59

Motion/Vote: SEN. TASH moved that HB 142 BE CONCURRED IN. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HJ 18

02:22:21

Motion/Vote: SEN. TOOLE moved that HJ 18 BE CONCURRED IN. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 428

02:22:38

Motion: SEN. TOOLE moved that HB 428 BE CONCURRED IN.

Motion/Vote: SEN. TOOLE moved AMENDMENT to HB 428. Motion carried unanimously by voice vote.

Motion/Vote: SEN. TOOLE moved that HB 428 BE CONCURRED IN AS AMENDED. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 370

02:25:11

Motion: SEN. GEBHARDT moved that HB 370 BE CONCURRED IN.

02:25:43

Discussion:

02:25:50

Motion/Vote: SEN. GEBHARDT moved that HB 370 BE CONCURRED IN.

Motion carried unanimously by voice vote.

ADJOURNMENT

02:26:35

Adjournment: 5:45.M.

SEN. GLENN ROUSH, Chairman

PEG HOLWICK, Secretary

GR/ph

Additional Exhibits:

EXHIBIT ([nas54aad0.PDF](#))