

MINUTES

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

COMMITTEE ON NATURAL RESOURCES

00:00:00

Call to Order: By **SEN. AUBYN CURTISS**, on March 16, 2005 at 3:30 P.M., in Room 405 Capitol.

ROLL CALL

Members Present:

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: Sen. Glenn Roush, Chairman (D).

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: HB 174, 3/11/2005; HB 606,
3/11/2005; HB 206, 3/11/2005; HB
361, 3/11/2005
Executive Action: HB 174, HJ 21

HEARING ON HB 174

00:00:10

Opening Statement by Sponsor:

REP. JOHN WITT (R), HD 28, opened the hearing on HB 174, Revise private pond licensing laws.

Proponents' Testimony:

00:02:40 **Jim Kropp, Chief of Enforcement, Montana, Fish
Wildlife and Parks (FWP)**

EXHIBIT(nas58a01)

00:04:43 **Mark Aagenes, Trout Unlimited**

EXHIBIT(nas58a02)

00:07:10 **Derek Goldman, Montana Audubon and Montana
Fisheries Society**

Opponents' Testimony: None.

Informational Testimony: None.

00:08:27

Questions from Committee Members and Responses:

00:10:27

Closing by Sponsor:

HEARING ON HB 606

00:18:46

Opening Statement by Sponsor:

REP. GAIL GUTSCHE (D), HD 99, opened the hearing on HB 606, Small miner using impoundment to store ore processing waste must obtain permit.

Proponents' Testimony:

00:21:38 **Elizabeth Green, Cottonwood Resource Council
(CRC), and Northern Plains Resource Council**

EXHIBIT (nas58a03)

00:24:14 Karen Hauge, on behalf of self

EXHIBIT (nas58a04)

00:27:04 Paul Hawks, CRC

00:28:33 Toni Lusk, on behalf of self

EXHIBIT (nas58a05)

00:29:59 Cory Ferguson, Northern Plains Resource Council

EXHIBIT (nas58a06)

00:31:19 Mark Aagenese, Trout Unlimited

Opponents' Testimony:

00:31:50 Paul Northcutt, Lodestar Mining

EXHIBIT (nas58a07)

00:46:01 Angela Janacaro, Montana Mining Association

EXHIBIT (nas58a08) GET COPY

00:48:46 Alan Gilda, small miner on behalf of self

EXHIBIT (nas58a09)

00:57:14 Warren McCullough, Department of Environmental
Quality (DEQ)

Informational Testimony: None.

00:57:47

Questions from Committee Members and Responses:

01:28:44

Closing by Sponsor:

01:33:03 Break.

01:37:45 Resume.

01:37:45 **SEN. HARRINGTON** assumed the chair.

HEARING ON HB 206

01:33:03

Opening Statement by Sponsor:

REP. ART NOONAN (D), HD 73, opened the hearing on HB 206, Revise controlled groundwater areas.

Proponents' Testimony:

01:42:11 Jack Stults, Department of Natural Resources and Conservation (DNRC), Water Resources Division
[EXHIBIT \(nas58a10\)](#)

Opponents' Testimony:

01:50:48 Kathy Gallagher, Sypes Canyon

Informational Testimony:

01:58:07 Michael Kakuk, Lobbyist

01:59:30

Questions from Committee Members and Responses:

02:13:14

Closing by Sponsor:

HEARING ON HB 361

02:19:28

Opening Statement by Sponsor:

REP. DAVE GALLIK (D), HD 79, opened the hearing on HB 361, Revise opencut mining act.

Proponents' Testimony:

02:20:42 Michael Kakuk, Lobbyist

[EXHIBIT \(nas58a11\)](#)

02:21:59 Gary Forester, Lobbyist

02:22:27 Neil Harrington, DEQ

02:26:02 E.J. Redding, MDU Resources/JIL

Opponents' Testimony: None.

Informational Testimony: None.

02:26:29

Questions from Committee Members and Responses:

02:32:36

Closing by Sponsor:

02:32:36 SEN. ROUSH resumed the chair.

EXECUTIVE ACTION ON HB 174

02:34:08

Motion: SEN. GEBHARDT moved that HB 174 BE CONCURRED IN.

02:35:20

Motion/Vote: SEN. GEBHARDT moved that HB 174 BE CONCURRED IN.
Motion carried 7-1 by voice vote with SEN. LIND voting no.

EXECUTIVE ACTION ON HJ 21

02:36:17

Motion: SEN. GEBHARDT moved that HJ 21 BE CONCURRED IN.

Discussion:

02:49:00

Motion/Vote: SEN. GEBHARDT moved that HJ 21 BE CONCURRED IN.
Motion carried 5-4 by roll call vote with SEN. TOOLE and SEN.
WHEAT voting no. SEN. HARRINGTON and SEN. PERRY voted by Proxy.

ADJOURNMENT

Adjournment: 6:45 P.M.

SEN. GLENN ROUSH, Chairman

PEG HOLWICK, Secretary

GR/ph

Additional Exhibits:

EXHIBIT ([nas58aad0.PDF](#))