

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
60th LEGISLATURE - REGULAR SESSION**

**JOINT APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES AND
COMMERCE**

Call to Order: By Chairman Rick Ripley, on January 16, 2007 at
10:00 A.M., in Room 317-C Capitol.

ROLL CALL

Members Present:

Rep. Rick Ripley, Rep. (R)
Sen. Ken (Kim) Hansen, Vice Rep. (D)
Rep. John L. Musgrove (D)
Sen. Bill Tash (R)
Sen. Mitch Tropila (D)
Rep. Craig Witte (R)

Members Excused: None.

Members Absent: None.

Staff Present: Eileen Rose, Office of Budget and Program
Planning
Christie Messer, Committee Secretary
Barbara Smith, 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:

Subjects Addressed: Department of Environmental Quality
proposed appropriations and DPs.
Executive Action: DEQ DP's

Department of Environmental Quality

00:00:23 Barbara Smith

EXHIBIT (jnh10a01)

EXHIBIT (jnh10a02)

EXHIBIT (jnh10a03)

EXHIBIT (jnh10a04)

00:07:28 Sen. Tropila

00:07:37 Ms. Smith

00:07:54 Rep. Musgrove

00:08:22 Rep. Ripley

00:08:33 Rep. Musgrove

00:08:47 Rep. Ripley

00:08:51 Rep. Musgrove

00:09:30 Rep. Ripley

00:09:33 Richard Opper, Director of Montana Department of
Environmental Quality (DEQ)

00:12:27 Rep. Musgrove

00:13:11 Mr. Opper

00:13:59 Rep. Ripley

00:14:36 John Arrego, DEQ Enforcement Division

00:14:58 Rep. Ripley

00:15:04 Sen. Tropila

00:15:43 Mr. Opper

00:17:14 Senator Tash

00:17:41 Mr. Opper

00:19:33 Rep. Musgrove

00:19:49 Rep. Ripley

00:20:36 Ms. Smith

00:21:39 Rep. Musgrove

00:21:51 Rep. Ripley

00:22:02 Mr. Opper

00:22:49 Rep. Ripley

00:22:59 Mr. Opper

00:23:22 Rep. Ripley

00:23:42 Mr. Opper

00:24:06 Rep. Ripley

00:25:05 Mr. Opper

00:26:45 Rep. Ripley

00:26:49 Mr. Opper

00:27:31 Tom Livers, Deputy Director, DEQ

EXHIBIT (jnh10a05)

00:36:50 Rep. Witte

00:36:59 Mr. Livers

00:37:39 Rep. Witte

00:38:20 Mr. Livers

00:40:47 Sen. Tash

00:41:01 Mr. Livers
00:41:29 Sen. Tash
00:41:45 Art Compton, Administrator, DEQ Planning Division
00:42:32 Sen. Tash
00:42:37 Mr. Compton
00:42:56 Sen. Tash
00:43:01 Mr. Livers
00:47:18 Sen. Tash
00:47:49 Mr. Livers
00:51:20 Sen. Tropila
00:51:30 Mr. Livers
00:52:35 Sen. Tropila
00:53:12 Mr. Livers
00:55:50 Sen. Tropila
00:56:36 Rep. Ripley
00:57:01 Mr. Livers
00:58:48 Rep. Ripley
00:58:57 Mr. Livers
00:59:15 Rep. Ripley
00:59:19 Mr. Livers

[EXHIBIT \(jnh10a06\)](#)

[EXHIBIT \(jnh10a07\)](#)

01:00:42 Rep. Ripley

01:01:37 Break

01:01:53 Reconvene

01:03:24 Kelly DaSilva, Human Resource Officer, Legislative
Branch

01:10:02 Sen. Tash

01:10:34 Ms. DaSilva

01:10:48 Mr. Opper

Hill County 4-H Members and Leaders visiting introduced to
committee and audience.

01:11:32 Rep. Musgrove

01:11:44 Rep. Ripley

01:11:51 Sen. Hansen

01:12:01 Ms. DaSilva

01:12:07 Sen. Hansen

01:12:14 Ms. DaSilva

01:13:07 Rep. Ripley

01:14:10 Ms. DaSilva

01:14:54 Rep. Ripley

01:14:59 Ms. Smith

01:15:00 Rep. Ripley

01:15:07 Rep. Witte

01:16:33 Rep. Ripley

EXECUTIVE ACTION ON DP 1001

01:17:05 **Motion:** Rep. Musgrove moved DP 1001 **BE ADOPTED**,
one time only.

Discussion:

01:17:00 Rep. Ripley

01:18:19 Ms. Smith

01:18:57 Rep. Ripley

01:19:20 Ms. Smith

01:19:49 **Vote:** **Motion failed** 3-3 by roll call vote, with Rep.
Musgrove, Sen. Hansen, and Sen. Tropila voting aye.

01:20:18 Rep. Musgrove

01:20:32 Rep. Ripley

01:20:39 Rep. Musgrove

01:20:51 Rep. Ripley

01:21:15 Rep. Musgrove

01:21:21 Mr. Opper

01:21:30 **Motion:** Rep. Musgrove moved **TO REVISIT** DP 1001 and
changed to one time only, no FTEs, 1.8 million to
contracted services rather than personal services,
retaining budget for software and indirect costs.

Discussion:

01:21:55 Ms. Smith

01:22:10 Rep. Ripley

01:22:18 Sen. Tropila

01:22:35 Rep. Ripley

01:22:49 Sen. Tropila

01:22:56 Rep. Musgrove delayed motion for the Legislative Fiscal
Division and the DEQ to redraft DP 1001 and provide
committee with additional detail at next hearing.

01:23:09 Ms. Smith

01:23:20 Rep. Ripley

DP 1002

01:23:34 **Motion:** Sen. Hansen moved **TO ADOPT** DP 1002.

Discussion:

01:23:43 Rep. Ripley
01:23:55 Sen. Tash
01:24:23 Mr. Livers
01:25:31 Sen. Hansen
01:25:46 Ms. Smith
01:26:11 Rep. Ripley

01:26:29 **Vote:** **Motion failed** 3-3 by roll call vote, with Rep. Musgrove, Sen. Tropila, and Sen. Hansen voting aye.

01:26:55 Rep. Ripley

DP 1003

01:27:02 **Motion/Vote:** Sen. Musgrove moved **TO ADOPT** DP 1003.
Motion carried 5-1 by roll call vote, Sen. Tropila, Sen. Tash, Sen Hansen, and Rep. Ripley voting aye.

Discussion:

01:27:51 Ms. Smith
01:28:00 Rep. Ripley
01:28:24 Ms. Smith
01:28:51 Sen. Musgrove
01:29:03 Rep. Ripley
01:29:11 Ms. Smith
01:29:47 Rep. Musgrove
01:29:55 Rep. Ripley
01:29:59 Ms. Smith
01:31:11 Mr. Livers
01:31:45 Rep. Ripley
01:32:04 Mr. Livers
01:33:24 Dean Rude, DEQ
01:34:37 Rep. Ripley
01:34:54 Mr. Rude
01:35:57 Sen. Tash
01:36:46 Mr. Rude
01:37:33 Rep. Ripley

Approval of Proprietary Rates

01:37:43 **Motion:** Rep. Musgrove moved **TO ADOPT** proprietary rates.

Discussion:

01:38:08 Ms. Smith
01:38:15 Rep. Musgrove
01:38:38 Rep. Ripley
01:38:45 Rep. Musgrove

01:38:54 **Vote:** **Motion carried** unanimously by roll call vote.

01:39:09 Rep. Ripley

DP 2005

01:39:25 **Motion:** Sen. Hansen moved DP 2005 **BE ADOPTED.**

Discussion:

01:39:41 Ms. Smith
01:39:56 Rep. Ripley
01:39:59 Ms. Smith
01:40:36 Sen. Hansen
01:40:44 Ms. Smith
01:41:08 Sen. Hansen
01:41:10 Sen. Tropila
01:41:22 Ms. Smith
01:42:10 Rep. Ripley
01:42:32 Rep. Musgrove

01:42:37 **Substitute Motion:** Sen. Hansen moved **TO AMEND** DP 2005 and add approval of new DEQ milestones and goals as requested and rewritten by LFD to earlier motion to approve DP 2005.

Discussion:

01:42:46 Rep. Witte
01:44:06 Rep. Musgrove
01:44:30 Rep. Ripley
01:44:33 Sen. Tropila
01:45:01 Ms. Smith
01:45:18 Rep. Ripley
01:45:53 Ms. Smith
01:46:13 Rep. Ripley

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01:46:18 Ms. Smith

01:46:39 **Vote: Motion carried** 4-2 by roll call, Rep. Ripley and
and Rep. Witte voting no, Rep. Musgrove, Sen. Tash,
Sen. Tropila and Sen. Hansen voting aye.

ADJOURNMENT

1:47:15 Adjournment

REP. RICK RIPLEY, Chairman

CHRISTIE MESSER, Secretary

RR/cm

Additional Exhibits:

EXHIBIT ([jnh10aad.pdf](#))