

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: By Chairman Walter McNutt, on January 19, 2007 at 3:00 P.M., in Room 472 Capitol. The Secretary noted the roll.

ROLL CALL

Members Present:

Rep. Walter McNutt, Chairman (R)
Rep. Ron Erickson, Vice Chairman (D)
Rep. Ralph Heinert, Vice Chairman (R)
Rep. Duane Ankney (R)
Rep. Debby Barrett (R)
Rep. Jill Cohenour (D)
Rep. Sue Dickenson (D)
Rep. Betsy Hands (D)
Rep. Gordon R. Hendrick (R)
Rep. Carol Lambert (R)
Rep. Scott Mendenhall (R)
Rep. JP Pomnichowski (D)
Rep. John (Jack) W. Ross (R)
Rep. Veronica Small-Eastman (D)
Rep. Kendall Van Dyk (D)
Rep. Chas Vincent (R)

Members Excused: None

Members Absent: None

Staff Present: Krista Lee Evans, Legislative Branch
Nancy Kraft, Committee Secretary

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 94, 1/9/2007; HB 119, 1/9/2007
Executive Action: Committee Bill; HB 130; HB 93; HB 151; HB 16; HB 20; HB 73; HB 107; HB 144; HB 37

00:01:15 Rep. Erickson

HEARING ON HB 94

Opening Statement by Sponsor:

00:02:40 Rep. Kendall Van Dyk (D), HD 49, opened the hearing on HB 94, Revise underground storage tank penalty factors.

Proponents' Testimony:

00:07:45 John Arrigo, Department of Environmental Quality (DEQ)

[EXHIBIT \(nah13a01\)](#)

00:15:50 Ronna Alexander, Petroleum Marketers Convenience Stores Association

00:17:40 Don Allen, Western Environment Trade Association (WETA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:19:59 Rep. Small-Eastman

00:20:58 Mr. Arrigo

00:23:39 Bill Rule DEQ

00:26:26 Rep. Heinert

00:27:16 Rep. Van Dyk

00:27:50 Rep. Ankney

00:28:12 Rep. Van Dyk

00:29:29 Rep. Barrett

00:29:54 Rep. Van Dyk

00:31:41 Mr. Arrigo

Closing by Sponsor:

00:33:08 Rep. Van Dyk

HEARING ON HB 119

Opening Statement by Sponsor:

00:33:55 Rep. Jill Cohenour (D), HD 78, opened the hearing on HB 119, Revise water quality laws.

Proponents' Testimony:

00:37:36 Bonnie Lovelace DEQ

[EXHIBIT \(nah13a02\)](#)

Opponents' Testimony:

00:54:09 Doug Hardy, Montana Electric Cooperatives

00:57:07 Don Allen, Western Environmental Trade Association
(WETA)

01:04:57 John Fitzpatrick, NorthWestern Energy

01:07:17 Debbie Shea, Montana Mining Association

[EXHIBIT \(nah13a03\)](#)

01:09:53 Dustin Stewart, Montana Building Industry Association

[EXHIBIT \(nah13a04\)](#)

01:15:37 Tom Ebzery, Attorney, Nance Petroleum, Billings

[EXHIBIT \(nah13a05\)](#)

01:18:38 John Youngberg, Montana Farm Bureau

01:19:48 Glenn Oppel, Montana Realtors Association

01:20:20 Mark Lambrecht, Pacific Power & Light

[EXHIBIT \(nah13a06\)](#)

01:22:35 Gail Abercrombie, Montana Contractors' Association

01:23:52 Dave Galt, Montana Petroleum Association

01:26:11 Ed Bartlett, Golden Sunlight Mines

01:27:43 Jay Bodner, Montana Stockgrowers' Association

01:28:27 Tim Ravndal, Montana Multiple Use Association

Informational Testimony:

01:32:06 Sarah Carlson, Montana Association of Conservation
Districts

Questions from Committee Members and Responses:

01:33:23 Rep. Vincent

01:34:01 Mr. Fitzpatrick

01:35:15 Rep. Erickson

01:35:46 Mr. Stewart

01:37:13 Rep. Erickson

01:37:52 Ms. Lovelace

01:40:53 Rep. Dickenson

01:41:33 Mr. Lambrecht

01:45:35 Rep. Van Dyk

01:47:26 Ms. Lovelace

01:50:42 Rep. Small-Eastman

01:51:51 Ms. Lovelace

01:58:28 Rep. Mendenhall

02:00:32 Ms. Lovelace

02:02:21 Rep. McNutt

02:02:58 Rep. Ankney
02:03:28 Mr. Lambrecht
02:04:36 Rep. Barrett
02:05:15 Ms. Lovelace
02:10:05 Rep. Heinert
02:10:45 Ms. Lovelace

Closing by Sponsor:

02:13:15 Rep. Cohenour
02:15:28 Break

EXECUTIVE ACTION ON COMMITTEE BILL

02:23:48 Rep. Mendenhall gave a report on a Subcommittee Meeting held on 1/17/2007 to discuss repealing water adjudication fees.

02:24:50 **Motion:** Rep. Mendenhall moved that the Natural Resources Committee **Sponsor a Committee Bill** repealing water adjudication fees.

EXHIBIT (nah13a07)

02:26:03 **Vote:** Motion carried unanimously by roll call vote. Rep. Hands voted by proxy.

Discussion

01:01:11 Krista Evans
02:31:08 Rep. Ross
02:31:40 Ms. Evans
02:32:09 Rep. McNutt
02:32:19 Rep. Van Dyk
02:32:28 Rep. Mendenhall
02:32:55 Rep. McNutt
02:33:52 Rep. Barrett
02:35:00 Rep. Mendenhall
02:35:21 Rep. McNutt

EXECUTIVE ACTION ON HB 130, HB 93, HB 151, HB 16

02:35:32 **Motion:** Rep. Mendenhall moved that HB 130, 93, 151, and 16 **BE TABLED.**

Discussion

02:35:56 Rep. Ross
02:36:16 Rep. McNutt
02:36:33 Rep. Cohenour
02:37:32 Rep. Heinert
02:37:38 Rep. Mendenhall withdrew his Motion

EXECUTIVE ACTION ON HB 130

02:37:44 **Motion/Vote:** Rep. Mendenhall moved that HB 130 **BE TABLED**. Motion carried unanimously by voice vote. Rep. Hands voted by proxy.

EXECUTIVE ACTION ON HB 93

02:38:12 **Motion/Vote:** Rep. Mendenhall moved that HB 93 **BE TABLED**. Motion carried unanimously by voice vote. Rep. Hands voted by proxy.

EXECUTIVE ACTION ON HB 151

02:38:23 **Motion/Vote:** Rep. Mendenhall moved that HB 151 **BE TABLED**. Motion carried 15-1 by roll call vote with Rep. Heinert voting no. Rep. Hands voted by proxy.

EXECUTIVE ACTION ON HB 16

02:39:38 **Motion/Vote:** Rep. Mendenhall moved that HB 16 **BE TABLED**. Motion carried unanimously by voice vote. Rep. Hands voted by proxy.

EXECUTIVE ACTION ON HB 20

02:40:45 **Motion/Vote:** Rep. Mendenhall moved that HB 20 **DO PASS**. Motion carried unanimously by voice vote. Rep. Hands voted by proxy.

EXECUTIVE ACTION ON HB 73

02:41:31 **Motion:** Rep. Erickson moved that HB 73 **DO PASS**.

Discussion

02:42:01 Rep. Cohenour

02:42:29 **Vote:** Motion failed 7-9 by roll call vote. Reps. Erickson, Cohenour, Dickenson, Hands, Pomnichowski, Small-Eastman, and Van Dyk voted aye. Rep. Hands voted by proxy.

02:43:51 **Motion/Vote:** Rep. Mendenhall moved that HB 73 **BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote. Rep. Hands voted by proxy.

EXECUTIVE ACTION ON HB 107

02:46:33 **Motion:** Rep. Van Dyk moved that HB 107 **DO PASS**.

Discussion

02:46:48 Rep. Cohenour

02:47:54 Rep. Mendenhall

02:48:35 **Vote:** Motion failed 7-9 by roll call vote. Reps. Erickson, Cohenour, Dickenson, Hands, Pomnichowski, Small-Eastman, and Van Dyk voted aye. Rep. Hands voted by proxy.

02:49:44 **Motion/Vote:** Rep. Erickson moved that HB 107 **BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 144

02:50:38 **Motion:** Rep. Erickson moved that HB 144 **DO PASS**.

Discussion

02:51:03 Rep. Barrett

02:51:52 Rep. Dickenson

02:52:27 Rep. Ankney

02:53:00 Rep. McNutt

02:54:20 Rep. Lambert

02:54:59 Rep. Erickson

02:55:38 Rep. Mendenhall

02:56:20 Rep. Heinert

02:56:58 **Vote:** Motion carried 14-2 by roll call vote. Reps. Barrett and Mendenhall voted no. Rep. Hands voted by proxy.

EXECUTIVE ACTION ON HB 37

02:58:08 **Motion:** Rep. Small-Eastman moved to **RECONSIDER THE MOTION TO TABLE** on HB 37.

Discussion

02:58:41 Rep. Small-Eastman

03:01:16 Rep. Ross

03:02:04 **Vote:** Motion carried 11-5 by roll call vote. Reps. Ankney, Barrett, Hendrick, Lambert, and Mendenhall voted no. Rep. Hands voted by proxy.

03:03:41 **Motion:** Rep. Erickson moved that HB 37 **DO PASS AS AMENDED.**

EXHIBIT (nah13a08)**Discussion**

03:04:34 Rep. Ross

03:05:07 Jay Bodner, Montana Stockgrowers' Association

03:05:35 Rep. Barrett

03:06:34 Rep. Dickenson

03:08:09 Rep. Lambert

03:09:45 Rep. Vincent

03:10:09 Mr. Bodner

03:10:50 Rep. Cohenour

03:11:19 Kevin Chappell, Department of Natural Resources & Conservation

03:12:00 Rep. Cohenour

03:12:58 Rep. Ankney

03:13:15 Mr. Chappell

03:13:50 Rep. Barrett

03:14:38 Rep. Cohenour

03:15:30 Rep. Mendenhall

03:16:31 Rep. Lambert

03:17:38 **Vote:** Motion carried 11-5 by roll call vote. Reps. Ankney, Barrett, Hendrick, Lambert, and Mendenhall voted no. Rep. Hands voted by proxy.

ADJOURNMENT

03:18:59 Adjournment: 6:22 P.M.

REP. WALTER MCNUTT, Chairman

NANCY KRAFT, Secretary

WM/nk

Additional Exhibits:

EXHIBIT ([nah13aad.pdf](#))