

## MINUTES

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

#### COMMITTEE ON NATURAL RESOURCES

**Call to Order:** By Chairman Walter McNutt, on January 24, 2007 at 3:00 P.M., in Room 472 Capitol.

#### 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 201, 1/16/2007; HB 203,  
1/16/2007; HB 205, 1/16/2007  
Executive Action: None

00:01:23 Chairman McNutt

**HEARING ON HB 205**

**Opening Statement by Sponsor:**

00:02:30 Rep. George Everett (R), HD 5, opened the hearing on HB 205, Revise controlled ground water laws.

**[EXHIBIT \(nah16a01\)](#)**

**Proponents' Testimony:**

00:07:00 Glenn Oppel, Montana Association of Realtors

00:08:23 Kathleen Sudan

00:11:33 Abigail St. Lawrence, Montana Association of Realtors

**[EXHIBIT \(nah16a02\)](#)**

00:14:31 Jacqueline Lenmark, Montana Water Well Drillers' Association

00:15:59 Terry Lindsay

**[EXHIBIT \(nah16a03\)](#)**

00:18:03 Dustin Stewart, Montana Building Industry Association

00:18:57 Joe Roberts, Montana Association of Registered Land Surveyors

00:20:09 Abby Gibson

**[EXHIBIT \(nah16a04\)](#)**

00:23:19 Jay Skoog, ACEC Engineering

00:23:53 Clayton Fiscus

**Opponents' Testimony:**

00:24:43 Mary Sexton, Department of Natural Resources and Conservation (DNRC)

00:26:18 Kevin Chandler

00:28:27 Vivian Drake

**[EXHIBIT \(nah16a05\)](#)**

00:36:28 Shawna Floyd

**[EXHIBIT \(nah16a06\)](#)**

**[EXHIBIT \(nah16a07\)](#)**

00:43:59 Steve Kelly, Bozeman

00:49:08 Kathy Gallagher, Bozeman

**[EXHIBIT \(nah16a08\)](#)**

00:54:36 Ron Drake

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:57:30 Rep. Ross  
00:58:18 Rep. Everett  
01:02:46 Rep. Erickson  
01:03:28 Ms. Drake  
01:05:59 Rep. Heinert  
01:06:39 Rep. Everett  
01:07:28 Rep. Heinert  
01:08:01 Ms. Sexton  
01:09:13 Terry McLaughlin DNRC  
01:10:41 Rep. Barrett  
01:11:06 Ms. Sexton  
01:11:22 Russell Levens DNRC  
01:13:14 Rep. Barrett  
01:13:25 Ms. Sexton  
01:14:29 Ann Yates DNRC  
01:14:51 Rep. Barrett  
01:15:11 Ms. Sexton  
01:16:23 Rep. Heinert  
01:16:53 Mr. Levens  
01:20:14 Rep. Ross  
01:20:45 Mr. Levens  
01:23:28 Ms. Yates

**Closing by Sponsor:**

01:24:46 Rep. Everett

**HEARING ON HB 203**

**Opening Statement by Sponsor:**

01:30:43 Rep. Mike Jopek (D), HD 4, opened the hearing on HB  
203, Revise controlled ground water law.

[EXHIBIT \(nah16a09\)](#)

**Proponents' Testimony:**

01:39:35 Mary Sexton, Department of Natural Resources &  
Conservation (DNRC)

[EXHIBIT \(nah16a10\)](#)

01:47:26 Sandi Olsen, Department of Environmental Quality (DEQ)

[EXHIBIT \(nah16a11\)](#)

**Opponents' Testimony:**

01:49:41 Kathy Gallagher

[EXHIBIT \(nah16a12\)](#)

01:53:49 Glenn Oppel, Montana Association of Realtors  
01:56:47 Kathy Gallagher  
02:05:08 Abigail St. Lawrence, Montana Association of Realtors  
02:07:25 Jacqueline Lenmark, Montana Well Water Drillers'  
Association  
02:12:14 Steve Kelly  
02:18:20 John Bloomquist, Montana Stockgrowers' Association  
02:21:35 John Youngberg, Montana Farm Bureau  
02:23:19 Polly Rex

**EXHIBIT (nah16a13)**

02:24:49 Vivian Drake

**EXHIBIT (nah16a14)**

02:30:26 Alan Wright  
02:32:20 Kevin Chandler  
02:34:02 Shawna Floyd

**EXHIBIT (nah16a15)**

**EXHIBIT (nah16a16)**

**EXHIBIT (nah16a17)**

02:52:03 Ron Drake

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

02:55:01 Rep. Dickenson  
02:56:03 Ms. Sexton  
02:56:42 Ann Yates DNRC  
03:02:11 Rep. Dickenson  
03:02:51 Ms. Sexton  
03:03:40 Rep. Heinert  
03:04:10 Ms. Sexton  
03:05:52 Ms. Yates  
03:06:12 Rep. Erickson  
03:07:03 Ms. Yates  
03:07:47 Terry McLaughlin DNRC  
03:09:28 Rep. Mendenhall  
03:09:52 Ms. Yates

**Closing by Sponsor:**

03:10:43 Rep. Jopek

**HEARING ON HB 201**

**Opening Statement by Sponsor:**

03:25:32 Rep. Mike Jopek (D), HD 4, opened the hearing on HB  
201, Authorize opencut mine permit fee.

**EXHIBIT (nah16a18)**

**Proponents' Testimony:**

03:28:16 Cary Hegreberg  
03:30:24 Mike Newton, Fisher Sand and Gravel  
03:32:14 Scott Olsen, Helena Sand and Gravel  
03:33:09 Neil Harrington, Department of Environmental Quality  
(DEQ)

**EXHIBIT (nah16a19)**

**Opponents' Testimony:**

03:38:22 L. Harold Blatte, Montana Association of Counties  
03:39:44 Alan Wright

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

03:40:45 Rep. Ross  
03:41:06 Mr. Hegreberg  
03:41:33 Rep. Erickson  
03:41:51 Mr. Harrington  
03:42:26 Rep. Vincent  
03:42:39 Mr. Hegreberg  
03:43:01 Rep. Barrett  
03:43:34 Mr. Harrington  
03:44:09 Rep. Barrett  
03:44:30 Mr. Blatty

**Closing by Sponsor:**

03:45:31 Rep. Jopek

**ADJOURNMENT**

03:46:17 Adjournment: 6:50 P.M.

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REP. WALTER MCNUTT, Chairman

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NANCY KRAFT, Secretary

WM/nk

Additional Exhibits:

**EXHIBIT ([nah16aad.pdf](#))**